Congressional Record

PROCEEDINGS AND DEBATES

OF THE

FIRST SESSION OF THE SIXTY-SEVENTH CONGRESS

ALSO

SPECIAL SESSION OF THE SENATE

OF

THE UNITED STATES
OF AMERICA

U.S. GOVT. DOCUMENT

JUN 30 1981

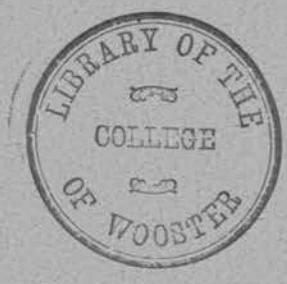
THE ANDREWS LIBRARY
THE COLLEGE OF WOOSTER

VOLUME LXI—PART 1

MARCH 4 TO MARCH 15; APRIL 11 TO MAY 4, 1921

(Pages 1-1054)





WASHINGTON
GOVERNMENT PRINTING OFFICE
1921

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS
SPECIAL SESSION OF THE SENATE.

SENATE.

FRIDAY, *March 4, 1921.*

CALVIN COOLIDGE, Vice President of the United States, to whom the oath was administered at the close of the last regular session of the Sixty-sixth Congress, called the Senate to order, and said:

Prayer will be offered by the Chaplain.

Rev. J. J. Muir, D. D., the Chaplain of the Senate, offered the following prayer:

Our God, the God of our fathers, and our God, too, reverently we bow in Thy presence this morning, seeking for Thy light and grace and wisdom, so that as the new order comes to us there may go from us benedictions to those who have borne the burdens and met the responsibilities of the old days.

Cause Thy blessing to rest upon him who has occupied so well and so acceptably the chief seat in this Chamber. Regard him with Thy blessing, and so help him in the days to come to fulfill every obligation as faithfully as he served here.

We would not forget the honored President, who retires from the duties and the responsibilities of his high office. We are sad to see him suffering, and we bear before Thee our prayers this morning, our God, that Thou wilt grant unto him healing mercy until full recovery is had. We pray that this may be realized if according to Thy will. And grant that at evening tide he may have light.

Regard him who comes into the high office at such a definite expression on the part of the Nation. Grant unto him all that he needs in these new responsibilities and vast tasks. So help him, we beseech of Thee, that he may do justly, love mercy, and walk humbly with his God. We pray for wisdom, we beseech of Thee, upon the new President of the United States. And so we pray for the Vice President as he comes to these duties in this Chamber. O Lord, our God, be with him. Be with all those who change places, as well as those who come for the first time into the manifold duties of national legislation.

Hear our prayer, we beseech Thee, O Lord. Grant a blessing upon the Nation as a whole. May the joy of being an American citizen be more definitely expressed and more truly recognized by every man who lives under the starry folds of our beloved flag.

Hear our prayer for the women as well as for the men, and with the new responsibilities may woman, with all her charm and beauty and strength, rise to the magnitude of those responsibilities.

Regard our relations not only at home but abroad, until it shall be seen that again this land can blaze the way for truth, for righteousness, and for liberty unto the ends of the earth, and shed abroad new light and hope to those who are in darkness and amid the shadows of these most trying hours.

Hear us, help us, our God, ever be with us, and we pray—

Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

We humbly ask in the name of Jesus Christ, our Lord and Savior. Amen.

ADDRESS OF THE VICE PRESIDENT.

The VICE PRESIDENT. Senators, five generations ago there was revealed to the people of this Nation a new relationship between man and man, which they declared and proclaimed in the American Constitution. Therein they recognized a legislature empowered to express the will of the people in law, a judiciary required to determine and state such law, and an Executive charged with securing obedience to the law, all holding their office not by reason of some superior force but through the duly determined conscience of their countrymen.

To the House, close to the heart of the Nation, renewing its whole membership by frequent elections, representing directly the people, reflecting their common purpose, has been granted a full measure of the power of legislation and exclusive authority to originate taxation. To the Senate, renewing its membership by degrees, representing in part the sovereign States, has been granted not only a full measure of the power of legislation but, if possible, far more important functions. To it is intrusted the duty of review, that to negotiation there may be added ratification and to appointment approval. But its greatest function of all, too little mentioned and too little understood, whether exercised in legislating or reviewing, is the preservation of liberty; not merely the rights of the majority—they little need protection—but the rights of the minority, from whatever source they may be assailed. The great object for us to seek here, for the Constitution identifies the Vice Presidency with the Senate, is to continue to make this Chamber, as it was intended by the fathers, the citadel of liberty. An enormous power is here conferred, capable of much good or ill, open it may be to abuse, but necessary, wholly and absolutely necessary, to secure the required result.

Whatever its faults, whatever its human imperfections, there is no legislative body in all history that has used its powers with more wisdom and discretion, more uniformly for the execution of the public will, or more in harmony with the spirit of the authority of the people which has created it, than the United States Senate. I take up the duties the people have assigned me under the Constitution, which we can neither enlarge nor diminish, of presiding over this Senate, agreeably to its rules and regulations, deeply conscious that it will continue to function in harmony with its high traditions as a great deliberative body, without passion and without fear, unmoved by clamor, but most sensitive to the right, the stronghold of government according to law, that the vision of past generations may be more and more the reality of generations yet to come. [Applause.]

PROCLAMATION.

The VICE PRESIDENT. The Secretary will read the proclamation of the President convening the Senate in extraordinary session.

The Secretary (George A. Sanderson) read the proclamation, as follows:

A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Whereas public interests require that the Senate of the United States be convened at 12 o'clock on the 4th day of March next to receive such communication as may be made by the Executive;

Now, therefore, I, Woodrow Wilson, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the District of Columbia, on the 4th day of March next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States in the District of Columbia the 3d of February, in the year of our Lord one thousand nine hundred and twenty-one, and of the independence of the United States the one hundred and forty-fifth.

WOODROW WILSON.

By the President:
BAINBRIDGE COLBY,
Secretary of State.

ADMINISTRATION OF OATH.

The VICE PRESIDENT. The names of the newly elected Senators will be called, and as their names are called they will present themselves at the desk for the purpose of taking the oath of office.

The reading clerk (John C. Crockett) called the names of Mr. BRANDEGEE, Mr. BROUSSARD, Mr. CAMERON, and Mr. CARAWAY.

As their names were called these Senators, escorted by Mr. MCLEAN, Mr. RANSDELL, Mr. ASHURST, and Mr. ROBINSON, respectively, advanced to the Vice President's desk and the oath

53343

of office prescribed by law was administered to them by the Vice President.

The reading clerk called the names of Mr. CUMMINS, Mr. CURTIS, Mr. DILLINGHAM, and Mr. ERNST.

These Senators, escorted by Mr. KENYON, Mr. CAPPER, Mr. PAGE, and Mr. STANLEY, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. FLETCHER, Mr. GOODING, Mr. HARRELD, and Mr. JONES of Washington.

These Senators, escorted by Mr. TRAMMELL, Mr. BORAH, Mr. OWEN, and Mr. POINDEXTER, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. LADD, Mr. LENROOT, Mr. MCKINLEY, and Mr. MOSES.

These Senators, escorted by Mr. MCCUMBER, Mr. LA FOLLETTE, Mr. CURTIS, and Mr. KEYES, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. NICHOLSON, Mr. NORBECK, Mr. ODDIE, and Mr. OVERMAN.

These Senators (with the exception of Mr. NORBECK), escorted by Mr. PHIPPS, Mr. PITTMAN, and Mr. SIMMONS, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. PENROSE, Mr. SHORTRIDGE, Mr. SMITH, and Mr. SMOOT.

These Senators, escorted by Mr. KNOX, Mr. JOHNSON, Mr. DIAL, and Mr. KING, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. SPENCER, Mr. STANFIELD, Mr. UNDERWOOD, and Mr. WADSWORTH.

These Senators, escorted by Mr. REED, Mr. MCNARY, Mr. HEFLIN, and Mr. CALDER, respectively, advanced to the Vice President's desk and the oath was administered to them.

The reading clerk called the names of Mr. WATSON of Georgia, Mr. WATSON of Indiana, Mr. WELLER, and Mr. WILLIS.

These Senators, escorted by Mr. HARRIS, Mr. NEW, Mr. FRANCE, and Mr. POMERENE, respectively, advanced to the Vice President's desk and the oath was administered to them.

LIST OF SENATORS.

The list of Senators by States is as follows:

Alabama.—Oscar W. Underwood and J. Thomas Heflin.
Arizona.—Henry F. Ashurst and Ralph H. Cameron.
Arkansas.—Joseph T. Robinson and Thaddeus H. Caraway.
California.—Hiram W. Johnson and Samuel M. Shortridge.
Colorado.—Lawrence C. Phipps and Samuel D. Nicholson.
Connecticut.—Frank D. Brandegee and George P. McLean.
Delaware.—Josiah O. Wolcott and L. Heisler Ball.
Florida.—Duncan U. Fletcher and Park Trammell.
Georgia.—William J. Harris and Thomas E. Watson.
Idaho.—William E. Borah and Frank R. Gooding.
Illinois.—Medill McCormick and William B. McKinley.
Indiana.—James E. Watson and Harry S. New.
Iowa.—Albert B. Cummins and William S. Kenyon.
Kansas.—Charles Curtis and Arthur Capper.
Kentucky.—Augustus O. Stanley and Richard P. Ernst.
Louisiana.—Joseph E. Ransdell and Edwin S. Broussard.
Maine.—Bert M. Fernald and Frederick Hale.
Maryland.—Joseph I. France and Ovington E. Weller.
Massachusetts.—Henry Cabot Lodge and David I. Walsh.
Michigan.—Charles E. Townsend and Truman H. Newberry.
Minnesota.—Knute Nelson and Frank B. Kellogg.
Mississippi.—John Sharp Williams and Pat Harrison.
Missouri.—James A. Reed and Selden P. Spencer.
Montana.—Henry L. Myers and Thomas J. Walsh.
Nebraska.—Gilbert M. Hitchcock and George W. Norris.
Nevada.—Key Pittman and Tasker L. Oddie.
New Hampshire.—George H. Moses and Henry W. Keyes.
New Jersey.—Joseph S. Frelinghuysen and Walter E. Edge.
New Mexico.—Albert B. Fall and Andrieus A. Jones.
New York.—James W. Wadsworth, jr., and William M. Calder.
North Carolina.—F. M. Simmons and Lee S. Overman.
North Dakota.—Porter J. McCumber and E. F. Ladd.
Ohio.—Atlee Pomerene and Frank B. Willis.
Oklahoma.—Robert L. Owen and J. W. Harreld.
Oregon.—Charles L. McNary and Robert N. Stanfield.
Pennsylvania.—Boies Penrose and Philander C. Knox.
Rhode Island.—LeBaron B. Colt and Peter G. Gerry.
South Carolina.—Ellison D. Smith and Nathaniel B. Dial.
South Dakota.—Thomas Sterling and Peter Norbeck.
Tennessee.—John K. Shields and Kenneth McKellar.
Texas.—Charles A. Culberson and Morris Sheppard.
Utah.—Reed Smoot and William H. King.
Vermont.—William P. Dillingham and Carroll S. Page.
Virginia.—Claude A. Swanson and Carter Glass.
Washington.—Wesley L. Jones and Miles Poindexter.
West Virginia.—Howard Sutherland and Davis Elkins.
Wisconsin.—Robert M. La Follette and Irvine L. Lenroot.
Wyoming.—Francis E. Warren and John B. Kendrick.

INAUGURATION OF THE PRESIDENT OF THE UNITED STATES.

The VICE PRESIDENT. The Sergeant at Arms will carry out the order of the Senate for the inauguration of the President of the United States on the east front of the Capitol.

The President elect, Warren G. Harding, escorted by the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States, and accompanied by the Joint Committee on Arrangements, followed by the members of the Diplomatic Corps, the General of the Army, the Chief of Naval Operations, the Chief of Staff of the Army, the Commandant of the Marine Corps, the Members of the Senate, preceded by the Vice President, the Sergeant at Arms, and the Secretary of the Senate, the Members of the House of Representatives, preceded by the Speaker and Clerk, and the other guests of the Senate, proceeded to the inaugural platform at the east front of the Capitol.

The oath of office having been administered to the President elect by the Chief Justice of the United States, he delivered the inaugural address.

INAUGURAL ADDRESS OF PRESIDENT WARREN G. HARDING.

My Countrymen: When one surveys the world about him after the great storm, noting the marks of destruction and yet rejoicing in the ruggedness of the things which withstood it, if he is an American he breathes the clarified atmosphere with a strange mingling of regret and new hope. We have seen a world passion spend its fury, but we contemplate our Republic unshaken, and hold our civilization secure. Liberty—liberty within the law—and civilization are inseparable, and though both were threatened we find them now secure; and there comes to Americans the profound assurance that our representative government is the highest expression and surest guaranty of both.

Standing in this presence, mindful of the solemnity of this occasion, feeling the emotions which no one may know until he senses the great weight of responsibility for himself, I must utter my belief in the divine inspiration of the founding fathers. Surely there must have been God's intent in the making of this New World Republic. Ours is an organic law which had but one ambiguity, and we saw that effaced in a baptism of sacrifice and blood, with union maintained, the Nation supreme and its concord inspiring. We have seen the world rivet its hopeful gaze on the great truths on which the founders wrought. We have seen civil, human, and religious liberty verified and glorified. In the beginning the Old World scoffed at our experiment; to-day our foundations of political and social belief stand unshaken, a precious inheritance to ourselves, an inspiring example of freedom and civilization to all mankind. Let us express renewed and strengthened devotion in grateful reverence for the immortal beginning, and utter our confidence in the supreme fulfillment.

PROGRESS PROVES WISDOM.

The recorded progress of our Republic, materially and spiritually, in itself proves the wisdom of the inherited policy of noninvolvement in Old World affairs. Confident of our ability to work out our own destiny, and jealously guarding our right to do so, we seek no part in directing the destinies of the Old World. We do not mean to be entangled. We will accept no responsibility except as our own conscience and judgment, in each instance, may determine.

Our eyes never will be blind to a developing menace, our ears never deaf to the call of civilization. We recognize the new order in the world, with the closer contacts which progress has wrought. We sense the call of the human heart for fellowship, fraternity, and cooperation. We crave friendship and harbor no hate. But America, our America, the America builded on the foundation laid by the inspired fathers, can be a party to no permanent military alliance. It can enter into no political commitments, nor assume any economic obligations which will subject our decisions to any other than our own authority.

I am sure our own people will not misunderstand, nor will the world misconstrue. We have no thought to impede the paths to closer relationship. We wish to promote understanding. We want to do our part in making offensive warfare so hateful that governments and peoples who resort to it must prove the righteousness of their cause or stand as outlaws before the bar of civilization.

ASSOCIATION FOR COUNSEL.

We are ready to associate ourselves with the nations of the world, great and small, for conference, for counsel; to seek the expressed views of world opinion; to recommend a way to approximate disarmament and relieve the crushing burdens of military and naval establishments. We elect to participate in suggesting plans for mediation, conciliation, and arbitration, and would gladly join in that expressed conscience of progress which seeks to clarify and write the laws of international relationship, and establish a world court for the disposition of such justiciable questions as nations are agreed to submit thereto. In expressing aspirations, in seeking practical plans, in translating humanity's new concept of righteousness and justice and its hatred of war into recommended action, we are ready most heartily to unite, but every commitment must be made in the exercise of our national sovereignty. Since freedom impelled, and independence inspired, and nationality exalted, a world supergovernment is contrary to everything we cherish and can have no sanction by our Republic. This is not selfishness; it is sanctity. It is not aloofness; it is security. It is not suspicion of others; it is patriotic adherence to the things which made us what we are.

To-day, better than ever before, we know the aspirations of humankind, and share them. We have come to a new realization of our place in the world, and a new appraisal of our Nation by the world. The unselfishness of these United States is a thing proven, our devotion to peace for ourselves and for the world is well established, our concern for preserved civilization has had its impassioned and heroic expression. There was no American failure to resist the attempted reversion of civilization; there will be no failure to-day or to-morrow.

RESTS ON POPULAR WILL.

The success of our popular government rests wholly upon the correct interpretation of the deliberate, intelligent, dependable popular will of America. In a deliberate questioning of a suggested change of national policy, where internationality was to supersede nationality, we turned to a referendum to the American people. There was ample discussion, and there is a public mandate in manifest understanding.

America is ready to encourage, eager to initiate, anxious to participate in any seemly program likely to lessen the probability of war and promote that brotherhood of mankind which must be God's highest conception of human relationship. Because we cherish ideals of justice and peace, because we appraise international comity and helpful relationship no less highly than any people of the world, we aspire to a high place in the moral leadership of civilization, and we hold a maintained America, the proven Republic, the unshaken temple of representative democracy, to be not only an inspiration and example but the highest agency of strengthening good will and promoting accord on both continents.

Mankind needs a world-wide benediction of understanding. It is needed among individuals, among peoples, among governments, and it will inaugurate an era of good feeling to mark the birth of a new order. In such understanding men will strive confidently for the promotion of their better relationships, and nations will promote the comities so essential to peace.

TRADE TIES BIND CLOSELY.

We must understand that ties of trade bind nations in closest intimacy, and none may receive except as he gives. We have not strengthened ours in accordance with our resources or our genius, notably on our continent, where a galaxy of republics reflect the glory of new-world democracy, but in the new order of finance and trade we mean to promote enlarged activities and seek expanded confidence.

Perhaps we can make no more helpful contribution by example than prove a Republic's capacity to emerge from the wreckage of war. While the world's embittered travail did not leave us devastated lands nor desolated cities, left no gaping wounds, no breast with hate, it did involve us in the delirium of expenditure, in expanded currency and credits, in unbalanced industry, in unspeakable waste and disturbed relationships. While it uncovered our portion of hateful selfishness at home, it also revealed the heart of America as sound and fearless, and beating in confidence unfailing.

Amid it all we have riveted the gaze of all civilization to the unselfishness and the righteousness of representative democracy, where our freedom never has made offensive warfare, never has sought territorial aggrandizement through force, never has turned to the arbitrament of arms until reason has been exhausted. When the Governments of the earth shall have established a freedom like our own and shall have sanctioned the pursuit of peace as we have practiced it, I believe the last sorrow and the final sacrifice of international warfare will have been written.

Let me speak to the maimed and wounded soldiers who are present to-day, and through them convey to their comrades the gratitude of the Republic for their sacrifices in its defense. A generous country will never forget the services you rendered, and you may hope for a policy under Government that will relieve any maimed successors from taking your places on another such occasion as this.

OUR SUPREME TASK.

Our supreme task is the resumption of our onward, normal way. Reconstruction, readjustment, restoration—all these must follow. I would like to hasten them. If it will lighten the spirit and add to the resolution with which we take up the task, let me repeat for our Nation we shall give no people just cause to make war upon us, we hold no national prejudices, we entertain no spirit of revenge, we do not hate, we do not covet, we dream of no conquest, nor boast of armed prowess.

If, despite this attitude, war is again forced upon us, I earnestly hope a way may be found which will unify our individual and collective strength and consecrate all America, materially and spiritually, body and soul, to national defense. I can vision the ideal republic, where every man and woman is called under the flag, for assignment to duty, for whatever service, military or civil, the individual is best fitted; where we may call to universal service every plant, agency, or facility, all in the sublime sacrifice for country, and not one penny of war profit shall inure to the benefit of private individual, corporation, or combination, but all above the normal shall flow into the defense chest of the Nation. There is something inherently wrong, something out of accord with the ideals of representative democracy, when one portion of our citizenship turns its activities to private gain amid defensive war while another is fighting, sacrificing, or dying for national preservation.

UNITY OF SPIRIT AND PURPOSE.

Out of such universal service will come a new unity of spirit and purpose, a new confidence and consecration, which would make our defense impregnable, our triumph assured. Then we should have little or no disorganization of our economic, industrial, and commercial systems at home, no staggering war debts, no swollen fortunes to flout the sacrifices of our soldiers, no excuse for sedition, no pitiable slackerism, no outrage of treason. Envy and jealousy would have no soil for their menacing development, and revolution would be without the passion which engenders it.

A regret for the mistakes of yesterday must not, however, blind us to the tasks of to-day. War never left such an aftermath. There has been staggering loss of life and measureless wastage of materials. Nations are still groping for return to stable ways. Discouraging indebtedness confronts us like all the war-torn nations, and these obligations must be provided for. No civilization can survive repudiation.

We can reduce the abnormal expenditures, and we will. We can strike at war taxation, and we must. We must face the grim necessity, with full knowledge that the task is to be solved, and we must proceed with a full realization that no statute enacted by man can repeal the inexorable laws of nature. Our most dangerous tendency is to expect too much of government, and at the same time do for it too little.

We contemplate the immediate task of putting our public household in order. We need a rigid and yet sane economy, combined with fiscal justice, and it must be attended by individual prudence and thrift, which are so essential to this trying hour and reassuring for the future.

REFLECTION OF WAR'S REACTION.

The business world reflects the disturbance of war's reaction. Herein flows the lifeblood of material existence. The economic mechanism is intricate and its parts interdependent, and has suffered the shocks and jars incident to abnormal demands, credit inflations, and price upheavals. The normal balances have been impaired, the channels of distribution have been clogged, the relations of labor and management have been strained. We must seek the readjustment with care and courage. Our people must give and take. Prices must reflect the receding fever of war activities. Perhaps we never shall know the old levels of wage again, because war invariably readjusts compensations, and the necessaries of life will show their inseparable relationship, but we must strive for normalcy to reach stability. All the penalties will not be light nor evenly distributed. There is no way of making them so. There is no instant step from disorder to order. We must face a condition of grim reality, charge off our losses, and start afresh. It is the oldest lesson of civilization. I would like Government to do all it can to mitigate; then, in understanding, in mutuality of interest, in concern for the common good, our tasks will be solved. No altered system will work a miracle. Any wild

experiment will only add to the confusion. Our best assurance lies in efficient administration of our proven system.

FROM DESTRUCTION TO PRODUCTION.

The forward course of the business cycle is unmistakable. Peoples are turning from destruction to production. Industry has sensed the changed order and our own people are turning to resume their normal, onward way. The call is for productive America to go on. I know that Congress and the administration will favor every wise Government policy to aid the resumption and encourage continued progress.

I speak for administrative efficiency, for lightened tax burdens, for sound commercial practices, for adequate credit facilities, for sympathetic concern for all agricultural problems, for the omission of unnecessary interference of Government with business, for an end to Government's experiment in business, and for more efficient business in government administration. With all of this must attend a mindfulness of the human side of all activities, so that social, industrial, and economic justice will be squared with the purposes of a righteous people.

With the nation-wide induction of womanhood into our political life we may count upon her intuitions, her refinements, her intelligence, and her influence to exalt the social order. We count upon her exercise of the full privileges and the performance of the duties of citizenship to speed the attainment of the highest state.

PRAYER FOR INDUSTRIAL PEACE.

I wish for an America no less alert in guarding against dangers from within than it is watchful against enemies from without. Our fundamental law recognizes no class, no group, no section; there must be none in legislation or administration. The supreme inspiration is the common weal. Humanity hungers for international peace, and we crave it with all mankind. My most reverent prayer for America is for industrial peace, with its rewards, widely and generally distributed, amid the inspirations of equal opportunity. No one justly may deny the equality of opportunity which made us what we are. We have mistaken unpreparedness to embrace it to be a challenge of the reality, and due concern for making all citizens fit for participation will give added strength of citizenship and magnify our achievement.

If revolution insists upon overturning established order, let other peoples make the tragic experiment. There is no place for it in America. When world war threatened civilization we pledged our resources and our lives to its preservation, and when revolution threatens we unfurl the flag of law and order and renew our consecration. Ours is a constitutional freedom where the popular will is the law supreme and minorities are sacredly protected. Our revisions, reformations, and evolutions reflect a deliberate judgment and an orderly progress, and we mean to cure our ills, but never destroy or permit destruction by force.

I had rather submit our industrial controversies to the conference table in advance than to a settlement table after conflict and suffering. The earth is thirsting for the cup of good will; understanding is its fountain source. I would like to acclaim an era of good feeling amid dependable prosperity and all the blessings which attend.

PROTECTION OF INDUSTRIES.

It has been proved again and again that we can not, while throwing our markets open to the world, maintain American standards of living and opportunity, and hold our industrial eminence in such unequal competition. There is a luring fallacy in the theory of banished barriers of trade, but preserved American standards require our higher production costs to be reflected in our tariffs on imports. To-day, as never before, when peoples are seeking trade restoration and expansion, we must adjust our tariffs to the new order. We seek participation in the world's exchanges, because therein lies our way to widened influence and the triumphs of peace. We know full well we can not sell where we do not buy, and we can not sell successfully where we do not carry. Opportunity is calling not alone for the restoration but for a new era in production, transportation, and trade. We shall answer it best by meeting the demand of a surpassing home market, by promoting self-reliance in production, and by bidding enterprise, genius, and efficiency to carry our cargoes in American bottoms to the marts of the world.

AN AMERICA OF HOMES.

We would not have an America living within and for herself alone, but we would have her self-reliant, independent, and ever nobler, stronger, and richer. Believing in our higher standards, reared through constitutional liberty and maintained opportunity, we invite the world to the same heights. But pride in things wrought is no reflex of a completed task. Common welfare is the goal of our national endeavor. Wealth is not inimical to welfare; it ought to be its friendliest agency. There never can be equality of rewards or possessions so long as the human plan contains varied talents and differing degrees of industry and thrift, but ours ought to be a country free from great blotches of distressed poverty. We ought to find a way to guard against the perils and penalties of unemployment. We want an America of homes, illumined with hope and happiness, where mothers, freed from the necessity for long hours of toil beyond their own doors, may preside as befits the hearthstone of American citizenship. We want the cradle of American childhood rocked under conditions so wholesome and so hopeful that no blight may touch it in its development, and we want to provide that no selfish interest, no material necessity, no lack of opportunity, shall prevent the gaining of that education so essential to best citizenship.

There is no short cut to the making of these ideals into glad realities. The world has witnessed, again and again, the futility and the mischief of ill-considered remedies for social and economic disorders. But we are mindful to-day, as never before, of the friction of modern industrialism, and we must learn its causes and reduce its evil consequences by sober and tested methods. Where genius has made for great possibilities, justice and happiness must be reflected in a greater common welfare.

SERVICE, THE SUPREME COMMITMENT.

Service is the supreme commitment of life. I would rejoice to acclaim the era of the golden rule and crown it with the autocracy of service. I pledge an administration wherein all the agencies of government are called to serve, and ever promote an understanding of government purely as an expression of the popular will.

One can not stand in this presence and be unmindful of the tremendous responsibility. The world upheaval has added heavily to our tasks. But with the realization comes the surge of high resolve, and there is reassurance in belief in the God-given destiny of our Republic. If I felt that there is to be sole responsibility in the Executive for the America of to-morrow I should shrink from the burden. But here are a hundred millions, with common concern and shared responsibility, answerable to God and country. The Republic summons them to their duty, and I invite cooperation.

I accept my part with single-mindedness of purpose and humility of spirit, and implore the favor and guidance of God in His heaven. With these I am unafraid, and confidently face the future.

I have taken the solemn oath of office on that passage of Holy Writ wherein it is asked: "What doth the Lord require of thee but to do justly, and to love mercy, and to walk humbly with thy God?" This I plight to God and country.

The Senate returned to its Chamber at 2 o'clock p. m., and the Vice President resumed the Chair.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gooding	McLean	Simmons
Ball	Hale	McNary	Smith
Brandegee	Harreld	Moses	Smoot
Broussard	Harris	Myers	Spencer
Calder	Harrison	Nelson	Stanfield
Cameron	Heflin	New	Stanley
Capper	Hitchcock	Nicholson	Sterling
Caraway	Johnson	Norris	Sutherland
Colt	Jones, N. Mex.	Oddie	Swanson
Culberson	Jones, Wash.	Overman	Townsend
Cummins	Kellogg	Owen	Trammell
Curtis	Kendrick	Page	Underwood
Dial	Kenyon	Penrose	Wadsworth
Dillingham	Keyes	Phipps	Walsh, Mass.
Edge	King	Pittman	Walsh, Mont.
Ernst	Knox	Poindexter	Warren
Fall	Ladd	Pomerene	Watson, Ga.
Fernald	La Follette	Ransdell	Watson, Ind.
Fletcher	Lenroot	Reed	Weller
France	Lodge	Robinson	Willis
Frelinghuysen	McCumber	Sheppard	Wolcott
Gerry	McKellar	Shields	
Glass	McKinley	Shortridge	

The VICE PRESIDENT. Ninety-one Senators have answered to the roll call. There is a quorum present.

HOUR OF MEETING TO-MORROW.

Mr. LODGE. Mr. President, I move that when the Senate adjourns to-day it be to meet at 10 o'clock to-morrow morning, on account of the funeral of the late Hon. CHAMP CLARK.

The motion was agreed to.

HOUR OF DAILY MEETING.

Mr. LODGE submitted the following resolution (S. Res. 1), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

NOTIFICATION OF THE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. No. 2) which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee of two Senators be appointed by the Vice President to wait upon the President of the United States and inform him that a quorum of the Senate has assembled and that the Senate is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed as the committee under the resolution Mr. LODGE and Mr. UNDERWOOD.

Mr. LODGE subsequently announced that the committee had notified the President, and the President replied that he would in a few minutes deliver to the Senate a message in person.

RESIGNATION OF SENATOR FALL.

The VICE PRESIDENT laid before the Senate the following communication, which was read and ordered to lie on the table:

UNITED STATES SENATE,
Washington, D. C., March 4, 1921.

To the honorable Calvin Coolidge, Vice President, and President of the United States Senate.

SIR: I hereby tender my resignation as a United States Senator from the State of New Mexico for the term expiring March 3, 1925, to take effect immediately.

Respectfully submitted.

ALBERT B. FALL.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened and (at 2 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 5, 1921, at 10 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 4, 1921.

SECRETARY OF STATE.

Charles Evans Hughes, of New York, to be Secretary of State.

SECRETARY OF THE TREASURY.

Andrew William Mellon, of Pennsylvania, to be Secretary of the Treasury.

SECRETARY OF WAR.

John Wingate Weeks, of Massachusetts, to be Secretary of War.

ATTORNEY GENERAL.

Harry M. Daugherty, of Ohio, to be Attorney General.

POSTMASTER GENERAL.

Will H. Hays, of Indiana, to be Postmaster General.

SECRETARY OF THE NAVY.

Edwin Denby, of Michigan, to be Secretary of the Navy.

SECRETARY OF THE INTERIOR.

Albert Bacon Fall, of New Mexico, to be Secretary of the Interior.

SECRETARY OF COMMERCE.

Herbert Clark Hoover, of California, to be Secretary of Commerce.

SECRETARY OF AGRICULTURE.

Henry Cantwell Wallace, of Iowa, to be Secretary of Agriculture.

SECRETARY OF LABOR.

James J. Davis, of Illinois, to be Secretary of Labor.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4, 1921.

SECRETARY OF STATE.

Charles Evans Hughes, of New York.

SECRETARY OF THE TREASURY.

Andrew William Mellon, of Pennsylvania.

SECRETARY OF WAR.

John Wingate Weeks, of Massachusetts.

ATTORNEY GENERAL.

Harry M. Daugherty, of Ohio.

POSTMASTER GENERAL.

Will H. Hays, of Indiana.

SECRETARY OF THE NAVY.

Edwin Denby, of Michigan.

SECRETARY OF THE INTERIOR.

Albert Bacon Fall, of New Mexico.

SECRETARY OF COMMERCE.

Herbert Clark Hoover, of California.

SECRETARY OF AGRICULTURE.

Henry Cantwell Wallace, of Iowa.

SECRETARY OF LABOR.

James J. Davis, of Illinois.

SENATE.

SATURDAY, *March 5, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, Thou art teaching us many lessons day by day. We are learning that the smile and the tear may be very close and that while rejoicings may fill our hearts at times shadows of grief also come to us. We ask Thee for Thy grace to-day to meet the shadows which hover about this Capitol and Nation. Direct with Thy blessing the comfort needed to those who are bereaved, and help us each to fulfill our duty according to Thy mind and will. For Thy Name's sake. Amen.

MEDILL MCCORMICK, a Senator from the State of Illinois, and DAVIS ELKINS, a Senator from the State of West Virginia, appeared in their seats to-day.

The reading clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Lenroot	Reed
Ball	Gooding	Lodge	Robinson
Broussard	Hale	McCormick	Sheppard
Calder	Harreld	McCumber	Shortridge
Cameron	Harris	McKellar	Smoot
Capper	Harrison	McKinley	Spencer
Colt	Heflin	McLean	Stanfield
Cummins	Hitchcock	McNary	Stanley
Curtis	Johnson	Moses	Sterling
Dial	Jones, Wash.	Myers	Townsend
Dillingham	Kellogg	Nelson	Underwood
Edge	Kendrick	Nicholson	Wadsworth
Elkins	Kenyon	Oddie	Walsh, Mass.
Ernst	Keyes	Overman	Walsh, Mont.
Fernald	King	Phipps	Warren
Fletcher	Ladd	Pomerene	Weller
France	La Follette	Ransdell	Willis

The VICE PRESIDENT. Sixty-eight Senators having answered to their names, a quorum is present.

ADDITIONAL PAGES.

Mr. LODGE submitted the following resolution (S. Res. No. 3), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution No. 391, agreed to December 8, 1920, authorizing and directing the Sergeant at Arms of the Senate to employ five additional pages for the Senate Chamber, at $3 per day each during the present session of Congress, to be paid from the miscellaneous items of the Senate, be, and the same hereby is, continued and extended in full force and effect from the 4th day of March, 1921, until the 31st day of March, 1921, both dates inclusive.

WORLD'S WAR ACCOUNT.

Mr. SPENCER. Mr. President, I have had prepared for my own information a trial balance of the gross cost of the war to every one of the allied nations, and of the credit indemnity as far as it has now been established for each one of the allied nations, and the resulting balance, showing the net loss of each nation in the war. I ask unanimous consent that the statement may be printed in the RECORD for the information of the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The statement is as follows:

World's War account, as of January 1, 1921.

TRIAL BALANCES AS BETWEEN UNITED STATES, GREAT BRITAIN, FRANCE, ITALY, BELGIUM, CHINA, AND JAPAN.

[Prepared by Fred A. Dolph from data and authorities quoted.]

Column No. 1: Includes total military cost, civilian cost and damage, relief contributions, loans and credits extended, estimated amount to be paid in pensions and insurance. Supported by schedules 1 and 7, attached.

Column No. 2: Includes indemnity paid and to be paid by Germany as per tentative provisions of the treaty, without enlargement by the reparations commission, estimated amounts and divisions of indemnity being those made by Prof. J. M. Keyes, King's College, Cambridge, England. Supported by schedule 9, attached.

Column No. 3: Is the net financial loss to each nation, with credit for indemnity allowed, and as matters now stand with interloans and interest unpaid.

Nation.	Column No. 1—Gross cost	Column No. 2—Credit indemnity.	Column No. 3—Final loss.
United States	$44,173,948,225	$2,300,000,000	$41,873,948,225
Great Britain	51,052,634,000	9,850,000,000	41,202,634,000
France	54,272,915,000	16,000,000,000	38,272,915,000
Italy	18,680,847,000	3,500,000,000	15,180,847,000
Belgium	8,174,731,000	5,700,000,000	2,474,731,000
China	565,376,000	100,000,000	465,376,000
Japan	481,818,000	250,000,000	231,818,000
Total	177,402,269,225	37,700,000,000	139,702,269,225

Schedule No. 1.

UNITED STATES.

Paid out:

Military cost, as per Secretary Houston	$24,010,000,000
Extra cost Government functions under war conditions, as per Secretary of the Treasury	4,500,000,000
Civilian damages, lost shipping, and pensions to be paid	2,300,000,000
Red Cross contributions	978,512,225
Other contributions estimated at one-half Red Cross amount	490,000,000
Congressional European relief	100,000,000
Credit extended by Grain Corporation	60,375,000
Credit given by War Department	50,000,000
Credit given by Shipping Board	3,580,000
Credit given by American nationals to European nationals, as per bulletin of Bankers Trust Co	1,921,481,000
Government loans to European nations, including unpaid interest	9,760,000,000
Total	44,173,948,225

Credit:

Received an amount of German shipping not known, but it is expected that the amount, together with other receipts, will reach the sum of $2,300,000,000, the amount of the civilian loss, pensions, etc. For further explanation see Schedule No. 9.

Schedule No. 2.

GREAT BRITAIN.

Paid out:

War cost, estimated by deducting prewar national debts from present national indebtedness of Great Britain, including Canada, Australia, New Zealand, India, and Union of South Africa, which produces	$39,902,634,000
And by adding abnormal taxes collected during the war and since	1,300,000,000
Civilian damages and pension account, as per Prof. Keynes	9,850,000,000
Total	51,052,634,000

Credit:	Square miles.
(a) German East Africa. With 620 miles coast line on Indian Ocean. Foreign trade, $24,750,000; cattle, 3,993,000 head; sheep, 6,398,000 head; and 1,010 miles of railroad.	384,169
(b) German West Africa. With 930 miles coast line on the Atlantic Ocean. Foreign trade, $17,889,056; cattle, 205,643 head; sheep, 472,585 head; goats, 500,000; diamonds taken out in seven years over $35,000,000; 1,304 miles of railroad.	322,450
(c) Togoland (Africa). With its vast forests and 228 miles of railroad.	33,700
(d) Pacific islands. New Guinea, Bismarck Archipelago, Samoan, and Solomon.	105,120
(e) German shipping: A proportion of ships taken from Germany.	
Total	845,439

The foregoing items were turned over to the Allies for general account, but have since been allotted to Great Britain. For further explanation see Schedule No. 9.

Schedule No. 3.

FRANCE.

Paid out:

Estimated on basis of deducting prewar from present national debt and adding abnormal taxes	$38,272,925,000
Civilian damages and pension account, as per Prof. Keynes	16,000,000,000
Total	54,272,925,000

Credit:

(a) Saar Basin mines, producing 14,000,000 tons per annum.

(b) Coal in two allotments, totaling deliveries in 10 years of 210,000,000 tons.

(c) Chemicals: Benzol, 35,000 tons; coal tar, 50,000 tons; sulphate ammonia, 30,000 tons.

(d) Live stock: Stallions, 500; fillies, 30,000; bulls, 2,000; milch cows, 90,000; rams, 1,000; sheep, 100,000; goats, 10,000.

(e) Alsace-Lorraine: 5,605 square miles; population, 1,871,702; annual budget, $18,512,326; produced 2,672,318 gallons wine, 21,136,265 tons iron, 3,795,932 tons coal, 76,672 tons salt, has 5,000 miles paved roads and 1,305 miles of railroad; all private property of German nationals, which is fully 65 per cent of all property in territory; all war taxes paid to Germany from territory to be repaid.

(f) Equatorial Africa: All rights under contracts between Germany and France, dated Nov. 4, 1911, and Sept. 28, 1912.

(g) State bank of Morocco: Turns over to France all stock of Germany and German nationals.

(h) Bonds: Is to receive $15,000,000,000 of German bonds. See Schedule 9.

All of the above items except the last were specifically given to France by the treaty, and the last item was or will be allotted to France.

Schedule No. 4.

ITALY.

Paid out:

Estimated war cost by deducting prewar from present national debt and adding abnormal tax	$15,180,847,000
Damages and pension account as per Prof. Keynes	3,500,000,000
Total	18,680,847,000

Credit:

(a) Coal, 85,500,000 tons, to be delivered within 10 years. One-half by rail and one-half by water. German treaty.

(b) Trentino, Istria, and part of Dalmatia from Austrian territory. About 12,000 square miles. Austrian treaty.

(c) Bonds: An allotment of $3,000,000,000 of bonds. See Schedule No. 9.

Schedule No. 5.

BELGIUM.

Paid out:		
War cost estimated by deducting prewar from present national debt and adding abnormal taxes		$3,174,731,000
Add civilian damages and pension account, as per Prof. Keynes		5,000,000,000
Total		8,174,731,000
Credit:		
(a) 80,000,000 tons of coal to be delivered.		
(b) Live stock: 200 stallions; 5,000 mares; 2,000 fillies; 2,000 bulls; 50,000 milk cows; 40,000 heifers; 200 rams; 30,000 sheep; 15,000 sows.		
(c) Cash or first-lien bonds to pay off foreign loans, $700,000.		
(d) Moresnet, both the original neutral and the Prussian territory.		
(e) Kriese of Eupen and Malmedy, both to be eventually determined by plebiscite.		
(f) Bonds: Allotment of $4,000,000,000. See Schedule No. 9.		

Schedule No. 6.

CHINA.

Paid out:		
Cost estimated by deducting prewar from present national debts		$465,376,000
Add civilian damages and pension account		100,000,000
Total		565,376,000
Credit:		
(a) Cancellation of Boxer indemnity	$97,875,000	
(b) German property in China outside of Shantung	2,125,000	
		100,000,000
Net loss		465,376,000

Schedule No. 7.

JAPAN.

Paid out:		
Estimated cost by deducting prewar from present national debts		$231,818,000
Estimated amount of civilian loss and pension account		250,000,000
Total		481,818,000
Credit:		
(a) Shantung, with 308 miles of railroad and two railroad concessions; 40 mines and equipment, which includes coal mines with an output of 814,000 tons per annum; 2 iron mines; 2 gold mines.		
(b) Pacific islands. Pelew group, includes Yap; Caroline Islands; Marshall Islands. Total, 1,040 square miles.		
(c) Cables: All German-owned cables in above territory.		

Item (a) was given to Japan directly by the treaty and the other two items have been allotted by the powers and the commission to Japan.

Schedule No. 8.

TRIAL BALANCE ON BASIS THAT ALL LOANS AND EXTENDED CREDITS AS BETWEEN NATIONS ARE PAID WITH INTEREST.

France would charge off a total loss of	$39,112,915,000
Great Britain	32,502,634,000
United States	29,788,512,225
Italy	19,140,847,000
Belgium	2,474,731,000
China	265,376,000
Japan	31,818,000

Schedule No. 9.

INDEMNITIES.

The treaty provided that Germany should pay and Germany engaged to pay only three general items of indemnity:

1. Repay Belgium for all foreign loans made by it to prosecute the war, including all fines and taxes imposed by Germany upon Belgian citizens during occupation.

2. All damages to persons and property of civilians.

3. Pension and dependency claims, capitalized on the basis of the French rates.

Ninety-five per cent of all moneys spent by the United States was for items not coming under any of those three heads. All of the money spent for cost of operation of the War and Navy Departments, relief-work contributions, and economic assistance of whatever character is a dead loss. We are only to be reimbursed for a little lost shipping and for pensions and dependency claims, at the French rate, which is considerably less than our own; so that no doubt half or two-thirds of our pension and dependency claims will be a dead loss.

The treaty fixed at the time what was then supposed to be the maximum indemnity that Germany was to pay on account of the three items. She was to give up certain territories in Europe, which were then and there divided and given to Belgium, France, and other countries. The United States, of course, did not ask for or get any of that indemnity. Then she was required to make certain deliveries of coal to Belgium, France, and Italy; of chemicals to France and live stock to both France and Belgium. The overseas possessions in Africa and the Pacific Islands, some 847,000 square miles, were to be held for the joint account of all allies.

Seven hundred thousand dollars in cash was to be raised with which to pay off Belgium's foreign debt, and Germany was to issue some $25,000,000,000 of bonds, with varying maturities, that were to be delivered to the reparation commission, to be by it allotted.

With reference to the overseas possession of Germany in Africa and the Pacific Islands it was naturally expected that, in view of the fact that France and other European countries had taken the European territories, that the overseas possessions would go to England, minus a few islands in the Pacific to the United States. It was never for a minute supposed that Japan would be allotted any of those islands, because she had received her share in Shantung, which seemed to be ample in view of her insignificant participation in the war.

The United States had holdings in the Samoan Islands, and we might expect England to turn Germany's interest in those islands over to America, or at least divide; but not so. The islands north of the Equator lie in a string in the path between Hawaii and the Philippines, and it was thought that those islands would be conceded to the United States, but that was not to be. They were given to Japan, whose financial participation in the World War turns out to be thirty million against our thirty billion, or about one-tenth of 1 per cent of the participation of the United States. (See schedule 8.)

It was never intended that the United States should participate in any manner in the German indemnity, so that whatever it is, large or small, the amount will have no effect upon the final figures representing the net loss appearing in the last column on the first sheet of this statement. If the amount collected is large, it will be added; and if it is small, it will be deducted from both column No. 1 and column No. 2, and the final difference will be the same.

For the purposes of this statement and more to illustrate the elements that must finally go into the last account we have used the tentative issue of bonds provided for in various parts of the treaty, aggregating $25,000,000,000, and in distributing the items in column No. 2 we have used the compilations of Prof. J. M. Keynes in his book entitled "Economic Consequences of Peace." In that work he went over the subject of damages to property and persons with great thoroughness, ascertained the original value of the property before invasion, and deducted its value after.

However, as we have shown, any other items or estimates of these damages will not change the fact that the United States has invested $670,000,000 more in the World War than any other nation.

FUNERAL OF THE LATE REPRESENTATIVE CHAMP CLARK.

Mr. LODGE. Mr. President, I ask that the Senate take a recess in order that it may attend the funeral ceremonies of the late Speaker of the House, Hon. CHAMP CLARK, in accordance with the invitation of the House, and that the Senate proceed in a body to the Hall of the House of Representatives.

Mr. UNDERWOOD. The Senate will reconvene as soon as we return?

Mr. LODGE. Certainly. I am asking that the Senate stand in recess.

The VICE PRESIDENT. Without objection, the Senate will stand in recess. The Sergeant at Arms will take the necessary steps to carry out the order of the Senate.

Thereupon (at 10 o'clock and 15 minutes a. m.) the Senate, preceded by the Sergeant at Arms, the Vice President, the Secretary, and the Assistant Secretary, proceeded to the Hall of

the House of Representatives for the purpose of attending the funeral ceremonies.

The Senate returned to its Chamber at 11 o'clock and 38 minutes a. m., and the Vice President resumed the chair.

ADJOURNMENT.

Mr. LODGE. Mr. President, as I am informed that no messages have been received from the President, I move that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 40 minutes a. m.) the Senate adjourned until Monday, March 7, 1921, at 12 o'clock meridian.

SENATE.

MONDAY, *March 7, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we thank Thee for another day of opportunity. We thank Thee for the blessings of yesterday. And now grant, as we enter upon the duties of this day, that we may realize Thy presence and guidance. We ask it in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

ELECTION OF PRESIDENT PRO TEMPORE.

Mr. LODGE. Mr. President, I submit the following resolution and ask for its adoption.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary (Henry M. Rose) read the resolution (S. Res. 4), as follows:

Resolved, That Hon. ALBERT B. CUMMINS, a Senator from the State of Iowa, be, and he hereby is, elected President of the Senate pro tempore, to hold office during the pleasure of the Senate and in accordance with the resolution of the Senate adopted on the 12th day of March, 1890, on the subject.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. UNDERWOOD. Mr. President, in behalf of the Democratic Party and reflecting their view in caucus, I move to amend the resolution by striking out the words "Hon. ALBERT B. CUMMINS, a Senator from the State of Iowa," and inserting in place thereof the words "Hon. KEY PITTMAN, a Senator from the State of Nevada." I ask that we may have a record vote on the amendment.

Mr. LODGE. I have no objection to a record vote.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama.

Mr. UNDERWOOD. I demand the yeas and nays.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McCumber	Stanfield
Ball	Gooding	McKinley	Stanley
Borah	Hale	McNary	Sterling
Broussard	Harreld	Moses	Sutherland
Calder	Harris	Nelson	Swanson
Cameron	Heflin	New	Trammell
Capper	Hitchcock	Nicholson	Underwood
Colt	Johnson	Oddie	Wadsworth
Culberson	Jones, N. Mex.	Overman	Walsh, Mass.
Cummins	Jones, Wash.	Penrose	Walsh, Mont.
Curtis	Kellogg	Phipps	Warren
Dial	Kenyon	Poindexter	Watson, Ga.
Dillingham	Keyes	Pomerene	Watson, Ind.
Edge	King	Robinson	Weller
Elkins	Knox	Shields	Willis
Fernald	La Follette	Shortridge	
Fletcher	Lenroot	Simmons	
France	Lodge	Smoot	

The VICE PRESIDENT. Sixty-nine Senators having answered to their names, there is a quorum present. The question is on the amendment of the Senator from Alabama [Mr. UNDERWOOD], on which he has demanded the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. WALSH of Montana (when his name was called). May I inquire if the senior Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. WALSH of Montana. I have a general pair with the senior Senator from New Jersey, which I transfer to the junior Senator from Texas [Mr. SHEPPARD] and vote "yea."

The roll call was concluded.

Mr. ELKINS. I transfer my pair with the Senator from Mississippi [Mr. HARRISON] to the Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. PENROSE (after having voted in the negative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I transfer my pair to the senior Senator from Connecticut [Mr. BRANDEGEE] and let my vote stand.

Mr. STERLING (after having voted in the negative). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Michigan [Mr. TOWNSEND] and permit my vote to stand.

Mr. EDGE (after having voted in the negative). Has the junior Senator from Oklahoma [Mr. OWEN] voted?

The VICE PRESIDENT. He has not voted.

Mr. EDGE. I have a general pair with that Senator, which I transfer to the Senator from Ohio [Mr. WILLIS], and permit my vote to stand.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from Missouri [Mr. SPENCER] with the Senator from Louisiana [Mr. RANSDELL];

The Senator from Kentucky [Mr. ERNST] with the Senator from Missouri [Mr. REED];

The Senator from North Dakota [Mr. LADD] with the Senator from Tennessee [Mr. MCKELLAR];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Rhode Island [Mr. GERRY].

The result was announced—yeas 23, nays 42, as follows:

YEAS—23.

Ashurst	Harris	Pomerene	Trammell
Broussard	Heflin	Robinson	Underwood
Culberson	Hitchcock	Shields	Walsh, Mass.
Dial	Jones, N. Mex.	Simmons	Walsh, Mont.
Fletcher	King	Stanley	Watson, Ga.
Glass	Overman	Swanson	

NAYS—42.

Ball	Gooding	Lodge	Poindexter
Calder	Hale	McCumber	Shortridge
Cameron	Harreld	McKinley	Smoot
Capper	Johnson	McNary	Stanfield
Colt	Jones, Wash.	Moses	Sterling
Curtis	Kellogg	Nelson	Sutherland
Dillingham	Kenyon	New	Wadsworth
Edge	Keyes	Nicholson	Warren
Elkins	Knox	Oddie	Weller
Fernald	La Follette	Penrose	
France	Lenroot	Phipps	

NOT VOTING—29.

Borah	Kendrick	Owen	Townsend
Brandegee	Ladd	Page	Watson, Ind.
Caraway	McCormick	Pittman	Williams
Cummins	McKellar	Ransdell	Willis
Ernst	McLean	Reed	Wolcott
Frelinghuysen	Myers	Sheppard	
Gerry	Newberry	Smith	
Harrison	Norris	Spencer	

So Mr. UNDERWOOD's amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from Massachusetts [Mr. LODGE].

The resolution was agreed to.

ELECTION OF OFFICERS OF THE SENATE.

Mr. LODGE. I offer the resolution which I send to the desk, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 5), as follows:

Resolved, That the Senate do now proceed to the election of the following officers, in the order named: Secretary of the Senate, Sergeant at Arms and Doorkeeper of the Senate, Assistant Doorkeeper of the Senate, Acting Assistant Doorkeeper of the Senate, and Chaplain of the Senate.

The resolution was considered by unanimous consent and agreed to.

ELECTION OF SECRETARY.

Mr. LODGE. I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The Assistant Secretary read the resolution (S. Res. 6), as follows:

Resolved, That George A. Sanderson, of Illinois, be, and he is hereby, elected Secretary of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. UNDERWOOD. Mr. President, on behalf of the Democratic Party, I desire to present its caucus nominee. I move to strike out the name of "Mr. Sanderson" and insert in place thereof the name of "Mr. George H. Dern, of Utah."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Alabama.

The amendment was rejected.

The resolution was agreed to.

ELECTION OF SERGEANT AT ARMS AND DOORKEEPER.

Mr. LODGE. I offer the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 7), as follows:

Resolved, That David S. Barry, of Rhode Island, be, and he is hereby, elected Sergeant at Arms and Doorkeeper of the Senate.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. UNDERWOOD. I desire to present the nominee of the Democratic caucus, by moving to strike out the name of "David S. Barry" and inserting in place thereof the name of "Charles P. Higgins, of Missouri."

The VICE PRESIDENT. The question is on the amendment of the Senator from Alabama.

The amendment was rejected.

The resolution was agreed to.

ELECTION OF ASSISTANT DOORKEEPER.

Mr. LODGE. I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 8), as follows:

Resolved, That Carl A. Loeffler, of Pennsylvania, be, and he is hereby, elected Assistant Doorkeeper of the Senate.

The resolution was considered by unanimous consent and agreed to.

ELECTION OF ACTING ASSISTANT DOORKEEPER.

Mr. LODGE. I offer the following resolution, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 9), as follows:

Resolved, That Thomas W. Keller, of West Virginia, be, and he is hereby, elected Acting Assistant Doorkeeper of the Senate.

The resolution was considered by unanimous consent and agreed to.

ELECTION OF CHAPLAIN.

Mr. LODGE. I offer another resolution, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 10), as follows:

Resolved, That the Rev. J. J. Muir, D. D., of the District of Columbia, be, and he is hereby, elected Chaplain of the Senate.

The resolution was considered by unanimous consent and agreed to.

NOTIFICATION TO THE PRESIDENT OF THE UNITED STATES.

Mr. LODGE. I submit the resolution which I send to the desk and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 11), as follows:

Resolved, That the President of the United States be notified of the election of Hon. ALBERT B. CUMMINS, a Senator from the State of Iowa, as President of the Senate pro tempore, and George A. Sanderson, of Illinois, as Secretary of the Senate.

The resolution was considered by unanimous consent and agreed to.

PRINTING OF INAUGURAL ADDRESSES.

Mr. MOSES. I ask unanimous consent that the addresses delivered on Friday last by the President and Vice President of the United States be printed as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ALIEN OWNERSHIP OF LAND.

Mr. POINDEXTER. I ask that a communication from the lieutenant governor and president of the senate of the State of Washington be read by the Secretary.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The communication was read and ordered to lie on the table as follows:

OLYMPIA, WASH., *March 4, 1921—6.23 a. m.*

Hon. MILES POINDEXTER,
United States Senate, Washington, D. C.:

Washington State senate yesterday passed alien land bill 36 to 2, confirming house vote of 71 to 19, thus expressing overwhelming sentiment of people of this State who regard increasing numbers of Japanese and their hold on our soil as a grave national menace. The bill is strictly nondiscriminatory and merely forbids the flagrant evasions of the provisions of State constitution forbidding alien ownership of land; full text being mailed you. Kindly advise State Department of contents this telegram.

WM. J. COYLE,
Lieutenant Governor and President of the Senate.

ADDITIONAL PAGES.

Mr. CALDER. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution No. 3, to report it with an amendment. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

Mr. ASHURST. I ask that the resolution may be read.

The VICE PRESIDENT. The resolution will be read for information.

The reading clerk read the resolution (S. Res. 3) submitted by Mr. LODGE on the 5th instant, as follows:

Resolved, That S. Res. 391, agreed to December 8, 1920, authorizing and directing the Sergeant at Arms of the Senate to employ five additional pages for the Senate Chamber, at $3 per day each, during the present session of Congress, to be paid from the miscellaneous items of the Senate, be, and the same hereby is, continued and extended in full force and effect from the 4th day of March, 1921, until the 31st day of March, 1921, both dates inclusive.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution. The amendment was, on page 2, line 5, after the word "items," to insert "of the contingent fund."

The amendment was agreed to.

The resolution as amended was agreed to.

NEAR EAST RELIEF.

The VICE PRESIDENT laid before the Senate the report of the Near East Relief to the Congress of the United States for the year ending December 31, 1920, which was referred to the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened, and (at 12 o'clock and 55 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, March 8, 1921, at 12 o'clock meridian.

COMMERCIAL TREATY WITH THE ARGENTINE REPUBLIC.

In executive session this day the following convention was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, a convention to foster the development of commerce and to increase the exchange of commodities by facilitating the work of traveling salesmen, concluded between the United States and the Argentine Republic on October 22, 1920.

WOODROW WILSON.

THE WHITE HOUSE,
11 December, 1920.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to its ratification, a convention to foster the development of commerce and to increase the exchange of commodities by facilitating the

work of traveling salesmen, concluded between the United States and the Argentine Republic on October 22, 1920.

Respectfully submitted.

NORMAN H. DAVIS.

DEPARTMENT OF STATE,
Washington, December 8, 1920.

TREATY BETWEEN THE UNITED STATES AND THE ARGENTINE REPUBLIC.

The United States of America and the Argentine Republic, being desirous to foster the development of commerce between them and to increase the exchange of commodities by facilitating the work of traveling salesmen, have agreed to conclude a treaty for that purpose and have to that end appointed as their plenipotentiaries:

The President of the United States of America, Bainbridge Colby, Secretary of State of the United States, and

The President of the Argentine Republic, His Excellency Mr. Thomas A. Le Breton, ambassador extraordinary and plenipotentiary of the Argentine Republic at Washington;

Who, having communicated to each other their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I.

Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers either personally or by means of agents or employees within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

In case either of the high contracting parties shall be engaged in war, it reserves to itself the right to prevent from operating within its jurisdiction, under the provisions of this treaty or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

ARTICLE II.

In order to secure the license above mentioned, the applicant must obtain from the country of domicile of the manufacturers, merchants, and traders represented a certificate attesting his character as a commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be visèed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I.

ARTICLE III.

A commercial traveler may sell his samples without obtaining a special license as an importer.

ARTICLE IV.

Samples without commercial value shall be admitted to entry free of duty.

Samples marked, stamped, or defaced in such manner that they can not be put to other uses shall be considered as objects without commercial value.

ARTICLE V.

Samples having commercial value shall be provisionally admitted upon giving bond for the payment of lawful duties if they shall not have been withdrawn from the country within a period of six (6) months.

Duties shall be paid on such portion of the samples as shall not have been so withdrawn.

ARTICLE VI.

All customs formalities shall be simplified as much as possible with a view to avoid delay in the dispatch of samples.

ARTICLE VII.

Salesmen who vend directly to the consumer, even though they have not an established place of business in the country in which they operate, shall not be considered as commercial travelers, but shall be subject to the license fees levied on business of the kind which they carry on.

ARTICLE VIII.

No license shall be required of:

(a) Persons traveling only to study trade and its needs, even though they initiate commercial relations, provided they do not make sales of merchandise.

(b) Persons operating through local agencies which pay the license fee or other imposts to which their business is subject.

(c) Travelers who are exclusively buyers.

ARTICLE IX.

Neither high contracting party shall be required to apply the stipulations of this treaty to commercial travelers engaging in the sale of alcoholic liquors for beverage purposes.

ARTICLE X.

This treaty shall be ratified and the ratifications shall be exchanged at Washington at the earliest date possible.

The present treaty shall remain in force until the end of six months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same, each of them reserving to itself the right of giving such notice to the other at any time.

In testimony whereof the respective plenipotentiaries have signed these articles and have thereunder affixed their seals.

Done in duplicate in the English and the Spanish languages at Washington, this 22d day of October, 1920.

[SEAL.] (Signed) BAINBRIDGE COLBY.
(Signed) TOMAS A. LE BRETON.

AGREEMENT WITH GREECE.

In executive session this day the following agreement with Greece was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement signed on October 18, 1920, between the United States and Greece, modifying the provisions of Article XVII of the treaty of commerce and navigation concluded between the two countries on December 22, 1837, so as to continue the said treaty in force until January 26, 1921, and thereafter until a new treaty shall have been concluded or until three months after denunciation by either party.

WOODROW WILSON.

THE WHITE HOUSE,
December 11, 1920.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to its ratification, an agreement signed on October 18, 1920, between the United States and Greece, modifying the provisions of Article XVII of the treaty of commerce and navigation concluded between the two countries on December 22, 1837, so as to continue the said treaty in force until January 26, 1921, and thereafter until a new treaty shall have been concluded or until three months after denunciation by either party.

Respectfully submitted. NORMAN H. DAVIS.

DEPARTMENT OF STATE,
Washington, December 8, 1920.

AGREEMENT BETWEEN THE UNITED STATES AND GREECE MODIFYING EXISTING TREATY OF COMMERCE AND NAVIGATION.

The Government of the United States of America and the Royal Hellenic Government, being desirous of modifying the provisions of Article XVII of the Treaty of Commerce and Navigation concluded between them on December 22, 1837, in such a manner as to avoid a discontinuance of the treaty relations traditionally existent between the two Governments, have authorized the undersigned, to wit:

Mr. Norman H. Davis, Acting Secretary of State of the United States, and Mr. M. Tsamados, officer of the Royal Order of the Saviour, commander of the Royal Order of George, I, Chargé d'Affaires of Greece at Washington, to conclude the following agreement:

ARTICLE I.

It is agreed between the high contracting parties that Article XVII of the Treaty of Commerce and Navigation, concluded between the Government of the United States and the Royal Hellenic Government on December 22, 1837, shall be substituted by the following:

"The present treaty shall continue in force until January 26, 1921, and thereafter until a new treaty shall have been concluded to take its place or until three months after one of the high contracting parties shall have announced by a formal notification to the other its intention to terminate it."

ARTICLE II.

The present agreement shall be ratified by the President of the United States of America and by and with the consent of the Senate thereof and by His Majesty the King of the Hellenes, and shall become effective upon the exchange of ratifications, which will take place at Washington as soon as possible.

Done in duplicate at Washington in the English and French languages this eighteenth day of October, one thousand nine hundred and twenty.

NORMAN H. DAVIS.
M. TSAMADOS.

AGREEMENT WITH PORTUGAL.

In executive session this day the following agreement with Portugal was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the SENATE:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement between the United States and Portugal, signed at Lisbon, September 14, 1920, extending for another period of five years the duration of the arbitration convention concluded between them on April 6, 1908.

WOODROW WILSON.

THE WHITE HOUSE,
December 10, 1920.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to its ratification, an agreement between the United States and Portugal, signed at Lisbon, September 14, 1920, extending for another period of five years the duration of the arbitration convention concluded between them on April 6, 1908.

Respectfully submitted.

NORMAN H. DAVIS.

DEPARTMENT OF STATE,
Washington, December 8, 1920.

AGREEMENT BETWEEN UNITED STATES AND PORTUGAL EXTENDING DURATION OF ARBITRATION CONVENTION.

The Government of the United States of America and the Government of the Portuguese Republic, being desirous of extending for another five years the period during which the arbitration convention concluded between them on April 6, 1908, extended by the agreement concluded between the two Governments on June 28, 1913, shall remain in force, have authorized the undersigned, to wit:

The President of the United States of America:

His Excellency Colonel Thomas H. Birch, envoy extraordinary and minister plenipotentiary of the United States of America near the Portuguese Republic.

The President of the Portuguese Republic:

His Excellency João Carlos de Melo Barreto, minister for foreign affairs,

to conclude the following agreement:

ARTICLE I.

The convention of arbitration of April 6, 1908, between the Government of the United States of America, and the Government of Portugal, the duration of which by Article III thereof was fixed at a period of five years from the date of the exchange of ratification of the said convention on November 14, 1908, which period, by the agreement of June 28, 1913, between the two Governments, was extended for five years from November 14, 1913, is hereby renewed and continued in force for a period of five years from November 14, 1918.

ARTICLE II.

The present agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Portuguese Republic, in accordance with the constitutional laws of the Republic, and it shall become effective upon the date of the exchange of ratifications, which shall take place at Lisbon as soon as possible.

Done in duplicate, in the English and Portuguese languages, at Lisbon, this fourteenth day of September one thousand nine hundred and twenty.

THOS. H. BIRCH.
JOÃO CARLOS DE MELLO BARRETO.

TENURE OF PROPERTY IN HAWAII.

In executive session this day the following convention was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

To the end that I may receive the necessary authority of the Senate to give, in conformity with clause 3 of article 4 of the convention relating to tenure and disposition of real and personal property concluded March 2, 1899, between the United States and Great Britain, notice to the Government of Great Britain that the provisions of the said convention are extended and applied to the Territory of Hawaii, I herewith transmit a report by the Acting Secretary of State, with accompanying papers, on the subject.

WOODROW WILSON.

THE WHITE HOUSE,
March 12, 1920.

The PRESIDENT:

It is stated in clause 3 of article 4 of the convention relating to tenure and disposition of real and personal property concluded March 2, 1899, between the United States and Great Britain that—

> The provisions of this convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas only upon notice to that effect being given by the representative of the United States at London by direction of the treaty-making power of the United States.

In a note dated November 17, 1919, the British Embassy at this capital invited the attention of the Secretary of State to a question which had arisen in connection with the disposition of real and personal property belonging to British subjects who died while residing in the Hawaiian Islands. The embassy stated that it understood that the convention was not considered applicable to Hawaii, and that therefore British subjects could not avail themselves of the provisions of the convention when any question arose out of inheritance by them of property in the Hawaiian Islands. It also stated that it understood, on the other hand, that the inhabitants of Hawaii were American citizens, and would thus be in a position to claim their rights under the treaty in connection with property situated in Great Britain. The embassy suggested that the best solution of the matter would be to provide for the extension of the convention to Hawaii.

On November 29, 1919, a copy of the embassy's note was forwarded to the Secretary of the Interior for an expression of his views concerning the matter, and in a letter dated December 8, 1919, the Secretary of the Interior informed the Secretary of State that since this matter involved an interpretation of the Territorial law of Hawaii, he had forwarded the papers in the case to the Hon. Charles J. McCarthy, governor of Hawaii.

On January 21, 1920, the Secretary of the Interior forwarded to the Secretary of State a copy of a communication bearing on the subject from the governor of Hawaii, in which it was stated, in line with an inclosed copy of an opinion dated December 26, 1919, by the attorney general of Hawaii, that—

> The Territorial administration has no objection to the recommendation made by the British ambassador.

With a view to the removal of any doubt which may exist as to the present application of this convention to the Hawaiian Islands, the Acting Secretary of State has the honor to lay before the President a copy of the convention in question, together with copies of the papers above mentioned, and to recommend that these papers be transmitted to the Senate with a view to obtaining the advice and consent of that body to the extension and application to the Hawaiian Islands of the terms of the convention regarding the tenure and disposition of real and personal property concluded between the United States and Great Britain on March 2, 1899.

In this connection I have the honor to invite your attention to the correspondence forwarded by you to the Senate on April 10, 1916, relative to the extension of the provisions of this convention to the island of Porto Rico, which was published as Senate Executive Document C, Sixty-fourth Congress, first session, a copy of which is inclosed herewith for your convenience. You will doubtless recall that with the approval of the Senate the Amercian ambassador at London gave notice to the British Government on September 13, 1916, in accordance with the terms of the treaty, that its provisions were extended to the island of Porto Rico.

Respectfully submitted.

FRANK L. POLK.

DEPARTMENT OF STATE,
Washington, March 12, 1920.

TEXT OF THE CONVENTION.

[Treaty series, No. 146.]

CONVENTION BETWEEN THE UNITED STATES AND GREAT BRITAIN—TENURE AND DISPOSITION OF REAL AND PERSONAL PROPERTY.

Signed at Washington, March 2, 1899.
Ratification (with amendments) advised by the Senate, March 22, 1900.
Ratified by the President, July 16, 1900.
Ratified by Great Britain, June 18, 1900.
Ratifications exchanged at Washington, July 28, 1900.
Proclaimed, August 6, 1900.

WILLIAM MCKINLEY,
PRESIDENT OF THE UNITED STATES OF AMERICA.

To all to whom these Presents shall come, Greeting:

Know Ye, that whereas a Convention between the United States of America and Great Britain, relating to the tenure and disposition of real and personal property, was concluded at Washington on the 2d of March, one thousand eight hundred and ninety-nine, the original of which Convention, being in the

English language, is, as amended by the Senate of the United States, word for word as follows:

The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, desiring to improve the condition of the citizens and subjects of each of the respective countries in relation to the tenure and disposition of real and personal property situated or being within the territories of the other, as well as to authorize the representation of deceased persons by the Consuls of their respective nations in the settlement of estates, have resolved to conclude a convention for those purposes and have named as their Plenipotentiaries:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honorable Sir Julian Pauncefote, Knight Grand Cross of the Orders of the Bath and of St. Michael and St. George, Ambassador Extraordinary and Plenipotentiary of Great Britain;

Who, having exchanged their said full powers, found in due and proper form, have agreed to and signed the following articles:

ARTICLE I.

Where, on the death of any person holding real property (or property not personal), within the territories of one of the Contracting Parties, such real property would, by the laws of the land, pass to a citizen or subject of the other, were he not disqualified by the laws of the country where such real property is situated, such citizen or subject shall be allowed a term of three years in which to sell the same, this term to be reasonably prolonged if circumstances render it necessary, and to withdraw the proceeds thereof, without restraint or interference, and exempt from any succession, probate or administrative duties or charges other than those which may be imposed in like cases upon the citizens or subjects of the country from which such proceeds may be drawn.

ARTICLE II.

The citizens or subjects of each of the Contracting Parties shall have full power to dispose of their personal property within the territories of the other, by testament, donation, or otherwise; and their heirs, legatees, and donees, being citizens or subjects of the other Contracting Party, whether resident or non-resident, shall succeed to their said personal property, and may take possession thereof either by themselves or by others acting for them, and dispose of the same at their pleasure, paying such duties only as the citizens or subjects of the country where the property lies shall be liable to pay in like cases.

ARTICLE III.

In case of the death of any citizen of the United States of America in the United Kingdom of Great Britain and Ireland, or of any subject of Her Britannic Majesty in the United States, without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the Nation to which the deceased person belonged of the circumstance, in order that the necessary information may be immediately forwarded to persons interested.

The said consular officer shall have the right to appear personally or by delegate in all proceedings on behalf of the absent heirs or creditors, until they are otherwise represented.

ARTICLE IV.

The stipulations of the present Convention shall not be applicable to any of the Colonies or foreign possessions of Her Britannic Majesty unless notice to that effect shall have been given, on behalf of any such Colony or foreign possession by Her Britannic Majesty's Representative at Washington to the United States Secretary of State, within one year from the date of the exchange of the ratifications of the present Convention.

It is understood that under the provisions of this Article, Her Majesty can in the same manner give notice of adhesion on behalf of any British Protectorate or sphere of influence, or on behalf of the Island of Cyprus, in virtue of the Convention of the 4th of June, 1878, between Great Britain and Turkey.

The provisions of this Convention shall extend and apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas, only upon notice to that effect being given by the Representative of the United States at London, by direction of the treaty making power of the United States.

ARTICLE V.

In all that concerns the right of disposing of every kind of property, real or personal, citizens or subjects of each of the High Contracting Parties shall in the Dominions of the other enjoy the rights which are or may be accorded to the citizens or subjects of the most favored nation.

ARTICLE VI.

The present Convention shall come into effect ten days after the day upon which the ratifications are exchanged, and shall remain in force for ten years after such exchange. In case neither of the High Contracting Parties shall have given notice to the other, twelve months before the expiration of the said period of ten years, of the intention to terminate the present Convention, it shall remain in force until the expiration of one year from the date on which either of the High Contracting Parties shall have given such notice.

The United States or Her Britannic Majesty shall also have the right separately to terminate the present Convention at any time on giving twelve months' notice to that effect in regard to any British Colony, foreign possession, or dependency, as specified in Article IV, which may have acceded thereto.

ARTICLE VII.

The present Convention shall be duly ratified by the President of the United States, by and with the approval of the Senate thereof, and by Her Britannic Majesty, and the ratifications shall be exchanged in London or in Washington.

In faith whereof we, the respective Plenipotentiaries, have signed this Treaty and have hereunto affixed our seals.

Done in duplicate at Washington, the second day of March, one thousand eight hundred and ninety-nine.

JOHN HAY [SEAL.]
JULIAN PAUNCEFOTE [SEAL.]

And whereas the Convention has been duly ratified, as amended, on both parts, and the ratifications of the two Governments were exchanged in the City of Washington on the 28th day of July one thousand nine hundred.

Now, therefore, be it known that I, William McKinley, President of the United States of America, have caused the said Convention, as amended, to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this sixth day of August in the year of Our Lord one thousand nine hundred
[SEAL.] and of the Independence of the United States, the one hundred and twenty-fifth.

WILLIAM MCKINLEY.

By the President:
ALVEY A. ADEE
Acting Secretary of State.

[Treaty series, No. 402.]

SUPPLEMENTARY CONVENTION BETWEEN THE UNITED STATES AND GREAT BRITAIN RELATING TO THE TENURE AND DISPOSITION OF REAL AND PERSONAL PROPERTY.

Signed at Washington, January 13, 1902
Ratification advised by the Senate, February 17, 1902
Ratified by the President, March 7, 1902
Ratified by Great Britain, March 11, 1902
Ratifications exchanged at Washington, April 2, 1902
Proclaimed, April 2, 1902

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Supplementary Convention between the United States of America and Great Britain extending for a period of twelve months from July 28, 1901, the time within which British Colonies or Foreign Possessions may give their adhesion to the Convention relative to the disposal of real and personal property, signed at Washington on the 2nd day of March, 1899, was concluded and signed by their respective Plenipotentiaries at Washington on the 13th day of January, one thousand nine hundred and two, the original of which Supplementary Convention, is word for word as follows:

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, finding it expedient to prolong for a period of twelve months the time fixed by Article IV of the Convention relative to the disposal of real and personal property, signed at Washington on the 2nd day of March, 1899, for the notification of their accession to that Convention by His Britannic Majesty's Colonies or Foreign Possessions, have agreed to conclude an additional Convention for that purpose, and have named as their plenipotentiaries:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States of America; and His Majesty the King of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, The Right Honorable Lord Pauncefote, of Preston, G. C. B., G. C. M. G., His Majesty's Ambassador Extraordinary and Plenipotentiary to the United States; who, having communicated to each other their Full Powers, which were found to be in due and proper form, have agreed upon the following sole Article:

SOLE ARTICLE.

It is agreed that the time fixed in Article IV of the said Convention, within which the accessions thereto of His Britannic Majesty's Colonies or Foreign Possessions shall be notified, shall be prolonged for a period of twelve months from July 28th 1901.

In faith whereof the respective Plenipotentiaries have signed this Convention and hereunto affixed their seals.

Done in duplicate at Washington, the 13th day of January, in the year of Our Lord one thousand nine hundred and two.

JOHN HAY [SEAL.]
PAUNCEFOTE [SEAL.]

And whereas the said Supplementary Convention has been duly ratified on both parts, and the ratifications of the two Governments were exchanged in the City of Washington, on the second day of April, one thousand nine hundred and two;

Now therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Supplementary Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the City of Washington, this second day of April in the year of our Lord one thousand nine hundred and
[SEAL.] two, and of the Independence of the United States the one hundred and twenty-sixth.

THEODORE ROOSEVELT.

By the President:
JOHN HAY
Secretary of State.

[NOTE BY THE DEPARTMENT OF STATE.]

The following British colonies and possessions have acceded to the Convention between the United States and Great Britain of March 2, 1899, relating to the tenure and disposition of real and personal property:

Cape,
Fiji,
Jamaica,
Bahamas,
Trinidad,
Barbados,
Newfoundland,
New Zealand,
Leeward Islands,
Northern Nigeria,
South Nigeria,
St. Vincent,
St. Lucia,
Falkland Islands,
St. Helena,
Sierra Leone,
Gambia,
Labuan,
Mauritius,
Gold Coast Colony,
South Rhodesia,
Australia,
Cyprus,
Ceylon,
Hongkong,
Straits Settlements,
British Honduras,
Grenada,
North Borneo,
British Guiana,
Bermuda,
Lagos,
British New Guiana,
India, including the Native States,
Transvaal,
Orange River Colony,
Basutoland and Bechuanaland protectorates.

CORRESPONDENCE.

No. 821.

BRITISH EMBASSY,
Washington, November 17, 1919.

SIR: I have been instructed to bring to your attention the following question which has arisen in connection with the disposition of real and personal property in the Hawaiian Islands.

I understand that under an act of the Hawaiian Legislature, No. 223, passed in the session of 1917, section 1323 of chapter 95 of the Revised Laws of Hawaii, 1915, relating to inheritance tax, was amended in such a way as to impose a heavier tax upon aliens inheriting property in Hawaiian Islands than is paid by United States citizens.

By articles 1 and 2 of the convention between United States and Great Britain of March 2, 1899, with regard to the tenure and disposition of real and personal property, it is provided that British subjects inheriting such property in the United States shall not be subjected to a heavier tax in respect thereof than is paid by United States citizens. This convention, however, did not apply to any territory or territories pertaining to or occupied and governed by the United States beyond the seas, except upon notice to that effect being given by the American representative in London, and I understand that it is not considered that the convention applies to Hawaii.

This being the case, it would appear that British subjects can not avail themselves of the provisions of the convention in any question arising out of inheritance by them of property in the Hawaiian Islands. On the other hand, I understand that the inhabitants of Hawaii are American citizens and would thus be in a position to claim their rights under the treaty in connection with property situated in Great Britain. His Majesty's Government are of opinion that the most simple solution of the matter would be to provide for the extension of the convention to Hawaii, if the United States Government are willing so to extend it, and I shall be grateful if you will be kind enough to inform me in due course whether this course commends itself to the United States authorities.

I have the honor to be with the highest consideration, sir, your most obedient, humble servant.

For His Majesty's ambassador:

R. C. LINDSAY.

Hon. ROBERT LANSING,
Secretary of State of the United States.

—

NOVEMBER 29, 1919.

The SECRETARY OF THE INTERIOR.

SIR: I have the honor to inclose herewith a copy of a note from the British ambassador at this capital, in which by instruction of his Government he brings to the attention of this department a question which has arisen in connection with the disposition of real and personal property in the Hawaiian Islands.

It will be observed therefrom that, according to the ambassador's understanding under an act of the Hawaiian Legislature, No. 223, passed during the session of 1917, section 1323 of chapter 95 of the Revised Laws of Hawaii, 1915, relating to inheritance tax, was amended in such a way as to impose a heavier tax upon aliens inheriting property in the Hawaiian Islands than is paid by United States citizens.

It will also be observed that the ambassador refers to articles 1 and 2 of the convention between the United States and Great Britain of March 2, 1899, in regard to the tenure and disposition of real and personal property, wherein it is provided that British subjects inheriting such property in the United States shall not be subjected to a heavier tax in respect thereof than is paid by citizens of the United States.

This convention, however, the ambassador points out, did not apply to any territory or territories, pertaining to or occupied and governed by the United States beyond the seas, except upon notice to that effect being given by the American representative in London, and it is understood by the ambassador that this convention does not apply to Hawaii. This being the case, he contends, it would appear that British subjects can not avail themselves of the provisions of the convention in any question arising out of inheritance by them of property in the Hawaiian Islands. On the other hand, the ambassador contends, that as the inhabitants of Hawaii are American citizens they would thus be in a position to claim their rights under the treaty in connection with property situated in Great Britain. He adds that His Majesty's Government is of the opinion that the most simple solution of the matter would be to provide for the extension of the convention to Hawaii, if the United States Government is willing so to extend it.

There is herewith inclosed for your convenient reference a copy of the treaty of March 2, 1899, above mentioned.

I shall be glad to receive an expression of your views for use in replying to the ambassador's note.

I have the honor to be, sir, your obedient servant,

For the Secretary of State:

ALVEY A. ADEE,
Second Assistant Secretary.

—

DEPARTMENT OF THE INTERIOR,
Washington, December 8, 1919.

The SECRETARY OF STATE.

DEAR MR. SECRETARY: Your letter of November 29, 1919 (So. 811.5241-58), inclosing a copy of a note from the British ambassador at this Capital calling attention to a question which has arisen in connection with the disposition of real and personal property in the Hawaiian Islands, has been received.

As this matter involves an interpretation of the Territorial law, I have forwarded the papers in the case of Hon. Charles J. McCarthy, governor of Hawaii, Honolulu, for an expression of his views in the premises, and as soon as his report is received you will be promptly advised.

Cordially, yours,

JOHN W. HALLOWELL,
Assistant to the Secretary.

—

DEPARTMENT OF THE INTERIOR,
Washington, January 21, 1920.

The SECRETARY OF STATE.

DEAR MR. SECRETARY: In further reply to your letter of November 29, 1919 (So. 811.5241-58), inclosing a copy of a note from the British ambassador at this Capital calling attention to a question which has arisen in connection with the disposition of real and personal property in the Hawaiian Islands, I transmit herewith a copy of a letter from the governor of the Territory of Hawaii and accompanying copy of an opinion from the Territorial attorney general, in which he reaches the conclusion that there will be no objection to the recommendation made by the British ambassador as to the disposition of the property in question.

Cordially, yours,

JOHN W. HALLOWELL,
Assistant to the Secretary.

—

TERRITORY OF HAWAII,
Honolulu, Hawaii, December 26, 1919.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

SIR: Under date of December 8, 1919, John W. Hallowell, assistant to the Secretary, sent me a letter from the Department of State addressed to the Secretary of the Interior, also a copy of a letter signed by his Britannic Majesty's ambassador relating to Act 223, Session Laws of 1917, amending section 1323 of chapter 95 of the Revised Laws of Hawaii, 1915, relating to inheritance tax.

The Interior Department's indorsement of December 8, reads as follows:

DEPARTMENT OF THE INTERIOR,
December 8, 1919.

Respectfully forwarded to Hon. C. J. McCarthy, governor of Hawaii, Honolulu, Hawaii, for consideration and an expression of his views on the matter herein presented by the Secretary of State. These papers to be returned to the department.

JOHN W. HALLOWELL,
Assistant to the Secretary.

I submitted this proposition to Hon. Harry Irwin, attorney general of the Territory of Hawaii, and inclose a copy of his opinion, from which you will see that the Territorial adminis-

tration has no objection to the recommendation made by the British ambassador.

Very truly, yours, C. J. McCARTHY,
Governor of Hawaii.

DECEMBER 26, 1919.

Hon. C. J. McCARTHY,
Governor of Hawaii,
Capitol Building, Honolulu, Hawaii.

SIR: I beg to acknowledge the receipt from you of the correspondence between the British Embassy in Washington, D. C., and the Department of State, relating to the imposition of an additional inheritance tax on the transfer of property to aliens, pursuant to the provisions of Act 223, Session Laws of 1917, as affected by the provisions of the convention between the United States and Great Britain, governing the tenure and disposition of real and personal property.

It is the opinion of the British Embassy, apparently concurred in by the State Department, that the provisions of this convention do not apply to the Territory of Hawaii. That opinion of the British Embassy is based upon the following provision of the said convention:

> The provisions of this convention shall extend and apply to any Territory or Territories pertaining to or occupied and governed by the United States beyond the seas, only upon notice to that effect being given by the representative of the United States at London by direction of the treaty-making body of the United States.

I have heretofore construed this clause of the convention contrary to the manner in which the British Embassy apparently interprets it. I have been of the opinion that the expression "territory or territories" as here used, should be interpreted as meaning land or lands, and not as relating to a Territory which has become incorporated into the United States as an integral part thereof. This meaning of the word "territory" has been recognized by text writers and by the Supreme Court of the United States.

The status of ceded and/or acquired territory was discussed at length by the Supreme Court of the United States in Dorr *v.* United States (195 U. S., 149), and in Rasmussen *v.* United States (197 U. S., 516).

Mr. Watson, in his work on the Constitution of the United States, in commenting on the decision in Dorr *v.* United States, supra, says:

> This reached the great and vital question. It decided that "ceded territory" is of two kinds—that which is incorporated into the United States, and that which is not. The plain reasoning of this decision is that the Constitution applies to ceded territory which has been incorporated into the United States, but it does not apply to territory which has been annexed, but not incorporated into the Union, unless taken there by congressional action. (Watson on the Constitution, p. 1270.)

It is well recognized, therefore, that territory belonging to the United States is of two classes, namely: First, that which has been incorporated into the United States; and, second, that which has been annexed to the United States but not incorporated therein.

The Territory of Hawaii would belong to the first class, while the Philippine Islands would be an example of the second class.

Mr. Watson, on page 1265 of his work on the Constitution of the United States, in discussing the meaning of the word "territory" as used in the Constitution, recognizing that it was not there used in the sense of a "Territory of the United States" as technically understood, but was used as referring to the "domain" of the United States, says:

> It is apparent from the history of this clause that the framers of the Constitution meant to confer upon Congress power over mere territory—mere domain, and that it was not referring to "a" Territory as that word is now understood.

The Supreme Court of the United States in a case entitled United States *v.* Gratiot (14 Pet., 526), held the same view, and said:

> The term "territory" as here used is merely descriptive of one kind of property and is equivalent to the word "lands."

For these and other reasons, I have heretofore construed the expression "territory or territories" as used in the convention as being applicable only to "lands" beyond the seas which were and are "occupied" by the United States in the sense that Guam and the Philippine Islands are so occupied, and as not being applicable to a Territory which forms an integral part of the United States, and is incorporated into the United States.

It must be remembered that this convention was signed at Washington and ratification advised by the Senate before the passage of our organic act. It was not finally proclaimed, however, until August 6, 1900, a few months subsequent to the passage of the organic act. It is very possible that the effect of the incorporation of Hawaii into the United States by the passage of the organic act upon the citizens of both countries was not considered at all at the time of final ratification of this convention.

Article 2 of the convention applies to all citizens or subjects of the contracting parties, and but for the provisions of the last paragraph of article 4 would undoubtedly make all the provisions of the convention applicable to Hawaii. It is also undoubtedly true, as pointed out in the ambassador's note, that the inhabitants of Hawaii, who are American citizens, would be entitled to claim the benefits of this treaty with respect to property situated in Great Britain.

I must frankly state that I am not entirely satisfied with the interpretation that I have heretofore placed upon this provision of the convention, and I have some doubt as to whether I have properly construed it. In view, however, of the construction which this department of the Territorial government has given to this provision, which construction has been acted upon by the treasury department of the Territorial government, there should be no objection raised by the Territorial administration to the simple solution of the matter as proposed by the British ambassador.

I am of the opinion, therefore, that you should advise the Secretary of State of the construction which has heretofore been given this provision of the convention by this department and that no objection should be raised by the government of the Territory of Hawaii to the definite and conclusive solution of the matter as proposed by the British ambassador.

I return herewith the correspondence which you submitted to me.

I am, respectfully, yours,

HARRY IRWIN,
Attorney General.

NOMINATIONS.

Executive nominations received by the Senate March 7, 1921.

TO BE UNDERSECRETARY OF STATE.

Henry P. Fletcher, of Pennsylvania, to be Undersecretary of State.

TO BE ASSISTANT SECRETARY OF THE NAVY.

Theodore Roosevelt, of New York, to be Assistant Secretary of the Navy.

TO BE ASSISTANT SECRETARY OF AGRICULTURE.

Elmer D. Ball, of Iowa, to be Assistant Secretary of Agriculture.

TO BE SECRETARIES OF EMBASSIES OR LEGATIONS.

CLASS 1.

From secretary of embassy or legation of class 2 to secretary of embassy or legation of class 1:
Craig W. Wadsworth, of New York.
Alexander R. Magruder, of Maryland.
Sheldon L. Crosby, of New York.

CLASS 2.

From secretary of embassy or legation of class 3 to secretary of embassy or legation of class 2:
Francis White, of Maryland.
Oliver B. Harriman, of West Virginia.
Norman Armour, of New Jersey.
Allen W. Dulles, of New York.

CLASS 3.

From secretary of embassy or legation of class 4 to secretary of embassy or legation of class 3:
Clarence B. Hewes, of Louisiana.
Harold L. Williamson, of Illinois.

CLASS 4.

To be secretaries of embassies or legations of class 4 of the United States of America, as follows:
Edward L. Reed, of Wayne, Pa.
Frederic D. K. LeClercq, of Charleston, S. C.
Herschel V. Johnson, of Charlotte, N. C.
Copley Amory, jr., of Walpole, N. H.
Harold H. Tittmann, jr., of St. Louis, Mo.
Cord Meyer, of Great Neck, N. Y.
James Webb Benton, of Cornwells Heights, Pa.
Horace D. Newson, of New York City.
Frederick P. Hibbard, of Denison, Tex.
G. Harian Miller, of Jenkintown, Pa.
William P. Herod, 2d, of Indianapolis, Ind.
Richard N. Thompson, of Fall River, Mass.
Henry R. Carey, of Massachusetts.
Foster Stearns, of Massachusetts.

PROMOTIONS IN THE NAVY.

Brig. Gen. George Barnett to be a major general in the Marine Corps from March 5, 1921.

Maj. Gen. John A. Lejeune to be the Major General Commandant of the Marine Corps for a period of four years from March 5, 1921.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 7, 1921.

TO BE UNDERSECRETARY OF STATE.

Henry P. Fletcher.

TO BE SECRETARIES OF EMBASSIES OR LEGATIONS.

CLASS 1.

Craig W. Wadsworth.
Sheldon L. Crosby.
Alexander R. Magruder.

CLASS 2.

Francis White.
Norman Armour.
Oliver B. Harriman.
Allen W. Dulles.

CLASS 3.

Clarence B. Hewes.
Harold L. Williamson.

CLASS 4.

Edward L. Reed.
Herschel V. Johnson.
Harold H. Tittmann, jr.
James Webb Benton.
Frederick P. Hibbard.
William P. Herod, 2d.
Henry R. Carey.
Frederic D. K. LeClercq.
Copley Amory, jr.
Cord Meyer.
Horace D. Newson.
G. Harlan Miller.
Richard N. Thompson.
Foster Stearns.

PROMOTIONS IN THE NAVY.

George Barnett, to be a major general in the Marine Corps.

John A. Lejeune, to be the Major General Commandant of the Marine Corps.

SENATE.

TUESDAY, *March 8, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, Thou hast given to us another morning of Thy mercies, another morning of bright outlook upon life, another day of opportunity and of service. And we pray that when the evening shadows gather about us we may be able to look back upon the work of the day with rejoicing before Thee. Through Christ our Lord. Amen.

The Vice President being absent, the President pro tempore (Mr. CUMMINS) took the chair, the oath of office having been administered to him by the Secretary.

The Journal of yesterday's proceedings was read and approved.

TRANSPORTATION ACT OF 1920.

Mr. PHIPPS. Mr. President, I present a concurrent resolution adopted by the General Assembly of Colorado, relating to the transportation act of 1920. I ask that it be printed in the RECORD and referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution is as follows:

A concurrent resolution of the Twenty-third General Assembly of the State of Colorado.

House concurrent resolution No. 3 (the senate concurring) to the Congress of the United States to so amend the transportation act, 1920, as to eliminate therefrom the rule of rate making as applied to intrastate rates, and to reserve to the States of the Union power with relation to intrastate rates, service and facilities, and local questions affecting common carriers within the States.

Whereas the Interstate Commerce Commission, through its interpretation of the transportation act, 1920, has indicated its purpose to assume for itself full and exclusive authority to regulate the railroads and all instrumentalities entering into the field of transportation, and thereby to divest the legislatures of the several States of substantially all power to regulate the intrastate rates and service of the railroads within the respective States; and

Whereas, in conformity with this policy and acting upon what it claims to be the intent of Congress in the enactment of section 13 (4) of the transportation act, 1920, the Interstate Commerce Commission has made orders which seek to compel increases and other changes in intrastate rates in a number of States, without regard or heed to the protests of the government of those States; and

Whereas the authority it has assumed for itself permits the Interstate Commerce Commission to wield the greatest power ever exercised by any body in peace times, which if allowed to take its logical course must inevitably develop into a bureaucratic system repugnant to the American theory of government; and

Whereas it is unjust and unnecessary to permit the development of a system which will compel a citizen of Colorado or any other State either to forego relief for local transportation problems or seek it solely through the Interstate Commerce Commission at Washington at great expense in time and money; and

Whereas before the passage by Congress of the transportation act, 1920, there was no serious conflict between Federal authority in the regulation of interstate commerce and State authority in the regulation of intrastate commerce; and

Whereas all government, whether through Federal or State agency, is directed to the sole end of promoting the welfare and happiness of the people, it is our firm conviction that it is neither sound nor practical government to deny to the people of the several States the undisputable benefits of State regulation of commerce within the States upon the assumption that to do otherwise may in some way be prejudicial to commerce between the people of the different States: Therefore be it

Resolved by the senate (the house concurring), That the General Assembly of the State of Colorado hereby respectfully petitions the Congress of the United States to so amend the transportation act, 1920, as to protect and preserve the powers of the several States with relation to intrastate rates, services and facilities, and the local affairs of the common carriers within the States, and to make such amendment or amendments in language so plain that the authority of the States in their respective territories shall be maintained without opportunity for misinterpretation; and be it further

Resolved, That the secretary of state of Colorado be, and hereby is, directed to transmit a certified copy of this resolution to each United States Senator and each Representative in Congress from Colorado.

HON. HOKE SMITH, OF GEORGIA.

Mr. HARRIS. Mr. President, on March 4 the senior Senator from Georgia, Mr. Smith, retired from public life. He has been honored more than any public man in my State within the past half century. He has twice been governor of his State, and has served as Cabinet officer and as United States Senator. I ask that there be inserted in the RECORD an editorial from the Atlanta Journal which relates to his public-service record.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The editorial is as follows:

"A SENATOR WHO HAS SERVED.

"There retires from senatorial service to-morrow, March 4, one of the most effective and most faithful representatives that any State or constituency ever knew—Hon. Hoke Smith, of Georgia. Through more than a quarter of a century he has labored as a leader for the commonweal, grappling formidable problems, fighting for reason and right as he saw them, building broader and straighter the ways of opportunity for his people's advancement and good fortune. If in these stressful endeavors he has made political foes, he has made also a multitude of admirers and friends, and if at times he has erred, he has accomplished more of substantial good for his State than even the most achieving of public servants usually score to their credit.

"Both as governor and as Senator, Hoke Smith brought to bear upon matters of moment a rare combination of powers and sympathies—the powers of a penetrating intellect, trained in the law and in mastery of affairs; the sympathies of a large understanding of the problems and rights and hopes of common men. This understanding it was that made him a champion of reforms which to-day are commonly acknowledged as just and wise, but which when he first espoused them were denounced by numbers who sat in high places as radical and destructive. 'Demagogic' they called him, back in the days when he battled as a new lance in the field against corporate wrongs and political cliques which were making a travesty of free government. And demagogic he might have proved, with so vast and ardent a following as he rallied, had there not been rooted within him a profound belief in American institutions and an instinctive desire to construct rather than destroy. Thus it was that while popular rights interested him intensely, popular whims left him unmoved. He saw issues in the light of common sense; and as that light is ofttimes very clear and cold, his conclusions and policies would seem not infrequently, to one or another group of his constituents, lacking heart quality. His rigid reasonableness, indeed, made him liable to errors of strategy which an ordinary politician, concerned with popular effects rather than with sound judgments, could easily have avoided. Significantly enough, it was professional politicians

who found Hoke Smith most baffling and least likeable. They never could understand him and they never would, for his ways were not their ways, nor his thoughts of public service conformable to petty personal designs.

"It was his rare mixture of the liberal and the conservative, the reformer and the safeguarder, that made Senator Smith's labors for his Commonwealth and country so fruitful. If he had been less of a progressive, Georgia would not know him to-day as the foremost figure in that crucial era of her political life when forces of special privilege and greedful plutocracy joined issue against common rights and were overwhelmingly beaten. If he had been less of a builder and conserver, she would not know him to-day as the author and consummator of legislative ideas that have quickened all the currents of business prosperity, added beyond measure to agricultural progress and power, and marked a national, indeed, a world epoch, in public educational endeavor.

"No need to recount the golden services he has rendered; they are written inerasably, not alone in Georgia and American history, but in the minds and hearts of his countrymen. Thousands and millions of them wish him continued vigor and happiness as he lays aside the long and splendidly borne burden of senatorial duty. Singularly rich fields of opportunity and prestige have opened to him in the practice of law at the National Capital; but it is gratifying that his citizenship is to remain in Georgia, and it is hoped that his visits 'back home' will be frequent and not far between."

FREIGHT RATES.

Mr. FLETCHER. Mr. President, I have two or three short communications bearing on the subject of excessive freight rates, giving some facts which I think are quite important. I should like to have them inserted in the RECORD and referred to the Committee on Interstate Commerce.

There being no objection, the communications were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

THE BREEZE PRINTERY,
De Funiak Springs, Fla., March 5, 1921.

Hon. DUNCAN U. FLETCHER,
Washington, D. C.

MY DEAR SENATOR: May I express the hope that one of the first acts of the special session of Congress will be an amendment of the present law that enables the wage labor board to hold up the present outrageous wage scale for railroad employees. In my opinion, nothing is doing more to keep up war conditions than this.

For instance, a depot porter here works in the forenoon for a transfer company and goes on duty in the afternoon for the railroad company. The other porter cleans the spittoons and sweeps the waiting rooms in the morning, and the whole duty of the afternoon man is to carry one mail to the post office and back, possibly an hour's work. For this, under the present system, he draws $87.50 per month; and fifth-class freight from Chicago is about $1.50 per 100 pounds. Freight on nails from Mobile is 89 cents per keg. The farmer is having to accept 50 per cent of war prices for what he has to sell and, because manufacturing wage scales are kept up by the railroad scale, has to pay 90 per cent of war prices for what he has to buy. It looks to me as if it were time for a change.

With kind personal regards, I am,
Very truly,

R. W. STORRS.

JACKSONVILLE, FLA., *February 25, 1921.*

Hon. D. U. FLETCHER,
Washington, D. C.

DEAR SIR: We have had some correspondence with you regarding freight rates. We realize how difficult it is to do anything with them, but conditions are going to be bad with us until we can get the last advance in railroad wages, freight rates, and passenger rates cut off. The travel to Florida is light, and it is attributed very largely to the higher cost of traveling at the present time. One of our Jacksonville hotels advises us that their room rent is about $7,500 per month less at present than it was at the same time last year. We see some accounts of freight traffic being about 33⅓ per cent less than it was last October. All the roads have idle cars. This may not be caused entirely by the high freight rates, but that is, I think, largely the case, for people can not afford to transport goods from one place to another at these high freight rates and stand the chance of losing money on the shipments.

These high rates enter into the cost of goods unless the merchants stand an absolute loss. We want to give you a few instances of these high freight rates compared with the value of the goods:

Car of potatoes shipped us from Houlton, Me., invoiced at $1,095, delivered Jacksonville. Shippers allowed for insurance, heating charges, freight and war tax $431.61, leaving net amount of invoice $663.39.

Car of onions from Chicago, invoiced at $490, delivered Jacksonville. Shippers allowed freight and war tax, $211.97, leaving net amount of invoice $278.03.

Car of alfalfa meal shipped us from Lamar, Colo., invoiced at $675, delivered Jacksonville. Deduction was made for freight and war tax of $330, leaving net amount of invoice $345. Now, these same goods can be bought to-day at $560 delivered Jacksonville, and, of course, the freight and war tax would be unchanged, $330, leaving net amount of invoice $230. You can see that at the present time the freight and war tax would amount to $100 more per car than the actual value of the goods.

Coming to our own State the freight and refrigeration from Sanford to New York on cabbage is $1.01 per crate, while the New York market is about $1.25 to $1.75 per crate. The freight and refrigeration on lettuce from Sanford to New York is $1.01 per crate without the war tax, and the market on lettuce in New York is $1 to $1.25 per crate. The freight on oranges from Lakeland to New York, without refrigeration, is $1.05 per box; the market in New York is about $2.25 per box. You will therefore see that we are getting back practically nothing for our Florida perishable crops after allowing for the expense of gathering, packing, and shipping. Nearly all of our crop is going in freight.

A man who is supposed to be very close to the labor element tells the writer that the unions would not object to the lowering of wages if freight rates were also lowered, but he claims that the unions are fighting the lowering of wages because the railroads did not propose to lower freight and passenger rates. If the freights were lowered, it would bring down the cost of goods and reduce the cost of living to that extent, and if it did not do this it would help the farmer to realize the cost of production, which he is unable to do at present. We do not believe that things can get anything like normal until the last advance in railroad wages and freight and passenger rates is cut off, nor do we believe that the people will be content until this is done. Other lines of business are finding it very difficult to adjust wages and salaries with the railroad people paying what they are at present. Certainly no one is content with the present high freight and passenger rates.

Very truly, yours,

C. W. ZARING & CO.,
C. W. ZARING, *President.*

MONTGOMERY, ALA., *February 26, 1921.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SIR: The writer noticed where you were trying to get some relief for the growers of Florida fruits and vegetables. The undersigned is in business in the city of Montgomery, Ala., selling fruits, vegetables, and, in fact, everything that is grown on the farm.

Mr. R. H. Ray, of Palmetto, Fla., made a shipment of cabbage. The freight on the cabbage crates was $1.07 each. The crates averaged 50 pounds, tare 8 pounds, leaving 42 pounds net. By retailing some of these cabbage and wholesaling some of the other, we were able to net Mr. Ray 80 cents per crate, express $1.07, and we only received 20 cents, or $2, for handling these cabbage, all of which was caused by the almost prohibitive express rate from Palmetto, Fla. From Mobile, Ala., there was shipped in the same grade of cabbage by freight.

The Alabama Storage & Ice Co. offered this firm these cabbage at $2.25 per crate of 115 pounds, which is a little less than the freight or express would have been from Florida. There was shipped one car of oranges to us in bulk. The freight on same was $306. As a general run, the oranges we received in bulk the freight is from $230 to $260, so you can see for yourself that the railroad and the express company are getting the biggest part of the money that is paid for oranges and cabbages in this city. If some relief is not given, the grower in Florida will only have the points within his own State to ship to, and, in fact, this will be the same for all States.

Anything that the undersigned can do to help lower these rates will only be too glad to help you.

Yours, very truly,

HOUSER AUCTION & SALES CO.,
By R. C. HOUSER.

Mr. LODGE. Mr. President, I am informed that the President will have no message to-day for consideration in executive session, and I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 9, 1921, at 12 o'clock meridian.

SENATE.

WEDNESDAY, *March 9, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

O God, our Father, we thank Thee for the word which says that as a father pitieth his children, so the Lord pitieth them that fear Him; for He knoweth our frame and remembers that we are dust. We come to Thee this morning recognizing our dependence upon Thee and asking for guidance for the day and its responsibilities. In Christ Jesus' name. Amen.

The Vice President resumed the chair.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened and (at 12 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 10, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 9, 1921.

TO BE ASSISTANT SECRETARIES OF THE TREASURY.

S. Parker Gilbert, jr., of Bloomfield, N. J., to be Assistant Secretary of the Treasury.

Nicholas Kelley, of New York, N. Y., to be Assistant Secretary of the Treasury.

Ewing Laporte, of St. Louis, Mo., to be Assistant Secretary of the Treasury.

TO BE BRIGADIER GENERAL, MEDICAL SECTION.

Charles E. Sawyer, from March 7, 1921.

CONFIRMATION.

Executive nomination confirmed by the Senate March 9, 1921.

TO BE ASSISTANT SECRETARY OF THE NAVY.

Theodore Roosevelt to be Assistant Secretary of the Navy.

SENATE.

THURSDAY, *March 10, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Heavenly Father, for our land we pray this morning, for its institutions, for the welfare of its citizenship, for the guidance and direction of its legislation, and we pray that all blessings may be realized, so that we may be in deed and in truth a people whose God is the Lord. We ask it for Thy name's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Hale	McNary	Stanley
Borah	Harreld	Moses	Sterling
Broussard	Harris	Nelson	Sutherland
Cameron	Heflin	New	Swanson
Caraway	Johnson	Nicholson	Townsend
Colt	Jones, Wash.	Oddie	Underwood
Culberson	Kellogg	Overman	Walsh, Mass.
Cummins	Kenyon	Penrose	Walsh, Mont.
Curtis	Keyes	Phipps	Warren
Dial	King	Poindexter	Watson, Ga.
Ernst	Knox	Pomerene	Watson, Ind.
Fletcher	La Follette	Ransdell	Willis
Frelinghuysen	Lenroot	Robinson	
Gerry	Lodge	Shortridge	
Glass	McKinley	Smoot	

Mr. FLETCHER. I wish to announce the unavoidable absence of my colleague [Mr. TRAMMELL]. I ask that the announcement may stand for the day.

Mr. DIAL. I desire to announce that my colleague [Mr. SMITH] is absent on business of the Senate. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Fifty-seven Senators, more than a quorum, are present.

MEMORIAL.

Mr. WILLIS presented a memorial of Dr. J. P. Henahan and sundry other citizens of Cleveland, Ohio, remonstrating against the loaning of money raised through the sale of Liberty bonds to Great Britain to be used by her in efforts to suppress the national aspirations of Ireland, India, Egypt, and other lands in seeking to obtain their freedom, which was referred to the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 38 minutes spent in executive session the doors were reopened, and (at 12 o'clock and 48 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 11, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 10, 1921.

COMPTROLLER OF THE CURRENCY.

D. R. Crissinger, of Ohio, to be Comptroller of the Currency, to fill an existing vacancy.

CONSULS.

The following-named persons for promotion in the Consular Service of the United States, as follows:

CLASS 3.

Lester Maynard, of California, from consul of class 4 to consul of class 3.

CLASS 4.

Willys R. Peck, of California, from consul of class 5 to consul of class 4.

CONSUL OF CLASS 6.

Charles C. Broy, of Virginia, formerly a consul of class 6, to be a consul of class 6 of the United States of America.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 10, 1921.

ASSISTANT SECRETARIES OF THE TREASURY.

S. Parker Gilbert, jr.
Nicholas Kelley.
Ewing Laporte.

IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

Charles E. Sawyer to be brigadier general, Medical Section.

SENATE.

FRIDAY, *March 11, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we thank Thee for the sunshine, and we pray the sunshine may also be in our hearts, and that we may be able to extend the blessings of life and hope and cheer to those who are in distress and sorrow. Direct our ways, we beseech of Thee, so that we may have Thine acceptance continually. Through Jesus Christ our Lord. Amen.

The Vice President being absent, the President pro tempore took the chair.

On request of Mr. CURTIS, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal was approved.

MESSAGE FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

NEW EDITION OF CONGRESSIONAL DIRECTORY.

Mr. SMOOT. Mr. President, I offer the following Senate resolution and ask for its immediate consideration.

The resolution (S. Res. 12) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That an edition of the Congressional Directory for the first session of the Sixty-seventh Congress be prepared and published, as provided for in section 73 of the printing act approved January 12, 1895, and that the sum of $800 for compiling, preparing, and indexing said edition be paid from the contingent fund of the Senate upon voucher to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

CAPITULATIONS AND CONSULAR INSTITUTIONS.

Mr. STERLING submitted the following resolution (S. Res. 13), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "The Origin of the Capitulations and of the Consular Institution," by G. Bie Ravndal, American consul general at Constantinople, be printed as a Senate document.

MEMORIALS.

Mr. GERRY presented a memorial of Kevin Barry Council of the American Association for the Recognition of the Irish Republic, of Central Falls, R. I., remonstrating against the shooting of six young men in the Cork (Ireland) jail on the 28th of February by British military forces in Ireland, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented a memorial of Miss Margaret Judge, member of the George Washington Parke Custis Council of the American Association for Recognition of the Irish Republic, of Columbus, Ohio, and sundry other citizens of Columbus, Ohio, remonstrating against the treatment of Ireland by the English

Government and favoring the redemption of promise by the United States of self-determination for small nations, which was referred to the Committee on Foreign Relations.

PROPOSED COMMITTEE ON PUBLIC HEALTH.

Mr. FRANCE submitted the following notice of an amendment of the rules, which was read:

I desire to give notice that on to-morrow, March 12, I shall move to amend Rule XXV as follows:
Add at the proper place the following:
"A Committee on Public Health and National Quarantine, to consist of 11 Senators."

JOSEPH I. FRANCE.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 40 minutes spent in executive session the doors were reopened and (at 12 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 12, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 11, 1921.

ASSISTANT SECRETARY OF STATE.

Fred Morris Dearing, of Missouri, to be Assistant Secretary of State.

TO BE MEMBERS OF THE UNITED STATES TARIFF COMMISSION.

Thomas O. Marvin, of Massachusetts, to be a member of the United States Tariff Commission for the term expiring September 8, 1922, vice William Kent, resigned.

William S. Culbertson, of Kansas, to be a member of the United States Tariff Commission for a term of 12 years. A reappointment.

TO BE MEMBERS OF THE INTERSTATE COMMERCE COMMISSION.

John Jacob Esch, of La Crosse, Wis., to be a member of the Interstate Commerce Commission for a term of seven years from January 1, 1921, vice Robert W. Woolley, term expired.

Mark W. Potter, of New York, to be a member of the Interstate Commerce Commission for the term expiring December 31, 1923.

TO BE A MEMBER OF THE FEDERAL FARM LOAN BOARD.

William H. Joyce, of Los Angeles, Calif., to be a member of the Federal Farm Loan Board for the unexpired term of eight years ending August 6, 1928, to fill an existing vacancy.

TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION.

Lieut. Col. Gustave Lukesh, Corps of Engineers, United States Army, for appointment as member of the Mississippi River Commission provided for by the act of Congress approved June 28, 1879.

DIRECTOR OF THE UNITED STATES COAST AND GEODETIC SURVEY.

Ernest Lester Jones, of Virginia, for a term of four years, as Director of the United States Coast and Geodetic Survey, with relative rank of captain in the Navy.

UNITED STATES ATTORNEY.

Walter Lyon, of Pennsylvania, to be United States attorney, western district of Pennsylvania, vice D. J. Driscoll, appointed by court.

UNITED STATES MARSHAL.

William J. Keville, of Massachusetts, to be United States marshal, district of Massachusetts.

COLLECTOR OF CUSTOMS.

Clarence C. Chase, of New Mexico, to be collector of customs for customs collection district No. 24, with headquarters at El Paso, Tex., to fill an existing vacancy.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Capt. Charles B. McVay, jr., to be Chief of the Bureau of Ordnance in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 17th day of June, 1920.

Medical Director Edward R. Stitt to be Surgeon General and Chief of the Bureau of Medicine and Surgery in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 30th day of November, 1920.

Acting Assistant Dental Surgeon Emory A. Bryant to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 23d day of October, 1912.

Assistant Dental Surgeon Emory A. Bryant to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 23d day of September, 1915, subject to the examination required by law.

MARINE CORPS.

Brig. Gen. Smedley D. Butler to be a brigadier general in the Marine Corps from June 4, 1920.

Brig. Gen. Logan Feland to be a brigadier general in the Marine Corps from June 4, 1920.

Brig. Gen. Harry Lee to be a brigadier general in the Marine Corps from June 5, 1920.

APPOINTMENTS IN THE REGULAR ARMY.

CHAPLAIN.

Chaplain John Thomas Axton to be chief of chaplains, with the rank of colonel, for a period of four years, beginning July 15, 1920, with rank from July 15, 1920.

MILITARY STOREKEEPER.

Capt. Charles Patrick Daly, military storekeeper, to be military storekeeper, with the rank of major, with rank from June 4, 1920.

REAPPOINTMENTS IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

Charles Walker McClure, late captain (temporary lieutenant colonel), Infantry, Regular Army, to be major, with rank from March 3, 1921.

COAST ARTILLERY CORPS.

James Boyden Crelvo Siske, late second lieutenant (temporary first lieutenant), Coast Artillery Corps, Regular Army, to be first lieutenant with rank from March 3, 1921.

INFANTRY.

Maj. Miles Kash Taulbee, Porto Rico Regiment of Infantry, since retired from active service, to be major, with rank from June 3, 1916.

Osborne Cutler Wood, late second lieutenant, Infantry, Regular Army, to be first lieutenant, with rank from March 10, 1921.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

SIGNAL CORPS.

First Lieut. Tasso Wadsworth Swartz, Infantry, with rank from June 5, 1917.

FIELD ARTILLERY.

First Lieut. John Stevenson Mallory, Infantry, with rank from August 30, 1917.

First Lieut. Arthur Francis Doran, Infantry, with rank from July 1, 1920.

PROMOTIONS IN THE REGULAR ARMY.

To be colonels.

Lieut. Col. Mark Wheeler, Infantry, from July 17, 1920.

Lieut. Col. George Daniels Arrowsmith, Infantry, from July 20, 1920.

Lieut. Col. Edward Carpenter, Coast Artillery Corps, from July 20, 1920.

Lieut. Col. Ivers Whitman Leonard, Infantry, from July 24, 1920.

Lieut. Col. Pearl Michael Shaffer, Infantry, from July 29, 1920.

Lieut. Col. Robert Robins Wallach, Cavalry, from August 1, 1920.

Lieut. Col. William Henry Jordan, jr., Infantry, from August 6, 1920.

Lieut. Col. George Williams, Cavalry, from August 17, 1920.

Lieut. Col. Irving Joseph Carr, Signal Corps, from September 1, 1920.

Lieut. Col. Easton Rutledge Gibson, Infantry, from September 1, 1920.

Lieut. Col. Henry Churchill Bonnycastle, Quartermaster Corps, from September 3, 1920.

Lieut. Col. Edward Croft, Infantry, from September 15, 1920.

Lieut. Col. Adolphe Hart Huguet, Infantry, from September 15, 1920.

Lieut. Col. Raymond Sheldon, Infantry, from September 22, 1920.

Lieut. Col. James Davis Taylor, Infantry, from September 28, 1920.

Lieut. Col. Frank Halstead, Infantry, from October 5, 1920.

Lieut. Col. Harry Edward Knight, Infantry, from October 17, 1920.

Lieut. Col. Woodson Hocker, Infantry, from October 28, 1920.

Lieut. Col. Alexander James Macnab, Infantry, from November 1, 1920.

Lieut. Col. Henry Macpherson Merriam, Coast Artillery Corps, from November 3, 1920.

Lieut. Col. Oliver Lyman Spaulding, jr., Field Artillery, from November 14, 1920.

Lieut. Col. Hanson Briscoe Black, Signal Corps, from November 16, 1920.

Lieut. Col. Conrad Hammond Lanza, Field Artillery, from November 16, 1920.
Lieut. Col. Charles Sidney Haight, Cavalry, from November 17, 1920.
Lieut. Col. William Dennison Forsyth, Cavalry, from November 19, 1920.
Lieut. Col. Fitzhugh Lee, Cavalry, from November 24, 1920.
Lieut. Col. Ralph Brewster Parrott, Infantry, from December 14, 1920.
Lieut. Col. Harry Parker Wilbur, Coast Artillery Corps, from December 23, 1920.
Lieut. Col. Stanley Hamer Ford, Infantry, from December 25, 1920.
Lieut. Col. Robert Maure Brambila, Infantry, from January 6, 1921.
Lieut. Col. Elijah Bishop Martindale, jr., Coast Artillery Corps, from January 19, 1921.
Lieut. Col. John Nicholas Straat, Infantry, from February 1, 1921.
Lieut. Col. Earle White Tanner, Infantry, from February 1, 1921.
Lieut. Col. Henry Slocum Wagner, Infantry, from February 1, 1921.
Lieut. Col. Frederick Guy Knabenshue, Infantry, from February 11, 1921.

To be lieutenant colonels.

Maj. Raymond Silas Pratt, Field Artillery, from July 17, 1920.
Maj. Alfred Allen Maybach, Coast Artillery Corps, from July 17, 1920.
Maj. Jerome Gray Pillow, Cavalry, from July 20, 1920.
Maj. Ralph Noble Hayden, Quartermaster Corps, from July 20, 1920.
Maj. Alden Farley Brewster, Field Artillery, from July 24, 1920.
Maj. John Anderson Berry, Coast Artillery Corps, from July 28, 1920.
Maj. Leonard William Prunty, Cavalry, from July 29, 1920.
Maj. Gordon Robinson, Coast Artillery Corps, from August 1, 1920.
Maj. Edward Harrison DeArmond, Field Artillery, from August 6, 1920.
Maj. Edmund Kearsley Sterling, Cavalry, from August 8, 1920.
Maj. Kerr Tunis Riggs, Cavalry, from August 17, 1920.
Maj. Carl Henry Muller, Cavalry, from August 17, 1920.
Maj. Charles Burnett, Cavalry, from September 1, 1920.
Maj. Claude Ernest Brigham, Coast Artillery Corps, from September 1, 1920.
Maj. Walter Herbert Smith, Field Artillery, from September 3, 1920.
Maj. William Tidball, Coast Artillery Corps, from September 5, 1920.
Maj. George Hathaway Baird, Cavalry, from September 15, 1920.
Maj. William Manley Cooley, Cavalry, from September 15, 1920.
Maj. William Nafew Haskell, Cavalry, from September 17, 1920.
Maj. James Prentice, Coast Artillery Corps, from September 21, 1920.
Maj. Henry Adolphus Meyer, jr., Cavalry, from September 22, 1920.
Maj. Frank Keller, Cavalry, from September 28, 1920.
Maj. Guy Kent, Cavalry, from October 5, 1920.
Maj. Copley Enos, Cavalry, from October 8, 1920.
Maj. Norton Ellsworth Wood, Quartermaster Corps, from October 13, 1920.
Maj. Shepard Lawrence Pike, Infantry, from October 17, 1920.
Maj. George Aloysius Wieczorek, Coast Artillery Corps, from October 19, 1920.
Maj. Marion Somerville Battle, Coast Artillery Corps, from October 24, 1920.
Maj. Henry Gilmore Stahl, Infantry, from October 28, 1920.
Maj. Roy Carrington Kirtland, Air Service, from November 1, 1920.
Maj. Ernest Stephen Wheeler, Quartermaster Corps, from November 3, 1920.
Maj. Albert Stanley Fuger, Field Artillery, from November 10, 1920.
Maj. Stanley Symmes Ross, Finance Department, from November 13, 1920.
Maj. Wallace McNamara, Infantry, from November 14, 1920.
Maj. Frederick Mears, Corps of Engineers, from November 14, 1920.
Maj. Alden Max Graham, Quartermaster Corps, from November 14, 1920.
Maj. Robert LeRoy Collins, Cavalry, from November 16, 1920.
Maj. Irvin Lee Hunsaker, Cavalry, from November 16, 1920.
Maj. Clifton Ranney Norton, Field Artillery, from November 17, 1920.
Maj. Eugene Julius Ely, Finance Department, from November 18, 1920.
Maj. Charles Russell Mayo, Cavalry, from November 18, 1920.
Maj. Arthur James Lynch, Quartermaster Corps, from November 19, 1920.
Maj. Guy Eugene Rucker, Infantry, from November 24, 1920.
Maj. Rawson Warren, Cavalry, from November 25, 1920.
Maj. John Henry Read, jr., Ordnance Department, from November 26, 1920.
Maj. Robert Gray Peck, Infantry, from December 14, 1920.
Maj. Robert John Binford, Infantry, from December 16, 1920.
Maj. John Augustus Brockman, Infantry, from December 19, 1920.
Maj. Charles Conaway Burt, Coast Artillery Corps, from December 21, 1920.
Maj. Sheldon Webb Anding, Infantry, from December 22, 1920.
Maj. William Gaither Murchison, Infantry, from December 23, 1920.
Maj. Joseph Howard Barnard, Quartermaster Corps, from December 25, 1920.
Maj. Rodman Butler, Quartermaster Corps, from December 27, 1920.
Maj. Howard Stanley Miller, Coast Artillery Corps, from January 6, 1921.
Maj. Clarence Lininger, Cavalry, from January 19, 1921.
Maj. Edward Murray Offley, Cavalry, from January 26, 1921.
Maj. John Cocke, Cavalry, from January 28, 1921.
Maj. Elvin Henry Wagner, Infantry, from January 29, 1921.
Maj. John Thomas Donnelly, Cavalry, from February 1, 1921.
Maj. William Henry Menges, Finance Department, from February 1, 1921.
Maj. Ronald Earle Fisher, Cavalry, from February 1, 1921.
Maj. Thomas Watson Brown, Infantry, from February 2, 1921.
Maj. Otis Robert Cole, Infantry, from February 8, 1921.

To be majors.

Capt. Thomas Joseph Brady, Field Artillery, from July 17, 1920.
Capt. John Fuller Davis, Cavalry, from July 17, 1920.
Capt. Stuart Clarence MacDonald, Infantry, from July 17, 1920.
Capt. Metcalfe Reed, Infantry, from July 20, 1920.
Capt. Hubert Reilly Harmon, Air Service, from July 20, 1920.
Capt. Benjamin Greeley Ferris, Infantry, from July 24, 1920.
Capt. Charles Samuel Ritchel, Infantry, from July 27, 1920.
Capt. Thomas Guerdon Hearn, Infantry, from July 28, 1920.
Capt. Donald Henley, Infantry, from July 29, 1920.
Capt. Joseph Daly Coughlan, Field Artillery, from July 31, 1920.
Capt. Reese Maughan Howell, Field Artillery, from August 1, 1920.
Capt. Henry Jervis Friese Miller, Air Service, from August 6, 1920.
Capt. Alfred Schrieber Balsam, Infantry, from August 8, 1920.
Capt. Frank D. McGee, Cavalry, from August 17, 1920.
Capt. Norman Jay Boots, Air Service, from August 17, 1920.
Capt. Otto Al Busch Hooper, Infantry, from August 20, 1920.
Capt. Howard Donnelly, Infantry, from September 1, 1920.
Capt. Anastacio Quevedo Ver, Philippine Scouts, from September 1, 1920.
Capt. John Nicholas Robinson, Infantry, from September 3, 1920, subject to examination required by law.
Capt. Hugh P. Avent, Field Artillery, from September 4, 1920.
Capt. Victor Vaughan Taylor, Cavalry, from September 5, 1920.
Capt. Tom Fox, Infantry, from September 15, 1920.
Capt. Thomas James Hanley, jr., Air Service, from September 15, 1920.
Capt. Jacob John Gerhardt, Infantry, from September 16, 1920.
Capt. Leo Andrew Walton, Air Service, from September 17, 1920.
Capt. Ralph Pittman Cousins, Air Service, from September 21, 1920.
Capt. Charles Hosmer Chapin, Coast Artillery Corps, from September 22, 1920.
Capt. William Putnam Cherrington, Coast Artillery Corps, from September 22, 1920.

Capt. John Franklin Stevens, Cavalry, from September 28, 1920.
Capt. Charles Robert Finley, Coast Artillery Corps, from October 4, 1920.
Capt. Vernon Edwin Prichard, Infantry, from October 5, 1920.
Capt. Blackburn Hall, Cavalry, from October 5, 1920.
Capt. Robert Bishop Lorch, Infantry, from October 8, 1920.
Capt. Adlai Howard Gilkeson, Air Service, from October 13, 1920.
Capt. Gilbert Smith Brownell, Infantry, from October 14, 1920.
Capt. Richard Carlton Stickney, Infantry, from October 17, 1920.
Capt. Edward James Dwan, Cavalry, from October 19, 1920.
Capt. Jesse Beeson Hunt, Field Artillery, from October 24, 1920.
Capt. John Ross Mendenhall, Infantry, from October 28, 1920.
Capt. Norman Randolph, Infantry, from October 31, 1920.
Capt. Joseph Monroe Murphy, Infantry, from November 1, 1920.
Capt. George Edward Stratemeyer, Air Service, from November 3, 1920.
Capt. Eustis Lloyd Hubbard, Cavalry, from November 10, 1920.
Capt. Frederic William Bove, Cavalry, from November 13, 1920.
Capt. Leroy Hugh Watson, Infantry, from November 14, 1920.
Capt. Karl Hartman Gorman, Cavalry, from November 14, 1920.
Capt. Henry Harold Dabney, Infantry, from November 14, 1920.
Capt. John Hamilton Chew Williams, Infantry, from November 14, 1920.
Capt. Arthur Arnim White, Field Artillery, from November 14, 1920.
Capt. John Keliher, Field Artillery, from November 16, 1920.
Capt. Benjamin Willis Mills, Infantry, from November 16, 1920.
Capt. Thomas Fenton Taylor, Infantry, from November 16, 1920.
Capt. Marshall Henry Quesenberry, Infantry, from November 17, 1920.
Capt. Charles Curtiss Herrick, Infantry, from November 17, 1920.
Capt. Manuel Font, Infantry, from November 18, 1920.
Capt. Richard Wilmer Cooksey, Cavalry, from November 18, 1920.
Capt. Daniel Allman Connor, Field Artillery, from November 18, 1920.
Capt. John Malcomb Boon, Infantry, from November 19, 1920.
Capt. George Mayo, Corps of Engineers, from November 22, 1920.
Capt. Paul Theodore Bock, Corps of Engineers, from November 23, 1920.
Capt. Arthur Peter von Deesten, Corps of Engineers, from November 24, 1920.
Capt. Henry Stehman Hostetter, Finance Department, from November 25, 1920.
Capt. Charles Burd Eckels, Quartermaster Corps, from November 26, 1920.
Capt. Wallace Fairchild Baker, Finance Department, from December 1, 1920.
Capt. Hardie Ambrose Violland, Finance Department, from December 2, 1920.
Capt. Hastie Alexander Stuart, Finance Department, from December 7, 1920.
Capt. Eugene Coffin, Finance Department, from December 10, 1920.
Capt. Francis Jewett Baker, Finance Department, from December 11, 1920.
Capt. Eugene Owen Hopkins, Finance Department, from December 11, 1920.
Capt. Elmer Ellsworth Lockard, Finance Department, from December 14, 1920.
Capt. Dana Woods Morey, Finance Department, from December 16, 1920.
Capt. Selden Brooke Armat, Finance Department, from December 16, 1920.

To be captains with rank from July 1, 1920.

First Lieut. Clifton Martin Brown, Infantry.
First Lieut. Otto Walter Neidert, Infantry.
First Lieut. Lloyd William Biggs, Cavalry.
First Lieut. Edwin Showalter Beall, Infantry.
First Lieut. Wilkie Collins Burt, Cavalry.
First Lieut. Ralph Emerson Bower, Infantry.
First Lieut. Adrian Beaumont Charles Smith, Cavalry.
First Lieut. Charles Wesley Ogden, Infantry.
First Lieut. George Leland Eberle, Infantry.
First Lieut. Rufus Stanley Ramey, Cavalry.
First Lieut. Douglas Graeme Clark, Coast Artillery Corps.
First Lieut. Marcus Brenneman Bell, Infantry.
First Lieut. Louis Joseph Fortier, Field Artillery.
First Lieut. Henry Pascale, Air Service.
First Lieut. James Bentley Taylor, Cavalry.
First Lieut. George Warner Swift, Infantry.
First Lieut. Remington Orsinger, Infantry.
First Lieut. William Stewart Morris, Infantry.
First Lieut. Joseph William Bollenbeck, Infantry.
First Lieut. Victor A. Dash, jr., Field Artillery.
First Lieut. Richard Henry Ballard, Cavalry.
First Lieut. Leon Chapman Dennis, Coast Artillery Corps.
First Lieut. Charles William Chalker, Infantry.
First Lieut. James Clay Short, Cavalry.
First Lieut. Roy Crawford Moore, Field Artillery.
First Lieut. William Fred Lafrenz, Coast Artillery Corps.
First Lieut. Cyrus Joseph Rounds, Infantry.
First Lieut. John Deane Forsythe, Infantry.
First Lieut. Theodore Edward Thomas Haley, Field Artillery.
First Lieut. John Franklin Henner, Field Artillery.
First Lieut. Samuel Louis Alexander, Infantry.
First Lieut. Lawrence Byron Wyant, Cavalry.
First Lieut. Albert Denarvous Johnson, Infantry.
First Lieut. Leslie T. Lathrop, Infantry.
First Lieut. James Black Muir, jr., Coast Artillery Corps.
First Lieut. Lewis Augustine Maury, Cavalry.
First Lieut. Edmund Hathaway Stillman, Coast Artillery Corps.
First Lieut. Robert Chapman Snidow, Coast Artillery Corps.
First Lieut. John Cary Howard, Infantry.
First Lieut. Ralph Edwin Richards, Infantry.
First Lieut. Ralph Hudson Wooten, Air Service.
First Lieut. Kenneth Burman Bush, Infantry.
First Lieut. John Frederick Loomis, Coast Artillery Corps.
First Lieut. Charles Henry Keck, Ordnance Department.
First Lieut. Abraham Wright Williams, Cavalry.
First Lieut. James Thomas Duke, Cavalry.
First Lieut. Hiram Franklin Plummer, Cavalry.
First Lieut. Thomas Watkins Ligon, Cavalry.
First Lieut. Edward Hale Brooks, Field Artillery.
First Lieut. James David Brown, Infantry.
First Lieut. Wayland Bixby Augur, Cavalry.
First Lieut. Harold Mark McClelland, Air Service.
First Lieut. William Brooks Bradford, Cavalry.
First Lieut. Arnold Wilkinson Shutter, Field Artillery.
First Lieut. Abram Franklin Kibler, Field Artillery.
First Lieut. Cecil Ray Moore, Corps of Engineers.
First Lieut. Leonce Joseph Blanchard, Field Artillery.
First Lieut. Francis Sylvester Conaty, Field Artillery.
First Lieut. Granville Byam Smith, Coast Artillery Corps.
First Lieut. Norman Lee Baldwin, Signal Corps.
First Lieut. William Edward Beitz, Field Artillery.
First Lieut. Grafton Sherwood Kennedy, Ordnance Department.
First Lieut. Richard Ridgely Lytle, jr., Cavalry.
First Lieut. William Caldwell Dunckel, Field Artillery.
First Lieut. Harold Clarkson Mabbott, Coast Artillery Corps.
First Lieut. Rex Byerly Shaw, Field Artillery.
First Lieut. John Waller Faulconer, jr., Field Artillery.
First Lieut. Richard Erastus Taylor, Field Artillery.
First Lieut. Gennad Alban Greaves, Field Artillery.
First Lieut. Robert Vansant Finney, Infantry.
First Lieut. Francis Murry Crist, Field Artillery.
First Lieut. Frank Charles Howard, Coast Artillery Corps.
First Lieut. Harman Paul Agnew, Infantry.
First Lieut. William Mitchell Wiener, Field Artillery.
First Lieut. Lucas Elmendorf Schoonmaker, Coast Artillery Corps.
First Lieut. William Fergus Kernan, Field Artillery.
First Lieut. Gordon Marshall Wells, Coast Artillery Corps.
First Lieut. Don Charles Faith, Infantry.
First Lieut. Raymond Orr, Infantry.
First Lieut. Hermon French Safford, Coast Artillery Corps.
First Lieut. Clifford Dean Hindle, Coast Artillery Corps.
First Lieut. Thomas Adam Austin, jr., Infantry.
First Lieut. Morrill Ross, Field Artillery.
First Lieut. Vernon McTyeire Shell, Cavalry.
First Lieut. Roland Legard Davis, Air Service.
First Lieut. John Averill Steere, Field Artillery.
First Lieut. James William Anderson, Infantry.
First Lieut. Leslie Edwards Babcock, Field Artillery.
First Lieut. Francis Howard Wilson, Infantry.

First Lieut. James Charles Longino, Cavalry.
First Lieut. Walter Adams Mack, Infantry.
First Lieut. John Cleary Kernan, Infantry.
First Lieut. Maxton Hale Flint, Infantry.
First Lieut. Howard Jennings Gorman, Infantry.
First Lieut. Eugene Peter Henry Gempel, Chemical Warfare Service.
First Lieut. Charles Swett Pettee, Infantry.
First Lieut. Elmer Ellsworth Hagler, jr., Infantry.
First Lieut. Leon Adolph Des Pland, jr., Field Artillery.
First Lieut. John Melville Sanderson, Field Artillery.
First Lieut. Sidney Hamlet Negrotto, Infantry.
First Lieut. Gustav Joseph Braun, Infantry.
First Lieut. William Henry Egle Holmes, Coast Artillery Corps.
First Lieut. John Lindley Gammell, Field Artillery.
First Lieut. Charles William Walton, Chemical Warfare Service.
First Lieut. Douglas Meriwether Griggs, Coast Artillery Corps.
First Lieut. James Vincent McConville, Cavalry.
First Lieut. Ward Hale Maris, Field Artillery.
First Lieut. Hugh John Fitzgerald, Cavalry.
First Lieut. Everett Langdon Upson, Infantry.
First Lieut. James Paul Jacobs, Artillery Corps.
First Lieut. Paul Joseph Matts, Cavalry.
First Lieut. Cornelius Henry Menger, Ordnance Department.
First Lieut. Don Forrester Pratt, Infantry.
First Lieut. Robert Rush Hawes, jr., Cavalry.
First Lieut. William Henry Seymour, Coast Artillery Corps.
First Lieut. Joseph Shelburn Robinson, Field Artillery.
First Lieut. Willard Allen Reddish, Field Artillery.
First Lieut. Ernest Ransome Percy, Infantry.
First Lieut. Murray Henry Ellis, Cavalry.
First Lieut. Sherwood Holmes Taber, Coast Artillery Corps.
First Lieut. Wolcott Paige Hayes, Cavalry.
First Lieut. Ernest Cleveland Bomar, Coast Artillery Corps.
First Lieut. Lawrence Augustus Shafer, Cavalry.
First Lieut. Donovan Paul Yeuell, Infantry.
First Lieut. Charles Edward Atkinson, Coast Artillery Corps.
First Lieut. Thurlby Morgan Rundel, Cavalry.
First Lieut. Charles Bernard Beeler Bubb, Cavalry.
First Lieut. Charles Joseph McIntyre, Infantry.
First Lieut. Gustave Bismark Guenther, Cavalry.
First Lieut. Edward Benedict McCarthy, Coast Artillery Corps.
First Lieut. Leslie Frederick Lawrence, Cavalry.
First Lieut. Horace Waldo Forster, Cavalry.
First Lieut. Edwin Hubert Randle, Infantry.
First Lieut. Simpson Ridley Stribling, Ordnance Department.
First Lieut. Francis Marion Rich, Infantry.
First Lieut. Edwin Gowdy Watson, Infantry.
First Lieut. Leon Franklin Sullivan, Infantry.
First Lieut. Waldemar Adolph Falck, Cavalry.
First Lieut. Walter Clark Armstrong, Infantry.
First Lieut. Carl John Rohsenberger, Cavalry.
First Lieut. William Barber Townsend, Infantry.
First Lieut. Hunter McGuire, Infantry.
First Lieut. Richard Derby, Coast Artillery Corps.
First Lieut. James Veto McDowell, Cavalry.
First Lieut. Steven Bayard Wilson, Infantry.
First Lieut. James Thomas Campbell, Coast Artillery Corps.
First Lieut. Howard Spencer McKirdy, Coast Artillery Corps.
First Lieut. Edwin Ralph Rinker, Infantry.
First Lieut. Harry Lee Hart, Quartermaster Corps.
First Lieut. John Henry Gibson, Infantry.
First Lieut. George Washington Gering, Infantry.
First Lieut. Henry Beals Bogman, Cavalry.
First Lieut. Walter Earl Ditmars, Infantry.
First Lieut. Robert Harold Gallier, Cavalry.
First Lieut. Percy Stuart Haydon, Cavalry.
First Lieut. Edwin Ernest Aldridge, Infantry.
First Lieut. Edwin Blake Crabill, Infantry.
First Lieut. Edmund Walton Hill, Infantry.
First Lieut. Albert Edward McIntosh, Cavalry.
First Lieut. Alfred Marston Shearer, Infantry.
First Lieut. Jefferson Kinney, Cavalry.
First Lieut. Halbert Hale Neilson, Cavalry.
First Lieut. Leland Charles McAuley, Cavalry.
First Lieut. James Obadiah Tarbox, Infantry.
First Lieut. Truman Everett Boudinot, Cavalry.
First Lieut. Raymond Frank Edwards, Infantry.
First Lieut. Maurice Eugene Barker, Coast Artillery Corps.
First Lieut. Oren Anelen Mulkey, Infantry.
First Lieut. Charles Chester Bond, Infantry.
First Lieut. Stephen Boon, jr., Cavalry.
First Lieut. Harold Glaucus Holt, Cavalry.
First Lieut. Roy Vernon Morledge, Cavalry.
First Lieut. Robert Alexis McClure, Infantry.
First Lieut. Francis Brown McCollom, Infantry.
First Lieut. Joseph Benton Wirt, Infantry.
First Lieut. Graham Roscoe Schweickert, Infantry.
First Lieut. Charles Gordon Hutchinson, Cavalry.
First Lieut. Chester Paul Dorland, Air Service.
First Lieut. Archie E. Groff, Cavalry.
First Lieut. George Davis Wiltshire, Cavalry.
First Lieut. Alfonso Frederick Zerbee, Cavalry.
First Lieut. Arthur John Wehr, Cavalry.
First Lieut. Wannie Lee Bartley, Infantry.
First Lieut. Norman John McMahon, Field Artillery.
First Lieut. Donald Norris Bartow, Infantry.
First Lieut. Paul Louis Singer, Cavalry.
First Lieut. Joseph Louis Ready, Infantry.
First Lieut. Lloyd Russell Rogers, Ordnance Department.
First Lieut. Earl Coulson Flegel, Infantry.
First Lieut. Herbert Blish Wheeler, Infantry.
First Lieut. Charles Carroll Nathan, Infantry.
First Lieut. Arthur Joseph Lacouture, Coast Artillery Corps.
First Lieut. Wilbur Storm Elliott, Quartermaster Corps.
First Lieut. Kirke Brooks Lawton, Signal Corps.
First Lieut. Neil Smith Edmond, Infantry.
First Lieut. Harold Haney, Infantry.
First Lieut. Martin DeWitt McAllister, Infantry.
First Lieut. William Henry Colbern, Infantry.
First Lieut. Marcel Alfred Gillis, Infantry.
First Lieut. John William Carroll, Cavalry.
First Lieut. Joshua Shelton Rowen, Infantry.
First Lieut. Leighton Coleman Worthington, Quartermaster Corps.
First Lieut. David James Daly, Philippine Scouts.
First Lieut. Floyd Merritt Hyndman, Cavalry.
First Lieut. Ira Claude Nicholas, Infantry.
Second Lieut. Clarence Walter Richmond, Cavalry.
First Lieut. Thomas Jett Powell, Quartermaster Corps.
First Lieut. Lorenzo Lamont Snow, Air Service.
First Lieut. William Herbert Murphy, Air Service.
First Lieut. John Bryce Casseday, Cavalry.
First Lieut. John Francis Hanley, Infantry.
First Lieut. Ben Stafford, Infantry.
First Lieut. Theose Elwin Tillinghast, Air Service.
Second Lieut. Daniel J. Dunn, Quartermaster Corps.
First Lieut. Dover Bell, Field Artillery.
Second Lieut. Harry Leroy Black, Philippine Scouts.
Second Lieut. Harold Lester Egan, Infantry.
First Lieut. William Lawrence Conway, Infantry.
First Lieut. Joseph Yuditsky, Cavalry.
First Lieut. William Tussey, Cavalry.
First Lieut. George Aloysius O'Donnell, Cavalry.
First Lieut. Albert Barnett Jones, Corps of Engineers.
First Lieut. Hamilton Thorn, Infantry.
First Lieut. John Sutherland Claussen, Infantry.
First Lieut. James Aloysius Hasson, Infantry.
First Lieut. Robert Edward Jones, Infantry.
First Lieut. Louis Leonard Chatkin, Infantry.
First Lieut. Clarence Howard Kells, Infantry.
First Lieut. Harold Ragan Priest, Infantry.
First Lieut. David Cleveland Kelly, Coast Artillery Corps.
First Lieut. Frank Henry Hollingsworth, Infantry.
First Lieut. Randolph Russell, Cavalry.
First Lieut. Philip Ramer, Field Artillery.
First Lieut. Brock Putnam, Cavalry.
First Lieut. Keelah Bouve, Infantry.
First Lieut. Edwin Miles Sumner, Cavalry.
First Lieut. Thomas Henry Green, Cavalry.
First Lieut. Francis M. Fuller, Infantry.
First Lieut. Harold de Beaumont Bruck, Cavalry.
First Lieut. Sidney Abdiel Sands, Infantry.
First Lieut. Donald Anderson Young, Cavalry.
First Lieut. Hans Charles Minuth, Cavalry.
First Lieut. Christian Allen Schwarzwaelder, Infantry.
First Lieut. Edwin Clarence Gore, Cavalry.
First Lieut. George Gill Ball, Cavalry.
First Lieut. Harold Putnam Detwiler, Coast Artillery Corps.
First Lieut. Clarence Francis Hofstetter, Coast Artillery Corps.
First Lieut. George Stanley Victor Little, Infantry.
First Lieut. Charles Lawrence Bolte, Infantry.
First Lieut. Eugene Crehan Callahan, Infantry.
First Lieut. Paul Sheeley Roper, Coast Artillery Corps.
First Lieut. Theodore Francis Wessels, Infantry.
First Lieut. Sherman Kennedy Burke, Infantry.

First Lieut. Arthur John McChrystal, Infantry.
First Lieut. Malcomb Fraser Lindsey, Infantry.
First Lieut. Jean Elsworth Nelson, Infantry.
First Lieut. Horace Oscar Cushman, Infantry.
First Lieut. Harley Latson, Corps of Engineers.
First Lieut. William Maine Hutson, Infantry.
First Lieut. Thomas Maury Galbreath, jr., Infantry.
First Lieut. Harry Robert Kilbourne, Cavalry.
First Lieut. Thomas Phillips, Infantry.
First Lieut. David Henry Finley, Infantry.
First Lieut. Clifford Arthur Eastwood, Cavalry.
First Lieut. Vinton Lee James, jr., Infantry.
First Lieut. William Franklin Campbell, Infantry.
First Lieut. Stuart Cutler, Infantry.
First Lieut. John Reuben Boatwright, Infantry.
First Lieut. Lester Nelson Allyn, Infantry.
First Lieut. Henry Lester Barrett, Infantry.
First Lieut. Archibald Donald Fisken, Field Artillery.
First Lieut. Fenton Stratton Jacobs, Cavalry.
First Lieut. Raymond Rolland Tourtillott, Infantry.
First Lieut. George Albert Hadd, Infantry.
First Lieut. Joseph Purnell Cromwell, Infantry.
First Lieut. Bernarld Paul Hoey, Infantry.
First Lieut. Catesby ap Catesby Jones, Cavalry.
First Lieut. Sanford Dole Ashford, Coast Artillery.
First Lieut. William McBlair Garrison, Field Artillery.
First Lieut. Eustace Peabody Strout, Infantry.
First Lieut. Wallace William Parker, Infantry.
First Lieut. James Laird Craig, Coast Artillery Corps.
First Lieut. Ray Moxey Hare, Infantry.
First Lieut. Walter Francis Mullins, Infantry.
First Lieut. Henry Lord Page King, Coast Artillery Corps.
First Lieut. Charles Wharton, Cavalry.
First Lieut. Harry William Koster, Quartermaster Corps.
First Lieut. Glenn Howenstein Stough, Corps of Engineers.
First Lieut. Charles Ernest Loucks, Coast Artillery Corps.
First Lieut. W. Dirk Van Ingen, Cavalry.
First Lieut. Herbert Vaughan Scanlan, Cavalry.
First Lieut. Alfred James McMullin, Infantry.
First Lieut. Gerald Leonard Marsh, Infantry.
First Lieut. George Phillip Seneff, Infantry.
First Lieut. Russell Gordon Ayers, Infantry.
First Lieut. William Allen Wappenstein, Infantry.
First Lieut. Charles Hayden Owens, Infantry.
First Lieut. Carter Collins, Infantry.
First Lieut. Hugh McCauley Cochran, 3d, Coast Artillery Corps.
First Lieut. George Edwin Abrams, Infantry.
First Lieut. Clifton Rodas Breckinridge, jr., Infantry.
First Lieut. Albert Dickinson Foster, Infantry.
First Lieut. Ercil Dale Porter, Infantry.
First Lieut. Harold Jack Adams, Signal Corps.
First Lieut. Claude Alfred White, Infantry.
First Lieut. John Franklin Farnsworth, Infantry.
First Lieut. Paul Jamison Hunt, Coast Artillery Corps.
First Lieut. William Booth Van Auken, Cavalry.
First Lieut. Archer Lynn Lerch, Infantry.
First Lieut. John Arthur Pierce, Infantry.
First Lieut. Wendell Lapsley Clemenson, Infantry.
First Lieut. Moses William Pettigrew, Field Artillery.
First Lieut. Walter Francis Kraus, Coast Artillery Corps.
First Lieut. Charles James Deahl, jr., Infantry.
First Lieut. Frank Macdonald Ogden, Infantry.
First Lieut. Arcadi Gluckman, Infantry.
First Lieut. Dale Milton Hoagland, Field Artillery.
First Lieut. Maurice Webster Ocheltree, Infantry.
First Lieut. Roy Thomas Rouse, Infantry.
First Lieut. Ivan Benson Snell, Infantry.
First Lieut. Lester Martin Kilgarif, Field Artillery.
First Lieut. James Wilson Rice, Infantry.
First Lieut. James Polk Gammon, Infantry.
First Lieut. James Irving Gibbon, Cavalry.
First Lieut. Henry Kirke White, Infantry.
First Lieut. Howard Forrest Long, Cavalry.
First Lieut. Burton Curtis Andrus, Cavalry.
First Lieut. Arthur Henry Besse, Cavalry.
First Lieut. Arthur Lafayette Warren, Field Artillery.
First Lieut. Merritt Halstead Greene, Field Artillery.
First Lieut. Irwin Lytle Lummis, Infantry.
First Lieut. Ary Clay Berry, Field Artillery.
First Lieut. Mark Milton Serum, Ordnance Department.
First Lieut. Arthur William Gower, Coast Artillery Corps.
First Lieut. John Taylor Lewis, Coast Artillery Corps.
First Lieut. Ross Breckon Warren, Field Artillery.
First Lieut. Walter David Luplow, Corps of Engineers.
First Lieut. Samuel Lusker McCroskey, Coast Artillery Corps.
First Lieut. Arvid Paul Croonquist, Infantry.
First Lieut. James Edward Cole, jr., Infantry.
First Lieut. Oliver Boone Bucher, Coast Artillery Corps.
First Lieut. Clarence Ames Martin, Infantry.
First Lieut. Francis Stuart Swett, Coast Artillery Corps.
First Lieut. Henning Linden, Infantry.
First Lieut. Trevor Washington Swett, Infantry.
First Lieut. Harry Eugene Dodge, Cavalry.
First Lieut. George Read, jr., Infantry.
First Lieut. Harold Taylor Brotherton, Coast Artillery Corps.
First Lieut. Miles Whitney Kresge, Coast Artillery Corps.
First Lieut. Robert Whipple Wilson, Field Artillery.
First Lieut. Leslie Norman Ross, Infantry.
First Lieut. Ralph de Poix Terrell, Field Artillery.
First Lieut. Walter Alexander Dumas, Infantry.
First Lieut. Edwin Emerson Keatley, Infantry.
First Lieut. George Worcester Ricker, Coast Artillery Corps.
First Lieut. William Blackburn White, Infantry.
First Lieut. George Comfort Parkhurst, Infantry.
First Lieut. Don Magruder Scott, Infantry.
First Lieut. James Edward Wharton, Infantry.
First Lieut. Stephen Mahon, Field Artillery.
First Lieut. Kenneth Leeds Holmes-Brown, Ordnance Department.
First Lieut. Harvey Ernest Ragland, Field Artillery.
First Lieut. Martin Dunlap Barndollar, jr., Infantry.
First Lieut. Francis Clark Lewis, Infantry.
First Lieut. Lewis Simons, Infantry.
First Lieut. James Harold Day, Infantry.
First Lieut. Charles Jester Davis, Cavalry.
First Lieut. George William Outland, Ordnance Department.
First Lieut. Hiram Russell Ide, Infantry.
First Lieut. John Mead Silkman, Coast Artillery Corps.
First Lieut. Loren Archibald Wetherby, Infantry.
First Lieut. James Joseph Coghlan, Infantry.
First Lieut. Bernard Butler McMahon, Infantry.
First Lieut. George Edwin Fingarson, Infantry.
First Lieut. Stanley Raymond Mickelson, Coast Artillery Corps.
First Lieut. James Patrick Kelly, Field Artillery.
First Lieut. Elwood Miller Stokes Steward, Infantry.
First Lieut. Ernest Albert Rudelius, Infantry.
First Lieut. William Lee Blanton, Infantry.
First Lieut. Harold Eugene Sturcken, Air Service.
First Lieut. John Brainard Fidlar, Ordnance Department.
First Lieut. Wilbur Burnette Sumner, Field Artillery.
First Lieut. Thomas Brady, jr., Cavalry.
First Lieut. Porter Pise Wiggins, Infantry.
First Lieut. Gilbert Xavier Cheves, Cavalry.
First Lieut. Paul Bacon Matlock, Infantry.
First Lieut. William Edward Corkill, Field Artillery.
First Lieut. John Thomas Zellars, Infantry.
First Lieut. Richard Alfred McClure, Infantry.
First Lieut. Carroll Gowen Riggs, Coast Artillery Corps.
First Lieut. Charles Donald Brown, Field Artillery.
First Lieut. John Adams Bullard, Infantry.
First Lieut. Herbert Towle Perrin, Infantry.
First Lieut. Emons Bert Whisner, Infantry.
First Lieut. George Wesley Griner, jr., Infantry.
First Lieut. Douglas Lee Crane, Quartermaster Corps.
First Lieut. Hugh Tullock Mayberry, Infantry.
First Lieut. Wade Carpenter Gatchell, Cavalry.
First Lieut. Harry Newton Blue, Field Artillery.
First Lieut. Frederic Harris Timmerman, Field Artillery.
First Lieut. Moses McKay Darst, Infantry.
First Lieut. Harry Staples Robertson, Infantry.
First Lieut. Amos Eugene Carmichael, Field Artillery.
First Lieut. Samuel O'Connor Neff, Infantry.
First Lieut. Philip Edward Brown, Infantry.
First Lieut. Andrew Jackson Wynne, Cavalry.
First Lieut. Olaf Phillips Winningstad, Ordnance Department.
First Lieut. Winfred Charles Green, Field Artillery.
First Lieut. Marion Irwin Voorhes, Field Artillery.
First Lieut. George Arthur Davis, Infantry.
First Lieut. George Van Wyck Pope, Infantry.
First Lieut. George Ellsworth Butler, Infantry.
First Lieut. Edgar Lewis Clewell, Infantry.
First Lieut. Walter Frank Goodman, Cavalry.
First Lieut. Herbert Fritz Ernst Bultman, Coast Artillery Corps.
First Lieut. Leon Draper Gibbens, Infantry.
First Lieut. Ralph King Learnard, Field Artillery.
First Lieut. Robert Alexander Kinloch, Infantry.
First Lieut. Joel Raukin Burney, Infantry.

First Lieut. Wilton Barton Persons, Coast Artillery Corps.
First Lieut. Campbell Nelson Jackson, Infantry.
First Lieut. Homer Case, Coast Artillery Corps.
First Lieut. John Henry Gardner, jr., Field Artillery.
First Lieut. Earl Cranston Ewert, Field Artillery.
First Lieut. Donald Degray Demarest, Field Artillery.
First Lieut. Ralph Morton McFaul, Infantry.
First Lieut. Bird Little, Infantry.
First Lieut. Lucian King Truscott, jr., Cavalry.
First Lieut. Einar Walter Chester, Infantry.
First Lieut. James Allen Griffin, Infantry.
First Lieut. Guy Cummins McKinley, jr., Infantry.
First Lieut. Gordon Prescott Savage, Infantry.
First Lieut. Harold Hugh McClune, Infantry.
First Lieut. Lester Earl MacGregor, Infantry.
First Lieut. Harold Pearson Gibson, Infantry.
First Lieut. Lloyd Ross Besse, Infantry, subject to examination required by law.
First Lieut. James Hugh Akerman, Cavalry.
First Lieut. Hugh Merle Elmendorf, Air Service.
First Lieut. Charles Fearn Sutherland, Infantry.
First Lieut. Gilbert Everhard Parker, Infantry.
First Lieut. Francis Beeston Laurenson Myer, Infantry.
First Lieut. Arthur Seymour Nevins, Infantry.
First Lieut. John George Murphy, Coast Artillery Corps.
First Lieut. Gustave Villaret, jr., Infantry.
First Lieut. Edwin Sanders Van Deusen, Infantry.
First Lieut. Andrew Stewart Messick, Field Artillery.
First Lieut. William Lawrence Phillips, Infantry.
First Lieut. Joe Jens Miller, Coast Artillery Corps.
First Lieut. George Alfred Hunt, Infantry.
First Lieut. Frank Johnson McSherry, Coast Artillery Corps.
First Lieut. Gabriel Reoua Mead, Cavalry.
First Lieut. John Ernest Dahlquist, Infantry.
First Lieut. Russell Symonds Fisher, Infantry.
First Lieut. William Eugene Farthing, Air Service.
First Lieut. Tom Sherman Brand, Infantry.
First Lieut. Charles Morris Ankcorn, Infantry.
First Lieut. James Robinson Urquhart, Infantry.
First Lieut. Morrill Watson Marston, Infantry.
First Lieut. William Edward Bergin, Infantry.
First Lieut. John Olis Crose, Infantry.
First Lieut. John Calvin Butner, jr., Field Artillery.
First Lieut. Benjamin Wilson Venable, Infantry.
First Lieut. John Lawrence Murphy, Infantry.
First Lieut. Edward Stanley Ott, Field Artillery.
First Lieut. Ralph Bridges Bagby, Air Service.
First Lieut. Melvin Leslie McCreary, Field Artillery.
First Lieut. Allan Hanson Snowden, Infantry.
First Lieut. Herman Hollie Felix Gossett, Field Artillery.
First Lieut. Lester Johnson Whitlock, Field Artillery.
First Lieut. Burt Eugene Skeel, Infantry.
First Lieut. Henry Augustus Brickley, Infantry.
First Lieut. Roger Wisner, Infantry.
First Lieut. A. Pledger Sullivan, Infantry.
First Lieut. Harry Lee Campbell, Coast Artillery Corps.
First Lieut. John Kay Christmas, Coast Artillery Corps.
First Lieut. Harvey Edward, Quartermaster Corps.
First Lieut. Leo James McCarthy, Infantry.
First Lieut. Earl Franklyn Paynter, Infantry.
First Lieut. Ernest Arthur Williams, Cavalry.
First Lieut. George Price Hays, Field Artillery.
First Lieut. George Harrison Millholland, Cavalry.
First Lieut. Harrison Bruce Beavers, Infantry.
First Lieut. Herbert Daskum Gibson, Infantry.
First Lieut. Harry Squire Wilbur, Infantry.
First Lieut. Ralph Julian Canine, Field Artillery.
First Lieut. Paul Blassengame Robinson, Infantry.
First Lieut. William Lamont Coulter, Infantry.
First Lieut. Joseph Henry Hinwood, Infantry.
First Lieut. Russell Fleming Walthour, jr., Infantry.
First Lieut. James Crawford DeLong, Infantry.
First Lieut. Timothy Asbury Pedley, jr., Infantry.
First Lieut. Donald Ross Dunkle, Cavalry.
First Lieut. James Sullins Varnell, Infantry.
First Lieut. Chester Earl Davis, Cavalry.
First Lieut. Edwin Turner Bowden, Infantry.
First Lieut. Cassius Hayward Styles, Air Service.
First Lieut. Holmes Gill Paullin, Cavalry.
First Lieut. Ransom Davis Spann, Coast Artillery Corps.
First Lieut. Ray Edison Porter, Infantry.
First Lieut. Frank Exley Barber, Infantry.
First Lieut. John Earl Brannan, Infantry.
First Lieut. Arthur Castle Hawkins, Coast Artillery Corps.
First Lieut. John Hamilton Irving, Cavalry.
First Lieut. Alfred Pruden Keiley, Cavalry.
First Lieut. Oliver Ferguson Marston, Field Artillery.
First Lieut. Evan Dhu Cameron, jr., Cavalry.
First Lieut. Clarence Clemons Park, Field Artillery.
First Lieut. Glenn Smith Finley, Cavalry.
First Lieut. William Volney Rattan, Infantry.
First Lieut. Rosswell Eric Hardy, Infantry.
First Lieut. Manly Foster Meador, Cavalry.
First Lieut. Zim E. Lawhon, Field Artillery.
First Lieut. Lloyd Zuppann, Infantry.
First Lieut. John Kirkland Rice, Infantry.
First Lieut. Hammond Davies Birks, Infantry.
First Lieut. James Holden Hagan, Infantry.
First Lieut. Lester Smith Ostrander, Infantry.
First Lieut. John Wesley Gard, Coast Artillery Corps.
First Lieut. Clarence Beryl Werts, Cavalry.
First Lieut. Roscoe Runyan Ellis, Infantry.
First Lieut. Frank Milton Conroy, Infantry.
First Lieut. Charles Spurgeon Johnson, Infantry.
First Lieut. Manly Broadus Gibson, Coast Artillery Corps.
First Lieut. Charles Henry Hagelstein, Infantry.
First Lieut. John Harold Keatinge, Field Artillery.
First Lieut. Hugh Andrew Wear, Infantry.
First Lieut. George Allan Miller, Infantry.
First Lieut. David Loring, jr., Infantry.
First Lieut. James Warren Andrews, Field Artillery.
First Lieut. Stockbridge Carleton Hilton, Infantry.
First Lieut. William Russell Philp, Field Artillery.
First Lieut. George Anthony Horkan, Infantry.
First Lieut. Charles Herman Unger, Cavalry.
First Lieut Walter Harold Soderholm, Ordnance Department.
First Lieut. Samuel Granmer Thompson, Infantry.
First Lieut. Harry Winant Caygill, Infantry.
First Lieut. James Elson Jeffres, Infantry.
First Lieut. Vennard Wilson, Field Artillery.
First Lieut. Orlo Harry Quinn, Air Service.
First Lieut. William Henry Sullivan, Philippine Scouts.
First Lieut. Serafin Manual Montesinos, Porto Rico Regiment of Infantry.
First Lieut. Pedro Angel Hernandez, Porto Rico Regiment of Infantry.
First Lieut. Carlo Antonio Pivirotto, Philippine Scouts.
First Lieut. Thomas Roger McCarron, Infantry.
First Lieut. Benjamin Seymour Stocker, Philippine Scouts.
First Lieut. Anastacio Quevedo Ver, Philippine Scouts.
First Lieut. Manuel Font, Porto Rico Regiment of Infantry.
Second Lieut. Henry Stehman Hostetter, Finance Department.
Second Lieut. Emmet Crawford Morton, Finance Department.
First Lieut. Rafael Garcia y Larrosa, Philippine Scouts.
First Lieut. Carl Archibald Bishop, Philippine Scouts.
First Lieut. James Ellis Slack, Cavalry.
First Lieut. Marvin Randolph Baer, Philippine Scouts.
First Lieut. James Cadmus McGovern, Philippine Scouts.
First Lieut. Manuel Benigno Navas, Porto Rico Regiment of Infantry.
First Lieut. Enrique Manuel Benitez, Coast Artillery Corps.
First Lieut. Vicente Nicolas Diaz, Porto Rico Regiment of Infantry.
First Lieut. Andres Lopez, Porto Rico Regiment of Infantry.
First Lieut. Ramon Salvador Torres, Porto Rico Regiment of Infantry.
First Lieut. Modesto Enrique Rodriqueg, Porto Rico Regiment of Infantry.
First Lieut. Roy Walton Heard, Philippine Scouts.
First Lieut. William Mayer, Field Artillery, subject to examination required by law.
First Lieut. Arnold Richard Christian Sander, Infantry, subject to examination required by law.
First Lieut. Will Harley Evans, Infantry.
First Lieut. Charles Orval Thrasher, Quartermaster Corps.
First Lieut. Frank M. Moore, Infantry.
First Lieut. Edwin Kenneth Crowley, Infantry.
First Lieut. Earl Alva Hyde, Field Artillery.
First Lieut. Thomas Arthur Reiner, Infantry.
First Lieut. Horatio Gano Fairbanks, Infantry.
First Lieut. Edward Shippen West, Cavalry.
First Lieut. Bernard Joseph Finan, Quartermaster Corps.
First Lieut. George Bernard Wescott, Infantry.
First Lieut. Caesar Rodney Roberts, Coast Artillery Corps.
First Lieut. Hjalmar Bernhardt Hovde, Signal Corps.
First Lieut. Claire Elwood Hutchin, Infantry.
First Lieut. Walter Carl Claussen, Infantry.
First Lieut. John Summerfield Vincent, Quartermaster Corps.
First Lieut. George Nicholl Randolph, Infantry.
First Lieut. R. T. Walker Duke, Infantry.

First Lieut. Herbert William Schmid, Infantry.
First Lieut. Lloyd Leslie Hamilton, Infantry.
First Lieut. Eustace Meduro Peixotto, Infantry.
First Lieut. Watson Longan McMorris, Coast Artillery Corps.
First Lieut. Arthur Walter Penrose, Infantry.
First Lieut. Frederick DeCaro, Infantry.
First Lieut. Armin Ferdinand Herold, Air Service.
First Lieut. Joseph Church, Infantry.
First Lieut. Clinton Enos Fenters, Infantry.
First Lieut. Robert Trisch Willkie, Quartermaster Corps.
First Lieut. Elmer Royal Block, Field Artillery.
First Lieut. Nels Gustaf Sandelin, Quartermaster Corps.
First Lieut. Elmer Sharpe Van Benschoten, Infantry.
First Lieut. Ralph Pollock, jr., Quartermaster Corps.
First Lieut. John Graham Ardon, Infantry.
First Lieut. Otto Harwood, Quartermaster Corps.
First Lieut. Harold Harrison Barbur, Infantry.
First Lieut. Ellis Warren Butt, Coast Artillery Corps.
First Lieut. Otho Williams Budd, jr., Infantry.
First Lieut. Eugene Vincent Bohan, Infantry.
First Lieut. Carl Christian Andersen, Infantry.
First Lieut. Cecil Claude Ray, Quartermaster Corps.
First Lieut. Charles Davis Vollers, Cavalry.
Second Lieut. John Edward Covington, Infantry.
First Lieut. Clyde Purcell Taylor, Infantry.
First Lieut. Willis Earl Simpson, Infantry.
First Lieut. George Franklin Davis, Infantry.
First Lieut. Hubbard Errette Dooley, Infantry.
First Lieut. Roye Pannebecker Gerfen, Cavalry.
First Lieut. James Jarlath Kelly, Infantry.
First Lieut. Wilson Young Stamper, jr., Corps of Engineers.
First Lieut. George Harrison Stuts, Field Artillery.
First Lieut. Gordon Cushing Day, Corps of Engineers.
First Lieut. Charles Jesse Mabbutt, Quartermaster Corps.
First Lieut. Walter Andrewson, Quartermaster Corps.
First Lieut. Ernest August Guillemet, Quartermaster Corps.
First Lieut. John Albion Chase, Infantry.
First Lieut. James Allen Ryan, Coast Artillery Corps.
First Lieut. Henry Edward Tisdale, Field Artillery.
First Lieut. Clyde Kelly, Infantry.
First Lieut. Herman Goodwin Halverson, Quartermaster Corps.
First Lieut. Leslie Norman Conger, Infantry.
First Lieut. Thomas Morris Jervey, Infantry.
First Lieut. Thomas Nottingham Williams, Infantry.
Second Lieut. Albert Joseph Beale, Quartermaster Corps.
First Lieut. William John Niederpruem, Infantry.
First Lieut. Eugene Nelson Frakes, Infantry.
First Lieut. John Russell Young, Infantry.
First Lieut. John Marvin Hagens, Infantry.
First Lieut. Morris Easton Conable, Coast Artillery Corps.
First Lieut. Robert Stuart Smith, Quartermaster Corps.
First Lieut. Charles Francis Sullivan, Infantry.
First Lieut. Paul Cassius Berlin, Cavalry.
First Lieut. Edward Avery Austin, Infantry.
First Lieut. Karl Minnigerode, Infantry.
First Lieut. Hartwell Newton Williams, Quartermaster Corps.
First Lieut. Harry Wright Hill, Corps of Engineers.
First Lieut. Robert Wilkin McBride, Coast Artillery Corps.
First Lieut. Charles Addison Pursley, Air Service.
First Lieut. Bert S. Wampler, Infantry.
First Lieut. Edmund Fitzgerald Hubbard, Infantry.
First Lieut. Henry Tureman Allen, jr., Cavalry.
Second Lieut. Halbert Eli Norton, Quartermaster Corps.
First Lieut. George Rankin, Infantry.
First Lieut. Charles Franklin Johnson, Infantry.
Second Lieut. Carl Herbert Odeen, Quartermaster Corps.
First Lieut. James Everett Snider, Cavalry.
First Lieut. Adam Richmond, Infantry.
First Lieut. Charles Jackson Sullivan, Infantry.
First Lieut. Winfield Orval Shrum, Infantry.
First Lieut. Paul Roy Guthrie, Quartermaster Corps.
First Lieut. Ernest Franklin Dukes, Cavalry.
First Lieut. Ira Edgar Ryder, Infantry.
First Lieut. Herbert Randolph Roberts, Infantry.
First Lieut. James Roger Kennedy, Infantry.
First Lieut. Harry Joseph Gaffney, Coast Artillery Corps.
First Lieut. Charles Francis Frost Cooper, Infantry.
First Lieut. Frank Ward, Infantry.
First Lieut. Harold Edward Potter, Infantry.
First Lieut. Rufus Boylan, Infantry.
Second Lieut. Warren Crouse Hurst, Quartermaster Corps.
First Lieut. Charles Clinton Griffin, Infantry.
First Lieut. Willard Lapham Smith, Infantry.
First Lieut. George Luke Usher, Air Service.
First Lieut. George H. Cushman, jr., Field Artillery.
First Lieut. Lester Abraham Harris, Infantry.
First Lieut. William Lackey Mays, Infantry.
First Lieut. John Patrick Welch, Quartermaster Corps.
First Lieut. Thomas Almeron Bryant, Cavalry.
First Lieut. Daniel Bernard Cullinane, Cavalry.
First Lieut. Llewellyn deWaele Tharp, Infantry.
First Lieut. Harvey Watson McHenry, Quartermaster Corps.
First Lieut. Frank Lenoir Reagan, Infantry.
First Lieut. George Randall Wells, Infantry.
First Lieut. Thomas Ernest Campbell, Infantry.
First Lieut. John T. Boyle, Quartermaster Corps.
First Lieut. Peyton Winlock, Field Artillery.
First Lieut. Clarence Lineberger, Quartermaster Corps.
First Lieut. George Mortimer Couper, Infantry.
First Lieut. William Jasper Black, Infantry.
First Lieut. Homer H. Beall, Quartermaster Corps.
First Lieut. Abraham Max Lawrance, Infantry.
First Lieut. Frank Thornton Addington, Infantry.
First Lieut. Paul Ernest Leiber, Infantry.
First Lieut. William Bernard Lowery, Infantry.
First Lieut. James Francis Strain, Infantry.
Second Lieut. Albert Earle Matlack, Quartermaster Corps.
First Lieut. Francis Norton Neville, Quartermaster Corps.
First Lieut. Francis Curran Browne, Infantry.
First Lieut. Harry Lynn Henkle, Infantry.
First Lieut. Merrifield Graham Martling, Corps of Engineers.
First Lieut. Fred Stevens Byerly, Infantry.
Second Lieut. Austin Webb Lee, Quartermaster Corps.
First Lieut. Lewis Andrew Pick, Corps of Engineers.
Second Lieut. Oscar Stanley Smith, Infantry.
Second Lieut. Joseph Henry Davidson, Air Service.
First Lieut. John McDowell, Field Artillery.
First Lieut. Walter Cox Rathbone, Infantry.
First Lieut. Harry Watson Bolan, Infantry.
First Lieut. Alfred Clarence George, Air Service.
First Lieut. George Bagby Campbell, Infantry.
First Lieut. Harry Martin Andrews, Quartermaster Corps.
First Lieut. Chauncey McCullough Lyons, Infantry.
First Lieut. Edward Phillip Wadden, Infantry.
First Lieut. William Yeates, Cavalry.
First Lieut. Paul Miller Ellman, Corps of Engineers.
First Lieut. John Edward Doyle, Infantry.
First Lieut. Irvin Henry Zeliff, Cavalry.
First Lieut. Ellis Wiswell Hartford, Quartermaster Corps.
First Lieut. Paul Jones Mathis, Air Service.
First Lieut. Frank Ellsworth Brokaw, Cavalry.
First Lieut. Beverly Allison Shipp, Infantry.
Second Lieut. Walter Kendall Wheeler, jr., Infantry.
First Lieut. Charles Sherwood Gilbert, Infantry.
First Lieut. Robert Oliver Shoe, Infantry.
First Lieut. Charles Crisp Morgan, Infantry.
First Lieut. Ellis Edward Haring, Corps of Engineers.
First Lieut. Malcolm Everett Craig, Infantry.
Second Lieut. Roland Thorse Fenton, Quartermaster Corps.
First Lieut. Milton Orme Boone, Quartermaster Corps.
First Lieut. Perry Edward Taylor, Cavalry.
First Lieut. John Samuel Schwab, Infantry.
First Lieut. Walter Daugherty McCord, Infantry.
First Lieut. James Esmond Matthews, Infantry.
First Lieut. William James Robertson, Infantry.
First Lieut. Harry Jefferson Farner, Infantry.
Second Lieut. John Lawrence Slade, Quartermaster Corps.
First Lieut. Samuel Lynn Dunlop, Infantry.
First Lieut. Charles Sydney Hammond, Coast Artillery Corps.
First Lieut. Joseph Wheeler Starkey, Infantry.
First Lieut. Harrington Willson Cochran, Coast Artillery Corps.
First Lieut. Fred Harry Enckhausen, Infantry.
First Lieut. Leo Joseph Dillon, Quartermaster Corps.
First Lieut. Alberto Eugene Merrill, Cavalry.
First Lieut. Thomas Jefferson Heald, Infantry.
First Lieut. John Merle Weir, Infantry.
Second Lieut. Samuel Clifton Cratch, Quartermaster Corps.
First Lieut. Hubert Ward Beyette, Quartermaster Corps.
First Lieut. Moore Alexander Stuart, Field Artillery.
Second Lieut. Evan Jervis Morris, Chemical Warfare Service.
First Lieut. James Monroe Morris, Infantry.
First Lieut. Elbridge Colby, Infantry.
First Lieut. Herbert Hatchett Blackwell, Coast Artillery Corps.
First Lieut. Richard Adam Knight, Field Artillery.
First Lieut. Samuel Stafford Wolfe, Infantry.
First Lieut. Cecil Oliver Temple, Quartermaster Corps.
First Lieut. Chester David Milton, Quartermaster Corps.

First Lieut. Roy Victor Rickard, Infantry.
First Lieut. Alfred Volckman Ednie, Infantry.
First Lieut. John Wilmar Blue, Infantry.
First Lieut. Otto Gresham Trunk, Air Service.
First Lieut. Frank McCormick Nihoof, Infantry.
First Lieut. Edmund Gerald Stein, Chemical Warfare Service.
Second Lieut. William Russell Frost, Field Artillery.
First Lieut. Freeman Bozeman Daniel, Quartermaster Corps.
First Lieut. Frederick Wilhelm Tell Sterchi, Infantry.
First Lieut. Earl LeVerne Lyons, Infantry.
First Lieut. Kenneth Smith Wallace, Field Artillery.
Second Lieut. Howard Haines Cloud, Infantry.
First Lieut. Thomas Jefferson Jackson, Infantry.
First Lieut. Clarence Lloyd Midcap, Air Service.
First Lieut. Fred Martin Distelhorst, Infantry.
First Lieut. Gordon Hall Steele, Quartermaster Corps.
First Lieut. Harry Kuteman Adams, Infantry.
First Lieut. Louis William Eggers, Infantry.
First Lieut. Charlie Anthony Valverde, Infantry.
First Lieut. Francis Egan, Infantry.
Second Lieut. Neil Brown Simms, Quartermaster Corps.
First Lieut. Fred Ivan Gilbert, Ordnance Department.
First Lieut. John Leverett Farley, Coast Artillery Corps.
Second Lieut. Charles William Mays, Field Artillery.
First Lieut. James Carlisle Patterson, Field Artillery.
Second Lieut. John Joseph Nealon, Infantry.
First Lieut. Maurice Vernon Patton, Field Artillery.
First Lieut. Arthur Vanderpool Winton, Coast Artillery Corps.
First Lieut. Alexander Hill Cummings, Quartermaster Corps.
First Lieut. Blaisdell Cain Kennon, Infantry.
First Lieut. Leslie Johnathan Cartright, Infantry.
First Lieut. Harland Fisher Seeley, Infantry.
First Lieut. Wallace Chase Steiger, Cavalry.
First Lieut. John Huston Church, Infantry.
First Lieut. Irving Marion McLeod, Infantry.
First Lieut. Frank Leslie Thompson, Infantry.
Second Lieut. Harold Baxter Crowell, Infantry.
First Lieut. Harold Eugene Eastwood, Cavalry.
Second Lieut. Gilbert Taylor Collar, Air Service.
First Lieut. Chester Carlton Westfall, Infantry.
First Lieut. William Langley Wharton, Infantry.
Second Lieut. Henry Herbert Cameron, Cavalry.
Second Lieut. William Otis Poindexter, Infantry.
First Lieut. Anthony Power Lagorio, Infantry.
Second Lieut. Andrew Paul Paulsen, Infantry.
Second Lieut. Benjamin Franklin Giles, Air Service.
First Lieut. Ernest Clifton Adkins, Infantry.
First Lieut. Moses Foss Cowley, Infantry.
First Lieut. Lee Huber, Infantry.
First Lieut. Arthur Hurd Lee, Field Artillery.
First Lieut. Lee Varnado Hunnicutt, Infantry.
First Lieut. Keith Kenneth Jones, Field Artillery.
First Lieut. Thomas Green Poland, Infantry.
First Lieut. Caspar Ray Crim, Infantry.
First Lieut. Robert Henry Crosby, Field Artillery.
First Lieut. Chester Russell Fouts, Finance Department.
First Lieut. Thomas Deweese Davis, Infantry.
First Lieut. John Ligget Tunstall, Finance Department.
First Lieut. Frank George Rogers, Field Artillery.
First Lieut. George Lyman Prindle, Infantry.
Second Lieut. Philip Theodore Quinn, Field Artillery.
First Lieut. Leslie Walter Brown, Infantry.
First Lieut. Tobin Cornelius Rote, Infantry.
First Lieut. Fraser Hale, Air Service.
Second Lieut. Isaac Brown Mayers, Infantry.
First Lieut. Joseph English Hall, Air Service.
Second Lieut. John Beall Harvey, Infantry.
First Lieut. Owen Meredith Marshburn, Field Artillery.
First Lieut. Reading Wilkinson, Corps of Engineers.
First Lieut. Nicholas Hamner Cobbs, Finance Department.
First Lieut. William Allen Hale, Infantry.
First Lieut. David Eugene Barnett, Infantry.
Second Lieut. Earle Albie Johnson, Infantry.
First Lieut. Edgar Harland Keltner, Infantry.
First Lieut. Jesse Andrew Rogers, jr., Ordnance Department.
Second Lieut. Furman Walker Hardee, Infantry.
First Lieut. Charlie Campbell McCall, Cavalry.
First Lieut. Robert Quail Whitten, Infantry.
First Lieut. Benjamin Haw Lowry, Field Artillery.
First Lieut. Charles Peter Lynch, Infantry.
First Lieut. Edward Crews Black, Air Service.
First Lieut. William Burbridge Yancey, Infantry.
First Lieut. Edwin Henderson Quigley, Infantry.
Second Lieut. Raymond Leroy Shoemaker, Infantry.
First Lieut. Shirley Wiggins McIlwain, Quartermaster Corps.
First Lieut. Charles Edward Richardson, Quartermaster Corps.
First Lieut. John Phillip Scott, Cavalry.
First Lieut. Charles August Ross, Infantry.
First Lieut. Andrew Christian Tychsen, Infantry.
Second Lieut. George James Burns Fisher, Coast Artillery Corps.
First Lieut. Edmond Hugh Brown, Infantry.
First Lieut. Laurence Mickel, Infantry.
Second Lieut. Robert John Wallace, Infantry.
First Lieut. John Swan Moore, Infantry.
First Lieut. Henry Earl Hinton, Ordnance Department.
First Lieut. Lovic Pierce Hodnette, Infantry.
First Lieut. Arthur S. Champany, Infantry.
First Lieut. John Hamilton Cochran, Infantry.
Second Lieut. Ralph Alfonso Gibson, Air Service.
Second Lieut. John Benjamin Holmberg, Air Service.
First Lieut. Lloyd William Gooppert, Coast Artillery, Corps.
Second Lieut. Henry William Robinson, Infantry.
First Lieut. William Michener, Field Artillery.
Second Lieut. Don Norris Holmes, Infantry.
First Lieut. Ernest Everett Boyle, Infantry.
First Lieut. Latcher Ogle Grice, Quartermaster Corps.
Second Lieut. William Millican Randolph, Air Service.
First Lieut. Alexander Jesse MacNab, Infantry.
First Lieut. Walter Hibbard, Infantry.
First Lieut. Ralph Leroy Ware, Infantry.
First Lieut. Chauncey Aubrey Bennett, Field Artillery.
First Lieut. Brisbane Banks Brown, Infantry.
First Lieut. Charles Andrew Robinson, Infantry.
Second Lieut. Joe Shurlock Underwood, Quartermaster Corps.
First Lieut. Albert Charles Gale, Field Artillery.
Second Lieut. Elmer Douglas Campbell, Cavalry.
Second Lieut. Clarence John Blake, Quartermaster Corps.
Second Lieut. John Joseph Buckley, Infantry.
First Lieut. LeRoy F. Pape, Quartermaster Corps.
First Lieut. Harry Dennis Furey, Infantry.
First Lieut. Charles Henry Wilson, Infantry.
First Lieut. John George Pickard, Infantry.
First Lieut. Winfred Houghton, Cavalry.
Second Lieut. Richard Mathews Sandusky, Infantry.
First Lieut. Ernest Francis Boruski, Infantry.
First Lieut. Harold Mays Tague, Infantry.
Second Lieut. John Walker Henson, Infantry.
First Lieut. Eugene Arthur Regnier, Cavalry.
Second Lieut. William Grove Murphy, Infantry.
Second Lieut. Preston Wilson Gillette, Cavalry.
Second Lieut. James Lindley Coman, Coast Artillery Corps.
First Lieut. Joseph James Canella, Infantry.
First Lieut. Walter Alexander Wood, jr., Corps of Engineers.
First Lieut. Charles McKinley Kemp, Infantry.
Second Lieut. Howard Avil Worrell Kates, Infantry.
First Lieut. Raymond Cecil Hamilton, Infantry.
Second Lieut. Harold Albert Baumeister, Infantry.
First Lieut. Jasper Morris Groves, Infantry.
First Lieut. Norris Adron Wimberley, Infantry.
First Lieut. Orlen Nelson Thompson, Infantry.
Second Lieut. Joseph Aloysius St. Louis, Infantry.
Second Lieut. Joseph Saddler Dougherty, Infantry.
First Lieut. Richard James Kirkpatrick, Air Service.
First Lieut. Carey Ephriam Campbell, jr., Infantry.
First Lieut. Clarence Ronald Peck, Infantry.
First Lieut. Ray Milton House, Infantry.
First Lieut. Pierre Mallett, Field Artillery.
First Lieut. Overton Walsh, Field Artillery.
Second Lieut. Clarence Harvey Bragg, Infantry.
First Lieut. DeWitt Clinton Smith, jr., Infantry.
First Lieut. John Curtis Newton, Infantry.
First Lieut. Leslie Lancaster Heller, Infantry.
Second Lieut. Vaughan Morris Cannon, Cavalry.
Second Lieut. Wilson Stuart Zimmerman, Infantry.
First Lieut. Graeme Gordon Parks, Infantry.
First Lieut. Edwin Paull Ketchum, Corps of Engineers.
First Lieut. Frank Lee McCoy, Infantry.
First Lieut. George Lucius Blossom, Infantry.
Second Lieut. Cyril Clifton Chandler, Infantry.
Second Lieut. Fred Harold Norris, Infantry.
First Lieut. Raymond Emanuel Hoffman, Infantry.
First Lieut. James Francis Clark Hyde, Corps of Engineers.
First Lieut. Robert James Kirk, jr., Infantry.
First Lieut. James Edward Mendenhall, Infantry.
First Lieut. Leo Alexander Bessette, Infantry.
First Lieut. Kent Clayton Mead, Infantry.
Second Lieut. James Wellington Younger, Quartermaster Corps.

First Lieut. Amory Vivion Eliot, Infantry.
First Lieut. James Clarence Reed, Infantry.
First Lieut. Eugene Ferguson Hinton, Infantry.
Second Lieut. Oliver Wendell Broberg, Air Service.
First Lieut. Clarence Earle Lovejoy, Infantry.
Second Lieut. Richard Sylvester Gessford, Infantry.
Second Lieut. Benjamin Mills Cronshaw, Infantry.
Second Lieut. Curtis Loyd Stafford, Cavalry.
Second Lieut. Alexander Garrett Olsen, Cavalry.
First Lieut. Robert Kauch, Air Service.
First Lieut. Arthur Riehl Wilson, Field Artillery.
Second Lieut. John Major Reynolds, Field Artillery.
First Lieut. Basil Vernon Fields, Infantry.
Second Lieut. Bickford Edward Sawyer, Cavalry.
First Lieut. Irwin Samuel Dierking, Infantry.
Second Lieut. Donald Boyer Rogers, Field Artillery.
Second Lieut. Clinton Fisk Woolsey, Air Service.
First Lieut. Joseph Bartholomew Conmy, Infantry.
Second Lieut. William Randolph Watson, Infantry.
First Lieut. George Curtis McFarland, Coast Artillery Corps.
First Lieut. Collin Stafford Myers, Infantry.
First Lieut. John Peter Neu, Quartermaster Corps.
First Lieut. William Herschel Middleswart, Quartermaster Corps.
Second Lieut. Arden Clucas Miller, Field Artillery.
Second Lieut. Frank Sims Mansfield, Infantry.
First Lieut. Paul Clarence Spears, Field Artillery.
First Lieut. Ralph C. G. Nemo, Infantry.
First Lieut. Ross Franklin Cole, Air Service.
Second Lieut. Oakley Leigh Sanders, Cavalry.
First Lieut. John Pinnix Lake, Infantry.
First Lieut. Heston Rarick Cole, Corps of Engineers.
First Lieut. Russel Burton Reynolds, Infantry.
Second Lieut. Harold Douglas Dinsmore, Infantry.
First Lieut. Paul Clarence Boylan, Field Artillery.
Second Lieut. Ralph Floyd Love, Infantry.
Second Lieut. William Irving Sherwood, Infantry.
First Lieut. Charles Wilkes Christenberry, Infantry.
Second Lieut. Charles Andrew Beaucond, Infantry.
Second Lieut. Horace William Mooney, Air Service.
Second Lieut. Robert Mansfield McCurdy, Infantry.
First Lieut. Stewart Franklin Miller, Field Artillery.
First Lieut. Hugh Campbell Parker, Infantry.
Second Lieut. Floyd Marshall, Infantry.
First Lieut. William Carey Lee, Infantry.
First Lieut. Leonard Henderson Sims, Infantry.
First Lieut. John Edwin Ray, Infantry.
Second Lieut. Roy Thomas Barrett, Coast Artillery Corps.
First Lieut. John Jeremiah Bachman, Field Artillery.
First Lieut. Raymond Jay Williamson, Infantry.
Second Lieut. Vere Painter, Quartermaster Corps.
First Lieut. Walter Julius Ungethuem, Infantry.
First Lieut. William Tecumseh Haldeman, Cavalry.
Second Lieut. James Michael Grey, Quartermaster Corps.
First Lieut. Marcus Aurelius Smith King, Field Artillery.
First Lieut. Walter Raymond Graham, Infantry.
First Lieut. Albert Hovey Peyton, Infantry.
First Lieut. James Patrick Murphy, Infantry.
First Lieut. Neal Creighton Johnson, Infantry.
First Lieut. Norman Pyle Groff, Infantry.
First Lieut. Nelson Dingley, 3d, Coast Artillery Corps.
First Lieut. Claudius Miller Easley, Infantry.
First Lieut. Ernest Frederick Apeldorn, jr., Cavalry.
First Lieut. Richard Weaver Hocker, Field Artillery.
First Lieut. John Cleveland Robinson Hall, Infantry.
First Lieut. Benton Frank Munday, Cavalry.
First Lieut. Joseph Ware Whitney, Infantry.
First Lieut. Peter P. Salgado, Infantry.
First Lieut. Henry Hockwald, Quartermaster Corps.
First Lieut. Frederick LeRoy Black, Quartermaster Corps.
First Lieut. Charles Samuel Moyer, Chemical Warfare Service.
First Lieut. Dennis Coburn Pillsbury, Infantry.
First Lieut. Sidney Lanier Conner, Infantry.
First Lieut. Joseph James Goffard, Infantry.
First Lieut. Arthur Joseph McShane, Quartermaster Corps.
First Lieut. Martin Ackerson, Infantry.
First Lieut. Herbert Edwin Featherstone, Cavalry.
First Lieut. Frank Unsworth McCoskrie, Infantry.
First Lieut. Edgar Gersham Coursen, jr., Quartermaster Corps.
First Lieut. Edward William Budy, Infantry.
First Lieut. Andrew Jackson McFarland, Infantry.
First Lieut. Myles Douglas Savelle, Infantry.
First Lieut. Rudolf Karl Schlsepfer, Infantry.
First Lieut. George Jacob Gigor, Quartermaster Corps.
First Lieut. John William Stanley, Infantry.
First Lieut. Clyde Pickett, Cavalry.
First Lieut. John Neely Hopkins, Infantry.
First Lieut. William Agnew Nowland, Infantry.
First Lieut. Clifton Augustine Pritchett, Infantry.
First Lieut. Luke Donald Zech, Infantry.
First Lieut. Lucian Dalton Bogan, Infantry.
Second Lieut. Richard Law Hubbell, Ordnance Department.
First Lieut. Thomas Ralph Miller, Infantry.
First Lieut. Nole Erick Stadig, Infantry.
First Lieut. Ben-Hur Chastaine, Infantry.
First Lieut. Leigh Bell, Infantry.
First Lieut. George Frederick Spann, Quartermaster Corps.
Second Lieut. McGregor Snodgrass, Quartermaster Corps.
First Lieut. John Herman Knuebel, Infantry.
First Lieut. Erle Dorr Ferguson, Infantry.
First Lieut. Harry Clayton Luck, Infantry.
First Lieut. Robert Harry Tompkins, Corps of Engineers.
First Lieut. Charles Cameron Lewis, Infantry.
First Lieut. Thomas Ralph Kerschner, Field Artillery.
First Lieut. Harry Richardson Simmons, Infantry.
First Lieut. Kenneth Frederick Hanst, Infantry.
First Lieut. Walter Harold Root, Infantry.
First Lieut. Fred W. Miller, Infantry.
Second Lieut. Arthur Alexander McClaughry, Infantry.
First Lieut. Ross Ormall Baldwin, Infantry.
First Lieut. James Alphonse Kilian, Cavalry.
First Lieut. Donald Patrick Muse, Air Service.
First Lieut. Karl Christian Schwinn, Infantry.
First Lieut. Perry Lee Baldwin, Infantry.
First Lieut. George Thomas Shank, Infantry.
Second Lieut. Thomas Butler Burgess, Infantry.
First Lieut. Russell Conwell Throckmorton, Infantry.
First Lieut. Albert Chester Searle, Field Artillery.
First Lieut. Asa North Duncan, Air Service.
First Lieut. Thomas Francis Coleman, Infantry.
First Lieut. Carl Austin Russell, Infantry.
First Lieut. Hal Tanner Vigor, Quartermaster Corps.
Second Lieut. Will Gillette Gooch, Quartermaster Corps.
First Lieut. Thomas Grover Carlin, Infantry.
First Lieut. Maurice Joseph McGuire, Infantry.
First Lieut. Walter Carey Rogers, Cavalry.
First Lieut. Edward Ebert Walker, Infantry.
First Lieut. Chauncey Harold Hayden, jr., Infantry.
First Lieut. Erle Oden Sandlin, Infantry.
First Lieut. Roy Minor Robinson, Infantry.
First Lieut. Isaac George Walker, jr., Cavalry.
First Lieut. Walter Edward Jenkins, Field Artillery.
First Lieut. William Elmer Lynd, Air Service.
First Lieut. Everett Franklin Brooks, Infantry.
First Lieut. Ernest Louis McLendon, Infantry.
First Lieut. Walter Ralls Lawson, Air Service.
First Lieut. Rhodes Felton Arnold, Infantry.
Second Lieut. Paul Edmund Burrows, Air Service.
Second Lieut. George Harold Brown, Air Service.
Second Lieut. Elmer Daniel Perrin, Air Service.
Second Lieut. Wallace Robinson Fletcher, Air Service.
Second Lieut. Dale Vincent Gaffney, Air Service.
Second Lieut. Thomas Kennedy Matthews, Air Service.
Second Lieut. Kenneth Bonner Wolfe, Air Service.
Second Lieut. Stanley Powloski, Infantry.
Second Lieut. Harry Lincoln Calvin, Quartermaster Corps.
Second Lieut. William Tillmon Agee, Air Service.
Second Lieut. Fraser Richardson, Cavalry.
Second Lieut. Clifford Irving Mann, Cavalry.
Second Lieut. Chester Howard Elmes, Infantry.
Second Lieut. John Vernon Hart, Air Service.
Second Lieut. Richard Hartnett Magee, Air Service.
Second Lieut. Charles Simpson Carroll, Quartermaster Corps.
Second Lieut. Henry Harold Reily, Air Service.
Second Lieut. Samuel DeWitt Tallmadge, Quartermaster Corps.
Second Lieut. Donald Dakin Lamson, Coast Artillery Corps.
Second Lieut. Augustus Dawson Sanders, Infantry.
Second Lieut. William James Wagonknight, jr., Infantry.
Second Lieut. Cola Edgar Stone, Finance Department.
Second Lieut. Mitchell Franklin Orr, Quartermaster Corps.
Second Lieut. Edward Milan Taylor, Field Artillery.
Second Lieut. Dayton Dudley Watson, Air Service.
Second Lieut. Herschel David Baker, Field Artillery.
Second Lieut. Herbert Edward Baker, Field Artillery.
Second Lieut. Donald David Fitzgerald, Air Service.
Second Lieut. Ulmont Ogden Cumming, Field Artillery.
Second Lieut. Thomas Standifer Gunby, Field Artillery.

Second Lieut. Andrew Paul Sullivan, Coast Artillery Corps.
Second Lieut. Austin Walrath Martenstein, Air Service.
First Lieut. Louis Rada Balvosa, Philippine Scouts.
First Lieut. John Derby Hood, Cavalry.
First Lieut. Melvin Reginald Ginn, Quartermaster Corps.
First Lieut. John Dillard Goodrich, Quartermaster Corps.
First Lieut. Joshua Dever Powers, Infantry.
First Lieut. Arthur Vincent Gair, Field Artillery.
First Lieut. John Vincil Stark, Infantry.
First Lieut. Frank Augustus Keating, Infantry.
First Lieut. Carlyle Judson Hancock, Cavalry.
First Lieut. Allison Joseph Barnett, Infantry.
First Lieut. George Pollock Bush, Signal Corps.
First Lieut. William Settle Evans, Field Artillery.
Second Lieut. Walter Moody Tenney, Infantry.
First Lieut. Arthur Shelby Levinsohn, Quartermaster Corps.
First Lieut. Richard Bartholemew Moran, Infantry.
First Lieut. Arthur Oscar Walsh, Field Artillery.
First Lieut. Harry Lauman Waggoner, Quartermaster Corps.
First Lieut. Walter Herbert Wells, Infantry.
First Lieut. LeRoy Lutes, Coast Artillery Corps.
First Lieut. William King Harvey, Quartermaster Corps.
First Lieut. Richard Thomas Edwards, Quartermaster Corps.
First Lieut. Welcome Porter Waltz, Infantry.
Second Lieut. Edwin Hugh Johnson, Infantry.
First Lieut. James Williston Callahan, Philippine Scouts.
First Lieut. Russell McKee Herrington, Cavalry.
First Lieut. Lawrence Aloysius Quinn, Infantry.
Second Lieut. Lewis Abram Pulling, Cavalry.
First Lieut. Dallas Royce Alfonte, Infantry.
First Lieut. Peter Hansen, Quartermaster Corps.
First Lieut. Fred Matthew Fogle, Quartermaster Corps.
First Lieut. Luis Felipe Cianchini, Infantry.
First Lieut. Arthur Carroll Waters, Field Artillery.
First Lieut. Ernest Terrill Barco, Field Artilley.
First Lieut. Lester Amiel Daugherty, Field Artillery.
First Lieut. Porter Prescott Lowry, Coast Artillery Corps.
First Lieut. Jerome Jackson Waters, jr., Field Artillery.
First Lieut. Thomas Grafton Hanson, jr., Quartermaster Corps.
First Lieut. Victor Emanuel Domonech, Infantry.
First Lieut. James Jay Cecil, Cavalry.
First Lieut. George Albert Moore, Cavalry.
First Lieut. James Madison Shelton, Cavalry.
First Lieut. Antonio Andres Vazquez, Infantry.
First Lieut. Alex Shepherd Quintard, Field Artillery.
First Lieut Forsyth Bacon, Cavalry.
First Lieut. Ralph Leslie Joyner, Field Artillery.
First Lieut. Roscoe Stewart Parker, Cavalry.
First Lieut. Norman Minus, Infantry.
First Lieut. Heywood Shallus Dodd, Cavalry.
First Lieut. Kent Craig Lambert, Cavalry.
First Lieut. George Edward Buthsteimer, Cavalry.
First Lieut. Thomas Gerald O'Malley, Infantry.
First Lieut. Maurice Morgan, Coast Artillery Corps.
First Lieut. Gilbert Edwin Bixby, Cavalry.
First Lieut. John Downing Hill, Quartermaster Corps.
First Lieut. Frank Wiltshire Gano, Corps of Engineers.
First Lieut. John Leonard Pierce, Infantry.
First Lieut. John Joseph Atkinson, Field Artillery.
First Lieut. Charles Frederick Houghton, Cavalry.
First Lieut. Lowell Ward Rocks, Infantry.
First Lieut. Samuel Davies Redinger, Field Artillery.
First Lieut. Malcolm Vaughn Fortier, Infantry.
First Lieut. Ivan Neal Waldron, Cavalry.
First Lieut. Edward Christopher Allworth, Infantry.
First Lieut. Roland Winfred Wittman, Infantry.
First Lieut. John Walter Nicholson, Infantry.
First Lieut. Thomas Allan Young, Infantry.
First Lieut. Charles Haines Lee, Infantry.
First Lieut. Ray Bradford Conner, Infantry.
First Lieut. Malcolm McGregor, Maner, Infantry.
First Lieut. John Lloyd McKee, Infantry.
First Lieut. Glenn Inman Allen, Infantry.
First Lieut. Charles Rouse Jones, Infantry.
First Lieut. Willard Stewart Paul, Infantry.
First Lieut. Moritz Augustus Rust Loth, Infantry.
First Lieut. Robert Henry Chance, Infantry.
First Lieut. John Briggs Day, Coast Artillery Corps.
First Lieut. Harry Augustine Buckley, Cavalry.
First Lieut. Samuel Rufus Ward, Infantry.
First Lieut. March Hugo Houser, Infantry.
First Lieut. James Brown Golden, Infantry.
First Lieut. Willfred Rowell Higgins, Infantry.
First Lieut. Frederick Stone Matthews, Infantry.
First Lieut. Jesse Pees Green, Infantry.
First Lieut. Howard Winthrop Turner, Signal Corps.
First Lieut. William Audley Tabor, Infantry.
First Lieut. Henry Garner Sebastian, Infantry.
First Lieut. Wesley Crowell Brigham, Field Artillery.
First Lieut. William Major Goldston, Infantry.
First Lieut. Cyrus Higginson Searcy, Infantry.
First Lieut. Leon Edward Norris, Infantry.
First Lieut. David McAllister Hunter, Infantry.
First Lieut. Tasso Wadsworth Swartz, Infantry.
First Lieut. Edward William McCaskey, jr., Infantry.
First Lieut. Frederick Irving Eglin, Air Service.
First Lieut. Joseph James Pire, Coast Artillery Corps.
First Lieut. Turner Ransom Sharp, Quartermaster Corps.
First Lieut. William Joshua Jackson, Quartermaster Corps.
First Lieut. George Truman Phipps, Infantry.
First Lieut. Fred During, Infantry.
First Lieut. Merle Clifford Leonard, Coast Artillery Corps.
First Lieut. Allan Johnson, Coast Artillery Corps.
First Lieut. Frank Tillotson, Philippine Scouts.
First Lieut. Jesse Russell Bowles, Infantry.
First Lieut. Barrett DeTuberville Lambert, Infantry.
First Lieut. Ward Currey Goessling, Infantry.
First Lieut. Richard David Daugherity, Infantry.
First Lieut. William Ogden Johnson, Cavalry.
First Lieut. Miron James Rockwell, Infantry.
First Lieut. Harold Burton Gibson, Cavalry.
First Lieut. Victor Roland Woodruff, Field Artillery.
First Lieut. Gustave Adolph Mellanchton Anderson, Infantry.
First Lieut. William E. Kepner, Infantry.
First Lieut. Melvin Selmer Williamson, Cavalry.
First Lieut. William Charman Peters, Infantry.
First Lieut. Robert William Yates, Infantry.
First Lieut. Charles McDonald Parkin, Infantry.
First Lieut. Dana Caswell Schmahl, Field Artillery.
First Lieut. Frank Peter Stretton, Cavalry.
First Lieut. Wilbur Granville Dockum, Field Artillery.
First Lieut. Clinton Mansfield Lucas, Field Artillery.
First Lieut. Jacob Edward Bechtold, Infantry.
First Lieut. Harry Adamson, Infantry.
First Lieut. Harry Burden Berry, Field Artillery.
First Lieut. Steele Wotkyns, Field Artillery.
First Lieut. Samuel Gilbert Fairchild, Field Artillery.
First Lieut. Francis Augustus Woolfley, Infantry.
First Lieut. William Francis Stromeyer, Quartermaster Corps.
First Lieut. Leslie Leonard Connett, Infantry.
First Lieut. Owen Rivers Rhoads, Infantry.
First Lieut. Carl Russell Adams, Coast Artillery Corps.
First Lieut. Joe L. Ostrander, Infantry.
First Lieut. Byron Tully Ipock, Coast Artillery Corps.
First Lieut. George Walter Hovey, Coast Artillery Corps.
First Lieut. Elmer Forrest Wallender, Infantry.
First Lieut. Carl Eugene Driggers, Infantry.
First Lieut. Carl Grady Lewis, Infantry.
First Lieut. Harry Vincent Hand, Infantry.
First Lieut. Ray S. Perrin, Field Artillery.
First Lieut. Frederick Vernon Edgerton, Infantry.
First Lieut. John Edward Grant, Cavalry.
First Lieut. George Alva Stockton, Infantry.
First Lieut. Ben Menadue Sawbridge, Field Artillery.
First Lieut. Charles W. Neues, Infantry.
First Lieut. Harold Wheeler Kelty, Infantry.
First Lieut. Warren Daniel Davis, Field Artillery.
First Lieut. Dominic Joseph Sabini, Field Artillery.
First Lieut. Woodworth Bowman Allen, Infantry.
First Lieut. Robert Ferris, Infantry.
First Lieut. Lewis Mesherry, Quartermaster Corps.
First Lieut. Charles Thomas Halbert, Coast Artillery Corps.
First Lieut. Herman Feldman, Field Artillery.
First Lieut. Ned Blair, Infantry.
First Lieut. Robert Perry Mortimer, Cavalry.
First Lieut. Ernest Alvin Kindervater, Infantry.
First Lieut. Jared Irwin Wood, Infantry.
First Lieut. Gordon Cogswell Irwin, Infantry.
First Lieut. Everett Marion Yon, Infantry.
First Lieut. Grady Henry Pendergrast, Infantry.
First Lieut. Robert Earle Frye, Infantry.
First Lieut. John Harvey Fye, Field Artillery.
First Lieut. George Lawrence Hopkins, Infantry.
First Lieut. George Mood McMullin, Infantry.
First Lieut. Harold Krebs Coulter, Infantry.
First Lieut. Nicholas Szilagyi, Infantry.
First Lieut. Frederick Weston Hyde, Infantry.
First Lieut. Leon Stanley Hatfield, Infantry.

First Lieut. Charles Royal Lehner, Field Artillery.
First Lieut. Rosser Lee Hunter, Infantry.
First Lieut. Carroll Arthur Powell, Signal Corps.
First Lieut. Claude Gilbert Benham, Coast Artillery Corps.
First Lieut. James Lester Allbright, Infantry.
First Lieut. Feodor Otto Schmidt, Infantry.
First Lieut. James Francis Brittingham, Field Artillery.
First Lieut. Frank Clide De Langton, Cavalry.
First Lieut. Oscar Bergstrom Abbott, Infantry.
First Lieut. George Seymour McCullough, Infantry.
First Lieut. Carter Roderick McLennan, Cavalry.
First Lieut. Roderick Alexander Stamey, Infantry.
First Lieut. Walter Ernest Duvendeck, Infantry.
First Lieut. Geoffrey Galwey, Cavalry.
First Lieut. Roy Sparks, Infantry.
First Lieut. Louis Garland Gibney, Cavalry.
First Lieut. David Seth Doggett, Field Artillery.
First Lieut. John Frank Gleaves, Infantry.
First Lieut. Arthur Daniel Ruppel, Field Artillery.
First Lieut. Allen Flood Kirk, Infantry.
First Lieut. Thomas Grady Jenkins, Infantry.
First Lieut. Francis Samuel Bayard Cauthorn, Infantry.
First Lieut. Roy Dayton Burdick, Corps of Engineers.
First Lieut. Madison Edward Walker, Infantry.
First Lieut. Richard Smith Duncan, Infantry.
First Lieut. James Ensor Simpson, Cavalry.
First Lieut. Winthrop Ausley Hollyer, Infantry.
First Lieut. Franklin Abraham Green, Infantry.
First Lieut. David Haldane Trevor, Field Artillery.
First Lieut. Leslie Carlyle Wheat, Infantry.
First Lieut. Lawrence Harold Bixby, Field Artillery.
First Lieut. Robert William Norton, Infantry.
First Lieut. Walter Compare Lattimore, Field Artillery.
First Lieut. Charles James Booth, Cavalry.
First Lieut. Claire Algernon Whitesell, Infantry.
First Lieut. Russell Hubbard Dixon, Field Artillery.
First Lieut. Everett Marshall Graves, Field Artillery.
First Lieut. William Tuttle Hamilton, Cavalry.
First Lieut. William Valentine McCreight, Infantry.
First Lieut. Virgil Bell, Infantry.
First Lieut. William Granville Purdy, Infantry.
First Lieut. Chesley Ray Miller, Infantry.
First Lieut. Frederick Francis Duggan, Cavalry.
First Lieut. Francis Ray Mann, Field Artillery.
First Lieut. Walter Lee Mitchell, Infantry.
First Lieut. Robert Franklin Dark, Infantry.
First Lieut. Minucan Dabney Cannon, Infantry.
First Lieut. Samuel Marshall, Field Artillery.
First Lieut. Harry Howard Baird, Cavalry.
First Lieut. Ralph Slate, Infantry.
First Lieut. Nathan Eugene McCluer, Field Artillery.
First Lieut. Ernest John, Infantry.
First Lieut. Francis Hutchins Waters, Cavalry.
First Lieut. Ralph Marshal Caulkins, Infantry.
First Lieut. William Taylor Bauskett, jr., Cavalry.
First Lieut. Claudius Leo Lloyd, Infantry.
First Lieut. Francis Gaines Bishop, Infantry.
First Lieut. Carlisle Barksdale Cox, Cavalry.
First Lieut. Joseph Lester Brooks, Infantry.
First Lieut. Moe Neufeld, Field Artillery.
First Lieut. Carlos Watkins Bonham, Field Artillery.
First Lieut. Donald Richard McComas, Cavalry.
First Lieut. Sidney James Cutler, Field Artillery.
First Lieut. John James Finnessy, Infantry.
First Lieut. Charles Wells Jacobson, Cavalry.
First Lieut. Richard Fairfax Leahy, Cavalry.
First Lieut. Howard Chesebrough Okie, Cavalry.
First Lieut. Eddie James Lee, Cavalry.
First Lieut. William Mathew Cline, Quarfermaster Corps.
First Lieut. Edward Barclay Wharton, Coast Artillery Corps.
First Lieut. Frederick Philip Schlandt, Quartermaster Corps.
First Lieut. Lewis Edward Hunt, Quartermaster Corps.
First Lieut. Charles Henry Ainsworth, Coast Artillery Corps.
First Lieut. Lessley Eugene Spencer, Coast Artillery Corps.
First Lieut. James Oliver Smithley, Coast Artillery Corps.
First Lieut. Henry Hardy Slicer, Coast Artillery Corps.
First Lieut. Edward Sandford Pegram, jr., Corps of Engineers.
First Lieut. Stanley Gleninger Saulnier, Infantry.
First Lieut. Will Hughes Gordon, Infantry.
First Lieut. Thomas Joseph Johnston, Coast Artillery Corps.
First Lieut. John Marion Rhodes, Quartermaster Corps.
First Lieut. John James Maher, Coast Artillery Corps.
First Lieut. Rice Warren White, Infantry.
First Lieut. Dudley Blanchard Howard, Infantry.
First Lieut. Willard Wadsworth Irvine, Coast Artillery Corps.
First Lieut. Edmund Cecil Fleming, Field Artillery.
First Lieut. Charles Emerson Boyle, Field Artillery.
First Lieut. William Doughty Evans, Coast Artillery Corps.
First Lieut. Clarence Noble Winston, Coast Artillery Corps.
First Lieut. Elmer Parks Gosnell, Cavalry.
First Lieut. William Benjamin Tuttle, Infantry.
First Lieut. Donald Armpriester Stroh, Infantry.
First Lieut. Charles Henry Parker, jr., Infantry.
First Lieut. Edwin Adolph Henn, Field Artillery.
First Lieut. Ashley Spencer Le Getts, Infantry.
First Lieut. Russell Thomas George, Cavalry.
First Lieut. Thomas Clyde McCormick, Field Artillery.
First Lieut. Alfred Mynderne Goldman, Field Artillery.
First Lieut. Erskine Ashley Franklin, Cavalry.
First Lieut. Arthur Allen Dearing, Chemical Warfare Service.
First Lieut. Albert Miller Jackson, Coast Artillery Corps.
First Lieut. Lyle Bishop Chapman, Coast Artillery Corps.
First Lieut. George Raymond Owens, Coast Artillery Corps.
First Lieut. Andrew Davis Bruce, Infantry.
First Lieut. Richard Marshall Winfield, Infantry.
First Lieut. John Edward Maher, Cavalry.
First Lieut. Joseph Philip Kohn, Coast Artillery Corps.
First Lieut. Dallas Loyd Knoll, Quartermaster Corps.
First Lieut. Philip Armour Helmbold, Infantry.
First Lieut. Robert Justin Van Buskirk, Coast Artillery Corps.
First Lieut. Floyd Emerson Galloway, Infantry.
First Lieut. John Edwin Selby, Cavalry.
First Lieut. William Creveling Trumbower, Ordnance Department.
First Lieut. Herbert Everett Watkins, Cavalry.
First Lieut. Henry Yost Lyon, Infantry.
First Lieut. Raymond Lovejoy Newton, Cavalry.
First Lieut. Joseph Anthony Cistero, Infantry.
First Lieut. Thomas William Freeman, Infantry.
First Lieut. Paxton Sterrett Campbell, Infantry.
First Lieut. William Ross Irvin, Cavalry.
First Lieut. Alfred Lyons Baylies, Cavalry.
First Lieut. Roy Leo Schuyler, Infantry.
First Lieut. Charles Torrance McAleer, Field Artillery.
First Lieut. Louis De Laussure Hutson, Infantry.
First Lieut. Paul Reuben Wing, Field Artillery.
First Lieut. Edward Jedd Roe, Field Artillery.
First Lieut. Lathan Hunter Collins, Cavalry.
First Lieut. Loren Prescot Stewart, Infantry.
First Lieut. Frederick Linwood Topping, Coast Artillery Corps.
First Lieut. Nathaniel L. Simmonds, Infantry.
First Lieut. Ralph Burgess Skinner, Cavalry.
First Lieut. William Florence O'Donoghue, Infantry.
First Lieut. Alan Walter Jones, Infantry.
First Lieut. Charles S. Brodbent, jr., Infantry.
First Lieut. Myron Weldon Tupper, Field Artillery.
First Lieut. Stanley Allen Thomson, Infantry.
First Lieut. Emery Williamson, Infantry.
First Lieut. Charles Richard Doran, Field Artillery.
First Lieut. Candler Asbury Wilkinson, Cavalry.
First Lieut. Milton A. Lowenberg, Cavalry.
First Lieut. Charles Reid Russell, Infantry.
First Lieut. John Adams Nettinger, Cavalry.
First Lieut. William Byron Wilson, Infantry.
First Lieut. Carroll Leonard Ellis, Infantry.
First Lieut. Stanley Young Kennedy, Infantry.
First Lieut. William Wilson Belcher, Field Artillery.
First Lieut. George Atalbert Goodyear, Cavalry.
First Lieut. Paul Houston Morris, Cavalry.
First Lieut. John Richard Williams, Field Artillery.
First Lieut. George Ralston Middleton, Field Artillery.
First Lieut. Thomas Henry Shea, jr., Infantry.
First Lieut. Franklyn Thatcher Lord, Infantry.
First Lieut. Guy Douglas Thompson, Cavalry.
First Lieut. Boyden Kenner Fisher, Infantry.
First Lieut. Marlin Clark Martin, Infantry.
First Lieut. David Lee Hooper, Infantry.
First Lieut. William Louis Morrison, Infantry.
First Lieut. Robert Fuller Blodgett, Field Artillery.
First Lieut. Thomas Raphael Phillips, Coast Artillery Corps.
First Lieut. Oliver Edward George Trechter, Infantry.
First Lieut. Charles Stone Reily, Infantry.
First Lieut. Richard Allen Gordon, Field Artillery.
First Lieut. John Lee Autrey, Signal Corps.
First Lieut. Edwin Henry Haskins, Infantry.
First Lieut. James Lawrence, Signal Corps.
First Lieut. Alfred Carleton Moeller, Coast Artillery Corps.

First Lieut. Frederick Lofquist, Coast Artillery Corps.
First Lieut. Adrin Bruno Smith, Coast Artillery Corps.
First Lieut. Napoleon Boudreau, Coast Artillery Corps.
Second Lieut. William James Briscoe, Philippine Scouts.
First Lieut. Tom Ward, Quartermaster Corps.
First Lieut. Herbert Winterburn, Coast Artillery Corps.
First Lieut. Stephen Joseph Idzorek, Air Service.
First Lieut. Clarence LeRoy Strike, Signal Corps.
First Lieut. John Roscoe Holt, Quartermaster Corps.
First Lieut. Rolland Edward Stafford, Signal Corps.
First Lieut. Clyde Charles Alexander, Field Artillery.
First Lieut. Henry Mackay Shaw, Field Artillery.
First Lieut. Robert Grant Mangum, Field Artillery.
First Lieut. Ernest Kuehn, Quartermaster Corps.
First Lieut. Robert Andrew Blair, Quartermaster Corps.
First Lieut. Robert Lee Hostetler, Infantry.
First Lieut. Joseph DeGarmo, Quartermaster Corps.
Second Lieut. Yates Douglas Fetterman, Infantry.
First Lieut. William Henry Green, Quartermaster Corps.
Second Lieut. Robert A. Barth, Philippine Scouts.
First Lieut. Russell Gilbert Barkalow, Field Artillery.
First Lieut. Hardy Jacks Story, Infantry.
First Lieut. William Frederick Gent, Infantry.
First Lieut. Carl William Connell, Air Service.
First Lieut. Lee Gunnels Carson, Infantry.
First Lieut. Chambord Henry St. Germain, Infantry.
First Lieut. Hardy Pate Browning, Signal Corps.
First Lieut. Thomas K. Petty, Cavalry.
Second Lieut. William Earle Reid, Philippine Scouts.
First Lieut. Jesse William Penn, Infantry.
First Lieut. Jacob Herschel Lawrence, Infantry.
First Lieut. John Tee Bozarth, Philippine Scouts.
Second Lieut. Ancil Gatliff Davis, Philippine Scouts.
First Lieut. Martin Luther Kelley, Quartermaster Corps.
First Lieut. Samuel Baxter Wiener, Infantry.
Second Lieut. Norris Peters Walsh, Field Artillery.
First Lieut. Hans Ottzenn, Quartermaster Corps.
First Lieut. John Jay Wilson, Infantry.
First Lieut. Grover Cleveland Graham, Infantry.
First Lieut. Augustine Aloysius Kane, Infantry.
Second Lieut. Edgar Joseph Tulley, Infantry.
First Lieut. Ray Eugene Quigley, Philippine Scouts.
First Lieut. Clarence Frederick King, Philippine Scouts.
Second Lieut. Carl Cooley Burgess, Infantry.
First Lieut. Frank Roy Brockschink, Infantry.
First Lieut. Axel Hawkenson, Infantry.
First Lieut. Charles Washington Latimer, Cavalry.
First Lieut. Walter Jessee, Infantry.
First Lieut. Wilbert Vernon Renner, Quartermaster Corps.
First Lieut. Joseph Howard Rustemeyer, Infantry.
First Lieut. Elwin Stewart Ferrand, Signal Corps.
First Lieut. Verne Miller, Infantry.
First Lieut. Thomas Settle Voss, Air Service.
Second Lieut. Wilbur Herbert Towle, Philippine Scouts.
First Lieut. Fred Fabri, Cavalry.
First Lieut. Thomas Francis Crahan, Quartermaster Corps.
Second Lieut. Ernest A. Fischer, Quartermaster Corps.
First Lieut. Floyd Moore, Infantry.
First Lieut. Harvey Newton Christman, Cavalry.
First Lieut. Harry Winchester Benson, Cavalry.
First Lieut. Charles Cramer, Cavalry.
First Lieut. George Prentice Cummings, Cavalry.
First Lieut. Charles Winston Burkett, Cavalry.
First Lieut. Clyde Eugene Austin, Cavalry.
First Lieut. Victor Geoffrey Huskea, Infantry.
First Lieut. Fred Blackburn Rogers, Infantry.
First Lieut. Saxton Berg, Cavalry.
First Lieut. Cornelius Francis O'Keefe, Cavalry.
First Lieut. Harry Martin McSwain, Infantry.
First Lieut. William Kenahan, Cavalry.
First Lieut. Raymond Dresden Willis, Infantry.
Second Lieut. James Philip Lyons, Infantry.
First Lieut. Lloyd Leon Harvey, Air Service.
First Lieut. Ernest Samusson, Infantry.
First Lieut. Alfred Steere Knight, Infantry.
Second Lieut. Thomas Watson Hastey, Air Service.
First Lieut. Bert Emory Cooper, Quartermaster Corps.
First Lieut. Hurley Oram Richardson, Cavalry.
First Lieut. Richard August Burkle, Quartermaster Corps.
First Lieut. Alfred Gustave Kritzland, Infantry.
Second Lieut. Louis de Jussewicz, Quartermaster Corps.
First Lieut. Chester John Hirschfelder, Infantry.
First Lieut. Morris Berman, Air Service.
First Lieut. Richard Fayette Fairchild, Infantry.
First Lieut. Donald John Myers, Infantry.
First Lieut. Charles Allen Easterbrook, Field Artillery.
First Lieut. Herbert Allyn Myers, Cavalry.
First Lieut. Shelby Cyrus Newman, Cavalry.
First Lieut. Rhey Thoburn Holt, Cavalry.
First Lieut. George Fridjhof Bloomquist, Infantry.
First Lieut. Lloyd Sylvester Dennis, Philippine Scouts.
First Lieut. Ernest Esser, Infantry.
First Lieut. Frank Emil Stoner, Infantry.
First Lieut. Edgar Ardeen Elkins, Philippine Scouts.
First Lieut. Roy Francis Lynd, Infantry.
First Lieut. Ernest Clifford Ayer, Infantry.
First Lieut. William Edwin Alger, Philippine Scouts.
First Lieut. James Lester Ballard, Infantry.
First Lieut. Leon Wilbur Strozier, Philippine Scouts.
First Lieut. Martin Robert Rice, Field Artillery.
First Lieut. John Patrick Ferriter, Signal Corps.
First Lieut. Richard Kidder Meade, Cavalry.
First Lieut. John Daniel Cook, Philippine Scouts.
Second Lieut. Thomas Frederick Wirth, Philippine Scouts.
First Lieut. Theodore Bundy, Infantry.
First Lieut. Walter Bender, Air Service.
First Lieut. Richard Louis Pemberton, Infantry.
First Lieut. Maurice Allen Hockman, Quartermaster Corps.
First Lieut. Edward James Turgeon, Quartermaster Corps.
First Lieut. Thomas Leavey Cleaver, Coast Artillery Corps.
First Lieut. George Corbett Pilkington, Infantry.
First Lieut. James Kirker Campbell, Infantry.
First Lieut. Joseph Louis Bachus, Infantry.
First Lieut. Elmer Theodore Foss, Quartermaster Corps.
First Lieut. Valentine Pearsall Foster, Coast Artillery Corps.
First Lieut. David Esmond Cleary, Cavalry.
First Lieut. John Henry Balmat, jr., Quartermaster Corps.
First Lieut. Harold Dean Woolley, Infantry.
First Lieut. William James Schaal, jr., Infantry.
First Lieut. John William Signer, Air Service.
First Lieut. Fay Ross, Infantry.
First Lieut. Forrest Edwin Collins, Infantry.
First Lieut. Harry LeRoy Branson, Cavalry.
First Lieut. Nels Louis Soderholm, Infantry.
Second Lieut. Walter Scott Arthur, Infantry.
First Lieut. Cyril Branston Spicer, Infantry.
First Lieut. Carl Marcus Ulsaker, Infantry.
First Lieut. Grover Cleveland Cleaver, Infantry.
First Lieut. Arthur Henry Rogers, Infantry.
First Lieut. Harry Allen Austin, Infantry.
First Lieut. William Alexander Ellis, Infantry.
First Lieut. Sydney Clyde Fergason, Infantry
First Lieut. Josiah Ara Wallace, Field Artillery.
First Lieut. Charles Perfect, Quartermaster Corps.
First Lieut. Arthur Milroy Stork, Quartermaster Corps.
First Lieut. Fayette Fargo Collins, Cavalry.
First Lieut. James Truman Kenzie, Cavalry.
First Lieut. Glenn A. Ross, Quartermaster Corps.
First Lieut. Albert Michael Guidera, Air Service.
First Lieut. Mark Vinton Brunson, Quartermaster Corps.
First Lieut. Elbridge Gerry Chapman, jr., Infantry.
Second Lieut. Homer Bebo Battenberg, Infantry.
First Lieut. Norman Doud Finley, Infantry.
First Lieut. Philip Theodore Fry, Infantry.
First Lieut. Galvin Halcomb Burkhead, Signal Corps.
First Lieut. Wilmer Micajah Flinn, Quartermaster Corps.
First Lieut. Fred Page Andrews, Signal Corps.
First Lieut. Bernard Smith, Corps of Engineers.
First Lieut. Donald Buckingham Greenwood, Coast Artillery Corps.
First Lieut. Lewis Charles Beebe, Infantry.
First Lieut. Clinton William Ball, Corps of Engineers.
First Lieut. Julius Conrad Tins, jr., Air Service.
First Lieut. Everett Ernest Brown, Infantry.
First Lieut. Harry Bassett Huston, Quartermaster Corps.
First Lieut. Raymond Edward Vaughan, Air Service.
First Lieut. Coburn Lee Berry, Coast Artillery Corps.
First Lieut. James A. Sanders, Quartermaster Corps.
First Lieut. Orland Smith Peabody, Cavalry.
First Lieut. Benedict Leo Maloney, Quartermaster Corps.
First Lieut. John Peter Nolan, Infantry.
First Lieut. Arthur Theodore Kreh, Quartermaster Corps.
First Lieut. Harry Lee Hagan, Infantry.
First Lieut. George David Condren, Cavalry.
First Lieut. Gorsum Cronander, Cavalry.
First Lieut. Harry Burgie Smith, Quartermaster Corps.
First Lieut. Alfred Foster King, jr., Air Service.
First Lieut. Ernest Coolidge Goding, Infantry.
Fiert Lieut. Lawrence Stanley Woods, Quartermaster Corps.
First Lieut. Edward Joseph Glynn, Quartermaster Corps.

First Lieut. Joseph Vincent Coughlin, Infantry.
First Lieut. Macey Lillard Dill, Infantry.
First Lieut. Edgar Peter Sorensen, Coast Artillery Corps.
Second Lieut. Edward Julius Renth, Infantry.
First Lieut. John Rudolph Kaiser, jr., Infantry.
First Lieut. James Richard Townsend, Coast Artillery Corps.
First Lieut. George Head Duff, Field Artillery.
First Lieut. John Henry Harrington, Coast Artillery Corps.
Second Lieut. Francis Firmin Fainter, Infantry.
First Lieut. John Wilbert Ramsey, Infantry.
Second Lieut. Peter Girardeau Marshall, Infantry.
First Lieut. Robert Oldys, Air Service.
First Lieut Karol Bronislaw Kozlowski, Philippine Scouts.
First Lieut. Louis Moss Hitchcock, Philippine Scouts.
First Lieut. Mateo Mananjaya Capinpin, Philippine Scouts.
First Lieut. Herbert Foster Wilkinson, Quartermaster Corps.
Second Lieut. Walter Norman Clinton, Infantry.
First Lieut. Martin Burtis Dunbar, Quartermaster Corps.
Second Lieut. Malcolm Byrne, Cavalry.
First Lieut. Raymond Charles Blatt, Cavalry.
First Lieut. Fred William Fallin, Quartermaster Corps.
First Lieut. John Francis Hill, Infantry.
Second Lieut. Edward Brigham McKinley, Quartermaster Corps.
First Lieut. Charles John Kalberer, Quartermaster Corps.
First Lieut. Floy Lyle Hester, Quartermaster Corps.
First Lieut. Joseph Penderton Glandon, Quartermaster Corps.
Second Lieut. Claude Mitchell Adams, Infantry.
Second Lieut. Walter Patrick O'Brien, Infantry.
First Lieut. James Francis Taylor, Quartermaster Corps.
First Lieut. Lester Levi Boggs, Field Artillery.
First Lieut. Calvin Sutton Richards, Field Artillery.
First Lieut. John Thomas Fleming, Quartermaster Corps.
First Lieut. Ira Harry Treest, Signal Corps.
First Lieut. Philip Boswell Taliaferro, Coast Artillery Corps.
First Lieut. Glenn C. Oppy, Infantry.
First Lieut. Frank Brevard Hayne, jr., Infantry.
First Lieut. Thomas Reed Bartlett, Coast Artillery Corps.
First Lieut. Arthur Pickens, Infantry.
First Lieut. Arthur Drummond Hughes, Quartermaster Corps.
First Lieut. Lewis Evans Reigner, Field Artillery.
First Lieut. Oscar Nelson Schierven, Field Artillery.
First Lieut. Harry Ernest Monezes, Infantry.
First Lieut. Levin Arthur Bowland, Quartermaster Corps.
First Lieut. William Leslie Brown, Infantry.
First Lieut. Clyde Clarkson Way, Infantry.
First Lieut. John Ephriam Harrison, Coast Artillery Corps.
First Lieut. William Henry Brady, Field Artillery.
First Lieut. William Gregory Brey, Coast Artillery Corps.
First Lieut. Don Richman Norris, Coast Artillery Corps.
First Lieut. Ben Butler Blair, Coast Artillery Corps.
First Lieut. Lawrence Gibson Forsythe, Cavalry.
First Lieut. John Alfred Hatfield, Quartermaster Corps.
Second Lieut. Humphrey Swygart Evans, Quartermaster Corps.
First Lieut. John Randolph DeVall, Infantry.
First Lieut. Lewis Frederick Kosch, Field Artillery.
First Lieut. William Richard Maris, Coast Artillery Corps.
First Lieut. Marion Lyman Young, Field Artillery.
First Lieut. George Irvin Smith, Cavalry.
First Lieut. Walter Averill Hill, Cavalry.
First Lieut. Everard Franklin Olsen, Coast Artillery Corps.
First Lieut. Irving Devance Offer, Field Artillery.
First Lieut. Arthur Francis Doran, Infantry.
First Lieut. John Benning Sinclair, Infantry.
First Lieut. Melvin Earl Gillette, Infantry.
Second Lieut. Oliver Felton Porter, Field Artillery.
First Lieut. Severne Spence MacLaughlin, Infantry.
First Lieut. William Frederic Marquat, Coast Artillery Corps.
First Lieut. Willis Aubrey Hedden, Infantry.
First Lieut. Allison Ware Jones, Coast Artillery Corps.
First Lieut. Godfrey Neil Wyke, Infantry.
First Lieut. Howard Herndon Davis, Infantry.
Second Lieut. George Eitle Hartman, Quartermaster Corps.
First Lieut. Oscar Julian Brittle Whitehurst, Infantry.
Second Lieut. Philip Frederick Biehl, Coast Artillery Corps.
First Lieut. James Gasper Devine, Coast Artillery Corps.
Second Lieut. Ralph Eldon Harrington, Coast Artillery Corps.
First Lieut. Richard Bocock Willis, Field Artillery.
First Lieut. Burton Francis Hood, Infantry.
Second Lieut. Howard Nathaniel Frissell, Infantry.
Second Lieut. Patrick Eugene Shea, Field Artillery.
Second Lieut. Edward Samuel Garner, Infantry.
First Lieut. Earl Elliott Major, Infantry.
First Lieut. Lloyd Chandler Parsons, Infantry.
First Lieut. Henry Vaughn Dexter, Infantry.
First Lieut. Hans Ernest Kloepfer, Cavalry.
First Lieut. Edward Allen Everitt, jr., Cavalry.
First Lieut. Ted Harold Cawthorne, Infantry.
First Lieut. Erwin Adolph Manthey, Quartermaster Corps.
First Lieut. Edward Harrah, Infantry.
First Lieut. Henry Bartow Dawson, Field Artillery.
First Lieut. John William Kelley, Field Artillery.
First Lieut. Robert William Corrigan, Infantry.
First Lieut. Robert Hughes Lord, Infantry.
First Lieut. Archibald Ross McKechnie, Infantry.
First Lieut. John Paul Ratay, Field Artillery.
First Lieut. Mose Kent Pigman, Infantry.
First Lieut. Claude Tillinghast Porter, Field Artillery.
First Lieut. Reed Emil Beck, Field Artillery.
First Lieut. Norman Norton Rogers, Cavalry.
First Lieut. Waldo Emerson Ard, Field Artillery.
First Lieut. Harry William Maas, Cavalry.
First Lieut. Fenton Gay Epling, Coast Artillery Corps.
First Lieut. Rutherford Loren Herr, Infantry.
First Lieut. Herbert Gray Esden, Infantry.
First Lieut. Peter Townsend Coxe, Cavalry.
First Lieut. Francis Henry Boucher, Field Artillery.
First Lieut. William Henry Sweet, Cavalry.
First Lieut. Louis Gansler, Cavalry.
First Lieut. Ross Gordon Hoyt, Air Service.
First Lieut. William Van Dyke Ochs, Cavalry.
First Lieut. William Bentley Mayer, Air Service.
First Lieut. Harold Kernan, Field Artillery.
First Lieut. Hunter Louis Girault, Infantry.
First Lieut. Hubert Augustine McMorrow, Coast Artillery Corps.
First Lieut. George Albert Jackson, Infantry.
First Lieut. Innes Harwood Bodley, Field Artillery.
First Lieut. Lee Louis Elzas, Cavalry.
First Lieut. Owen George Fowler, Cavalry.
First Lieut. Harry Foster, Cavalry.
First Lieut. Alexander Carl Strecker, Cavalry.
First Lieut. Wade Hampton Johnson, Cavalry.
First Lieut. Francis Ward Kernan, Infantry.
First Lieut. Dwight Hughes, jr., Cavalry.
First Lieut. William Robert Stickman, Cavalry.
First Lieut. Maximilian Clay, Infantry.
First Lieut. Frederick Sandrus Schmitt, Infantry.
First Lieut. Calvert Hinton Arnold, Signal Corps.
First Lieut. George Shively Prugh, Infantry.
First Lieut. Frederick Meyer Vinson, Infantry.
First Lieut. Homer Franklin Tate, Infantry.
First Lieut. Harold Montague, Infantry.
First Lieut. Richard Hutchings Johnston, Infantry.
First Lieut. John Blakaway Cockburn, Infantry.
First Lieut. Lewis Anderson Page, Infantry.
First Lieut. Albert Webster Long, Field Artillery.
First Lieut. Cedric Ezra Scheerer, Coast Artillery Corps.
First Lieut. Alexander Oscar Gorder, Infantry.
First Lieut. Geoffrey Marshall, Coast Artillery Corps.
First Lieut. Percy Custer Fleming, Field Artillery.
First Lieut. Edward Maynard Fickett, Cavalry.
First Lieut. Thomas Jennings Guilbeau, Infantry.
First Lieut. John Francis Roehm, Field Artillery.
First Lieut. Milo Victor Buchanan, Infantry.
First Lieut. Kearie Lee Berry, Infantry.
First Lieut. William Elbridge Chickering, Infantry.
First Lieut. Nathan David Gordon, Field Artillery.
First Lieut. Wilbur Reece McReynolds, Infantry.
First Lieut. Howell Redd Hanson, Field Artillery.
First Lieut. George Robert Hayman, Field Artillery.
First Lieut. Howard Everett Camp, Field Artillery.
First Lieut. Gaillard Pinckney, Infantry.
First Lieut. James Couzens Van Ingen, Cavalry.
First Lieut. Benjamin Franklin O'Connor, jr., Infantry.
First Lieut. Fred Currie Milner, Infantry.
First Lieut. Charles Frost Craig, Infantry.
First Lieut. Lloyd Smith Partridge, Field Artillery.
First Lieut. Oscar K. Wolber, Infantry.
First Lieut. William Tillory Andrews, Coast Artillery Corps.
First Lieut. Callie Hammond Palmer, Cavalry.
First Lieut. Karl Eugene Henion, Infantry.
First Lieut. Harold Whittle Blakeley, Field Artillery.
First Lieut. George Etter, Quartermaster Corps.
First Lieut. George Orial Clark, Infantry.
First Lieut. Russell J. Potts, Infantry.
First Lieut. William Hoover Craig, Infantry.
First Lieut. Thaddeus Clarence Knight, Infantry.

First Lieut. Ollie William Reed, Infantry.
First Lieut. Levi Monroe Bricker, Ordnance Department.
First Lieut. John Pehrson MacNeill, Coast Artillery Corps.
First Lieut. Louis Wilson Maddox, Infantry.
First Lieut. John Clyde Glithero, Infantry, subject to examination required by law.
First Lieut. James Gaulding Watkins, Field Artillery.
First Lieut. Christopher Columbus Strawn, Cavalry.
First Lieut. William Fulton Magill, jr., Infantry.
First Lieut. Paul Mitchell Arnold, Field Artillery.
First Lieut. Harry Curry, Infantry.
First Lieut. Robert John Wagoner, Infantry.
First Lieut. William Edgar Vernon, Infantry.
First Lieut. Sam Williams Anderson, Coast Artillery Corps.
First Lieut. Joseph Williams McCall, Infantry.
First Lieut. Thomas Brevard Steel, Infantry.
First Lieut. Alfred Joseph DeLorimer, Cavalry.
First Lieut. Everett Busch, Infantry.
First Lieut. John Wilbur Heisse, Infantry.
First Lieut. James Taylor, Infantry.
First Lieut. Stewart Darden Hervey, Infantry, subject to examination required by law.
First Lieut. Frank Joyce Pearson, Infantry.
First Lieut. Lester Thomas Miller, Infantry.
First Lieut. Leo Donovan, Infantry.
First Lieut. Joseph Gerald Cole, Coast Artillery Corps.
First Lieut. Julian Gilliam Hart, Infantry.
First Lieut. Randall Thomas Kendrick, Infantry.
First Lieut. James Walter Ewing, Cavalry.
First Lieut. Percy McCay Vernon, Infantry.
First Lieut. Clyde Le Gage Walker, Coast Artillery Corps.
First Lieut. Milton Whitney, jr., Infantry.
First Lieut. Emile James Boyer, Infantry.
First Lieut. Richard Earl Tallant, Cavalry.
First Lieut. Peter J. Lloyd, Infantry.
First Lieut. Henry Hale Cheshire, Cavalry.
First Lieut. Theodore Morton Cornell, Infantry.
First Lieut. Paul Vincent Kellogg, Infantry.
First Lieut. John Sylvester Peters, Cavalry.
First Lieut. Herbert Ludwell Earnest, Cavalry.
First Lieut. Ivy Winfred Crawford, Infantry.
First Lieut. Charles Spurgeon Harris, Coast Artillery Corps.
First Lieut. John Reed Hodge, Infantry.
First Lieut. Arthur Richard Walk, Infantry.
First Lieut. Leslie Egner Toole, Infantry.
First Lieut. Francis Murray Brady, Infantry.
First Lieut. Paul Wolcott Rutledge, Coast Artillery Corps.
First Lieut. Eubert Harrison Malone, Infantry.
First Lieut. Ray Tyson Maddocks, Cavalry.
First Lieut. James Footville Butler, Infantry.
First Lieut. Richard Nelson Atwell, Cavalry.
First Lieut. Thomas Bayne Locke, Cavalry.
First Lieut. Truman Morris Martin, Infantry.
First Lieut. Morris Simpson Daniels, jr., Cavalry.
First Lieut. Chester Bailey McCoid, Coast Artillery Corps.
First Lieut. Cecil Leland Rutledge, Infantry.
First Lieut. Theodore Christian Gerber, Ordnance Department.
First Lieut. Garth Bly Haddock, Infantry.
First Lieut. Lawrence Leonard William Meinzen, Infantry.
First Lieut. Marshall Lawrence Gosserand, Coast Artillery Corps.
First Lieut. John Orland Lawrence, Cavalry.
First Lieut. George LeConte Ramsey, Infantry.
First Lieut. John Johnson Albright, Infantry.
First Lieut. Charles Williamson Glover, Field Artillery.
First Lieut. Robert Jones King, Infantry.
First Lieut. Alexander Adair, Infantry.
First Lieut. Grant Alexander Schlieker, Infantry.
First Lieut. John Knox Gailey, jr., Cavalry.
First Lieut. William Grant Hilliard, jr., Infantry.
First Lieut. Albert Cushing Cleveland, Coast Artillery Corps.
First Lieut. Leslie Marshall Skerry, Field Artillery.
First Lieut. Walter Carper Phillips, Infantry.
First Lieut. Anthony Joseph Touart, Infantry.
First Lieut. Henry Percy Gray, Infantry.
First Lieut. Dan Harold Riner, Infantry.
First Lieut. Robert Morriss Browning, Infantry.
First Lieut. Arthur Edmund Easterbrook, Air Service.
First Lieut. Harry John Collins, Infantry.
First Lieut. James Van Valkenburgh Shufelt, Cavalry.
First Lieut. Henry Paul Hallowell, Infantry.
First Lieut. Hobart Raymond Gay, Cavalry.
First Lieut. Rutherford Leon Hammond, Cavalry.
First Lieut. Oscar Dubois McNeely, Coast Artillery Corps.
First Lieut. Parker Gillespie Tenney, Coast Artillery Corps.
First Lieut. Robert Ernest Archibald, Infantry.
First Lieut. Thomas Jeffries Betts, Coast Artillery Corps.
First Lieut. Buhl Moore, Field Artillery.
First Lieut. Mordaunt Verne Turner, Cavalry.
First Lieut. Norman E. Waldron, Cavalry.
First Lieut. Adrian Robert Brian, Infantry.
First Lieut. Herbert Johnson Burke, Cavalry.
First Lieut. Burton Loren Lucas, Infantry.
First Lieut. Morris Clinton Handwerk, Coast Artillery Corps.
First Lieut. Walter Russell Ketcham, Infantry.
First Lieut. George Stephen Wear, Infantry, subject to examination required by law.
First Lieut. Leo Lawrence Gocker, Cavalry.
First Lieut. Benjamin Franklin Harmon, Coast Artillery Corps.
First Lieut. Walter Throckmorton Scott, Infantry.
First Lieut. Edwin Wilds Godbold, Cavalry.
First Lieut. John Wilson O'Daniel, Infantry.
First Lieut. John Gilbert White, Field Artillery.
First Lieut. Harry Frank Thompson, Infantry.
First Lieut. Raymond Carmichael Gibbs, Cavalry.
First Lieut. Carl McKee Innis, Infantry.
First Lieut. William Henry Allen, Infantry.
First Lieut. Leo Francis Crane, Field Artillery.
First Lieut. Joseph William McKenna, Infantry.
First Lieut. Raymond Blanton Bottom, Coast Artillery Corps.
First Lieut. Alfred Grace Ford, Field Artillery.
First Lieut. Henry Terry Morrison, Coast Artillery Corps.
First Lieut. Paul Leon Porter, Infantry.
First Lieut. Stanley Joseph Grogan, Infantry.
First Lieut. Rohland Andrew Isker, Cavalry.
First Lieut. Robert Reginald Maxwell, Cavalry.
First Lieut. Leonard Roscoe Crews, Coast Artillery Corps.
First Lieut. Charles Arthur Horger, Cavalry.
First Lieut. Stonewall Jackson, Infantry.
First Lieut. Conrad Grey Wall, Cavalry.
First Lieut. Warner Beardsley Gates, Infantry.
First Lieut. Oscar Joseph Neundorfer, jr., Infantry.
First Lieut. Charlie Edward Hart, Ordnance Department.
First Lieut. Webster Hamlin Warren, Coast Artillery Corps.
First Lieut. Ross Berry Smith, Infantry.
First Lieut. John Brown Bethea, jr., Coast Artillery Corps.
First Lieut. Thomas Bennett Woodburn, Infantry.
First Lieut. Charles William Higgins, Coast Artillery Corps.
First Lieut. Hugh Nathan Herrick, Coast Artillery Corps.
First Lieut. Stanley French Griswold, Infantry.
First Lieut. John Thomas Dibrell, Infantry.
First Lieut. Edmund Jones Lilly, jr., Infantry.
First Lieut. Charles Edward Dissinger, Cavalry.
First Lieut. Thomas Garlot Hannon, Infantry.
First Lieut. John Edwin Hull, Infantry.
First Lieut. Thomas Francis Bresnahan, Infantry.
First Lieut. Roger Marion Still, Infantry.
First Lieut. Samuel White, jr., Field Artillery.
First Lieut. Gilman Kimball Crockett, Infantry.
First Lieut. William Warren Wertz, Coast Artillery Corps.
First Lieut. Thomas Edison Roderick, Infantry.
First Lieut. Wallace Alan Mead, Infantry.
First Lieut. Ray Winfield Harris, Infantry, subject to examination required by law.
First Lieut. Elbert Wilson Lockwood, Infantry.
First Lieut. Evans Read Crowell, Coast Artillery Corps.
First Lieut. Robinson Earl Duff, Infantry.
First Lieut. Leon Wilcomb Hilliard, Signal Corps.
First Lieut. Walter Colon Blalock, Infantry.
First Lieut. Hamilton Johnston, Infantry.
First Lieut. Raymond Godfrey Lehman, Infantry.
First Lieut. Irvine Callander Scudder, Infantry.
First Lieut. James Chester Bates, Coast Artillery Corps.
First Lieut. Harry Edmund Pendleton, Cavalry.
First Lieut. William Claude Briggs, Infantry.
First Lieut. Paul Samuel Beard, Infantry.
First Lieut. Edgardo Vasquez-Bruno, Infantry.
First Lieut. Wright Helm Johnson, Signal Corps.
First Lieut. George William Clover, Infantry.
First Lieut. Edwin Allan Smith, Infantry.
First Lieut. Gyles Merrill, Cavalry.
First Lieut. William Copers Bowie, Cavalry.
First Lieut. Wilfred Ernest Willis, Cavalry.
First Lieut. Floyd C. Harding, Infantry.
First Lieut. Rolfe Saunders Sample, Infantry.
First Lieut. James Montagu Adamson, jr., Cavalry.

First Lieut. Thomas William Conrad, Coast Artillery Corps.
First Lieut. Percy Lee Sadler, Infantry.
First Lieut. George Luther Morrow, Infantry.
First Lieut. Charles Everhart Sheldrake, Field Artillery.
First Lieut. Frederick Wilhelm Hoorn, Coast Artillery Corps.
First Lieut. Joe Carroll Rogers, Cavalry.
First Lieut. Evan Marshall Sherrill, Infantry.
First Lieut. James Wylie Arnold, Infantry.
First Lieut. Frank Albert Allen, jr., Cavalry.
First Lieut. Joseph Carson Stephens, Coast Artillery Corps.
First Lieut. Bernard Franklin Hurless, Infantry.
First Lieut. Guy Orth Kurtz, Field Artillery.
First Lieut. Louis Joseph Compton, Field Artillery.
First Lieut. John Henry Hilldring, Infantry.
First Lieut. William Donald McMillin, Infantry.
First Lieut. Arthur Breckinridge Wade, Field Artillery.
First Lieut. James Gideon Kyle, Infantry.
First Lieut. John Hurst Rodman, Infantry.
First Lieut. William Dan Powell, Infantry.
First Lieut. Read Wipprecht, Cavalry.
First Lieut. Ceylon Otto Griffin, Cavalry.
First Lieut. William Charles Louisell, Infantry.
First Lieut. Thomas Wade Herren, Cavalry.
First Lieut. Alden Humphrey Seabury, Cavalry.
First Lieut. Jesse Eckard Whitt, Infantry.
First Lieut. William Emanuel Goe, Infantry.
First Lieut. Donald Brooks Hilton, Infantry.
First Lieut. Clarence Arthur Shannon, Cavalry.
First Lieut. Alexander Bull McNabb, Cavalry.
First Lieut. William Leonard Ritter, Infantry.
First Lieut. Robert Winchell Patterson, Infantry.
First Lieut. Ralph Edwin Hill, Coast Artillery Corps.
First Lieut. Francis Lancaster Christian, Coast Artillery Corps.
First Lieut. Charles Henry Sears, Infantry.
First Lieut. Walton Whittingham Cox, Cavalry.
First Lieut. Druid Emmet Wheeler, Infantry.
First Lieut. Charles Royall Lugton, Infantry.
First Lieut. Maitland Bottoms, Coast Artillery Corps.
First Lieut. Michael Johann Perret, Infantry.
First Lieut. Ross Ernest Larson, Cavalry.
First Lieut. William Robinson Epes, Coast Artillery Corps.
First Lieut. Stewart Elvin Reimel, Infantry.
First Lieut. Kendall Jordan Fielder, Infantry.
First Lieut. William Curtis Deware, Infantry.
First Lieut. Hugh Donald Adair, Infantry.
First Lieut. Charles Harrington Stewart, Coast Artillery Corps.
First Lieut. Joseph Robbins Bibb, Infantry.
First Lieut. Reginald Reuben Bacon, Infantry.
First Lieut. Russell Conwell Snyder, Field Artillery.
First Lieut. David Broome Van Pelt, Infantry.
First Lieut. Harvey Allan Tonnesen, Infantry.
First Lieut. Edward Ramsey Holland, jr., Coast Artillery Corps.
First Lieut. William Hubbell Emerson, Infantry.
First Lieut. George Eddy Cook, Infantry.
First Lieut. James Tolmie Watson, jr., Cavalry.
First Lieut. Eugene Hill Mitchell, Infantry.
First Lieut. John Wesley Russey, Field Artillery.
First Lieut. Donald Stevens Grimm, Infantry.
First Lieut. James Bennett McIntyre, Coast Artillery Corps.
First Lieut. Walter Michael Eugene Sullivan, Infantry.
First Lieut. Allan James Kennedy, Infantry.
First Lieut. Bryan Lee Milburn, Coast Artillery Corps.
First Lieut. Martin Luther Howard, Infantry.
First Lieut. Nyal L. Adams, Coast Artillery Corps.
First Lieut. Virgil Norberto Cordero, Infantry.
First Lieut. Leo Joseph Farrell, Infantry.
First Lieut. Walter Shea Wood, Infantry.
First Lieut. Frank Owen Stephens, Infantry.
First Lieut. William Henry Quarterman, jr., Field Artillery.
First Lieut. Benjamin Brandon Bain, Infantry.
First Lieut. Ira Clarence Baker, Air Service.
First Lieut. Stanton Louis Bertschey, Infantry.
First Lieut. Romeyn Beck Hough, jr., Air Service.
First Lieut. Fred Paul Clark, Field Artillery.
First Lieut. Cheney Litton Bertholf, Infantry.
First Lieut. Ellsworth Young, Coast Artillery Corps.
First Lieut. Harold LeRoy King Albro, Cavalry.
First Lieut. Edward Reese Roberts, Field Artillery.
First Lieut. Walter Ernst Lauer, Infantry.
First Lieut. Frank Hitch Pritchard, Coast Artillery Corps.
First Lieut. Albert Hugh Dumas, Infantry.
First Lieut. Paul Shober Jones, Infantry.
First Lieut. Paul Thompson Baker, Infantry.
First Lieut. Robert Porter Bell, Infantry.
First Lieut. Harold William Keller, Infantry.
First Lieut. Edwin William Piburn, Infantry.
First Lieut. Kenneth Stoddard Whittemore, Infantry.
First Lieut. Mack Morgan Lynch, Infantry.
First Lieut. Jerry Vrchlicky Hatejka, Coast Artillery Corps.
First Lieut. Frank Huber Partridge, Infantry.
First Lieut. Franklin Knight Kennedy, jr., Infantry.
First Lieut. Gerald FitzGerald, Cavalry.
First Lieut. Derril de Saussure Trenholm, Infantry.
First Lieut. Michael Edmond Halloran, Infantry.
First Lieut. Idwal Hubert Edwards, Air Service.
First Lieut. Paul James Vevia, Infantry.
First Lieut. Carl Julian Dockler, Cavalry.
First Lieut. Milton Heilfron, Corps of Engineers.
First Lieut. Olin Coke Newell, Cavalry.
First Lieut. James Barclay Smith, Infantry.
First Lieut. Paul Steele, Infantry.
First Lieut. Luther Nathaniel Johnson, Infantry.
First Lieut. Stanley Augustus Anderson, Infantry.
First Lieut. Robert Emmett Cummings, Infantry.
First Lieut. Harry Fayette Schoonover, Field Artillery.
First Lieut. Adam Jackson Bennett, Coast Artillery Corps.
First Lieut. Louis Simmons Stickney, Infantry.
First Lieut. William Hesketh, Coast Artillery Corps.
First Lieut. James Larkin Dikes, Infantry, subject to examination required by law.
First Lieut. Ben Curtis McComas, Field Artillery.
First Lieut. Kenneth Benjamin Gunn, Infantry.
First Lieut. Maurice Garver Stubbs, Infantry.
First Lieut. Archibald Andrew Fall, Infantry.
First Lieut. Frank Romaine Schucker, Infantry.
First Lieut. George Stewart Warren, Cavalry.
First Lieut. John Lee Davey, Infantry.
First Lieut. Ralph Charles Thomas, Cavalry.
First Lieut. Joseph William Vann, Coast Artillery Corps.
First Lieut. Mario Cordero, Infantry.
First Lieut. Henry Oscar Swindler, Infantry.
First Lieut. Haskell Allison, Infantry.
First Lieut. John Minor Lile, Cavalry.
First Lieut. Bruce Glenn Kirk, Infantry.
First Lieut. Davis Jones, Infantry.
First Lieut. Russell Skinner, Infantry.
First Lieut. George Warren Dunn, jr., Coast Artillery Corps.
First Lieut. Arthur Tillinghast Huston, Cavalry.
First Lieut. John Alexander Klein, Infantry.
First Lieut. Arthur Harold Luse, Ordnance Department.
First Lieut. Clayton Seraska Whitehead, Infantry.
First Lieut. William Arthur Swift, Infantry.
First Lieut. John Edwin Grose, Infantry.
First Lieut. Robert Creighton Wright, Infantry.
First Lieut. Everett Latimer Rice, Infantry.
First Lieut. Lawrence Archie Kurtz, Infantry.
First Lieut. Daniel Webster Hickey, jr., Coast Artillery Corps.
First Lieut. Martin Stevenson Chester, Infantry.
First Lieut. William Connor Sanford, Infantry.
First Lieut. Harry Reichelderfer, Signal Corps.
First Lieut. Alexander Russell Bolling, Infantry.
First Lieut. Duncan Thomas Boisseau, Infantry.
First Lieut. James Leonard Carza, Infantry.
First Lieut. John Dunbar Chambliss, Infantry.
First Lieut. Roger Eugene Williams, Cavalry.
First Lieut. Frank Reid Baker, Cavalry.
First Lieut. Elvin Leon Barr, Coast Artillery Corps.
First Lieut. Douglas Eaton Morrison, Coast Artillery Corps.
First Lieut. Thomas Eugene Jeffords, Coast Artillery Corps.
First Lieut. Amory Oliver, Coast Artillery Corps.
First Lieut. Clarence Webb Dresser, Coast Artillery Corps.
First Lieut. Frank Hendricks Hastings, Coast Artillery Corps.
First Lieut. Joseph Hiram Gilbreth, Coast Artillery Corps.
First Lieut. Harold Gilbert Archibald, Coast Artillery Corps.
First Lieut. Daniel Howe Hoge, Coast Artillery Corps.
First Lieut. Reamer Walker Argo, Coast Artillery Corps, subject to examination required by law.
First Lieut. Eugene Thomas Conway, Coast Artillery Corps.
First Lieut. Frederick Adelmar Ward, Philippine Scouts.
First Lieut. Ralph Hirsch, Field Artillery.
First Lieut. William Joseph Egan, Field Artillery.
First Lieut. Talley Dozier Joiner, Infantry.
First Lieut. Robert Victor Maraist, Field Artillery.
First Lieut. Lawrence Patterson, Cavalry.
First Lieut. Lester Hardee Barnhill, Infantry.
First Lieut. Sterner St. Paul Meek, Infantry.
First Lieut. Julian Vance Link, Infantry.

First Lieut. Melvin Lewis Craig, Field Artillery.
First Lieut. Elbert Arcularius Nostrand, Infantry.
First Lieut. Samuel Gibson Stewart, Cavalry.
First Lieut. Hervey Aldrich Tribelst, Infantry.
First Lieut. Robert Brooks Ennis, Infantry.
First Lieut. Levie Wilson Foy, Infantry.
First Lieut. John Cord Blizzard, jr., Infantry.
First Lieut. Warren Henry McNaught, Field Artillery.
First Lieut. Howard Clark, jr., Infantry.
First Lieut. Roy Edson Craig, Cavalry.
First Lieut. Robert Ignatius Stack, Infantry.
First Lieut. Paul Wilbur Warren, Infantry.
First Lieut. John Huling, jr., Infantry.
First Lieut. Early Edward Walters Duncan, Air Service.
First Lieut. Edward Marple Daniels, Cavalry, subject to examination required by law.
First Lieut. Orryl Samuel Robles, Infantry.
First Lieut. Philip Richard Upton, Cavalry.
First Lieut. Horace Kelita Heath, Infantry.
First Lieut. Harry Russell Evans, Infantry.
First Lieut. Bartholomew Robins DeGraff, Infantry.
First Lieut. George LaFranc O'Connor, Infantry.
First Lieut. Harold Napoleon Gilbert, Infantry.
First Lieut. Charles Eugene Rust, Air Service.
First Lieut. William Albert Collier, Infantry.
First Lieut. Archibald Miles Hixson, Infantry.
First Lieut. Clifford Bert Cole, Field Artillery.
First Lieut. Albert Gresham Wing, Infantry.
First Lieut. William Fred Rehm, Infantry.
First Lieut. Edward Nicholson Fay, Infantry.
First Lieut. Donald Thomas Nelson, Cavalry.
First Lieut. Thomas Graves Cherry, Infantry, subject to examination required by law.
First Lieut. Richardson Lester Greene, Field Artillery.
First Lieut. George Clarence Nielson, Infantry.
First Lieut. Raymond Greenleaf Sherman, Infantry.
First Lieut. Earl Campbell Heran, Infantry.
First Lieut. William John Henry Ryan, Infantry.
First Lieut. Coleman Ferrell Driver, Infantry.
First Lieut. Wallace William Millard, Infantry.
First Lieut. Walter Wellington Von Gremp, Infantry.
First Lieut. Arthur Grady Hutchinson, Infantry.
First Lieut. Norman Marcus Nelson, Infantry.
First Lieut. Harvey Lewis Littlefield, Infantry.
First Lieut. Ronald Lowe Ring, Infantry.
First Lieut. Alfred Timothy Wright, Infantry.
First Lieut. John Ainsworth Andrews, Infantry.
First Lieut. George Andrew Lockhart, Infantry.
First Lieut. Emerald Clark Robbins, Cavalry, subject to examination required by law.
First Lieut. James Julian Pirtle, Field Artillery.
First Lieut. Alfred Edward Dedicke, Infantry.
First Lieut. George Frederick Macdonald, Infantry.
First Lieut. Harry Boissonnault, Quartermaster Corps.
First Lieut. Wilbur Ellsworth Bashore, Infantry.
First Lieut. Harold Head, Infantry.
First Lieut. Walter William Boon, Infantry.
First Lieut. Hugh McCord Evans, Infantry.
First Lieut. Michael Joseph Mulcahy, Infantry.
First Lieut. Harold Stokely Wright, Quartermaster Corps.
First Lieut. Lois Chester Dill, Infantry.
First Lieut. Edward James Maloney, Infantry.
First Lieut. Richard Abram Jones, Infantry.
First Lieut. Lloyd Dexter Yates, Infantry.
First Lieut. Hugh Barclay, Infantry.
First Lieut. Lawrence William Jenkinson, Infantry.
First Lieut. Nelson Macy Walker, Infantry.
First Lieut. Milton Brandt Goodyear, Infantry.
First Lieut. William Ewart Gladstone Graham, Infantry.
First Lieut. Jesse Ralston Lippincott, Infantry.
First Lieut. Lee Sommerville Dillon, Corps of Engineers.
First Lieut. Ralph Millis, Corps of Engineers.
First Lieut. Peter Edward Bermel, Corps of Engineers.
First Lieut. Carl Raymond Shaw, Corps of Engineers.
First Lieut. Theron DeWitt Weaver, Corps of Engineers.
First Lieut. Frederick Franklyn Frech, Corps of Engineers.
First Lieut. John Elliott Wood, Corps of Engineers.
First Lieut. Harry Ray Springer, Quartermaster Corps.
First Lieut. William Riley Maynard, Air Service.
First Lieut. Robert Johnson Van Epps, Quartermaster Corps.
First Lieut. Raymond Donaldson Smith, Quartermaster Corps.
First Lieut. William Minnis Pierce, Quartermaster Corps.
First Lieut. Arthur Bothwell Proctor, Quartermaster Corps.
First Lieut. Robert Lee Cox, Cavalry.
First Lieut. William Thombs Kilborn, jr., Quartermaster Corps.
First Lieut. Frank Harry Scheiner, Quartermaster Corps.
First Lieut. Carlos Oscar Cooley, Infantry.
First Lieut. Frank Merritt Harshberger, Cavalry.
First Lieut. Leighton E. Worthley, Infantry.
First Lieut. Francis Joseph McNamara, Infantry.
First Lieut. Frank Watts Arnold, Cavalry.
First Lieut. Harrison Sheldon Beecher, Cavalry.
First Lieut. Wesley Wright Price, Quartermaster Corps.
First Lieut. Erskine Burt Halley, Field Artillery.
First Lieut. Mortimer Clark Addoms, jr., Quartermaster Corps.
First Lieut. Charles Clarke Loughlin, Infantry.
First Lieut. Gill McCook, Cavalry.
First Lieut. Gilbert Rieman, Cavalry.
First Lieut. Percy Adams, Coast Artillery Corps.
First Lieut. Jefferson Milford Stewart, Infantry.
First Lieut. Howard Kirkbride Dilts, Infantry.
First Lieut. Joseph Benjamin Varela, Coast Artillery Corps.
First Lieut. Walter Floyd Brown, Quartermaster Corps.
First Lieut. Manning Wilfred Spotswood, Quartermaster Corps.
First Lieut. George Cook Hollingsworth, Infantry.
First Lieut. Joel Franklin Watson, Quartermaster Corps.
First Lieut. John Conrad Hutcheson, Quartermaster Corps.
First Lieut. Charles Wilshire Older, Quartermaster Corps.
First Lieut. William Downing Wheeler, Air Service.
First Lieut. Herbert Wheeler Worcester, Cavalry.
First Lieut. David Ransom Wolverton, Quartermaster Corps.
First Lieut. George Ray Ford, Quartermaster Corps.
First Lieut. Frank Gosnell, jr., Field Artillery.
First Lieut. John Vincent Rowan, Quartermaster Corps.
First Lieut. William Henry Beers, Infantry.
First Lieut. Willis Dodge Cronkhite, Quartermaster Corps.
First Lieut. John Alexander Russell, Quartermaster Corps.
First Lieut. Theodore Tyler Barnett, Quartermaster Corps.
First Lieut. William Addison Ray, Field Artillery.
First Lieut. Lloyd Spencer Spooner, Infantry.
First Lieut. Henry Mills Shoemaker, Cavalry.
First Lieut. Harry Tolman Partridge, Quartermaster Corps.
First Lieut. Eugene Erwin Morrow, Infantry.
First Lieut. Kinsley Wilcox Slauson, Quartermaster Corps.
First Lieut. Fred Tenderholm Neville, Quartermaster Corps.
First Lieut. James Hugh Conlin, Quartermaster Corps.
First Lieut. Cyril Wilhelm Van Cortlandt, Quartermaster Corps.
First Lieut. Cornelius Cole Brown, Infantry.
First Lieut. Joseph Patrick Kelly, Quartermaster Corps.
First Lieut. Edgar Kehlor Brockway, Infantry.
First Lieut. Wallace Earle Hackett, Infantry.
First Lieut. William Lane Tydings, Infantry.
First Lieut. Ernest Klein White, Quartermaster Corps.
First Lieut. George William West, Quartermaster Corps.
First Lieut. Augustus Spencer Harrison, Quartermaster Corps.
First Lieut. Harry Coleman Snyder, Quartermaster Corps.
First Lieut. Franklin B. Lees, Quartermaster Corps.
First Lieut. Benton Arthur Doyle, Air Service.
First Lieut. George Henry Shea, Cavalry.
First Lieut. Edward John Lewis Russell, Quartermaster Corps.
First Lieut. Archie Ellsworth Phinney, Infantry.
First Lieut. Fritz M. Dyer, Infantry.
First Lieut. John Nettleton Johnson, jr., Infantry.
First Lieut. Edward Flagg Sweeney, Quartermaster Corps.
First Lieut. Ralph Reynolds Seger, Quartermaster Corps.
First Lieut. Henry Frederick Wunder, Infantry.
First Lieut. Taylor Worcester Foreman, Infantry.
First Lieut. Philip Joseph O'Brien, Quartermaster Corps.
First Lieut. George Leroy King, Infantry.
First Lieut. Floyd William Ferras, Infantry.
First Lieut. David Lewis Ruffner, Field Artillery.
First Lieut. Charles Challice, jr., Quartermaster Corps.
First Lieut. Loyal Moyer Haynes, Field Artillery.
First Lieut. Cecil John Gridley, Infantry.
First Lieut. Clyde Lloyd Hyssong, Infantry.
First Lieut. Cornelius Edward Ryan, Infantry.
First Lieut. William Henry Crampton, Infantry.
First Lieut. John Henry Ringe, Infantry.
First Lieut. Edgar Allen O'Hair, Field Artillery.
First Lieut. Arthur Bee McDaniel, Infantry.
First Lieut. Roy Nathan Hagerty, Infantry.
First Lieut. Charles Henry Moore, jr., Infantry.
First Lieut. Donald Parker Spalding, Infantry.
First Lieut. William Arnold Tabor, Cavalry.

First Lieut. William N. Killian, Cavalry.
First Lieut. Carl Beecher Byrd, Cavalry.
First Lieut. Murray Matthews Montgomery, Field Artillery.
Second Lieut. Arthur A. Pedmore, Finance Department, subject to examination required by law, with rank from July 1, 1920.
First Lieut. Ansel Griggs Wineman, Field Artillery, with rank from July 1, 1920.

To be first lieutenants with rank from July 1, 1920.

Second Lieut. John Brandon Wright, Air Service.
Second Lieut. Albert Faitoute Hebbard, Air Service.
Second Lieut. Clarence Lee King, Infantry.
Second Lieut. Evers Abbey, Air Service.
Second Lieut. Henry Lee Kinnison, jr., Infantry.
Second Lieut. Helmuth Ernest Beine, Infantry.
Second Lieut. Harold Frederick Greene, Infantry.
Second Lieut. Harrison Gage Crocker, Air Service.
Second Lieut. Charles Glendower Ellicott, Air Service.
Second Lieut. Chester Arthur Horne, Field Artillery.
Second Lieut. Joseph Worth Timmons, jr., Quartermaster Corps.
Second Lieut. Ray Aloysius Dunn, Air Service.
Second Lieut. Hubert Taylor Sutton, Cavalry.
Second Lieut. Paul Hyde Prentiss, Air Service.
Second Lieut. Leonard Dickson Weddington, Air Service.
Second Lieut. Engman August Anderson, Quartermaster Corps.
Second Lieut. Charles Wingate Reed, Field Artillery.
Second Lieut. Jefferson Buckner Willis, Infantry.
Second Lieut. Herbert Hunter Harris, Infantry.
Second Lieut. Wendell Kingsley Phillips, Air Service.
Second Lieut. Charles Linton Williams, Infantry.
Second Lieut. Thomas Lonnie Gilbert, Air Service.
Second Lieut. Harold Arthur Bartron, Air Service.
Second Lieut. James Douglas Givens, Air Service.
Second Lieut. Benjamin Shields Catlin, jr., Air Service.
Second Lieut. Harold DeLancey Stetson, Quartermaster Corps.
Second Lieut. William Cushman Farnum, Air Service.
Second Lieut. Charles Milton Cummings, Air Service.
Second Lieut. Robert Grant Thorp, Quartermaster Corps.
Second Lieut. Harold Kirkham Hine, Air Service.
Second Lieut. Joseph Williams Benson, Air Service.
Second Lieut. Frederick Dan Lynch, Air Service.
Second Lieut. James Atwater Woodruff, Air Service.
Second Lieut. Robert Wallace Burke, Infantry.
Second Lieut. Lester James Maitland, Air Service.
Second Lieut. John Lee Shea, Field Artillery.
Second Lieut. Sterling Knox Harrod, Infantry.
Second Lieut. Earle Henry Manzelman, Air Service.
Second Lieut. William Warren Welsh, Air Service.
Second Lieut. Arthur Ignatius Ennis, Air Service.
Second Lieut. Paul Duane Casey, Infantry.
Second Lieut. LeRoy William Yarborough, Infantry.
Second Lieut. Orville Ervin Davis, Quartermaster Corps.
Second Lieut. John Thomas McKay, Quartermaster Corps.
Second Lieut. Percival Adams Wakeman, Infantry.
Second Lieut. Hyman Jackson Crigger, Field Artillery.
Second Lieut. Floyd Thomas Gillespie, Infantry.
Second Lieut. Hal C. Bush, Infantry.
Second Lieut. William Henry Speidel, Infantry.
Second Lieut. Herbert Linus Berry, Field Artillery.
Second Lieut. Robert Owen Montgomery, Field Artillery.
Second Lieut. Horace Napoleon Gibson, Infantry.
Second Lieut. Sidney Frank Wharton, Infantry.
Second Lieut. David Marsh Todd, Infantry.
Second Lieut. Dayton Locke Robinson, Infantry.
Second Lieut. Arvid Edward Maurice Fogelberg, Infantry.
Second Lieut. James Yancey LeGette, Field Artillery.
Second Lieut. Howard Samuel Paddock, Signal Corps.
Second Lieut. William Thomas O'Reilly, Infantry.
Second Lieut. James Bryan McDavid, Infantry.
Second Lieut. Henry Elmer Sowell, Field Artillery.
Second Lieut. James Webb Newberry, Infantry.
Second Lieut. John Frederick Whiteley, Air Service.
Second Lieut. Edward Clay Johnson, Infantry.
Second Lieut. Grissom Edward Haynes, Air Service.
Second Lieut. Guy Lewis McNeil, Air Service.
Second Lieut. James Lebbeus Carman, Infantry.
Second Lieut. Landon Johnson Lockett, Infantry.
Second Lieut. Charles Henry Calais, Infantry.
Second Lieut. Oscar Lee Ansley, Infantry.
Second Lieut. William Thomas Johnson, Infantry.
Second Lieut. Clarence Prescott Talbot, Air Service.
Second Lieut. Graham Percy Brotherson, Infantry.
Second Lieut. Charles Deans Calley, Field Artillery.
Second Lieut. Alfred Liljevalch Jewett, Air Service.
Second Lieut. Raymond Calvin Milyard, Air Service.
Second Lieut. Louis Clifford Mallory, Air Service.
Second Lieut. Bob Childs, Infantry.
Second Lieut. Lewis Selwyn Webster, Air Service.
Second Lieut. William Andrew Smith, Infantry.
Second Lieut. Roy William Camblin, Air Service.
Second Lieut. Ray Eric Cavenee, Infantry.
Second Lieut. Wade Darragh Killen, Infantry.
Second Lieut. Andrew Jackson Schriver, Infantry.
Second Lieut. Frank James Lawrence, Infantry.
Second Lieut. Ray Jewell, Quartermaster Corps.
Second Lieut. Dorrance Scott Roysden, Infantry.
Second Lieut. William Francis Joyce, Infantry.
Second Lieut. Maurice Eugene Knowles, Infantry.
Second Lieut. Hyatt Floyd Newell, Infantry.
Second Lieut. William Harry Mosby, Quartermaster Corps.
Second Lieut. John Easton McCammon, Infantry.
Second Lieut. Matthew Edward Finn, Air Service.
Second Lieut. Harry Luther Coates, Infantry.
Second Lieut. William Edmund Connelly, Air Service.
Second Lieut. Benjamin Buckles Cassiday, Air Service.
Second Lieut. Frank Lauderdale Cook, Air Service.
Second Lieut. Bernard Tobias Castor, Air Service.
Second Lieut. Homer Barron Chandler, Air Service.
Second Lieut. Carl Weston Pyle, Air Service.
Second Lieut. Edwin Morgan Pendleton, Infantry.
Second Lieut. Walter Thomas Meyer, Air Service.
Second Lieut. Valentine Stone Hiner, Air Service.
Second Lieut. Myron Emmett O'Hanly, Air Service.
Second Lieut. Harry Forest Colliver, Air Service.
Second Lieut. Charles Homer Martin, Cavalry.
Second Lieut. Willard Shaw Clark, Air Service.
Second Lieut. Homer B. Pettit, Corps of Engineers.
Second Lieut. John Spalding Miller, Infantry.
Second Lieut. William Stilwell Conrow, Cavalry.
Second Lieut. Cornelius John Kenney, Air Service.
Second Lieut. Winfield Scott Hamlin, Air Service.
Second Lieut. Thomas Joseph McDonald, Infantry.
Second Lieut. Lee George Clarke, Infantry.
Second Lieut. Joseph Thaddeus Zak, Infantry.
Second Lieut. Alfred Gideon Anderson, Infantry.
Second Lieut. Hugh Carlton Dorrien, Infantry.
Second Lieut. James Carl Horne, Infantry.
Second Lieut. Werner Watson Moore, Quartermaster Corps.
Second Lieut. Fremont Byron Hodson, Infantry.
Second Lieut. Robert Theodore Zane, Air Service.
Second Lieut. Rudolph William Broedlow, Infantry.
Second Lieut. Marvin Clifton Bradley, Infantry.
Second Lieut. Albert Edmund Rothermich, Infantry.
Second Lieut. Stowe Thompson Sutton, Infantry.
Second Lieut. James Ainsworth Brown, Infantry.
Second Lieut. Elliott Raymond Thorpe, Infantry.
Second Lieut. John Carson Grable, Field Artillery.
Second Lieut. Oscar Douglas Sugg, Infantry.
Second Lieut. LeRoy Allen Walthall, Air Service.
Second Lieut. Lucas Victor Beau, jr., Air Service.
Second Lieut. Arthur Lee Shreve, Field Artillery.
Second Lieut. Daniel Edward Morgan, Infantry.
Second Lieut. Newman Raiford Laughinghouse, Air Service.
Second Lieut. Ambrose Victor Clinton, Air Service.
Second Lieut. William Jones Hanlon, Air Service.
Second Lieut. John Harold McFall, Finance Department.
Second Lieut. Hiram Wilson Sheridan, Air Service.
Second Lieut. Howard Arnold Craig, Air Service.
Second Lieut. David Robert Stinson, Air Service.
Second Lieut. Joseph Theodore Morris, Air Service.
Second Lieut. Carl Hiestand Myers, Air Service.
Second Lieut. Armor Simpson Heffley, Air Service.
Second Lieut. William Robert Sweeley, Air Service.
Second Lieut. Raymond Carl Zettel, Infantry.
Second Lieut. Carl Grammer Eliason, Air Service.
Second Lieut. George Allen McHenry, jr., Air Service.
Second Lieut. Oscar Harmon Harris, Quartermaster Corps.
Second Lieut. Erling Schriver Norby, Air Service.
Second Lieut. Carlyle Howe Ridenour, Air Service.
Second Lieut. Carl Anson Cover, Air Service.
Second Lieut. Russell Carrigan MacDonald, Air Service.
Second Lieut. Bennett Edward Meyers, Air Service.
Second Lieut. Laurel Eugene Stone, Quartermaster Corps.
Second Lieut. Robert Storie Heald, Air Service.
Second Lieut. Warren Arthur Maxwell, Air Service.

Second Lieut. Walter Hannumn Carlisle, Coast Artillery Corps.
Second Lieut. William H. Papenfoth, Coast Artillery Corps.
Second Lieut. Harry Leon Speck, Air Service.
Second Lieut. Frederick Mercer Hopkins, jr., Air Service.
Second Lieut. Rupert Edison Starr, Coast Artillery Corps.
Second Lieut. James Desmond Summers, Coast Artillery Corps.
Second Lieut. George Edgar Rice, Air Service.
Second Lieut. Frank Edward White, Air Service.
Second Lieut. Lowell Whittier Bassett, Air Service.
Second Lieut. Dudley Ely Rowland, Air Service.
Second Lieut. Edward Michael Powers, Air Service.
Second Lieut. Maurice Edgar Jennings, Chemical Warfare Service.
Second Lieut. Victor Emile Bertrandias, Air Service.
Second Lieut. Felix Marcus Alexander, Infantry.
Second Lieut. William Burleigh Clarke, Air Service.
Second Lieut. Howell Harrell, Quartermaster Corps.
First Lieut. Ivan Sanders Curtis, Infantry.
First Lieut. Aln Dudley Warnock, Infantry.
First Lieut. Eugene Nelson Slappey, Infantry.
First Lieut. Harwood Christian Bowman, Field Artillery.
Second Lieut. Laurence Henry Hanley, Infantry.
Second Lieut. Rosenham Beam, Air Service.
First Lieut. Harry McCorry Henderson, Infantry.
First Lieut. Robert Van Kleeck Harris, jr., Infantry.
First Lieut. Pleas Blair Rogers, Infantry.
First Lieut. Richard Grant Hunter, Field Artillery.
First Lieut. Hubert Vincent Hopkins, Air Service.
First Lieut. Wade Woodson Rhein, Coast Artillery Corps.
First Lieut. Benton Gribble Shoemaker, Cavalry.
First Lieut. Ben Allen Mason, Cavalry.
First Lieut. Harry Herman Young, Air Service.
First Lieut. Keith Bolling Wise, Infantry.
First Lieut. Frank Curtis Mellon, Infantry.
First Lieut. Donald Wilson, Air Service.
Second Lieut. Robert T. Hayes, Infantry.
First Lieut. Claud Greene Hammond, Infantry.
First Lieut. James Patrick Moore, Infantry.
First Lieut. Albert Eugene Andrews, Infantry.
First Lieut. Dorris Aby Hanes, Quartermaster Corps.
First Lieut. John Wesley Rodman, Infantry.
Second Lieut. Frank Austin Heywood, Quartermaster Corps.
First Lieut. John Jacob Bethurum, Infantry.
Second Lieut. William Henry Halstead, Cavalry.
First Lieut. Randolph Gordon, Infantry.
First Lieut. Henry Passant Lewis, Infantry.
First Lieut. Glenn Adelbert Ross, Infantry.
First Lieut. Philip Coleman Clayton, Cavalry.
First Lieut. Ellis Bashore, Cavalry.
First Lieut. Joseph Leonard Tupper, Infantry.
Second Lieut. Edwin Barton Robsion, Air Service.
Second Lieut. William Carl Gabriel, Air Service.
Second Lieut. John D. Corkille, Air Service.
Second Lieut. Henry Few Sessions, Air Service.
Second Lieut. Duval Crump Watkins, Quartermaster Corps.
Second Lieut. Levi L. Beery, Air Service.
Second Lieut. Carlton Foster Bond, Air Service.
Second Lieut. Roland Lester Spencer, Air Service.
Second Lieut. Willis Clark Conover, Infantry.
Second Lieut. Morton McDonald Jones, Cavalry.
Second Lieut. Robert MacKenzie Shaw, Infantry.
Second Lieut. John DeForest Barker, Air Service.
Second Lieut. James Albert Burnford, Quartermaster Corps.
Second Lieut. Frank Griffin Marchman, Quartermaster Corps.
Second Lieut. Francis Nash Antony McKeen, Infantry.
Second Lieut. Edwin Johnson, Air Service.
Second Lieut. Clifford Augustus Smith, Infantry.
Second Lieut. Warren Rice Carter, Air Service.
Second Lieut. Thomas Francis Sheehan, Cavalry.
Second Lieut. Thad Victor Foster, Air Service.
Second Lieut. James Bayard Haley, Quartermaster Corps.
Second Lieut. Charles Eugene Schwarz, Quartermaster Corps.
Second Lieut. Marshall Eugene Darby, Ordnance Department.
Second Lieut. George Cocke Bland, Quartermaster Corps.
Second Lieut. John Cyrus Gates, Quartermaster Corps.
Second Lieut. James Flannery, Air Service.
Second Lieut. Harold Alling McGinnis, Air Service.
Second Lieut. Harry Arthur Halverson, Air Service.
Second Lieut. Charles Theodore Shaw, Air Service.
Second Lieut. Morton Howard McKinnon, Air Service.
Second Lieut. Nathan William Thomas, Quartermaster Corps.
Second Lieut. Walter Bernard Hough, Air Service.
Second Lieut. James Caviness Rickner, Infantry.
Second Lieut. Guy Clifton Benson, Field Artillery.
Second Lieut. William Michael Lanagan, Air Service.
Second Lieut. George Platt Tourtellot, Air Service.
Second Lieut. George Hendricks Beverley, Air Service.
Second Lieut. Harrison Jay Hartman, Air Service.
Second Lieut. Walter Kellsey Burgess, Air Service.
Second Lieut. Paul California Wilkins, Air Service.
Second Lieut. Gustavus Franzie Chapman, Quartermaster Corps.
Second Lieut. Arthur Leslie Thornton, Air Service.
Second Lieut. Norman Delroy Brophy, Air Service.
Second Lieut. Raymond Morrison, Air Service.
Second Lieut. Alexander Pearson, jr., Air Service.
Second Lieut. Rupert Julian, Air Service.
Second Lieut. Graham Mead St. John, Air Service.
Second Lieut. Wallace Gordon Smith, Air Service.
Second Lieut. Charles Adam Horn, Air Service.
Second Lieut. Ployer Peter Hill, Air Service.
Second Lieut. Clarence Chamberlin Wilson, Air Service.
Second Lieut. Byron Elihu Gates, Air Service.
Second Lieut. Elmer Karl Pettibone, Quartermaster Corps.
Second Lieut. Wendell Eugene Goodrich, Air Service.
Second Lieut. William Lewis Boyd, Air Service.
Second Lieut. Leon Edgar Sharon, Air Service.
Second Lieut. James Houston McWilliams, Field Artillery.
Second Lieut. James Ferris Morison, Field Artillery.
Second Lieut. Oscar Monthan, Air Service.
Second Lieut. Ivan Lewis Procter, Air Service.
Second Lieut. Matthew Ebbert Webber, Chemical Warfare Service.
Second Lieut. Wilfred Morey Clare, Air Service.
Second Lieut. Delmar Hall Dunton, Air Service.
Second Lieut. Hjalmar Frithijof Carlson, Air Service.
Second Lieut. Orvil Arson Anderson, Air Service.
Second Lieut. Emile Tisdale Kennedy, Air Service.
Second Lieut. Joseph Edwin Virgin, Air Service.
Second Lieut. Charles Reed Evans, Air Service.
Second Lieut. Hugh Chester Downey, Air Service.
Second Lieut. John Joseph Powers, Quartermaster Corps.
Second Lieut. George William Goddard, Air Service.
Second Lieut. Jack Greer, Air Service.
Second Lieut. Guy Kirksey, Air Service.
Second Lieut. Thomas Herbert Chapman, Quartermaster Corps.
Second Lieut. Robert Franklin Jones, Quartermaster Corps.
Second Lieut. Harry Hobson Mills, Air Service.
Second Lieut. Joseph Luther Walecka, Philippine Scouts.
Second Lieut. Angier Hobbs Foster, Air Service.
Second Lieut. Edwin Sullivan, Air Service.
Second Lieut. Carroll Ray Hutchins, Quartermaster Corps.
Second Lieut. John Raymond Drumm, Air Service.
Second Lieut. Oliver Kendall Robbins, Air Service.
Second Lieut. William Joseph White, Air Service.
Second Lieut. John Fidelis Connell, Quartermaster Corps.
Second Lieut. Faye Sherman Gullet, Air Service.
Second Lieut. John Ragian Glascock, Air Service.
Second Lieut. George Vardeman McPike, Air Service.
Second Lieut. Ray L. Owens, Air Service.
Second Lieut. Henry Leonard Kersh, Field Artillery.
Second Lieut. Lloyd Russell Garrison, Field Artillery.
Second Lieut. Charles Gage Brenneman, Air Service.
Second Lieut. Reuben Castor, Cavalry.
Second Lieut. Leland Hudson Barnes, Field Artillery.
Second Lieut. Clarence Richard Sutherland, Field Artillery.
Second Lieut. Raymond George Miller, Field Artillery.
Second Lieut. Clyde Milton Hallam, Field Artillery.
Second Lieut. Nicolas Fosdick Galbraith, Field Artillery.
Second Lieut. William A. Enos, Field Artillery.
Second Lieut. Richard Royall Baker, jr., Field Artillery.
Second Lieut. Norman Joseph Eckert, Field Artillery.
Second Lieut. Hugh Cort, Field Artillery.
Second Lieut. Benjamin Rhoton Morton, Air Service.
Second Lieut. Samuel Oliver Carter, Air Service.
Second Lieut. Jasper Ewing Brady, jr., Infantry.
Second Lieut. George Good Cressey, Air Service.
Second Lieut. Orville L. Stephens, Air Service.
Second Lieut. Clarence Edgar Crumrine, Air Service.
Second Lieut. John Albert Wyatt, Air Service.
Second Lieut. George William Snow, Air Service.
Second Lieut. Morris Langdon Tucker, Air Service.
Second Lieut. William King Moran, Air Service.
Second Lieut. Corley Perry McDarmont, Air Service.
Second Lieut. Russell Ray Cooper, Air Service.
Second Lieut. Gaylord Leon Phipps, Infantry.
Second Lieut. Henry Guy Woodward, Air Service.

Second Lieut. Clifford James Moore, Quartermaster Corps.
Second Lieut. John Ross Morgan, Air Service.
Second Lieut. Pittman Well Mills, Air Service.
Second Lieut. Robert Dudley Moor, Air Service.
Second Lieut. Roscoe Caleb Wriston, Air Service.
Second Lieut. Charles Edwin Thomas, jr., Air Service.
Second Lieut. Frederick Andrew Johnson, Air Service.
Second Lieut. Henry William Brandhorst, Infantry.
Second Lieut. Leonard Roberts Smith, Infantry.
Second Lieut. Stanley Noble Partridge, Infantry.
Second Lieut. John Bigham Crandell, Quartermaster Corps.
Second Lieut. James Bumer Jordan, Air Service.
Second Lieut. Albin Nace Caldwell, Quartermaster Corps.
Second Lieut. Arvel Joshua Monger, Infantry.
Second Lieut. John Hamilton Judd, Infantry.
Second Lieut. Thomas Jefferson Ford, Infantry.
Second Lieut. Charles Richardson Smith, Infantry.
Second Lieut. Walter Franklin Graham, Infantry.
Second Lieut. Raymond Edward Shum, Infantry.
Second Lieut. Charles Vernon Barnum, Cavalry.
Second Lieut. Kenton Parkes Cooley, Infantry.
Second Lieut. Lester Erasmus Gruber, Infantry.
Second Lieut. Frederick William Wennerberg, Infantry.
Second Lieut. Alfred Nelson Taylor, Infantry.
Second Lieut. William John Hardy, Infantry.
Second Lieut. Jack Edmund Rycroft, Infantry.
Second Lieut. Harold David Porter, Infantry.
Second Lieut. Ben Robert Jacobs, Infantry.
Second Lieut. Mark Christian Neff, Infantry.
Second Lieut. Thomas Henry Foster, Infantry.
Second Lieut. Lewis Dabney Bixson, Infantry.
Second Lieut. Clyde Girard Banks, Infantry.
Second Lieut. Lyle Sayers Lindsey, Infantry.
Second Lieut. Ivan Downes Yeaton, Infantry.
Second Lieut. Thomas Everett Winstead, Infantry.
Second Lieut. Harry Cullins, Infantry.
Second Lieut. Alfred Edwin McKenney, Infantry.
Second Lieut. Henry Bosard Ellison, Infantry.
Second Lieut. Robert Don McKnight, Infantry.
Second Lieut. Joe Arthur Hinton, Infantry.
Second Lieut. William Paul Hayes, Infantry.
Second Lieut. Earl Monroe Miner, Infantry.
Second Lieut. Eugene Lemuel Miller, Infantry.
Second Lieut. Reuben Ellis Jenkins, Infantry.
Second Lieut. Patrick Francis Powers, Chemical Warfare Service.
Second Lieut. Howard E. Pulliam, Infantry.
Second Lieut. Millard Fillmore Willet Oliver, Infantry.
Second Lieut. Arthur Lowell Johnson, Air Service.
Second Lieut. Thomas Alfred Northam, Infantry.
Second Lieut. James Robert Manees, Infantry.
Second Lieut. Roland Samuel Henderson, Infantry.
Second Lieut. James Cecilius White, Infantry.
Second Lieut. Norman Drysdale Gillet, Infantry.
Second Lieut. Jack Clemens Hodgson, Infantry.
Second Lieut. William Keifer Behler, Infantry.
Second Lieut. Victor Walter Smith, Infantry.
Second Lieut. Robert Clay Beckett, Infantry.
Second Lieut. Carlisle Clyde Dusenbury, Infantry.
Second Lieut. James Leland Bolt, Infantry.
Second Lieut. George Andrew Glover, Infantry.
Second Lieut. John A. Kase, Air Service.
Second Lieut. Theodore Thomas Teague, Signal Corps.
Second Lieut. Russell Calvert Worthington, Quartermaster Corps.
Second Lieut. Clifford Elleman, Air Service.
Second Lieut. Eugene Vincent Elder, Signal Corps.
Second Lieut. Carter Weldon Clarke, Signal Corps.
Second Lieut. Ralph Gordon Richards, Quartermaster Corps.
Second Lieut. Paul LaRue Neal, Signal Corps.
Second Lieut. Ray Guy Harris, Air Service.
Second Lieut. Wallace Caldwell Cummings, Air Service.
Second Lieut. James Cole Shively, Air Service.
Second Lieut. Clifford Smith, Quartermaster Corps.
Second Lieut. Karl Derby Guenther, Air Service.
Second Lieut. Francis Harold Vanderworker, Field Artillery.
Second Lieut. James Culver Gluck, Air Service.
Second Lieut. Stacy C. Hinkle, Air Service.
Second Lieut. Richard Geter Rogers, Quartermaster Corps.
Second Lieut. Joseph Felix Routhier, Finance Department.
Second Lieut. Robert Taylor Strode, Field Artillery.
Second Lieut. Thomas Harrison Ward, Air Service.
Second Lieut. Henry Beaumont Pennell Boody, Field Artillery.
Second Lieut. Charles Willard Getchell, Air Service.
Second Lieut. Julius Trousdale Berry, Field Artillery.
Second Lieut. Russell Dean Powell, Field Artillery.
Second Lieut. Charles Rudolph Carlson, Field Artillery.
Second Lieut. William Clinton McCarthy, Field Artillery.
Second Lieut. Charles Herbert Day, Field Artillery.
Second Lieut. Thomas Oscar Foreman, Field Artillery.
Second Lieut. Harry Lee Watts, jr., Field Artillery.
Second Lieut. Townes Dennison, Field Artillery.
Second Lieut. Harold Engerud, Cavalry.
Second Lieut. Raymond Thomas Joseph Higgins, Field Artillery.
Second Lieut. Sidney Cushman Page, Cavalry.
Second Lieut. David Dick Caldwell, Field Artillery.
Second Lieut. Walter Talcott Wilsey, Quartermaster Corps.
Second Lieut. Albert James Hastings, Field Artillery.
Second Lieut. Paul Ruthven Jones, Field Artillery.
Second Lieut. Seward Lincoln Mains, jr., Field Artillery.
Second Lieut. Herbert Glendonne Messer, Signal Corps.
Second Lieut. Frederic Cooley Eveleth, Field Artillery.
Second Lieut. Edwin Karl Pohlson, Infantry.
Second Lieut. Charles Kellogg McAlister, Field Artillery.
Second Lieut. Thomas Francis Keefe, Field Artillery.
Second Lieut. Edward Harold Metzger, Field Artillery.
Second Lieut. Clinton Steele Berrien, Field Artillery.
Second Lieut. Raymond Adelbert Knapp, Coast Artillery Corps.
Second Lieut. Courtland Moshier Brown, Air Service.
Second Lieut. Newman Hall Cherry, Quartermaster Corps.
Second Lieut. Harold Hopkins Miller, Coast Artillery Corps.
Second Lieut. Joseph Walter Francis Resing, Infantry.
Second Lieut. Henry William Kunkel, Air Service.
Second Lieut. Keith Kirkman Tatom, Infantry.
Second Lieut. Harry Walter Killpack, Infantry.
Second Lieut. Paul Revere Taylor, Infantry.
Second Lieut. William Noel Amis, Air Service.
Second Lieut. James Thomas Falin, Quartermaster Corps.
Second Lieut. Jack Joseph O'Connell, Air Service.
Second Lieut. Alva Edison McConnell, Quartermaster Corps
Second Lieut. Hez McClellan, Air Service.
Second Lieut. Harold Hibbard Carr, Air Service.
Second Lieut. Alphonse Stoeckle, Cavalry.
Second Lieut. Timothy Alexander McLellan, Philippine Scouts.
Second Lieut. James Russell Brownell, Philippine Scouts.
Second Lieut. Carley Lawrence Marshall, Infantry.
Second Lieut. Fred Griffith Threatt, Philippine Scouts.
Second Lieut. Frank Daniel Huarte, Philippine Scouts.
Second Lieut. Hugh Tom Edwards, Infantry.
Second Lieut. Otho Burdette, Philippine Scouts.
Second Lieut. Harold Russell Jordan, Philippine Scouts.
Second Lieut. Charles Edgar Burchett, Philippine Scouts.
Second Lieut. Edward Moore Masterson, Philippine Scouts.
Second Lieut. John Charles Brown, Philippine Scouts.
Second Lieut. Henderson Wilcox Allen, Philippine Scouts.
Second Lieut. Arthur Burton Clark, Cavalry.
Second Lieut. Edwin Milton Bush, jr., Philippine Scouts.
Second Lieut. John Wesley Hill, Philippine Scouts.
Second Lieut. Frederick Brodie Forbes, Infantry.
Second Lieut. William Augustus Weinberger, Infantry.
Second Lieut. Onie Ray Dilley, Philippine Scouts.
Second Lieut. Andrew Bruyette Mangum, Philippine Scouts.
Second Lieut. William Ernest Donegan, Infantry.
Second Lieut. Herbert Sherman Nettleton, Cavalry.
Second Lieut. Thomas Brooks, Air Service.
Second Lieut. Cyrus Bettis, Air Service.
Second Lieut. Rufus Benjamin Davidson, Air Service.
Second Lieut. Stanley Milward Umstead, Air Service.
Second Lieut. Howard Carlton Brandt, Air Service.
Second Lieut. Roland Birnn, Air Service.
Second Lieut. Stanton Thomas Smith, Air Service.
Second Lieut. Stephen Edward Stancisko, Field Artillery.
Second Lieut. Edward Vincent Freeman, Quartermaster Corps.
Second Lieut. Kenneth Garrett, Air Service.
Second Lieut. James Joseph Langin, Air Service.
Second Lieut. Norman Crawford Caum, Infantry.
Second Lieut. Howard James Edmands, Philippine Scouts.
Second Lieut. Glenn Clinton Holcomb, Infantry.
Second Lieut. Earl Thomas McCullough, Infantry.
Second Lieut. Alexander Sinclair Reynolds, Field Artillery
Second Lieut. Gerard Swarthout, Quartermatser Corps.
Second Lieut. Allan Francis Sullivan, Infantry.
Second Lieut. William Clarkson Huggins, Field Artillery.
Second Lieut. Thomas Walter Roane, Infantry.
Second Lieut. William Herman Jaeger, Field Artillery.
Second Lieut. James Alva Murphey, Infantry.

Second Lieut. William Daniel Schas, Infantry.
Second Lieut. William Robert Schaefer, Field Artillery.
Second Lieut. Moses Alexander, Infantry.
Second Lieut. James Merrill Robinson, Coast Artillery Corps.
Second Lieut. Kenneth Edgar Kline, Infantry.
Second Lieut. Donald Dewey McCaskey, Infantry.
Second Lieut. Allen Agee Goodwyn, Infantry.
Second Lieut. Ralph Elmer Alexander, Infantry.
Second Lieut. Frederick Reinhold Undritz, Infantry.
Second Lieut. Robert Howard Wylie, Quartermaster Corps.
Second Lieut. Frank Wolle Stout, Infantry.
Second Lieut. Francis Emerson Charlton, Infantry.
Second Lieut. Charles Drysdale Simmonds, Infantry.
Second Lieut. Albert Pierson, Infantry.
Second Lieut. Sylvian Gaston Kindall, Infantry.
Second Lieut. John Hancock Holder, Quartermaster Corps.
Second Lieut. Joseph Popenjoy Bailey, Air Service.
Second Lieut. John McDonough Early, Air Service.
Second Lieut. Otto Lucratus McDaniel, Field Artillery.
Second Lieut. Francis Pat Booker, Air Service.
Second Lieut. John Theodore Lawson, Air Service.
Second Lieut. Kenneth Campbell McGregor, Air Service.
Second Lieut. Rafael Louis Salzmann, Infantry.
Second Lieut. Riley Finley Ennis, Infantry.
Second Lieut. Clarence Frost Horton, Air Service.
Second Lieut. Francis Paul Connelly, Finance Department.
Second Lieut. Oliver Allen Gottschalk, Air Service.
Second Lieut. Harry Joseph Martin, Air Service.
Second Lieut. Lawrence Cornwallis Collins, Infantry.
Second Lieut. Hewitt Warren Richmond, Coast Artillery Corps.
Second Lieut. Porter Tate Gregory, Coast Artillery Corps.
Second Lieut. James Hiram Bedford, Coast Artillery Corps.
Second Lieut. Ray Edward Dingeman, Coast Artillery Corps.
Second Lieut. Max Federic Moyer, Air Service.
Second Lieut. Arthur Edmond Wilson, Coast Artillery Corps.
Second Lieut. George Cobb Wynne, Quartermaster Corps.
Second Lieut. George Franklin Nichols, Coast Artillery Corps.
Second Lieut. Spencer Hall, Air Service.
Second Lieut. Harry Frederick Meyers, Coast Artillery Corps.
Second Lieut. Ola Aloysius Nelson, Coast Artillery Corps.
Second Lieut. Robert Lowry Freeman, Cavalry.
Second Lieut. Harry Isaac Rosen, Quartermaster Corps.
Second Lieut. William Chauncey Hutt, Quartermaster Corps.
Second Lieut. Arthur Nicholas Ziegler, Infantry.
Second Lieut. Robert Homer Soule, Infantry.
Second Lieut. Pardoe Martin, Air Service.
Second Lieut. John Augustus Hunt, Quartermaster Corps.
Second Lieut. Raymond Rudolph Brown, Air Service.
Second Lieut. George Barnett Bloom, Infantry.
Second Lieut. William Ernest Griffin, Coast Artillery Corps.
Second Lieut. James Sharp Eldredge, Air Service.
Second Lieut. Edwin Charles Lickman, Infantry.
Second Lieut. Patrick Collins, Infantry.
Second Lieut. Rudolph George Schmidt, Quartermaster Corps.
Second Lieut. Harrison William Johnson, Infantry.
Second Lieut. Ralph Willerton French, Quartermaster Corps.
Second Lieut. Corwin Lynn Rogers, Quartermaster Corps.
Second Lieut. Joseph Elmer Monhollan, Infantry.
Second Lieut. William Prentiss Pittman, Infantry.
Second Lieut. Clifton Tredway Hunt, Corps of Engineers.
Second Lieut. Robert Scurlark Moore, Infantry.
Second Lieut. Aloysius Joseph Tagliabue, Infantry.
Second Lieut. Victor Otto Overcash, Infantry.
Second Lieut. David Ray Nimocks, Infantry.
Second Lieut. Archie Bird Whitlow, Infantry.
Second Lieut. William Thrower Fitts, jr., Infantry.
Second Lieut. William Kennett McKittrick, Infantry.
Second Lieut. Fredrik Lorentsen Knudsen, jr., Infantry.
Second Lieut. Jessie Thomas Harris, Infantry.
Second Lieut. Raymond Nesbitt Hutto, Philippine Scouts.
Second Lieut. Crowell Edward Pease, Field Artillery.
Second Lieut. Claude Bertram Avera, Quartermaster Corps.
Second Lieut. William John McKiernan, jr., Air Service.
Second Lieut. Hobart Dewey Reed, Field Artillery.
Second Lieut. Frederick Buchanan Rosenbaum, Infantry.
Second Lieut. Ernest LeRoy Hurst, Air Service.
Second Lieut. Robert Theodore Cronau, Air Service.
Second Lieut. Hans Christian Jesperson, Infantry.
Second Lieut. Roland Everett Hill, Air Service.
Second Lieut. Harry Francis Hanson, Infantry.
Second Lieut. Lee Vyvian Harris, Infantry.
Second Lieut. George Edwin Hodge, Air Service.
Second Lieut. James Edward Duke, jr., Air Service.
Second Lieut. Caleb Vance Haynes, Air Service.
Second Lieut. Walter Leo Weible, Coast Artillery Corps.
Second Lieut. Howard Worcester Trefry, Infantry.
Second Lieut. Harvey Thomas Morgan, Infantry.
Second Lieut. Cleon Lyle Williams, Infantry.
Second Lieut. Newton Wesley Jones, Field Artillery.
Second Lieut. William James Horrigan, Quartermaster Corps.
Second Lieut. Kenneth Howe Sanford, Quartermaster Corps.
Second Lieut. Ivan Glen Moorman, Air Service.
Second Lieut. Elden Quincy Faust, Quartermaster Corps.
Second Lieut. Arthur Ellis Dewey, Quartermaster Corps.
Second Lieut. Edwin Ray McReynolds, Air Service.
Second Lieut. David Glenn Lingle, Air Service.
Second Lieut. Michael Vincent Gannon, Field Artillery.
Second Lieut. Emmett Augustus Niblack, Field Artillery.
Second Lieut. Harry Van Horne Ellis, Quartermaster Corps.
Second Lieut. Robert Morris Webster, Air Service.
Second Lieut. Ralph Hamilton Tate, Chemical Warfare Service.
Second Lieut. Ora Edward Fately, Quartermaster Corps.
Second Lieut. Frank Harl Curtis, Infantry.
Second Lieut. William Stanard Keller, Infantry.
Second Lieut. Thomas Harold Christian, Infantry.
Second Lieut. Paul Revere Smith, Chemical Warfare Service.
Second Lieut. Thearl Ward Essig, Infantry.
Second Lieut. Frank Blanton Lindley, Infantry.
Second Lieut. Carter Marion Kolb, Infantry.
Second Lieut. Harold Almon Cardyne, Infantry.
Second Lieut. Grover Adlai Summa, Infantry.
Second Lieut. Sam Purswell, Infantry.
Second Lieut. George Jackson Rawlins, Cavalry.
Second Lieut. Charles Backes, Infantry.
Second Lieut. Kent J. Nelson, Infantry.
Second Lieut. William Thomas Haley, Infantry.
Second Lieut. Jesse Earl Canary, Infantry.
Second Lieut. Richard Evans Glasson Opie, Infantry.
Second Lieut. Fred Murdoch Henley, Chemical Warfare Service.
Second Lieut. John Weckerling, Infantry.
Second Lieut. Forbie Hiram Privett, Infantry.
Second Lieut. James Bowcott Howat, Infantry.
Second Lieut. Elmer Clifford Ringer, Field Artillery.
Second Lieut. Gerald Edgar Ballard, Air Service.
Second Lieut. Phil Cass, Field Artillery.
Second Lieut. Sigmund Franklin Landers, Air Service.
Second Lieut. William Lewis Wheeler, Infantry.
Second Lieut. Lawrence Eugene Heyduck, Field Artillery.
Second Lieut. Milo Neil Clark, Air Service.
Second Lieut. Henry Chambers Floyd, Field Artillery.
Second Lieut. Ernest Anthony Elwood, Field Artillery.
Second Lieut. Thomas Ewin Prather, Infantry.
Second Lieut. Lewis Peyton Jordan, Infantry.
Second Lieut. Paul Matson, Field Artillery.
Second Lieut. Rudolph Bror Nelson, Quartermaster Corps.
Second Lieut. Franklin Harwood Canlett, Field Artillery.
Second Lieut. John Hastings Winston, Field Artillery.
Second Lieut. John DeLorme Eason, Infantry.
Second Lieut. Richard Randolph Winslow, Infantry.
Second Lieut. Charles Franklin Hudson, Infantry.
Second Lieut. Leroy Marion Wolfe, Air Service.
Second Lieut. Joseph Edward Kelly, Philippine Scouts.
Second Lieut. William Russell Mears, Cavalry.
Second Lieut. Wesley A. Zellner, Air Service.
Second Lieut. Willard Spencer Wade, Air Service.
Second Lieut. Clayton Charles Shangraw, Air Service.
Second Lieut. Ned Schramm, Air Service.
Second Lieut. Fonda Bernard Johnson, Air Service.
Second Lieut. Don McNeal, Signal Corps.
Second Lieut. Victor Lafayette Robinson, Quartermaster Corps.
Second Lieut. Milton Edward Wilson, Quartermaster Corps.
Second Lieut. Jesse Anthony Madarasz, Air Service.
Second Lieut. Leonard Francis Felio, Quartermaster Corps.
Second Lieut. Edward Morris Robbins, Air Service.
Second Lieut. James Weston Hammond, Air Service.
Second Lieut. Robert Emmet Coughlin, Corps of Engineers.
Second Lieut. John Thomas Filgate, Signal Corps.
Second Lieut. Gaylord Burnam Kidwell, Quartermaster Corps.
Second Lieut. Paul Theodore Wagner, Air Service.
Second Lieut. Edwin Joseph McAllister, Infantry.
Second Lieut. Albert Pierpont Barnes, Field Artillery.
Second Lieut. Wesley Karlson, Field Artillery.
Second Lieut. Otto Ellis, Field Artillery.
Second Lieut. Arthur John Lodge, Quartermaster Corps.
Second Lieut. Charles Hardy Hart, jr., Infantry.

Second Lieut. Adolphus Rankin McConnell, Air Service.
Second Lieut. William James Daw, Field Artillery.
Second Lieut. Louis Bernard Saxe, Quartermaster Corps.
Second Lieut. George DeVere Barnes, Quartermaster Corps.
Second Lieut. Paul Robert Menzies Miller, Field Artillery.
Second Lieut. Albert Smith Rice, Infantry.
Second Lieut. Charles Ream Jackson, Infantry.
Second Lieut. Charles Leslie Keerans, jr., Infantry.
Second Lieut. Fred Cleveland Fishback, Air Service.
Second Lieut. George Oliver Roberson, Air Service.
Second Lieut. Kenneth Newton Walker, Air Service.
Second Lieut. Stanley Hunsicker Hunsicker, Quartermaster Corps.
Second Lieut. Neal Henry McKay, Quartermaster Corps.
Second Lieut. Oscar Leslie Rogers, Air Service.
Second Lieut. Roger Frederic O'Leary, Quartermaster Corps.
Second Lieut. Joseph Allen Physioc, jr., Air Service.
Second Lieut. Samuel Perham Mills, Air Service.
Second Lieut. Edgar Theodore Selzer, Air Service.
Second Lieut. William Edward Riley, Air Service.
Second Lieut. Albert Joseph Lubbe, Signal Corps.
Second Lieut. John Bicknell Luscombe, Quartermaster Corps.
Second Lieut. Charles Harold Howard, Air Service.
Second Lieut. Edward Alton Hillery, Air Service.
Second Lieut. Hugh Sydney Harpole, Quartermaster Corps.
Second Lieut. Homer William Jones, Quartermaster Corps.
Second Lieut. Everett Sanford Davis, Air Service.
Second Lieut. Frazier Earl McIntosh, Quartermaster Corps.
Second Lieut. Frederick Irving Patrick, Air Service.
Second Lieut. Donald Reuben Goodrich, Air Service.
Second Lieut. John Fant Carraway, Quartermaster Corps.
Second Lieut. Carl Henry Barrett, Air Service.
Second Lieut. Francis Hill Kuhn, Quartermaster Corps.
Second Lieut. James Francis Armstrong, Air Service.
Second Lieut. Carlyle West Graybeal, Air Service.
Second Lieut. John Harvey Wilson, Air Service.
Second Lieut. John Daniel O'Connell, Quartermaster Corps.
Second Lieut. Harold Brand, Air Service.
Second Lieut. Clyde Harrison Lamb, Infantry.
Second Lieut. Fred Ross Cowan, Quartermaster Corps.
Second Lieut. Lester Frank Watson, Quartermaster Corps.
Second Lieut. William Edwin Vecqueray, Quartermaster Corps.
Second Lieut. Haynie McCormick, Air Service.
Second Lieut. Arthur Henry Wolf, Infantry.
Second Lieut. Leonard Vezina, Quartermaster Corps.
Second Lieut. Hartwell Matthew Elder, Quartermaster Corps.
Second Lieut. Housan Wayne Duncan, Quartermaster Corps.
Second Lieut. Park Holland, Air Service.
Second Lieut. John Gross, Field Artillery.
Second Lieut. Frank Teeter Caulkins, Quartermaster Corps.
Second Lieut. Earle Everette Cox, Cavalry.
Second Lieut. Thomas Russell Howard, Infantry.
Second Lieut. Samuel James Adams, Infantry.
Second Lieut. William Henry Webb, Coast Artillery Corps.
Second Lieut. Albert Gillian Kelly, Infantry.
Second Lieut. Wayne McVeigh Pickels, Quartermaster Corps.
Second Lieut. Owen Russell Marriott, Field Artillery.
Second Lieut. Frank Joseph Vida, Infantry.
Second Lieut. Harold Patrick Henry, Infantry.
Second Lieut. Harry Woldren French, Infantry.
Second Lieut. Dwight Joseph Canfield, Air Service.
Second Lieut. Emil Marcus Dold, Philippine Scouts.
Second Lieut. Edward Freeman, Philippine Scouts.
Second Lieut. James Wilson Smith, Philippine Scouts.
Second Lieut. Fred Pierce Van Duzee, Infantry.
Second Lieut. Charles Leland Webber, Air Service.
Second Lieut. Hubert Augustine Shovlin, Air Service.
Second Lieut. Edward Ames La Francis, Infantry.
Second Lieut. Arthur Gillette Watson, Air Service.
Second Lieut. Henry Thomson Burtis, Air Service.
Second Lieut. Burns Beall, Infantry.
Second Lieut. John Bartlett Hess, Infantry.
Second Lieut. Allen Francis Haynes, Infantry.
Second Lieut. Harold Gaslin Sydenham, Infantry.
Second Lieut. Hugh Cromer Minter, Air Service.
Second Lieut. George Windle Read, jr., Cavalry.
Second Lieut. Samuel Wilber Stephens, Infantry.
Second Lieut. Richard Cohron Lowry, Coast Artillery Corps.
Second Lieut. Albert Edgar Billing, Infantry.
Second Lieut. George Richard Thompson, Quartermaster Corps.
Second Lieut. Jess Garnett Boykin, Cavalry.
Second Lieut. Charles Moorman Hurt, Cavalry.
Second Lieut. James Dallace Bender, Infantry.
Second Lieut. Ellis Bates, Infantry.
Second Lieut. George Pryor Johnson, Air Service.
Second Lieut. Clyde Virginius Finter, Air Service.
Second Lieut. Michael Condon Shea, Field Artillery.
Second Lieut. Charles John Wynne, Quartermaster Corps.
Second Lieut. Holland Spencer Chamness, Infantry.
Second Lieut. Julian Horace George, Infantry.
Second Lieut. Walter Cortland Wagner, Infantry.
Second Lieut. Anderson Hansell Norton, Cavalry.
Second Lieut. Hanford Nichols Lockwood, jr., Field Artillery.
Second Lieut. John Markham Ferguson, Infantry.
Second Lieut. John Calvin Sandlin, Infantry.
Second Lieut. Leslie Eugene Bowman, Quartermaster Corps.
Second Lieut. Horace Benjamin Smith, Infantry.
Second Lieut. Joseph Addison Dubois, Infantry.
Second Lieut. Barlow Winston, Infantry.
Second Lieut. Maurice Rose, Infantry.
Second Lieut. Chester Morse Willingham, Infantry.
Second Lieut. Gene Russell Mauger, Cavalry.
Second Lieut. Frank L. Burns, Infantry.
Second Lieut. William Burl Johnson, Quartermaster Corps.
Second Lieut. Winfield Rose McKay, Infantry.
Second Lieut. James Bernays Lowrey, Infantry.
Second Lieut. James Harrison Donahue, Infantry.
Second Lieut. Thomas Patrick Walsh, Coast Artillery Corps.
Second Lieut. Warren Benedict Scanlon, Infantry.
Second Lieut. William Robert Hamby, Cavalry.
Second Lieut. Buckner Miller Creel, Cavalry.
Second Lieut. Ralph Andrew Eiler, Field Artillery.
Second Lieut. Theodore Ernest Voigt, Cavalry.
Second Lieut. Douglas Johnston, Air Service.
Second Lieut. Lawrence Pradere Hickey, Air Service.
Second Lieut. Severn Teackle Wallis, jr., Field Artillery.
Second Lieut. Charles Murray Rees, Infantry.
Second Lieut. William May, Infantry.
Second Lieut. Chester Wright Gates, Quartermaster Corps.
Second Lieut. Harold Herbert Fisher, Infantry.
Second Lieut. Silas Warren Robertson, Cavalry.
Second Lieut. Donald Van Niman Bonnett, Infantry.
Second Lieut. William Henry Johnson, Infantry.
Second Lieut. Wiley Hubbard O'Mohundro, Infantry.
Second Lieut. Edmund Graham West, Quartermaster Corps.
Second Lieut. Ranald Trevor Adams, Infantry.
Second Lieut. Roger Shaw McCullough, Air Service.
Second Lieut. Robert Oliver White, Quartermaster Corps.
Second Lieut. Charles William Dietz, Quartermaster Corps.
Second Lieut. Samuel Howes Baker, Quartermaster Corps.
Second Lieut. John Parr Temple, Air Service.
Second Lieut. Timothy Sapia Roach, Infantry.
Second Lieut. Juan Luis Oliver, Infantry.
Second Lieut. Eduardo Andino, Infantry.
Second Lieut. William Joseph Flood, Air Service.
Second Lieut. Lynn Packard Vane, Coast Artillery Corps.
Second Lieut. Lewis Rinehart Pfoutz Reese, Air Service.
Second Lieut. Philip Gilstrap Bruton, Corps of Engineers.
Second Lieut. Horace Leland Porter, Corps of Engineers.
Second Lieut. Carl Gilbert Holmes, Field Artillery.
Second Lieut. Edwin Forrest Carey, Air Service.
Second Lieut. Elmer Warren Miller, Coast Artillery Corps.
Second Lieut. Guy Malcolm Kinman, Infantry.
Second Lieut. Linton Yates Hartman, Coast Artillery Corps.
Second Lieut. Peter LeToney, Infantry.
Second Lieut. Robert Louis Renth, Infantry.
Second Lieut. Joseph Cuthbert Dolan, Field Artillery.
Second Lieut. Abraham Lincoln Bullard, Coast Artillery Corps.
Second Lieut. William Lincoln Hamilton, Cavalry.
Second Lieut. Oscar Norvell Barney, Air Service.
Second Lieut. Thomas Florence McCarthy, Infantry.
Second Lieut. Roy Henry Speck, Cavalry.
Second Lieut. Charles Augustus Reif, Infantry.
Second Lieut. Arthur Kay Ladd, Air Service.
Second Lieut. Charles Stevenson Denny, Coast Artillery Corps.
Second Lieut. Otto Montrose Low, Quartermaster Corps.
Second Lieut. Benjamin Arthur Thomas, Cavalry.
Second Lieut. Joseph Kenneth Creamer, Infantry.
Second Lieut. Leonard Eby Lilley, Infantry.
Second Lieut. Glenn Earl Carothers, Infantry.
Second Lieut. Frank Thomas Madigan, Infantry.
Second Lieut. John Hilliard Healy, Cavalry.
Second Lieut. David Francis Finnerty, Infantry.
Second Lieut. Edward Clay Atkinson, Infantry.
Second Lieut. Lloyd Nelson Winters, Infantry.
Second Lieut. William Windom Dixon, Air Service.
Second Lieut. Christian Stephen Anderson, Coast Artillery Corps.

Second Lieut. Clarence Beaver Lober, Air Service.
Second Lieut. Everett Dudley Yerby, Cavalry.
Second Lieut. Ralph Jacob Mitchell, Coast Artillery Corps.
Second Lieut. Russell Raymond Louden, Infantry.
Second Lieut. George Ferdinand Stutsman, jr., Cavalry.
Second Lieut. Frank Potter Albrook, Air Service.
Second Lieut. Arthur John Melanson, Air Service.
Second Lieut. Theodore Joseph Koenig, Air Service.
Second Lieut. Lemiel Lafayette Reece, Infantry.
Second Lieut. Willis Lamar Claxton, Coast Artillery Corps.
Second Lieut. Grandison Gardner, Air Service.
Second Lieut. Benners Brasfield Vail, Cavalry.
Second Lieut. Walter Bingham Cochran, Infantry.
Second Lieut. Omer Osmer Niergarth, Air Service.
Second Lieut. Roy Alphonso Carter, Infantry.
Second Lieut. Pearne Clark Wilders, Infantry.
Second Lieut. Charles W. Fake, Cavalry.
Second Lieut. Clifford Durward Overfelt, Infantry.
Second Lieut. Roderick Norman Ott, Air Service.
Second Lieut. George Van Studdiford, Infantry.
Second Lieut. William Byron Walters, Coast Artillery Corps.
Second Lieut. John Blaney, Air Service.
Second Lieut. Leland Fries Strader, Cavalry.
Second Lieut. Percy Waldo Seymour, Infantry.
Second Lieut. Garland Thomas Rowland, Infantry.
Second Lieut. Lee Caraway Bizzell, Infantry.
Second Lieut. Marion Milton Pharr, Field Artillery.
Second Lieut. Walter Lee Sherfey, Infantry.
Second Lieut. James Victor Gagne, Cavalry.
Second Lieut. James Courtney Browne, Cavalry.
Second Lieut. John Boardman Lord, Field Artillery.
Second Lieut. Polk Johnson Atkinson, Field Artillery.
Second Lieut. Frank Norman Mallory, Infantry.
Second Lieut. Edmund Rucks Shugart, Infantry.
Second Lieut. Ulmont William Holly, Infantry.
Second Lieut. Rex Henry Burger, Infantry.
Second Lieut. Clarence Turner Davis, Infantry.
Second Lieut. Frank Rate Williams, Infantry.
Second Lieut. Harvey John Thornton, Field Artillery.
Second Lieut. Harold Joseph LaCroix, Infantry.
Second Lieut. Joseph Phillip Donnovin, Field Artillery.
Second Lieut. Andre Leonard Violante, Quartermaster Corps.
Second Lieut. Leighton Nicol Smith, Cavalry.
Second Lieut. Louis Urgel Labine, Infantry.
Second Lieut. William Barmore Sharp, Infantry.
Second Lieut. Marcus Ellis Jones, Cavalry.
Second Lieut. Harold Patrick Hennessy, Air Service.
Second Lieut. Victor Emerson Biehn, Infantry.
Second Lieut. Robert Robinson, Infantry.
Second Lieut. Aubrey Hornsby, Air Service.
Second Lieut. Lawrence Lofton Cobb, Infantry.
Second Lieut. William Havely McKee, Infantry.
Second Lieut. Garnett Hamilton Wilson, Cavalry.
Second Lieut. Francis Xavier Oberat, Infantry.
Second Lieut. Edwin Moore Burnett, Infantry.
Second Lieut. Richard Hawley Slider, Field Artillery.
Second Lieut. Andrew Edward Forsyth, Cavalry.
Second Lieut. Justus Smith Davidson, Infantry.
Second Lieut. Mark Histaud Doty, Infantry.
Second Lieut. Charles Peter Prime, Air Service.
Second Lieut. Otto Rudolph Stillinger, Cavalry.
Second Lieut. Chauncey Whitney Samosell, Cavalry.
Second Lieut. Hugh Gibson Culton, Cavalry.
Second Lieut. Paul Allen Reichle, Field Artillery.
Second Lieut. Hubert Taylor Sutton, Cavalry.
Second Lieut. Gerald Bradford Devere, Infantry.
Second Lieut. Wallis Ammi Frederick, Air Service.
Second Lieut. James Emerson Bush, Field Artillery.
Second Lieut. Edward Raymond Golden, Infantry.
Second Lieut. Herbert Joseph McChrystal, Infantry.
Second Lieut. Auby Casey Strickland, Infantry.
Second Lieut. William Christopher Sinclair, Infantry.
Second Lieut. James Harry Newberry, Infantry.
Second Lieut. John Max Lentz, Field Artillery.
Second Lieut. William Young McBurney, Infantry.
Second Lieut. Vincent Douglas Mee, Infantry.
Second Lieut. Charles Woess Hanna, Infantry.
Second Lieut. William Lawrence Kay, jr., Infantry.
Second Lieut. James Willard Harris, Infantry.
Second Lieut. Albert Edgar Cannon, Infantry.
Second Lieut. Harry Marten Schwarze, Field Artillery.
Second Lieut. Philip Wallace Ricamore, Infantry.
Second Lieut. Benjamin Kenney Erdman, Infantry.
Second Lieut. Geoffrey Cooke Bunting, Coast Artillery Corps.
Second Lieut. Orin Lee Davidson, Infantry.
Second Lieut. James Patrick Boland, Field Artillery.
Second Lieut. Thomas Francis Hickey, Infantry.
Second Lieut. Emmett Michael Conner, Infantry.
Second Lieut. John Joseph Dunn, Infantry.
Second Lieut. Clyde Hurschale Phillips, Infantry.
Second Lieut. Edward Albert Kimball, Infantry.
Second Lieut. Thomas James Chrisman, Infantry.
Second Lieut. Benjamin Harrison Graham, Cavalry.
Second Lieut. Louis North Eller, Air Service.
Second Lieut. George Stainback Deaderick, Infantry.
Second Lieut. Ashley Chadbourne McKinley, Air Service.
Second Lieut. Fred Charles Dierstein, Infantry.
Second Lieut. John William Irwin, Infantry.
Second Lieut. Robert LeRoy Nesbit, Infantry.
Second Lieut. Lawrence Haley Caruthers, Field Artillery.
Second Lieut. Elmer Dane Pangburn, Infantry.
Second Lieut. Thomas John Carroll, Air Service.
Second Lieut. John Beveridge, jr., Air Service.
Second Lieut. Michael Everett McHugo, Air Service.
Second Lieut. Edward Lewis Searl, jr., Air Service.
Second Lieut. Lloyd H. Duffin, Field Artillery.
Second Lieut. Vincent James Meloy, Air Service.
Second Lieut. Charles Egbert Branshaw, Air Service.
Second Lieut. Leigh Wade, Air Service.
Second Lieut. Earle Hayden Tonkin, Air Service.
Second Lieut. Ivan Leon Foster, Infantry.
Second Lieut. John Robert Hall, Air Service.
Second Lieut. Joseph Ignatius Sullivan, Air Service.
Second Lieut. Edward Whiting Raley, Air Service.
Second Lieut. Dache McClain Reeves, Air Service.
Second Lieut. Oliver Perry Gothlin, jr., Air Service.
Second Lieut. Mark Henry Redman, Air Service.
Second Lieut. Wallace Marmaduke Allison, Quartermaster Corps.
Second Lieut. Oscar George Fegan, Quartermaster Corps.
Second Lieut. Thomas Jefferson Davis, Infantry.
Second Lieut. Harvey William Prosser, Air Service.
Second Lieut. Eugene Robert Cowles, Infantry.
Second Lieut. John Francis Alcure, Quartermaster Corps.
Second Lieut. Robert Victor Ignico, Air Service.
Second Lieut. Rutledge Maurice Lawson, Infantry.
Second Lieut. Jacob Marcellus Woodard, Air Service.
Second Lieut. Harry George Rennagel, Infantry.
Second Lieut. Dudley Hamilton Woodin, Infantry.
Second Lieut. Leland Ross Hewitt, Air Service.
Second Lieut. Frederick William Evans, Air Service.
Second Lieut. Oliver Edward Cound, Quartermaster Corps.
Second Lieut. Frank LaRue, Infantry.
Second Lieut. Alfred Baxter Baker, Air Service.
Second Lieut. Fred Cyrus Nelson, Air Service.
Second Lieut. Delbert Emerick Jones, Air Service.
Second Lieut. Charles Douglas, Air Service.
Second Lieut. Hugh Albert Bivins, Air Service.
Second Lieut. Clyde Antono Kuntz, Air Service.
Second Lieut. Elmer John Bowling, Air Service.
Second Lieut. Orin Jay Bushey, Air Service.
Second Lieut. Robert Shirley Clayton, Cavalry.
Second Lieut. John William Beck, Field Artillery.
Second Lieut. Robert Strong Worthington, Air Service.
Second Lieut. Louis Philip Moriarty, Air Service.
Second Lieut. George Washington Polk, jr., Air Service.
Second Lieut. Charles Horton Montelth, Air Service.
Second Lieut. Cleveland William McDermott, Air Service.
Second Lieut. George Howell Burgess, Air Service.
Second Lieut. Thomas Vincent Bynes, Air Service.
Second Lieut. Frederick William Niedermeyer, jr., Air Service.
Second Lieut. James Gradon Taylor, Air Service.
Second Lieut. Leland Wilbur Miller, Air Service.
Second Lieut. William DeVoe Coney, Air Service.
Second Lieut. Elbert Wiley Franklin, Air Service.
Second Lieut. Raphael Baez, jr., Air Service.
Second Lieut. Robert Halbert Finley, Air Service.
Second Lieut. Clarence Herbert Welch, Air Service.
Second Lieut. Alfred Jefferson Lyon, Air Service.
Second Lieut. Harold Lyman Clark, Air Service.
Second Lieut. James Montrose Graham Thomson Neely, Air Service.
Second Lieut. Sam Love Ellis, Air Service.
Second Lieut. George Godfrey Lundberg, Air Service.
Second Lieut. Eugene Lowry Eubank, Air Service.
Second Lieut. Howard Dutton Norris, Air Service.
Second Lieut. Frank Martyn Paul, Air Service.
Second Lieut. Samuel Martin Connell, Air Service.

Second Lieut. John Edwin Upston, Air Service.
Second Lieut. Reuben Curtis Moffat, Air Service.
Second Lieut. Paul Langdon Williams, Air Service.
Second Lieut. Thomas Aloysius Hoy, Infantry.
Second Lieut. Theodore Julius Lindorff, Coast Artillery Corps.
Second Lieut. William Alexander Marsh, Infantry.
Second Lieut. George Thomas Barnes, Quartermaster Corps.
Second Lieut. Samuel Custer Eaton, jr., Air Service.
Second Lieut. Joseph John Gutkowski, Infantry.
Second Lieut. Charles Albert Welcker, Infantry.
Second Lieut. Joseph Francis Binford, Chemical Warfare Service.
Second Lieut. Harry Wesley Bauer, Field Artillery.
Second Lieut. Joseph Horace Landrum, Field Artillery.
Second Lieut. George Roland McElroy, Cavalry.
Second Lieut. Garrett Bruce Shomber, Cavalry.
Second Lieut. John Redmond Thornton, Cavalry.
Second Lieut. Bayard Johnson, Air Service.
Second Lieut. Mortimer Francis Sullivan, Cavalry.
Second Lieut. Eggleston Nestley Peach, Infantry.
Second Lieut. George Lawrence Potter, Infantry.
Second Lieut. Leslie Dillon Carter, Cavalry.
Second Lieut. Don Riley, Infantry.
Second Lieut. Pembroke Augustine Brawner, jr., Infantry.
Second Lieut. Isaac Leonard Kitts, Field Artillery.
Second Lieut. Fred Charles Thomas, Cavalry.
Second Lieut. Harold Lewis Turner, Infantry.
Second Lieut. Merrill Deitz Mann, Air Service.
Second Lieut. Ezra Rice Frost, jr., Air Service.
Second Lieut. Maurice Shefatad Hill, Air Service.
Second Lieut. Edgar Andrew Liebhauser, Air Service.
Second Lieut. Charles Lester Morse, Air Service.
Second Lieut. Albert Carl Foulk, Air Service.
Second Lieut. Edward Vincent Harbeck, Air Service.
Second Lieut. Frank Walter Seifert, Air Service.
Second Lieut. Austin Murray Coates, Infantry.
Second Lieut. Edward Ernest Hildreth, Air Service.
Second Lieut. Courtney Whitney, Air Service.
Second Lieut. Phillips Melville, Air Service.
Second Lieut. John Gordon Williams, Air Service.
Second Lieut. Kenneth Gatiss Fraser, Air Service.
Second Lieut. William Colb Morris, Air Service.
Second Lieut. George William Pardy, Air Service.
Second Lieut. Bernard Scott Thompson, Air Service.
Second Lieut. Willis Ratcliffe Taylor, Air Service.
Second Lieut. Robert Duane Knapp, Air Service.
Second Lieut. Louis Braswell Knight, Infantry.
Second Lieut. Howard Bratton, jr., Cavalry.
Second Lieut. James Harold Doolittle, Air Service.
Second Lieut. James Thomas Curry, jr., Air Service.
Second Lieut. Burdette Mase Fitch, Field Artillery.
Second Lieut. William Bettencourt Souza, Air Service.
Second Lieut. Marll James Plumb, Air Service.
Second Lieut. Alfred Lindeburg, Air Service.
Second Lieut. Joseph Alexis Wilson, Air Service.
Second Lieut. Clements McMullen, Air Service.
Second Lieut. Amos Scribner Albro, Air Service.
Second Lieut. Milo McCune, Air Service.
Second Lieut. Charles McKinley Robinson, Air Service.
Second Lieut. John Sanderson Crawford, Air Service.
Second Lieut. Charles Yawkey Banfill, Air Service.
Second Lieut. Myron Ray Wood, Air Service.
Second Lieut. Isaac Jackson Williams, Air Service.
Second Lieut. Clarence Edward Shankle, Air Service.
Second Lieut. Donald Lloyd Bruner, Air Service.
Second Lieut. William Joseph Gainey, Quartermaster Corps.
Second Lieut. Lloyd Chartley Blackburn, Air Service.
Second Lieut. Leslie Philip Arnold, Air Service.
Second Lieut. Edward Jenkins, Infantry.
Second Lieut. Audrey Baxter Ballard, Air Service.
Second Lieut. Gerald Edward Grimes, Air Service.
Second Lieut. John Henry Gardner, Air Service.
Second Lieut. William Campbell Goldsborough, Air Service.
Second Lieut. Louis Ogden Davis, Coast Artillery Corps.
Second Lieut. James Howard Smith, Coast Artillery Corps.
Second Lieut. Clarence Omer Bell, Coast Artillery Corps.
Second Lieut. Arthur Girard Hamilton, Air Service.
Second Lieut. Charles Mellis Myers, Coast Artillery Corps.
Second Lieut. Cyrus Quinton Shelton, Coast Artillery Corps.
Second Lieut. Edward Huffner Wood, Air Service.
Second Lieut. Emil Charles Kiel, Air Service.
Second Lieut. Silas Clearman Hyndshaw, Air Service.
Second Lieut. Harold Leo George, Air Service.
Second Lieut. Lewis Allego Dayton, Air Service.
Second Lieut. Younger Arnold Pitts, Air Service.
Second Lieut. Howard Zabriskie Bogert, Air Service.
Second Lieut. Burnie Raymond Dallas, Air Service.
Second Lieut. Benjamin Franklin Griffin, Air Service.
Second Lieut. Ward Fisk Robinson, Air Service.
Second Lieut. Harry Albert Fudge, Cavalry.
Second Lieut. Lyle Meredon Shields, Infantry.
Second Lieut. Harvey James Golightly, Infantry.
Second Lieut. Charles Hale Dowman, Air Service.
Second Lieut. Thomas Hayden Davies, Infantry.
Second Lieut. Lewis Andrus Day, Infantry.
Second Lieut. Solomon Bernard Ebert, Air Service.
Second Lieut. Claude Weaver Feagin, Quartermaster Corps.
Second Lieut. Harry Anton Johnson, Air Service.
Second Lieut. Charles William Walton, Air Service.
Second Lieut. Barney McKinney Giles, Air Service.
Second Lieut. Roy Travis McLamore, Infantry.
Second Lieut. Bernard Joseph Tooher, Air Service.
Second Lieut. Albert Francis Regenberger, Air Service.
Second Lieut. Norman Reuben Wood, Air Service.
Second Lieut. Wendell Nelsworth Brockley, Air Service.
Second Lieut. William Stephen Fitzpatrick, Air Service.
Second Lieut. Max Frank Schneider, Air Service.
Second Lieut. Donald Gardner Stitt, Air Service.
Second Lieut. Eugene Walter Lewis, Quartermaster Corps.
Second Lieut. James Brian Edmunds, Cavalry.
Second Lieut. Oscar William Koch, Cavalry.
Second Lieut. Beis Joseph Ryland, Signal Corps.
Second Lieut. Harold Farnsworth Rubbell, Signal Corps.
Second Lieut. Glenn Charles Salisbury, Air Service.
Second Lieut. Harold Ralph Wells, Air Service.
Second Lieut. Malcolm Stoney Lawton, Air Service.
Second Lieut. Floyd Albert Lundell, Air Service.
Second Lieut. Jasper Kemper McDuffie, Air Service.
Second Lieut. Ross Corbett Kirkpatrick, Air Service.
Second Lieut. Mark Rhey Woodward, Air Service.
Second Lieut. Howard Knox Ramey, Air Service.
Second Lieut. Theodore Shafer Van Veghten, Air Service.
Second Lieut. Lionel H. Dunlap, Air Service.
Second Lieut. Russell Ralph Fox, Air Service.
Second Lieut. Stanley Smith, Air Service.
Second Lieut. Harold Daniel Smith, Air Service.
Second Lieut. Albert Brill, Field Artillery.
Second Lieut. Charles Walter Hensey, Field Artillery.
Second Lieut. Henry Edward Wooldridge, Air Service.
Second Lieut. Marion Larimore Elliott, Air Service.
Second Lieut. Irwin Stuart Amberg, Air Service.
Second Lieut. Earle J. Carpenter, Air Service.
Second Lieut. James Pratt Hodges, Air Service.
Second Lieut. Oakley George Kelly, Air Service.
Second Lieut. Welcome Bridges Elston, Air Service.
Second Lieut. James Alexander Hollison, Air Service.
Second Lieut. Harold Webster Beaten, Air Service.
Second Lieut. Talcott Proudman Smith, Air Service.
Second Lieut. Gilbert Shaw Graves, jr., Air Service.
Second Lieut. Stewart Wellington Torney, Air Service.
Second Lieut. William Grayson Moore, Air Service.
Second Lieut. Lawrence Brownlee Savage, Quartermaster Corps.
Second Lieut. Leland Stanford Andrews, Air Service.
Second Lieut. Edwin Thomas May, Infantry.
Second Lieut. Edgar Eugene Glenn, Air Service.
Second Lieut. Joe Jones Yates, Infantry.
Second Lieut. Harold Arthur Daly, Infantry.
Second Lieut. John Nillan Pennewill, Air Service.
Second Lieut. William Henry Buechner, Infantry.
Second Lieut. John William Monahan, Air Service.
Second Lieut. Ernest Henry Harmon, Air Service.
Second Lieut. Cortlandt Spencer Johnson, Air Service.
Second Lieut. Harold Rentsch Rivers, Air Service.
Second Lieut. Henry Walter Ulmo, Coast Artillery Corps.
Second Lieut. Charles Carl Chauncey, Air Service.
Second Lieut. Walter Eugene Richards, Air Service.
Second Lieut. James Ellsworth Adams, Air Service.
Second Lieut. Robert Elmer Selff, Air Service.
Second Lieut. Roy Bradford Mosher, Air Service.
Second Lieut. Frederick Eugene Coyne, jr., Field Artillery.
Second Lieut. John Myers McCulloch, Air Service.
Second Lieut. Richard Kemp LeBrou, Air Service.
Second Lieut. Charles Wesley Sullivan, Air Service.
Second Lieut. Luther Earl Keithly, Quartermaster Corps.
Second Lieut. Paul Harter Leech, Quartermaster Corps.
Second Lieut. George William Haskins, Air Service.
Second Lieut. Ernest Arthur DeWitt, Infantry.

Second Lieut. Albert Henry Johnson, Infantry.
Second Lieut. Neal Dow Franklin, Infantry.
Second Lieut. Louis Joseph Harant, Infantry.
Second Lieut. William Simmons Sullivan, Air Service.
Second Lieut. Eugene Cooper Batten, Air Service.
Second Lieut. Henry Joachim Boettcher, Infantry.
Second Lieut. Lonnie Ottis Field, Field Artillery.
Second Lieut. Stanley Mitchell Ames, Air Service.
Second Lieut. Melvin B. Asp, Air Service.
Second Lieut. Royal Beard Lea, Air Service.
Second Lieut. Maurice Stewart Kerr, Infantry.
Second Lieut. George Clement McDonald, Air Service.
Second Lieut. Peter Emanuel Skanse, Air Service.
Second Lieut. Alfred Evans Waller, Air Service.
Second Lieut. Clarence Roscoe MacIver, Air Service.
Second Lieut. Harold Amos Moore, Air Service.
Second Lieut. Malcolm Hebeker Stewart, Air Service.
Second Lieut. John William Benton, Air Service.
Second Lieut. John George Shannonhouse, Chemical Warfare Service.
Second Lieut. Odas Moon, Air Service.
Second Lieut. Dean Bryan Bolt, Air Service.
Second Lieut. Arthur George Liggett, Air Service.
Second Lieut. Westside Torkel Larson, Air Service.
Second Lieut. Andrew Daniel Hoppins, Infantry.
Second Lieut. Newton Longfellow, Air Service.
Second Lieut. Fred Evans Woodward, Air Service.
Second Lieut. Lloyd Barnett, Air Service.
Second Lieut. John Arthur Laird, jr., Air Service.
Second Lieut. Bushrod Hoppin, Air Service.
Second Lieut. Charles William Steinmetz, Air Service.
Second Lieut. Owen Evans Syruance, Air Service.
Second Lieut. John Myrddin Davies, Air Service.
Second Lieut. William Norris White, Field Artillery.
Second Lieut. Reuben Dallam Biggs, Air Service.
Second Lieut. Wendell Brown McCoy, Air Service.
Second Lieut. Francis Warren Nunanmacher, Air Service.
Second Lieut. Laurence Claude, Air Service.
Second Lieut. John Augustus Barksdale, Quartermaster Corps.
Second Lieut. Laurence Delmore, Quartermaster Corps.
Second Lieut. Harold Franklyn Rouse, Air Service.
Second Lieut. Herbert Lee Merritt, Philippine Scouts.
Second Lieut. Furmon Arthur Shults, Philippine Scouts.
Second Lieut. Harry W. Howard, Philippine Scouts.
Second Lieut. Eustaquio Baclig y Babio, Philippine Scouts.
Second Lieut. Don Namon Biddinger, Philippine Scouts.

To be first lieutenants with rank from July 2, 1920.

Second Lieut. James Barlow Cullum, jr., Corps of Engineers.
Second Lieut. Francis Hudson Oxx, Corps of Engineers.
Second Lieut. Thomas Henry Stanley, Corps of Engineers.
Second Lieut. Donald Greeley White, Corps of Engineers.
Second Lieut. Henry George Lambert, Corps of Engineers.
Second Lieut. William Weston Bessell, jr., Corps of Engineers.
Second Lieut. Charles George Holle, Corps of Engineers.
Second Lieut. Charles Sheefe Joslyn, Corps of Engineers.
Second Lieut. Arthur Martin Andrews, Corps of Engineers.
Second Lieut. Edward Crosby Harwood, Corps of Engineers.
Second Lieut. John Wylie Moreland, Corps of Engineers.
Second Lieut. Wayne Stewart Moore, Corps of Engineers.
Second Lieut. Henry Franklin Hannis, Corps of Engineers.
Second Lieut. Arthur Lee McCullough, Corps of Engineers.
Second Lieut. Arthur Vinton Linwood James, Corps of Engineers.
Second Lieut. Edward Albert Routheau, Field Artillery.
Second Lieut. Theodore Temple Knappen, Corps of Engineers.
Second Lieut. Godfrey Douglas Adamson, Field Artillery.
Second Lieut. Wilson Burnett Higgins, Corps of Engineers.
Second Lieut. Albert Howell Tanner, jr., Corps of Engineers.
Second Lieut. William Alter Watson, Field Artillery.
Second Lieut. Frederic Lord Hayden, Coast Artillery Corps.
Second Lieut. Warren Cressman Rutter, Coast Artillery Corps.
Second Lieut. Harold Frank Handy, Field Artillery.
Second Lieut. Richard Clare Partridge, Field Artillery.
Second Lieut. Edward John McGaw, Field Artillery.
Second Lieut. Willis McDonald, Third Cavalry.
Second Lieut. Harold Thomas Miller, Corps of Engineers.
Second Lieut. John Charles Felli, Field Artillery.
Second Lieut. Volney Archer Poulson, Coast Artillery Corps.
Second Lieut. Tyree Rivers Horn, Field Artillery.
Second Lieut. William Chamberlaine Coe, Coast Artillery Corps.
Second Lieut. James Woodrow Clark, Corps of Engineers.
Second Lieut. Robert Henry Vickery Stackhouse, Coast Artillery Corps.
Second Lieut. Joseph Leo Langevin, Field Artillery.
Second Lieut. Willard Pierce Larner, Field Artillery.
Second Lieut. William Hardy Hill, Field Artillery.
Second Lieut. Louis Jacob Claterbos, Corps of Engineers.
Second Lieut. Herbert Ralph Pierce, Field Artillery.
Second Lieut. Carl Victor Erickson, Field Artillery.
Second Lieut. Auguste Rhu Taylor, Field Artillery.
Second Lieut. James Kenneth Mitchell, Cavalry.
Second Lieut. Frank Andrew Henning, Field Artillery.
Second Lieut. James Malcolm Lewis, Field Artillery.
Second Lieut. Donald Eddy Cummings, Field Artillery.
Second Lieut. Barnard Linn Robinson, Corps of Engineers.
Second Lieut. John Robert Cullston, Field Artillery.
Second Lieut. James Goodrich Renno, Coast Artillery Corps.
Second Lieut. Charles Steinhart Whitmore, Field Artillery.
Second Lieut. James Hobson Stratton, Corps of Engineers.
Second Lieut. Loper Bailey Lowry, Coast Artillery Corps.
Second Lieut. Lee Armstead Denson, jr., Coast Artillery Corps.
Second Lieut. Ewart Gladstone Plank, Corps of Engineers.
Second Lieut. Lawrence Granger Smith, Cavalry.
Second Lieut. Edward Haviland Lastayo, Field Artillery.
Second Lieut. Alexander Romeyn MacMillan, Coast Artillery Corps.
Second Lieut. Roy Winne Barhydt, Infantry.
Second Lieut. George DeGraaf, Field Artillery.
Second Lieut. James Vincent Walsh, Coast Artillery Corps.
Second Lieut. Lathrop Ray Bullene, Coast Artillery Corps.
Second Lieut. Bertram Wright Randles, Cavalry.
Second Lieut. James Alexander Samouce, Field Artillery.
Second Lieut. William Wallace Ford, Field Artillery.
Second Lieut. George Dewey Vanture, Field Artillery.
Second Lieut. Charles Barney Harding, Field Artillery.
Second Lieut. Pastor Martelino y Concepcion, Philippine Scouts.
Second Lieut. Harry Earl Fisher, Corps of Engineers.
Second Lieut. Donald Sylvester Burns, Corps of Engineers.
Second Lieut. Donald James Leehey, Corps of Engineers.
Second Lieut. Carl Edwin Berg, Field Artillery.
Second Lieut. Joseph Eugene Harriman, Coast Artillery Corps.
Second Lieut. George Joseph Loupret, Coast Artillery Corps.
Second Lieut. William Soulres Wood, jr., Field Artillery.
Second Lieut. Thomas Arnett Roberts, jr., Field Artillery.
Second Lieut. Verne Donald Mudge, Cavalry.
Second Lieut. Morrison Page Chittering, Coast Artillery Corps.
Second Lieut. John Loren Goff, Coast Artillery Corps.
Second Lieut. Francis Henry Morse, Field Artillery.
Second Lieut. Edward Macon Edmonson, Field Artillery.
Second Lieut. Ben Miller Campbell, Field Artillery.
Second Lieut. William Gordon Holder, Coast Artillery Corps.
Second Lieut. Halstead Clotworthy Fowler, Coast Artillery Corps.
Second Lieut. Lyman Louis Lemnitzer, Coast Artillery Corps.
Second Lieut. Leslie Burgess Downing, Field Artillery.
Second Lieut. William Ignatius Brady, Field Artillery.
Second Lieut. Eugene Martin Link, Field Artillery.
Second Lieut. John Simpson Hastings, Field Artillery.
Second Lieut. Charles Himmler, Coast Artillery Corps.
Second Lieut. John States Seybold, Corps of Engineers.
Second Lieut. Cornelius Garrison, Field Artillery.
Second Lieut. William Harry Bartlett, Field Artillery.
Second Lieut. Donald Breen Herron, Coast Artillery Corps.
Second Lieut. Edward Clinton Gillette, jr., Field Artillery.
Second Lieut. Russell Owen Smith, Field Artillery.
Second Lieut. Freeman Grant Cross, Field Artillery.
Second Lieut. Rex Van Den Corput, jr., Field Artillery.
Second Lieut. Homer Watson Kiefer, Field Artillery.
Second Lieut. James Myron McMillin, Coast Artillery Corps.
Second Lieut. Joseph Harris, Coast Artillery Corps.
Second Lieut. John George Howard, Field Artillery.
Second Lieut. Ford Trimble, Field Artillery.
Second Lieut. Robert Hugh Kreuter, Coast Artillery Corps.
Second Lieut. Laurence Wood Bartlett, Coast Artillery Corps.
Second Lieut. Donald Frank Stace, Coast Artillery Corps.
Second Lieut. Earl Henry Blaik, Cavalry.
Second Lieut. Reynolds Johnston Burt, jr., Coast Artillery Corps.
Second Lieut. Edgar Allan Gilbert, jr., Cavalry.
Second Lieut. Leslie Emmett Mabus, Infantry.
Second Lieut. John Dickerson Mitchell, Coast Artillery Corps.
Second Lieut. Clarence Henry Schabacker, Coast Artillery Corps.

Second Lieut. Ewart Jackson Strickland, Coast Artillery Corps.
Second Lieut. Fred Labbeus Hamilton, Cavalry.
Second Lieut. Robert Snyder Trimble, jr., Coast Artillery Corps.
Second Lieut. John Francis Cassidy, Coast Artillery Corps.
Second Lieut. Gainer Brown Jones, Cavalry.
Second Lieut. John Foxhall Sturman, jr., Coast Artillery Corps.
Second Lieut. Joseph Jacob Billo, Infantry.
Second Lieut. Wilbert Engdahl Shallene, Cavalry.
Second Lieut. George Leo Doolittle, Coast Artillery Corps.
Second Lieut. Robert Francis Watt, Infantry.
Second Lieut. Clarence Clemens Clendenen, Cavalry.
Second Lieut. William Carleton McFadden, Coast Artillery Corps.
Second Lieut. Eugene Collum Johnston, Cavalry.
Second Lieut. James Ludwell Lake, jr., Cavalry.
Second Lieut. Hugh Whitaker Winslow, Coast Artillery Corps.
Second Lieut. James Hess Walker, Cavalry.
Second Lieut. Claude Eugene Haswell, Infantry.
Second Lieut. Russell Vance Eastman, Field Artillery.
Second Lieut. Lyman Lincoln Judge, Cavalry.
Second Lieut. Frank Needham Roberts, Infantry.
Second Lieut. Francis Henry Lanahan, jr., Field Artillery.
Second Lieut. Lawrence Edward Schick, Cavalry.
Second Lieut. Courtney Parker Young, Coast Artillery Corps.
Second Lieut. Henry Chester Hine, jr., Cavalry.
Second Lieut. Charles Frederick Beattie, Infantry.
Second Lieut. John Donald Robertson, Coast Artillery Corps.
Second Lieut. Elias Sanford Gregory, Cavalry.
Second Lieut. William Price Withers, Cavalry.
Second Lieut. Frederick Robert Pitts, Cavalry.
Second Lieut. Sherman Vitus Hasbrouck, Infantry.
Second Lieut. Arthur Kenley Hammond, Cavalry.
Second Lieut. Crump Garvin, Infantry.
Second Lieut. Martin Charles Casey, Coast Artillery Corps.
Second Lieut. Hamilton Peyton Ellis, Coast Artillery Corps.
Second Lieut. Thomas Dresser White, Infantry.
Second Lieut. Frederick Mixon Harris, Infantry.
Second Lieut. William Wallace McMillan, Cavalry.
Second Lieut. Dwight Acker Rosebaum, Infantry.
Second Lieut. Kenneth Gilpin Hoge, Cavalry.
Second Lieut. James Frederick Wahl, Cavalry.
Second Lieut. Donald Robert Van Sickler, Field Artillery.
Second Lieut. Richard Candler Singer, Field Artillery.
Second Lieut. John Henry Hoffecker Hall, Infantry.
Second Lieut. Aladin James Hart, Cavalry.
Second Lieut. Powell Paxton Applewhite, Coast Artillery Corps.
Second Lieut. Robert Edwards, Cavalry.
Second Lieut. Jefferson Denman Box, Infantry.
Second Lieut. William Richter Tomey, Infantry.
Second Lieut. Joseph Honore Rousseau, jr., Coast Artillery Corps.
Second Lieut. Lawrence Joseph Carr, Cavalry.
Second Lieut. Frederick Seymour Dixon, Infantry.
Second Lieut. Maurice Wiley Daniel, Field Artillery.
Second Lieut. Robert Dickerson Durst, Cavalry.
Second Lieut. Alexander Hamilton Perwein, Infantry.
Second Lieut. Clovis Ethelbert Byers, Cavalry.
Second Lieut. Tracy Enfield Davis, Infantry.
Second Lieut. Oscar Raymond Johnston, Infantry.
Second Lieut. George Andrew Rehm, Cavalry.
Second Lieut. Edward Carl Engelhart, Coast Artillery Corps.
Second Lieut. Charles Whitney West, Coast Artillery Corps.
Second Lieut. Park Brown Herrick, Field Artillery.
Second Lieut. Herbert Carl Reuter, Coast Artillery Corps.
Second Lieut. Helmar William Lystad, Infantry.
Second Lieut. Harold Edward Smyser, Infantry.
Second Lieut. Esher Claflin Burkart, Cavalry.
Second Lieut. Thomas Eginton Whitehead, Cavalry.
Second Lieut. Alexander George, Cavalry.
Second Lieut. Charles Kenon Gailey, jr., Infantry.
Second Lieut. Mortimer Frederick Wakefield, Field Artillery.
Second Lieut. Francis William Farrell, Infantry.
Second Lieut. Wilmer Brinton Merritt, Coast Artillery Corps.
Second Lieut. Harry Clark Wisehart, Coast Artillery Corps.
Second Lieut. John Irvin Gregg, jr., Cavalry.
Second Lieut. John Russell, jr., Cavalry.
Second Lieut. Charles Morton Adams, jr., Infantry.
Second Lieut. Frank Hoben Blodgett, Infantry.
Second Lieut. John Ferral McBlain, Cavalry.
Second Lieut. Richard Meade Costigan, Field Artillery.
Second Lieut. Gustave Harold Vogel, Coast Artillery Corps.
Second Lieut. Basil Girard Thayer, Cavalry.
Second Lieut. Edward Joseph Sullivan, Infantry.
Second Lieut. James Perrine Barney, jr., Field Artillery.
Second Lieut. Wilbur Sturtevant Nye, Field Artillery.
Second Lieut. Charles Harlan Swartz, Field Artillery.
Second Lieut. Leland Stuart Smith, Coast Artillery Corps.
Second Lieut. Francis Selwyn Gay, Coast Artillery Corps.
Second Lieut. Carl Frederick Duffner, Infantry.
Second Lieut. Wilburn Vastine Lunn, Coast Artillery Corps.
Second Lieut. Millard Pierson, Field Artillery.
Second Lieut. Francis Ward Walker, Coast Artillery Corps.
Second Lieut. Harold Oliver Sand, Cavalry.
Second Lieut. Cyril Drew Pearson, Infantry.
Second Lieut. Raymond Henry Reece, Infantry.
Second Lieut. Harlan Thurston McCormick, Cavalry.
Second Lieut. Henry Peter Burgard 2d, Infantry.
Second Lieut. Alexander Gilbert Sand, Field Artillery.
Second Lieut. Ray Olander Welch, Infantry.
Second Lieut. George William Richard Wilson, Infantry.
Second Lieut. John Lamont Davidson, Infantry.
Second Lieut. Julian Erskine Raymond, Infantry.
Second Lieut. Abraham Sheridan Abel, Infantry.
Second Lieut. George Hennen, Infantry.
Second Lieut. Charles Porter Amazeen, Cavalry.
Second Lieut. Edward Thomas Williams, Field Artillery.
Second Lieut. Frank Thweatt Searcy, Infantry.
Second Lieut. George William Bailey, jr., Field Artillery.
Second Lieut. Henry Kirk Williams, jr., Coast Artillery Corps.
Second Lieut. Alan Lockhart Fulton, Cavalry.
Second Lieut. Terrence John Tully, Infantry.
Second Lieut. William McKinley Laumeister, Infantry.
Second Lieut. Paul Clarence Kelly, Infantry.
Second Lieut. Sidney Ginsberg, Infantry.
Second Lieut. James Miller Rudolph, Cavalry.
Second Lieut. William Earl Crist, Infantry.
Second Lieut. William Roe Brewster, Infantry.
Second Lieut. Claude Monroe McQuarrie, Infantry.
Second Lieut. Charles William Smith, Infantry.
Second Lieut. William Lemuel Mitchell, Infantry.
Second Lieut. Harrison Guinther Travis, Infantry.
Second Lieut. Escalus Emmert Elliott, Field Artillery.
Second Lieut. Milton Cogswell Shattuck, Infantry.
Second Lieut. Joseph Vincent de Paul Dillon, Coast Artillery Corps.
Second Lieut. Francis James Starr, Infantry.
Second Lieut. William Edward Ryan, Infantry.
Second Lieut. Hayden Adriance Sears, Cavalry.
Second Lieut. Newton Nevada Jacobs, Infantry.
Second Lieut. John Thomas Lynch, Infantry.
Second Lieut. John Black Reybold, Cavalry.
Second Lieut. John Raoul Guiteras, Infantry.
Second Lieut. William Dickey Long, Infantry.
Second Lieut. Henry Irving Hodes, Cavalry.
Second Lieut. Clifford Augustine Taney, jr., Cavalry.
Second Lieut. Paul Earl Tombaugh, Field Artillery.
Second Lieut. Harvey Kenneth Greenlaw, Cavalry.
Second Lieut. William Joel Tudor Yancey, Infantry.
Second Lieut. Leon Eugene Lichtenwalter, Infantry.
Second Lieut. Sidney Rae Hinds, Infantry.
Second Lieut. Halley Grey Maddox, Cavalry.
Second Lieut. Snowden Ager, Cavalry.
Second Lieut. John English Nelson, Infantry.
Second Lieut. Randolph Burt Wilkinson, Infantry.
Second Lieut. Dean LeRoy Sharrar, Cavalry.
Second Lieut. John Talbot Curtis, Infantry.
Second Lieut. George Hasbrouck Krause, Infantry.
Second Lieut. Harold Todd Turnbull, Coast Artillery Corps.
Second Lieut. Hugo Peoples Rush, Infantry.
Second Lieut. John William Wofford, Cavalry.
Second Lieut. Wray Bertrand Avera, Field Artillery.
Second Lieut. Charles Fox Ivins, Infantry.
Second Lieut. Walter Daniel Buie, Infantry.
Second Lieut. John Taylor Ward, Cavalry.
Second Lieut. John Elmer Reierson, Coast Artillery Corps.
Second Lieut. Edward Maurice Flexner, jr., Field Artillery.
Second Lieut. Henry Jackson Hunt, jr., Infantry.

To be first lieutenant with rank from September 4, 1920.

Second Lieut. George Huston Bare, Infantry.

CORPS OF ENGINEERS.

To be captain.

First Lieut. John Harold Voale, Corps of Engineers, from June 11, 1920.

CAVALRY.

To be captains.

First Lieut. Philip Blaine Fryer, Cavalry, from May 29, 1920.
First Lieut. George Hill Carruth, Cavalry, from June 4, 1920.
First Lieut. Joseph Nixon Marx, Cavalry, from June 17, 1920.
First Lieut. Donald Coe Hawley, Cavalry, from June 18, 1920.
First Lieut. Vernon Lhreau Padgett, Cavalry, from June 21, 1920.
First Lieut. Jay Ward MacKelvie, Cavalry, from June 21, 1920.
First Lieut. Francis Truman Bonsteel, Cavalry, from June 22, 1920.
First Lieut. William Edwin Barett, Cavalry, from June 22, 1920.
First Lieut. Frank Nelson, Cavalry, from June 22, 1920.
First Lieut. Herman Frederick Rathjen, Cavalry, from June 22, 1920.
First Lieut. Daniel Joseph Keane, Cavalry, from June 23, 1920.
First Lieut. Le Roy Davis, Cavalry, from June 23, 1920.
First Lieut. Max Donald Holmes, Cavalry, from June 24, 1920.
First Lieut. Frank Henry Barnhart, Cavalry, from June 24, 1920.
First Lieut. George Edward Harrison, Cavalry, from June 26, 1920.
First Lieut. Wesley John White, Cavalry, from June 29, 1920.
First Lieut. Alton Wright Howard, Cavalry, from June 29, 1920.
First Lieut. Richard Whitney Carter, Cavalry, from June 29, 1920.
First Lieut. Kenneth Rowntree, Cavalry, from June 30, 1920.
First Lieut. George Archibald King, Cavalry, from June 30, 1920.
First Lieut. Lionel Leopold Meyer, Cavalry, from June 30, 1920.
First Lieut. Frederick Harold Leroy Ryder, Cavalry, from June 30, 1920.
First Lieut. John Waring Weeks, Cavalry, from June 30, 1920.
First Lieut. Theodore Besson Apgar, Cavalry, from June 30, 1920.
First Lieut. Mortimer Heth Christian, Cavalry, from June 30, 1920.
First Lieut. Fabius Busbee Shipp, Cavalry, from June 30, 1920.

FIELD ARTILLERY.

To be captains.

First Lieut. Paul Church Harper, Field Artillery, from June 25, 1920.
First Lieut. George Ross Rede, Field Artillery, from June 26, 1920.
First Lieut. John Cooper Adams, Field Artillery, from June 29, 1920.

COAST ARTILLERY CORPS.

To be captains.

First Lieut. Evan Clouser Seaman, Coast Artillery Corps, from June 5, 1920.
First Lieut. Henry Rasick Behrens, Coast Artillery Corps, from June 19, 1920.
First Lieut. Benjamin Bowering, Coast Artillery Corps, from June 22, 1920.
First Lieut. Henry Fred Grimm, jr., Coast Artillery Corps, from June 24, 1920.
First Lieut. Henry Linsert, Coast Artillery Corps, from June 25, 1920.
First Lieut. Donald Langley Dutton, Coast Artillery Corps, from June 26, 1920.
First Lieut. Leland Adrian Miller, Coast Artillery Corps, from June 27, 1920.
First Lieut. Percy Clayton Hamilton, Coast Artillery Corps, from June 27, 1920.
First Lieut. Robert Alexander Laird, Coast Artillery Corps, from June 30, 1920.

To be first lieutenant.

Second Lieut. Davis Ward Hale, Coast Artillery Corps, from June 4, 1920.

INFANTRY.

To be captains.

First Lieut. Frank Eugene Haskell, Infantry, from June 2, 1920.
First Lieut. Edwin Howard Clark, Infantry, subject to examination required by law, since retired from active service, from June 10, 1920.
First Lieut. Crosby Nickerson Elliott, Infantry, from June 14, 1920.
First Lieut. William Harold Clark, Infantry, subject to examination required by law, since retired from active service, from June 18, 1920.
First Lieut. Lloyd Davidson Brown, Infantry, from June 18, 1920.
First Lieut. Roy Carter Hilton, Infantry, from June 20, 1920.
First Lieut. Raymond Edward O'Neill, Infantry, from June 20, 1920.
First Lieut. Justin Stanley Hemenway, Infantry, from June 22, 1920.
First Lieut. William Almond Shaly, Infantry, from June 22, 1920.
First Lieut. John Urban Ayotte, Infantry, from June 23, 1920.
First Lieut. Charles Heyward Barnwell, jr., Infantry from June 23, 1920.
First Lieut. Henry Alfred Schwarz, Infantry, from June 25, 1920.
First Lieut. Edward George Herlihy, Infantry, from June 26, 1920.
First Lieut. Arnold John Funk, Infantry, from June 27, 1920.
First Lieut. George Marvin Ferris, Infantry, from June 28, 1920.
First Lieut. Edwin Lockwood MacLean, Infantry, from June 29, 1920.

To be first lieutenant.

Second Lieut. Wesley Collins Dever, Infantry, from June 4, 1920.

PORTO RICO REGIMENT OF INFANTRY.

To be captains.

First Lieut. Arturo Moreno, Porto Rico Regiment of Infantry, from May 20, 1920.
First Lieut. Carlos Manuel Lopez, Porto Rico Regiment of Infantry, subject to examination required by law, since retired from active service, from June 20, 1920.

To be first lieutenants.

Second Lieut. Eduardo Vazquez-Bruno, Porto Rico Regiment of Infantry, from April 21, 1920.
Second Lieut. Virgil Norberto Cordero, Porto Rico Regiment of Infantry, from May 20, 1920.
Second Lieut. Mario Cordero, Porto Rico Regiment of Infantry, from June 20, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 11, 1921.

ASSISTANT SECRETARY OF STATE.

Fred Morris Dearing to be Assistant Secretary of State.

MEMBER OF THE UNITED STATES TARIFF COMMISSION.

William S. Culbertson to be a member of the United States Tariff Commission.

ASSISTANT SECRETARY OF AGRICULTURE.

Elmer D. Ball to be Assistant Secretary of Agriculture.

COMPTROLLER OF THE CURRENCY.

D. R. Crissinger to be Comptroller of the Currency.

UNITED STATES ATTORNEY, WESTERN DISTRICT OF PENNSYLVANIA.

Walter Lyon to be United States attorney, western district of Pennsylvania.

UNITED STATES MARSHAL, DISTRICT OF MASSACHUSETTS.

William J. Keville to be United States marshal, district of Massachusetts.

DIRECTOR OF THE UNITED STATES COAST AND GEODETIC SURVEY.

Ernest Lester Jones to be Director of the United States Coast and Geodetic Survey.

CHIEF OF THE BUREAU OF ORDNANCE, DEPARTMENT OF THE NAVY.

Charles B. McVay, jr., to be Chief of the Bureau of Ordnance in the Department of the Navy.

ASSISTANT DENTAL SURGEON, UNITED STATES NAVY.

Emory A. Bryant to be an assistant dental surgeon in the Navy.

PASSED ASSISTANT DENTAL SURGEON, UNITED STATES NAVY.

Emory A. Bryant to be a passed assistant dental surgeon in the Navy.

SENATE.

SATURDAY, *March 12, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, Thou art giving us added proof that goodness and mercy are following us through all our days. We humbly ask that this morning with that consciousness we may realize more and more our dependence upon Thee and anticipate recognizing Thy hand in all the providences about us. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE PRESIDENT.

Sundry messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	Moses	Stanfield
Borah	Harreld	Nelson	Stanley
Broussard	Harris	New	Sterling
Caraway	Heflin	Nicholson	Sutherland
Colt	Johnson	Norris	Swanson
Culberson	Jones, Wash.	Oddie	Underwood
Cummins	Kenyon	Overman	Wadsworth
Curtis	Keyes	Phipps	Walsh, Mass.
Dial	King	Poindexter	Walsh, Mont.
Dillingham	Knox	Pomerene	Warren
Edge	La Follette	Ransdell	Watson, Ga.
Ernst	Lenroot	Reed	Weller
Fletcher	Lodge	Shortridge	Willis
Gerry	McCumber	Smoot	
Glass	McNary	Spencer	

Mr. HARRIS. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] is necessarily absent.

The VICE PRESIDENT. Fifty-eight Senators having answered to their names, a quorum is present.

MEMORIALS.

Mr. WILLIS presented a memorial of officers of Commodore Barry Council of the American Association for Recognition of the Irish Republic, of Sandusky, Ohio, remonstrating against the United States recognizing the credentials of Ambassador Geddes, of Great Britain, to represent the Irish race, and also remonstrating against the killing of two mayors of Limerick, Ireland, by British military forces, which was referred to the Committee on Foreign Relations.

He also presented resolutions of Cuyahoga Falls Council of the American Association for Recognition of the Irish Republic, of Cuyahoga Falls, and the Akron Council of the American Association for Recognition of the Irish Republic, of Akron, both in the State of Ohio, protesting against the treatment of Ireland by the British Government; the killing of Lord Mayor Clancy, of Limerick, and Lady Clancy, his wife; and remonstrating against the United States recognizing the credentials of Ambassador Geddes, of Great Britain, to represent the Irish race, and also the presence of British troops in Ireland, which were referred to the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 25 minutes spent in executive session the doors were reopened, and (at 1 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, March 14, 1921, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 12, 1921.

FOURTH ASSISTANT POSTMASTER GENERAL.

Harry Hilton Billany, of Delaware, to be Fourth Assistant Postmaster General, vice James I. Blakslee, resigned.

COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

The following-named persons to be Commissioners of the District of Columbia:

Cuno H. Rudolph, of the District of Columbia, for a term of three years.

James F. Oyster, of the District of Columbia, for a term of three years.

COMMISSIONER GENERAL OF IMMIGRATION.

William Walter Husband, of St. Johnsbury, Vt., to be Commissioner General of Immigration.

UNITED STATES ATTORNEY.

Charles C. Madison, of Kansas City, Mo., to be United States attorney for the western district of Missouri.

SOLICITOR OF INTERNAL REVENUE.

Carl A. Mapes, of Michigan, to be Solicitor of Internal Revenue, vice Wayne Johnson, resigned.

COLLECTOR OF INTERNAL REVENUE.

Lars Bladine, of Cedar Falls, Iowa, to be collector of internal revenue for the district of Iowa, to fill an existing vacancy.

COAST GUARD.

Lieut. Commander William Vans Edmonson Jacobs to be commander in the Coast Guard of the United States, to rank as such from October 10, 1920, in place of Commander Howard M. Broadbent, retired.

Lieut. Commander James M. Moore to be commander in the Coast Guard of the United States, to rank as such from July 1, 1920, in place of Commander F. M. Dunwoody, retired.

Lieut. Commander Preston H. Uberroth to be commander in the Coast Guard of the United States, to rank as such from February 2, 1921, in place of Commander D. P. Foley, retired.

Lieut. Edward S. Addison to be lieutenant commander in the Coast Guard of the United States, to rank as such from February 2, 1921, in place of Lieut. Commander P. H. Uberroth, promoted.

Lieut. Leon C. Covell to be lieutenant commander in the Coast Guard of the United States, to rank as such from July 1, 1920, in place of Lieut. Commander J. M. Moore, promoted.

Lieut. Philip W. Lauriat to be lieutenant commander in the Coast Guard of the United States, to rank as such from June 30, 1920, in place of Lieut. Commander J. G. Ballinger, retired.

Lieut. Thomas Marcus Molloy to be lieutenant commander in the Coast Guard of the United States, to rank as such from October 10, 1920, in place of Lieut. Commander W. V. E. Jacobs, promoted.

First Lieut. John Boedeker to be captain in the Coast Guard of the United States, to rank as such from May 11, 1920, in place of Capt. J. H. Brown, promoted.

First Lieut. Benjamin L. Brockway to be captain in the Coast Guard of the United States, to rank as such from January 1, 1920, in place of Capt. S. B. Winram, retired.

First Lieut. Harold D. Hinckley to be captain in the Coast Guard of the United States, to rank as such from October 2, 1919, in place of Capt. B. L. Reed, promoted.

First Lieut. William H. Munter to be captain in the Coast Guard of the United States, to rank as such from May 31, 1920, in place of Capt. C. E. Johnston, deceased.

Second Lieut. Chester H. Jones to be first lieutenant in the Coast Guard of the United States, to rank as such from October 2, 1919, in place of First Lieut. H. D. Hinckley, promoted.

Second Lieut. James Pine to be first lieutenant in the Coast Guard of the United States, to rank as such from May 21, 1920, in place of First Lieut. H. W. Pope, retired.

Second Lieut. Michael J. Ryan to be first lieutenant in the Coast Guard of the United States, to rank as such from May 11, 1920, in place of First Lieut. John Boedeker, promoted.

Second Lieut. Charles F. Seiter to be first lieutenant in the Coast Guard of the United States, to rank as such from July 27, 1919, in place of First Lieut. John L. Maher, resigned.

Second Lieut. Warner K. Thompson to be first lieutenant in the Coast Guard of the United States, to rank as such from May 31, 1920, in place of First Lieut. W. H. Munter, promoted.

Second Lieut. William F. Towle to be first lieutenant in the Coast Guard of the United States, to rank as such from January 1, 1920, in place of First Lieut. B. L. Brockway, promoted.

Third Lieut. Joseph Greenspun to be second lieutenant in the Coast Guard of the United States, to rank as such from November 17, 1918, in place of Second Lieut. J. J. Hutson, promoted.

Third Lieut. Robert M. Kaufholz to be second lieutenant in the Coast Guard of the United States, to rank as such from August 9, 1919, in place of Second Lieut. C. E. Anstett, resigned.

Third Lieut. Raymond T. McElligott to be second lieutenant in the Coast Guard of the United States, to rank as such from July 27, 1919, in place of Second Lieut. C. F. Seiter, promoted.

Third Lieut. Donald H. MacCollom to be second lieutenant in the Coast Guard of the United States, to rank as such from September 27, 1918, in place of Second Lieut. John F. McGourty, deceased.

Third Lieut. Andrew C. Mandeville to be second lieutenant in the Coast Guard of the United States, to rank as such from

October 2, 1919, in place of Second Lieut. C. H. Jones, promoted.

Third Lieut. Louis W. Perkins to be second lieutenant in the Coast Guard of the United States, to rank as such from May 20, 1919, in place of Second Lieut. R. B. Hall, resigned.

Third Lieut. Lyndon Spencer to be second lieutenant in the Coast Guard of the United States, to rank as such from September 27, 1918, in place of Third Lieut. J. A. Frost, jr., who died prior to being promoted to fill an existing vacancy.

Third Lieut. John Trebes, jr., to be second lieutenant in the Coast Guard of the United States, to rank as such from September 27, 1918, in place of Second Lieut. J. M. Earp, deceased.

Lieut. (engineering) Carl M. Green to be lieutenant commander (engineering) in the Coast Guard of the United States, to rank as such from December 26, 1920, in place of Lieut. Commander (engineering) J. H. Chalker, retired.

Lieut. (junior grade, engineering) Martin A. Doyle to be lieutenant (engineering) in the Coast Guard of the United States, to rank as such from December 26, 1920, in place of Lieut. (engineering) C. M. Green, promoted.

Ensign (engineering) Roderick S. Patch to be lieutenant (junior grade, engineering) in the Coast Guard of the United States, to rank as such from June 10, 1920, in place of Lieut. (junior grade, engineering) K. W. Krafft, resigned.

Second Lieut. of Engineers George W. Cairnes to be first lieutenant of Engineers in the Coast Guard of the United States, to rank as such from August 21, 1919, in place of First Lieut. of Engineers J. E. Dorry, promoted.

Second Lieut. of Engineers John F. Hahn to be first lieutenant of Engineers in the Coast Guard of the United States, to rank as such from December 18, 1919, in place of First Lieut. of Engineers Q. B. Newman, promoted.

Second Lieut. of Engineers Harvey F. Johnson to be first lieutenant of Engineers in the Coast Guard of the United States, to rank as such from January 11, 1920, in place of First Lieut. of Engineers W. E. Maccoun, promoted.

Third Lieut. of Engineers Walfred G. Bloom to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from June 2, 1920, in place of Third Lieut. of Engineers H. G. Kunz, who resigned prior to being promoted to fill a vacancy then existing.

Third Lieut. of Engineers Charles W. Dean to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from May 18, 1920, in place of Third Lieut. of Engineers J. H. Seymour, who resigned prior to being promoted to fill a vacancy then existing.

Third Lieut. of Engineers Roger C. Heimer to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from February 12, 1920, in place of Second Lieut. of Engineers John A. Curran, resigned.

Third Lieut. of Engineers John N. Heiner to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from December 1, 1919, in place of Second Lieut. of Engineers C. H. Johnson, resigned.

Third Lieut. of Engineers Charles T. Henley, jr., to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from October 3, 1918, in place of Second Lieut. of Engineers S. B. Orne, deceased.

Third Lieut. of Engineers Louis B. Olsen to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from December 18, 1919, in place of Second Lieut. of Engineers John F. Hahn, promoted.

Third Lieut. of Engineers Edward F. Palmer to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from March 26, 1919, in place of Second Lieut. of Engineers P. R. Smith, resigned.

Third Lieut. of Engineers Francis C. Wells to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from August 21, 1919, in place of Second Lieut. of Engineers G. W. Cairnes, promoted.

Third Lieut. of Engineers Leslie E. Wells to be second lieutenant of Engineers in the Coast Guard of the United States, to rank as such from March 23, 1920, in place of Second Lieut. of Engineers Thomas H. Yeager, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 12, 1921.

TO BE FOURTH ASSISTANT POSTMASTER GENERAL.

Harry Hilton Billany.

TO BE A MEMBER OF THE UNITED STATES TARIFF COMMISSION.

Thomas O. Marvin.

TO BE A MEMBER OF THE INTERSTATE COMMERCE COMMISSION.

Mark W. Potter.

TO BE COMMISSIONER GENERAL OF IMMIGRATION.

William Walter Husband.

TO BE SOLICITOR OF INTERNAL REVENUE.

Carl A. Mapes.

TO BE COLLECTOR OF CUSTOMS FOR CUSTOMS COLLECTION DISTRICT No. 24.

Clarence C. Chase.

TO BE COLLECTOR OF INTERNAL REVENUE.

Lars Bladine for district of Iowa.

TO BE A CONSUL OF CLASS 6.

Charles C. Broy.

FOR PROMOTIONS IN THE CONSULAR SERVICE.

Lester Maynard, from consul of class 4 to consul of class 3.
Willys R. Peck, from consul of class 5 to consul of class 4.

PROMOTIONS IN THE NAVY.

Edwin R. Stitt to be Surgeon General and Chief of the Bureau of Medicine and Surgery in the Department of the Navy.

MARINE CORPS.

To be brigadier generals.

Smedley D. Butler.
Logan Feland.
Harry Lee.

SENATE.

MONDAY, *March 14, 1921.*

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

Our Father, we thank Thee for the rest and quiet and the uplift of yesterday; and as we turn toward the duties and problems of the week, give us Thy direction, we beseech of Thee. Bless these Thy servants in all the duties that come to them; and upon the President and his Cabinet we ask Thy grace continually. Through Christ our Lord. Amen.

The reading clerk proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

PETITIONS.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of Hawaii, which was referred to the Committee on Territories, as follows:

Concurrent resolution.

Be it resolved by the Senate of the Legislature of Hawaii (the House of Representatives concurring), That the Congress of the United States of America be requested to amend sections 34 and 40 of the organic act of the Territory of Hawaii by deleting therefrom the word "male," so that said sections when amended shall read as follows:

"SECTION 34. That in order to be eligible to election as a senator a person shall—

"Be a citizen of the United States.

"Have attained the age of 30 years.

"Have resided in the Hawaiian Islands not less than three years and be qualified to vote for senators in the district from which he or she is elected."

"SECTION 40. That in order to be eligible to be a member of the house of representatives the person shall at the time of election—

"Have attained the age of 25 years.

"Be a citizen of the United States.

"Have resided in the Hawaiian Islands not less than three years, and shall be qualified to vote for representatives in the district from which he or she is elected."

And be it further resolved, That copies of this resolution, duly certified to, be forwarded to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives of the Congress of the United States, to the chairman of the Committee on the Territories of the Senate and of the House of Representatives of the Congress of the United States, and to the Delegate to Congress from Hawaii.

THE SENATE OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, February 17, 1921.

We hereby certify that the foregoing resolution was adopted in the senate of the Territory of Hawaii on February 17, 1921.

CHAS. T. SHILLINGWORTH,
President of the Senate.
ALBERT E. LLOYD,
Clerk of the Senate.

THE HOUSE OF REPRESENTATIVES OF THE TERRITORY OF HAWAII,
Honolulu, Hawaii, February 21, 1921.

We hereby certify that the foregoing resolution was adopted by the house of representatives of the Territory of Hawaii on February 21, 1921.

H. L. HOLSTEIN,
Speaker House of Representatives.
EDWARD WOODWARD,
Clerk, House of Representatives.

Mr. LODGE presented resolutions of the Legislature of Massachusetts, which were referred to the Committee on Commerce, as follows:

Resolutions relative to the preservation of the national parks and reservations.

THE COMMONWEALTH OF MASSACHUSETTS, 1921.

Whereas measures are likely to be presented to the Federal Congress involving concessions in our national parks, forests, and reservations to private, corporate, or municipal interests seeking water supply or irrigation privileges; and

Whereas to grant such concessions would be contrary to the enlightened public policy which has set apart and dedicated said parks, forests, and reservations to nobler than commercial purposes, and which has sought to preserve them inviolate as a means of recreation and uplift to all the people of the Nation: Therefore be it

Resolved, That the House of Representatives of Massachusetts respectfully urges upon Congress to reject all measures in any manner departing from or infringing upon said enlightened policy; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the incoming President of the United States, to the presiding officers of the Federal Senate and House of Representatives, and to the Senators and Representatives in Congress from Massachusetts.

In the house of representatives, adopted February 23, 1921.

A true copy.

Attest:

F. W. COOK.
Secretary of the Commonwealth.

Mr. WARREN presented a letter in the nature of a petition of Richard Montgomery Council, of the American Association for Recognition of the Irish Republic, of Sheridan, Wyo., praying for the prompt recognition of the Republic of Ireland, which was referred to the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. CURTIS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three hours and forty minutes spent in executive session the doors were reopened, and (at 3 o'clock and 45 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, March 15, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 14, 1921.

TO BE ASSISTANT SECRETARY OF THE TREASURY.

Eliot Wadsworth, of Massachusetts, to be Assistant Secretary of the Treasury.

TO BE ASSISTANT SECRETARY OF WAR.

Jonathan Mayhew Wainwright, of New York, to be Assistant Secretary of War.

TO BE A DIRECTOR OF THE WAR FINANCE CORPORATION.

Eugene Meyer, jr., of New York, to be a director of the War Finance Corporation.

TO BE POSTMASTER.

Cornelio D. Vargas, of Guayama, P. R., in place of Juan Padovani, deceased.

PROMOTION IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. James Dennett McIntyre to be captain with rank from July 1, 1920.

APPOINTMENTS IN THE NAVY.

MARINE CORPS.

Col. (temporary) James T. Bootes to be a colonel in the Marine Corps from June 4, 1920.

Col. (temporary) William C. Powell, assistant paymaster, to be an assistant paymaster in the Marine Corps, with the rank of colonel, from June 4, 1920, subject to the examinations required by him.

Col. (temporary) Dickinson P. Hall to be a colonel in the Marine Corps from June 4, 1920.

Lieut. Col. Charles H. Lyman to be a colonel in the Marine Corps from February 21, 1921.

Lieut. Col. (temporary) William L. Redles to be a lieutenant colonel in the Marine Corps from June 4, 1920.

Lieut. Col. (temporary) Charles T. Westcott to be a lieutenant colonel in the Marine Corps from June 5, 1920.

Lieut. Col. (temporary) Frederick A. Ramsey to be a lieutenant colonel in the Marine Corps from July 4, 1920, subject to the examinations required by law.

Maj. Chandler Campbell to be a lieutenant colonel in the Marine Corps from February 21, 1921, subject to the examinations required by law.

Maj. (temporary) Clarke H. Wells to be a major in the Marine Corps from June 4, 1920.

Maj. (temporary) Alexander A. Vandergrift to be a major in the Marine Corps from June 5, 1920.

Maj. (temporary) Fred S. N. Erskine to be a major in the Marine Corps from July 4, 1920.

Maj. (temporary) Roy S. Geiger to be a major in the Marine Corps from September 22, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14, 1921.

TO BE ASSISTANT SECRETARY OF THE TREASURY.

Eliot Wadsworth.

TO BE ASSISTANT SECRETARY OF WAR.

Jonathan Mayhew Wainwright.

TO BE A DIRECTOR OF THE WAR FINANCE CORPORATION.

Eugene Meyer, jr.

TO BE A MEMBER OF THE FEDERAL FARM LOAN BOARD.

William H. Joyce.

TO BE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

Cuno H. Rudolph.
James F. Oyster.

TO BE A MEMBER OF THE MISSISSIPPI RIVER COMMISSION.

Lieut. Col. Gustave Lukesh, Corps of Engineers.

TO BE POSTMASTER.

Cornelio D. Vargas, at Guayama, P. R.

IN THE COAST GUARD.

To be commanders.

William Vans Edmonson Jacobs.
James M. Moore.
Preston H. Uberroth.

To be lieutenant commanders.

Edward S. Addison.
Leon C. Covell.
Philip W. Lauriat.
Thomas Marcus Molloy.

To be captains.

John Boedeker.
Benjamin L. Brockway.
Harold D. Hinckley.
William H. Munter.

To be first lieutenants.

Chester H. Jones.
James Pine.
Michael J. Ryan.
Charles F. Seiter.
Warner K. Thompson.
William F. Towle.

To be second lieutenants.

Joseph Greenspun.
Robert M. Kaufholz.
Raymond T. McElligott.
Donald H. MacCollom.
Andrew C. Mandeville.
Louis W. Perkins.
Lyndon Spencer.
John Trebes, jr.

To be lieutenant commander (engineering).

Carl M. Green.

To be lieutenant (engineering).

Martin A. Doyle.

To be lieutenant junior grade (engineering).

Roderick S. Patch.

To be first lieutenant of Engineers.

George W. Cairnes.
John F. Hahn.
Harvey F. Johnson.

To be second lieutenant of Engineers.

Walfred G. Bloom.
Charles W. Dean.
Roger C. Heimer.
John N. Heiner.
Charles T. Henley.

Louis B. Olsen.
Edward F. Palmer.
Francis C. Wells.
Leslie E. Wells.

APPOINTMENTS IN THE NAVY.

MARINE CORPS.

To be colonels.

James T. Bootes.
Charles H. Lyman.
Dickinson P. Hall.

To be lieutenant colonels.

William L. Redles.
Frederick A. Ramsey.
Charles T. Westcott.
Chandler Campbell.

To be majors.

Clarke H. Wells.
Fred S. N. Erskine.
Alexander A. Vandegrift.
Roy S. Geiger.

To be assistant paymaster.

William C. Powell.

APPOINTMENTS IN THE REGULAR ARMY.

To be chaplain.

John Thomas Axton.

To be military storekeeper.

Capt. Charles Patrick Daly.

REAPPOINTMENTS IN REGULAR ARMY.

To be majors.

Miles Kash Taulbee.
Charles Walker McClure.

To be first lieutenants.

James Boyden Crelvo Siske.
Osborne Cutler Wood.

APPOINTMENTS, BY TRANSFER, IN REGULAR ARMY.

SIGNAL CORPS.

To be first lieutenant.

Tasso Wadsworth Swartz.

FIELD ARTILLERY.

To be first lieutenants.

John Stevenson Mallory.
Arthur Francis Doran.

PROMOTIONS IN REGULAR ARMY.

To be colonels.

Mark Wheeler.
George Daniels Arrowsmith.
Edward Carpenter.
Ivers Whitman Leonard.
Pearl Michael Shaffer.
Robert Robins Wallach.
William Henry Jordan, jr.
George Williams.
Irving Joseph Carr.
Easton Rutledge Gibson.
Henry Churchill Bonnycastle.
Edward Croft.
Adolphe Hart Huguet.
Raymond Sheldon.
James Davis Taylor.
Frank Halstead.
Harry Edward Knight.
Woodson Hocker.
Alexander James Macnab.
Henry Macpherson Merriam.
Oliver Lyman Spaulding, jr.
Hanson Briscoe Black.
Conrad Hammond Lanza.
Charles Sidney Haight.
William Dennison Forsyth.

To be lieutenant colonels.

Raymond Silas Pratt.
Alfred Allen Maybach.
Jerome Gray Pillow.
Ralph Noble Hayden.
Alden Farley Brewster.
John Anderson Berry.
Leonard William Prunty.
Gordon Robinson.
Edward Harrison DeArmond.
Edmund Kearsley Sterling.
Kerr Tunis Riggs.
Carl Henry Muller.
Charles Burnett.
Claude Ernest Brigham.
Walter Herbert Smith.
William Tidball.
George Hathaway Baird.
William Manley Cooley.
William Nafew Haskell.
James Prentice.
Henry Adolphus Meyer, jr.
Frank Keller.
Guy Kent.
Copley Enos.
Norton Ellsworth Wood.
Shepard Lawrence Pike.
George Aloysius Wieczorek.
Marion Somerville Battle.
Henry Gilmore Stahl.
Roy Carrington Kirtland.
Ernest Stephen Wheeler.
Albert Stanley Fuger.
Stanley Symmes Ross.
Wallace McNamara.
Frederick Mears.
Alden Max Graham.
Robert LeRoy Collins.
Irvin Lee Hunsaker.
Clifton Ranney Norton.
Eugene Julius Ely.
Charles Russell Mayo.
Arthur James Lynch.

To be majors.

Thomas Joseph Brady.
John Fuller Davis.
Stuart Clarence MacDonald.
Metcalfe Reed.
Hubert Reilly Harmon.
Benjamin Greeley Ferris.
Charles Samuel Ritchel.
Thomas Guerdon Hearn.
Donald Henley.
Joseph Daly Coughlan.
Reese Maughan Howell.
Henry Jervis Friese Miller.
Alfred Schrieber Balsam.
Frank D. McGee.
Norman Jay Boots.
Otto Al Busch Hooper.
Howard Donnelly.
Anastacio Quevedo Ver.
John Nicholas Robinson.
Hugh P. Avent.
Victor Vaughan Taylor.
Tom Fox.
Thomas James Hanley, jr.
Jacob John Gerhardt.
Leo Andrew Walton.
Ralph Pittman Cousins.
Charles Hosmer Chapin.
William Putnam Cherrington.
John Franklin Stevens.
Charles Robert Finley.
Vernon Edwin Prichard.
Blackburn Hall.
Robert Bishop Lorch.
Adlai Howard Gilkeson.
Gilbert Smith Brownell.
Richard Carlton Stickney.
Edward James Dwan.
Jesse Beeson Hunt.
John Ross Mendenhall.
Norman Randolph.
Joseph Monroe Murphy.
George Edward Stratemeyer.
Eustis Lloyd Hubbard.
Frederic William Boye.
Leroy Hugh Watson.
Karl Hartman Gorman.
Henry Harold Dabney.
John Hamilton Chew Williams.

Arthur Armin White.
John Keliher.
Benjamin Willis Mills.
Thomas Fenton Taylor.
Marshall Henry Qusenberry.
Charles Curtiss Herrick.
Manuel Font.
Richard Wilmer Cooksey.
Daniel Allman Connor.
John Malcomb Boon.
George Mayo.
Paul Theodore Bock.

To be captains.

Murray Matthews Montgomery.
Arthur A. Padmore.
Ansel Griggs Wineman.
Clifton Martin Brown.
Otto Walter Neidert.
Lloyd William Biggs.
Edwin Showalter Beall.
Wilkie Collins Burt.
Ralph Emerson Bower.
Adrian Beaumont Charles Smith.
Charles Wesley Ogden.
George Leland Eberle.
Rufus Stanley Ramey.
Douglas Graeme Clark.
Marcus Brenneman Bell.
Louis Joseph Fortier.
Henry Pascale.
James Bentley Taylor.
George Warner Swift.
Remington Orsinger.
William Stewart Morris.
Joseph William Bollenbeck.
Victor A. Dash, jr.
Richard Henry Ballard.
Leon Chapman Dennis.
Charles William Chalker.
James Clay Short.
Roy Crawford Moore.
William Fred Lafrenz.
Cyrus Joseph Rounds.
John Deane Forsythe.
Theodore Edward Thomas Haley.
John Franklin Hepner.
Samuel Louis Alexander.
Lawrence Byron Wyant.
Albert Denarvous Johnson.
Leslie T. Lathrop.
James Black Muir, jr.
Lewis Augustine Maury.
Edmund Hathaway Stillman.
Robert Chapman Snidow.
John Cary Howard.
Ralph Edwin Richards.
Ralph Hudson Wooten.
Kenneth Burman Bush.
John Frederick Loomis.
Charles Henry Keck.
Abraham Wright Williams.
James Thomas Duke.
Hiram Franklin Plummer.
Thomas Watkins Ligon.
Edward Hale Brooks.
James David Brown.
Wayland Bixby Augur.
Harold Mark McClelland.
William Brooks Bradford.
Arnold Wilkinson Shutter.
Abram Franklin Kibler.
Cecil Ray Moore.
Leonce Joseph Blanchard.
Francis Sylvester Conaty.
Granville Byam Smith.
Norman Lee Baldwin.
William Edward Beitz.
Grafton Sherwood Kennedy.
Richard Ridgely Lytle, jr.
William Caldwell Dunckel.
Harold Clarkson Mabbott.
Rex Byerly Shaw.
John Waller Faulconer, jr.
Richard Erastus Taylor.
Gennad Alban Greaves.
Robert Vansant Finney.
Francis Murry Crist.
Frank Charles Howard.
Harman Paul Agnew.
William Mitchell Wiener.
Lucas Elmendorf Schoonmaker.
William Fergus Kernan.
Gordon Marshall Wells.
Don Charles Faith.
Raymond Orr.
Hermon French Safford.
Clifford Dean Hindle.
Thomas Adam Austin, jr.
Morrill Ross.
Vernon McTyeire Shell.
Roland Legard Davis.
John Averill Steere.
James William Anderson.
Leslie Edwards Babcock.
Francis Howard Wilson.
James Charles Longino.
Walter Adams Mack.
John Cleary Kernan.
Maxton Hale Flint.
Howard Jennings Gorman.
Eugene Peter Henry Gempel.
Charles Swett Pettee.
Elmer Ellsworth Hagler, jr.
Leon Adolph Des Pland, jr.
John Melville Sanderson.
Sidney Hamlet Negrotto.
Gustav Joseph Braun.
William Henry Egle Holmes.
John Lindley Gammell.
Charles William Walton.
Douglas Meriwether Griggs.
James Vincent McConville.
Ward Hale Maris.
Hugh John Fitzgerald.
Everett Langdon Upson.
James Paul Jacobs.
Paul Joseph Matts.
Cornelius Henry Menger.
Don Forrester Pratt.
Robert Rush Hawes, jr.
William Henry Seymour.
Joseph Shelburn Robinson.
Willard Allen Reddish.
Ernest Ransome Percy.
Murray Henry Ellis.
Sherwood Holmes Taber.
Wolcott Paige Hayes.
Ernest Cleveland Bomar.
Lawrence Augustus Shafer.
Donovan Paul Yeuell.
Charles Edward Atkinson.
Thurlby Morgan Rundel.
Charles Bernard Beeler Bubb.
Charles Joseph McIntyre.
Gustave Bismark Guenther.
Edward Benedict McCarthy.
Leslie Frederick Lawrence.
Horace Waldo Forster.
Edwin Hubert Randle.
Simpson Ridley Stribling.
Francis Marion Rich.
Edwin Gowdy Watson.
Leon Franklin Sullivan.
Waldemar Adolph Falck.
Walter Clark Armstrong.
Carl John Rohsenberger.
William Barber Townsend.
Hunter McGuire.
Richard Derby.
James Veto McDowell.
Steven Bayard Wilson.
James Thomas Campbell.
Howard Spencer McKirdy.
Edwin Ralph Rinker.
Harry Lee Hart.
John Henry Gibson.
George Washington Gering.
James Henry Beals Bogman.
Walter Earl Ditmars.
Robert Harold Gallier.

Percy Stuart Haydon.
Enwin Earnest Aldridge.
Edwin Blake Crabill.
Edmund Walton Hill.
Albert Edward McIntosh.
Alfred Marston Shearer.
Jefferson Kinney.
Halbert Hale Neilson.
Leland Charles McAuley.
James Obadiah Tarbox.
Truman Everett Boudinot.
Raymond Frank Edwards.
Maurice Eugene Barker.
Oren Anelen Mulkey.
Charles Chester Bond.
Stephen Boon, jr.
Harold Glaucus Holt.
Roy Vernon Morledge.
Robert Alexis McClure.
Francis Brown McCollom.
Joseph Benton Wirt.
Graham Roscoe Schweickert.
Charles Gordon Hutchinson.
Chester Paul Dorland.
Archie E. Groff.
George Davis Wiltshire.
Alfonso Frederick Zerbee.
Arthur John Wehr.
Wannie Lee Bartley.
Norman John McMahon.
Donald Norris Bartow.
Paul Louis Singer.
Joseph Louis Ready.
Lloyd Russell Rogers.
Earl Coulson Flegel.
Herbert Blish Wheeler.
Charles Carroll Nathan.
Arthur Joseph Lacouture.
Wilbur Storm Elliott.
Kirke Brooks Lawton.
Neil Smith Edmond.
Harold Haney.
Martin DeWitt McAllister.
William Henry Colbern.
Marcel Alfred Gillis.
John William Carroll.
Joshua Shelton Bowen.
Leighton Coleman Worthington.
David James Daly.
Floyd Merritt Hyndman.
Ira Claude Nicholas.
Clarence Walter Richmond.
Thomas Jett Powell.
Lorenzo Lamont Snow.
William Herbert Murphy.
John Bryce Casseday.
John Francis Hanley.
Ben Stafford.
Theose Elwin Tillinghast.
Daniel J. Dunn.
Dover Bell.
Harry Leroy Black.
Harold Lester Egan.
William Lawrence Conway.
Joseph Yuditsky.
William Tussey.
George Aloysius O'Donnell.
Albert Barnett Jones.
Hamilton Thorn.
John Sutherland Claussen.
James Aloysius Hasson.
Robert Edward Jones.
Louis Leonard Chatkin.
Clarence Howard Kells.
Harold Ragan Priest.
David Cleveland Kelly.
Frank Henry Hollingsworth.
Randolph Russell.
Philip Ramer.
Brock Putnam.
Keelah Bouve.
Edwin Miles Sumner.
Thomas Henry Green.
Francis M. Fuller.
Harold de Beaumont Bruck.
Sidney Abdiel Sands.
Donald Anderson Young.
Hans Charles Minuth.
Christian Allen Schwarzwaelder.
Edwin Clarence Gere.
George Gill Ball.
Harold Putnam Detwiler.
Clarence Francis Hofstetter.
George Stanley Victor Little.
Charles Lawrence Bolte.
Eugene Crehan Callahan.
Paul Sheeley Roper.
Theodore Francis Wessels.
Sherman Kennedy Burke.
Arthur John McChrystal.
Malcolm Fraser Lindsey.
Jean Elsworth Nelson.
Horace Oscar Cushman.
Harley Latson.
William Maine Hutson.
Thomas Maury Galbreath, jr.
Harry Robert Kilbourne.
Thomas Phillips.
David Henry Finley.
Clifford Arthur Eastwood.
Vinton Lee James, jr.
William Franklin Campbell.
Stuart Cutler.
John Reuben Boatwright.
Lester Nelson Allyn.
Henry Lester Barrett.
Archibald Donald Fisken.
Fenton Stratton Jacobs.
Raymond Rolland Tourtillott.
George Albert Hadd.
Joseph Purnell Cromwell.
Bernard Paul Hoey.
Catesby ap Catesby Jones.
Sanford Dole Ashford.
William McBlair Garrison.
Eustace Peabody Strout.
Wallace William Parker.
James Laird Craig.
Ray Moxey Hare.
Walter Francis Mullins.
Henry Lord Page King.
Charles Wharton.
Harry William Koster.
Glenn Howenstein Stough.
Charles Ernest Loucks.
W. Dirk Van Ingen.
Herbert Vaughan Scanlan.
Alfred James McMullin.
Gerald Leonard Marsh.
George Phillip Seneff.
Russell Gordon Ayers.
William Allen Wappenstein.
Charles Hayden Owens.
Carter Collins.
Hugh McCauley Cochran, 3d.
George Edwin Abrams.
Clifton Rodas Breckinridge, jr.
Albert Dickinson Foster.
Ercil Dale Porter.
Harold Jack Adams.
Claude Alfred White.
John Franklin Farnsworth.
Paul Jamison Hunt.
William Booth Van Auken.
Archer Lynn Lerch.
John Arthur Pierce.
Wendell Lapsley Clemenson.
Moses William Pettigrew.
Walter Francis Kraus.
Charles James Deahl, jr.
Frank Macdonald Ogden.
Arcadi Gluckman.
Dale Milton Hoagland.
Maurice Webster Ocheltree.
Roy Thomas Rouse.
Ivan Benson Snell.
Lester Martin Kilgarif.
James Wilson Rice.
James Polk Gammon.
James Irving Gibbon.

Henry Kirke White.
Howard Forrest Long.
Burton Curtis Andrus.
Arthur Henry Besse.
Arthur Lafayette Warren.
Merritt Halstead Greene.
Irwin Lytle Lummis.
Ary Clay Berry.
Mark Milton Serum.
Arthur William Gower.
John Taylor Lewis.
Ross Breckon Warren.
Walter David Luplow.
Samuel Lusker McCroskey.
Arvid Paul Croonquist.
James Edward Cole, jr.
Oliver Boone Bucher.
Clarence Ames Martin.
Francis Stuart Swett.
Henning Linden.
Trevor Washington Swett.
Harry Eugene Dodge.
George Read, jr.
Harold Taylor Brotherton.
Miles Whitney Kresge.
Robert Whipple Wilson.
Leslie Norman Ross.
Ralph de Poix Terrell.
Walter Alexander Dumas.
Edwin Emerson Keatley.
George Worcester Ricker.
William Blackburn White.
George Comfort Parkhurst.
Don Magruder Scott.
James Edward Wharton.
Stephen Mahon.
Kenneth Leeds Holmes-Brown.
Harvey Ernest Ragland.
Martin Dunlap Barndollar, jr.
Francis Clark Lewis.
Lewis Simons.
James Harold Day.
Charles Jester Davis.
George William Outland.
Hiram Russell Ide.
John Mead Silkman.
Loren Archibald Wetherby.
James Joseph Coghlan.
Bernard Butler McMahon.
George Edwin Fingarson.
Stanley Raymond Mickelsen.
James Patrick Kelly.
Elwood Miller Stokes Steward.
Ernest Albert Rudelius.
William Lee Blanton.
Harold Eugene Sturcken.
John Brainard Fidlar.
Wilbur Burnette Sumner.
Thomas Brady, jr.
Porter Pise Wiggins.
Gilbert Xavier Cheves.
Paul Bacon Matlock.
William Edward Corkill.
John Thomas Zellars.
Richard Alfred McClure.
Carroll Gowen Riggs.
Charles Donald Brown.
John Adams Bullard.
Herbert Towle Perrin.
Emons Bert Whisner.
George Wesley Griner, jr.
Douglas Lee Crane.
Hugh Tullock Mayberry.
Wade Carpenter Gatchell.
Harry Newton Blue.
Frederic Harris Timmerman.
Moses McKay Darst.
Harry Staples Robertson.
Amos Eugene Carmichael.
Samuel O'Connor Neff.
Philip Edward Brown.
Andrew Jackson Wynne.
Olaf Phillips Winningstad.
Winfred Charles Green.
Marion Irwin Voorhes.
George Arthur Davis.
George Van Wyck Pope.
George Ellsworth Butler.
Edgar Lewis Clewell.
Walter Frank Goodman.
Herbert Fritz Ernst Bultman.
Leon Draper Gibbens.
Ralph King Learnard.
Robert Alexander Kinloch.
Joel Rankin Burney.
Wilton Burton Persons.
Campbell Nelson Jackson.
Homer Case.
John Henry Gardner, jr.
Earl Cranston Ewert.
Donald Degray Demarest.
Ralph Merton McFaul.
Bird Little.
Lucian King Truscott, jr.
Einar Walter Chester.
James Allen Griffin.
Guy Cummins McKinley, jr.
Gordon Prescott Savage.
Harold Hugh McClune.
Lester Earl MacGregor.
Harold Pearson Gibson.
Lloyd Ross Besse.
James Hugh Akerman.
Hugh Merle Elmendorf.
Charles Fearn Sutherland.
Gilbert Everhard Parker.
Francis Beeston Laurenson Myer.
Arthur Seymour Nevins.
John George Murphy.
Gustave Villaret, jr.
Edwin Sanders Van Deusen.
Andrew Stewart Messick.
William Lawrence Phillips.
Joe Jene Miller.
George Alfred Hunt.
Frank Johnson McSherry.
Gabriel Requa Mead.
John Ernest Dahlquist.
Russell Symonds Fisher.
William Eugene Farthing.
Tom Sherman Brand.
Charles Morris Ankcorn.
James Robinson Urquhart.
Morrill Watson Marston.
William Edward Bergin.
John Olis Crose.
John Calvin Butner, jr.
Benjamin Wilson Venable.
John Lawrence Murphy.
Edward Stanley Ott.
Ralph Bridges Bagby.
Melvin Leslie McCreary.
Allan Hanson Snowden.
Herman Hollie Felix Gossett.
Lester Johnson Whitlock.
Burt Eugene Skeel.
Henry Augustus Brickley.
Roger Wisner.
A. Pledger Sullivan.
Harry Lee Campbell.
John Kay Christmas.
Harvey Edward.
Leo James McCarthy.
Earl Franklyn Paynter.
Ernest Arthur Williams.
George Price Hays.
George Harrison Millholland.
Harrison Bruce Beavers.
Herbert Daskum Gibson.
Harry Squire Wilbur.
Ralph Julian Canine.
Paul Blassengame Robinson.
William Lamont Coulter.
Joseph Henry Hinwood.
Russell Fleming Walthour, jr.
James Crawford DeLong.
Timothy Asbury Pedley, jr.
Donald Ross Dunkle.
James Sullins Varnell.
Chester Earl Davis.

Edwin Turner Bowden.
Cassius Hayward Styles.
Holmes Gill Paullin.
Ransom Davis Spann.
Ray Edison Porter.
Frank Exley Barber.
John Earl Brannan.
Arthur Castle Hawkins.
John Hamilton Irving.
Alfred Pruden Kelley.
Oliver Ferguson Marston.
Evan Dhu Cameron, jr.
Clarence Clemons Park.
Glenn Smith Finley.
William Volney Rattan.
Rosswell Eric Hardy.
Manly Foster Meador.
Zim E. Lawhon.
Lloyd Zuppann.
John Kirkland Rice.
Hammond Davies Birks.
James Holden Hagan.
Lester Smith Ostrander.
John Wesley Card.
Clarence Beryl Werts.
Roscoe Bunyan Ellis.
Frank Milton Conroy.
Charles Spurgeon Johnson.
Manly Broadus Gibson.
Charles Henry Hagelstein.
John Harold Keatinge.
Hugh Andrew Wear.
George Allan Miller.
David Loring, jr.
James Warren Andrews.
Stockbridge Carleton Hilton.
William Russell Philp.
George Anthony Horkan.
Charles Herman Unger.
Walter Harold Soderholm.
Samuel Cramer Thompson.
Harry Winant Caygill.
James Elson Jeffres.
Vennard Wilson.
Orlo Harry Quinn.
William Henry Sullivan.
Serafin Manuel Montesinos.
Pedro Angel Hernandez.
Carlo Antonio Pivirotto.
Thomas Roger McCarron.
Benjamin Seymour Stocker.
Anastacio Quevedo Ver.
Manuel Font.
Henry Stehman Hostetter.
Emmet Crawford Morton.
Rafael Garcia y Larrosa.
Carl Archibald Bishop.
James Ellis Slack.
Marvin Randolph Baer.
James Cadmus McGovern.
Manuel Benigno Navas.
Enrique Manuel Benitez.
Vicente Nicolas Diaz.
Andres Lopez.
Ramon Salvador Torres.
Modesto Enrique Rodriqueg.
Roy Walton Heard.
William Mayer.
Arnold Richard Christian Sander.
Will Harley Evans.
Charles Orval Thrasher.
Frank M. Moore.
Edwin Kenneth Crowley.
Earl Alva Hyde.
Thomas Arthur Reiner.
Horatio Gano Fairbanks.
Edward Shippen West.
Bernard Joseph Finan.
George Bernard Wescott.
Caesar Rodney Roberts.
Hjalmar Bernhardt Hovde.
Claire Elwood Hutchin.
Walter Carl Claussen.
John Summerfield Vincent.
George Nicholl Randolph.
R. T. Walker Duke.
Herbert William Schmid.
Lloyd Leslie Hamilton.
Eustace Meduro Peixotto.
Watson Longan McMorris.
Arthur Walter Penrose.
Frederick DeCaro.
Armin Ferdinand Herold.
Joseph Church.
Clinton Enos Fenters.
Robert Trisch Willkie.
Elmer Royal Block.
Nels Gustaf Sandelin.
Elmer Sharpe Van Benschoten.
Ralph Pollock, jr.
John Graham Ardon.
Otto Harwood.
Harold Harrison Barbur.
Ellis Warren Butt.
Otho Williams Budd, jr.
Eugene Vincent Behan.
Carl Christian Anderson.
Cecil Claude Ray.
Charles Davis Vollers.
John Edward Covington.
Clyde Purcell Taylor.
Willis Earl Simpson.
George Franklin Davis.
Hubbard Errette Dooley.
Roye Pannebecker Gerfen.
James Jarlath Kelly.
Willson Young Stamper, jr.
George Harrison Stuts.
Gordon Cushing Day.
Charles Jesse Mabbutt.
Walter Andrewsen.
Ernest August Guillemet.
John Albion Chase.
James Allen Ryan.
Henry Edward Tisdale.
Clyde Kelly.
Herman Goodwin Halverson.
Leslie Norman Conger.
Thomas Morris Jervey.
Thomas Nottingham Williams.
Albert Joseph Beale.
William John Niederpruem.
Eugene Nelson Frakes.
John Russell Young.
John Marvin Hagens.
Morris Easton Conable.
Robert Stuart Smith.
Charles Francis Sullivan.
Paul Cassius Berlin.
Edward Avery Austin.
Karl Minnigerode.
Hartwell Newton Williams.
Harry Wright Hill.
Robert Wilkin McBride.
Charles Addison Pursley.
Bert S. Wampler.
Edmund Fitzgerald Hubbard.
Henry Tureman Allen, jr.
Halbert Eli Norton.
George Rankin.
Charles Franklin Johnson.
Carl Herbert Odeen.
James Everett Snider.
Adam Richmond.
Charles Jackson Sullivan.
Winfield Orval Shrum.
Paul Roy Guthrie.
Ernest Franklin Dukes.
Ira Edgar Ryder.
Herbert Randolph Roberts.
James Roger Kennedy.
Harry Joseph Gaffney.
Charles Francis Frost Cooper.
Frank Ward.
Harold Edward Potter.
Rufus Boylan.
Warren Crouse Hurst.
Charles Clinton Griffin.
Willard Lapham Smith.
George Luke Usher.

George H. Cushman, jr.
Lester Abraham Harris.
William Lackey Mays.
John Patrick Welch.
Thomas Almeron Bryant.
Daniel Bernard Cullinane.
Llewellyn de Waele Tharp.
Harvey Watson McHenry.
Frank Lenoir Reagan.
George Randall Wells.
Thomas Ernest Campbell.
John T. Boyle.
Peyton Winlock.
Clarence Lineberger.
George Mortimer Couper.
William Jasper Black.
Homer H. Beall.
Abraham Max Lawrence.
Frank Thornton Addington.
Paul Ernest Leiber.
William Barnard Lowery.
James Francis Strain.
Albert Earle Matlack.
Francis Norton Neville.
Francis Curran Browne.
Harry Lynn Henkle.
Merrifield Graham Martling.
Fred Stevens Byerly.
Austin Webb Lee.
Lewis Andrew Pick.
Oscar Stanley Smith.
Joseph Henry Davidson.
John McDowell.
Walter Cox Rathbone.
Harry Watson Bolan.
Alfred Clarence George.
George Bagby Campbell.
Harry Martin Andrews.
Chauncey McCullough Lyons.
Edward Phillip Wadden.
William Yeates.
Paul Miller Ellman.
John Edward Doyle.
Irvin Henry Zeliff.
Ellis Wiswell Hartford.
Paul Jones Mathis.
Frank Ellsworth Brokaw.
Beverly Allison Shipp.
Walter Kendall Wheeler, jr.
Charles Sherwood Gilbert.
Robert Oliver Shoe.
Charles Crisp Morgan.
Ellis Edward Haring.
Malcolm Everett Craig.
Roland Thorse Fenton.
Milton Orme Boone.
Perry Edward Taylor.
John Samuel Schwab.
Walter Daugherty McCord.
James Esmond Matthews.
William James Robertson.
Harry Jefferson Farner.
John Lawrence Slade.
Samuel Lynn Dunlop.
Charles Sydney Hammond.
Joseph Wheeler Starkey.
Harrington Willson Cochran.
Fred Harry Enckhausen.
Leo Joseph Dillon.
Alberto Eugene Merrill.
Thomas Jefferson Heald.
John Merle Weir.
Samuel Clifton Cratch.
Hubert Ward Beyette.
Moore Alexander Stuart.
Evan Jervis Morris.
James Monroe Morris.
Elbridge Colby.
Herbert Hatchett Blackwell.
Richard Adams Knight.
Samuel Stafford Wolfe.
Cecil Oliver Temple.
Chester David Milton.
Roy Victor Rickard.
Alfred Volckman Ednie.
John Wilmar Blue.
Otto Gresham Trunk.
Frank McCormick Nihoof.
Edmund Gerald Steis.
William Russell Frost.
Freeman Bozeman Daniel.
Frederick Wilhelm Tell Sterchi.
Earl LeVerne Lyons.
Kenneth Smith Wallace.
Howard Haines Cloud.
Thomas Jefferson Jackson.
Clarence Lloyd Midcap.
Fred Martin Distelhorst.
Gordon Hall Steele.
Harry Kuteman Adams.
Louis William Eggers.
Charlie Anthony Valverde.
Francis Egan.
Neil Brown Simms.
Fred Ivan Gilbert.
John Leverett Farley.
Charles William Mays.
James Carlisle Patterson.
John Joseph Nealon.
Maurice Vernon Patton.
Arthur Vanderpool Winton.
Alexander Hill Cummings.
Blaisdell Cain Kennon.
Leslie Johnathan Cartwright.
Harland Fisher Seeley.
Wallace Chace Steiger.
John Huston Church.
Irving Marion McLeod.
Frank Leslie Thompson.
Harold Baxter Crowell.
Harold Eugene Eastwood.
Gilbert Taylor Collar.
Chester Carlton Westfall.
William Langley Wharton.
Henry Herbert Cameron.
William Otis Poindexter.
Anthony Power Lagorio.
Andrew Paul Paulsen.
Benjamin Franklin Giles.
Ernest Clifton Adkins.
Moses Foss Cowley.
Lee Huber.
Arthur Hurd Lee.
Lee Varnado Hunnicutt.
Keith Kenneth Jones.
Thomas Green Poland.
Caspar Ray Crim.
Robert Henry Crosby.
Chester Russell Fouts.
Thomas Deweese Davis.
John Liggat Tunstall.
Frank George Rogers.
George Lyman Prindle.
Philip Theodore Quinn.
Leslie Walter Brown.
Tobin Cornelius Rote.
Fraser Hale.
Isaac Brown Mayers.
Joseph English Hall.
John Beall Harvey.
Owen Meredith Marshburn.
Reading Wilkinson.
Nicholas Hamner Cobbs.
Willian Allen Hale.
David Eugene Barnett.
Earle Albie Johnson.
Edgar Harland Keltner.
Jesse Andrews Rogers, jr.
Furman Walker Hardee.
Charlie Campbell McCall.
Robert Quail Whitten.
Benjamin Haw Lowry.
Charles Peter Lynch.
Edward Crews Black.
William Burbridge Yancey.
Edwin Henderson Quigley.
Raymond Leroy Shoemaker.
Shirley Wiggins McIlwain.
Charles Edward Richardson.
John Phillip Scott.

Charles August Hoss.
Andrew Christian Tychsen.
George James Burns Fisher.
Edmond Hugh Brown.
Laurence Mickel.
Robert John Wallace.
John Swan Moore.
Henry Earl Minton.
Lovic Pierce Hodnette.
Arthur S. Champeny.
John Hamilton Cochran.
Ralph Alfonzo Gibson.
John Benjamin Holmberg.
Lloyd William Goeppert.
Henry William Robinson.
William Michener.
Don Norris Holmes.
Ernest Everett Boyle.
Letcher Ogle Grice.
William Millican Randolph.
Alexander Jesse MacNab.
Walter Hibbard.
Ralph Leroy Ware.
Chauncey Aubrey Bennett.
Brisbane Banks Brown.
Charles Andrew Robinson.
Joe Shurlock Underwood.
Albert Charles Gale.
Elmer Douglas Campbell.
Clarence John Blake.
John Joseph Buckley.
LeRoy F. Pape.
Harry Dennis Furey.
Charles Henry Wilson.
John George Pickard.
Winfred Houghton.
Richard Mathews Sandusky.
Ernest Francis Boruski.
Harold Mays Tague.
John Walker Henson.
Eugene Arthur Regnier.
William Grove Murphy.
Preston Wilson Gillette.
James Lindley Coman.
Joseph James Canella.
Walter Alexander Wood, jr.
Charles McKinley Kemp.
Howard Avil Worrell Kates.
Raymond Cecil Hamilton.
Harold Albert Baumeister.
Jasper Morris Groves.
Norris Adron Wimberley.
Orlean Nelson Thompson.
Joseph Aloysius St. Louis.
Joseph Saddler Dougherty.
Richard James Kirkpatrick.
Carey Ephriam Campbell, jr.
Clarence Ronald Peck.
Ray Milton House.
Pierre Mallett.
Overton Walsh.
Clarence Harvey Bragg.
DeWitt Clinton Smith, jr.
John Curtis Newton.
Leslie Lancaster Heller.
Vaughan Morris Cannon.
Wilson Stuart Zimmerman.
Graeme Gordon Parks.
Edwin Paull Ketchum.
Frank Lee McCoy.
George Lucius Blossom.
Cyril Clifton Chandler.
Fred Harold Norris.
Raymond Emanuel Hoffman.
James Francis Clark Hyde.
Robert James Kirk, jr.
James Edward Mendenhall.
Leo Alexander Bessette.
Kent Clayton Mead.
James Wellington Younger.
Amory Vivion Eliot.
James Clarence Reed.
Eugene Ferguson Hinton.
Oliver Wendell Broberg.
Clarence Earle Lovejoy.
Richard Sylvester Gessford.
Benjamin Mills Cronshaw.
Curtis Loyd Stafford.
Alexander Garrett Olsen.
Robert Kauch.
Arthur Riehl Wilson.
John Major Reynolds.
Basil Vernon Fields.
Bickford Edward Sawyer.
Irwin Samuel Dierking.
Donald Boyer Rogers.
Clinton Fisk Woolsey.
Joseph Batholomew Conmy.
William Randolph Watson.
George Curtis McFarland.
Collin Stafford Myers.
John Peter Neu.
William Herschel Middleswart.
Arden Clucas Miller.
Frank Sims Mansfield.
Paul Clarence Spears.
Ralph C. G. Nemo.
Ross Franklin Cole.
Oakley Leigh Sanders.
John Pinnix Lake.
Heston Rarick Cole.
Russel Burton Reynolds.
Harold Douglas Dinsmore.
Paul Clarence Boylan.
Ralph Floyd Love.
William Irving Sherwood.
Charles Wilkes Christenberry.
Charles Andrew Beaucond.
Horace William Mooney.
Robert Mansfield McCurdy.
Stewart Franklin Miller.
Hugh Campbell Parker.
Floyd Marshall.
William Carey Lee.
Leonard Henderson Sims.
John Edwin Ray.
Roy Thomas Barrett.
John Jeremiah Bachman.
Raymond Jay Williamson.
Vere Painter.
Walter Julius Ungethuem.
William Tecumseh Haldeman.
James Michael Grey.
Marcus Aurelius Smith King.
Walter Raymond Graham.
Albert Hovey Peyton.
James Patrick Murphy.
Neal Creighton Johnson.
Norman Pyle Groff.
Nelson Dingley, 3d.
Claudius Miller Easley.
Ernest Frederick Apeldorn, jr.
Richard Weaver Hocker.
John Cleveland Robinson Hall.
Benton Frank Munday.
Joseph Ware Whitney.
Peter P. Salgado.
Henry Hockwald.
Frederick LeRoy Black.
Charles Samuel Moyer.
Dennis Coburn Pillsbury.
Sidney Lanier Conner.
Joseph James Goffard.
Arthur Joseph McShane.
Martin Ackerson.
Herbert Edwin Featherstone.
Frank Unsworth McCoskrie.
Edgar Gersham Coursen, jr.
Edward William Budy.
Andrew Jackson McFarland.
Myles Douglas Savelle.
Rudolf Karl Schlaepfer.
George Jacob Giger.
John William Stanley.
Clyde Pickett.
John Neely Hopkins.
William Agnew Nowland.
Clifton Augustine Prichett.
Luke Donald Zech.
Lucian Dalton Bogan.

Richard Law Hubbell.
Thomas Ralph Miller.
Nole Erick Stadig.
Ben-Hur Chastaine.
Leigh Bell.
George Frederick Spann.
McGregor Snodgrass.
John Herman Knuebel.
Erle Dorr Ferguson.
Harry Clayton Luck.
Robert Harry Tompkins.
Charles Cameron Lewis.
Thomas Ralph Kerschner.
Harry Richardson Simmons.
Kenneth Frederick Hanst.
Walter Harold Root.
Fred W. Miller.
Arthur Alexander McClaughry.
Ross Ormall Baldwin.
James Alphonse Kilian.
Donald Patrick Muse.
Karl Christian Schwinn.
Perry Lee Baldwin.
George Thomas Shank.
Thomas Butler Burgess.
Russell Conwell Throckmorton.
Albert Chester Searle.
Asa North Duncan.
Thomas Francis Coleman.
Carl Austin Russell.
Hal Tanner Vigor.
Will Gillette Gooch.
Thomas Grover Carlin.
Maurice Joseph McGuire.
Walter Carey Rogers.
Edward Ebert Walker.
Chauncey Harold Hayden, jr.
Erle Oden Sandlin.
Roy Minor Robinson.
Isaac George Walker, jr.
Walter Edward Jenkins.
William Elmer Lynd.
Everett Franklin Brooks.
Ernest Louis McLendon.
Walter Ralls Lawson.
Rhodes Felton Arnold.
Paul Edmund Burrows.
George Harold Brown.
Elmer Daniel Perrin.
Wallace Robinson Fletcher.
Dale Vincent Gaffney.
Thomas Kennedy Matthews.
Kenneth Bonner Wolfe.
Stanley Powloski.
Harry Lincoln Calvin.
William Tillmon Agee.
Fraser Richardson.
Clifford Irving Hunn.
Chester Howard Elmes.
John Vernon Hart.
Richard Hartnett Magee.
Charles Simpson Carroll.
Henry Harold Reily.
Samuel DeWitt Tallmadge.
Donald Dakin Lamson.
Augustus Dawson Sanders.
William James Wagonknight, jr.
Cola Edgar Stone.
Mitchell Franklin Orr.
Edward Milan Taylor.
Dayton Dudley Watson.
Herschel David Baker.
Herbert Edward Baker.
Donald David Fitzgerald.
Ulmont Ogden Cumming.
Thomas Standifer Gunby.
Andrew Paul Sullivan.
Austin Walrath Martenstein.
Louis Rada Balvosa.
John Derby Hood.
Melvin Reginald Ginn.
John Dillard Goodrich.
Joshua Dever Powers.
Arthur Vincent Gair.
John Vincil Stark.
Frank Augustus Keating.
Carlyle Judson Hancock.
Allison Joseph Barnett.
George Pollock Bush.
William Settle Evans.
Walter Moody Tenney.
Arthur Shelby Levinsohn.
Richard Bartholemew Moran.
Arthur Oscar Walsh.
Harry Lauman Waggoner.
Walter Herbert Wells.
LeRoy Lutes.
William King Harvey.
Richard Thomas Edwards.
Welcome Porter Waltz.
Edwin Hugh Johnson.
James Williston Callahan.
Russell McKee Herrington.
Lawrence Aloysius Quinn.
Lewis Abram Pulling.
Dallas Royce Alfonte.
Peter Hansen.
Fred Matthew Fogle.
Luis Felipe Cianchini.
Arthur Carroll Waters.
Ernest Terrill Barco.
Lester Amiel Daugherty.
Porter Prescott Lowry.
Jerome Jackson Waters, jr.
Thomas Grafton Hanson, jr.
Victor Emanuel Domenech.
James Jay Cecil.
George Albert Moore.
James Madison Shelton.
Antonio Andres Vazquez.
Alex Shepherd Quintard.
Forsyth Bacon.
Ralph Leslie Joyner.
Roscoe Stewart Parker.
Norman Minus.
Heywood Shallus Dodd.
Kent Craig Lambert.
George Edward Huthsteimer.
Thomas Gerald O'Malley.
Maurice Morgan.
Gilbert Edwin Bixby.
John Downing Hill.
Frank Wiltshire Gano.
John Leonard Pierce.
John Joseph Atkinson.
Charles Frederick Houghton.
Lowell Ward Rooks.
Samuel Davies Bedinger.
Malcolm Vaughn Fortier.
Ivan Neal Waldron.
Edward Christopher Allworth.
Roland Winfred Wittman.
John Walter Nicholson.
Thomas Allan Young.
Charles Haines Lee.
Ray Bradford Conner.
Malcolm McGregor Maner.
John Lloyd McKee.
Glenn Luman Allen.
Charles Rouse Jones.
Willard Stewart Paul.
Moritz Augustus Rust Loth.
Robert Henry Chance.
John Briggs Day.
Harry Augustine Buckley.
Samuel Rufus Ward.
March Hugo Houser.
James Brown Golden.
Willfred Rowell Higgins.
Frederick Stone Matthews.
Jesse Pees Green.
Howard Winthrop Turner.
William Audley Taber.
Henry Garner Sebastian.
Wesley Crowell Brigham.
William Major Goldston.
Cyrus Higginson Searcy.
Leon Edward Norris.
David McAllister Hunter.
Tasso Wadsworth Swartz.

Edward William McCaskey, jr.
Frederick Irving Eglin.
Joseph James Pire.
Turner Ransom Sharp.
William Joshua Jackson.
George Truman Phipps.
Fred During.
Merle Clifford Leonard.
Allan Johnson.
Frank Tillotson.
Jesse Russell Bowles.
Barrett DeTuberville Lambert.
Ward Currey Goessling.
Richard David Daugherity.
William Ogden Johnson.
Miron James Rockwell.
Harold Burton Gibson.
Victor Roland Woodruff.
Gustave Adolph Mellanchton Anderson.
William E. Kepner.
Melvin Selmer Williamson.
William Chapman Peters.
Robert William Yates.
Charles McDonald Parkin
Dana Caswell Schmahl.
Frank Peter Stretton.
Wilbur Granville Dockum.
Clinton Mansfield Lucas.
Jacob Edward Bechtold.
Harry Adamson.
Harry Burden Berry
Steele Wotkyns.
Samuel Gilbert Fairchild.
Francis Augustus Woolfley.
William Francis Stromeyer.
Leslie Leonard Connett.
Owen Rivers Rhoads.
Carl Russell Adams.
Joe L. Ostrander.
Byron Tully Ipock.
George Walter Hovey.
Elmer Forrest Wallender.
Carl Eugene Driggers.
Carl Grady Lewis.
Harry Vincent Hand.
Ray S. Perrin.
Frederick Vernon Edgerton.
John Edward Grant.
George Alva Stockton.
Ben Menadue Sawbridge.
Charles W. Neues.
Harold Wheeler Kelty.
Warren Daniel Davis.
Dominic Joseph Sabini.
Woodworth Bowman Allen.
Robert Ferris.
Lewis Mesherry.
Charles Thomas Halbert.
Herman Feldman.
Ned Blair.
Robert Perry Mortimer.
Ernest Alvin Kindervater.
Jared Irwin Wood.
Gordon Cogswell Irwin.
Everett Marion Yon.
Grady Henry Pendergrast.
Robert Earle Frye.
John Harvey Fye.
George Lawrence Hopkins.
George Mood McMullin.
Harold Krebs Coulter.
Nicholas Szilagyi.
Frederick Weston Hyde.
Leon Stanley Hatfield.
Charles Royal Lehner.
Rosser Lee Hunter.
Carroll Arthur Powell.
Claude Gilbert Benham.
James Lester Allbright.
Feodor Otto Schmidt.
James Francis Brittingham.
Frank Clide De Langton.
Oscar Bergstrom Abbott.
George Seymour McCullough.
Carter Roderick McLennan.
Roderick Alexander Stamey.
Walter Ernest Duvendeck.
Geoffrey Galwey.
Roy Sparks.
Louis Garland Gibney.
David Seth Doggett.
John Frank Gleaves.
Arthur Daniel Ruppel.
Allen Flood Kirk.
Thomas Grady Jenkins.
Francis Samuel Bayard Cauthorn.
Roy Dayton Burdick.
Madison Edward Walker.
Richard Smith Duncan.
James Ensor Simpson.
Winthrop Ausley Hollyer.
Franklin Abraham Green.
David Haldane Trevor.
Leslie Carlyle Wheat.
Lawrence Harold Bixby.
Robert William Norton.
Walter Compere Lattimore.
Charles James Booth.
Claire Algernon Whitesell.
Russell Hubbard Dixon.
Everett Marshall Graves.
William Tuttle Hamilton.
William Valentine McCreight.
Virgil Bell.
William Granville Purdy.
Chesley Ray Miller.
Frederick Francis Duggan.
Francis Ray Mann.
Walter Lee Mitchell.
Robert Franklin Dark.
Mimucan Dabney Cannon.
Samuel Marshall.
Harry Howard Baird.
Ralph Slate.
Nathan Eugene McCluer.
Ernest John.
Francis Hutchins Waters.
Ralph Marshal Caulkins.
William Taylor Bauskett, jr.
Claudius Leo Lloyd.
Francis Gaines Bishop.
Carlisle Barksdale Cox.
Joseph Lester Brooks.
Moe Neufeld.
Carlos Watkins Bonham.
Donald Richard McComas.
Sidney James Cutler.
John James Finnessy.
Charles Wells Jacobson.
Richard Fairfax Leahy.
Howard Chesebrough Okie.
Eddie James Lee.
William Mathew Cline.
Edward Barclay Wharton.
Frederick Philip Schlandt.
Lewis Edward Hunt.
Charles Henry Ainsworth.
Lessley Eugene Spencer.
James Oliver Smithley.
Henry Hardy Slicer.
Edward Sandford Pegram, jr.
Stanley Gleninger Saulnier.
Will Hughes Gordon.
Thomas Joseph Johnston.
John Marion Rhodes.
John James Maher.
Rice Warren White.
Dudley Blanchard Howard.
Willard Wadsworth Irvine.
Edmund Cecil Fleming.
Charles Emerson Boyle.
William Doughty Evans.
Clarence Noble Winston.
Elmer Parks Gosnell.
William Benjamin Tuttle.
Donald Armpriester Stroh.
Charles Henry Parker, jr.
Edwin Adolph Henn.
Ashley Spencer Le Getts.
Russell Thomas George.

Thomas Clyde McCormick.
Alfred Mynderne Goldman.
Erskine Ashley Franklin.
Arthur Allen Dearing.
Albert Miller Jackson.
Lyle Bishop Chapman.
George Raymond Owens.
Andrew Davis Bruce.
Richard Marshall Winfield.
John Edward Maher.
Joseph Philip Kohn.
Dallas Loyd Knoll.
Philip Armour Helmbold.
Robert Justin Van Buskirk.
Floyd Emerson Galloway.
John Edwin Selby.
William Creveling Trumbower.
Herbert Everett Watkins.
Henry Yost Lyon.
Raymond Lovejoy Newton.
Joseph Anthony Cistero.
Thomas William Freeman.
Paxton Sterrett Campbell.
William Ross Irvin.
Alfred Lyons Baylies.
Roy Leo Schuyler.
Charles Torrance McAleer.
Louis De Laussure Hutson.
Paul Reuben Wing.
Edward Jedd Roe.
Lathan Hunter Collins.
Loren Prescot Stewart.
Frederick Linwood Topping.
Nathaniel L. Simmonds.
Ralph Burgess Skinner.
William Florence O'Donoghue.
Alan Walter Jones.
Charles S. Brodbent, jr.
Myron Weldon Tupper.
Stanley Allen Thomson.
Emery Williamson.
Charles Richard Doran.
Candler Asbury Wilkinson.
Milton A. Lowenberg.
Charles Reid Russell.
John Adams Nettinger.
William Byron Wilson.
Carroll Leonard Ellis.
Stanley Young Kennedy.
William Wilson Belcher.
George Atalbert Goodyear.
Paul Houston Morris.
John Richard Williams.
George Ralston Middleton.
Thomas Henry Shea, jr.
Franklyn Thatcher Lord.
Guy Douglas Thompson.
Royden Kenner Fisher.
Marlin Clark Martin.
David Lee Hooper.
William Louis Morrison.
Robert Fuller Blodgett.
Thomas Raphael Phillips.
Oliver Edward George Trechter.
Charles Stone Reily.
Richard Allen Gordon.
John Lee Autrey.
Edwin Henry Haskins.
James Lawrence.
Alfred Carleton Moeller.
Frederick Lofquist.
Adrin Bruno Smith.
Napoleon Boudreau.
William James Briscoe.
Tom Ward.
Herbert Winterburn.
Stephen Joseph Idzorek.
Clarence LeRoy Strike.
John Roscoe Holt.
Rolland Edward Stafford.
Clyde Charles Alexander.
Henry Mackay Shaw.
Robert Grant Mangum.
Ernest Kuehn.
Robert Andrew Blair.
Robert Lee Hostetler.
Joseph DeGarmo.
Yates Douglas Fetterman.
William Henry Green.
Robert A. Barth.
Russell Gilbert Barkalow.
Hardy Jacks Story.
William Frederick Gent.
Carl William Connell.
Lee Gunnels Carson.
Chambord Henry St. Germaine.
Hardy Pate Browning.
Thomas K. Petty.
William Earle Reid.
Jesse William Penn.
Jacob Herschel Lawrence.
John Tee Bozarth.
Ancil Gatliff Davis.
Martin Luther Kelley.
Samuel Baxter Wiener.
Norris Peters Walsh.
Hans Ottzenn.
John Jay Wilson.
Grover Cleveland Graham.
Augustine Aloysius Kane.
Edgar Joseph Tulley.
Ray Eugene Quigley.
Clarence Frederick King.
Carl Cooley Burgess.
Frank Roy Brockschink.
Axel Hawkenson.
Charles Washington Latimer.
Walter Jessee.
Wilbert Vernon Renner.
Joseph Howard Rustemeyer.
Elwin Stewart Ferrand.
Verne Miller.
Thomas Settle Voss.
Wilbur Herbert Towle.
Fred Fabri.
Thomas Francis Crahan.
Ernest A. Fischer.
Floyd Moore.
Harvey Newton Christman.
Harry Winchester Benson.
Charles Cramer.
George Prentice Cummings.
Charles Winston Burkett.
Clyde Eugene Austin.
Victor Geoffrey Huskea.
Fred Blackburn Rogers.
Sexton Berg.
Cornelius Francis O'Keefe.
Harry Martin McSwain.
William Kenahan.
Raymond Dresden Willis.
James Philip Lyons.
Lloyd Leon Harvey.
Ernest Samusson.
Alfred Steere Knight.
Thomas Watson Hastey.
Bert Emory Cooper.
Hurley Oran Richardson.
Richard August Burkle.
Alfred Gustave Kritzland.
Louis de Jussewicz.
Chester John Hirschfelder.
Morris Berman.
Richard Fayette Fairchild.
Donald John Myers.
Charles Allen Easterbrook.
Herbert Allyn Myers.
Shelby Cyrus Newman.
Rhey Thoburn Holt.
George Fridjhof Bloomquist.
Lloyd Sylvester Dennis.
Ernest Esser.
Frank Emil Stoner.
Edgar Ardeen Elkins.
Roy Francis Lynd.
Ernest Clifford Ayer.
William Edwin Alger.
James Lester Ballard.
Leon Wilbur Strozier.
Martin Robert Rice.

John Patrick Ferriter.
Richard Kidder Meade.
John Daniel Cook.
Thomas Frederick Wirth.
Theodore Bundy.
Walter Bender.
Richard Louis Pemberton.
Maurice Allen Hockman.
Edward James Turgeon.
Thomas Leavey Cleaver.
George Corbett Pilkington.
James Kirker Campbell.
Joseph Louis Bachus.
Elmer Theodore Foss.
Valentine Pearsall Foster.
David Esmond Cleary.
John Henry Balmat, jr.
Harold Dean Woolley.
William James Schaal, jr.
John William Signer.
Fay Ross.
Forrest Edwin Collins.
Harry LeRoy Branson.
Nels Louis Soderholm.
Walter Scott Arthur.
Cyril Branston Spicer.
Carl Marcus Ulsaker.
Grover Cleveland Cleaver.
Arthur Henry Rogers.
Harry Allen Austin.
William Alexander Ellis.
Sydney Clyde Fergason.
Josiah Ara Wallace.
Charles Perfect.
Arthur Milroy Stork.
Fayette Fargo Collins.
James Truman Menzie.
Glenn A. Ross.
Albert Michael Guidera.
Mark Vinton Brunson.
Elbridge Gerry Chapman, jr.
Homer Bobo Battenberg.
Norman Doud Finley.
Philip Theodore Fry.
Calvin Halcomb Burkhead.
Wilmer Micajah Flinn.
Fred Page Andrews.
Bernard Smith.
Donald Buckingham Greenwood.
Lewis Charles Beebe.
Clinton William Ball.
Julius Conrad Tips, jr.
Everett Ernest Brown.
Harry Bassett Huston.
Raymond Edward Vaughan.
Coburn Lee Berry.
James A. Sanders.
Orland Smith Peabody.
Benedict Leo Maloney.
John Peter Nolan.
Arthur Theodore Kreh.
Harry Lee Hagan.
George David Condren.
Gersum Cronander.
Harry Burgie Smith.
Alfred Foster King, jr.
Ernest Coolidge Goding.
Lawrence Stanley Woods.
Edward Joseph Glynn.
Joseph Vincent Coughlin.
Macey Lillard Dill.
Edgar Peter Sorensen.
Edward Julius Renth.
John Rudolph Kaiser, jr.
James Richard Townsend.
George Head Duff.
John Henry Harrington.
Francis Firmin Fainter.
John Wilbert Ramsey.
Peter Girardeau Marshall.
Robert Oldys.
Karol Bronislaw Kozlowski.
Louis Moss Hitchcock.
Mateo Mananjaya Capinpin.
Herbert Foster Wilkinson.
Walter Norman Clinton.
Martin Burtis Dunbar.
Malcolm Byrne.
Raymond Charles Blatt.
Fred William Fallin.
John Francis Hill.
Edward Brigham McKinley.
Charles John Kalberer.
Floy Lyle Hester.
Joseph Penderton Glandon.
Claude Mitchell Adams.
Walter Patrick O'Brien.
James Francis Taylor.
Lester Levi Boggs.
Calvin Sutton Richards.
John Thomas Fleming.
Ira Harry Treest.
Philip Boswell Taliaferro.
Glenn C. Oppy.
Frank Brevard Hayne, jr.
Thomas Reed Bartlett.
Arthur Pickens.
Arthur Drummond Hughes.
Lewis Evans Reigner.
Oscar Nelson Schierven.
Harry Ernest Menezes.
Levin Arthur Bowland.
William Leslie Brown.
Clyde Clarkson Way.
John Ephriam Harrison.
William Henry Brady.
William Gregory Brey.
Don Richman Norris.
Ben Butler Blair.
Lawrence Gibson Forsythe.
John Alfred Hatfield.
Humphrey Swygart Evans.
John Randolph DeVall.
Lewis Frederick Kosch.
William Richard Maris.
Marion Lyman Young.
George Irvin Smith.
Walter Averill Hill.
Everard Franklin Olsen.
Irving Devance Offer.
Arthur Francis Doran.
John Benning Sinclair.
Melvin Earl Gillette.
Oliver Felton Porter.
Severene Spence MacLaughlin.
William Frederic Marquat.
Willis Aubrey Hedden.
Allison Ware Jones.
Godfrey Neil Wyke.
Howard Herndon Davis.
George Eitle Hartman.
Oscar Julian Brittle Whitehurst.
Philip Frederick Biehl.
James Gasper Devine.
Ralph Eldon Harrington.
Richard Bocock Willis.
Burton Francis Hood.
Howard Nathaniel Frissell.
Patrick Eugene Shea.
Edward Samuel Garner.
Earl Elliott Major.
Lloyd Chandler Parsons.
Henry Vaughn Dexter.
Hans Ernest Kloepfer.
Edward Allen Everitt, jr.
Ted Harold Cawthorne.
Erwin Adolph Manthey.
Edward Harrah.
Henry Bartow Dawson.
John William Kelley.
Robert William Corrigan.
Robert Hughes Lord.
Archibald Ross McKechnie.
John Paul Ratay.
Mose Kent Pigman.
Claude Tillinghast Porter.
Reed Emil Beck.
Norman Norton Rogers.
Waldo Emerson Ard.
Harry William Maas.

Fenton Gay Epling.
Rutherford Loren Herr.
Herbert Gray Esden.
Peter Townsend Coxe.
Francis Henry Boucher.
William Henry Sweet.
Louis Gansler.
Ross Gordon Hoyt.
William Van Dyke Ochs.
William Bentley Mayer.
Harold Kernan.
Hunter Louis Girault.
Hubert Augustine McMorrow.
George Albert Jackson.
Innes Harwood Bodley.
Lee Louis Elzas.
Owen George Fowler.
Harry Foster.
Alexander Carl Strecker.
Wade Hampton Johnson.
Francis Ward Kernan.
Dwight Hughes, jr.
William Robert Stickman.
Maximilian Clay.
Frederick Sandrus Schmitt.
Calvert Hinton Arnold.
George Shively Prugh.
Frederick Meyer Vinson.
Homer Franklin Tate.
Harold Montague.
Richard Hutchings Johnston.
John Blakeway Cockburn.
Lewis Anderson Page.
Albert Webster Long.
Cedric Ezra Scheerer.
Alexander Oscar Gorder.
Geoffrey Marshall.
Percy Custer Fleming.
Edward Maynard Fickett.
Thomas Jennings Guilbeau.
John Francis Roehm.
Milo Victor Buchanan.
Kearie Lee Berry.
William Elbridge Chickering.
Nathan David Gordon.
Wilbur Reece McReynolds.
Howell Redd Hanson.
George Robert Hayman.
Howard Everett Camp.
Gaillard Pinckney.
James Couzens Van Ingen.
Benjamin Franklin O'Connor, jr.
Fred Currie Milner.
Charles Frost Craig.
Lloyd Smith Partridge.
Oscar K. Wolber.
William Tillory Andrews.
Callie Hammond Palmer.
Karl Eugene Henion.
Harold Whittle Blakeley.
George Etter.
George Orial Clark.
Russell J. Potts.
William Hoover Craig.
Thaddeus Clarence Knight.
Ollie William Reed.
Levi Monroe Bricker.
John Pehrson MacNeill.
Louis Wilson Maddox.
John Clyde Glithero.
James Gaulding Watkins.
Christopher Columbus Strawn.
William Fulton Magill, jr.
Paul Mitchell Arnold.
Harry Curry.
Robert John Wagoner.
William Edgar Vernon.
Sam Williams Anderson.
Joseph Williams McCall.
Thomas Brevard Steel.
Alfred Joseph DeLorimer.
Everett Busch.
John Wilbur Heisse.
James Taylor.
Stewart Darden Hervey.
Frank Joyce Pearson.
Lester Thomas Miller.
Leo Donovan.
Joseph Gerald Cole.
Julian Gilliam Hart.
Randall Thomas Kendrick.
James Walter Ewing.
Percy McCay Vernon.
Clyde Le Gage Walker.
Milton Whitney, jr.
Emile James Boyer.
Richard Earl Tallant.
Peter J. Lloyd.
Henry Hale Cheshire.
Theodore Morton Cornell.
Paul Vincent Kellogg.
John Sylvester Peters.
Herbert Ludwell Earnest.
Ivy Winfred Crawford.
Charles Spurgeon Harris.
John Reed Hodge.
Arthur Richard Walk.
Leslie Egner Toole.
Francis Murray Brady.
Paul Wolcott Rutledge.
Eubert Harrison Malone.
Ray Tyson Maddocks.
James Footville Butler.
Richard Nelson Atwell.
Thomas Bayne Locke.
Truman Morris Martin.
Morris Simpson Daniels, jr.
Chester Bailey McCoid.
Cecil Leland Rutledge.
Theodore Christian Gerber.
Garth Bly Haddock.
Lawrence Leonard William Meinzen.
Marshall Lawrence Gosserand.
John Orland Lawrence.
George LeConte Ramsey.
John Johnson Albright.
Charles Williamson Glover.
Robert Jones King.
Alexander Adair.
Grant Alexander Schlieker.
John Knox Gailey, jr.
William Grant Hilliard, jr.
Albert Cushing Cleveland.
Leslie Marshall Skerry.
Walter Carper Phillips.
Anthony Joseph Touart.
Henry Percy Gray.
Dan Harold Riner.
Robert Morriss Browning.
Arthur Edmund Easterbrook.
Harry John Collins.
James Van Valkenburgh Shufelt.
Henry Paul Hallowell.
Hobart Raymond Gay.
Rutherford Leon Hammond.
Oscar Dubois McNeely.
Parker Gillespie Tenney.
Robert Ernest Archibald.
Thomas Jeffries Betts.
Buhl Moore.
Mordaunt Verne Turner.
Norman E. Waldron.
Adrian Robert Brian.
Herbert Johnson Burke.
Burton Loren Lucas.
Morris Clinton Handwerk.
Walter Russell Ketcham.
George Stephen Wear.
Leo Lawrence Cocker.
Benjamin Franklin Harmon.
Walter Throckmorton Scott.
Edwin Wilds Codbold.
John Wilson O'Daniel.
John Gilbert White.
Harry Frank Thompson.
Raymond Carmichael Gibbs.
Carl McKee Innis.
William Henry Allen.
Leo Francis Crane.
Joseph William McKenna.

Raymond Blanton Bottom.
Alfred Grace Ford.
Henry Terry Morrison.
Paul Leon Porter.
Stanley Joseph Grogan.
Rohland Andrew Isker.
Robert Reginald Maxwell.
Leonard Roscoe Crews.
Charles Arthur Horger.
Stonewall Jackson.
Conrad Grey Wall.
Warner Beardsley Gates.
Oscar Joseph Neundorfer, jr.
Charlie Edward Hart.
Webster Hamlin Warren.
Ross Berry Smith.
John Brown Bethea, jr.
Thomas Bennett Woodburn.
Charles William Higgins.
Hugh Nathan Herrick.
Stanley French Griswold.
John Thomas Dibrell.
Edmund Jones Lilly, jr.
Charles Edward Dissinger.
Thomas Garlot Hannon.
John Edwin Hull.
Thomas Francis Bresnahan.
Koger Marion Still.
Samuel White, jr.
Gilman Kimball Crockett.
William Warren Wertz.
Thomas Edison Roderick.
Wallace Alan Mead.
Ray Winfield Harris.
Elbert Wilson Lockwood.
Evans Read Crowell.
Robinson Earl Duff.
Leon Wilcomb Hilliard.
Walter Colon Blalock.
Hamilton Johnston.
Raymond Godfrey Lehman.
Irvine Callander Scudder.
James Chester Bates.
Harry Edmund Pendleton.
William Claude Briggs.
Paul Samuel Beard.
Edgardo Vazquez-Bruno.
Wright Helm Johnson.
George William Clover.
Edwin Allan Smith.
Gyles Merrill.
William Copers Bowie.
Wilfred Ernest Willis.
Floyd C. Harding.
Rolfe Saunders Sample.
James Montagu Adamson, jr.
Thomas William Conrad.
Percy Lee Sadler.
George Luther Morrow.
Charles Everhart Sheldrake.
Frederick Wilhelm Hoorn.
Joe Carroll Rogers.
Evan Marshall Sherrill.
James Wylie Arnold.
Frank Albert Allen, jr.
Joseph Carson Stephens.
Bernard Franklin Hurless.
Guy Orth Kurtz.
Louis Joseph Compton.
John Henry Hilldring.
William Donald McMillin.
Arthur Breckinridge Wade.
James Gideon Kyle.
John Hurst Rodman.
William Dan Powell.
Read Wipprecht.
Ceylon Otto Griffin.
William Charles Louisell.
Thomas Wade Herren.
Alden Humphrey Seabury.
Jesse Eckard Whitt.
William Emanuel Goe.
Donald Brooks Hilton.
Clarence Arthur Shannon.
Alexander Bull McNabb.
William Leonard Ritter.
Robert Winchell Patterson.
Ralph Edwin Hill.
Francis Lancaster Christian.
Charles Henry Sears.
Walton Whittingham Cox.
Druid Emmet Wheeler.
Charles Royall Lugton.
Maitland Bottoms.
Michael Johann Perret.
Ross Ernest Larson.
William Robinson Epes.
Stewart Elvin Reimel.
Kendall Jordan Fielder.
William Curtis Deware.
Hugh Donald Adair.
Charles Harrington Stewart.
Joseph Robbins Bibb.
Reginald Reuben Bacon.
Russell Conwell Snyder.
David Broome Van Pelt.
Harvey Allan Tonnesen.
Edward Ramsey Holland, jr.
William Hubbell Emerson.
George Eddy Cook.
James Tolmie Watson, jr.
Eugene Hill Mitchell.
John Wesley Russey.
Donald Stevens Grimm.
James Dennett McIntyre.
Walter Michael Eugene Sullivan.
Allan James Kennedy.
Bryan Lee Milburn.
Martin Luther Howard.
Nyal L. Adams.
Virgil Norberto Cordero.
Leo Joseph Farrell.
Walter Shea Wood.
Frank Owen Stephens.
William Henry Quarterman, jr.
Benjamin Brandon Bain.
Ira Clarence Baker.
Stanton Louis Bertschey.
Romeyn Beck Hough, jr.
Fred Paul Clark.
Cheney Litton Bertholf.
Ellsworth Young.
Harold LaRoy King Albro.
Edward Reese Roberts.
Walter Ernst Lauer.
Frank Hitch Pritchard.
Albert Hugh Dumas.
Paul Shober Jones.
Paul Thompson Baker.
Robert Porter Bell.
Harold William Keller.
Edwin William Piburn.
Kenneth Stoddard Whittemore.
Mack Morgan Lynch.
Jerry Vrchlicky Hatejka.
Frank Huber Partridge.
Franklin Knight Kennedy, jr.
Gerald FitzGerald.
Derril de Saussure Trenholm.
Michael Edmond Halloran.
Idwal Hubert Edwards.
Paul James Vevia.
Carl Julian Dockler.
Milton Heilfron.
Olin Coke Newell.
James Barclay Smith.
Paul Steele.
Luther Nathaniel Johnson.
Stanley Augustus Anderson.
Robert Emmett Cummings.
Harry Fayette Schoonover.
Adam Jackson Bennett.
Louis Simmons Stickney.
William Hesketh.
James Larkin Dikes.
Ben Curtis McComas.
Kenneth Benjamin Gunn.
Maurice Garver Stubbs.
Archibald Andrew Fall.
Frank Romaine Schucker.

George Stewart Warren.
John Lee Davey.
Ralph Charles Thomas.
Joseph William Vann.
Mario Cordero.
Henry Oscar Swindler.
Haskell Allison.
John Minor Lile.
Bruce Glenn Kirk.
Davis Jones.
Russell Skinner.
George Warren Dunn, jr.
Arthur Tillinghast Huston.
John Alexander Klein.
Arthur Harold Luse.
Clayton Seraska Whitehead.
William Arthur Swift.
John Edwin Grose.
Robert Creighton Wright.
Everett Latimer Rice.
Lawrence Archie Kurtz.
Daniel Webster Hickey, jr.
Martin Stevenson Chester.
William Connor Sanford.
Harry Reichelderfer.
Alexander Russell Bolling.
Duncan Thomas Boisseau.
James Leonard Garza.
John Dunbar Chambliss.
Roger Eugene Williams.
Frank Reid Baker.
Elvin Leon Barr.
Douglas Eaton Morrison.
Thomas Eugene Jeffords.
Amory Oliver.
Clarence Webb Dresser.
Frank Hendricks Hastings.
Joseph Hiram Gilbreth.
Harold Gilbert Archibald.
Daniel Howe Hoge.
Reamer Walker Argo.
Eugene Thomas Conway.
Frederick Adelmar Ward.
Ralph Hirsch.
William Joseph Egan.
Talley Dozier Joiner.
Robert Victor Maraist.
Lawrence Patterson.
Lester Hardee Barnhill.
Sterner St. Paul Meek.
Julian Vance Link.
Melvin Lewis Craig.
Elbert Arcularius Nostrand.
Samuel Gibson Stewart.
Hervey Aldrich Tribolet.
Robert Brooks Ennis.
Levie Wilson Foy.
John Cord Blizzard, jr.
Warren Henry McNaught.
Howard Clark, jr.
Roy Edson Craig.
Robert Ignatius Stack.
Paul Wilbur Warren.
John Huling, jr.
Early Edward Walters Duncan.
Edward Marple Daniels.
Orryl Samuel Robles.
Philip Richard Upton.
Horace Kelita Heath.
Harry Russell Evans.
Bartholomew Robins DeGraff.
George LaFranc O'Connor.
Harold Napoleon Gilbert.
Charles Eugene Rust.
William Albert Collier.
Archibald Miles Hixson.
Clifford Bert Cole.
Albert Gresham Wing.
William Fred Rehm.
Edward Nicholson Fay.
Donald Thomas Nelson.
Thomas Graves Cherry.
Richardson Lester Greene.
George Clarence Nielson.
Raymond Greenleaf Sherman.
Earl Campbell Horan.
William John Henry Ryan.
Coleman Ferrell Driver.
Wallace William Millard.
Walter Wellington Von Gremp.
Arthur Grady Hutchinson.
Norman Marcus Nelsen.
Harvey Lewis Littlefield.
Ronald Lowe Ring.
Alfred Timothy Wright.
John Ainsworth Andrews.
George Andrew Lockhart.
Emerald Clark Robbins.
James Julian Pirtle.
Alfred Edward Dedicke.
George Frederick Macdonald.
Harry Boissonnault.
Wilbur Ellsworth Bashore.
Harold Head.
Walter William Boon.
Hugh McCord Evans.
Michael Joseph Mulcahy.
Harold Stokely Wright.
Lois Chester Dill.
Edward James Maloney.
Richard Abram Jones.
Lloyd Dexter Yates.
Hugh Barclay.
Lawrence William Jenkinson.
Nelson Macy Walker.
Milton Brandt Goodyear.
William Ewart Gladstone Graham.
Jesse Ralston Lippincott.
Lee Sommerville Dillon.
Ralph Millis.
Peter Edward Bermel.
Carl Raymond Shaw.
Theron DeWitt Weaver.
Frederick Franklyn Frech.
John Elliott Wood.
Harry Ray Springer.
William Riley Maynard.
Robert Johnson Van Epps.
Raymond Donaldson Smith.
William Minnis Pierce.
Arthur Bothwell Proctor.
Robert Lee Cox.
William Thombs Kilborn, jr.
Frank Harry Scheiner.
Carlos Oscar Cooley.
Frank Merritt Harshberger.
Leighton E. Worthley.
Francis Joseph McNamara.
Frank Watts Arnold.
Harrison Sheldon Beecher.
Wesley Wright Price.
Erskine Burt Halley.
Mortimer Clark Addoms, jr.
Charles Clarke Loughlin.
Gill McCook.
Gilbert Rieman.
Percy Adams.
Jefferson Milford Stewart.
Howard Kirkbride Dilts.
Joseph Benjamin Varela.
Walter Floyd Brown.
Manning Wilfred Spotswood.
George Cook Hollingsworth.
Joel Franklin Watson.
John Conrad Hutcheson.
Charles Wilshire Older.
William Downing Wheeler.
Herbert Wheeler Worcester.
David Ransom Wolverton.
George Ray Ford.
Frank Gosnell, jr.
John Vincent Rowan.
William Henry Beers.
Willis Dodge Cronkhite.
John Alexander Russell.
Theodore Tyler Barnett.
William Addison Ray.
Lloyd Spencer Spooner.
Henry Mills Shoemaker.
Harry Tolman Partridge.

Eugene Erwin Morrow.
Kinsley Wilcox Slauson.
Fred Tenderholm Neville.
James Hugh Conlin.
Cyril Wilhelm Van Cortlandt.
Cornelius Cole Brown.
Joseph Patrick Kelly.
Edgar Kehlor Brockway.
Wallace Earle Hackett.
William Lane Tydings.
Ernest Klein White.
George William West.
Augustus Spencer Harrison.
Harry Coleman Snyder.
Franklin B. Lees.
Benton Arthur Doyle.
George Henry Shea.
Edward John Lewis Russell.
Archie Ellsworth Phinney.
Fritz M. Dyer.
John Nettleton Johnson, jr.
Edward Flagg Sweeney.
Ralph Reynolds Seger.
Henry Frederick Wunder.
Taylor Worcester Foreman.
Philip Joseph O'Brien.
George Leroy King.
Floyd William Ferras.
John Harold Veale.
Philip Blaine Fryer.
George Hill Carruth.
Joseph Nixon Marx.
Donald Coe Hawley.
Vernon Lhreau Padgett.
Jay Ward MacKelvie.
Francis Truman Bonsteel.
William Edward Barott.
Frank Nelson.
Herman Frederick Rathjen.
Daniel Joseph Keane.
Le Roy Davis.
Max Donald Holmes.
Frank Henry Barnhart.
George Edward Harrison.
Wesley John White.
Alton Wright Howard.
Richard Whitney Carter.
Kenneth Rowntree.
George Archibald King.
Lionel Leopold Meyer.
Frederick Harold Leroy Ryder.
John Waring Weeks.
Theodore Besson Apgar.
Mortimer Heth Christian.
Fabius Busbee Shipp.
Paul Church Harper.
George Ross Rede.
John Cooper Adams.
Evan Clouser Seaman.
Henry Rasick Behrens.
Benjamin Bowering.
Henry Fred Grimm, jr.
Henry Linsert.
Donald Langley Dutton.
Leland Adrian Miller.
Percy Clayton Hamilton.
Robert Alexander Laird.
Frank Eugene Haskell.
Edwin Howard Clark.
Crosby Nickerson Elliott.
William Harold Clark.
Lloyd Davidson Brown.
Roy Carter Hilton.
Raymond Edward O'Neill.
Justin Stanley Hemenway.
William Almond Shely.
John Urban Ayotte.
Charles Heyward Barnwell, jr.
Alfred Schwarz.
Edward George Herlihy.
Arnold John Funk.
George Marvin Ferris.
Edwin Lockwood MacLean.
Arturo Moreno.
Carlos Manuel Lopez.
David Lewis Ruffner.
Charles Challice, jr.
Loyal Moyer Haynes.
Cecil John Gridley.
Clyde Lloyd Hyssong.
Cornelius Edward Ryan.
William Henry Crampton.
John Henry Ringe.
Edgar Allen O'Hair.
Arthur Bee McDaniel.
Roy Nathan Hagerty.
Charles Henry Moore, jr.
Donald Parker Spalding.
William Donald Tabor.
William H. Killian.
Carl Beecher Byrd.

To be first lieutenants.

Davis Ward Hale.
Wesley Collins Dever.
Edgardo Vazquez-Bruno.
Virgil Norberto Cordero.
Mario Cordero
John Brandon Wright.
Albert Faitoute Hebbard.
Clarence Lee King.
Evers Abbey.
Henry Lee Kinnison, jr.
Helmuth Ernest Beine.
Harold Frederick Greene.
Harrison Gage Crocker.
Charles Glendower Ellicott.
Chester Arthur Horne.
Joseph Worth Timmons, jr.
Ray Aloysius Dunn.
Hubert Taylor Sutton.
Paul Hyde Prentiss.
Leonard Dickson Weddington.
Engman August Anderson.
Charles Wingate Reed.
Jefferson Buckner Willis.
Herbert Hunter Harris.
Wendell Kingsley Phillips.
Charles Linton Williams.
Thomas Lonnie Gilbert.
Harold Arthur Bartron.
James Douglas Givens.
Benjamin Shields Catlin.
Harold DeLancey Stetson.
William Cushman Farnum.
Charles Milton Cummings.
Robert Grant Thorp.
Harold Kirkham Hine.
Joseph Williams Benson.
Frederick Dan Lynch.
James Atwater Woodruff.
Robert Wallace Burke.
Lester James Maitland.
John Lee Shea.
Sterling Knox Harrod.
Earle Henry Manzelman.
William Warren Welsh.
Arthur Ignatius Ennis.
Paul Duane Casey.
LeRoy William Yarborough.
Orville Ervin Davis.
John Thomas McKay.
Percival Adams Wakeman.
Hyman Jackson Crigger.
Floyd Thomas Gillespie.
Hal C. Bush.
William Henry Speidel.
Herbert Linus Berry.
Robert Owen Montgomery.
Horace Napoleon Gibson.
Sidney Frank Wharton.
David Marsh Todd.
Dayton Locke Robinson.
Arvid Edward Maurice Fogelberg.
James Yancey LeGette.
Howard Samuel Paddock.
William Thomas O'Reilly.
James Bryan McDavid.
Henry Elmer Sowell.
James Webb Newberry.
John Frederick Whiteley.

Edward Clay Johnson.
Grisson Edward Haynes.
Guy Lewis McNeil.
James Lebbeus Carman.
Landon Johnson Lockett.
Charles Henry Calais.
Oscar Lee Ansley.
William Thomas Johnson.
Clarence Prescott Talbot.
Graham Percy Brotherson.
Charles Deans Calley.
Alfred Liljevalch Jewett.
Raymond Calvin Milyard.
Louis Clifford Mallory.
Bob Childs.
Lewis Selwyn Webster.
William Andrew Smith.
Roy William Camblin.
Ray Eric Cavenee.
Wade Darragh Killen.
Andrew Jackson Schriver.
Frank James Lawrence.
Day Jewell.
Derrance Scott Roysdon.
William Francis Joyce.
Maurice Eugene Knowles.
Hyatt Floyd Newell.
William Harry Mosby.
John Easton McCammon.
Matthew Edward Finn.
Harry Luther Coates.
William Edmund Connolly.
Benjamin Buckles Cassiday.
Frank Lauderdale Cook.
Bernard Tobias Castor.
Homer Barron Chandler.
Carl Weston Pyle.
Edwin Morgan Pendleton.
Walter Thomas Meyer.
Valentine Stone Miner.
Myron Emmet O'Hanly.
Harry Forest Colliver.
Charles Homer Martin.
Willard Shaw Clark.
Homer B. Pettit.
John Spalding Miller.
William Stilwell Conrow.
Cornelius John Kenney.
Winfield Scott Hamlin.
Thomas Joseph McDonald.
Leo George Clarke.
Joseph Thaddeus Zak.
Alfred Gideon Anderson.
Hugh Carlton Dorrien.
James Carl Horne.
Werner Watson Moore.
Fremont Byron Hodson.
Robert Theodore Zane.
Rudolph William Broedlow.
Marvin Clifton Bradley.
Albert Edmund Rothermich.
Stowe Thompson Sutton.
James Ainsworth Brown.
Elliott Raymond Thorpe.
John Carson Grable.
Oscar Douglas Sugg.
LeRoy Allen Walthall.
Lucas Victor Beau, jr.
Arthur Lee Shreve.
Daniel Edward Morgan.
Newman Raiford Laughinghouse.
Ambrose Victor Clinton.
William Jones Hanlon.
John Harold McFall.
Hiram Wilson Sheridan.
Howard Arnold Craig.
David Robert Stinson.
Joseph Theodore Morris.
Carl Hiestand Myers.
Armor Simpson Heffley.
William Robert Sweeley.
Raymond Carl Zettel.
Carl Grammer Eliason.
George Allen McHenry, jr.
Oscar Harmon Harris.
Erling Schriver Norby.
Carlyle Howe Ridenour.
Carl Anson Cover.
Russell Carrigan MacDonald.
Bennett Edward Meyers.
Laurel Eugene Stone.
Robert Storie Heald.
Warren Arthur Maxwell.
Walter Hannumn Carlisle.
William H. Papenfoth.
Harry Leon Speck.
Frederick Mercer Hopkins, jr.
Rupert Edison Starr.
James Desmond Summers.
George Edgar Rice.
Frank Edward White.
Lowell Whittier Bassett.
Dudley Ely Rowland.
Edward Michael Powers.
Maurice Edgar Jennings.
Victor Emile Bertrandias.
Felix Marcus Alexander.
William Burleigh Clarke.
Howell Harrell.
Ivan Sanders Curtis.
Ain Dudley Warnock.
Eugene Nelson Slappey.
Harwood Christian Bowman.
Laurence Henry Hanley.
Rosenham Beam.
Harry McCorry Henderson.
Robert Van Kleeck Harris, jr.
Pleas Blair Rogers.
Richard Grant Hunter.
Hubert Vincent Hopkins.
Wade Woodson Rhein.
Benton Gribble Shoemaker.
Ben Allen Mason.
Harry Herman Young.
Keith Bolling Wise.
Frank Curtis Mellon.
Donald Wilson.
Robert T. Hayes.
Claud Greene Hammond.
James Patrick Moore.
Albert Eugene Andrews.
Dorris Aby Hanes.
John Wesley Rodman.
Frank Austin Heywood.
John Jacob Bethurum.
William Henry Halstead.
Randolph Gordon.
Henry Passant Lewis.
Glenn Adelbert Ross.
Philip Coleman Clayton.
Ellis Bashore.
Joseph Leonard Tupper.
Edward Barton Bobzein.
William Carl Gabriel
John D. Corkille.
Henry Few Sessions.
DuVal Crump Watkins.
Levi L. Beery.
Carlton Foster Bond.
Roland Lester Spencer.
Willis Clark Conover.
Morton McDonald Jones.
Robert MacKenzie Shaw.
John DeForest Barker.
James Albert Durnford.
Frank Griffin Marchman.
Francis Hugh Anthony McKeon.
Edwin Johnson.
Clifford Augustus Smith.
Warren Rice Carter.
Thomas Francis Sheehan.
Thad Victor Foster.
James Bayard Haley.
Charles Eugene Schwarz.
Marshall Eugene Darby.
George Coke Bland.
John Cyrus Gates.
James Flannery.
Harold Alling McGinnis.
Harry Arthur Halverson.

Charles Theodore Skow.
Morton Howard McKinnon.
Nathan William Thomas.
Walter Bernard Hough.
James Caviness Rickner.
Guy Clifton Benson.
William Michael Lanagan.
George Platt Tourtellot.
George Hendricks Beverley.
Harrison Jay Hartman.
Walter Kelsey Burgess.
Paul California Wilkins.
Gustavus Franzle Chapman.
Athur Leslie Thornton.
Norman Delroy Brophy.
Raymond Morrison.
Alexander Pearson, jr.
Rupert Julian.
Graham Mead St. John.
Wallace Gordon Smith.
Charles Adam Horn.
Ployer Peter Hill.
Clarence Chamberlin Wilson.
Byron Elihu Gates.
Elmer Karl Pettibone.
Wendell Eugene Goodrich.
William Lewis Boyd.
Leon Edgar Sharon.
James Houston McWilliams.
James Ferris Morison.
Oscar Monthan.
Ivan Lewis Proctor.
Matthew Ebbert Webber.
Wilfred Morey Clare.
Delmar Hall Dunton.
Hjalmar Frithijof Carlson.
Orvil Arson Anderson.
Emile Tisdale Kennedy.
Joseph Edwin Virgin.
Charles Reed Evans.
Hugh Chester Downey.
John Joseph Powers.
George William Goddard.
Jack Greer.
Guy Kirksey.
Thomas Herbert Chapman.
Robert Franklin Jones.
Harry Hobson Mills.
Joseph Luther Walecka.
Angier Hobbs Foster.
Edwin Sullivan.
Carroll Ray Hutchins.
John Raymond Drumm.
Oliver Kendall Robbins.
William Joseph White.
John Fidelis Connell.
Faye Sherman Gullet.
John Raglan Glascock.
George Vardeman McPike.
Ray L. Owens.
Henry Leonard Kersh.
Lloyd Russell Garrison.
Charles Gage Brenneman.
Reuben Castor.
Leland Hudson Barnes.
Clarence Richard Sutherland.
Raymond George Miller.
Clyde Milton Hallam.
Nicolas Fosdick Galbraith.
William A. Enos.
Richard Royall Baker, jr.
Norman Joseph Eckert.
Hugh Cort.
Benjamin Rhoten Morton.
Samuel Oliver Carter.
Jasper Ewing Brady, jr.
George Good Cressey.
Orville L. Stephens.
Clarence Edgar Crumrine.
John Albert Wyatt.
George William Snow.
Morris Langdon Tucker.
William King Moran.
Corley Perry McDarment.
Russell Hay Cooper.
Gaylord Leon Phipps.
Henry Guy Woodward.
Clifford James Moore.
John Ross Morgan.
Pittman Well Mills.
Robert Dudley Moor.
Roscoe Caleb Wriston.
Charles Edwin Thomas, jr.
Frederick Andrew Johnson.
Henry William Brandhorst.
Leonard Roberts Smith.
Stanley Noble Partridge.
John Bigham Crandell.
James Bumer Jordan.
Albin Nace Caldwell.
Arvel Joshua Monger.
John Hamilton Judd.
Thomas Jefferson Ford.
Charles Richardson Smith.
Walter Franklin Graham.
Raymond Edward Shum.
Charles Vernon Barnum.
Kenton Parkes Cooley.
Lester Erasmus Gruber.
Frederick William Wennerberg.
Alfred Nelson Taylor.
William John Hardy.
Jack Edmund Rycroft.
Harold David Porter.
Ben Robert Jacobs.
Mark Christian Neff.
Thomas Henry Foster.
Lewis Dabney Bixson.
Clyde Girard Banks.
Lyle Sayers Lindsey.
Ivan Downes Yeaton.
Thomas Everett Winstead.
Harry Cullins.
Alfred Edwin McKenney.
Henry Bosard Ellison.
Robert Don McKnight.
Joe Arthur Hinton.
William Paul Hayes.
Earl Monroe Miner.
Eugene Lemuel Miller.
Reuben Ellis Jenkins.
Patrick Francis Powers.
Howard E. Pulliam.
Millard Fillmore Willet Oliver.
Arthur Lowell Johnson.
Thomas Alfred Northam.
James Robert Manees.
Roland Samuel Henderson.
James Cecilius White.
Norman Drysdale Gillet.
Jack Clemens Hodgson.
William Keifer Behler.
Victor Walter Smith.
Robert Clay Beckett.
Carlisle Clyde Dusenbury.
James Leland Bolt.
George Andrew Glover.
John A. Kase.
Theodore Thomas Teague.
Russell Calvert Worthington.
Clifford Elleman.
Eugene Vincent Elder.
Carter Weldon Clarke.
Ralph Gordon Richards.
Paul LaRue Neal.
Ray Guy Harris.
Wallace Caldwell Cummings.
James Cole Shively.
Clifford Smith.
Karl Derby Guenther.
Francis Harold Vanderwerker.
James Culver Cluck.
Stacy C. Hinkle.
Richard Geter Rogers.
Joseph Felix Routhier.
Robert Taylor Strode.
Thomas Harrison Ward.
Henry Beaumont Pennell Boody.

Charles Willard Getchell.
Julius Trousdale Berry.
Russell Dean Powell.
Charles Rudolph Carlson.
William Clinton McCarthy.
Charles Herbert Day.
Thomas Oscar Foreman.
Harry Lee Watts, jr.
Townes Dennison.
Harold Engerud.
Raymond Thomas Joseph Higgins.
Sidney Cushman Page.
David Dick Caldwell.
Walter Talcott Wilsey.
Albert James Hastings.
Paul Ruthven Jones.
Seward Lincoln Mains, jr.
Herbert Glendonne Messer.
Frederic Cooley Eveleth.
Edwin Karl Pohlson.
Charles Kellogg McAlister.
Thomas Francis Keefe.
Edward Harold Metzger.
Clinton Steele Berrien.
Raymond Adelbert Knapp.
Courtland Moshier Brown.
Newman Hall Cherry.
Harold Hopkins Miller.
Joseph Walter Francis Resing.
Henry William Kunkel.
Keith Kirkman Tatom.
Harry Walter Killpack.
Paul Revere Taylor.
William Noel Amis.
James Thomas Falin.
Jack Joseph O'Connell.
Alva Edison McConnell.
Hez McClellan.
Harold Hibbard Carr.
Alphonse Stoeckle.
Timothy Alexander McLellan.
James Russell Brownell.
Carley Lawrence Marshall.
Fred Griffith Threatt.
Frank Daniel Huarte.
Hugh Tom Edwards.
Otho Burdette.
Harold Russell Jordan.
Charles Edgar Burchett.
Edward Moore Masterson.
John Charles Brown.
Henderson Wilcox Allen.
Arthur Burton Clark.
Edwin Milton Bush, jr.
John Wesley Hill.
Frederick Brodie Forbes.
William Augustus Weinberger.
Onie Ray Dilley.
Andrew Bruyette Mangum.
William Ernest Donegan.
Herbert Sherman Nettleton.
Thomas Brooks.
Cyrus Bettis.
Rufus Benjamin Davidson.
Stanley Milward Umstead.
Howard Carlton Brandt.
Roland Birnn.
Stanton Thomas Smith.
Stephen Edward Stancisko.
Edward Vincent Freeman.
Kenneth Garrett.
James Joseph Langin.
Norman Crawford Caun.
Howard James Edmands.
Glenn Clinton Holcomb.
Earl Thomas McCullough.
Alexander Sinclair Reynolds.
Gerard Swarthout.
Allan Francis Sullivan.
William Clarkson Huggins.
Thomas Walter Roane.
William Herman Jaeger.
James Alva Murphey.
William Daniel Schas.
William Robert Schaefer.
Moses Alexander.
James Merrill Robinson.
Kenneth Edgar Kline.
Donald Dewey McCaskey.
Allen Agee Goodwyn.
Ralph Elmer Alexander.
Frederick Reinhold Undritz.
Robert Howard Wylie.
Frank Wolle Stout.
Francis Emerson Charlton.
Charles Drysdale Simmonds.
Albert Pierson.
Sylvian Gaston Kindall.
John Hancock Holder.
Joseph Popenjoy Bailey.
John McDonough Early.
Otto Lucratus McDaniel.
Francis Pat Booker.
John Theodore Lawson.
Kenneth Campbell McGregor.
Rafael Louis Salzmann.
Riley Finley Ennis.
Clarence Frost Horton.
Francis Paul Connelly.
Oliver Allen Gottschalk.
Harry Joseph Martin.
Lawrence Cornwallis Collins.
Hewitt Warren Richmond.
Porter Tate Gregory.
James Hiram Bedford.
Ray Edward Dingeman.
Max Frederic Moyer.
Arthur Edmond Wilson.
George Cobb Wynne.
George Franklin Nichols.
Spencer Hall.
Harry Frederick Meyers.
Ola Aloysius Nelson.
Robert Lowry Freeman.
Harry Isaac Rosen.
William Chauncey Hutt.
Arthur Nicholas Ziegler.
Robert Homer Soule.
Pardoe Martin.
John Augustus Hunt.
Raymond Rudolph Brown.
George Barnett Bloom.
William Ernest Griffin.
James Sharp Eldredge.
Edwin Charles Lickman.
Patrick Collins.
Rudolph George Schmidt.
Harrison William Johnson.
Ralph Willerton French.
Corwin Lynn Rogers.
Joseph Elmer Monhollan.
William Prentiss Pittman.
Clifton Tredway Hunt.
Robert Scurlark Moore.
Aloysius Joseph Tagliabue.
Victor Otto Overcash.
David Ray Nimocks.
Archie Bird Whitlow.
William Thrower Fitts, jr.
William Kennett McKittrick.
Fredrik Lorentsen Knudsen, jr.
Jessie Thomas Harris.
Raymond Nesbitt Hutto.
Crowell Edward Pease.
Claude Bertram Avera.
William John McKiernan, jr.
Hobart Dewey Reed.
Frederick Buchanan Rosenbaum.
Ernest LeRoy Hurst.
Robert Theodore Cronau.
Hans Christian Jesperson.
Roland Everett Hill.
Harry Francis Hanson.
Lee Vyvian Harris.
George Edwin Hodge.
James Edward Duke, jr.
Caleb Vance Haynes.
Walter Leo Weible.
Howard Worcester Trefry.
Harvey Thomas Morgan.
Cleon Lyle Williams.
Newton Wesley Jones.

William James Horrigan.
Kenneth Howe Sanford.
Ivan Glen Moorman.
Elden Quincy Faust.
Arthur Ellis Dewey.
Edwin Ray McReynolds.
David Glenn Lingle.
Michael Vincent Gannon.
Emmett Augustus Niblack.
Harry Van Horne Ellis.
Robert Morris Webster.
Ralph Hamilton Tate.
Ora Edward Fately.
Frank Harl Curtis.
William Stanard Keller.
Thomas Harold Christian.
Paul Revere Smith.
Thearl Ward Essig.
Frank Blanton Lindley.
Carter Marion Kolb.
Harold Almon Gardyne.
Grover Adlai Summa.
Sam Purswell.
George Jackson Rawlins.
Charles Backes.
Kent J. Nelson.
William Thomas Haley.
Jesse Earl Canary.
Richard Evans Glasson Opie.
Fred Murdoch Henley.
John Weckerling.
Forbie Hiram Privett.
James Bowcott Howat.
Elmer Clifford Ringer.
Gerald Edgar Ballard.
Phil Cass.
Sigmund Franklin Landers.
William Lewis Wheeler.
Lawrence Eugene Heyduck.
Milo Neil Clark.
Henry Chambers Floyd.
Ernest Anthony Elwood.
Thomas Ewin Prather.
Lewis Peyton Jordan.
Paul Matson.
Rudolph Bror Nelson.
Franklin Hawrood Canlett.
John Hastings Winston.
John DeLorme Eason.
Richard Randolph Winslow.
Charles Franklin Hudson.
Leroy Marion Wolfe.
Joseph Edward Kelly.
William Russell Mears.
Wesley A. Zellner.
Willard Spencer Wade.
Clayton Charles Shangraw.
Ned Schramm.
Fonda Bernard Johnson.
Don McNeal.
Victor Lafayette Robinson.
Milton Edward Wilson.
Jesse Anthony Madarasz.
Leonard Francis Felio.
Edward Morris Robbins.
James Weston Hammond.
Robert Emmet Coughlin.
John Thomas Filgate.
Gaylord Burnam Kidwell.
Paul Theodore Wagner.
Edwin Joseph McAllister.
Albert Pierpont Barnes.
Wesley Karlson.
Otto Ellis.
Arthur John Lodge.
Charles Hardy Hart, jr.
Adolphus Rankin McConnell.
William James Daw.
Louis Bernard Saxe.
George DeVere Barnes.
Paul Robert Menzies Miller.
Albert Smith Rice.
Charles Ream Jackson.
Charles Leslie Keerans, jr.
Fred Cleveland Fishback.
George Oliver Roberson.
Kenneth Newton Walker.
Stanley Hunsicker Hunsicker.
Neal Henry McKay.
Oscar Leslie Rogers.
Roger Frederic O'Leary.
Joseph Allen Physioc, jr.
Samuel Perham Mills.
Edgar Theodore Selzer.
William Edward Riley.
Albert Joseph Lubbe.
John Bicknell Luscombe.
Charles Harold Howard.
Edward Alton Hillery.
Hugh Sydney Harpole.
Homer William Jones.
Everett Sanford Davis.
Frazier Earl McIntosh.
Frederick Irving Patrick.
Donald Reuben Goodrich.
John Fant Carraway.
Carl Henry Barrett.
Francis Hill Kuhn.
James Francis Armstrong.
Carlyle West Graybeal.
John Harvey Wilson.
John Daniel O'Connell.
Harold Brand.
Clyde Harrison Lamb.
Fred Ross Cowan.
Lester Frank Watson.
William Edwin Vecqueray.
Haynie McCormick.
Arthur Henry Wolf.
Leonard Vezina.
Hartwell Matthew Elder.
Housan Wayne Duncan.
Park Holland.
John Gross.
Frank Teeter Caulkins.
Earle Everette Cox.
Thomas Russell Howard.
Samuel James Adams.
William Henry Webb.
Albert Gillian Kelly.
Wayne McVeigh Pickels.
Owen Russell Marriott.
Frank Joseph Vida.
Harold Patrick Henry.
Harry Woldren French.
Dwight Joseph Canfield.
Emil Marcus Dold.
Edward Freeman.
James Wilson Smith.
Fred Pierce Van Duzee.
Charles Leland Webber.
Hubert Augustine Shovlin.
Edward Ames LaFrancis.
Arthur Gillette Watson.
Henry Thomson Burtis.
Burns Beall.
John Bartlett Hess.
Allen Francis Haynes.
Harold Gaslin Sydenham.
Hugh Cromer Minter.
George Windle Read, jr.
James Barlow Cullum, jr.
Francis Hudson Oxx.
Thomas Henry Stanley.
Donald Greeley White.
Henry George Lambert.
William Weston Bessell, jr.
Charles George Holle.
Charles Sheefe Joslyn.
Arthur Martin Andrews.
Edward Crosby Harwood
John Wylie Moreland.
Wayne Stewart Moore.
Henry Franklin Hannis.
Arthur Lee McCullough.
Arthur Vinton Linwood James.
Edward Albert Routheau.
Theodore Temple Knappen.
Godfrey Douglas Adamson.
Wilson Burnett Higgins.
Albert Howell Tanner, jr.
William Alter Watson.

Frederic Lord Hayden.
Warren Cressman Rutter.
Harold Frank Handy.
Richard Clare Partridge.
Edward John McGaw.
Willis McDonald, 3d.
Harold Thomas Miller.
John Charles Felli.
Volney Archer Poulson.
Tyree Rivers Horn.
William Chamberlaine Coe.
James Woodrow Clark.
Robert Henry Vickery Stackhouse.
Joseph Leo Langevin.
Willard Pierce Larner.
William Hardy Hill.
Louis Jacob Claterbos.
Herbert Ralph Pierce.
Carl Victor Erickson.
Auguste Rhu Taylor.
James Kenneth Mitchell.
Frank Andrew Henning.
James Malcolm Lewis.
Donald Eddy Cummings.
Bernard Linn Robinson.
John Robert Cullston.
James Goodrich Renno.
Charles Steinhart Whitmore.
James Hobson Stratton.
Loper Bailey Lowry.
Lee Armstead Denson, jr.
Ewart Gladstone Plank.
Lawrence Granger Smith.
Edward Haviland Lastayo.
Alexander Romeyn MacMillian.
Roy Winnie Barhydt.
George DeGraaf.
James Vincent Walsh.
Lathrop Ray Bullene.
Bertram Wright Randles.
James Alexander Samouce.
William Wallace Ford.
George Dewey Vanture.
Charles Barney Harding.
Pastor Martelino y Concepcion.
Harry Earl Fisher.
Donald Sylvester Burns.
Donald James Leehey.
Carl Edwin Berg.
Joseph Eugene Harriman.
George Joseph Loupret.
William Souires Wood, jr.
Thomas Arnett Roberts, jr.
Verne Donald Mudge.
Morrison Page Chittering.
John Loren Goff.
Francis Henry Morse.
Edward Macon Edmonson.
Ben Miller Campbell.
William Gordon Holder.
Halstead Clotworthy Fowler.
Lyman Louis Lemnitzer.
Leslie Burgess Downing.
William Ignatius Brady.
Eugene Martin Link.
John Simpson Hastings.
Charles Himmler.
John States Seybold.
Cornelius Garrison.
William Harry Bartlett.
Donald Breen Herron.
Edward Clinton Gillette, jr.
Russell Owen Smith.
Freeman Grant Cross.
Rex Van Den Corput, jr.
Homer Watson Kiefer.
James Myron McMillin.
Joseph Harris.
John George Howard.
Ford Trimble.
Robert Hugh Kreuter.
Laurence Wood Bartlett.
Donald Frank Stace.
Earl Henry Blaik.
Reynolds Johnston Burt, jr.
Edgar Allan Gilbert, jr.
Leslie Emmett Mabus.
John Dickerson Mitchell.
Clarence Henry Schabacker.
Ewart Jackson Strickland.
Fred Lebbeus Hamilton.
Robert Snyder Trimble, jr.
John Francis Cassidy.
Gainer Brown Jones.
John Foxhall Sturman, jr.
Joseph Jacob Billo.
Wilbert Engdahl Shallene.
George Leo Doolittle.
Robert Francis Watt.
Clarence Clemens Clendenen.
William Carleton McFadden.
Eugene Collum Johnston.
James Ludwell Lake, jr.
Hugh Whitaker Winslow.
James Hess Walker.
Claude Eugene Haswell.
Russell Vance Eastman.
Lyman Lincoln Judge.
Frank Needham Roberts.
Francis Henry Lanahan, jr.
Lawrence Edward Schick.
Courtney Parker Young.
Henry Chester Hine, jr.
Charles Frederick Beattie.
John Donald Robertson.
Elias Sanford Gregory.
William Price Withers.
Frederick Robert Pitts.
Sherman Vitus Hasbrouck.
Arthur Kenley Hammond.
Crump Garvin.
Martin Charles Casey.
Hamilton Peyton Ellis.
Thomas Dresser White.
Frederick Mixon Harris.
William Wallace McMillan.
Dwight Acker Rosebaum.
Kenneth Gilpin Hoge.
James Frederick Wahl.
Donald Robert Van Sickler.
Richard Candler Singer.
John Henry Hoffecker Hall.
Aladin James Hart.
Powell Paxton Applewhite.
Robert Edwards.
Jefferson Denman Box.
William Richter Tomey.
Joseph Honore Rousseau, jr.
Lawrence Joseph Carr.
Frederick Seymour Dixon.
Maurice Wiley Daniel.
Robert Dickerson Durst.
Alexander Hamilton Perwein.
Clovis Ethelbert Byers.
Tracy Enfield Davis.
Oscar Raymond Johnston.
George Andrew Rehm.
Edward Carl Engelhart.
Charles Whitney West.
Park Brown Herrick.
Herbert Carl Reuter.
Helmar William Lystad.
Harold Edward Smyser.
Esher Claflin Burkart.
Thomas Eginton Whitehead.
Alexander George.
Charles Kenon Gailey, jr.
Mortimer Frederick Wakefield
Francis William Farrell.
Wilmer Brinton Merritt.
Harry Clark Wisehart.
John Irvin Gregg, jr.
John Russell, jr.
Charles Morton Adams, jr.
Frank Hoben Blodgett.
John Ferral McBlain.
Richard Meade Costigan.
Gustave Harold Vogel.
Basil Girard Thayer.
Edward Joseph Sullivan.
James Perrine Barney.
Wilbur Sturtevant Nye.

Charles Harlan Swartz.
Leland Stuart Smith.
Francis Selwyn Gay.
Carl Frederick Duffner.
Wilburn Vastine Lunn.
Millard Pierson.
Francis Ward Walker.
Harold Oliver Sand.
Cyril Drew Pearson.
Raymond Henry Reece.
Harlan Thurston McCormick.
Henry Peter Burgard, 2d.
Alexander Gilbert Sand.
Ray Olander Welch.
George William Richard Wilson.
John Lamont Davidson.
Julian Erskine Raymond.
Abraham Sheridan Abel.
George Hennen.
Charles Porter Amazeen.
Edward Thomas Williams.
Frank Thweatt Searcy.
George William Bailey, jr.
Henry Kirk Williams, jr.
Alan Lockhart Fulton.
Terrence John Tully.
William McKinley Laumeister.
Paul Clarence Kelly.
Sidney Ginsberg.
James Miller Rudolph.
William Earl Crist.
William Roe Brewster.
Claude Monroe McQuarrie.
Charles William Smith.
William Lemuel Mitchell.
Harrison Guinther Travis.
Escalus Emmert Elliott.
Milton Cogswell Shattuck.
Joseph Vincent de Paul Dillon.
Francis James Starr.
William Edward Ryan.
Hayden Adriance Sears.
Newton Nevada Jacobs.
John Thomas Lynch.
John Black Reybold.
John Raoul Guiteras.
William Dickey Long.
Henry Irving Hodes.
Clifford Augustine Taney, jr.
Paul Earl Tombaugh.
Harvey Kenneth Greenlaw.
William Joel Tudor Yancey.
Leon Eugene Lichtenwalter.
Sidney Rae Hinds.
Halley Grey Maddox.
Snowden Ager.
John English Nelson.
Randolph Burt Wilkinson.
Dean LeRoy Sharrar.
John Talbot Curtis.
George Hasbrouck Krause.
Harold Todd Turnbull.
Hugo Peoples Rush.
John William Wofford.
Wray Bertrand Avera.
Charles Fox Ivins.
Walter Daniel Buie.
John Taylor Ward.
John Elmer Reierson.
Edward Maurice Flexner, jr.
Henry Jackson Hunt, jr.
George Huston Bare.
Samuel Wilber Stephens.
Richard Cohron Lowry.
Albert Edgar Billing.
George Richard Thompson.
Jess Garnett Boykin.
Charles Moorman Hurt.
James Dallace Bender.
Ellis Bates.
George Pryor Johnson.
Clyde Virginius Finter.
Michael Condon Shea.
Charles John Wynne.
Holland Spencer Chamness.
Julian Horace George.
Walter Cortland Wagner.
Anderson Hansell Norton.
Hanford Nichols Lockwood, jr.
John Markham Ferguson.
John Calvin Sandlin.
Leslie Eugene Bowman.
Horace Benjamin Smith.
Joseph Addison Dubois.
Barlow Winston.
Maurice Rose.
Chester Morse Willingham.
Gene Russell Mauger.
Frank L. Burns.
William Burl Johnson.
Winfield Rose McKay.
James Bernays Lowrey.
James Harrison Donahue.
Thomas Patrick Walsh.
Warren Benedict Scanlon.
William Robert Hamby.
Buckner Miller Creel.
Ralph Andrew Eiler.
Theodore Ernest Voigt.
Douglas Johnston.
Lawrence Pradere Hickey.
Severn Teackle Wallis, jr.
Charles Murray Rees.
William May.
Chester Wright Gates.
Harold Hebert Fisher.
Silas Warren Robertson.
Donald Van Niman Bonnett.
William Henry Johnson.
Wiley Hubbard O'Mohundro.
Edmund Graham West.
Ranald Trevor Adams.
Roger Shaw McCullough.
Robert Oliver White.
Charles William Dietz.
Samuel Howes Baker.
John Parr Temple.
Timothy Sapia Boach.
Juan Luis Oliver.
Eduardo Andino.
William Joseph Flood.
Lynn Packard Vane.
Lewis Rinehart Pfoutz Reese.
Philip Gilstrap Bruton.
Horace Leland Porter.
Carl Gilbert Holmes.
Edwin Forrest Carey.
Elmer Warren Miller.
Guy Malcolm Kinman.
Linton Yates Hartman.
Peter LeToney.
Robert Louis Renth.
Joseph Cuthbert Dolan.
Abraham Lincoln Bullard.
William Lincoln Hamilton.
Oscar Norvell Barney.
Thomas Florence McCarthy.
Roy Henry Speck.
Charles Augustus Reif.
Arthur Kay Ladd.
Charles Stevenson Denny.
Otto Montrose Low.
Benjamin Arthur Thomas.
Joseph Kenneth Creamer.
Leonard Eby Lilley.
Glenn Earl Carothers.
Frank Thomas Madigan.
John Hilliard Healy.
David Francis Finnerty.
Edward Clay Atkinson.
Lloyd Nelson Winters.
William Windom Dixon.
Christian Stephen Anderson.
Clarence Beaver Lober.
Everett Dudley Yerby.
Ralph Jacob Mitchell.
Russell Raymond Louden.
George Ferdinand Stutsman, jr.
Frank Potter Albrook.
Arthur John Melanson.
Theodore Joseph Koenig.
Lemiel Lafayette Reece.

Willis Lamar Claxton.
Grandison Gardner.
Benners Brasfield Vail.
Walter Bingham Cochran.
Omer Osmer Niergarth.
Roy Alphonso Carter.
Pearne Clark Wilders.
Charles W. Fake.
Clifford Durward Overfelt.
Roderick Norman Ott.
George Van Studdiford.
William Byron Walters.
John Blaney.
Leland Fries Strader.
Percy Waldo Seymour.
Garland Thomas Rowland.
Lee Caraway Bizzell.
Marion Milton Pharr.
Walter Lee Sherfey.
James Victor Gagne.
James Courtney Browne.
John Boardman Lord.
Polk Johnson Atkinson.
Frank Norman Mallory.
Edmund Rucks Shugart.
Ulmont William Holly.
Rex Henry Burger.
Clarence Turner Davis.
Frank Rate Williams.
Harvey John Thornton.
Harold Joseph LaCroix.
Joseph Phillip Donnovin.
Andre Leonard Violante.
Leighton Nicol Smith.
Louis Urgel Labine.
William Barmore Sharp.
Marcus Ellis Jones.
Harold Patrick Hennessy.
Victor Emerson Biehn.
Robert Robinson.
Aubrey Hornsby.
Lawrence Lofton Cobb.
William Havely McKee.
Garnett Hamilton Wilson.
Francis Xavier Oberst.
Edwin Moore Burnett.
Richard Hawley Slider.
Andrew Edward Forsyth.
Justus Smith Davidson.
Mark Histand Doty.
Charles Peter Prime.
Otto Rudolph Stillinger.
Chauncey Whitney Samosell.
Hugh Gibson Culton.
Paul Allen Reichle.
Hubert Taylor Sutton.
Gerald Bradford Devere.
Wallis Ammi Frederick.
James Emerson Bush.
Edward Raymond Golden.
Herbert Joseph McChrystal.
Auby Casey Strickland.
William Christopher Sinclair.
James Harry Newberry.
John Max Lentz.
William Young McBurney.
Vincent Douglas Mee.
Charles Weess Hanna.
William Lawrence Kay, jr.
James Willard Harris.
Albert Edgar Cannon.
Harry Marten Schwarze.
Philip Wallace Ricamore.
Benjamin Kenney Erdman.
Geoffrey Cooke Bunting.
Orin Lee Davidson.
James Patrick Boland.
Thomas Francis Hickey.
Emmett Michael Connor.
John Joseph Dunn.
Clyde Hurschale Phillips.
Edward Albert Kimball.
Thomas James Chrisman.
Benjamin Harrison Graham.
Louis North Eller.
George Stainback Deaderick.
Ashley Chadbourne McKinley.
Fred Charles Dierstein.
John William Irwin.
Robert LeRoy Nesbit.
Lawrence Haley Caruthers.
Elmer Dane Pangburn.
Thomas John Carroll.
John Beveridge, jr.
Michael Everett McHugo.
Edward Lewis Searl, jr.
Lloyd H. Duffin.
Vincent James Meloy.
Charles Egbert Branshaw.
Leigh Wade.
Earle Hayden Tonkin.
Ivan Leon Foster.
John Robert Hall.
Joseph Ignatius Sullivan.
Edward Whiting Raley.
Dache McClain Reeves.
Olver Perry Gothlin, jr.
Mark Henry Redman.
Wallace Marmaduke Allison.
Oscar George Fegan.
Thomas Jefferson Davis.
Harvey William Prosser.
Eugene Robert Cowles.
John Francis Alcure.
Robert Victor Ignico.
Rutledge Maurice Lawson.
Jacob Marcellus Woodard.
Harry George Rennagel.
Dudley Hamilton Woodin.
Leland Ross Hewitt.
Frederick William Evans.
Oliver Edward Cound.
Frank LaRue.
Alfred Baxter Baker.
Fred Cyrus Nelson.
Delbert Emerick Jones.
Charles Douglas.
Hugh Albert Bivins.
Clyde Antono Kuntz.
Elmer John Bowling.
Orin Jay Bushey.
Robert Shirley Clayton.
John William Beck.
Robert Strong Worthington.
Louis Philip Moriarty.
George Washington Polk, jr.
Charles Norton Monteith.
Cleveland William McDermott.
George Howell Burgess.
Thomas Vincent Bynes.
Frederick William Niedermeyer, jr.
James Gradon Taylor.
Leland Wilbur Miller.
William DeVoe Coney.
Elbert Wiley Franklin.
Raphael Baez, jr.
Robert Halbert Finley.
Clarence Herbert Welch.
Alfred Jefferson Lyon.
Harold Lyman Clark.
James Montrose Graham Thomson Neely.
Sam Love Ellis.
George Godfrey Lundberg.
Eugene Lowry Eubank.
Howard Dutton Norris.
Frank Martyn Paul.
Samuel Martin Connell.
John Edwin Upston.
Reuben Curtis Moffat.
Paul Langdon Williams.
Thomas Aloysius Hoy.
Theodore Julius Lindorff.
William Alexander Marsh.
George Thomas Barnes.
Samuel Custer Eaton, jr.
Joseph John Gutkowski.
Charles Albert Welcker.
Joseph Francis Binford.
Harry Wesley Bauer.
Joseph Horace Landrum.
George Roland McElroy.
Garrett Bruce Shomber.

John Redmond Thornton.
Bayard Johnson.
Mortimer Francis Sullivan.
Eggleston Nestley Peach.
George Lawrence Potter.
Leslie Dillon Carter.
Don Riley.
Pembroke Augustine Brawner, jr.
Isaac Leonard Kitts.
Fred Charles Thomas.
Harold Lewis Turner.
Merrill Deitz Mann.
Ezra Rice Frost, jr.
Maurice Shefstad Hill.
Edgar Andrew Liebhauser.
Charles Lester Morse.
Albert Carl Foulk.
Edward Vincent Harbeck.
Frank Walter Seifert.
Austin Murray Coates.
Edward Ernest Hildreth.
Courtney Whitney.
Phillips Melville.
John Gordon Williams.
Kenneth Gatiss Fraser.
William Colb Morris.
George William Pardy.
Bernard Scott Thompson.
Willis Ratcliffe Taylor.
Robert Duane Knapp.
Louis Braswell Knight.
Howard Bratton, jr.
James Harold Doolittle.
James Thomas Curry, jr.
Burdette Mase Fitch.
William Bettencourt Souza.
Marll James Plumb.
Alfred Lindeburg.
Joseph Alexis Wilson.
Clements McMullen.
Ames Scribner Albro.
Milo McCune.
Charles McKinley Robinson.
John Sanderson Crawford.
Charles Yawkey Banfill.
Myron Ray Wood.
Isaac Jackson Williams.
Clarence Edward Shankle.
Donald Lloyd Bruner.
William Joseph Gainey.
Lloyd Chartley Blackburn.
Leslie Philip Arnold.
Edward Jenkins.
Audrey Baxter Ballard.
Gerald Edward Grimes.
John Henry Gardner.
William Campbell Goldsborough.
Louis Ogden Davis.
James Howard Smith.
Clarence Omer Bell.
Arthur Girard Hamilton.
Charles Mellis Myers.
Cyrus Quinton Shelton.
Edward Huffner Wood.
Emil Charles Kiel.
Silas Clearman Hyndshaw.
Harold Lee George.
Lewis Allego Dayton.
Younger Arnold Pitts.
Howard Zabriskie Bogert.
Burnie Raymond Dallis.
Benjamin Franklin Griffin.
Ward Fisk Robinson.
Harry Albert Fudge.
Lyle Meredon Shields.
Harvey James Golightly.
Charles Hale Dowman.
Thomas Hayden Davies.
Lewis Andrus Day.
Solomon Bernard Ebert.
Claude Weaver Feagin.
Harry Anton Johnson.
Charles William Walton.
Barney McKinney Giles.
Roy Travis McLamore.
Bernard Joseph Tooher.
Albert Francis Regenberger.
Norman Reuben Wood.
Wendell Nolsworth Brookley.
William Stephen Fitzpatrick.
Max Frank Schneider.
Donald Gardner Stitt.
Eugene Walter Lewis.
James Brian Edmunds.
Oscar William Koch.
Reis Joseph Ryland.
Harold Farnsworth Rubbell.
Glenn Charles Salisbury.
Harold Ralph Wells.
Malcolm Stoney Lawton.
Floyd Albert Lundell.
Jasper Kemper McDuffie.
Ross Corbett Kirkpatrick.
Mark Rhey Woodward.
Howard Knox Ramey.
Theodore Shafer Van Veghten.
Lionel H. Dunlap.
Russell Ralph Fox.
Stanley Smith.
Harold Daniel Smith.
Albert Brill.
Charles Walter Hensey.
Henry Edward Wooldridge.
Marion Larimore Elliott.
Irwin Stuart Amberg.
Earle J. Carpenter.
James Pratt Hodges.
Oakley George Kelly.
Welcome Bridges Elston.
James Alexander Mollison.
Harold Webster Beaton.
Talcott Proudman Smith.
Gilbert Shaw Graves, jr.
Stewart Wellington Torney.
William Grayson Moore.
Lawrence Brownlee Savage.
Leland Stanford Andrews.
Edwin Thomas May.
Edgar Eugene Glenn.
Joe Jones Yeats.
Harold Arthur Daly.
John Millan Pennewill.
William Henry Buechner.
John William Monahan.
Ernest Henry Harmon.
Cortlandt Spencer Johnson.
Harold Rentsch Rivers.
Henry Walter Ulmo.
Charles Carl Chauncey.
Walter Eugene Richards.
James Ellsworth Adams.
Robert Elmer Selff.
Roy Bradford Mosher.
Frederick Eugene Coyne, jr.
John Myers McCulloch.
Richard Kemp LeBrou.
Charles Wesley Sullivan.
Luther Earl Keithly.
Paul Harter Leech.
George William Haskins.
Ernest Arthur DeWitt.
Albert Henry Johnson.
Neal Dow Franklin.
Louis Joseph Harant.
William Simmons Sullivan.
Eugene Cooper Batten.
Henry Joachim Boettcher.
Lonnie Ottis Field.
Stanley Mitchell Ames.
Melvin B. Asp.
Royal Beard Lea.
Maurice Stewart Kerr.
George Clement McDonald.
Peter Emanuel Skanse.
Alfred Evans Waller.
Clarence Roscoe MacIver.
Harold Amos Moore.
Malcolm Nebeker Stewart.
John William Benton.
John George Shannonhouse.
Odas Moon.
Dean Bryan Bolt.

Arthur George Liggett.
Westside Torkel Larson.
Andrew Daniel Hopping.
Newton Longfellow.
Fred Evans Woodward.
Lloyd Barnett.
John Arthur Laird, jr.
Bushrod Hoppin.
Charles William Steinmetz.
Owen Evans Spruance.
John Myrddin Davies.
William Norris White.
Reuben Dallam Biggs.
Wendell Brown McCoy.
Francis Warren Neuenmacher.
Laurence Claude.
John Augustus Barksdale.
Laurence Delmore.
Harold Franklyn Rouse.

PROMOTION IN PHILIPPINE SCOUTS.

To be first lieutenants.

Don Namon Biddinger.
Herbert Lee Merritt.
Furmon Arthur Shults.
Harry W. Howard.
Eustaquio Baclig y Sabio.

WITHDRAWALS.

Executive nominations withdrawn from the Senate March 14, 1921.

The nominations of the following-named officers were submitted to the Senate March 11, 1921.

To be colonels.

Lieut. Col. Fitzhugh Lee, Cavalry, from November 24, 1920.
Lieut. Col. Ralph Brewster Parrott, Infantry, from December 14, 1920.
Lieut. Col. Harry Parker Wilbur, Coast Artillery Corps, from December 23, 1920.
Lieut. Col. Stanley Hamer Ford, Infantry, from December 25, 1920.
Lieut. Col. Robert Mauro Brambila, Infantry, from January 6, 1921.
Lieut. Col. Elijah Bishop Martindale, jr., Coast Artillery Corps, from January 19, 1921.
Lieut. Col. John Nicholas Straat, Infantry, from February 1, 1921.
Lieut. Col. Earle White Tanner, Infantry, from February 1, 1921.
Lieut. Col. Henry Slocum Wagner, Infantry, from February 1, 1921.
Lieut. Col. Frederick Guy Knabenshue, Infantry, from February 11, 1921.

To be lieutenant colonels.

Maj. Guy Eugene Rucker, Infantry, from November 24, 1920.
Maj. Rawson Warren, Cavalry, from November 25, 1920.
Maj. John Henry Read, jr., Ordnance Department, from November 26, 1920.
Maj. Robert Gray Peck, Infantry, from December 14, 1920.
Maj. Robert John Binford, Infantry, from December 16, 1920.
Maj. John Augustus Brockman, Infantry, from December 19, 1920.
Maj. Charles Conaway Burt, Coast Artillery Corps, from December 21, 1920.
Maj. Sheldon Webb Anding, Infantry, from December 22, 1920.
Maj. William Gaither Murchison, Infantry, from December 23, 1920.
Maj. Joseph Howard Barnard, Quartermaster Corps, from December 25, 1920.
Maj. Rodman Butler, Quartermaster Corps, from December 27, 1920.
Maj. Howard Stanley Miller, Coast Artillery Corps, from January 6, 1921.
Maj. Clarence Lininger, Cavalry, from January 19, 1921.
Maj. Edward Murray Offley, Cavalry, from January 26, 1921.
Maj. John Cocke, Cavalry, from January 28, 1921.
Maj. Elvin Henry Wagner, Infantry, from January 29, 1921.
Maj. John Thomas Donnelly, Cavalry, from February 1, 1921.
Maj. William Henry Menges, Finance Department, from February 1, 1921.
Maj. Ronald Earle Fisher, Cavalry, from February 1, 1921.
Maj. Thomas Watson Brown, Infantry, from February 2, 1921.
Maj. Otis Robert Cole, Infantry, from February 8, 1921.

To be majors.

Capt. Arthur Peter von Deesten, Corps of Engineers, from November 24, 1920.
Capt. Henry Stehman Hostetter, Finance Department, from November 25, 1920.
Capt. Charles Burd Eckels, Quartermaster Corps, from November 26, 1920.
Capt. Wallace Fairchild Baker, Finance Department, from December 1, 1920.
Capt. Hardie Ambrose Violland, Finance Department, from December 2, 1920.
Capt. Hastie Alexander Stuart, Finance Department, from December 7, 1920.
Capt. Eugene Coffin, Finance Department, from December 10, 1920.
Capt. Francis Jewett Baker, Finance Department, from December 11, 1920.
Capt. Eugene Owen Hopkins, Finance Department, from December 11, 1920.
Capt. Elmer Ellsworth Lockard, Finance Department, from December 14, 1920.
Capt. Dana Woods Morey, Finance Department, from December 16, 1920.
Capt. Selden Brooke Armat, Finance Department, from December 16, 1920.

SENATE.

TUESDAY, *March 15, 1921.*

The Senate met at 11 o'clock a. m.

Rev. J. J. Muir, D. D., the Chaplain, offered the following prayer:

We rejoice before Thee, our Father, this morning that Thou doest according to Thy will among the inhabitants of the earth, and that Thou art concerned about our interests, and daily desire from us the consciousness of Thine approval. Hear us, we beseech of Thee, and direct our ways this day, to Thy glory. For Thy name's sake. Amen.

The Vice President being absent, the President pro tempore took the chair.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

TREATY WITH COLOMBIA.

Mr. SMOOT submitted the following resolution (S. Res. 14), which was read, considered by unanimous consent, and agreed to:

Resolved, That 250 additional copies of Senate Document No. 51, Fifty-eighth Congress, second session, entitled "Correspondence Concerning the Convention Between the United States and Colombia for the Construction of an Interoceanic Canal Across the Isthmus of Panama," be printed for the use of the Committee on Foreign Relations.

EXECUTIVE SESSION.

Mr. CURTIS. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session the doors were reopened, and (at 11 o'clock and 35 minutes a. m.) the Senate adjourned sine die.

NOMINATIONS.

Executive nominations received by the Senate March 15, 1921.

REGISTER OF LAND OFFICE, LANDER, WYO.

Irving W. Wright, of Thermopolis, Wyo., to be register of the land office at Lander, Wyo.

RECEIVER OF PUBLIC MONEYS, BUFFALO, WYO.

J. Ira Kirby, of Sheridan, Wyo., to be receiver of public moneys at Buffalo, Wyo.

THIRD ASSISTANT SECRETARY OF STATE.

Robert Woods Bliss, of New York, to be Third Assistant Secretary of State.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 15, 1921.

THIRD ASSISTANT SECRETARY OF STATE.

Robert Woods Bliss to be Third Assistant Secretary of State.

REGISTER OF LAND OFFICE, LANDER, WYO.

Irving W. Wright to be register of land office at Lander, Wyo.

RECEIVER OF PUBLIC MONEYS, BUFFALO, WYO.

J. Ira Kirby to be receiver of public moneys at Buffalo, Wyo.

SIXTY-SEVENTH CONGRESS,

FIRST SESSION.

Congressional Record.

PROCEEDINGS AND DEBATES OF THE SIXTY-SEVENTH CONGRESS FIRST SESSION.

SENATE.

MONDAY, *April 11, 1921.*

The first session of the Sixty-seventh Congress commenced this day at the Capitol, in the city of Washington, in pursuance of the proclamation of the President of the United States of the 22d day of March, 1921.

CALVIN COOLIDGE, of Massachusetts, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. J. J. Muir, D. D., of the city of Washington, offered the following prayer:

Our Father and our God, we bless Thee for the privileges granted to us of continued life and the opportunities afforded in the performance of high and solemn tasks. We pray for Thy guidance this day and through all the sessions of this important gathering. We beseech of Thee to give wisdom, the wisdom that cometh from Thyself, so that every deliberation may be guided rightly, and that under Thine own inspiration results may be achieved that shall be for the good of the Nation and shall meet Thine approval. Bless each of Thy servants before Thee, and grant Thy blessing to our country, remembering our President and all related to the manifold duties of the hour. We ask in Christ our Lord's name. Amen.

PROCLAMATION.

The VICE PRESIDENT. The Secretary of the Senate will read the proclamation of the President of the United States convening Congress in extraordinary session.

The Secretary (George A. Sanderson) read the proclamation, as follows:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION.

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 11th day of April, 1921, to receive such communication as may be made by the Executive:

Now, therefore, I, Warren G. Harding, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol, in the District of Columbia, on the 11th day of April, 1921, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

Given under my hand and the seal of the United States in the District of Columbia the 22d day of March, in the year of our Lord 1921, and of the independence of the United States the one hundred and forty-fifth.

[SEAL.] WARREN G. HARDING.

By the President:
CHARLES E. HUGHES,
Secretary of State.

CALL OF THE ROLL.

The VICE PRESIDENT. The Secretary will call the roll of the Senate for the purpose of ascertaining if a quorum is present.

The reading clerk (John C. Crockett) called the roll, and the following Senators answered to their names:

Ashurst	Ernst	Kendrick	Norris
Ball	Fletcher	Knox	Overman
Borah	France	Ladd	Owen
Brandegee	Frelinghuysen	La Follette	Page
Broussard	Gerry	Lenroot	Penrose
Calder	Glass	Lodge	Phipps
Cameron	Gooding	McCormick	Pittman
Capper	Hale	McCumber	Poindexter
Caraway	Harreld	McKellar	Pomerene
Colt	Harris	McKinley	Ransdell
Culberson	Harrison	McLean	Reed
Cummins	Heflin	McNary	Sheppard
Curtis	Hitchcock	Moses	Shortridge
Dial	Johnson	Myers	Simmons
Dillingham	Jones, N. Mex.	Nelson	Smith
Edge	Jones, Wash.	New	Smoot
Elkins	Kellogg	Nicholson	Spencer
Stanfield	Trammell	Warren	Willis
Sterling	Wadsworth	Watson, Ind.	Wolcott
Swanson	Walsh, Mass.	Weller	
Townsend	Walsh, Mont.	Williams	

Mr. MOSES. I wish to announce the absence of my colleague [Mr. KEYES], who is detained on business of the Senate.

Mr. CURTIS. I was requested to announce the absence of the Senator from Nevada [Mr. ODDIE] on account of illness. I will let this announcement stand for the day.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of the serious illness of his mother.

The VICE PRESIDENT. Eighty-two Senators having answered to their names, a quorum is present.

SENATORS FROM NEW MEXICO AND SOUTH DAKOTA.

Mr. JONES of New Mexico. Mr. President, I present the certificate of Mr. HOLM O. BURSUM, appointed a Senator from the State of New Mexico. I ask that his credentials may be read and that the oath of office may be administered to him.

The credentials were read and ordered to be filed, as follows:

EXECUTIVE OFFICE,
Santa Fe, N. Mex., March 11, 1921.

To the PRESIDENT OF THE SENATE
OF THE UNITED STATES OF AMERICA:

This is to certify that I, Merritt C. Mechem, governor of the State of New Mexico, have this day appointed HOLM O. BURSUM United States Senator from the State of New Mexico to fill the vacancy in the representation of said State in the Senate caused by the resignation of Albert B. Fall until the people fill such vacancy by election.

[SEAL.] MERRITT C. MECHEM,
Governor of New Mexico.

Attest:

MANUEL MARTINEZ,
Secretary of State.

Mr. STERLING. Mr. President, the credentials of Hon. PETER NORBECK, a Senator elect from the State of South Dakota, have been received and filed with the Secretary of the Senate. Mr. NORBECK is present and ready to take the oath of office.

The VICE PRESIDENT. Both Senators will present themselves at the desk and receive the oath of office.

Mr. BURSUM and Mr. NORBECK, escorted by Mr. JONES of New Mexico and Mr. STERLING, respectively, advanced to the Vice President's desk, and the oath prescribed by law having been administered to them, they took their seats in the Senate.

LIST OF SENATORS.

The list of Senators by States is as follows:

Alabama.—Oscar W. Underwood and J. Thomas Heflin.
Arizona.—Henry F. Ashurst and Ralph H. Cameron.
Arkansas.—Joseph T. Robinson and Thaddeus H. Caraway.
California.—Hiram W. Johnson and Samuel M. Shortridge.
Colorado.—Lawrence C. Phipps and Samuel D. Nicholson.
Connecticut.—Frank B. Brandegee and George P. McLean.
Delaware.—Josiah O. Wolcott and L. Heisler Ball.
Florida.—Duncan U. Fletcher and Park Trammell.
Georgia.—William J. Harris and Thomas E. Watson.
Idaho.—William E. Borah and Frank R. Gooding.
Illinois.—Medill McCormick and William B. McKinley.
Indiana.—James E. Watson and Harry S. New.
Iowa.—Albert B. Cummins and William S. Kenyon.
Kansas.—Charles Curtis and Arthur Capper.
Kentucky.—A. Owsley Stanley and Richard P. Ernst.
Louisiana.—Joseph E. Ransdell and Edwin S. Broussard.
Maine.—Bert M. Fernald and Frederick Hale.
Maryland.—Joseph I. France and Ovington E. Weller.
Massachusetts.—Henry Cabot Lodge and David I. Walsh.
Michigan.—Charles E. Townsend and Truman H. Newberry.
Minnesota.—Knute Nelson and Frank B. Kellogg.
Mississippi.—John Sharp Williams and Pat Harrison.
Missouri.—James A. Reed and Selden P. Spencer.
Montana.—Henry L. Myers and Thomas J. Walsh.
Nebraska.—Gilbert M. Hitchcock and George W. Norris.
Nevada.—Key Pittman and Tasker L. Oddie.
New Hampshire.—George H. Moses and Henry W. Keyes.
New Jersey.—Joseph S. Frelinghuysen and Walter E. Edge.

New Mexico.—Andrieus A. Jones and Holm O. Bursum.
New York.—James W. Wadsworth, jr., and William M. Calder.
North Carolina.—F. M. Simmons and Lee S. Overman.
North Dakota.—Porter J. McCumber and Edwin F. Ladd.
Ohio.—Atlee Pomerene and Frank B. Willis.
Oklahoma.—Robert L. Owen and J. W. Harreld.
Oregon.—Charles L. McNary and Robert N. Stanfield.
Pennsylvania.—Boies Penrose and Philander C. Knox.
Rhode Island.—LeBaron B. Colt and Peter G. Gerry.
South Carolina.—Ellison D. Smith and Nathaniel B. Dial.
South Dakota.—Thomas Sterling and Peter Norbeck.
Tennessee.—John K. Shields and Kenneth McKellar.
Texas.—Charles A. Culberson and Morris Sheppard.
Utah.—Reed Smoot and William H. King.
Vermont.—William P. Dillingham and Carroll S. Page.
Virginia.—Claude A. Swanson and Carter Glass.
Washington.—Wesley L. Jones and Miles Poindexter.
West Virginia.—Howard Sutherland and Davis Elkins.
Wisconsin.—Robert M. La Follette and Irvine L. Lenroot.
Wyoming.—Francis E. Warren and John B. Kendrick.

NOTIFICATION TO THE HOUSE.

Mr. LODGE. Mr. President, I send to the desk the following resolution for which I ask immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Assistant Secretary (Henry M. Rose) read the resolution (S. Res. 15), and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Mr. LODGE submitted a resolution (S. Res. 16), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the House of Representatives be notified of the election of Hon. ALBERT B. CUMMINS, a Senator from the State of Iowa, as President of the Senate pro tempore, and George A. Sanderson, of Illinois, as Secretary of the Senate.

HOUR OF DAILY MEETING.

Mr. LODGE submitted a resolution (S. Res. 17), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE submitted a resolution (S. Res. 18), which was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to notify the President of the United States that a quorum of each House is assembled, and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. LODGE and Mr. HITCHCOCK as the committee on the part of the Senate.

RECESS.

Mr. LODGE. Mr. President, I am going to move that the Senate now take a recess so that we may have an opportunity to hear from the House, and learn the action of that body with reference to the committee to notify the President.

Mr. POINDEXTER. Will the Senator withhold his motion and allow the introduction of a bill?

Mr. LODGE. I am sorry, but I do not think we can transact routine business this morning, because Congress is not yet organized. It is not usual to introduce bills before the President has had an opportunity to communicate with Congress, if he so desires. Therefore, in order to give the House the opportunity, as more time will be consumed in organization there than has been consumed here, I move that the Senate stand in recess until half past 2 o'clock.

Mr. HITCHCOCK. Mr. President, as I recall, four years ago when we were called in extraordinary session we were compelled to take several recesses, owing to the delay in organizing the House of Representatives. Has the Senator advised himself fully that there is a reasonable chance that we shall be able to begin business as early as 2.30 o'clock?

Mr. LODGE. I spoke to Mr. MONDELL, the leader of the House, and he thought that two hours would be enough, and probably more than enough, time to allow.

Mr. HITCHCOCK. Four years ago we took a recess until 5 o'clock, as I recall, and then had to take another recess, as it was nearly 6 o'clock before the House was organized.

Mr. LODGE. I think there was some contest in the House at that time, and an unusual time was taken. I have every reason to suppose that in two hours the House will be able to effect its organization; at least, I informed myself from what I presumed was the best authority to that effect. If we meet at half past 2 it will be very easy to take another recess, should it be necessary.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate take a recess until 2.30 p. m.

The motion was agreed to; and (at 12 o'clock and 17 minutes p. m.) the Senate took a recess until 2 o'clock and 30 minutes p. m., when it reassembled.

CALL OF THE ROLL.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Gooding	McKellar	Sheppard
Ball	Hale	McKinley	Shortridge
Brandegee	Harreld	McLean	Simmons
Broussard	Harris	McNary	Smith
Bursum	Harrison	Moses	Smoot
Calder	Heflin	Myers	Spencer
Cameron	Hitchcock	Nelson	Stanfield
Capper	Johnson	New	Sterling
Caraway	Jones, N. Mex.	Nicholson	Swanson
Colt	Jones, Wash.	Norbeck	Trammell
Curtis	Kellogg	Overman	Wadsworth
Dial	Kendrick	Page	Walsh, Mass.
Dillingham	Knox	Penrose	Walsh, Mont.
Edge	Ladd	Phipps	Warren
Ernst	La Follette	Pittman	Watson, Ind.
Fletcher	Lenroot	Poindexter	Williams
France	Lodge	Pomerene	Willis
Frelinghuysen	McCormick	Ransdell	Wolcott
Glass	McCumber	Reed	

Mr. MOSES. I ask that the announcement which I made previously with regard to the absence of my colleague [Mr. KEYES] may stand for the day.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of the serious illness of his mother.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

RECESS.

Mr. LODGE. Mr. President, I have just received word from the House that they expect to send a message to the Senate in the course of 10 minutes. I therefore suggest, allowing for uncertainties, that the Senate take a further recess until 3 o'clock.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to; and (at 2 o'clock and 37 minutes p. m.) the Senate took a recess until 3 o'clock p. m., at which hour it reassembled.

MESSAGE FROM THE HOUSE.

Mr. W. H. Overhue, the enrolling clerk of the House of Representatives, appeared and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business; that FREDERICK H. GILLETT, a Representative from the State of Massachusetts, has been elected Speaker; and that William Tyler Page, a citizen of the State of Maryland, has been elected Clerk.

Also, that a committee of three Members has been appointed by the Speaker on the part of the House of Representatives to join the committee on the part of the Senate to notify the President of the United States that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may be pleased to make, and that Mr. MONDELL, Mr. FORDNEY, and Mr. KITCHIN were appointed as a committee on the part of the House.

TREATY WITH COLOMBIA.

Mr. LODGE. Mr. President, before making a motion to adjourn, I desire to give notice that with the permission of the Senate, after listening to the President's message to-morrow, I shall ask the Senate to go into open executive session to consider the treaty with Colombia, and I shall also ask permission of the Senate to address them very briefly upon the subject of the treaty.

Mr. SMOOT. Mr. President, I ask the Senator from Massachuetts if there will be any objection to-morrow, after hearing the President's message, to my taking about 20 minutes to deliver a few remarks on the question of a sales tax before going into executive session?

Mr. LODGE. I have no objection to the Senator addressing the Senate on the sales tax, but as we have a unanimous-consent agreement in regard to the time for the consideration of the treaty with Colombia, I think it is my duty to call it up to-morrow.

Mr. PENROSE. The Senator from Massachusetts, the chairman of the Committee on Foreign Relations, has given notice that he intends to discuss the treaty with Colombia. There will not then be the slightest difficulty in the Senator from Utah addressing himself to the treaty and discussing the sales tax.

Mr. LODGE. Under the practice of the Senate that is very true.

Mr. SMOOT. The Senator from Utah did not know whether we were going to have an open executive session or not. If I had understood that the treaty was to be discussed in open executive session, of course I would not have asked the question.

Mr. LODGE. I shall make a motion, as I think I stated, to have the treaty taken up in open executive session.

Mr. KELLOGG. Mr. President, in executive session on the last day of the special session of the Senate I gave notice that on the first day of this session I would, with the permission of the Senate, address it on the Colombian treaty; but as the Senator from Massachusetts, the chairman of the Committee on Foreign Relations, desires to address the Senate at that time, I should like to give notice that at the conclusion of his remarks, or at least on Wednesday morning, I shall ask the permission of the Senate to make an address on the subject.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. LODGE. I yield to the Senator. I was about to make a motion to adjourn.

Mr. POMERENE. In view of the notice which has been given by the Senator from Minnesota, I wish also to give notice that at the conclusion of his address I desire to submit some observations on the Colombian treaty.

Mr. LODGE. I will state that several Senators have spoken to me about the introduction of morning business. That, of course, can take place to-morrow morning before the President's message is delivered, but I think until we have notified the President we should not enter on any routine business. I now move that the Senate adjourn.

Mr. KNOX. Before the motion is put I should like to give a notice. I understand the Senator from Massachusetts has given notice that he will speak on the Colombian treaty to-morrow.

Mr. LODGE. That is my intention.

Mr. KNOX. And the Senator from Minnesota [Mr. KELLOGG] will follow him either to-morrow or the day following, and the Senator from Ohio [Mr. POMERENE] has given notice that he will follow the Senator from Minnesota. I should like to give notice that, if agreeable to the Senate, at the conclusion of the remarks of the Senator from Ohio I shall address the Senate upon the Colombian treaty.

Mr. LODGE. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 12, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 11, 1921.*

The House met at 12 o'clock noon.

This being the day fixed in the proclamation of the President for the assembling of the first session of the Sixty-seventh Congress, the Clerk of the House of the Sixty-sixth Congress, Mr. William Tyler Page, called the House to order.

PROCLAMATION OF THE PRESIDENT.

The CLERK. Representatives elect, this being the day and hour proclaimed by the President for the convening of the Sixty-seventh Congress in extraordinary session, the Clerk of the House of the Sixty-sixth Congress will now read the following proclamation:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA—A PROCLAMATION.

Whereas public interests require that the Congress of the United States should be convened in extra session at 12 o'clock noon on the 11th day of April, 1921, to receive such communication as may be made by the Executive:

Now, therefore, I, Warren G. Harding, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the District of Columbia on the 11th day of April, 1921, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as Members thereof are hereby required to take notice.

Given under my hand and the seal of the United States in the District of Columbia the 22d day of March, in the year of our Lord 1921, and of the independence of the United States the one hundred and forty-fifth.

[SEAL.] WARREN G. HARDING.

By the President:

CHARLES E. HUGHES,
Secretary of State.

The CLERK. The Chaplain of the House of the Sixty-sixth Congress will now offer prayer.

Rev. James Shera Montgomery, D. D., Chaplain of the House of the Sixty-sixth Congress, offered the following prayer:

Almighty God, our heavenly Father, we still live, because Thy mercy and goodness never fail us. We are grateful that we are still in Thy remembrance. May we never feel the shadow of Thy frown.

May this time be the hour of our reconsecration to the needs and to the call of our country. May the fires of our devotion be rekindled upon the altars of all our hearts, and thus may we be bound by every energy and passion of our beings. Thus bless our country with great peace, plenty, and prosperity.

Give wisdom to all our deliberations, and may we give willing obedience to every indication of Thy divine will and holy purpose.

Upon the President, upon our beloved land, upon this National Congress, upon every citizen let Thy richest blessing fall and abide, impartial and refreshing as the sunlight; through Jesus Christ, our Lord. Amen.

CALL OF THE ROLL BY STATES.

The CLERK. The Clerk will now call the roll alphabetically by States of Representatives elect to the Sixty-seventh Congress whose credentials have been filed according to law, to determine whether a quorum is present.

The Clerk called the roll, and the following Members elect answered to their names:

ALABAMA.

John McDuffie.	Lilius B. Rainey.
John R. Tyson.	Edward B. Almon.
Henry B. Steagall.	George Huddleston.
William B. Bowling.	William B. Bankhead.
William B. Oliver.	

ARIZONA.

Carl Hayden.

ARKANSAS.

William J. Driver.	Otis Wingo.
William A. Oldfield.	Hence M. Jacoway.
John N. Tillman.	Tilman B. Parks.

CALIFORNIA.

Clarence F. Lea.	Henry E. Barbour
Charles F. Curry.	Arthur M. Free.
Julius Kahn.	Walter F. Lineberger.
John I. Nolan.	Henry Z. Osborne.
John A. Elston.	Philip D. Swing.

COLORADO.

William N. Vaile.	Guy U. Hardy.
Charles B. Timberlake.	Edward T. Taylor.

CONNECTICUT.

E. Hart Fenn.	Schuyler Merritt.
Richard P. Freeman.	James P. Glynn.
John Q. Tilson.	

DELAWARE.

Caleb R. Layton.

FLORIDA.

Herbert J. Drane.	John H. Smithwick.
Frank Clark.	William J. Sears.

GEORGIA.

James W. Overstreet.	Gordon Lee.
Frank Park.	Charles H. Brand.
Charles R. Crisp.	Thomas M. Bell.
William C. Wright.	Carl Vinson.
William D. Upshaw.	William C. Lankford.
James W. Wise.	William W. Larsen.

IDAHO.

Burton L. French.	Addison T. Smith.

ILLINOIS.

Martin B. Madden.	Edward J. King.
James R. Mann.	Clifford Ireland.
Elliott W. Sproul.	Frank H. Funk.
Adolph J. Sabath.	Joseph G. Cannon.
John J. Gorman.	Allen F. Moore.
M. Alfred Michaelson.	Guy L. Shaw.
Stanley H. Kunz.	Loren E. Wheeler.
Fred A. Britten.	William A. Rodenberg.
Carl R. Chindblom.	Edwin B. Brooks.
Ira C. Copley.	Thomas S. Williams.
Charles E. Fuller.	Edward E. Denison.
John C. McKenzie.	Richard Yates.
William J. Graham.	William E. Mason.

Oscar R. Luhring.
Oscar E. Bland.
James W. Dunbar.
Everett Sanders.
Richard N. Elliott.
Merrill Moores.

William F. Kopp.
Harry E. Hull.
Burton E. Sweet.
Gilbert N. Haugen.
James W. Good.
C. William Ramseyer.

Daniel R. Anthony, jr.
Edward C. Little.
Philip P. Campbell.
Homer Hoch.

Alben W. Barkley.
David H. Kincheloe.
Robert Y. Thomas, jr.
Ben Johnson.
Charles F. Ogden.
Arthur B. Rouse.

James O'Connor.
H. Garland Dupré.
Whitmell P. Martin.
John N. Sandlin.

Carroll L. Beedy.
Wallace H. White, jr.

T. Alan Goldsborough.
Albert A. Blakeney.
John Philip Hill.

Allen T. Treadway.
Frederick H. Gillett.
Calvin D. Paige.
Samuel E. Winslow.
John Jacob Rogers.
Willfred W. Lufkin.
Robert S. Maloney.
Frederick W. Dallinger.

George P. Codd.
Earl C. Michener.
John C. Ketcham
Carl E. Mapes.
Patrick H. Kelley.
Louis C. Cramton.

Sydney Anderson.
Frank Clague.
Charles R. Davis.
Oscar E. Keller.
Walter H. Newton.

John E. Rankin.
Bill) G. Lowrey.
Benjamin G. Humphreys.
Ross A. Collins.

Frank C. Millspaugh.
Henry F. Lawrence.
Charles L. Faust.
Edgar C. Ellis.
William O. Atkeson.
Roscoe C. Patterson.
Sidney C. Roach.
Theodore W. Hukriede.

Washington J. McCormick.

C. Frank Reavis.
Albert W. Jefferis.
Robert E. Evans.

Sherman E. Burroughs.

Isaac Bacharach.
T. Frank Appleby.
Elijah C. Hutchinson.
Ernest R. Ackerman.
Randolph Perkins.
Amos H. Radcliffe.

Frederick C. Hicks.
John J. Kindred.
John Kissel.
Thomas H. Cullen.
Ardolph L. Kline.
Warren I. Lee.
Michael J. Hogan.
Charles G. Bond.

INDIANA.

Albert H. Vestal.
Fred S. Purnell.
William R. Wood.
Milton Kraus.
Louis W. Fairfield.
Andrew J. Hickey.

IOWA.

Cassius C. Dowell.
Horace M. Towner.
William R. Green.
L. J. Dickinson.
William D. Boies.

KANSAS.

James G. Strong.
Hays B. White.
J. N. Tincher.
Richard E. Bird.

KENTUCKY.

James C. Cantrill.
Ralph Gilbert.
William J. Fields.
John W. Langley.
John M. Robsion.

LOUISIANA.

Riley J. Wilson.
George K. Favrot.
Ladislas Lazaro.
James B. Aswell.

MAINE.

John A. Peters.
Ira G. Hersey.

MARYLAND.

J. Charles Linthicum.
Sydney E. Mudd.
Frederick N. Zihlman.

MASSACHUSETTS.

Charles L. Underhill.
Peter F. Tague.
George Holden Tinkham
James A. Gallivan.
Robert Luce.
Louis A. Frothingham.
William S. Greene.
Joseph Walsh.

MICHIGAN.

Joseph W. Fordney.
James C. McLaughlin.
Roy O. Woodruff.
Frank D. Scott.
W. Frank James.
Vincent M. Brennan.

MINNESOTA.

Harold Knutson.
Andrew J. Volstead.
Oscar J. Larson.
Halvor Steenerson.
Thomas D. Schall.

MISSISSIPPI.

Paul B. Johnson.
Percy E. Quin.
James W. Collier.

MISSOURI.

Cleveland A. Newton.
Harry B. Hawes.
Leonidas C. Dyer.
Marion E. Rhodes.
Edw. D. Hays.
Isaac V. McPherson.
S. A. Shelton.

MONTANA.

Carl W. Riddick.

NEBRASKA.

Melvin O. McLaughlin.
William E. Andrews.
Moses P. Kinkaid.

NEVADA.

Samuel S. Arentz.

NEW HAMPSHIRE.

Edward H. Wason.

NEW JERSEY.

Herbert W. Taylor.
Richard Wayne Parker.
Frederick R. Lehlbach.
Archibald E. Olpp.
Charles F. X. O'Brien.

NEW MEXICO.

Nestor Montoya.

NEW YORK.

Andrew N. Petersen.
Lester D. Volk.
Daniel J. Riordan.
Meyer London.
Christopher D. Sullivan.
Nathan D. Perlman.
Thomas J. Ryan.
W. Bourke Cockran.

Ogden L. Mills.
John F. Carew.
Walter M. Chandler.
Isaac Siegel.
Martin C. Ansorge.
Anthony J. Griffin.
Albert B. Rossdale.
Benjamin L. Fairchild.
James W. Husted.
Hamilton Fish, jr.
Charles B. Ward.
Peter G. Ten Eyck.
James S. Parker.

Hallett S. Ward.
Claude Kitchin.
Samuel M. Brinson.
Edward W. Pou.
Charles M. Stedman.

Olger B. Burtness.
George M. Young.

Nicholas Longworth.
A. E. B. Stephens.
Roy G. Fitzgerald.
John L. Cable.
Charles J. Thompson.
Charles C. Kearns.
Simeon D. Fess.
R. Clint Cole.
William W. Chalmers.
Israel M. Foster.
Edwin D. Ricketts.

Thomas A. Chandler.
Alice M. Robertson.
Charles D. Carter.
J. C. Pringey.

Willis C. Hawley.
Nicholas J. Sinnott.

William S. Vare.
George S. Graham.
Harry C. Ransley.
George W. Edmonds.
James J. Connolly.
George P. Darrow.
Thomas S. Butler.
Henry W. Watson.
William W. Griest.
Charles R. Connell.
Clarence D. Coughlin.
John Reber.
Fred B. Gernerd.
Louis T. McFadden.
Edgar R. Kiess.
I. Clinton Kline.
Benjamin K. Focht.
Aaron S. Kreider.

Clark Burdick.
Walter R. Stiness.

W. Turner Logan.
James F. Byrnes.
Fred H. Dominick.
John J. McSwain.

Charles A. Christopherson.
Royal C. Johnson.

B. Carroll Reece.
J. Will Taylor.
Joe Brown.
Wynne F. Clouse.
Ewin L. Davis.

Eugene Black.
John C. Box.
Morgan G. Sanders.
Sam Rayburn.
Hatton W. Sumners.
Clay Stone Briggs.
Daniel E. Garrett.
Joseph J. Mansfield.
James P. Buchanan.

Don B. Colton.

Frank L. Greene.

Schuyler Otis Bland.
Joseph T. Deal.
Andrew J. Montague.
Patrick Henry Drewry.
James P. Woods.

John F. Miller.
Lindley H. Hadley.
Albert Johnson.

Bertrand H. Snell.
Luther W. Mott.
Homer P. Snyder.
John D. Clarke.
Walter W. Magee.
Norman J. Gould.
Alanson B. Houghton.
Thomas B. Dunn.
Archie D. Sanders.
S. Wallace Dempsey.
Clarence MacGregor.
Daniel A. Reed.

NORTH CAROLINA.

Homer L. Lyon.
William C. Hammer.
Robert L. Doughton.
Alfred L. Bulwinkle.
Zebulon Weaver.

NORTH DAKOTA.

James H. Sinclair.

OHIO.

John C. Speaks.
James T. Begg.
Charles L. Knight.
C. Ellis Moore.
Joseph H. Himes.
W. M. Morgan.
Frank Murphy.
John G. Cooper.
Miner G. Norton.
Harry C. Gahn.
Theodore E. Burton.

OKLAHOMA.

F. B. Swank.
L. M. Gensman.
James V. McClintic.
Manuel Herrick.

OREGON.

Clifton N. McArthur.

PENNSYLVANIA.

John M. Rose.
Edward S. Brooks.
Evan J. Jones.
Adam M. Wyant.
Samuel A. Kendall.
Henry W. Temple.
Milton W. Shreve.
William H. Kirkpatrick.
Nathan L. Strong.
Harris J. Bixler.
Stephen G. Porter.
M. Clyde Kelly.
John M. Morin.
Guy E. Campbell.
William J. Burke.
Anderson H. Walters.
Joseph McLaughlin.

RHODE ISLAND.

Ambrose Kennedy.

SOUTH CAROLINA.

William F. Stevenson.
Philip H. Stoll.
Hampton P. Fulmer.

SOUTH DAKOTA.

William Williamson.

TENNESSEE.

Joseph W. Byrns.
Lemuel P. Padgett.
Lon A. Scott.
Finis J. Garrett.
Hubert F. Fisher.

TEXAS.

Tom Connally.
Fritz G. Lanham.
Lucian W. Parrish.
Harry M. Wurzbach.
John N. Garner.
C. B. Hudspeth.
Thomas L. Blanton.
Marvin Jones.

UTAH.

Elmer O. Leatherwood.

VERMONT.

Porter H. Dale.

VIRGINIA.

Thomas W. Harrison.
R. Walton Moore.
C. Bascom Slemp.
Henry D. Flood.

WASHINGTON.

John W. Summers.
J. Stanley Webster.

WEST VIRGINIA.

Benjamin L. Rosenbloom.	Harry C. Woodyard.
George M. Bowers.	Wells Goodykoontz.
Stuart F. Reed.	Leonard S. Echols.

WISCONSIN.

Henry Allen Cooper.	Joseph D. Beck.
Edward Voigt.	Edward E. Browne.
John M. Nelson.	David G. Classon.
John C. Kleczka.	James A. Frear.
William H. Stafford.	Adolphus P. Nelson.
Florian Lampert.	

WYOMING.

Frank W. Mondell.

The CLERK. The roll call discloses the presence of 421 Members. A quorum is present. The Clerk will present for information a statement showing changes that have occurred since the regular election of Representatives to the Sixty-seventh Congress. And if there be no objection the statement will be printed in the RECORD. The statement is as follows:

LIST OF VACANCIES SINCE THE REGULAR ELECTION, NOVEMBER 2, 1920.

Alabama, fourth district: FRED L. BLACKMON, died February 7, 1921.

California, ninth district: CHARLES F. VAN DE WATER, died November 20, 1920. WALTER F. LINEBERGER elected February 15, 1921, to fill the vacancy.

Pennsylvania, at large: MAHLON H. GARLAND, died November 19, 1920.

The Clerk will state that certificates have been duly filed showing the election of J. KUHIO KALANIANAOLE as Delegate from the Territory of Hawaii and of DAN A. SUTHERLAND as Delegate from the Territory of Alaska.

The Clerk deems it proper to state that, pursuant to act of Congress, a Resident Commissioner to the United States from Porto Rico is elected quadrennially, and that the Clerk has received from the Secretary of State of the United States a certified copy of the certificate of election of FELIX CORDOVA DAVILA as such Resident Commissioner for the four years commencing on the 4th day of March, 1921. Under the rules of the House of the Sixty-sixth Congress the Resident Commissioner from Porto Rico was accorded the privilege of the floor of the House.

Two Resident Commissioners to the United States from the Philippine Islands are elected by the Philippine Legislature triennially. The Clerk was notified by the Bureau of Insular Affairs of the War Department of the election by the Philippine Legislature of JAIME C. DE VEYRA and ISAURO GABALDON as Resident Commissioners from the Philippine Islands for three years commencing March 4, 1920, and that the President of the United States would transmit their credentials to the House. The Resident Commissioners from the Philippine Islands have heretofore been accorded the privilege of the floor of the House by unanimous consent, such action being taken after the House is organized, but not at this juncture.

ELECTION OF SPEAKER.

The CLERK. The next business in order is the election of a Speaker. Nominations will now be received.

Mr. TOWNER. Mr. Clerk, I am authorized by the Republican conference representing the majority of the House to present as its candidate for Speaker of the House of Representatives during the continuance of the Sixty-seventh Congress the name of FREDERICK HUNTINGTON GILLETT, a Representative from Massachusetts. [Applause.]

Mr. RAYBURN. Representing the unanimous sentiment of the Democrats of the Sixty-seventh Congress, and by their direction, I present for Speaker of the House of Representatives the name of Hon. CLAUDE KITCHIN, of North Carolina. [Applause, the Members rising.]

The CLERK. Hon. FREDERICK H. GILLETT, a Representative elect from the State of Massachusetts, and Hon. CLAUDE KITCHIN, a Representative elect from the State of North Carolina, have been placed in nomination. If there are no further nominations the Clerk will appoint the gentleman from Maine, Mr. WHITE, Mr. JEFFERIS, of Nebraska, Mr. TAGUE, of Massachusetts, and Mr. HAYDEN, of Arizona, to act as tellers.

The roll will now be called and Members will indicate by name the candidate of their choice.

The tellers having taken their places, the House proceeded to vote viva voce for Speaker. The following is the vote in detail:

FOR MR. FREDERICK H. GILLETT—297.

Ackerman	Atkeson	Bixler	Britten
Anderson	Bacharach	Blakeney	Brooks, Ill.
Andrews	Barbour	Bland, Ind.	Brooks, Pa.
Ansorge	Beck	Boies	Brown, Tenn.
Anthony	Beedy	Bond	Browne, Wis.
Appleby	Begg	Bowers	Burdick
Arentz	Bird	Brennan	Burke
Burroughs	Gould	McFadden	Rossdale
Burtness	Graham, Ill.	McKenzie	Ryan
Burton	Graham, Pa.	McLaughlin, Mich.	Sanders, Ind.
Butler	Green, Iowa	McLaughlin, Nebr.	Sanders, N. Y.
Cable	Greene, Mass.	McLaughlin, Pa.	Schall
Campbell, Kans.	Greene, Vt.	McPherson	Scott, Mich.
Cannon	Griest	MacGregor	Scott, Tenn.
Chalmers	Hadley	Madden	Shaw
Chandler, N. Y.	Hardy, Colo.	Magee	Shelton
Chandler, Okla.	Haugen	Maloney	Shreve
Chindblom	Hawley	Mann	Siegel
Christopherson.	Hays	Mapes	Sinclair
Clague	Herrick	Mason	Sinnott
Clarke, N. Y.	Hersey	Merritt	Slemp
Classon	Hickey	Michaelson	Smith
Clouse	Hicks	Michener	Snell
Codd	Hill	Miller	Snyder
Cole	Himes	Mills	Speaks
Colton	Hoch	Millspaugh	Sproul
Connell	Hogan	Mondell	Stafford
Connolly, Pa.	Houghton	Montoya	Steenerson
Cooper, Ohio	Hukriede	Moore, Ill.	Stephens
Cooper, Wis.	Hull	Moore, Ohio	Stiness
Copley	Husted	Moores, Ind.	Strong, Kans.
Coughlin	Hutchinson	Morgan	Strong, Pa.
Cramton.	Ireland	Morin	Summers, Wash.
Curry	James, Mich.	Mott	Sweet
Dale	Jefferis	Mudd	Swing
Dallinger	Johnson, S. Dak.	Murphy	Taylor, N. J.
Darrow	Johnson, Wash.	Nelson, A. P.	Taylor, Tenn.
Davis, Minn.	Jones, Pa.	Nelson, J. M.	Temple
Dempsey	Kahn	Newton, Minn.	Thompson
Denison	Kearns	Newton, Mo.	Tilson
Dickinson	Keller	Nolan	Timberlake
Dowell	Kelley, Mich.	Norton	Tincher
Dunbar	Kelly, Pa.	Ogden	Tinkham
Dunn	Kendall	Olpp	Towner
Dyer	Kennedy	Osborne	Treadway
Echols	Ketcham	Paige	Underhill
Edmonds	Kiess	Parker, N. J.	Vaile
Elliott	King	Parker, N. Y.	Vare
Ellis	Kinkaid	Patterson, Mo.	Vestal
Elston	Kirkpatrick	Patterson, N. J.	Voigt
Evans	Kissel	Perkins	Volk
Fairchild	Kleczka	Perlman	Volstead
Fairfield	Kline, N. Y.	Peters	Walsh
Faust	Kline, Pa.	Petersen	Walters
Fenn	Knight	Porter	Ward, N. Y.
Fess	Knutson	Pringey	Wason
Fish	Kopp	Purnell	Watson
Fitzgerald	Kraus	Radcliffe	Webster
Focht	Kreider	Ramseyer	Wheeler
Fordney	Lampert	Ransley	White, Kans.
Foster	Langley	Reavis	White, Me.
Frear	Larsen, Minn.	Reber	Williams
Free	Lawrence	Reece	Williamson
Freeman	Layton	Reed, N. Y.	Winslow
French	Leatherwood	Reed, W. Va.	Wood, Ind.
Frothingham	Lee, N. Y.	Rhodes	Woodruff
Fuller	Lehlbach	Ricketts	Woodyard
Funk	Lineberger	Riddick	Wurzbach
Gahn	Little	Roach	Wyant
Gensman	Longworth	Robertson	Yates
Gernerd	Luce	Robsion	Young
Glynn	Lufkin	Rodenberg	Zihlman
Good	Luhring	Rogers	
Goodykoontz	McArthur	Rose	
Gorman	McCormick	Rosenbloom	

FOR MR. CLAUDE KITCHIN—122.

Almon	Doughton	Lanham	Riordan
Aswell	Drane	Lankford	Rouse
Bankhead	Drewry	Larsen, Ga.	Sabath
Barkley	Driver	Lazaro	Sanders, Tex.
Bell	Dupré	Lea, Calif.	Sandlin
Black	Favrot	Lee, Ga.	Sears
Bland, Va.	Fields	Linthicum	Smithwick
Blanton	Fisher	Logan	Steagall
Bowling	Flood	Lowrey	Stedman
Box	Fulmer	Lyon	Stevenson
Brand	Gallivan	McClintic	Stoll
Briggs	Garner	McDuffie	Sullivan
Brinson	Garrett, Tenn.	McSwain	Sumners, Tex.
Buchanan	Garrett, Tex.	Mansfield	Swank
Bulwinkle	Gilbert	Martin	Tague
Byrnes, S. C.	Goldsborough	Montague	Taylor, Colo.
Byrns, Tenn.	Griffin	Moore, Va.	Ten Eyck
Campbell, Pa.	Hammer	O'Brien	Thomas
Cantrill	Harrison	O'Connor	Tillman
Carew	Hawes	Oldfield	Tyson
Carter	Hayden	Oliver	Upshaw
Clark, Fla.	Huddleston	Overstreet	Vinson
Cockran	Hudspeth	Padgett	Ward, N. C.
Collier	Humphreys	Park, Ga.	Weaver
Collins	Jacoway	Parks, Ark.	Wilson
Connally, Tex.	Johnson, Ky.	Parrish	Wingo
Crisp	Johnson, Miss.	Pou	Wise
Cullen	Jones, Tex.	Quin	Woods, Va.
Davis, Tenn.	Kincheloe	Rainey, Ala.	Wright
Deal	Kindred	Rankin	
Dominick	Kunz	Rayburn	

ANSWERED "PRESENT"—1.

London

The CLERK. The tellers agree in their tally. The total number of votes cast is 420, of which Hon. FREDERICK H. GILLETT has received 297 votes, and Hon. CLAUDE KITCHIN 122 votes, one member answering "present." Hon. FREDERICK H. GILLETT, a Representative from the State of Massachusetts, having re-

ceived a majority of all the votes cast, is duly elected Speaker of the House of Representatives for the Sixty-seventh Congress. The gentleman from Wyoming, Mr. MONDELL, the gentleman from Illinois, Mr. MANN, and the gentleman from North Carolina, Mr. KITCHIN, will please conduct the Speaker elect to the chair, and the Clerk will designate the gentleman from Illinois [Mr. CANNON] to administer to the Speaker elect the oath of office prescribed by law.

The committee appointed to notify Mr. GILLETT of his election and escort him to the chair having returned with him, Mr. MONDELL said:

Gentlemen of the Sixty-seventh Congress, I present to you your Speaker. [Applause.]

ADDRESS BY THE SPEAKER.

The SPEAKER. Gentlemen of the House of Representatives, I appreciate deeply your confidence and this great honor you have conferred on me. The first time a man is elected to an office is doubtless to him the most thrilling, but I am not sure but that a reelection is most satisfying. [Laughter and applause.] The first time he is taken necessarily as an experiment; even his best friends may have misgivings. But when he is reelected he has been tested; it shows that the experiment has not been a complete failure and that the hopes and expectations of his friends have in some measure been realized. And so, my friends, while I appreciate my shortcomings, yet it is a source of great gratification and pride that you have been generous enough to overlook them and have given me this reelection. I shall try to repay you as far as I can by a sedulous and conscientious attention to the duties of the office. They are of two kinds—political and judicial. I shall try not to confuse the two or let one impair the other.

In the last Congress the entire membership on both sides of the House showed me a consideration and a kindly courtesy for which I shall always be grateful. I am not without hope that I may experience a similar kindness in this Congress. At any rate I shall try to earn your good will, and my experience will always be at the service of anyone, particularly of the new Members.

This promises to be a busy and important and, I fear, a long session. The condition of all phases of our productive activities is depressing and in some cases it is alarming. It will require the wisest statesmanship to determine how much it can be remedied by national legislation. It may require unflinching courage to abide by that determination. But I trust that we shall prove equal to our task. I know you approach it with earnestness and a high purpose. And so, gentlemen, I thank you again for this great honor and I hope for your kindly cooperation and assistance. [Applause.] I am ready to take the oath of office.

The oath of office was administered to the Speaker by Mr. CANNON.

The SPEAKER. Members will now be called by States to take the oath of office.

The Members presented themselves as their States were called and took the oath of office prescribed by law.

During the swearing in of the Members, when the State of Kansas was called, the following occurred:

Mr. FLOOD. Mr. Speaker, I desire to present a question of privilege to the House.

The SPEAKER. The gentleman will state it.

Mr. FLOOD. I desire to object to the swearing in at this time of RICHARD E. BIRD, a Representative from Kansas, as a Member of the House, for the reason that the personal statement which each candidate is required to file for expenses of nomination and election filed by Mr. BIRD shows that he spent over $10,000 for securing the nomination and election, which is more than double the amount permitted to a candidate for the House of Representatives to spend under our corrupt practices act.

The SPEAKER. According to the precedents the gentleman from Kansas will stand aside for the present.

Mr. FLOOD. I desire to say that a little later I will offer a resolution on this subject, according to the precedents of the House.

Mr. MANN. Mr. Speaker, while I do not think the Speaker or anyone else has the right to require any Member to stand aside, because all Members with credentials are on an equal basis in the House, I have no objection to the gentleman from Kansas standing aside temporarily.

Mr. FLOOD. That seems to have been the practice in the House. It was certainly done in the Roberts case, in the Fifty-sixth Congress.

It was done in the Young case in the Sixty-third Congress, and in the last Congress, the Sixty-sixth Congress, that was the rule which applied in the Berger case.

Mr. MANN. Mr. Speaker, it was acquiesced in, but no one has the right before the House is organized by the swearing in of the Members to object to the swearing in of one Member whose credentials are the same as those of the Members who object, because otherwise I might object to the whole Democratic side of the House being sworn in.

Mr. BIRD. Mr. Speaker, I respectfully ask the privilege of stepping aside temporarily.

Mr. TINCHER. Mr. Speaker, if I may be permitted, as a Representative of the State of Kansas, as a colleague of the gentleman who has just asked that he may be permitted to step aside, I do not wish to let go unchallenged at this time a statement by the gentleman from Virginia [Mr. FLOOD], who objects to Mr. BIRD's taking the oath of office, that there is on file a statement of Mr. BIRD, with the Clerk, showing that he has expended any such amount of money as that mentioned by the gentleman from Virginia. A statement is on file with the Clerk from some committee to the effect that they expended some money, but Mr. BIRD's own statement of his election expenditures shows that he expended sums well within the statute, and they are very ordinary expenditures.

Mr. FLOOD. Mr. Speaker, I intended to state that the statement filed by Mr. BIRD showed that some of his expenditures were not expenditures that he is required to return, and that upon an examination of the gentleman's statement it may turn out that there were sufficient expenditures belonging to the class of expenditures a Member of Congress is not required to return as to reduce his total expenditures below the sum of $5,000. As the statement stands now unexplained it shows a much larger sum than $5,000.

The SPEAKER. The Chair thinks that the precedents are that in such cases the Member stands to one side, not at all as any evidence of the accuracy of the charge, but simply so that those whose rights are uncontested may be sworn in, and that then his case may be taken up. The gentleman has very magnanimously himself suggested that he be permitted to stand to one side until the others have been sworn in.

The swearing in of the Members was then completed.

Mr. GRIEST and Mr. BUTLER affirmed.

Mr. FLOOD. Mr. Speaker, I offer the following resolution, which I send to the Speaker's desk and ask to have read.

Mr. MANN. Mr. Speaker, I ask that the gentleman from Kansas [Mr. BIRD] be now sworn in.

The SPEAKER. The gentleman from Virginia offers a resolution, which the Clerk will report.

The Clerk read as follows:

Mr. FLOOD offers the following resolution:

"Whereas it is charged that RICHARD E. BIRD, a Representative elect from the State of Kansas, is probably ineligible to a seat in the House of Representatives; and

"Whereas such charge is made through a Member of the House and on his responsibility as a Member and on the basis of the publicity statement filed by the said RICHARD E. BIRD in compliance with the statute governing campaign contributions and expenditures:

"*Resolved*, That the question of the prima facie right of RICHARD E. BIRD to be sworn in as a Representative of the State of Kansas of the Sixty-seventh Congress, as well as of his final right to a seat therein as such Representative, be referred to a special committee of seven Members of the House, to be appointed by the Speaker; and until the committee shall report upon, and the House decide such question and right the said RICHARD E. BIRD shall not be sworn in nor permitted to occupy a seat in this House; and said committee shall have power to send for persons and papers and examine witnesses on oath as to the subject matter of this resolution."

Mr. MONDELL. Mr. Speaker, I offer as a substitute for the motion of the gentleman from Virginia a motion that the gentleman from Kansas, Mr. BIRD, be now permitted to take the oath of office.

Mr. FLOOD rose.

Mr. MADDEN. Mr. Speaker, I move the previous question on the motion of the gentleman from Wyoming.

The SPEAKER. The gentleman from Illinois moves the previous question on the substitute motion of the gentleman from Wyoming.

Mr. FLOOD. Mr. Speaker, I understand that I had the floor.

The SPEAKER. But the motion for the previous question is privileged.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman from Virginia [Mr. FLOOD] offered his resolution, and thereupon the gentleman from Wyoming [Mr. MONDELL] offered a substitute. The gentleman from Wyoming, of course, would have been entitled to the floor to discuss his substitute, but he yielded the floor, and under the common parliamentary practice would the floor not thereupon revert to the gentleman from Virginia?

What right had the gentleman from Illinois [Mr. MADDEN] to rise and take the floor to move the previous question?

The SPEAKER. The Chair thinks that the motion for the previous question is a privileged motion, on which the gentleman from Illinois had the right of recognition.

Mr. GARRETT of Tennessee. Of course, I realize that the previous question is a privileged motion, and the gentleman from Wyoming might have moved the previous question on his motion.

Mr. MANN. Mr. Speaker, let me ask a question, if I may be permitted. Of course, if the previous question be not ordered and if the gentleman from Virginia should take the floor, he might talk for 24 hours. How much time is desired?

Mr. GARRETT of Tennessee. I do not know of any particular time, except such time as the gentleman from Virginia wishes in which to make a very brief statement. There has been no debate.

Mr. MANN. I wondered if we could agree on a time for debate if the previous question is not offered.

Mr. FLOOD. Mr. Speaker, I desire to make a very brief statement.

The SPEAKER. How much time does the gentleman desire?

Mr. FLOOD. Five minutes.

Mr. MADDEN. Mr. Speaker, I withdraw the demand for the previous question.

Mr. MONDELL. Mr. Speaker, at the end of the five minutes I ask to be recognized.

Mr. FLOOD. Mr. Speaker, I desire to say for the information of the House that this resolution is drawn in accordance with the precedents established by the House in many cases, especially in the Roberts case in the Fifty-sixth Congress and in the Berger case in the last Congress. Mr. Roberts's right to be sworn in was challenged because he had violated a law of the United States. He was required to stand aside, and a committee was appointed to investigate his right to his seat as a Member of the House. He was denied that seat. Mr. Berger was required to stand aside because he had violated a law of the United States. He was denied his right to take a seat in this House because he had violated a law of his country. We have here the case of Mr. BIRD, whose publicity statement filed in compliance with the statute governing campaign contributions and expenditures shows that he has violated a law of the United States. A Member is permitted to spend for his nomination and election the sum of $5,000.

Mr. BIRD's statement made to an official of this House shows that he spent in his nomination and election over $10,000. I said a little while ago that some of these items probably should not be included in Mr. BIRD's statement, because they were expenditures of which a Member is not required to make report, but so far as the face of his report shows these items would not amount to over $1,000, and it leaves him far in excess of the amount he is authorized to expend under the corrupt practices act. I feel, Mr. Speaker, that this is a salutary law and should be upheld by this House. Only on the 25th of last February a distinguished and able committee of this House brought in a report of the case of McLane against Farr, in which they recommended the unseating of Mr. McLane because it was claimed he had constructive knowledge that more than $5,000 was spent in his nomination and election. Now, we have a case in which a Member elect, by his own statement, informs this House in a document that belongs to this House that he has spent more than the amount for which Mr. McLane was unseated. I think that this is a matter that should appeal to the sense of justice of this House. If the gentleman from Kansas can go before a committee or any tribunal of this House and show that expenditures contained in and shown by his report were not of a character that he was required to make report of sufficient in amount to leave the expenditure within the amount that he is permitted to spend by the law, then that committee could and would make a very speedy report and authorize his seating, but if he could not show that he should not be allowed to become a Member of this House, and as the record stands he is a violator of the law of the Congress as he has shown by his own statement. I think this resolution ought to be adopted, and this investigation made in justice to the Member himself and in justice to the integrity of the House. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Speaker, the resolution offered by the gentleman from Virginia [Mr. FLOOD] is very unusual, and I think it is entirely without precedent. There has been no case in the history of the Congress where a Member has been denied the right to take the oath because of a question raised by another Member in regard to his expenditures during his campaign, and, furthermore, from a hasty investigation of the statements filed by Mr. BIRD I find nothing to indicate that he expended a sum in excess of the amount he was authorized to expend under the Federal and State statutes. I therefore——

Mr. FLOOD. Will the gentleman permit me to ask him a question? Is it a fact that Mr. BIRD makes an affidavit that he spent $10,300?

Mr. MONDELL. I find no such affidavit on file.

Mr. FLOOD. Is not that the statement——

Mr. MONDELL. I find nothing of that sort.

Mr. FLOOD. The gentleman has not looked at the statement, then.

Mr. MONDELL. I have looked at the statements carefully.

Mr. BARKLEY. Would it be possible to have the statement brought before the House and read by the Clerk?

Mr. FLOOD. I will ask the gentleman if he will not move to bring the statement up and exhibit it to the House?

Mr. MONDELL. I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, when the Utah case came up the Member elect from Utah was asked to stand aside, and, without any question being raised as to the authority of the Speaker requiring him to stand to one side, he did so. There have been one or two, and perhaps four—I do not remember—cases where the same procedure was carried out. Four years ago when the House met no one knew who had a majority of the House. Neither side had a clear majority of the House, and it was suggested at that time—and it shows the peril of a procedure like this—that some Democrat might object to the swearing in of a Republican, ask him to stand aside on his responsibility as a Member, and present some kind of a charge against him. It was suggested that some Republican could make the same kind of an objection to a Democrat, and through one of those procedures one side or another gain an advantage which they did not have on the return. Of course, such conduct would not receive the support of the then Democratic leader, Champ Clark [applause], who frowned upon the suggestion. No more would it receive the support of myself, who was then the Republican leader, and neither side would accept advantage in that way. But the time might come when, through bitterness of party considerations in a close contest, such an advantage might be taken. We all meet here with credentials from our States on even terms. When a Member rises and objects to the swearing in of another Member, if the one who makes the objection has not already been sworn in, then the one objected to may equally object to the swearing in of the Member who objects to him, and if a mere objection to a Member is sufficient to compel him to stand aside, a Democratic Member now might have objected to all Republicans and a Republican Member might have objected to all the Democrats, and the only man who would be left in the House would be the Speaker already sworn in. [Laughter and applause.] The Speaker can not pass upon the reasons offered for objection. The Speaker has not the power to determine whether the reasons given are good. Hence the Speaker has no authority to require a Member who has his credentials to stand aside, but a Member who insists upon it has the right under the law with his credentials to take the oath of office.

Ah, the gentleman from Virginia [Mr. FLOOD] offers reasons here. The reasons are a statement of facts. The facts are in dispute. The gentleman from Virginia says that the Member ought to stand aside and be not sworn in until the facts are determined in his favor. But he has a right to participate in the proceedings of the House in the determination of the facts in his case and in other cases. He could not vote upon his own case. But Members when they come to the organization of a body all come upon the same terms, and to refuse a Member a seat on the plea that in some place he has violated the law, even if it be true, is not a sufficient reason for refusing to give him his seat.

In the Roberts case it was held that the man was ineligible for election and could not be elected. In the Berger case it was held that the man was ineligible for election and could not be elected. In this case there is no pretense that the man was ineligible for election, but that in the course of election he did something which the law forbids. Whether he did or not is a matter for the House hereafter to determine in a proper contest. It has not now the right to take advantage of the situation during the preliminary organization. His credentials are as good as mine; they are as good as the credentials of the gentleman from Virginia [Mr. FLOOD]; they are as good as anybody else's credentials, and he is entitled to take his seat now. [Applause on the Republican side.]

Mr. MONDELL. Mr. Speaker, I move the previous question on the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman let me have about three minutes?

Mr. MONDELL. I will yield to the gentleman.

Mr. GARRETT of Tennessee. Mr. Speaker, I have no quarrel with the argument offered by the gentleman from Illinois [Mr. MANN] as to the matter of the right of the Speaker to require one to stand aside when his right to take the oath is challenged, as was done in this case. But that is not the question now before us. The gentleman from Kansas [Mr. BIRD] himself has asked permission to stand aside temporarily. So that question is behind us. The gentleman from Illinois has said that Roberts was unseated because it was held that he was ineligible for election; that Berger was unseated because it was held that he was ineligible for election. I do not remember that there was anything which rendered either of those persons ineligible save that each was held to have violated the law of the land. There was nothing brought out as to either of those men that rendered them ineligible for election, the Congress itself being the judge under the Constitution of the eligibility and election of its Members, with, of course, certain constitutional limitations as to age, citizenship, and residence. The only opportunity to raise this question in a manner in which the minority felt justified in raising it, or felt willing to raise it, was here and now, because there is no offer by anyone to contest the seat or the credentials to which the gentleman from Kansas [Mr. BIRD] holds. I mean no other person is claiming the election or asking for the seat. Therefore it can never be brought before the House or before any committee of the House by means of a contest. So if the House was to pass upon the question at all, if it was to determine whether in this case—which upon its face seemed a clear case—that it would enforce the corrupt practices act, this method was substantially the only opportunity which could be offered to give the House that chance. Hence the course which has been pursued, asking simply for an investigation. [Applause on the Democratic side.]

Mr. MONDELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is upon the substitute offered by the gentleman from Wyoming, to the effect that the gentleman from Kansas [Mr. BIRD] may be sworn in.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 286, nays 112, answered "present" 2, not voting 33, as follows:

YEAS—286.

Ackerman	Cooper, Ohio	Greene, Mass.	Kreider
Anderson	Cooper, Wis.	Greene, Vt.	Lampert
Andrews	Copley	Griest	Lawrence
Ansorge	Coughlin	Hadley	Layton
Anthony	Cramton	Hardy, Colo.	Leatherwood
Appleby	Curry	Haugen	Lee, N. Y.
Arentz	Dale	Hawley	Lehlbach
Atkeson	Dallinger	Hays	Lineberger
Bacharach	Darrow	Herrick	Little
Barbour	Davis, Minn.	Hersey	London
Beck	Dempsey	Hickey	Longworth
Beedy	Denison	Hicks	Luce
Begg	Dickinson	Hill	Lufkin
Bixler	Dowell	Himes	Luhring
Blakeney	Dunn	Hoch	McArthur
Bland, Ind.	Dyer	Hogan	McCormick
Blanton	Edmonds	Houghton	McFadden
Boies	Elliott	Huddleston	McKenzie
Bond	Ellis	Hukriede	McLaughlin, Mich.
Brennan	Evans	Hull	McLaughlin, Nebr.
Britten	Fairchild	Husted	McLaughlin, Pa.
Brooks, Ill.	Fairfield	Hutchinson	McPherson
Brooks, Pa.	Faust	Ireland	Madden
Brown, Tenn.	Fenn	James, Mich.	Magee
Browne, Wis.	Fess	Jefferis	Maloney
Burdick	Fish	Johnson, S. Dak.	Mann
Burke	Focht	Johnson, Wash.	Mapes
Burroughs	Fordney	Jones, Pa.	Merritt
Burtness	Foster	Kahn	Michaelson
Burton	Frear	Kearns	Michener
Butler	Free	Keller	Miller
Cable	Freeman	Kelley, Mich.	Mills
Campbell, Kans.	French	Kelly, Pa.	Millspaugh
Cannon	Frothingham	Kendall	Mondell
Chalmers	Fuller	Kennedy	Montoya
Chandler, N. Y.	Funk	Ketcham	Moore, Ill.
Chandler, Okla.	Gahn	Kiess	Moore, Ohio
Chindblom	Gensman	King	Moores, Ind.
Christopherson	Gernerd	Kirkpatrick	Morgan
Clague	Glynn	Kissel	Morin
Clarke, N. Y.	Good	Kleczka	Mott
Classon	Goodykoontz	Kline, N. Y.	Mudd
Clouse	Gorman	Kline, Pa.	Murphy
Cole	Gould	Knight	Nelson, A. P.
Colton	Graham, Ill.	Knutson	Nelson, J. M.
Connell	Graham, Pa.	Kopp	Newton, Minn.
Connolly, Pa.	Green, Iowa	Kraus	Newton, Mo.
Nolan	Rhodes	Snyder	Voigt
Norton.	Ricketts	Speaks	Volk
Ogden	Riddick	Sproul	Volstead
Olpp	Roach	Stafford	Walsh
Osborne	Robertson	Steenerson	Walters
Paige	Robsion	Stephens	Ward, N. Y.
Parker, N. J.	Rodenberg	Stiness	Wason
Parker, N. Y.	Rogers	Strong, Kans.	Watson
Patterson, Mo.	Rose	Strong, Pa.	Webster
Patterson, N. J.	Rosenbloom	Summers, Wash.	Wheeler
Perkins	Rossdale	Sweet	White, Kans.
Perlman	Ryan	Swing	White, Me.
Peters	Sanders, Ind.	Taylor, N. J.	Williams
Petersen	Sanders, N. Y.	Taylor, Tenn.	Williamson
Porter	Schall	Thompson	Winslow
Pringey	Scott, Mich.	Tilson	Wood, Ind.
Purnell	Scott, Tenn.	Timberlake	Woodruff
Radcliffe	Shaw	Tincher	Woodyard
Ramseyer	Shelton	Tinkham	Wurzbach
Ransley	Shreve	Towner	Wyant
Reavis	Siegel	Treadway	Yates
Reber	Sinclair	Underhill	Young
Reece	Sinnott	Vaile	Zihlman
Reed, N. Y.	Smith	Vare	
Reed, W. Va.	Snell	Vestal	

NAYS—112.

Almon	Drewry	Lazaro	Riordan
Aswell	Driver	Lea, Calif.	Rouse
Bankhead	Dupré	Lee, Ga.	Sabath
Barkley	Favrot	Linthicum	Sanders, Tex.
Bell	Fields	Logan	Sandlin
Black	Fisher	Lowrey	Sears
Bland, Va.	Flood	Lyon	Smithwick
Bowling	Fulmer	McClintic	Steagall
Box	Gallivan	McDuffie	Stedman
Brand	Garner	McSwain	Stevenson
Briggs	Garrett, Tenn.	Mansfield	Stoll
Brinson	Garrett, Tex.	Martin	Summers, Tex.
Buchanan	Gilbert	Montague	Swank
Bulwinkle	Hammer	Moore, Va.	Tague
Byrnes, S. C.	Hawes	O'Brien	Taylor, Colo.
Byrns, Tenn.	Hayden	O'Connor	Ten Eyck
Cantrill	Hudspeth	Oldfield	Thomas
Carew	Humphreys	Oliver	Tillman
Carter	Jacoway	Overstreet.	Tyson
Cockran	Johnson, Ky.	Padgett	Upshaw
Collier	Johnson, Miss.	Park, Ga.	Vinson
Collins	Jones, Tex.	Parks, Ark.	Ward, N. C.
Connally, Tex.	Kincheloe	Parrish	Weaver
Crisp	Kindred	Pou	Wilson
Cullen	Kunz	Quin	Wingo
Davis, Tenn.	Lanham	Rainey, Ala.	Wise
Dominick	Lankford	Rankin	Woods, Va.
Drane	Larsen, Ga.	Rayburn	Wright

ANSWERED "PRESENT"—2.

Griffin Temple

NOT VOTING—33.

Benham	Dunbar	Kinkaid	Rucker
Bird	Echols	Kitchin	Sisson
Bowers	Elston	Langley	Slemp
Campbell, Pa.	Fitzgerald	Larson, Minn.	Sullivan
Clark, Fla.	Frankhauser	MacGregor	Taylor, Ark.
Codd	Goldsborough	Mason	The Speaker
Crowther	Hardy, Tex.	Mead	
Deal	Harrison	Rainey, Ill.	
Doughton	James, Va.	Raker	

So the substitute was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. TEMPLE (for) with Mr. KITCHIN (against).

Until further notice:

Mr. MASON with Mr. RUCKER.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. KINKAID with Mr. CAMPBELL of Pennsylvania.

Mr. SLEMP with Mr. DOUGHTON.

Mr. MACGREGOR with Mr. DEAL.

Mr. ELSTON with Mr. SULLIVAN.

Mr. BOWERS with Mr. GOLDSBOROUGH.

Mr. DUNBAR with Mr. HARRISON.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Virginia as amended by the substitute offered by the gentleman from Wyoming.

The question was taken; and the motion of Mr. FLOOD as amended was agreed to.

The SPEAKER. If there are any other gentlemen present who were not sworn in with their delegations, now is their opportunity.

Mr. BIRD, Mr. PATTERSON, and Mr. OVERSTREET appeared at the bar of the House, and the Speaker administered to them the oath of office.

ELECTION OF OFFICERS OF THE HOUSE.

Mr. TOWNER. Mr. Speaker, I am authorized by the Republican conference, representing the majority of the House, to present the resolution which I send to the Clerk's desk and ask to have read, and move its adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 3.

Resolved, That William Tyler Page, of the State of Maryland, be, and he is hereby, chosen Clerk of the House of Representatives;

That Joseph G. Rodgers, of the State of Pennsylvania, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That Bert W. Kennedy, of the State of Michigan, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Frank W. Collier, of the State of Wisconsin, be, and he is hereby, chosen Postmaster of the House of Representatives; and

That Rev. James Shera Montgomery, of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. RAYBURN. Mr. Speaker, I wish to prefer a unanimous-consent request before I offer a substitute for a part of the resolution, and that is that that part of the resolution referring to the Chaplain be separated from the other, and that the Rev. Mr. Montgomery be elected Chaplain.

Mr. TOWNER. I have no objection to the separation.

The SPEAKER. The question is on the election of the Rev. Mr. Montgomery as Chaplain.

The resolution referring to the Rev. Mr. Montgomery was agreed to.

Mr. RAYBURN. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers a resolution, which the Clerk will report.

The Clerk read as follows:

Mr. RAYBURN offers the following as a substitute for the resolution:

"*Resolved*, That South Trimble, of the State of Kentucky, be, and he is hereby, chosen Clerk of the House of Representatives;

"That R. B. Gordon, of the State of Ohio, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

"That Joseph J. Sinnott, of the State of Virginia, be, and he is hereby, chosen Doorkeeper of the House of Representatives; and

"That F. E. Scott, of the State of Tennessee, be, and he is hereby, chosen Postmaster of the House of Representatives."

The SPEAKER. The question is on agreeing to the substitute offered by the gentleman from Texas.

The question was taken, and the substitute was rejected.

The SPEAKER. The question is on agreeing to the resolution offered by the gentleman from Iowa.

The resolution was agreed to.

The SPEAKER. The officers will come forward and be sworn.

Messrs. Page, Rodgers, Kennedy, Collier, and Montgomery appeared at the bar of the House, and the Speaker administered to them the oath of office.

MINORITY EMPLOYEES.

Mr. RAYBURN. Mr. Speaker, I desire to offer the usual resolution in reference to the minority employees.

Mr. MONDELL. Mr. Speaker, will the gentleman withhold that?

Mr. RAYBURN. Yes.

DELEGATE FROM ALASKA.

The SPEAKER. Are the Delegates present, and do they desire to be sworn in?

Mr. SUTHERLAND, Delegate from Alaska, appeared at the bar of the House and the Speaker administered to him the oath of office.

NOTIFICATION TO THE SENATE.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 4.

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives is assembled; that FREDERICK H. GILLETT, a Representative from the State of Massachusetts, has been elected Speaker; that William Tyler Page, a citizen of the State of Maryland, has been elected Clerk; and that the House is ready for business.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 5.

Resolved, That a committee of three Members be appointed by the Speaker on the part of the House of Representatives to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints as the members of the committee on the part of the House Mr. MONDELL, Mr. FORDNEY, and Mr. KITCHIN.

NOTIFICATION TO THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Wyoming offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 6.

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected FREDERICK H. GILLETT, a Representative from the State of Massachusetts, as Speaker, and William Tyler Page, a citizen of the State of Maryland, as Clerk of the House of Representatives of the Sixty-seventh Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. CAMPBELL of Kansas. Mr. Speaker, I offer a resolution, which I send to the Clerk's desk.

Mr. GARRETT of Tennessee. According to the precedent that I have before me, the consideration of the resolution concerning minority employees has preceded the adoption of the rule. It is not very important, but that is the precedent.

Mr. MANN. That, of course, would be in order; but I think usually it was done by unanimous consent.

Mr. GARRETT of Tennessee. It does not make any difference.

Mr. CAMPBELL of Kansas. I have no objection. I withhold the resolution for a moment.

The SPEAKER pro tempore (Mr. WALSH). The gentleman withholds his resolution. The gentleman from Texas [Mr. RAYBURN] offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 7.

Resolved, That, until otherwise ordered, Joseph J. Sinnott be authorized to act as special employee of the House of Representatives and receive compensation at the rate of $1,800 per annum; that John O. Snyder be authorized to act as special chief page and pair clerk and receive compensation at the rate of $1,800 per annum; that L. M. Overstreet be authorized to act as special messenger and assistant pair clerk and receive compensation at the rate of $1,800 per annum; that W. E. Kenney, Clarence A. Cannon, and Wallace Bassford be authorized to act as special messengers and receive each compensation at the rate of $1,800 per annum; and that J. J. Kenah be authorized to act as minority telephone messenger and receive compensation at the rate of $1,800 per annum; such employees to be at all times under the control of the Speaker of the House, and subject to change at any time by the House, as provided by law.

Mr. MANN. Mr. Speaker, I noticed that that resolution is somewhat different from the resolution heretofore adopted, but I understand from the gentleman from Wyoming [Mr. MONDELL] that the change has his consent and approval.

Mr. RAYBURN. That is my understanding, that it has been submitted to the gentleman from Wyoming and is satisfactory to him.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

THE RULES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Kansas offers the following resolution.

The Clerk read as follows:

House resolution 8.

Resolved, That the rules of the House of Representatives of the Sixty-sixth Congress be adopted as the rules of the House of Representatives of the Sixty-seventh Congress: *Provided*, That the Speaker of the House of Representatives is authorized and directed to appoint a special committee for the Sixty-seventh Congress, to be known as the Select Committee on the Budget, to which shall be referred all proposed legislation for the establishment of a national budget system. Such committee shall consist of 12 members, of whom 7 shall be appointed from the majority party and 5 from the minority party. The committee or any subcommittee thereof may sit during the sessions or recesses of the House and may have done such printing and binding as may be necessary in connection with the performance of its duties.

Mr. CAMPBELL of Kansas. Mr. Speaker, the only unusual thing about the resolution that I have submitted is the proviso that the Speaker be directed to appoint a Special Committee on the Budget. Such a committee was appointed under a special rule in the last Congress. The work of the committee was not consummated into law during that Congress, and it is desired that a similar committee be appointed by the Speaker at an early day, so that prompt action may be had upon the budget system.

I yield five minutes to the gentleman from North Carolina [Mr. POU].

Mr. POU. Mr. Speaker, at this time on behalf of the minority I shall content myself with reminding the House, and particularly the majority, of the unusual situation produced by the last election. There are 300 Members on that side of the aisle and 132 on this side of the aisle. Therefore the majority has the power to suspend the rules at any time, if the two-thirds rule is permitted to remain in force. Certainly one of the reasons for requiring two-thirds was to take care of the rights of the minority. Now, I do not know whether it is worth while to submit the proposition or not [laughter]; but I would suggest to our genial chairman of the Committee on Rules [Mr. CAMPBELL of Kansas] that instead of requiring two-thirds to suspend the rules three-fourths be required. [Laughter.]

Mr. MANN. Will the gentleman yield for a question?

Mr. POU. I yield to the gentleman from Illinois.

Mr. MANN. The real minority of the House consists of one Member, the gentleman from New York [Mr. LONDON]. How would you take care of his rights? [Laughter.]

Mr. POU. Well, I will answer the inquiry of my friend by submitting to him another. Why make it two-thirds?

Mr. MANN. Because it has always been made two-thirds, because two-thirds is a reasonable majority to suspend the rules.

Mr. POU. There have been only two Congresses within my recollection when the two-thirds requirement did not take care of the rights of the minority, and the point has never before been raised. Now, the gentleman from Illinois [Mr. MANN] knows that if the rule remains as it is, with legislation of stupendous importance for this House to consider, the majority has the power within 40 minutes to pass anything over the minority.

Mr. STEVENSON. Without the right of amendment.

Mr. POU. If the gentleman from Illinois and the majority desire that situation to continue, all well and good. We are helpless, of course. We content ourselves, therefore, with simply reminding the majority that if they wish to be fair to the small minority on this side of the aisle they will change the rule and make three-fourths instead of two-thirds necessary to suspend the rules.

Mr. MANN. If the gentleman will yield, the fact is that while we intend to be fair, it is a good deal better for the minority, having less than one-third of the House, to have the rules remain as they are than to have the majority exercise its power through the Committee on Rules.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

Mr. TINKHAM. Mr. Speaker, I desire to offer an amendment.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have the floor.

The SPEAKER pro tempore. The gentleman from Kansas does not yield the floor to the gentleman from Massachusetts.

Mr. CAMPBELL of Kansas. I will say in answer to the gentleman from North Carolina [Mr. POU] that the country during the last campaign knew that under parliamentary procedure through all the years it had been customary to suspend the rules by a two-thirds vote, and the country seemed perfectly willing to take the chances that it took on election day in November.

Mr. POU. I do not dispute it. [Laughter.]

Mr. GARRETT of Tennessee. Mr. Speaker, I do not know that this is a matter for facetiousness altogether. I do not think it is a desirable situation in many respects [laughter]; and if the gentleman from Kansas will permit a serious question, let me ask him if he regards it as in the interest of sound public policy that it shall be within the power of the majority under the general rules of the House to pass political legislation under a suspension of the rules?

Mr. CAMPBELL of Kansas. In answer to the gentleman I will say that that is a matter that should appeal to the conscience and judgment of the House of Representatives upon each case as it arises. There is so much of the business of the House that is matter for the individual judgment of Members rather than for the political judgment of the House that I think I would not advocate the abrogation of the rule which requires only a two-thirds vote to suspend the rules of the body.

Mr. Speaker, I move the previous question on the adoption of the resolution.

Mr. TINKHAM. Mr. Speaker, I desire to ask a question of the honorable Representative from Kansas.

Mr. CAMPBELL of Kansas. I yield for a question.

Mr. TINKHAM. In the interest of fairness and liberty of debate I ask the honorable Representative from Kansas if, as a courtesy, he will not defer moving the previous question for one amendment, an amendment which has been before the previous Committee on Rules for about two years and which provides as follows:

Two-thirds of the Members voting, a quorum being present, shall be necessary to agree to a report from the Committee on Rules making in order upon a general appropriation bill any provision in any such bill or amendment thereto which is or shall have been declared to be obnoxious to paragraph 2 of Rule XXI.

The intent of the amendment is to forbid, except with a two-third vote, so-called legislative riders upon appropriation bills, a vicious practice which has had an extensive growth of recent years in the House of Representatives.

Will the honorable Representative from Kansas defer moving the previous question in order that that amendment may be debated?

Mr. CAMPBELL of Kansas. I do not feel like deferring the adoption of the rule for the consideration of the proposed amendment suggested by the gentleman from Massachusetts, and therefore, Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. The question is on the previous question.

The previous question was ordered.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Also the following:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to notify the President of the United States that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

And that in accordance with the foregoing resolution the Vice President appointed to join such committee as may be appointed by the House of Representatives to notify the President of the United States that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Also the following:

Resolved, That the House of Representatives be notified of the election of Hon. ALBERT B. CUMMINS, a Senator from the State of Iowa, as President of the Senate pro tempore, and George A. Sanderson, of Illinois, as Secretary of the Senate.

HOUR OF DAILY MEETING.

Mr. GOOD. Mr. Speaker, I offer the following resolution.

The Clerk read as follows:

House resolution 9.

Resolved, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be 12 o'clock meridian.

The resolution was agreed to.

ELECTION OF MAJORITY MEMBERS OF COMMITTEES.

Mr. MANN. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

House resolution 10.

Resolved, That the following Members be, and they are hereby, elected chairmen and members of the standing committees of the House, as follows, to wit:

Elections No. 1: Frederick W. Dallinger (chairman), Mass.; John M. Rose, Pa.; William A. Rodenberg, Ill.; R. Clint Cole, Ohio; Oscar R. Luhring, Ind.; George P. Codd, Mich.

Elections No. 2: Robert Luce (chairman), Mass.; John M. Nelson, Wis.; Randolph Perkins, N. J.; John L. Cable, Ohio; Henry F. Lawrence, Mo.; Joe Brown, Tenn.

Elections No. 3: Cassius C. Dowell (chairman), Iowa; Frank D. Scott, Mich.; Carl R. Chindblom, Ill.; Clarence D. Coughlin, Pa.; Minor G. Norton, Ohio; Warren I. Lee, N. Y.

Ways and Means: Joseph W. Fordney (chairman), Mich.; William R. Green, Iowa; Nicholas Longworth, Ohio; Willis C. Hawley, Oreg.; Allen T. Treadway, Mass.; Ira C. Copley, Ill.; Luther W. Mott, N. Y.; George M. Young, N. Dak.; James A Frear, Wis.; John Q. Tilson, Conn.; Isaac Bacharach, N. J.; Lindley H. Hadley, Wash.; Charles B. Timberlake, Colo.; George M. Bowers, W. Va.; Henry W. Watson, Pa.; Alanson B. Houghton, N. Y.; Thomas A. Chandler, Okla.

Appropriations: James W. Good (chairman), Iowa; Charles R. Davis, Minn.; Martin B. Madden, Ill.; Daniel R. Anthony, jr., Kans.; William S. Vare, Pa.; Joseph G. Cannon, Ill.; C. Bascom Slemp, Va.; Sydney Anderson, Minn.; William R. Wood, Ind.; Louis C. Cramton, Mich.; Patrick H. Kelley, Mich.; Edward H. Wason, N. H.; Walter W. Magee, N. Y.; George Holden Tinkham, Mass.; Burton L. French, Idaho; John A. Elston, Calif.; Milton W. Shreve, Pa.; Charles F. Ogden, Ky.; William H. Stafford, Wis.; James W. Husted, N. Y.; Elijah C. Hutchinson, N. J.; Robert E. Evans, Nebr.; L. J. Dickinson, Iowa.

Judiciary: Andrew J. Volstead (chairman), Minn.; George S. Graham, Pa.; Leonidas C. Dyer, Mo.; Joseph Walsh, Mass.; C. Frank Reavis, Nebr.; David G. Classon, Wis.; William D. Boies, Iowa; Charles A. Christopherson, S. Dak.; Richard Yates, Ill.; Wells Goodykoontz, W. Va.; Ira G. Hersey, Me.; Walter M. Chandler, N. Y.; Israel M. Foster, Ohio; Earl C. Michener, Mich.; Andrew J. Hickey, Ind.

Banking and Currency: Louis T. McFadden (chairman), Pa.; Porter H. Dale, Vt.; Edward J. King, Ill.; Frank D. Scott, Mich.; Adolphus P. Nelson, Wis.; James G. Strong, Kans.; Leonard S. Echols, W. Va.; Edward S. Brooks, Pa.; Robert Luce, Mass.; Clarence MacGregor, N. Y.; James W. Dunbar, Ind.; Lester D. Volk, N. Y.; T. Frank Appleby, N. J.; Henry F. Lawrence, Mo.; E. Hart Fenn, Conn.

Coinage, Weights, and Measures: Albert H. Vestal (chairman), Ind.; John M. Rose, Pa.; Clifford Ireland, Ill.; Florian Lampert, Wis.; John Reber, Pa.; R. Clint Cole, Ohio; Michael J. Hogan, N. Y.; Frank H. Funk, Ill.; W. M. Morgan, Ohio; William H. Frankhauser, Mich.; Thomas J. Ryan, N. Y.; Randolph Perkins, N. J.; J. Kuhio Kalanianaole, Hawaii.

Interstate and Foreign Commerce: Samuel E. Winslow (chairman), Mass.; James S. Parker, N. Y.; Burton E. Sweet, Iowa; Walter R. Stiness, R. I.; John G. Cooper, Ohio; Edward E. Denison, Ill.; Everett Sanders, Ind.; Schuyler Merritt, Conn.; J. Stanley Webster, Wash.; Evan J. Jones, Pa.; Carl E. Mapes, Mich.; William J. Graham, Ill.; Sherman E. Burroughs, N. H.; Walter H. Newton, Minn.; Homer Hoch, Kans.

Rivers and Harbors: S. Wallace Dempsey (chairman), N. Y.; Henry Z. Osborne, Calif.; Richard P. Freeman, Conn.; Nathan L. Strong, Pa.; Amos H. Radcliffe, N. J.; Caleb R. Layton, Del.; Cleveland A. Newton, Mo.; Albert A. Blakeney, Md.; James J. Connolly, Pa.; Oscar J. Larson, Minn.; M. A. Michaelson, Ill.; William W. Chalmers, Ohio; Charles G. Bond, N. Y.; W. S. Clouse, Tenn.; Vincent M. Brennan, Mich.

The Merchant Marine and Fisheries: William S. Greene (chairman), Mass.; George W. Edmonds, Pa.; Frank D. Scott, Mich.; Wallace H. White, jr., Me.; Frederick R. Lehlbach, N. J.; Edwin D. Ricketts, Ohio; Carl R. Chindblom, Ill.; Albert W. Jefferis, Nebr.; Nathan D. Perlman, N. Y.; Benjamin L. Rosenbloom, W. Va.; Harry C. Gahn, Ohio; Arthur M. Free, Calif.; William H. Kirkpatrick, Pa.; Ogden L. Mills, N. Y.

Agriculture: Gilbert N. Haugen (chairman), Iowa; James C. McLaughlin, Mich.; Charles B. Ward, N. Y.; Fred S. Purnell, Ind.; Edward Voigt, Wis.; Melvin O. McLaughlin, Nebr.; Carl W. Riddick, Mont.; J. N. Tincher, Kans.; Thomas S. Williams, Ill.; James H. Sinclair, N. Dak.; Edw. D. Hays, Mo.; Charles J. Thompson, Ohio; Fred B. Gernerd, Pa.; Frank Clague, Minn.; John D. Clarke, N. Y.; J. Kuhio Kalanianaole, Hawaii.

Foreign Affairs: Stephen G. Porter (chairman), Pa.; John Jacob Rogers, Mass.; Henry W. Temple, Pa.; Ambrose Kennedy, R. I.; Edward E. Browne, Wis.; Merrill Moores, Ind.; William E. Mason, Ill.; Ernest R. Ackerman, N. J.; James T. Begg, Ohio; Henry Allen Cooper, Wis.; Theodore E. Burton, Ohio; Benjamin L. Fairchild, N. Y.; Hamilton Fish, jr., N. Y.; Theodore W. Hukriede, Mo.; Walter F. Lineberger, Calif.

Military Affairs: Julius Kahn (chairman), Calif.; John C. McKenzie, Ill.; Frank L. Greene, Vt.; John M. Morin, Pa.; Harry E. Hull, Iowa; W. Frank James, Mich.; Charles C. Kearns, Ohio; John F. Miller, Wash.; Richard Wayne Parker, N. J.; Frank Crowther, N. Y.; Harry C. Ransley, Pa.; John Philip Hill, Md.; Harry M. Wurzbach, Tex.; Louis A. Frothingham, Mass.; J. Kuhio Kalanianaole, Hawaii.

Naval Affairs: Thomas S. Butler (chairman), Pa.; Fred A. Britten, Ill.; Sydney E. Mudd, Md.; John A. Peters, Me.; Frederick C. Hicks, N. Y.; Clifton N. McArthur, Oreg.; George P. Darrow, Pa.; Milton Kraus, Ind.; Willfred W. Lufkin, Mass.; Ambrose E. B. Stephens, Ohio; Isaac V. McPherson, Mo.; Clark Burdick, R. I.; Francis F. Patterson, jr., N. J.; Ardolph L. Kline, N. Y.; Philip D. Swing, Calif.

Post Office and Post Roads: Halvor Steenerson (chairman), Minn.; William W. Griest, Pa.; Calvin D. Paige, Mass.; Harry C. Woodyard, W. Va.; C. William Ramseyer, Iowa; Archie D. Sanders, N. Y.; Samuel A. Kendall, Pa.; Guy U. Hardy, Colo.; C. Ellis Moore, Ohio; M. Clyde Kelly, Pa.; John C. Ketcham, Mich.; Roscoe C. Patterson, Mo.; Archibald E. Olpp, N. J.; John J. Gorman, Ill.; Richard E. Bird, Kans.; Dan A. Sutherland, Alaska.

The Public Lands: Nicholas J. Sinnott (chairman), Oreg.; Addison T. Smith, Idaho; Hays B. White, Kans.; William N. Vaile, Colo.; Henry E. Barbour, Calif.; John S. Benham, Ind.; John W. Summers, Wash.; Don B. Colton, Utah; Nestor Montoya, N. Mex.; Olger B. Burtness, N. Dak.; W. M. Morgan, Ohio; Lon A. Scott, Tenn.; Washington J. McCormick, Mont.; Charles L. Faust, Mo.; Dan A. Sutherland, Alaska.

Indian Affairs: Homer P. Snyder (chairman), N. Y.; Philip P. Campbell, Kans.; Royal C. Johnson, S. Dak.; Frederick W. Dallinger, Mass.; Albert W. Jefferis, Nebr.; R. Clint Cole, Ohio; John Reber, Pa.; Alice M. Robertson, Okla.; E. O. Leatherwood, Utah; Nestor Montoya, N. Mex.; L. M. Gensman, Okla.; Sidney C. Roach, Mo.; Washington J. McCormick, Mont.; Olger B. Burtness, N. Dak.; Dan A. Sutherland, Alaska.

The Territories: Charles F. Curry (chairman), Calif.; Albert Johnson, Wash.; Cassius C. Dowell, Iowa; Louis T. McFadden, Pa.; Edward S. Brooks, Pa.; James G. Strong, Kans.; Joseph McLaughlin, Pa.; Allen F. Moore, Ill.; Charles L. Knight, Ohio; Albert B. Rossdale, N. Y.; George P. Codd, Mich.; J. Kuhio Kalanianaole, Hawaii; Dan A. Sutherland, Alaska.

Insular Affairs: Horace M. Towner (chairman), Iowa; Charles E. Fuller, Ill.; James P. Glynn, Conn.; John I. Nolan, Calif.; Frederick N. Zihlman, Md.; Harold Knutson, Minn.; Louis W. Fairfield, Ind.; John C. Kleczka, Wis.; Edgar R. Kiess, Pa.; Frank Murphy, Ohio; Edgar C. Ellis, Mo.; Herbert W. Taylor, N. J.; L. M. Gensman, Okla.; Carroll L. Beedy, Me.

Railways and Canals: Loren E. Wheeler (chairman), Ill.; John S. Benham, Ind.; Oscar E. Keller, Minn.; Nathan D. Perlman, N. Y.; Harris J. Bixler, Pa.; Warren I. Lee, N. Y.; Joseph D. Beck, Wis.; Elliott W. Sproul, Ill.; John C. Speaks, Ohio.

Mines and Mining: Marion E. Rhodes (chairman), Mo.; Leonard S. Echols, W. Va.; John M. Robsion, Ky.; Edwin B. Brooks, Ill.; Oscar R. Luhring, Ind.; Charles R. Connell, Pa.; Samuel S. Arentz, Nev.; William Williamson, S. Dak.; Don B. Colton, Utah; Dan A. Sutherland, Alaska.

Public Buildings and Grounds: John W. Langley (chairman), Ky.; Thomas B. Dunn, N. Y.; Aaron S. Kreider, Pa.; Richard N. Elliott, Ind.; William E. Andrews, Nebr.; Edwin B. Brooks, Ill.; J. Will Taylor, Tenn.; Daniel A. Reed, N. Y.; Carl R. Chindblom, Ill.; W. F. Kopp, Iowa; Harris J. Bixler, Pa.; Miner G. Norton, Ohio; J. C. Pringey, Okla.

Education: Simeon D. Fess (chairman), Ohio; Horace M. Towner, Iowa; Frederick W. Dallinger, Mass.; Albert H. Vestal, Ind.; Edward J. King, Ill.; Daniel A. Reed, N. Y.; John M. Robsion, Ky.; Adolphus P. Nelson, Wis.; Clarence D. Coughlin, Pa.; Samuel A. Shelton, Mo.

Labor: John I. Nolan (chairman), Calif.; Frederick N. Zihlman, Md.; Norman J. Gould, N. Y.; Oscar E. Bland, Ind.; William J. Burke, Pa.; William O. Atkeson, Mo.; Joseph D. Beck, Wis.; Ogden L. Mills, N. Y.; Charles L. Knight, Ohio.

Patents: Florian Lampert (chairman), Wis.; Albert H. Vestal, Ind.; William J. Burke, Pa.; Randolph Perkins, N. J.; Samuel A. Shelton, Mo.; Andrew N. Petersen, N. Y.; Joe Brown, Tenn.; Joseph H. Himes, Ohio; Carroll L. Beedy, Me.

Invalid Pensions: Charles E. Fuller (chairman), Ill.; John W. Langley, Ky.; Moses P. Kinkaid, Nebr.; Oscar E. Bland, Ind.; Edwin D. Ricketts, Ohio; Edward S. Brooks, Pa.; John M. Nelson, Wis.; Frank C. Millspaugh, Mo.; Adam M. Wyant, Pa.; Albert B. Rossdale, N. Y.; Martin C. Ansorge, N. Y.

Pensions: Harold Knutson (chairman), Minn.; Anderson H. Walters, Pa.; John M. Robsion, Ky.; R. Clint Cole, Ohio; Guy L. Shaw, Ill.; Charles R. Connell, Pa.; Thomas J. Ryan, N. Y.; J. C. Pringey, Okla.; W. F. Kopp, Iowa; Lon A. Scott, Tenn.

Claims: George W. Edmonds (chairman), Pa.; Edward C. Little, Kans.; Clifford Ireland, Ill.; James P. Glynn, Conn.; John M. Rose, Pa.; Oscar E. Keller, Minn.; Edgar C. Ellis, Mo.; Charles L. Underhill, Mass.; Michael J. Hogan, N. Y.; William H. Frankhauser, Mich.; John C. Speaks, Ohio.

War Claims: Bertrand H. Snell (chairman), N. Y.; Benjamin K. Focht, Pa.; Stuart F. Reed, W. Va.; James G. Strong, Kans.; Daniel A. Reed, N. Y.; John C. Kleczka, Wis.; Lon A. Scott, Tenn.; Sidney C. Roach, Mo.; I. Clinton Kline, Pa.; Harry C. Gahn, Ohio.

District of Columbia: Benjamin K. Focht (chairman), Pa.; Loren E. Wheeler, Ill.; Stuart F. Reed, W. Va.; Frederick N. Zihlman, Md.; Florian Lampert, Wis.; Anderson H. Walters, Pa.; Oscar E. Keller, Minn.; Roy O. Woodruff, Mich.; Elliott W. Sproul, Ill.; Charles L. Underhill, Mass.; Warren I. Lee, N. Y.; Roy G. Fitzgerald, Ohio; Frank C. Millspaugh, Mo.; Joe Brown, Tenn.

Revision of the Laws: Edward C. Little (chairman), Kans.; Charles E. Fuller, Ill.; Isaac Siegel, N. Y.; William H. Kirkpatrick, Pa.; Adam M. Wyant, Pa.; Herbert W. Taylor, N. J.; Benjamin L. Rosenbloom, W. Va.; Roy G. Fitzgerald, Ohio.

Reform in the Civil Service: Frederick R. Lehlbach (chairman), N. J.; Louis W. Fairfield, Ind.; Addison T. Smith, Idaho; Martin C. Ansorge, N. Y.; Frank H. Funk, Ill.; Joseph H. Himes, Ohio; I. Clinton Kline, Pa.; B. Carroll Reece, Tenn.; George P. Codd, Mich.

Election of President, Vice President, and Representatives in Congress: William E. Andrews (chairman), Nebr.; Edwin B. Brooks, Ill.; Hays B. White, Kans.; Daniel A. Reed, N. Y.; William H. Frankhauser, Mich.; T. Frank Appleby, N. J.; I. Clinton Kline, Pa.; Manuel Herrick, Okla.

Alcoholic Liquor Traffic: Addison T. Smith (chairman), Idaho; Thomas D. Schall, Minn.; Olger B. Burtness, N. Dak.; John Kissel, N. Y.; Frank C. Millspaugh, Mo.; Charles L. Knight, Ohio; Manuel Herrick, Okla.

Irrigation of Arid Lands: Moses P. Kinkaid (chairman), Nebr.; Nicholas J. Sinnott, Oreg.; Edward C. Little, Kans.; Addison T. Smith, Idaho; John W. Summers, Wash.; Henry E. Barbour, Calif.; E. O. Leatherwood, Utah; William Williamson, S. Dak.; Samuel S. Arentz, Nev.; Manuel Herrick, Okla.

Immigration and Naturalization: Albert Johnson (chairman), Wash.; Isaac Siegel, N. Y.; J. Will Taylor, Tenn.; John C. Kleczka, Wis.; William N. Vaile, Colo.; Hays B. White, Kans.; Guy L. Shaw, Ill.; Robert S. Maloney, Mass.; Arthur M. Free, Calif.; John L. Cable, Ohio.

Expenditures in the State Department: Richard N. Elliott (chairman), Ind.; J. Will Taylor, Tenn.; Lester D. Volk, N. Y.; Charles L. Knight, Ohio; E. Hart Fenn, Conn.

Expenditures in the Treasury Department: Porter H. Dale (chairman), Vt.; William E. Andrews, Nebr.; William N. Vaile, Colo.; Charles R. Connell, Pa.; B. Carroll Reece, Tenn.

Expenditures in the War Department: Royal C. Johnson (chairman), S. Dak.; Albert W. Jefferis, Nebr.; Clarence MacGregor, N. Y.; Thomas J. Ryan, N. Y.; Samuel A. Shelton, Mo.

Expenditures in the Navy Department: Leonard S. Echols (chairman), W. Va.; W. F. Kopp, Iowa; Frank H. Funk, Ill.; John Kissel, N. Y.; Robert S. Maloney, Mass.

Expenditures in the Post Office Department: Frederick N. Zihlman (chairman), Md.; James P. Glynn, Conn.; James W. Dunbar, Ind.; William O. Atkeson, Mo.; Albert B. Rossdale, N. Y.

Expenditures in the Interior Department: Aaron S. Kreider (chairman), Pa.; Henry E. Barbour, Calif.; William Williamson, S. Dak.; Don B. Colton, Utah; Alice M. Robertson, Okla.

Expenditures in the Department of Justice: Stuart F. Reed (chairman), W. Va.; William H. Kirkpatrick, Pa.; W. M. Morgan, Ohio; Harry C. Gahn, Ohio; Washington J. McCormick, Mont.

Expenditures in the Department of Agriculture: Edward J. King (chairman), Ill.; Allen F. Moore, Ill.; Joseph D. Beck, Wis.; Charles L. Faust, Mo.

Expenditures in the Department of Commerce: Frank Murphy (chairman), Ohio; Norman J. Gould, N. Y.; Clarence D. Coughlin, Pa.; Michael J. Hogan, N. Y.; William H. Frankhauser, Mich.

Expenditures in the Department of Labor: Anderson H. Walters (chairman), Pa.; Hays B. White, Kans.; J. C. Pringey, Okla.; Andrew N. Petersen, N. Y.; Joseph H. Himes, Ohio.

Expenditures on Public Buildings: John S. Benham (chairman), Ind.; E. O. Leatherwood, Utah; Martin C. Ansorge, N. Y.; Elliott W. Sproul, Ill.; Benjamin L. Rosenbloom, W. Va.

Rules: Philip P. Campbell (chairman), Kans.; Bertrand H. Snell, N. Y.; William A. Rodenberg, Ill.; Simeon D. Fess, Ohio; Aaron S. Kreider, Pa.; Porter H. Dale, Vt.; Royal C. Johnson, S. Dak.; Thomas D. Schall, Minn.

Accounts: Clifford Ireland (chairman), Ill.; Adolphus P. Nelson, Wis.; Anderson H. Walters, Pa.; Clarence MacGregor, N. Y.; Lester D. Volk, N. Y.; Miner G. Norton, Ohio; Charles L. Underhill, Mass.

Mileage: John Reber (chairman), Pa.; Samuel S. Arentz, Nev.; John C. Speaks, Ohio.

Census: Isaac Siegel (chairman), N. Y.; Louis W. Fairfield, Ind.; John W. Langley, Ky.; Horace M. Towner, Iowa; Loren E. Wheeler, Ill.; James P. Glynn, Conn.; Henry E. Barbour, Calif.; Carroll L. Beedy, Me.; Charles L. Faust, Mo.; Adam M. Wyant, Pa.

The Library: Norman J. Gould (chairman), N. Y.; Simeon D. Fess, Ohio; Robert Luce, Mass.

Printing: Edgar R. Kiess (chairman), Pa.; Albert Johnson, Wash.

Enrolled Bills: Edwin D. Ricketts (chairman), Ohio; Marion E. Rhodes, Mo.; Herbert W. Taylor, N. J.; Martin C. Ansorge, N. Y.

Industrial Arts and Expositions: Oscar E. Bland (chairman), Ind.; Louis W. Fairfield, Ind.; Clifford Ireland, Ill.; William J. Burke, Pa.; Joseph McLaughlin, Pa.; Thomas J. Ryan, N. Y.; Manuel Herrick, Okla.; John C. Speaks, Ohio; Michael J. Hogan, N. Y.; Robert S. Maloney, Mass.

Roads: Thomas B. Dunn (chairman), N. Y.; Cassius C. Dowell, Iowa; John M. Rose, Pa.; John S. Benham, Ind.; John M. Robsion, Ky.; John W. Summers, Wash.; John M. Nelson, Wis.; Joseph McLaughlin, Pa.; Roy O. Woodruff, Mich.; B. Carroll Reece, Tenn.; John L. Cable, Ohio; Allen F. Moore, Ill.; John Kissell, N. Y.; William O. Atkeson, Mo.

Flood Control: William A. Rodenberg (chairman), Ill.; Charles F. Curry, Calif.; Thomas D. Schall, Minn.; Stuart F. Reed, W. Va.; Oscar R. Luhring, Ind.; Frank Murphy, Ohio; Edgar C. Ellis, Mo.; Roy G. Fitzgerald, Ohio; Andrew N. Petersen, N. Y.

Disposition of Useless Executive Papers: Merrill Moores (chairman), Ind.

Woman Suffrage: Wallace H. White, jr. (chairman), Me.; John I. Nolan, Calif.; George W. Edmonds, Pa.; John W. Langley, Ky.; Guy L. Shaw, Ill.; Alice M. Robertson, Okla.; Harris J. Bixler, Pa.; Albert B. Rossdale, N. Y.

During the reading of the list of Members the following occurred:

Mr. GARRETT of Tennessee. Mr. Speaker, I ask the gentleman from Illinois if it is important to read all of these names.

Mr. MANN. I think it is the proper thing to do where the House is called upon to vote for committees to read the names.

Mr. GARRETT of Tennessee. There would be no objection on this side to dispensing with the reading.

Mr. MANN. I think they ought to be read.

The reading was completed.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. My colleague, Mr. SISSON, Member elect from Mississippi, has not been sworn in because he had to leave Washington last night on account of a death in the family. He wishes to get a leave of absence. I would like to have the advice of the Speaker as to whether or not a Member before he is sworn in can get a leave of absence. If so, I would like to ask a leave of absence for 10 days for the gentleman from Mississippi [Mr. SISSON].

The SPEAKER. The Chair would think that, not being yet a Member of the House, not having been sworn in, the gentleman from Mississippi could absent himself as he desires. The Chair does not think that he can be granted leave of absence. That is the off-hand opinion of the Chair.

ELECTION OF CERTAIN MINORITY MEMBERS OF COMMITTEES.

Mr. GARNER. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. GARNER moves the election of the following-named gentlemen as minority members of the following committees:

Ways and Means: Claude M. Kitchin, N. C.; John N. Garner, Tex.; James W. Collier, Miss.; William A. Oldfield, Ark.; Charles R. Crisp, Ga.; John Carew, N. Y.; W. P. Martin, La.; Peter Tague, Mass.

Rules: Edward W. Pou, N. C.; Finis J. Garrett, Tenn.; James A. Cantrill, Ky.; Dan Riordan, N. Y.

Accounts: Frank Park, Ga.; Clay Stone Briggs, Tex.; Tilman B. Parks, Ark.

Mileage: Stanley H. Kunz, Ill.; George K. Favrot, La.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

RECESS.

Mr. MANN. Mr. Speaker, it is desirable that the House remain in session until the committee appointed to wait upon the President is able to report, in order that we may know whether there will be a joint session of the two Houses to-morrow. I therefore move that the House stand in recess for 20 minutes.

The motion was agreed to; accordingly (at 3 o'clock and 25 minutes p. m.) the House stood in recess for 20 minutes.

AFTER RECESS.

The recess having expired, at 3 o'clock and 45 minutes p. m. the House was called to order by the Speaker.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. MONDELL reported that the committee appointed by the Speaker on behalf of the House to join a like committee of the Senate to inform the President that the Congress is organized and ready for business and prepared to receive any communication he desires to make, had performed that duty, and that the President had informed the committee that it will be his pleasure to deliver a message to the Congress in person on Tuesday, April 12, 1921, at such hour as the Congress might fix.

JOINT SESSION OF THE TWO HOUSES.

Mr. MONDELL. Mr. Speaker, I offer the following resolution, which I send to the desk.

The Clerk read as follows:

House concurrent resolution 1.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 12th day of April, 1921, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 12, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting draft of requested legislation in connection with a Government-owned water-service system for the Fort Monroe Military Reservation; to the Committee on Military Affairs.

2. A letter from the Secretary of State, transmitting a list of useless executive papers to be destroyed; to the Committee on Disposition of Useless Executive Papers.

3. A letter from the Secretary of Labor, transmitting copy of the report of the United States Housing Corporation as of December 31, 1920; to the Committee on Public Buildings and Grounds.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FORDNEY: A bill (H. R. 1) to provide adjusted compensation for veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: A bill (H. R. 2) to limit the immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. SWEET: A bill (H. R. 3) to establish in the Treasury Department a veterans' bureau and to improve the facilities and service of such bureau and further to amend and modify the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON: A bill (H. R. 4) granting relief to soldiers and sailors of the War with Spain, Philippine insurrection, and Chinese Boxer rebellion campaign, to widows, former widows, and dependent parents of such soldiers and sailors, and to certain Army nurses; to the Committee on Pensions.

Also, a bill (H. R. 5) to pension soldiers who were in the military service during Indian wars and disturbances, and the widows, minors, and helpless children of such soldiers; to increase the pensions of Indian war survivors and widows; and to amend section 2 of the act of March 4, 1917; to the Committee on Pensions.

By Mr. YOUNG of North Dakota: A bill (H. R. 6) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes; to the Committee on Ways and Means.

By Mr. TOWNER: A bill (H. R. 7) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. FORDNEY: A bill (H. R. 8) vesting in the Bureau of Pensions jurisdiction of claims for compensation under article 3 of the war risk insurance act, approved October 6, 1917, and the amendments thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 9) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. BRITTEN: A bill (H. R. 10) to fix the metric system of weights and measures as the single standard of weights and measures for certain uses; to the Committee on Coinage, Weights, and Measures.

By Mr. KELLY of Pennsylvania: A bill (H. R. 11) to protect the public against false pretenses in merchandising, under trademark or special brand, of articles of standard quality; to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: A bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919; to the Committee on Revision of the Laws.

By Mr. DYER: A bill (H. R. 13) to assure to persons within the jurisdiction of every State the equal protection of the laws and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. HAUGEN: A bill (H. R. 14) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

By Mr. ROGERS: A bill (H. R. 15) relative to the citizenship and naturalization of married women; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 16) to protect the public against fraud by prohibiting the manufacture, sale, or transportation in interstate commerce of misbranded, misrepresented, or falsely described articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 17) for the reorganization and improvement of the Foreign Service of the United States, and for other purposes; to the Committee on Foreign Affairs.

Also, a bill (H. R. 18) to establish in the Treasury Department a Bureau of Veteran Reestablishment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: A bill (H. R. 19) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education.

Also, a bill (H. R. 20) to promote the general welfare by gathering information respecting the ownership, production, distribution, costs, sales, and profits in the coal industry and by publication of same, and to recognize and declare coal and its production and distribution charged with public interest and use, and for other purposes, to the committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 21) to amend an act entitled "An act to provide for the promotion of vocational education, to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries, to provide for cooperation with the States in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditures," approved February 23, 1917; to the Committee on Education.

Also, a bill (H. R. 22) to provide for the promotion of physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including health supervisors and school nurses, to appropriate money and regulate its expenditure, and for other purposes, to the Committee on Education.

Also, a bill (H. R. 23) to amend the vocational rehabilitation act to exempt from taxation amounts heretofore or hereafter received thereunder as training pay and allowances; to the Committee on Ways and Means.

Also, a bill (H. R. 24) to enforce the provisions of the nineteenth amendment to the Constitution of the United States with respect to the elective franchise; to the Committee on Woman Suffrage.

Also, a bill (H. R. 25) to create a national university at the seat of the Federal Government; to the Committee on Education.

Also, a bill (H. R. 26) to incorporate the National Federation of Business and Professional Women's Clubs; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 27) to punish offenses against the existence of the Government of the United States, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 28) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; to the Committee on the Judiciary.

By Mr. GOULD: A bill (H. R. 29) to amend the revenue act of 1918, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. GOOD: A bill (H. R. 30) to provide a national budget system and an independent audit of Government accounts, and for other purposes; to the Select Committee on the Budget.

By Mr. ACKERMAN: A bill (H. R. 31) to save daylight in the first zone, so as to encourage the establishment of home gardening, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 32) authorizing the accounting officers of the Treasury to adjust certain accounts of certain diplomatic and consular officers; to the Committee on Foreign Affairs.

By Mr. ALMON: A bill (H. R. 33) to increase the limit of cost of public building at Decatur, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 34) to authorize the enlargement, extension, and remodeling of the Federal building at Huntsville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 35) for the purchase of a site and the erection of a public building at Athens, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 36) for the purchase of a site and the erection of a public building at Sheffield, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. ANDERSON: A bill (H. R. 37) to enlarge, extend, and remodel the post-office building at Rochester, Minn., or to authorize the purchase of a site and the erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 38) to enlarge, extend, and remodel the post-office building at Albert Lea, Minn., or to authorize the purchase of a site and erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 39) to authorize the purchase of a site and the erection and completion of a public building thereon at Waseca, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. ASWELL: A bill (H. R. 40) for the erection of a Federal building at Winnfield, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 41) to amend the act of Congress approved March 4, 1913 (37 Stat., p. 869), for the enlargement, extension, remodeling, rebuilding, reconstruction, or improvement of the Federal building at Alexandria, La., to provide for demolition of the present building and the construction upon the site thereof of a new building at a cost of not exceeding $500,000; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 42) to repeal the internal-revenue taxes upon wholesome foods and the special license taxes imposed upon producers and dealers in such wholesome foods; to the Committee on Ways and Means.

Also, a bill (H. R. 43) to authorize agricultural colleges and experiment stations to investigate and to teach the science and art of manufacturing and using oleomargarine, and to exempt such colleges and stations from the imposition of special taxes and the payment of taxes; to the Committee on Agriculture.

Also, a bill (H. R. 44) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

By Mr. BEGG: A bill (H. R. 45) for the relief of retired commissioned and warrant officers of the United States Navy and Marine Corps who were called into active service during the War with Germany and promoted; to the Committee on Naval Affairs.

Also, a bill (H. R. 46) granting a gratuity of $100 to officers and enlisted men of the Army whose names appear upon the Army and Navy medal of honor roll; to the Committee on Military Affairs.

Also, a bill (H. R. 47) to increase the limit of cost of the public building to be erected at Sandusky, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Virginia: A bill (H. R. 48) granting pensions to certain members of the former Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 49) to provide for the erection of a post-office building at Phoebus, Va.; to the Committee on Public Buildings and Grounds.

By Mr. BURROUGHS: A bill (H. R. 50) for the erection of a public building at Durham, N. H.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 51) to acquire by purchase, condemnation, or otherwise additional land for the Federal building at Manchester, N. H., and to construct an addition thereon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 52) to enlarge, extend, and remodel the post-office building at Portsmouth, N. H.; to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Tennessee: A bill (H. R. 53) to provide for the purchase of a site and the erection of a public building thereon at Lewisburg, in the State of Tennessee; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 54) increasing the limit of cost of a public building and site at Tullahoma, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. FORDNEY: A bill (H. R. 55) to provide for the erection of an addition to the post-office building at Saginaw, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. FOSTER: A bill (H. R. 56) providing monthly payment of pensions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 57) to increase the cost of the public building at Gallipolis, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 58) for the erection of a public building at Jackson, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 59) for the purchase of a site and the erection of a public building at Pomeroy, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. FRENCH: A bill (H. R. 60) to amend an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes"; to the Committee on Pensions.

Also, a bill (H. R. 61) to pension the survivors of certain wars from January 1, 1858, to January 1, 1888, inclusive, and for other purposes; to the Committee on Pensions.

Also, a bill (H. R. 62) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

Also, a bill (H. R. 63) to amend section 237 of an act to codify, revise, and amend the laws relating to the judiciary; to the Committee on the Judiciary.

Also, a bill (H. R. 64) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven fabrics purporting to contain wool and in garments or articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia, or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 65) to amend section 8 of an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended by the act approved August 23, 1912; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 66) to provide for the enforcement of laws upon Indian reservations and superintendencies; to the Committee on Indian Affairs.

Also, a bill (H. R. 67) for the protection of foodstuffs in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 68) to punish the speculation by any person or body of persons for the purpose of cornering the market, and for other purposes, and providing a penalty therefor; to the Committee on Agriculture.

Also, a bill (H. R. 69) authorizing the compensation of rural mail carriers or their heirs for injuries received while on duty; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 70) to allow credit for husbands' military service in case of homestead entries by widows, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 71) to provide for the erection of a Federal building at Caldwell, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 72) to provide for additional appropriation for the erection of a Federal building at Sandpoint, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 73) to provide for additional appropriation for the erection of a Federal building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 74) to provide for the purchase of a site for a Federal building at Payette, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 75) to provide for the purchase of a site for a Federal building at Weiser, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 76) to provide for the erection of a Federal building at Nampa, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 77) for the consolidation of forest lands within the Clearwater, St. Joe, and Selway National Forests; to the Committee on the Public Lands.

By Mr. HERSEY: A bill (H. R. 78) for the establishment of a national park and acquiring national forests in the Mount Katahdin region of the State of Maine; to the Committee on Agriculture.

Also, a bill (H. R. 79) to provide for enlarging the United States building at Houlton, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 80) to increase the limit of cost of the public building to be erected at Caribou, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 81) to increase the limit of cost of the public building to be erected at Fort Fairfield, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 82) to provide for the erection of a public building at Presque Isle, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 83) to provide for the erection of a public building at Dover, Me.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Kentucky: A bill (H. R. 84) for the purchase of a site for a public building at Campbellsville, Taylor County, Ky; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 85) for the purchase of a site for a public building at Springfield, Washington County, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. KELLEY of Michigan: A bill (H. R. 86) to protect the name and insignia of the World War organizations; to the Committee on the Judiciary.

By Mr. LINEBERGER: A bill (H. R. 87) to exempt from cancellation certain desert-land entries in Riverside County, Calif.; to the Committee on the Public Lands.

By Mr. KENNEDY: A bill (H. R. 88) to provide for the purchase of a site and the erection of public buildings at Providence, R. I., for use as a quarantine station; to the Committee on Public Buildings and Grounds.

By Mr. KIRKPATRICK: A bill (H. R. 89) for the public sale of post-office site on the west side of South Main Street, in the city of Bethlehem, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. LOGAN: A bill (H. R. 90) to make the practice in the United States district courts conform to the practice of the State courts of the State in which the United States district courts are held; to the Committee on the Judiciary.

Also, a bill (H. R. 91) to provide for the recovery of mental anguish in the absence of bodily injury against telegraph companies for negligence in receiving, transmitting, and delivering messages; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 92) to provide a penalty of $50 for failure of common carrier to adjust and pay within 40 days claims for freight overcharged or for loss of or damage to property and baggage whilst in possession of a common carrier; to the Committee on Interstate and Foreign Commerce.

By Mr. McPHERSON: A bill (H. R. 93) to authorize the purchase of a site for a post-office building in the city of Monett, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 94) to purchase a site for the erection of a post-office building at the city of Carterville, in the county of Jasper and State of Missouri; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 95) to purchase a site for the erection of a post-office building in the city of Neosho, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 96) to provide for the erection of a public building in the city of Lamar, in the State of Missouri; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 97) to provide for the erection of a public building in the city of Aurora, in the State of Missouri; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 98) to authorize the purchase of land for a site for a post-office building in the city of Cassville, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 99) to authorize the building of an addition to the Federal building in the city of Joplin, Mo., and authorizing the necessary changes in the construction and mechanical work of the present building; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 100) providing for the election of delegates to the House of Representatives from the District of Columbia, Commissioners of the District of Columbia, a public utilities commission, a board of education, and for other purposes; to the Committee on the District of Columbia.

By Mr. MADDEN: A bill (H. R. 101) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for equal and identical rights, accommodations, and privileges for all persons ap-

plying for interstate transportation, and prohibiting discrimination on account of race, color, or previous condition of servitude, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 102) to define the meaning of "inability" as used in Article II, section 1, clause 5, of the Constitution; to the Committee on the Judiciary.

Also, a bill (H. R. 103) to amend sections 301 and 307 of the transportation act, 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 104) to amend an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 105) providing for the investment of the Postal Savings System reserve in United States Government bonds and other securities; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 106) to provide for reports in connection with the publications of various departments and independent establishments; to the Committee on Printing.

Also, a bill (H. R. 107) providing for a detailed statement of costs from the Postmaster General of matter mailed under frank by each department and independent establishment of the Government; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 108) to provide for statements of costs in connection with the printing of Government publications; to the Committee on Printing.

By Mr. MASON: A bill (H. R. 109) to amend an act giving congressional medals for conspicuous bravery; to the Committee on Military Affairs.

Also, a bill (H. R. 110) to amend the revenue laws of the United States; to the Committee on Ways and Means.

Also, a bill (H. R. 111) to amend the act of February 4, 1887, regulating interstate commerce, to foster and encourage knowledge of American institutions; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 112) to declare the people of the Philippine Islands free and independent; to the Committee on Insular Affairs.

Also, a bill (H. R. 113) granting a national charter to organize and maintain subordinate chapters of the Phi Beta sororities; to the Committee on the Judiciary.

Also, a bill (H. R. 114) to amend and reenact sections 1251, 1254, and 1274 of the Revised Statutes, which provides for retiring of incapacitated officers for further service, fixing rank of released officers, and the pay of retiring officers, and to cause all commissioned officers of the National Guard, National Army, reserve officers, and all other commissioned officers who have served in the United States Army to appear before a retiring board, and to provide for incapacitated officers of the National Guard, National Army, reserve officers, and all other commissioned officers who have been retired from service; to the Committee on Military Affairs.

Also, a bill (H. R. 115) to enable the Government to carry out the recommendations of the committees in Congress and to establish a home or homes for the aged and infirm colored people and working girls, and to establish an industrial farm and to aid the people who must move from the alleys in the District of Columbia, and to provide work for the colored youth during the summer vacation, and to provide work for the returning colored soldiers; to the Committee on the District of Columbia.

Also, a bill (H. R. 116) to authorize the issuing to doctors of medicine licensed to practice in any one State, United States license permitting practice in any State of the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 117) to provide for the salaries of a minister and consuls to the republic of Ireland; to the Committee on Foreign Affairs.

Also, a bill (H. R. 118) to amend section 1044 of the Revised Statutes; to the Committee on the Judiciary.

Also, a bill (H. R. 119) for the reclamation of swamp, cutover, and overflowed lands, and providing for the cost thereof; to the Committee on the Public Lands.

Also, a bill (H. R. 120) to authorize the Secretary of the Treasury, Secretary of War, and Secretary of the Navy to rectify some of the evils of the courts-martial system and the repayment of all courts-martial fines of misdemeanor grade, and for other purposes; to the Committee on Military Affairs.

By Mr. MOORES of Indiana: A bill (H. R. 121) to prohibit the withholding from retired Government employees who may have been reemployed in the Government service any part of their retirement annuities or other pay for services since retirement, and for other purposes; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 122) to provide for the relief of certain employees of the Government who have become elegible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; to the Committee on Reform in the Civil Service.

By Mr. RAMSEYER: A bill (H. R. 123) for the erection of a post-office building at Albia, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 124) for the erection of a post-office building at Newton, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. SMITHWICK: A bill (H. R. 125) for the purchase of a site for and the erection of a post-office building at Quincy, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 126) increasing the limit of cost for a Federal building at Apalachicola, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 127) for the erection of a post-office building at De Funiak Springs, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 128) increasing the limit of cost for a Federal building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. SNELL: A bill (H. R. 129) to provide through cooperation between the Federal Government, the States, and owners of timberlands for adequate protection against forest fires, for reforestation of denuded lands, for obtaining essential information in regard to timber and timberlands, for extension of the national forests, and for other purposes, all essential to continuous forest production on lands entirely suitable therefor; to the Committee on Agriculture.

By Mr. THOMAS: A bill (H. R. 130) establishing the Mammoth Cave National Park in the State of Kentucky, and for other purposes; to the Committee on the Public Lands.

By Mr. WOODYARD: A bill (H. R. 131) granting pensions to the officers and soldiers who served in the West Virginia State troops in the late Civil War; to the Committee on Invalid Pensions.

Also, a bill (H. R. 132) for the relief of West Virginia State troops; to the Committee on Invalid Pensions.

Also, a bill (H. R. 133) granting a pension to teamsters, bridge builders, and railroad repairers who were in the service of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 134) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODYARD: A bill (H. R. 135) providing for the purchase of a site and the erection thereon of a public building at Winfield, W. Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 136) providing for the purchase of a site and the erection thereon of a public building at Spencer, W. Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 137) providing for the purchase of a site and the erection thereon of a public building at Hurricane, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. ANDREWS: A bill (H. R. 138) to add two justices to the Court of Appeals of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 139) to add one justice to the Supreme Court of the District of Columbia; to the Committee on the District of Columbia.

By Mr. APPLEBY: A bill (H. R. 140) making provision for the erection of a monument to the memory of Molly Pitcher, on the site of the Battle of Monmouth, county of Monmouth, State of New Jersey; to the Committee on the Library.

By Mr. ARENTZ: A bill (H. R. 141) authorizing the cutting of timber for mining purposes by corporations organized in one State and conducting mining operations in another; to the Committee on the Public Lands.

Also, a bill (H. R. 142) to authorize the acquisition of a site and the erection of a Federal building at Elko, Nev.; to the Committee on Public Buildings and Grounds.

By Mr. BACHARACH: A bill (H. R. 143) to increase the limit of cost of post-office site and building at Vineland, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 144) to increase the limit of cost of post-office site and building at Millville, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 145) to provide for the purchase of a site and the erection of a new public building at Atlantic City, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. BARBOUR: A bill (H. R. 146) for the apportionment of Representatives in Congress amongst the several States under the Fourteenth Census; to the Committee on the Census.

By Mr. BARKLEY: A bill (H. R. 147) to prohibit the manufacture, sale, or transportation in interstate commerce of misbranded articles, to regulate the traffic therein, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND of Virginia: A bill (H. R. 148) to provide for the erection of a post-office and customhouse building at Cape Charles, Va.; to the Committee on Public Buildings and Grounds.

By Mr. BLANTON: A bill (H. R. 149) for the erection of a public building in the city of Ballinger, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 150) for the erection of a public building in the city of Ranger, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 151) for the erection of a public building in the city of Cisco, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 152) for the erection of a public building in the city of Eastland, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 153) for the erection of a public building in the city of Sweetwater, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 154) for the erection of a public building in the city of Coleman, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. BURTON: A bill (H. R. 155) authorizing the erection of a Federal building at Bedford, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. CANNON: A bill (H. R. 156) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. CARTER: A bill (H. R. 157) for the purpose of conferring citizenship upon Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. CHINDBLOM: A bill (H. R. 158) to authorize the acquisition of a site and the erection of a Federal building at Lake Forest, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 159) to authorize the acquisition of a site and the erection of a Federal building at Wilmette, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. CHRISTOPHERSON: A bill (H. R. 160) to provide for the purchase of a site and for the erection of a public building thereon at Canton, S. Dak.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 161) to provide for the purchase of a site and for the erection of a public building thereon at Flandreau, S. Dak.; to the Committee on Public Buildings and Grounds.

By Mr. CURRY: A bill (H. R. 162) to provide for an addition to the post-office building at the city of Stockton, Calif., for the accommodation of the post office and other Federal offices; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 163) authorizing the use of radio stations under the control of the Navy Department for commercial purposes, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 164) providing for the utilization, extension, and development of the manufacturing facilities of the United States arsenal at Benicia, Calif.; to the Committee on Appropriations.

Also, a bill (H. R. 165) to divide the northern district of the State of California into two judicial districts; to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: A bill (H. R. 166) to permit the wearing of the United States uniforms by honorably discharged officers, soldiers, sailors, or marines wounded in the line of duty; to the Committee on Military Affairs.

Also, a bill (H. R. 167) to establish the International Exposition of the United States of America; to the Committee on Industrial Arts and Expositions.

By Mr. DICKINSON: A bill (H. R. 168) levying a tax upon future sales of grain on any exchange or board of trade, and providing a penalty for the violation thereof; to the Committee on Agriculture.

By Mr. DUPRÉ: A bill (H. R. 169) making appropriation for the construction and equipment of a light vessel for the Passes at the entrances to the Mississippi River, La.; to the Committee on Appropriations.

Also, a bill (H. R. 170) providing for an increase of salary for the United States attorney for the eastern district of Louisiana; to the Committee on Expenditures in the Department of Justice.

By Mr. DYER: A bill (H. R. 171) to provide for the appointment of an additional judge of the district court of the United States for the eastern district of Missouri; to the Committee on the Judiciary.

Also, a bill (H. R. 172) for the relief of the Philippine Scouts officers; to the Committee on Military Affairs.

By Mr. DUPRÉ: A bill (H. R. 173) making appropriation for the construction and equipment of a lighthouse depot for the eighth lighthouse district at New Orleans, La., or vicinity; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 174) making appropriation for the construction and equipment of a lighthouse depot for the eighth lighthouse district at New Orleans, La., or vicinity; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDS: A bill (H. R. 175) to regulate marine insurance in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ELSTON: A bill (H. R. 176) to amend the act approved December 23, 1913, known as the Federal reserve act, and to amend section 5236 of the Revised Statutes; to the Committee on Banking and Currency.

By Mr. FESS: A bill (H. R. 177) providing for the erection of a public building for the city of Urbana, Champaign County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. GALLIVAN: A bill (H. R. 178) to provide for the enlargement, extension, and remodeling of the Federal building at Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 179) providing for a site and public building for post office and other Federal purposes at Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 180) to provide adjusted compensation for veterans of the World War, to provide revenue therefor, and for other purposes; to the Committee on Ways and Means.

By Mr. GOULD: A bill (H. R. 181) for the erection of a public building at Lyons, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 182) for the purchase of a site, for the erection thereon of a public building, at Seneca Falls, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 183) for the improvement of the Federal post-office building at Geneva, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 184) to increase the limit of cost for the Federal post-office building at Waterloo, N. Y.; to the Committee on Public Buildings and Grounds..

By Mr. GREENE of Massachusetts: A bill (H. R. 185) to provide and adjust penalties for violation of various navigation laws, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAUGEN: A bill (H. R. 186) authorizing the Secretary of the Treasury to contract for the enlargement, extension, remodeling, and improvement of the present Federal building in the city of Mason City, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 187) to authorize the erection of a Federal building at Oelwein, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 188) to authorize the acquisition of a site and the erection thereon of a Federal building at Osage, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 189) providing for a tax on pure fruit-juice beverages; to the Committee on Ways and Means.

By Mr. HICKS: A bill (H. R. 190) to authorize the appointment of an ordnance storekeeper in the Army; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 191) fixing the compensation of registers and receivers of local land offices; to the Committee on the Public Lands.

Also, a bill (H. R. 192) providing for investigation and sale of timber on the Three Tree Point Military Reservation in the State of Washington; to the Committee on Military Affairs.

Also, a bill (H. R. 193) to amend section 231 of the act of February 24, 1919, entitled "An act to provide revenue, and for other purposes"; to the Committee on Ways and Means.

Also, a bill (H. R. 194) authorizing the establishment of a light vessel to mark the entrance to Grays Harbor, Wash.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 195) providing for investigation and sale of timber on the Fort Canby Military Reservation in the State of Washington; to the Committee on Military Affairs.

Also, a bill (H. R. 196) authorizing the readjustment of certain star-route and power-boat mail contracts; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 197) authorizing the lease of lands containing deposits of minerals, oil, oil shale, or gas by the State of Washington for longer periods than five years; to the Committee on the Public Lands.

By Mr. GREENE of Massachusetts: A bill (H. R. 198) to authorize the United States, through the United States Shipping Board, to acquire a site on Hazzell Island, St. Thomas, Virgin Islands, for a fuel and fuel-oil station and fresh-water reservoir for Shipping Board and other merchant vessels, as well as United States naval vessels, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 199) to provide for the transfer of the steamship *Martha Washington* to Cosulich Societa Triestina di Navigazione, an Italian corporation of Trieste, and directing the United States Shipping Board to make delivery of the said steamship and to determine, award, and pay just compensation for use of the said steamship; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 200) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, to classify and provide salaries for officers and clerks of the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. KAHN: A bill (H. R. 201) to regulate air navigation within the United States and its dependencies, and between the United States or any of its dependencies and any foreign country or its dependencies; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 202) to make more effectual provision for the aerial defense of the United States and to provide for the concentration of the national air strength; to the Committee on Military Affairs.

Also, a bill (H. R. 203) to authorize the Secretary of War to grant the use of land and camp equipment to the United States Training Corps for Women, and to detail Army officers for service at recreational camps; to the Committee on Military Affairs.

Also, a bill (H. R. 204) to amend the Army appropriation act approved July 11, 1919, so as to release appropriations for the completion of the acquisition of real estate in certain cases, and making additional appropriations therefor; to the Committee on Military Affairs.

Also, a bill (H. R. 205) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. KELLY of Pennsylvania: A bill (H. R. 206) to amend section 19 of the Criminal Code of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 207) providing for a United States civil service board of adjustments to constitute a court of appeals for employees in the classified civil service of the United States; to the Committee on Reform in the Civil Service.

By Mr. KENNEDY: A bill (H. R. 208) to provide for the purchase of a site and the erection of a new public building at Pawtucket, R. I., and also for the sale of the present post-office building and its site; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 209) to increase the limit of cost for the United States Public Health Sanatorium at Dawson Springs, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. LAMPERT: A bill (H. R. 210) to increase the force and salaries in the Patent Office, and for other purposes; to the Committee on Patents.

By Mr. LANGLEY: A bill (H. R. 211) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. LEE of Georgia: A bill (H. R. 212) to appropriate additional sums for Federal aid in the construction of rural post roads, and for other purposes; to the Committee on Roads.

By Mr. LINTHICUM: A bill (H. R. 213) to protect fish not remaining the entire year within the waters of any State or Territory and authorizing the Department of Commerce to define the seasons and regulate the manner and conditions under which they may be taken or destroyed; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 214) to provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building, and changes to the railroad entering the same; to the Committee on Public Buildings and Grounds.

By Mr. LONGWORTH: A bill (H. R. 215) to reduce taxes, to repeal the war-profits and the excess-profits tax, to simplify the revenue act of 1918, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 216) to incorporate the Disabled American Veterans of the World War; to the Committee on the Judiciary.

By Mr. LUCE: A bill (H. R. 217) making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War; to the Committee on War Claims.

By Mr. LUFKIN: A bill (H. R. 218) for the purchase of a site for and the erection of a post-office building at Gloucester, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 219) increasing the limit of cost for a Federal building at Newburyport, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 220) to authorize the acquisition of a site and the erection of a Federal building at Salem, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 221) to authorize the establishment of a fisheries experiment station on the coast of Massachusetts; to the Committee on the Merchant Marine and Fisheries.

By Mr. ANDERSON: A bill (H. R. 222) making an appropriation to supply a deficiency in the appropriation for the Department of Agriculture for the fiscal year ending June 30, 1921; to the Committee on Appropriations.

By Mr. BLANTON: A bill (H. R. 223) to safeguard the transmission of interstate traffic and United States mails, to punish unlawful conspiracies, to protect citizens in their right to labor and to punish unlawful interference therewith, and to prohibit and punish certain seditious acts against the Government of the United States, and to prohibit the use of mails in furtherance of such acts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 224) to limit mileage to actual expenses; to the Committee on Mileage.

Also, a bill (H. R. 225) to amend section 5197, Revised Statutes of the United States, regulating the rate of interest which may be charged by national banking associations and providing a penalty for violations; to the Committee on Banking and Currency.

Also, a bill (H. R. 226) requiring all pensioners to reside within the territorial limits of the United States; to the Committee on Invalid Pensions.

Also, a bill (H. R. 227) to prevent breaches of the public peace in the District of Columbia by picketing; to the Committee on the District of Columbia.

Also, a bill (H. R. 228) for the apportionment of Representatives in Congress among the several States under the Fourteenth Census; to the Committee on the Census.

By Mr. BURROUGHS: A bill (H. R. 229) to amend an act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

Also, a bill (H. R. 230) to amend an act entitled "An act to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War and the War with Mexico, to certain widows, including widows of the War of 1812, former widows, dependent parents, and children of such soldiers, sailors, and marines, and to certain Army nurses, and granting pensions and increase of pensions in certain cases"; to the Committee on Invalid Pensions.

By Mr. ALMON: A bill (H. R. 231) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

By Mr. ANDERSON: A bill (H. R. 232) to promote agriculture by regulating the distribution of live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 233) to amend the interstate commerce act, as amended by the transportation act, 1920, to require carriers

to supply necessary warehouse facilities and extend the powers of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 234) to create a bureau of agricultural engineering in the Department of Agriculture, to provide for the testing and certification of farm tractors, and for other purposes; to the Committee on Agriculture.

By Mr. BACHARACH: A bill (H. R. 235) making October 27 a national holiday, to be known as Roosevelt's birthday; to the Committee on the Judiciary.

Also, a bill (H. R. 236) to reduce taxes, to repeal the war-profits, excess-profits tax, and certain other taxes, to simplify the revenue act of 1918, and for other purposes; to the Committee on Ways and Means.

By Mr. BLANTON: A bill (H. R. 237) to return to the South certain of the "cotton tax" collected from 1863 to 1868 by paying to each living Confederate soldier and each living widow of a Confederate soldier, as proper representatives of the South, the sum of $1,000 and a further sum of $25 per month during the remainder of their lives, and authorizing the appropriation of money therefor; to the Committee on Invalid Pensions.

By Mr. BRAND: A bill (H. R. 238) to limit rate of interest chargeable to Federal reserve banks to 5 per cent per annum; to the Committee on Banking and Currency.

Also, a bill (H. R. 239) to amend section 13 of the Federal reserve act, approved December 23, 1913, providing for discount of notes, drafts, and bills of exchange of factors; to the Committee on Banking and Currency.

By Mr. BUTLER: A bill (H. R. 240) authorizing the enrollment of officers and men of the merchant marine in the naval auxiliary reserve; to the Committee on Naval Affairs.

By Mr. CHINDBLOM: A bill (H. R. 241) to authorize the Secretary of War to grant a perpetual easement for railroad right of way and a right of way for a public highway over and upon a portion of the military reservation of Fort Sheridan, in the State of Illinois; to the Committee on Military Affairs.

By Mr. CHRISTOPHERSON: A bill (H. R. 242) to amend section 9 of the Federal reserve act as amended by the act approved June 21, 1917; to the Committee on Banking and Currency.

Also, a bill (H. R. 243) providing for the construction of a spillway and drainage ditch to lower and maintain the level of Lake Andes, S. Dak.; to the Committee on Indian Affairs.

Also, a bill (H. R. 244) to provide for the disposition of abandoned portions of rights of way granted to railroad companies; to the Committee on the Public Lands.

By Mr. COOPER of Ohio: A bill (H. R. 245) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: A bill (H. R. 246) to amend section 2 of an act entitled "An act to amend section 4131 of the Revised Statutes of the United States, to improve the merchant-marine service and thereby also to increase the efficiency of the Naval Reserve, and for other purposes," as amended by act approved October 22, 1914; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 247) to prevent the shipment and sale in interstate commerce of nursery stock not true to name; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 248) to fix the rate of pensions of mothers, fathers, and widows of deceased soldiers and sailors of the War of 1812, the War with Mexico, the Civil War, the various Indian wars, the War with Spain, the Philippine insurrection, and the Regular Establishment; to the Committee on Pensions.

By Mr. DENISON: A bill (H. R. 249) to regulate the sale or disposition of securities through the mails or other agencies of interstate or foreign commerce and providing penalties for the violation thereof; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 250) governing the tolls to be paid at the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. DOWELL: A bill (H. R. 251) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

By Mr. FAIRFIELD: A bill (H. R. 252) for the apportionment of Representatives in Congress amongst the several States under the Fourteenth Census; to the Committee on the Census.

By Mr. FULLER: A bill (H. R. 253) concerning the administration of the pension laws in claims for pension of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War, and by the widows of such persons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 254) to repeal certain provisions of the act of March 3, 1899 (30 Stat. L., p. 1379), relating to widows' pensions; to the Committee on Invalid Pensions.

By Mr. GREENE of Massachusetts: A bill (H. R. 255) to amend section 4404 of the Revised Statutes of the United States as amended by the act approved July 2, 1918, providing that the supervising inspectors of the Steamboat-Inspection Service be included under the classified civil service; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFIN: A bill (H. R. 256) to amend the revenue act of 1918 in regard to the computation of surtax on the income of individuals and the computation of war profits and the excess-profits tax on the income of corporations; to the Committee on Ways and Means.

Also, a bill (H. R. 257) to provide for the return to soldiers, sailors, marines, and others serving in the United States forces during the World War the premiums deducted from their pay for war-risk insurance, and the refunding of all allotments deducted from the pay of the enlisted personnel for their dependents; to the Committee on Ways and Means.

Also, a bill (H. R. 258) providing for the erection and completion of a public building in the Borough of the Bronx, New York City, in the State of New York; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 259) authorizing the Secretary of the Treasury to prepare plans and specifications for the public building in the Borough of the Bronx, New York City, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. HADLEY: A bill (H. R. 260) to construct a public building for a post office at the city of Port Angeles, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 261) to tax the privilege of dealing on exchanges, boards of trade, and similar places in contracts of sale of grain for future delivery, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 262) to establish a national park, to be known as the Mississippi Valley National Park, near Prairie du Chien, Wis., and McGregor, Iowa; to the Committee on the Public Lands.

By Mr. HAYDEN: A bill (H. R. 263) to amend section 4 of the act to regulate commerce, approved February 4, 1887, as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 264) providing for an additional judge for the district of Arizona; to the Committee on the Judiciary.

By Mr. HAYS: A bill (H. R. 265) to provide for the erection of a public building on ground already acquired at Caruthersville, in the State of Missouri; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 266) to provide for the purchase of a site and for the erection of a public building thereon at Kennett, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 267) to authorize the acquisition of a site and the erection of a Federal building at Ozark, Christian County, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 268) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 269) to change the name of the Bureau of Navigation to the Bureau of Personnel in the Navy Department; to the Committee on Naval Affairs.

Also, a bill (H. R. 270) for the completion of an historical pictorial record of the American Fleet in foreign waters during the recent war; to the Committee on Naval Affairs.

Also, a bill (H. R. 271) to regulate air navigation within the United States and its dependencies and between the United States or any of its dependencies and any foreign country or its dependencies; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 272) to establish a new base pay for surfman in the Coast Guard and to fix the value of commuted rations; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 273) to create a bureau of aeronautics in the Department of the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 274) to increase compensation under the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 275) to abolish the punishment of solitary confinement on bread and water as authorized by the articles for the government of the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 276) to provide for actual and necessary expenses of officers of the Navy when traveling by air; to the Committee on Naval Affairs.

Also, a bill (H. R. 277) amending and modifying the war risk insurance act as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 278) authorizing the Secretary of the Navy to loan material to educational institutions; to the Committee on Naval Affairs.

Also, a bill (H. R. 279) to provide adequate subsistence for the keepers of light ships and stations and men employed; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 280) to authorize reduced rates of transportation for members of the military and naval forces; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 281) to create a bureau of aeronautics in the Department of Commerce and providing for the organization and administration thereof; to the Committee on Interstate and Foreign Commerce.

By Mr. HUTCHINSON: A bill (H. R. 282) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes; to the Committee on Agriculture.

By Mr. JOHNSON of South Dakota: A bill (H. R. 283) for the protection of persons holding appointments under civil service laws; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 284) to provide for the dishonorable discharge of certain persons inducted into the Military Establishment who refused to perform the regular military duties or wear the uniform of the military forces of the United States, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 285) making eligible for retirement under the same conditions as now provided for officers of the Regular Army all officers of the United States Army during the World War who have incurred physical disability in line of duty; to the Committee on Military Affairs.

By Mr. KIESS: A bill (H. R. 286) to authorize the acquisition of a site and the erection of a Federal building at Wellsboro, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 287) to enlarge and extend the post-office building at Williamsport, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 288) to amend section 206 (c) of an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. KING: A bill (H. R. 289) for the erection of a public building at Lewistown, Ill., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 290) to increase the limit of cost of a new post office at Geneseo, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 291) providing for the extension of the post office at Galesburg, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 292) for the erection of a public building at Galva, Ill., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 293) to provide for the independence of the Philippine Islands; to the Committee on Insular Affairs.

By Mr. KLECZKA: A bill (H. R. 294) for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

By Mr. KRAUS: A bill (H. R. 295) to amend section 24a of an act entitled "An act to amend an act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; to the Committee on Military Affairs.

Also, a bill (H. R. 296) to enlarge and extend the post-office building at Logansport, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Indiana: A bill (H. R. 2158) to provide for the monthly payment of pensions; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 2159) to provide educational facilities for persons serving as members of the United States military or naval forces in the war with Germany and honorably discharged from such forces, and for other purposes; to the Committee on Ways and Means.

By Mr. FULLER: A bill (H. R. 2160) to provide for monthly payment of pensions; to the Committee on Invalid Pensions.

By Mr. IRELAND: A bill (H. R. 2161) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1917, and an act in amendment thereto approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: A bill (H. R. 2162) providing for the appraisal and sale of the Vashon Island Military Reservation, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. KELLY of Pennsylvania: A bill (H. R. 2163) to increase the utility of the postal-savings system, to encourage savings among the people, and to increase home ownership; to the Committee on the Post Offices and Post Roads.

By Mr. KINCHELOE: A bill (H. R. 2164) to provide for the erection of a public building in the city of Madisonville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. KRAUS: A bill (H. R. 2165) to provide for the purchase of a site and for the erection of a public building thereon at Hartford City, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 2166) to increase the area of the United States Botanic Garden, in the city of Washington, D. C.; to the Committee on the Library.

Also, a bill (H. R. 2167) authorizing the acquisition of a site and the erection thereon of a hospital plant for the investigation and treatment of trachoma at Pikeville, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. LANHAM: A bill (H. R. 2168) defining certain offenses committed by drivers of and persons in control of motor vehicles in the District of Columbia, and providing for the punishment of such offenses, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 2169) to provide for the acquisition of a site and the erection of a public building thereon at Fort Worth, Tex., and for the sale of the present post-office site and building thereon; to the Committee on Public Buildings and Grounds.

By Mr. LAZARO: A bill (H. R. 2170) to establish a fish-cultural station at some point in the State of Louisiana; to the Committee on the Merchant Marine and Fisheries.

By Mr. LEA of California: A bill (H. R. 2171) to amend paragraph 1 of section 3 of an act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States"; to the Committee on Immigration and Naturalization.

By Mr. McARTHUR: A bill (H. R. 2172) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

Also, a bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLINTIC: A bill (H. R. 2174) to provide for the creating of a national depositors' guaranty fund in each Federal reserve district, to be used for the protection of depositors in national banks, and authorizing the Comptroller of the Currency to have supervision over the same; to the Committee on Banking and Currency.

Also, a bill (H. R. 2175) providing for the purchase of a site to be used for the erection of a public building thereon at Elk City, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2176) providing for the purchase of a site to be used for the erection of a public building thereon at Weatherford, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2177) providing for the purchase of a site to be used for the erection of a public building thereon at Mangum, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2178) providing for the purchase of a site to be used for the erection of a public building thereon at Clinton, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2179) to provide for the erection of a public building in the city of Frederick, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2180) to provide for the erection of a public building in the city of Hobart, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. McFADDEN: A bill (H. R. 2181) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved March 3, 1919; to the Committee on Banking and Currency.

By Mr. MacGREGOR (by request): A bill (H. R. 2182) to establish a gold currency and a silver currency on a basis of interchangeable value throughout the world; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 2183) to obtain revenue and to maintain and encourage the breeding of canary birds in the United States; to the Committee on Ways and Means.

Also, a bill (H. R. 2184) providing a pension rate of $30 a month for certain soldiers and sailors of the Civil War and the Mexican War, and for other purposes; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 2185) providing for a "Pageant of progress exposition" cancellation stamp to be used by the Chicago post office; to the Committee on the Post Office and Post Roads.

By Mr. MASON: A bill (H. R. 2186) for compensation of those who served in the Army and Navy of the United States during the World War from 1917 to 1919; to the Committee on Ways and Means.

By Mr. MERRITT: A bill (H. R. 2187) to regulate the retired pay of certain enlisted men in the Coast Guard; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2188) making an appropriation for the improvement of the harbor at Stamford, Conn.; to the Committee on Appropriations.

Also, a bill (H. R. 2189) to provide for the purchase of additional land for the enlargement of the site of the public building at Stamford, Conn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2190) to provide for the purchase of a site and the erection of a public building thereon at Norwalk, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2191) to provide for the purchase of a site and the erection of a public building thereon at Bridgeport, in the State of Connecticut; to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 2192) authorizing the award of the distinguished service cross or distinguished service medal, provided for in the act of July 9, 1918, to Army officers breveted for gallantry during the War with Spain, Philippine insurrection, or China relief expedition; to the Committee on Military Affairs.

Also, a bill (H. R. 2193) to amend section 6 of an act approved January 17, 1914, entitled "An act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909"; to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 2194) authorizing the Secretary of the Interior to sell certain lands to school district No. 21, of Fremont County, Wyo.; to the Committee on the Public Lands.

Also, a bill (H. R. 2195) authorizing the acquirement of a site and the construction of a building for a post office at Greybull, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2196) to repeal the sections of the war revenue act approved October 3, 1917, relating to and providing for a zone system for second-class mail matter; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2197) providing for the sale of grazing lands; to the Committee on the Public Lands.

Also, a bill (H. R. 2198) providing for appeals from decisions of the Secretary of the Interior; to the Committee on the Public Lands.

Also, a bill (H. R. 2199) giving applicants under the stock raising homestead law whose applications may be rejected a preference right to enter lands under other provisions of the homestead law; to the Committee on the Public Lands.

Also, a bill (H. R. 2200) to provide for the erection of a public building in the city of Green River, in the State of Wyoming; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2201) giving a new right of homestead entry to former homesteaders; to the Committee on the Public Lands.

Also, a bill (H. R. 2202) granting locations and rights of way for purposes of irrigation and other beneficial use of water through the public lands and reservations of the United States; to the Committee on the Public Lands.

Also, a bill (H. R. 2203) to provide for the erection of a public building at Newcastle, in the State of Wyoming; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2204) for marking the site of old Fort Phil Kearny and the wagon-box fight; to the Committee on the Library.

Also, a bill (H. R. 2205) to add certain lands on the North Fork of the Shoshone River to the Shoshone National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 2206) to provide for the erection of a public building in the city of Wheatland, in the State of Wyoming; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2207) to increase the cost of the public building at Cody, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2208) to provide for the erection of a public building in the city of Lusk, in the State of Wyoming; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2209) to increase the cost of the public building at Buffalo, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. MONTAGUE: A bill (H. R. 2210) for the extension and completion of the United States Capitol; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2211) to provide that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives; to the Committee on Rules.

Also, a bill (H. R. 2212) for the erection of a public building at West Point, Commonwealth of Virginia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2213) to reimburse the city of Richmond, Va., for expenditures incurred in the preparation and equipment of grounds for the mobilization and encampment of certain organizations of the National Guard of Virginia in pursuance of the order of the Secretary of War, and for housing and caring for certain soldiers or troops of the United States; to the Committee on War Claims.

By Mr. MOORE of Virginia: A bill (H. R. 2214) to provide for the erection of an addition to the post-office building at Alexandria, Va., and for acquiring the land necessary therefor and for use in connection with the building; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2215) for the construction of a public building at Orange, Va.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2216) relating to the option to purchase and authorizing the sale and conveyance of a tract or parcel of land containing 46.57 acres, more or less, situated below and to the east of the high-water line of the Potomac River in Battery Cove, city of Alexandria, Va., made in the course of river and harbor improvements upon the submerged soil of the Potomac River; to the Committee on Military Affairs.

Also, a bill (H. R. 2217) to provide for an investigation and report upon the condition of the Chain Bridge, across the Potomac River, and the preparation of plans for a bridge to take the place thereof should it be deemed necessary; to the Committee on the District of Columbia.

Also, a bill (H. R. 2218) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 2219) for the purchase of a post-office site at Phoenix, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2220) for the purchase of a site for and the erection of a post-office building at Lowville, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2221) to provide for the erection of a post-office building at Oneida, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2222) to amend the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 2223) to amend section 904 of the revenue act of 1918; to the Committee on Ways and Means.

Also, a bill (H. R. 2224) to amend an act to reduce tariff duties and provide revenue for the Government, and for other purposes, approved October 3, 1913; to the Committee on Ways and Means.

Also, a bill (H. R. 2225) to control by license the possession and sale of firearms and other dangerous weapons in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 2226) to amend the revenue act of 1918 and to establish a general sales tax; to the Committee on Ways and Means.

By Mr. NOLAN: A bill (H. R. 2227) to provide for old-age pensions; to the Committee on Pensions.

Also, a bill (H. R. 2228) to provide for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 2229) to encourage home ownership and to stimulate the buying and building of homes; to create a standard form of investment based on building-association mortgages; to create Government depositories and financial agents for the United States; to furnish a market for Government bonds; and for other purposes; to the Committee on Banking and Currency.

By Mr. O'CONNOR: A bill (H. R. 2230) making an appropriation for erecting and equipping and otherwise providing a quarantine station at or near New Orleans, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2231) to authorize the establishment of a Coast Guard station on Lake Pontchartrain at New Orleans; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2232) in reference to a national military park on the Plains of Chalmette, below the city of New Orleans; to the Committee on Military Affairs.

By Mr. OLIVER: A bill (H. R. 2233) authorizing the acquisition of a site for a public building at Greensboro, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2234) for the purchase of a site for and the erection of a post-office building at Marion, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. OSBORNE: A bill (H. R. 2235) increasing the limit of cost for a Federal building at San Pedro, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2236) for the purchase of a post-office site at Venice, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2237) for the purchase of a post-office site at Santa Monica, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2238) to amend the United States cotton futures act by inserting therein a new section for American Egyptian cotton only, to be known as section 5A; to the Committee on Agriculture.

Also, a bill (H. R. 2239) to amend the act approved October 3, 1913, entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes"; to the Committee on Ways and Means.

Also, a bill (H. R. 2240) to create a department of Federal highways, to establish a national highway system, to promote efficient and economical highway transportation, and to amend an act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes; to the Committee on Roads.

Also, a bill (H. R. 2241) amending an act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes; to the Committee on Pensions.

By Mr. PATTERSON of New Jersey: A bill (H. R. 2242) to authorize the refunding of the national debt, and for other purposes; to the Committee on Ways and Means.

By Mr. PURNELL: A bill (H. R. 2243) to authorize the more complete endowment of agricultural experiment stations, and for other purposes; to the Committee on Agriculture.

By Mr. RAINEY of Alabama: A bill (H. R. 2244) to amend section 70 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved February 28, 1913; to the Committee on the Judiciary.

Also, a bill (H. R. 2245) to provide for the erection of a public building at the city of Albertville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2246) to provide for the erection of a public building at the city of Attalla, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2247) for the purchase of a site and the erection of a public building at Fort Payne, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. REBER: A bill (H. R. 2248) to provide for the purchase of a site and the erection of a public building thereon at Shenandoah, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2249) to provide for the purchase of a site and the erection of a public building thereon at Pottsville, Pa., and for the sale of the present post-office site and building thereon; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2250) to provide for monthly payment of pensions, and for other purposes; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 2251) authorizing an appropriation for the World's Poultry Congress; to the Committee on Agriculture.

Also, a bill (H. R. 2252) providing for the erection of a public building at the city of Dunkirk, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2253) authorizing the Secretary of the Treasury to contract for the enlargement, extension, remodeling, and improvement of the present Federal building in the city of Jamestown, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. REED of West Virginia: A bill (H. R. 2254) providing for the election of a Delegate to the House of Representatives from the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. RHODES: A bill (H. R. 2255) to provide a tariff and to obtain revenue in connection with the lead content of lead-bearing ores, lead, and lead products, and repealing existing laws fixing rates of duty on such commodities; to the Committee on Ways and Means.

Also, a bill (H. R. 2256) fixing a duty on crude barytes ore, barium sulphate, barium chemicals, and barium compounds; to the Committee on Ways and Means.

Also, a bill (H. R. 2257) to extend the provisions of the pension act of May 11, 1912, and subsequent acts amendatory thereof, to the Enrolled Missouri Militia and other militia organizations of the State of Missouri that cooperated with the military or naval forces of the United States in suppressing the War of the Rebellion, who served 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2258) to correct the military record of the officers and enlisted men of the Enrolled Missouri Militia and all other militia organizations of the State of Missouri that cooperated with the military forces of the United States in suppressing the War of the Rebellion, who served 90 days or more; to the Committee on Military Affairs.

Also, a bill (H. R. 2259) to provide for the erection of a public building in the city of Farmington, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2260) to purchase a site for the erection of a post-office building in the city of Fredericktown, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. RIDDICK: A bill (H. R. 2261) providing for an additional judge for the district of Montana; to the Committee on the Judiciary.

Also, a bill (H. R. 2262) to reimburse the State of Montana for expenses incurred by it in suppressing forest fires on Government land during the year 1919; to the Committee on Claims.

Also, a bill (H. R. 2263) to provide for the erection of a Federal building at Glasgow, Mont., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2264) for the purchase of a post-office site at Harlowton, Mont.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2265) to increase the limit of cost for the Federal building and site thereof at Billings, Mont., and to authorize the provision of quarters for United States courts in said building; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2266) to provide for the erection of a Federal building at Lewistown, Mont., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2267) for the erection of a public building at Glendive, Mont., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. RIORDAN: A bill (H. R. 2268) providing for the purchase of a site and for a public building at New Brighton, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2269) making an appropriation for the improvement of the Arthur Kill River, N. Y.; to the Committee on Rivers and Harbors.

By Mr. ROACH: A bill (H. R. 2270) authorizing and directing the Secretary of War to construct a bridge across the Mis-

souri River at a point near Rocheport, Boone County, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBSION: A bill (H. R. 2271) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes; to the Committee on Roads.

By Mr. ROGERS: A bill (H. R. 2272) to provide for the purchase of a site and the erection of a new post-office building at Ayer, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2273) to provide for the purchase of a site and the erection of a new post-office building at Andover, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2274) to define the provisions of the Constitution of the United States relating to the inability of the President; to the Committee on the Judiciary.

Also, a bill (H. R. 2275) to amend the act approved March 1, 1911, entitled "An act to protect the dignity and honor of the uniform of the United States"; to the Committee on the Judiciary.

Also, a bill (H. R. 2276) to make unlawful the unauthorized wearing of naval or military medals, badges, decorations, or regalia of the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 2277) for the reorganization and improvement of the foreign service of the United States; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2278) to provide for the purchase of a site and the erection of a new public building at Lowell, Mass., and also for the sale of the present post-office building and its site, and for other purposes; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2279) to give preference in appointments to Government positions to honorably discharged soldiers, sailors, and marines, to reservists who have been placed on inactive duty, and, under certain circumstances, to the wives or widows of such persons; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 2280) to amend the act of Congress of February 17, 1911, entitled "An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad"; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2281) to facilitate the naturalization of aliens who waived exemption under the selective service act or who were actually inducted into the military or naval service of the United States; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2282) to facilitate the naturalization of persons who served in the military or naval forces of the United States since April 6, 1917, and who have been, or who may hereafter be, honorably discharged therefrom; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2283) to establish in the Interior Department a bureau of veteran reestablishment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2284) to amend an act entitled "An act for the improvement of the foreign service" so as to provide a system of promotion of efficient secretaries in the Diplomatic Service and consuls general to vacancies arising in the rank of minister; to the Committee on Foreign Affairs.

Also, a bill (H. R. 2285) authorizing the Secretary of War to provide for medical treatment and hospital care of officers, enlisted men, and civilian employees in the Military Establishment while on furlough necessitated by disability originating in the line of duty; to the Committee on Military Affairs.

Also, a bill (H. R. 2286) punishing conspiracy to injure, oppress, threaten, or intimidate any alien in the exercise of any right under any treaty of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 2287) to liberalize the provisions of an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended; to the Committee on Education.

Also, a bill (H. R. 2288) to amend section 4 of the act entitled "An act to provide for a uniform rule for the naturalization of aliens throughout the United States and establishing the Bureau of Naturalization," approved June 29, 1906, as amended, and section 2 of the act entitled "An act to amend the naturalization laws and to repeal certain sections of the Revised Statutes of the United States and other laws relating to naturalization, and for other purposes," approved May 9, 1918, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. ROUSE: A bill (H. R. 2289) providing for revision of salaries paid to supervisory officers in first and second class post offices; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2290) providing for credit to be given to postal employees who perform work between the hours of 6 p. m. and 6 a. m.; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2291) providing for additional compensation to be paid to rural carriers; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2292) providing for reclassification of salaries of clerks and city letter carriers of first and second class post offices; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2293) providing for board of appeals to hear appeals in cases of removal or reduction in rank, grade, or salary of classified employees of the United States Government; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 2294) granting 30 days' leave of absence to postal employees; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2295) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921; to the Committee on the Judiciary.

Also, a bill (H. R. 2296) providing for additional clerk hire to postmasters of the third class; to the Committee on the Post Office and Post Roads.

By Mr. SABATH: A bill (H. R. 2297) to prevent hoarding and deterioration of and deception with respect to cold-storage foods, to regulate shipments of cold-storage foods in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. SANDLIN: A bill (H. R. 2298) to provide for a site and public building at Mansfield, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2299) to provide for a site and public building at Homer, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2300) to provide for the erection of an addition to the post-office building at Shreveport, La., and for alterations to the present building; to the Committee on Public Buildings and Grounds.

By Mr. SEARS: A bill (H. R. 2301) for the erection of a Federal building at Key West, Monroe County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2302) for the erection of a Federal building at St. Augustine, St. Johns County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2303) providing for a site for a post office at Jacksonville, Duval County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2304) providing for a site and public building for a post office at West Palm Beach, Palm Beach County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2305) providing for a site and public building for a post office at Daytona, Volusia County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2306) providing for a site and public building for a post office at Fort Pierce, St. Lucie County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2307) for the erection of a Federal building at Kissimmee, Osceola County, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2308) to establish a branch soldiers' home at or near St. Cloud, Osceola County, Fla.; to the Committee on Military Affairs.

By Mr. SCOTT of Michigan: A bill (H. R. 2309) to amend an act entitled "An act making appropriation for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 2, 1919; to the Committee on Rivers and Harbors.

By Mr. SIEGEL: A bill (H. R. 2310) to declare Lincoln's birthday a legal holiday; to the Committee on the District of Columbia.

Also, a bill (H. R. 2311) making the 12th day of October in each year a legal holiday; to the Committee on the District of Columbia.

By Mr. SINNOTT: A bill (H. R. 2312) authorizing the Postmaster General to investigate conditions arising from contracts in star-route, screen-wagon, and other vehicle service prior to June 30, 1918; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2313) to authorize the President to consolidate the offices of register and receiver in United States district land offices; to the Committee on the Public Lands.

Also, a bill (H. R. 2314) to add certain lands to the Fremont National Forest, Oreg.; to the Committee on the Public Lands.

By Mr. SMITH: A bill (H. R. 2315) to provide for the enlargement of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2316) to provide for the erection of a Federal building at Soda Springs, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2317) to provide for the erection of a Federal building at Montpelier, Idaho; to the Committee of Public Buildings and Grounds.

Also, a bill (H. R. 2318) to provide for the erection of a Federal building at Preston, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2319) to provide for the erection of a Federal building at Blackfoot, Idaho; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2320) to provide for the erection of a Federal building at Hailey, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER: A bill (H. R. 2321) making an appropriation to establish a national park at Oriskany (N. Y.) Battle Field; to the Committee on Military Affairs.

Also, a bill (H. R. 2322) to provide for a public building at Ilion, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2323) to provide for a public building at Herkimer, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2324) to amend an act with reference to the improvement of the public building at Utica, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2325) to reorganize the Indian Service, to expedite the settlement of Indian affairs, and for other purposes; to the Committee on Indian Affairs.

By Mr. STEAGALL: A bill (H. R. 2326) amending section 13 of the Federal reserve act as amended; to the Committee on Banking and Currency.

By Mr. STEENERSON: A bill (H. R. 2327) to amend section 213, act of March 4, 1909 (Criminal Code), affixing penalties for use of mails in connection with fraudulent devices and lottery paraphernalia; to the Committee on the Post Office and Poast Roads.

Also, a bill (H. R. 2328) to amend section 215, act of March 4, 1909 (Criminal Code), penalizing fraudulent use of the mails; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2329) to amend section 3929, Revised Statutes, relating to exclusion of fraudulent devices and lottery paraphernalia from the mails; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2330) for the consolidation of third and fourth class mail, and prescribing rates therefor; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2331) to regulate grain exchanges; to the Committee on Agriculture.

Also, a bill (H. R. 2332) to further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2333) to amend section 4041, Revised Statutes, enabling the Postmaster General to forbid payments of postal-money orders in connection with the exclusion of fraudulent devices and lottery paraphernalia from the mails; to the Committee on the Post Office and Post Roads.

By Mr. STEVENSON: A bill (H. R. 2334) to fix compensation of officers of the National Army who incurred disability while in the service; to the Committee on Interstate and Foreign Commerce.

By Mr. STRONG of Kansas: A bill (H. R. 2335) exempting honorably discharged service men from payment of the income tax to an amount not exceeding $5,000; to the Committee on Ways and Means.

Also, a bill (H. R. 2336) providing for the loan or sale of Army equipment to the Boy Scouts of America; to the Committee on Military Affairs.

Also, a bill (H. R. 2337) to provide for the purchase of a site and the erection of a public building thereon at Junction City, in the State of Kansas; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2338) authorizing the Secretary of War to make settlement with the lessees who erected buildings on the zone of Camp Funston activities and amusements at Camp Funston, Kans.; to the Committee on War Claims.

Also, a bill (H. R. 2339) to provide for the purchase of a site and the erection of a public building thereon at Herington, in the State of Kansas; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2340) to amend sections 9 and 15 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. SUMNERS of Texas: A bill (H. R. 2341) authorizing and directing the Secretary of Agriculture to establish a farm-produce exchange, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 2342) providing for the meeting of electors of President and Vice President, for the issuance and transmission of the certificates of their selection and of the result of their determination, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SWANK: A bill (H. R. 2343) to provide that the United States of America shall build warehouses in conjunction with the several States and in cooperation with the duly and legally organized farmers' cooperative associations in said States for the storage of farm products not perishable, for the insurance of said products while in storage, for Government loans on warehouse receipts, providing penalties for the violation of this act, making an appropriation therefor, and for other purposes; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: A bill (H. R. 2344) designating the columbine as the national flower of the United States; to the Committee on the Library.

Also, a bill (H. R. 2345) to establish and maintain a fish-hatching and fish-culture station in La Plata County, Colo.; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2346) to establish and maintain a fish-hatching and fish-culture station in Garfield County, State of Colorado; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2347) for the relief of certain homestead entrymen; to the Committee on the Public Lands.

Also, a bill (H. R. 2348) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of oil shale, to determine the practicability of its utilization as a commercial product; to the Committee on Mines and Mining.

Also, a bill (H. R. 2349) authorizing the exchange of lands within the Routt National Forest, in the State of Colorado, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 2350) to provide for the distribution of receipts by States under the provisions of section 35 of the act of Congress approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain"; to the Committee on the Public Lands.

Also, a bill (H. R. 2351) to increase without expenditure of Federal funds the opportunities of the people to reclaim and acquire rural homes, and for other purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2352) to provide for furnishing information with respect to shares of stock offered to the public and prescribing penalties; to the Committee on the Judiciary.

Also, a bill (H. R. 2353) to acquire a site for a public building at Salida, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2354) to provide for the purchase of a site and the erection of a public building thereon in the city of Delta, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2355) to increase the cost of the public building at Durango, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2356) to provide for the erection of a public building in the city of Montrose, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON: A bill (H. R. 2357) to amend section 7 of the act approved January 16, 1883, entitled "An act to regulate and improve the civil service," to give preference to soldiers, sailors, marines, and Red Cross nurses; to the Committee on Reform in the Civil Service.

By Mr. TIMBERLAKE: A bill (H. R. 2358) to amend an act entitled "An act to amend section 73 of an act entitled 'An act to codify, revise, and amend the laws relating to the judiciary,' approved June 12, 1916," and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 2359) to maintain the forest experiment station in the State of Colorado; to the Committee on Appropriations.

Also, a bill (H. R. 2360) to provide for an authorization of money to be used in the construction of a public building at Sterling, Colo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2361) to provide for the purchase of additional land and for the erection thereon of an addition to the post-office building at Boulder, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. TINCHER: A bill (H. R. 2362) repealing certain sections of the transportation act, 1920, and providing for the transfer of the powers and duties of the Railroad Labor Board, and abolishing the Railroad Labor Board; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2363) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 2364) to provide for the storage of certain grain under Federal custody, the issue of receipts therefor, and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 2365) to provide relief to persons who owned wheat of the crop of 1917 before the announcement of the Food Administration price-fixing policy with respect thereto, and who sold such wheat after August 11, 1917; to the Committee on Agriculture.

By Mr. TOWNER: A bill (H. R. 2366) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2367) to amend an act entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous government for these islands," approved August 29, 1916; to the Committee on Insular Affairs.

By Mr. VAILE: A bill (H. R. 2368) to amend section 1001 of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

Also, a bill (H. R. 2369) to provide for the mileage of Philippine soldiers; to the Committee on Military Affairs.

Also, a bill (H. R. 2370) to amend section 3221 of the Revised Statutes of the United States as amended by section 6 of the act of March 1, 1871; to the Committee on Ways and Means.

Also, a bill (H. R. 2371) to amend section 1 of an act entitled "An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China"; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 2372) to amend the national prohibition act to prevent the sale for medicinal purposes of all distilled spirits testing less than 90 proof; to the Committee on the Judiciary.

By Mr. VOLSTEAD: A bill (H. R. 2373) to authorize association of producers of agricultural products; to the Committee on the Judiciary.

Also, a bill (H. R. 2374) to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise, organize, and supply and equip armed forces of the United States in the existing war with Germany and its allies, and to protect citizens of the United States in Mexico and on the Mexican border; to the Committee on the Judiciary.

Also, a bill (H. R. 2375) to declare certain alien children naturalized citizens of the United States; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 2377) to authorize the Supreme Court to prescribe forms and rules, and generally to regulate pleading, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

Also, a bill (H. R. 2378) granting to the State of Minnesota certain public lands; to the Committee on the Public Lands.

Also, a bill (H. R. 2379) to authorize the judges of the United States Court of Customs Appeals to be assigned to any district or circuit court of appeals of the United States and conferring the jurisdiction of said courts upon them while so assigned; to the Committee on the Judiciary.

Also, a bill (H. R. 2380) to amend an act entitled "An act to diminish the expenses of proceedings on appeal and writ of error or of certiorari," approved February 13, 1911; to the Committee on the Judiciary.

Also, a bill (H. R. 2381) to amend sections 5549 and 5550 of the Revised Statutes of the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 2382) to reimburse for expenditures incurred by officers, enlisted men, and members of the Nurse Corps of the Army for civilian medical services and hospital care while absent from duty; to the Committee on Military Affairs.

Also, a bill (H. R. 2383) to prohibit the use of Government aircraft insignia by other than Government aircraft; to the Committee on the Judiciary.

Also, a bill (H. R. 2384) to amend chapter 213, Twenty-fourth Statutes at Large; to the Committee on the Judiciary.

Also, a bill (H. R. 2385) to amend chapter 541 of the Revised Statutes of the United States, passed July 1, 1898, being an act to establish a uniform system of bankruptcy throughout the United States; to the Committee on the Judiciary.

Also, a bill (H. R. 2386) to validate the war-risk insurance of Warren O. Grimm, Ernest Dale Hubbard, Arthur McElfresh, and Ben Casagranda, who were murdered while parading in the uniform of the United States Army, at Centralia, Wash., November 11, 1919; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2387) to increase the limit of cost for the Federal post-office building at Montevideo, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. WALSH: A bill (H. R. 2388) to amend the judiciary act by providing for the revivor of suits in other jurisdictions in certain cases; to the Committee on the Judiciary.

By Mr. WASON: A bill (H. R. 2389) making an appropriation to be expended under the provisions of the act of March 1, 1911 (36 Stats., p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of unnavigable streams," as amended; to the Committee on Appropriations.

Also, a bill (H. R. 2390) to provide revenue for the Government by increasing the duty on granite, freestone, etc., imported into the United States; to the Committee on Ways and Means.

Also, a bill (H. R. 2391) for the purpose of improving the facilities and services of the Bureau of War Risk Insurance, and of further amending and modifying the war risk insurance act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. WHEELER: A bill (H. R. 2392) restricting the sale of tickets and number of admissions to theaters, and for other purposes; to the Committee on the District of Columbia.

By Mr. WHITE of Maine: A bill (H. R. 2393) to provide for the establishment on the Mississippi River of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2394) to amend section 6 of the act of Congress entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 26, 1906; to the Committee on the Merchant Marine and Fisheries.

By Mr. WINGO: A bill (H. R. 2395) to provide for the erection of a public building at Van Buren, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2396) to provide for the erection of a public building at De Queen, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2397) to provide for the erection of a public building at Nashville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2398) granting a pension to deputy United States marshals of the United States court, western district of Arkansas, for the Indian Territory, prior to March 1, 1895; to the Committee on Pensions.

Also, a bill (H. R. 2399) to amend the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

Also, a bill (H. R. 2400) to exclude from the Arkansas National Forest all lands within the fourth congressional district and restore same to the public domain; to the Committee on the Public Lands.

Also, a bill (H. R. 2401) to fix Christmas Day a legal holiday for rural letter carriers of the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2402) relating to the reinterment of soldiers in national cemeteries; to the Committee on Military Affairs.

Also, a bill (H. R. 2403) to permit the interment in national cemeteries of parents or wives of deceased soldiers, sailors, and marines who are buried in such cemeteries; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 2404) to transfer all the powers and duties incident to the national prohibition act from the Secretary of the Treasury and the Commissioner of Internal Revenue to the Attorney General of the United States, with certain exceptions, and investing in the Commissioner of

Internal Revenue exclusive authority to issue or refuse permits under said act; to the Committee on the Judiciary.

Also, a bill (H. R. 2405) for the purchase of a site and the erection thereon of a public building at East Chicago, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2406) providing for the extension and enlargement of the post office and court building at Hammond, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2407) for the purchase of a site and the erection thereon of a public building at Crown Point, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2408) for the purchase of a site and the erection thereon of a public building at Monticello, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. WRIGHT: A bill (H. R. 2409) to prescribe rates, fares, and charges of railroads and common carriers in the United States for a period of one year commencing 30 days from the passage and approval of this act; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 2410) for the extension of Maryland Avenue east of Fifteenth Street to the Anacostia River; to the Committee on the District of Columbia.

Also, a bill (H. R. 2411) to provide for the enlargement of the public building at Cumberland, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2412) to be known as the Daughters of the American Revolution Old Trails Act, to provide a national ocean-to-ocean highway over the pioneer trails of the Nation; to the Committee on Roads.

Also, a bill (H. R. 2413) to increase the limit of cost and provide for the reconstruction of the Federal building at Hagerstown, Md.; to the Committee on Public Buildings and Grounds.

By Mr. APPLEBY: A bill (H. R. 2414) making provisions for the construction of a canal across the State of New Jersey to connect the Delaware River with New York Harbor; to the Committee on Rivers and Harbors.

By Mr. CARTER: A bill (H. R. 2415) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2416) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 2417) to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903; to the Committee on Indian Affairs.

Also, a bill (H. R. 2418) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. CURRY: A bill (H. R. 2419) authorizing the Secretary of the Treasury to create an antidepreciation fund with which to purchase at par certain war loan or Liberty loan or Victory loan bonds that may be offered for sale below par and to prohibit bond brokers, stock-exchange brokers, or bankers from buying or offering to buy or from selling or offering to sell said war loan or Liberty loan or Victory loan bonds at less than par, making such action a felony and providing punishment therefor; to the Committee on the Judiciary.

By Mr. EDMONDS: A bill (H. R. 2420) to provide for a subvention to vessels of the United States using the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYDEN: A bill (H. R. 2421) granting certain public lands to the city of Phoenix, Ariz., for municipal purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 2422) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona; to the Committee on the Public Lands.

By Mr. HADLEY: A bill (H. R. 2423) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise; to the Committee on Indian Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 2424) authorizing the Cowlitz Tribe of Indians residing in the State of Washington to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. KINKAID: A bill (H. R. 2425) to amend section 2 of the act of August 9, 1912 (37 Stat. L., 265), relating to liens in patents and water-right certificates; to the Committee on Irrigation of Arid Lands.

By Mr. KRAUS: A bill (H. R. 2426) authorizing the Miami Indians of Indiana to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. MONDELL: A bill (H. R. 2427) authorizing an exchange of lands by the Mountain Home Co., of Glenrock, Wyo.; to the Committee on the Public Lands.

Also, a bill (H. R. 2428) granting certain lands to Converse County, Wyo., for a public park; to the Committee on the Public Lands.

By Mr. NOLAN: A bill (H. R. 2429) to fix the compensation of certain employees of the United States; to the Committee on Labor.

Also, a bill (H. R. 2430) to further regulate interstate and foreign commerce by prohibiting interstate transportation of the products of convict labor, and for other purposes; to the Committee on Labor.

By Mr. RIDDICK: A bill (H. R. 2431) to authorize advances to the "reclamation fund" to complete reclamation projects already begun; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2432) for the relief of certain nations or tribes of Indians in Montana; to the Committee on Indian Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 2433) authorizing an appropriation for continuing irrigation and drainage on the Yakima Indian Reservation; to the Committee on Indian Affairs.

By Mr. VOLSTEAD: A bill (H. R. 2434) to make the national prohibition act applicable to the Philippine Islands and other territory subject to the jurisdiction of the United States; to the Committee on Insular Affairs.

By Mr. BURKE: Joint resolution (H. J. Res. 1) for the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. BEGG: Joint resolution (H. J. Res. 2) to stay judgments and the execution thereof in the municipal court of the District of Columbia or in the Supreme Court of the District of Columbia in any landlord and tenant action or appeal under sections 20 and 1225 of the Code of Laws for the District of Columbia for a period of six months; to the Committee on the Judiciary.

By Mr. BLACK: Joint resolution (H. J. Res. 3) directing the Railroad Labor Board to make further investigation of wages and salaries under its decision numbered two of July 20, 1920, and to make such changes and modifications in its said decision of July 20, 1920, as it may determine are justified in the public interest and will at the same time award railroad employees just and reasonable wages; to the Committee on Interstate and Foreign Commerce.

Also, joint resolution (H. J. Res. 4) directing the Interstate Commerce Commission to review its decision of July 29, 1920, granting certain increased rates to common carriers under section 15a of the interstate-commerce act, and to make such reduction, if any, in such rates, fares, and charges as it may find to be just and reasonable; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE of Wisconsin: Joint resolution (H. J. Res. 5) authorizing and empowering the President to invite all nations to send delegates to a convention to provide for disarmament; to the Committee on Foreign Affairs.

By Mr. BURROUGHS: Joint resolution (H. J. Res. 6) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CHINDBLOM: Joint resolution (H. J. Res. 7) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIS of Tennessee: Joint resolution (H. J. Res. 8) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FESS: Joint resolution (H. J. Res. 9) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GALLIVAN: Joint resolution (H. J. Res. 10) regarding exploration of oil in territory controlled by England; to the Committee on Foreign Affairs.

By Mr. GOULD: Joint resolution (H. J. Res. 11) providing for the appointment of a commission for the purpose of erecting in Potomac Park in the District of Columbia a memorial to those members of the armed forces of the United States from the District of Columbia who served in the Great War; to the Committee on the Library.

By Mr. GRIFFIN: Joint resolution (H. J. Res. 12) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 13) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 14) restricting the distribution among the several States of Federal appropriations for highways; to the Committee on Roads.

By Mr. HAYDEN: Joint resolution (H. J. Res. 15) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. IRELAND: Joint resolution (H. J. Res. 16) providing for pay to clerks to Members of Congress and Delegates; to the Committee on Accounts.

By Mr. KAHN: Joint resolution (H. J. Res. 17) to authorize the sale of surplus foodstuffs by the Secretary of War; to the Committee on Military Affairs.

By Mr. KISSEL: Joint resolution (H. J. Res. 18) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. McARTHUR: Joint resolution (H. J. Res. 19) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 20) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. MacGREGOR: Joint resolution (H. J. Res. 21) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also (by request), joint resolution (H. J. Res. 22) to state the Monroe doctrine; to the Committee on Foreign Affairs.

By Mr. MASON: Joint resolution (H. J. Res. 23) authorizing the Secretary of War to loan quartermasters' and medical supplies to the city of Chicago to care for hospital patients kept out of city and county hospitals by reason of occupancy of city and county hospitals by war-risk and Red Cross cases; to the Committee on Military Affairs.

By Mr. MONTAGUE: Joint resolution (H. J. Res. 24) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. REBER: Joint resolution (H. J. Res. 25) extending to members of local and district boards, Government appeal agents, and members of medical and legal advisory boards the thanks of Congress for their services rendered in the administration of the selective service law; also authorizing the President to appoint by brevet commissions the members of such local and district boards; also authorizing and directing the Secretary of War to cause to be struck and presented to each of such officials in the name of Congress an appropriate medal; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 26) authorizing the Secretary of the Treasury to pay the sum of $45 for each month of service during the War with Germany to all soldiers, sailors, members of the Marine Corps, and women in the military or naval service of the United States; to the Committee on Ways and Means.

By Mr. ROGERS: Joint resolution (H. J. Res. 27) authorizing and directing the Joint Committee on Printing to publish a daily bulletin of public hearings held by committees, subcommittees, and commissions of Congress; to the Committee on Printing.

Also, joint resolution (H. J. Res. 28) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SIEGEL: Joint resolution (H. J. Res. 29) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SINNOTT: Joint resolution (H. J. Res. 30) to amend a joint resolution entitled "Joint resolution giving to discharged soldiers, sailors, and marines a preferred right of homestead entry," approved February 14, 1920; to the Committee on the Public Lands.

By Mr. SWEET: Joint resolution (H. J. Res. 31) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing clerk of the Bureau of War Risk Insurance in certain cases; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: Joint resolution (H. J. Res. 32) to change the name of the Grand River in Colorado and Utah to the Colorado River; to the Committee on Interstate and Foreign Commerce.

By Mr. TIMBERLAKE: Joint resolution (H. J. Res. 33) providing for the distribution to State educational institutions of certain war material; to the Committee on Military Affairs.

By Mr. MASON: Joint resolution (H. J. Res. 35) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SIEGEL: Joint resolution (H. J. Res. 36) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. ANDREWS: Joint resolution (H. J. Res. 37) proposing an amendment to the Constitution providing for the apportionment of the Representatives and direct taxes among the several States; to the Committee on the Judiciary.

By Mr. MASON: Concurrent resolution (H. Con. Res. 2) requesting the President to exchange evidences of indebtedness of associates in late war for long-time low-interest bonds; to the Committee on Ways and Means.

Also, concurrent resolution (H. Con. Res. 3) to withdraw our troops from Europe; to the Committee on Foreign Affairs.

Also, concurrent resolution (H. Con. Res. 4) in relation to the republic of Ireland; to the Committee on Foreign Affairs.

Also, concurrent resolution (H. Con. Res. 5) that Ireland have a government of its own choice; to the Committee on Foreign Affairs.

Also, concurrent resolution (H. Con. Res. 6) expressing hope for self-determination for India; to the Committee on Foreign Affairs.

Also, concurrent resolution (H. Con. Res. 7) declaring peace with all the world; to the Committee on Foreign Affairs.

By Mr. PARK of Georgia: Concurrent resolution (H. Con. Res. 8) authorizing the payment to Hampton V. Ricks of $1,440 as messenger to the Joint Committee on Revision of the Laws in the Sixtieth Congress; to the Committee on Accounts.

By Mr. ASWELL: Resolution (H. Res. 11) to print 2,500 copies of the Soil Survey of Winn Parish, La.; to the Committee on Printing.

By Mr. KAHN: Resolution (H. Res. 12) to investigate the escape of Grover Cleveland Bergdoll; to the Committee on Rules.

By Mr. DUPRÉ: Resolution (H. Res. 13) setting a time limit for report on election contests; to the Committee on Rules.

By Mr. FRENCH: Resolution (H. Res. 14) amending the rules of the House of Representatives and providing for the appointment of a committee on memorials and defining the duties of such committee; to the Committee on Rules.

Also, resolution (H. Res. 15) fixing an annual memorial day for the House of Representatives and providing for the appointment of a committee on memorials; to the Committee on Rules.

By Mr. GOULD: Resolution (H. Res. 16) calling for an investigation of agricultural organizations and associations relative to the control and price of food products; to the Committee on Rules.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 17) authorizing the Committee on the Merchant Marine and Fisheries to sit during the sessions of the House and the recess of the Congress, to compel the attendance of witnesses, to send for persons and papers, and to administer oaths to witnesses; to the Committee on Rules.

By Mr. HAYDEN: Resolution (H. Res. 18) authorizing the codification of the laws relating to Indian affairs; to the Committee on Indian Affairs.

By Mr. IRELAND: Resolution (H. Res. 19) directing inquiry in the interest of economy, efficiency, and coordination into the employment, duties, and compensation of the employees of the House; to the Committee on Rules.

By Mr. BLANTON: Resolution (H. Res. 20) to investigate the escape of Grover Cleveland Bergdoll; to the Committee on Rules.

By Mr. KINDRED: Resolution (H. Res. 21) regarding the republic of Ireland; to the Committee on Foreign Affairs.

By Mr. LITTLE: Resolution (H. Res. 22) to authorize the Committee on Revision of the Laws to employ revisers and assistants; to the Committee on Accounts.

By Mr. MacGREGOR (by request): Resolution (H. Res. 23) to propose a substitute for the League of Nations covenant; to the Committee on Foreign Affairs.

Also, resolution (H. Res. 24) appointing a committee to investigate Fox Hills Hospital and the officers of the Federal Board for Vocational Education in New York City; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 25) directing investigations for the relief of the unemployed in the United States; to the Committee on Rules.

Also, resolution (H. Res. 26) concerning conditions in Ireland; to the Committee on Foreign Affairs.

Also, resolution (H. Res. 27) asking that the American Government make a friendly request of the British Parliament; to the Committee on Foreign Affairs.

Also, resolution (H. Res. 28) asking the Secretary of the Treasury to seek collection of amount due from Great Britain to the United States; to the Committee on Ways and Means.

Also, resolution (H. Res. 29) to investigate the situation in the Republic of Santo Domingo and to withdraw American troops, etc.; to the Committee on Rules.

Also, resolution (H. Res. 30) providing for an investigation by the Committee on Agriculture of certain cereals, mineral oils, etc.; to the Committee on Rules.

Also, resolution (H. Res. 31) providing for an investigation by the Committee on Ways and Means as to the revenue on mixed flour; to the Committee on Rules.

Also, resolution (H. Res. 32) requesting information from the Secretary of the Treasury relative to articles manufactured in the United States affected by existing embargoes upon importation of the same; to the Committee on Ways and Means.

Also, resolution (H. Res. 33) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, resolution (H. Res. 34) to investigate in re payment of interest and principal on Russian bonds; to the Committee on Rules.

Also, resolution (H. Res. 35) of sympathy for Korea; to the Committee on Foreign Affairs.

By Mr. ROACH: Resolution (H. Res. 36) directing the heads of departments and bureaus of the Government to furnish the House certain information; to the Committee on Reform in the Civil Service.

By Mr. WINGO: Resolution (H. Res. 37) to print 2,500 copies of the Soil Survey of Miller County, Ark.; to the Committee on Printing.

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin, urging immediate Federal action to control profiteering in the necessities of life; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Colorado, urging the passage of Senate bill 4925, Sixty-sixth Congress; to the Committee on the Public Lands.

Also, memorial of the constitutional convention of the State of ———, urging an appropriation for the construction of roads in the United States; to the Committee on Roads.

Also, memorial of the Legislature of the State of Wisconsin, urging Congress to construct and maintain a bridge across the Mississippi River between the cities of McGregor and Marquette, in the State of Wisconsin; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Nevada, urging Congress to grant to the State of Nevada 1,500,000 acres of land for the permanent school fund of the State; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of Hawaii, favoring amendment of organic act of the Territory of Hawaii so as to permit woman suffrage; to the Committee on the Territories.

Also (by request), memorial of the constitutional convention of the State of Louisiana, favoring national support of levee system on Mississippi and its tributaries; to the Committee on Flood Control.

Also (by request), memorial of the Legislature of the State of Colorado, in connection with the return of dead letters to the senders; to the Committee on the Post Office and Post Roads.

Also (by request), memorial of the Legislature of the State of Colorado, in connection with Armenia; to the Committee on Foreign Affairs.

Also (by request), memorial of the Legislature of the State of Wisconsin, favoring world disarmament and withdrawal of our troops from foreign lands; to the Committee on Foreign Affairs.

Also (by request), memorial of the Legislature of the State of Colorado, favoring amendment of transportation laws to preserve State control over common carriers within the borders of the States; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Washington, favoring bonus for veterans; to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the State of Nevada, favoring legislation to change the time for performing assessment work on mining claims; to the Committee on Mines and Mining.

Also (by request), memorial of the Legislature of the State of Idaho, favoring extension of Federal farm loan act; to the Committee on Banking and Currency.

Also (by request), memorial of the Legislature of the State of Minnesota, favoring recognition of the freedom of Ireland; to the Committee on Foreign Affairs.

Also (by request), memorial of the Legislature of the State of Arizona, favoring legislation for the benefit of veterans of the Great War; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Arizona, in connection with the protection of watersheds; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the State of Utah, favoring legislation to prohibit further immigration of orientals, with certain exceptions; to the Committee on Immigration.

Also (by request), memorial of the Legislature of the State of Massachusetts, relative to the preservation of the national parks and reservations; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the State of Utah, favoring Federal aid in construction of highways; to the Committee on Roads.

Also (by request), memorial of the Legislature of the State of Utah, favoring relief of disabled veterans; to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the State of Utah, favoring opening of certain grazing lands in Indian reservations to homestead entry; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the State of Utah, favoring amendment of the transportation act to give various States authority over railways within their borders; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Montana, favoring legislation to enable the State of Montana to lease State lands; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Montana, favoring an importation duty on chrome ore; to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the State of Montana, favoring enactment of the McFadden bill; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Montana, favoring passage of a maternity protection bill; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Arizona, favoring the construction of a dam at Carlos Reservoir; to the Committee on Indian Affairs.

Also (by request), memorial of the Legislature of the State of Arizona, favoring the passage of the McFadden bill; to the Committee on Banking and Currency.

Also (by request), memorial of the Legislature of the State of Arizona, favoring construction of roads on Indian reservations in Arizona; to the Committee on Indian Affairs.

Also (by request), memorial of the Legislature of the State of Arizona, fixing a comprehensive national policy for reclamation of arid and swamp lands in Arizona; to the Committee on Irrigation of Arid Lands.

By Mr. FRENCH: Memorial of the Legislature of the State of Idaho, indorsing airplane patrol of Federal forests; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Idaho, favoring the passage of Senate bill 4129, Sixty-sixth Congress; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Idaho, urging Congress to amend the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. TAGUE: A bill (H. R. 297) for the relief of Mrs. Vincenza Dimonico; to the Committee on Claims.

Also, a bill (H. R. 298) for the relief of the employees of the Mead-Morrison Manufacturing Co., East Boston, Mass.; to the Committee on Claims.

Also, a bill (H. R. 299) authorizing the Secretary of War to donate to the Commonwealth of Massachusetts one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ASWELL: A bill (H. R. 300) authorizing the Secretary of War to donate to the town of Winnfield, State of Louisi-

ana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 301) authorizing the Secretary of War to donate to the town of Many, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 302) authorizing the Secretary of War to donate to the town of Jena, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 303) authorizing the Secretary of War to donate to the town of Marksville, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 304) authorizing the Secretary of War to donate to the town of Colfax, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 305) authorizing the Secretary of War to donate to the city of Natchitoches, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 306) authorizing the Secretary of War to donate to the city of Alexandria, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 307) authorizing the Secretary of War to donate to the town of Leesville, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 308) granting a pension to Mary M. Lytel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 309) granting a pension to Esther H. Drake; to the Committee on Invalid Pensions.

Also, a bill (H. R. 310) granting a pension to Alfred H. Ward, alias James Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 311) granting an increase of pension to Lewis K. Allen; to the Committee on Pensions.

Also, a bill (H. R. 312) granting an increase of pension to Edward Stoyle; to the Committee on Pensions.

Also, a bill (H. R. 313) granting an increase of pension to Daniel L. Portley; to the Committee on Pensions.

Also, a bill (H. R. 314) for the relief of Forrest R. Black; to the Committee on Claims.

Also, a bill (H. R. 315) to provide for the retirement as second lieutenant of Field Artillery in the Army of Cadet Frederick S. Warren; to the Committee on Military Affairs.

Also, a bill (H. R. 316) authorizing the Secretary of War to donate to the town of Birmingham, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 317) authorizing the Secretary of War to donate to the town of Republic, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 318) authorizing the Secretary of War to donate to the city of Norwalk, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 319) authorizing the Secretary of War to donate to the town of Berlin Heights, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 320) authorizing the Secretary of War to donate to the town of Milan, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 321) authorizing the Secretary of War to donate to the town of Vermilion, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 322) authorizing the Secretary of War to donate to the town of Huron, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 323) authorizing the Secretary of War to donate to the city of Sandusky, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 324) authorizing the Secretary of War to donate to the city of Bowling Green, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 325) authorizing the Secretary of War to donate to the city of Fostoria, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 326) authorizing the Secretary of War to donate to the city of Tiffin, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 327) authorizing the Secretary of War to donate to the town of Gibsonburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 328) authorizing the Secretary of War to donate to the town of Clyde, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 329) authorizing the Secretary of War to donate to the town of Woodville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 330) authorizing the Secretary of War to donate to the city of Fremont, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 331) authorizing the Secretary of War to donate to the town of Greenwich, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 332) authorizing the Secretary of War to donate to the town of New London, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 333) authorizing the Secretary of War to donate to the town of Willard, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 334) authorizing the Secretary of War to donate to the city of Bellevue, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 335) authorizing the Secretary of War to donate to the town of Rossford, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 336) authorizing the Secretary of War to donate to the town of Pemberville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 337) authorizing the Secretary of War to donate to the town of Bradner, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 338) authorizing the Secretary of War to donate to the town of Risingsun, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 339) authorizing the Secretary of War to donate to the town of Cygnet, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 340) authorizing the Secretary of War to donate to the town of Hoytville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 341) authorizing the Secretary of War to donate to the town of Rudolph, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 342) authorizing the Secretary of War to donate to the town of Tontogany, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 343) authorizing the Secretary of War to donate to the town of Weston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 344) authorizing the Secretary of War to donate to the town of Milton Center, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 345) authorizing the Secretary of War to donate to the town of Custar, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 346) authorizing the Secretary of War to donate to the town of Kansas, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 347) authorizing the Secretary of War to donate to the town of Monroeville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 348) authorizing the Secretary of War to donate to the town of Burgoon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 349) authorizing the Secretary of War to donate to the State Soldiers' Home, of Erie County, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 350) authorizing the Secretary of War to donate to the town of Green Springs, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 351) authorizing the Secretary of War to donate to the town of Attica, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 352) authorizing the Secretary of War to donate to the town of Perrysburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 353) authorizing the Secretary of War to donate to the town of Bloomdale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 354) authorizing the Secretary of War to donate to the town of North Baltimore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 355) authorizing the Secretary of War to donate to the town of Prairie Depot, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 356) authorizing the Secretary of War to donate to Fort Meigs, county of Wood, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 357) authorizing the Secretary of War to donate to the town of Bloomville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 358) authorizing the Secretary of War to donate to the town of Grand Rapids, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 359) authorizing the Secretary of War to donate to the town of Wakeman, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 360) for the examination and survey of Lewis River, Chincoteague Island, Accomac County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 361) for the examination and survey of Hoskins Creek, Essex County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 362) for the examination and survey of Piscataway Creek, Essex County, Va.; to the Committee on Rivers and Harborrs.

Also, a bill (H. R. 363) for the examination and survey of Mud Creek, Lancaster County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 364) for examination and survey of Assateague Anchorage or Harbor, Accomac County, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 365) to provide for an examination and survey of the channel connecting York River, Va., with Back Creek, to Slaight's Wharf; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 366) to provide for an examination and survey of Onancock Creek, Accomac County, Va., and of the channel connecting said creek with Chesapeake Bay, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 367) for the relief of J. Irving Brooks; to the Committee on Claims.

Also, a bill (H. R. 368) for the relief of Oscar E. Luttrell; to the Committee on Claims.

Also, a bill (H. R. 369) for the relief of the owner of Old Dominion Pier A; to the Committee on Claims.

Also, a bill (H. R. 370) for the relief of Charles W. Mugler; to the Committee on Claims.

Also, a bill (H. R. 371) authorizing the Secretary of War to donate to the town of Urbanna, county of Middlesex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 372) authorizing the Secretary of War to donate to the town of Chincoteague, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 373) authorizing the Secretary of War to donate to the town of Tangier, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 374) authorizing the Secretary of War to donate to the town of Belle Haven, Accomac County, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 375) authorizing the Secretary of War to donate to the town of Onancock, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 376) authorizing the Secretary of War to donate to the town of Parksley, county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 377) authorizing the Secretary of War to donate to the town of Cape Charles, Northampton County, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 378) authorizing the Secretary of War to donate to the city of Phoebus, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 379) authorizing the Secretary of War to donate to the city of Hampton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 380) authorizing the Secretary of War to donate to the town of Yorktown, York County, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 381) authorizing the Secretary of War to donate to the city of Newport News, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 382) authorizing the Secretary of War to donate to the city of Fredericksburg, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 383) authorizing the Secretary of War to donate to the county of Northampton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 384) authorizing the Secretary of War to donate to the county of Accomac, State of Virginia, one German cannon or fieldpiece; to the Commitee on Military Affairs.

Also, a bill (H. R. 385) authorizing the Secretary of War to donate to the county of Warwick, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 386) authorizing the Secretary of War to donate to the county of Gloucester, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 387) authorizing the Secretary of War to donate to the county of King and Queen, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 388) authorizing the Secretary of War to donate to the county of Middlesex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 389) authorizing the Secretary of War to donate to the county of Essex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 390) authorizing the Secretary of War to donate to the county of Caroline, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 391) authorizing the Secretary of War to donate to the county of Spotsylvania, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 392) authorizing the Secretary of War to donate to the county of Westmoreland, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 393) authorizing the Secretary of War to donate to the county of Lancaster, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 394) authorizing the Secretary of War to donate to the county of Northumberland, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 395) authorizing the Secretary of War to donate to the county of Richmond, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 396) authorizing the Secretary of War to donate to the county of Mathews, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURDICK: A bill (H. R. 397) to remove the charge of desertion against the name of Frank George Bagshaw; to the Committee on Naval Affairs.

Also, a bill (H. R. 398) to remove the charge of desertion against Patrick Fay, alias Owen Carroll; to the Committee on Military Affairs.

Also, a bill (H. R. 399) to remove the charge of desertion against the name of Thomas P. Carroll; to the Committee on Military Affairs.

Also, a bill (H. R. 400) granting a pension to Hattie Hjelmberg; to the Committee on Pensions.

Also, a bill (H. R. 401) granting a pension to Mary F. Zuill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 402) for the relief of William H. Riddensdale; to the Committee on Military Affairs.

Also, a bill (H. R. 403) for the relief of Iver Boreson; to the Committee on Claims.

Also, a bill (H. R. 404) authorizing the Secretary of War to donate to the city of Newport, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 405) authorizing the Secretary of War to donate to the town of New Shoreham, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 406) authorizing the Secretary of War to donate to the town of Jamestown, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 407) authorizing the Secretary of War to donate to the town of Middletown, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 408) authorizing the Secretary of War to donate to the town of Portsmouth, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 409) authorizing the Secretary of War to donate to the town of Tiverton, State of Rhode Island, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 410) authorizing the Secretary of War to donate to the town of Little Compton, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 411) authorizing the Secretary of War to donate to the town of Bristol, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 412) authorizing the Secretary of War to donate to the town of Warren, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 413) authorizing the Secretary of War to donate to the town of Barrington, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 414) authorizing the Secretary of War to donate to the town of East Providence, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURROUGHS: A bill (H. R. 415) granting a pension to Harrietta C. Dickey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 416) granting a pension to Julia M. Porter; to the Committee on Pensions.

Also, a bill (H. R. 417) authorizing the Secretary of War to donate to the city of Manchester, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 418) authorizing the Secretary of War to donate to the town of Barnstead, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 419) authorizing the Secretary of War to donate to the town of Sandwich, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 420) authorizing the Secretary of War to donate to the town of Goffstown, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 421) authorizing the Secretary of War to donate to the town of Meredith, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DAVIS of Tennessee: A bill (H. R. 422) granting a pension to Edmond D. Judkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 423) granting a pension to George W. Byford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 424) granting an increase of pension to Annie N. Sullivan; to the Committee on Pensions.

Also, a bill (H. R. 425) authorizing the Secretary of War to donate to the county of Dekalb, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 426) authorizing the Secretary of War to donate to the county of Rutherford, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 427) authorizing the Secretary of War to donate to the county of Marshall, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 428) authorizing the Secretary of War to donate to the county of Bedford, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 429) authorizing the Secretary of War to donate to the county of Lincoln, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 430) authorizing the Secretary of War to donate to the Middle Tennessee State Normal School, of Murfreesboro, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 431) authorizing the Secretary of War to donate to the county of Coffee, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 432) authorizing the Secretary of War to donate to the county of Moore, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 433) authorizing the Secretary of War to donate to the county of Cannon, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 434) authorizing the Secretary of War to donate to the town of Tullahoma, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DRANE: A bill (H. R. 435) granting a pension to Eva R. Smailes; to the Committee on Pensions.

Also, a bill (H. R. 436) granting an increase of pension to Lurany McClellan; to the Committee on Pensions.

Also, a bill (H. R. 437) granting a pension to Bettie Spencer; to the Committee on Invalid Pensions.

By Mr. FORDNEY. A bill (H. R. 438) granting a pension to Ralph J. Eveleth; to the Committee on Pensions.

Also, a bill (H. R. 439) granting a pension to Ira W. Way; to the Committee on Pensions.

Also, a bill (H. R. 440) granting a pension to Emma P. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 441) granting a pension to Anna Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 442) granting a pension to Elmira Hedding; to the Committee on Invalid Pensions.

Also, a bill (H. R. 443) granting a pension to Netta Peck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 444) granting a pension to Elizabeth M. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 445) granting an increase of pension to Ida M. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 446) granting an increase of pension to Clarissa Wilkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 447) for the relief of Henry T. Shafer; to the Committee on Military Affairs.

Also, a bill (H. R. 448) for the relief of Elisha M. Chilson; to the Committee on Military Affairs.

Also, a bill (H. R. 449) for the relief of the Cornwell Co.; to the Committee on Claims.

Also, a bill (H. R. 450) authorizing the Secretary of War to donate to the city of St. Johns, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 451) authorizing the Secretary of War to donate to the city of Ithaca, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 452) authorizing the Secretary of War to donate to the town of Morrice, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 453) authorizing the Secretary of War to donate to the town of Greenville, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 454) authorizing the Secretary of War to donate to the town of Carson City, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 455) authorizing the Secretary of War to donate to the city of Portland, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 456) authorizing the Secretary of War to donate to the city of Owosso, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 457) authorizing the Secretary of War to donate to the city of Ionia, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 458) authorizing the Secretary of War to donate to the city of Alma, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 459) authorizing the Secretary of War to donate to the town of Chesaning, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 460) authorizing the Secretary of War to donate to the town of Ovid, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 461) authorizing the Secretary of War to donate to the town of St. Louis, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 462) authorizing the Secretary of War to donate to the city of Saginaw, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 463) granting a patent to Joseph Robicheau; to the Committee on the Public Lands.

Also, a bill (H. R. 464) conferring authority upon the Secretary of the Treasury to consider application for bounty and back pay on account of the military service of John Wallace; to the Committee on War Claims.

Also, a bill (H. R. 465) granting a pension to Mary Botsford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 466) granting a pension to John F. Keeton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 467) granting a pension to Sabria L. Clark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 468) granting a pension to Riley Cox; to the Committee on Pensions.

Also, a bill (H. R. 469) granting a pension to Israel B. Cowen; to the Committee on Pensions.

Also, a bill (H. R. 470) granting a pension to Samuel W. Moore; to the Committee on Pensions.

Also, a bill (H. R. 471) for the relief of Sam Tilden; to the Committee on Claims.

Also, a bill (H. R. 472) for the relief of James L. Cardwell; to the Committee on Claims.

Also, a bill (H. R. 473) for the relief of N. B. Pettibone; to the Committee on Claims.

Also, a bill (H. R. 474) for the relief of Edward B. Sappington; to the Committee on Claims.

Also, a bill (H. R. 475) for the relief of Lyn Lundquist; to the Committee on the Public Lands.

Also, a bill (H. R. 476) for the relief of James R. Maguire; to the Committee on the Public Lands.

Also, a bill (H. R. 477) for the relief of Nellie Kildee; to the Committee on the Public Lands.

Also, a bill (H. R. 478) for the relief of Aaron Kibler; to the Committee on Military Affairs.

By Mr. KENNEDY: A bill (H. R. 479) authorizing the Secretary of War to donate to the town of Glocester, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 480) authorizing the Secretary of War to donate to the city of Providence, State of Rhode Island, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 481) authorizing the Secretary of War to donate to the city of Pawtucket, State of Rhode Island, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 482) authorizing the Secretary of War to donate to the city of Central Falls, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 483) authorizing the Secretary of War to donate to the town of Cumberland, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 484) authorizing the Secretary of War to donate to the village of Valley Falls, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 485) authorizing the Secretary of War to donate to the town of Lincoln, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 486) authorizing the Secretary of War to donate to the village of Manville, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 487) authorizing the Secretary of War to donate to the city of Woonsocket, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 488) authorizing the Secretary of War to donate to the town of North Smithfield, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 489) authorizing the Secretary of War to donate to the village of Harrisville, in the town of Burrillville, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 490) authorizing the Secretary of War to donate to the village of Pascoag, in the town of Burrillville, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 491) authorizing the Secretary of War to donate to the town of Smithfield, State of Rhode Island, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 492) granting a pension to John Norton; to the Committee on Pensions.

Also, a bill (H. R. 493) granting an increase of pension to Edward Halloran; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 494) granting a pension to Mary Marshall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 495) granting a pension to Martha P. Malcomson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 496) granting a pension to Elfina A. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 497) granting a pension to William H. Beal, alias Wade H. Brown; to the Committee on Pensions.

Also, a bill (H. R. 498) for the relief of Leslie E. Drake; to the Committee on Claims.

Also, a bill (H. R. 499) for the relief of John H. Cowley; to the Committee on Military Affairs.

Also, a bill (H. R. 500) for the relief of Nehemiah Purdy; to the Committee on Claims.

Also, a bill (H. R. 501) for the relief of John Burke; to the Committee on Military Affairs.

By Mr. LOGAN: A bill (H. R. 502) providing for survey of Ship Yard Creek, S. C.; to the Committee on Rivers and Harbors.

By Mr. McARTHUR: A bill (H. R. 503) granting a pension to Charles G. Sullivan; to the Committee on Pensions.

Also, a bill (H. R. 504) granting a pension to Robert Hicks; to the Committee on Pensions.

Also, a bill (H. R. 505) granting a pension to Joseph Willms; to the Committee on Invalid Pensions.

Also, a bill (H. R. 506) granting a pension to Lizzie E. Kizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 507) granting a pension to Marianne H. D'Arcy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 508) granting a pension to Charles P. Hagely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 509) granting an increase of pension to Theodore Hansen; to the Committee on Pensions.

Also, a bill (H. R. 510) granting an increase of pension to Nathaniel Holt; to the Committee on Pensions.

Also, a bill (H. R. 511) granting an increase of pension to Isabel Bertrand; to the Committee on Invalid Pensions.

Also, a bill (H. R. 512) for the relief of the Ralph Ackley Land Co. (Inc.) and others; to the Committee on Claims.

Also, a bill (H. R. 513) for the relief of George R. Campbell, Milton B. Germond, and Walter D. Long; to the Committee on Claims.

Also, a bill (H. R. 514) authorizing the payment of an amount equal to six months' pay to Josephine H. Barin; to the Committee on Naval Affairs.

By Mr. McPHERSON: A bill (H. R. 515) granting a pension to John J. Roberts; to the Committee on Pensions.

Also, a bill (H. R. 516) granting a pension to John F. Graper; to the Committee on Pensions.

Also, a bill (H. R. 517) granting a pension to Josephine O'Brien; to the Committee on Invalid Pensions.

Also, a bill (H. R. 518) granting a pension to Ida Rouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 519) granting an increase of pension to Seph J. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 520) for the relief of Samuel T. King; to the Committee on Military Affairs.

Also, a bill (H. R. 521) for the relief of Ira T. Washburn; to the Committee on Military Affairs.

Also, a bill (H. R. 522) for the relief of William Karch; to the Committee on Military Affairs.

Also, a bill (H. R. 523) to correct and amend the service and military record of Herbert Langley, United States Marine Corps; to the Committee on Naval Affairs.

Also, a bill (H. R. 524) authorizing the Secretary of War to donate to the town of Seneca, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 525) authorizing the Secretary of War to donate to the town of Granby, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 526) authorizing the Secretary of War to donate to the town of Pineville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 527) authorizing the Secretary of War to donate to the city of Neosho, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 528) authorizing the Secretary of War to donate to the city of Sarcoxie, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 529) authorizing the Secretary of War to donate to the city of Cassville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 530) authorizing the Secretary of War to donate to the city of Carthage, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 531) authorizing the Secretary of War to donate to the city of Joplin, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 532) authorizing the Secretary of War to donate to the city of Webb City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 533) authorizing the Secretary of War to donate to the city of Anderson, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 534) granting an increase of pension to Allen A. Wesley; to the Committee on Pensions.

Also, a bill (H. R. 535) granting a pension to Clara A. Rice; to the Committee on Pensions.

Also, a bill (H. R. 536) granting a pension to Hattie E. Chavis; to the Committee on Pensions.

Also, a bill (H. R. 537) granting a pension to J. C. Baldridge; to the Committee on Pensions.

Also, a bill (H. R. 538) for the relief of the United Breweries Co., of Chicago, Ill.; to the Committee on Claims.

Also, a bill (H. R. 539) for the relief of H. L. Myers; to the Committee on Claims.

Also, a bill (H. R. 540) for the relief of Bradley Sykes; to the Committee on Claims.

Also, a bill (H. R. 541) to correct the military record of Cuthbert W. Laing; to the Committee on Military Affairs.

Also, a bill (H. R. 542) to authorize the President, when Maj. Gen. Crowder retires, to place him on the retired list of the Army as a lieutenant general; to the Committee on Military Affairs.

Also, a bill (H. R. 543) authorizing the President to appoint Army Field Clerk Henry Kehl as a first lieutenant in the United States Army and then placing him on the retired list of the United States Army as such; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 544) granting a pension to Jacob Mumme; to the Committee on Invalid Pensions.

Also, a bill (H. R. 545) granting an increase of pension to Florence E. Foster; to the Committee on Pensions.

Also, a bill (H. R. 546) authorizing the Secretary of the Treasury to pay war-risk insurance to the foster parents of Edward Short; to the Committee on Claims.

Also, a bill (H. R. 547) granting a pension to Frederick Braun; to the Committee on Pensions.

Also, a bill (H. R. 548) for the relief of Agnes F. Halloran; to the Committee on Claims.

By Mr. MERRITT: A bill (H. R. 549) granting an increase of pension to Anna Scofield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 550) granting an increase of pension to James H. Scollin; to the Committee on Pensions.

Also, a bill (H. R. 551) for the relief of Charles A. Frid; to the Committee on Military Affairs.

Also, a bill (H. R. 552) for the relief of the heirs of Adam and Noah Brown; to the Committee on Claims.

Also, a bill (H. R. 553) for the relief of Vincent L. Keating; to the Committee on Claims.

Also, a bill (H. R. 554) authorizing the Secretary of War to donate to certain towns in the State of Connecticut German cannons and fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 555) authorizing the Secretary of War to donate to Georgetown, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MICHENER: A bill (H. R. 556) to carry out the findings of the Court of Claims in the case of Andrew J. H. Brewer; to the Committee on War Claims.

Also, a bill (H. R. 557) to carry into effect the findings of the Court of Claims in favor of Myron C. Bond, Guy M. Claflin, and Edwin A. Wells; to the Committee on War Claims.

Also, a bill (H. R. 558) for the relief of Abram H. Johnson; to the Committee on Military Affairs.

Also, a bill (H. R. 559) for the relief of Melville Van Auker; to the Committee on Military Affairs.

Also, a bill (H. R. 560) authorizing the Secretary of War to donate to the town of Trenton, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 561) authorizing the Secretary of War to donate to the town of Addison, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 562) authorizing the Secretary of War to donate to the city of Jackson, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 563) authorizing the Secretary of War to donate to the city of Ann Arbor, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 564) authorizing the Secretary of War to donate to the city of Adrian, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 565) authorizing the Secretary of War to donate to the town of Belleville, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 566) authorizing the Secretary of War to donate to the town of Manchester, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 567) authorizing the Secretary of War to donate to the town of Clinton, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 568) authorizing the Secretary of War to donate to the city of Ypsilanti, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 569) authorizing the Secretary of War to donate to the city of Monroe, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 570) authorizing the Secretary of War to donate to the township of Franklin, Lenawee County, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOORE of Illinois: A bill (H. R. 571) granting a pension to Ellen McClaflin Cordes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 572) authorizing the Secretary of War to donate to the city of Shelbyville, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 573) authorizing the Secretary of War to donate to the city of Clinton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 574) authorizing the Secretary of War to donate to the city of Monticello, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 575) authorizing the Secretary of War to donate to the city of Charleston, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 576) authorizing the Secretary of War to donate to the city of Mattoon, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 577) authorizing the Secretary of War to donate to the city of Sullivan, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 578) authorizing the Secretary of War to donate to the city of Urbana, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 579) authorizing the Secretary of War to donate to the city of Decatur, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 580) authorizing the Secretary of War to donate to the city of Champaign, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 581) authorizing the Secretary of War to donate to the city of Tuscola, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 582) granting a pension to Elizabeth B. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 583) granting a pension to Minnie W. Caswell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 584) granting a pension to Mary Lathrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 585) granting a pension to Adolphus Sterling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 586) granting a pension to Orlie A. Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 587) granting a pension to Fred J. Griffin; to the Committee on Pensions.

Also, a bill (H. R. 588) granting an increase of pension to Julia Godon; to the Committee on Pensions.

Also, a bill (H. R. 589) authorizing the Secretary of War to donate to the village of Carthage, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 590) authorizing the Secretary of War to donate to the village of Dexter, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 591) authorizing the Secretary of War to donate to the city of Fulton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 592) authorizing the Secretary of War to donate to the village of Cape Vincent, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 593) authorizing the Secretary of War to donate to the village of Pulaski, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 594) authorizing the Secretary of War to donate to the city of Oneida, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 595) authorizing the Secretary of War to donate to the village of Alexandria Bay, State of New York, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 596) authorizing the Secretary of War to donate to Colgate University, of Hamilton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 597) authorizing the Secretary of War to donate to the city of Oswego, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 598) authorizing the Secretary of War to donate to the city of Watertown, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 599) authorizing the Secretary of War to donate to the village of Cazenovia, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 600) authorizing the Secretary of War to donate to the village of Richland, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 601) authorizing the Secretary of War to donate to the village of Lowville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 602) authorizing the Secretary of War to donate to the village of Adams, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 603) authorizing the Secretary of War to donate to the village of Antwerp, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 604) authorizing the Secretary of War to donate to the village of Hannibal, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 605) authorizing the Secretary of War to donate to the village of Orwell, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 606) authorizing the Secretary of War to donate to the village of Clayton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 607) granting a pension to Lillian S. Dodds; to the Committee on Invalid Pensions.

By Mr. RHODES: A bill (H. R. 608) authorizing the Secretary of War to donate to the city of Ironton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 609) authorizing the Secretary of War to donate to the city of Van Buren, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 610) authorizing the Secretary of War to donate to the city of Ste. Genevieve, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 611) authorizing the Secretary of War to donate to the city of Perryville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 612) authorizing the Secretary of War to donate to the city of Potosi, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 613) authorizing the Secretary of War to donate to the city of Hillsboro, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 614) authorizing the Secretary of War to donate to the city of Fredericktown, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 615) authorizing the Secretary of War to donate to the city of Marble Hill, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 616) authorizing the Secretary of War to donate to the city of De Soto, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 617) authorizing the Secretary of War to donate to the city of Farmington, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 618) authorizing the Secretary of War to donate to the city of Centerville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 619) authorizing the Secretary of War to donate to the city of Greenville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 620) for the relief of Oscar Arenz; to the Committee on Military Affairs.

Also, a bill (H. R. 621) granting an increase of pension to Louisa H. Highley; to the Committee on Pensions.

By Mr. SMITHWICK: A bill (H. R. 622) granting an increase of pension to Lula Lee Abbott; to the Committee on Pensions.

Also, a bill (H. R. 623) granting an increase of pension to Esther Ann Mitcheltree; to the Committee on Invalid Pensions.

Also, a bill (H. R. 624) for the relief of Albert H. White, Mary E. Fowler, Lorena B. Winkler, E. E. White, and C. A. White; to the Committee on the Public Lands.

Also, a bill (H. R. 625) for the relief of J. W. Braxton; to the Committee on Claims.

Also, a bill (H. R. 626) for the relief of D. L. McArthur & Co.; to the Committee on Claims.

Also, a bill (H. R. 627) authorizing an examination and survey of the harbor of Choctawhatchee Bay, Fla.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 628) granting a pension to Ella G. Brock; to the Committee on Pensions.

By Mr. SNELL: A bill (H. R. 629) granting a pension to Lucy Wells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 630) granting a pension to Rhoda Meacham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 631) granting a pension to Delia E. Nelson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 632) granting an increase of pension to Betsey Lahiff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 633) granting a pension to Hannah M. Chalmers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 634) granting a pension to Viola Lawrence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 635) granting an increase of pension to Therressa R. Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 636) for the relief of the Delaware & Hudson Co., of New York City; to the Committee on Claims.

Also, a bill (H. R. 637) authorizing the Secretary of War to donate to the town of Fort Henry, State of New York, two German cannon or fieldpieces, for use at old Fort St. Frederick; to the Committee on Military Affairs.

Also, a bill (H. R. 638) authorizing the Secretary of War to donate to the town of Lake Placid, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 639) authorizing the Secretary of War to donate to the city of Ticonderoga, State of New York, one German cannon or fieldpiece, for use at old Fort Ticonderoga; to the Committee on Military Affairs.

Also, a bill (H. R. 640) authorizing the Secretary of War to donate to the city of Ogdensburg, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 641) authorizing the Secretary of War to donate to the city of Malone, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 642) authorizing the Secretary of War to donate to the city of Chateaugay, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 643) authorizing the Secretary of War to donate to the city of Elizabethtown, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 644) authorizing the Secretary of War to donate to the town of Canton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 645) authorizing the Secretary of War to donate to the city of Plattsburg, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 646) authorizing the Secretary of War to donate to the town of Massena, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 647) authorizing the Secretary of War to donate to the town of Saranac Lake, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 648) authorizing the Secretary of War to donate to the town of Heuvelton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STRONG of Pennsylvania: A bill (H. R. 649) granting a pension to Robert A. Ayers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 650) granting a pension to Philip B. Depp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 651) granting a pension to Joseph Serra; to the Committee on Pensions.

Also, a bill (H. R. 652) granting a pension to Charles G. Baum; to the Committee on Pensions.

Also, a bill (H. R. 653) granting an increase of pension to Mary F. Lukecart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 654) to correct the military record of Joseph L. Beck; to the Committee on Military Affairs.

Also, a bill (H. R. 655) to correct the military record of Harrison H. Hollowell; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 656) granting an increase of pension to John Adkins; to the Committee on Pensions.

Also, a bill (H. R. 657) granting an increase of pension to Percy H. Allen; to the Committee on Pensions.

Also, a bill (H. R. 658) granting a pension to Benjamin Dockery; to the Committee on Pensions.

Also, a bill (H. R. 659) granting an increase of pension to Henry P. Logsdon; to the Committee on Pensions.

Also, a bill (H. R. 660) granting an increase of pension to Josephine Murphy; to the Committee on Pensions.

Also, a bill (H. R. 661) granting an increase of pension to Charles B. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 662) granting an increase of pension to Rosco Wilkins; to the Committee on Pensions.

Also, a bill (H. R. 663) granting an increase of pension to Helen M. Dannat; to the Committee on Invalid Pensions.

Also, a bill (H. R. 664) granting an increase of pension to Mary J. Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 665) granting a pension to Joshua B. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 666) granting a pension to Beda A. Godby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 667) granting a pension to Charlottie Myers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 668) granting a pension to Will A. Hill; to the Committee on Pensions.

Also, a bill (H. R. 669) granting a pension to Thomas L. Spann; to the Committee on Pensions.

Also, a bill (H. R. 670) for the relief of Dr. W. M. Ewing; to the Committee on Claims.

Also, a bill (H. R. 671) for the relief of Dr. John H. Blackburn; to the Committee on Claims.

Also, a bill (H. R. 672) for the relief of Josiah Morris; to the Committee on War Claims.

By Mr. THOMPSON: A bill (H. R. 673) authorizing the Secretary of War to donate to the city of Defiance, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 674) authorizing the Secretary of War to donate to the town of Wauseon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 675) authorizing the Secretary of War to donate to the town of Paulding, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 676) authorizing the Secretary of War to donate to the town of Bryan, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 677) authorizing the Secretary of War to donate to the town of Napoleon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 678) authorizing the Secretary of War to donate to the town of Van Wert, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 679) authorizing the Secretary of War to donate to the town of Ottawa, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 680) authorizing the Secretary of War to donate to the town of Antwerp, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 681) authorizing the Secretary of War to donate to the village of Latty, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 682) authorizing the Secretary of War to donate to the village of Grover Hill, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 683) authorizing the Secretary of War to donate to the village of Florida, State of Ohio, one German cannon or fieldpiece; to the committee on Military Affairs.

Also, a bill (H. R. 684) authorizing the Secretary of War to donate to the village of Malinta, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 685) authorizing the Secretary of War to donate to the village of New Bavaria, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 686) authorizing the Secretary of War to donate to the village of West Hope, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 687) authorizing the Secretary of War to donate to the village of McClure, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 688) authorizing the Secretary of War to donate to the village of Liberty Center, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 689) authorizing the Secretary of War to donate to the village of Deshler, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 690) authorizing the Secretary of War to donate to the village of Hamler, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 691) authorizing the Secretary of War to donate to the village of Holgate, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 692) authorizing the Secretary of War to donate to the village of Elgin, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 693) authorizing the Secretary of War to donate to the village of Venedocia, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 694) authorizing the Secretary of War to donate to the village of Ohio City, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 695) authorizing the Secretary of War to donate to the village of Cavett, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 696) authorizing the Secretary of War to donate to the village of Scott, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 697) authorizing the Secretary of War to donate to the village of Rimer, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 698) authorizing the Secretary of War to donate to the village of Ney, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 699) authorizing the Secretary of War to donate to the village of Middle Point, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 700) authorizing the Secretary of War to donate to the village of Convoy, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 701) authorizing the Secretary of War to donate to the village of Willshire, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 702) authorizing the Secretary of War to donate to the village of Ottoville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 703) authorizing the Secretary of War to donate to the village of Columbus Grove, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 704) authorizing the Secretary of War to donate to the village of Kalida, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 705) authorizing the Secretary of War to donate to the village of Continental, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 706) authorizing the Secretary of War to donate to the village of Gilboa, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 707) authorizing the Secretary of War to donate to the village of Glandorf, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 708) authorizing the Secretary of War to donate to the village of Alvordton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 709) authorizing the Secretary of War to donate to the village of Edon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 710) authorizing the Secretary of War to donate to the village of Blakeslee, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 711) authorizing the Secretary of War to donate to the village of West Unity, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 712) authorizing the Secretary of War to donate to the village of Stryker, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 713) authorizing the Secretary of War to donate to the village of Pioneer, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 714) authorizing the Secretary of War to donate to the village of Edgerton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 715) authorizing the Secretary of War to donate to the village of Montpelier, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 716) authorizing the Secretary of War to donate to the village of Broughton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 717) authorizing the Secretary of War to donate to the village of Oakwood, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 718) authorizing the Secretary of War to donate to the village of Melrose, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 719) authorizing the Secretary of War to donate to the village of Haviland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 720) authorizing the Secretary of War to donate to the village of Cecil, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 721) authorizing the Secretary of War to donate to the village of Payne, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 722) authorizing the Secretary of War to donate to the village of Rushmore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 723) authorizing the Secretary of War to donate to the village of Evansport, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 724) authorizing the Secretary of War to donate to the village of Sherwood, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 725) authorizing the Secretary of War to donate to the village of Hicksville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 726) authorizing the Secretary of War to donate to the village of Swanton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 727) authorizing the Secretary of War to donate to the village of Metamora, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 728) authorizing the Secretary of War to donate to the village of Lyons, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 729) authorizing the Secretary of War to donate to the village of Delta, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 730) authorizing the Secretary of War to donate to the village of Archbold, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 731) authorizing the Secretary of War to donate to the village of Belmore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 732) authorizing the Secretary of War to donate to the village of Dupont, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 733) authorizing the Secretary of War to donate to the village of Miller City, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 734) authorizing the Secretary of War to donate to the village of West Leipsic, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 735) authorizing the Secretary of War to donate to the village of Cloverdale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 736) authorizing the Secretary of War to donate to the village of Pandora, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 737) authorizing the Secretary of War to donate to the village of Delphos, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 738) authorizing the Secretary of War to donate to the village of Pettisville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 739) authorizing the Secretary of War to donate to the village of Leipsic, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 740) granting a pension to Daniel F. Healy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 741) granting a pension to Jonathan D. Hale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 742) for the relief of C. H. Prince; to the Committee on Claims.

Also, a bill (H. R. 743) for the relief of Howard A. Moxley; to the Committee on Claims.

Also, a bill (H. R. 744) for the relief of Irving J. Kelly; to the Committee on Claims.

Also, a bill (H. R. 745) for the relief of William H. Philbrick; to the Committee on Claims.

Also, a bill (H. R. 746) for the relief of the C. E. Stevens estate; to the Committee on Claims.

Also, a bill (H. R. 747) for the relief of Otis C. Mooney; to the Committee on Military Affairs.

Also, a bill (H. R. 748) authorizing the Secretary of War to donate to the city of Keene, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 749) authorizing the Secretary of War to donate to the city of Nashua, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 750) authorizing the Secretary of War to donate to the Gordon Bissell Post, American Legion, of Keene, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 751) authorizing the Secretary of War to donate to the town of Milford, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 752) authorizing the Secretary of War to donate to the town of North Woodstock, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 753) authorizing the Secretary of War to donate to the town of Amherst, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 754) authorizing the Secretary of War to donate to the town of New Boston, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 755) authorizing the Secretary of War to donate to the town of Peterboro, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WHITE of Kansas: A bill (H. R. 756) granting a pension to Hester A. Barber; to the Committee on Pensions.

Also, a bill (H. R. 757) granting a pension to Orel J. Lovewell; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 758) to correct the military record of Stephen A. West; to the Committee on Military Affairs.

Also, a bill (H. R. 759) to correct the military record of J. H. McGrew; to the Committee on Military Affairs.

Also, a bill (H. R. 760) to correct the military record of Nathan Cunningham; to the Committee on Military Affairs.

Also, a bill (H. R. 761) to correct the military record of Solomon Beck; to the Committee on Military Affairs.

Also, a bill (H. R. 762) for the relief of Gill I. Wilson; to the Committee on Military Affairs.

Also, a bill (H. R. 763) for the relief of Allen Greenlief; to the Committee on Military Affairs.

Also, a bill (H. R. 764) for the relief of the Kanawha Packet Co.; to the Committee on Claims.

Also, a bill (H. R. 765) for the relief of lock masters, lockmen, and other laborers and mechanics employed by the United States Government in the locks and dams of the Kanawha River, in West Virginia; to the Committee on Claims.

Also, a bill (H. R. 766) granting a pension to Mary R. Aten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 767) granting an increase of pension to Amanda Ruble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 768) granting an increase of pension to Samuel A. Greenlee; to the Committee on Pensions.

Also, a bill (H. R. 769) granting an honorable discharge to Isaiah R. Lockhart; to the Committee on Military Affairs.

Also, a bill (H. R. 770) authorizing the Secretary of War to donate to the city of Spencer, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 771) authorizing the Secretary of War to donate to the city of St. Marys, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 772) authorizing the Secretary of War to donate to the city of Sistersville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 773) authorizing the Secretary of War to donate to the town of Winfield, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 774) authorizing the Secretary of War to donate to the town of Ripley, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 775) authorizing the Secretary of War to donate to the city of Parkersburg, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 776) authorizing the Secretary of War to donate to the city of Point Pleasant, State of West Virginia.

one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 777) authorizing the Secretary of War to donate to the town of Middlebourne, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 778) authorizing the Secretary of War to donate to the town of Milton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 779) authorizing the Secretary of War to donate to the city of Huntington, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 780) authorizing the Secretary of War to donate to the town of Elizabeth, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 781) authorizing the Secretary of War to donate to the town of Barboursville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 782) authorizing the Secretary of War to donate to the city of Ravenswood, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WURZBACH: A bill (H. R. 783) granting an increase of pension to Dorothea Hoefling; to the Committee on Pensions.

By Mr. ACKERMAN: A bill (H. R. 784) authorizing the Secretary of War to donate to the town of Butler, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 785) authorizing the Secretary of War to donate to the town of Boonton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 786) authorizing the Secretary of War to donate to the city of Dover, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 787) authorizing the Secretary of War to donate to the city of Morristown, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 788) authorizing the Secretary of War to donate to the town of Madison, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 789) authorizing the Secretary of War to donate to the town of Wharton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 790) authorizing the Secretary of War to donate to the town of Chatham, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 791) authorizing the Secretary of War to donate to the town of Morris Plains, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 792) authorizing the Secretary of War to donate to the town of Towaco, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 793) authorizing the Secretary of War to donate to the town of Lincoln Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 794) authorizing the Secretary of War to donate to the town of Mountain Lake, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 795) authorizing the Secretary of War to donate to the town of Rockaway, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 796) authorizing the Secretary of War to donate to the town of Stirling, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 797) authorizing the Secretary of War to donate to the town of Roselle Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 798) authorizing the Secretary of War to donate to the city of Elizabeth, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 799) authorizing the Secretary of War to donate to the city of Plainfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 800) authorizing the Secretary of War to donate to the city of Summit, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 801), authorizing the Secretary of War to donate to the city of Rahway, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 802) authorizing the Secretary of War to donate to the city of Westfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 803) authorizing the Secretary of War to donate to the town of Cranford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 804) authorizing the Secretary of War to donate to the town of Roselle, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 805) authorizing the Secretary of War to donate to the town of Garwood, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 806) authorizing the Secretary of War to donate to the town of Hillside, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 807) authorizing the Secretary of War to donate to the town of Lyons Farms, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 808) authorizing the Secretary of War to donate to the town of Linden, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 809) authorizing the Secretary of War to donate to the town of Springfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 810) authorizing the Secretary of War to donate to the town of Mountainside, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 811) authorizing the Secretary of War to donate to the town of Fanwood, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 812) authorizing the Secretary of War to donate to the town of Scotch Plains, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 813) authorizing the Secretary of War to donate to the town of Kenilworth, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 814) authorizing the Secretary of War to donate to the town of Vaux Hall, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 815) authorizing the Secretary of War to donate to the town of New Providence, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 816) authorizing the Secretary of War to donate to the town of Berkley Heights, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 817) authorizing the Secretary of War to donate to the town of Union, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 818) for the relief of Arabella Collier; to the Committee on Claims.

Also, a bill (H. R. 819) for the relief of William Davies; to the Committee on Claims.

Also, a bill (H. R. 820) for the relief of Jeanne Holmes Schoonmaker; to the Committee on Claims.

By Mr. ALMON: A bill (H. R. 821) granting an increase of pension to Robert H. Roberts; to the Committee on Pensions.

Also, a bill (H. R. 822) authorizing the Secretary of War to donate to the city of Florence, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 823) authorizing the Secretary of War to donate to the city of Sheffield, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 824) authorizing the Secretary of War to donate to the city of Bridgeport, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 825) authorizing the Secretary of War to donate to the city of Stevenson, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 826) authorizing the Secretary of War to donate to the city of Tuscumbia, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 827) authorizing the Secretary of War to donate to the city of Moulton, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 828) authorizing the Secretary of War to donate to the city of Decatur, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 829) authorizing the Secretary of War to donate to the city of Albany, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 830) authorizing the Secretary of War to donate to the city of Hartsells, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 831) authorizing the Secretary of War to donate to the city of Athens, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 832) authorizing the Secretary of War to donate to the city of Huntsville, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 833) authorizing the Secretary of War to donate to the city of Scottsboro, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ANDERSON: A bill (H. R. 834) granting a pension to Mary E. Livingston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 835) granting a pension to Anna Kendrick; to the Committee on Pensions.

Also, a bill (H. R. 836) for the relief of George W. Bryant; to the Committee on Military Affairs.

Also, a bill (H. R. 837) for the relief of Benjamin F. Dayton; to the Committee on Military Affairs.

Also, a bill (H. R. 838) for the relief of Warren C. Isham; to the Committee on Naval Affairs.

Also, a bill (H. R. 839) for the relief of F. W. Tyler; to the Committee on Claims.

Also, a bill (H. R. 840) authorizing the Secretary of War to donate to the city of Austin, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 841) authorizing the Secretary of War to donate to the city of Hayfield, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 842) authorizing the Secretary of War to donate to the city of Lake City, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 843) authorizing the Secretary of War to donate to the city of Peterson, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 844) authorizing the Secretary of War to donate to the town of Preston, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 845) authorizing the Secretary of War to donate to the town of Rochester, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 846) authorizing the Secretary of War to donate to the city of Spring Grove, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 847) authorizing the Secretary of War to donate to the city of Waldorf, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 848) authorizing the Secretary of War to donate to the city of Waseca, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 849) authorizing the Secretary of War to donate to the city of Winona, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BARBOUR: A bill (H. R. 850) authorizing the Secretary of War to donate to the city of Fresno, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 851) authorizing the Secretary of War to donate to police department of the city of Fresno, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 852) authorizing the Secretary of War to donate to the city of Hanford, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 853) authorizing the Secretary of War to donate to the city of Visalia, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURDICK: A bill (H. R. 854) for the relief of Ernest F. Church; to the Committee on Claims.

Also, a bill (H. R. 855) for the relief of Fred G. Leith; to the Committee on Naval Affairs.

Also, a bill (H. R. 856) for the relief of the owners of the schooner *Charlotte W. Miller;* to the Committee on Claims.

Also, a bill (H. R. 857) referring the claim of the State of Rhode Island for expenses during the War with Spain to the Court of Claims for adjudication; to the Committee on War Claims.

By Mr. CABLE: A bill (H. R. 858) for the relief of Alfred P. Reck; to the Committee on War Claims.

By Mr. DOWELL: A bill (H. R. 859) granting a pension to Susan E. Slinker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 860) granting an increase of pension to Viola S. Cook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 861) for the relief of G. W. Bauserman; to the Committee on Claims.

Also, a bill (H. R. 862) for the relief of Vivian Hood; to the Committee on Claims.

Also, a bill (H. R. 863) authorizing the Secretary of War to donate to the city of Pleasantville, Marion County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 864) authorizing the Secretary of War to donate to the city of Des Moines, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 865) authorizing the Secretary of War to donate to the city of Perry, Dallas County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 866) authorizing the Secretary of War to donate to the city of Adel, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 867) authorizing the Secretary of War to donate to the city of Redfield, Dallas County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 868) authorizing the Secretary of War to donate to the city of Ames, Story County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 869) authorizing the Secretary of War to donate to the city of Story City, State of Iowa; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 870) authorizing the Secretary of War to donate to the city of Knoxville, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 871) authorizing the Secretary of War to donate to the town of Earlham, Madison County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 872) authorizing the Secretary of War to donate to the city of Indianola, Warren County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 873) authorizing the Secretary of War to donate to the city of Winterset, Madison County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 874) authorizing the Secretary of War to donate to the city of Pella, Marion County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 875) authorizing the Secretary of War to donate to the city of Nevada, Story County, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELLIOTT: A bill (H. R. 876) granting a pension to William M. Bainbridge; to the Committee on Pensions.

Also, a bill (H. R. 877) granting a pension to Tabitha Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 878) authorizing the Secretary of War to donate to the city of Richmond, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 879) authorizing the Secretary of War to donate to the town of Liberty, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 880) authorizing the Secretary of War to donate to the town of Brookville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 881) authorizing the Secretary of War to donate to the city of Connersville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 882) authorizing the Secretary of War to donate to the city of Rushville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 883) authorizing the Secretary of War to donate to the city of Shelbyville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 884) authorizing the Secretary of War to donate to the city of Greenfield, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 885) authorizing the Secretary of War to donate to the town of Knightstown, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 886) authorizing the Secretary of War to donate to the city of Newcastle, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 887) authorizing the Secretary of War to donate to the town of Cambridge City, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 888) authorizing the Secretary of War to donate to the hamlet of Carbondale, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 889) authorizing the Secretary of War to donate to the town of Wilkesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 890) authorizing the Secretary of War to donate to the city of Pomeroy, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 891) authorizing the Secretary of War to donate to the town of Chesapeake, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 892) authorizing the Secretary of War to donate to the town of Wellston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 893) authorizing the Secretary of War to donate to the town of Vinton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 894) authorizing the Secretary of War to donate to the city of Jackson, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 895) authorizing the Secretary of War to donate to the town of Rio Grande, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 896) authorizing the Secretary of War to donate to the city of Athens, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 897) authorizing the Secretary of War to donate to the city of Nelsonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 898) authorizing the Secretary of War to donate to the city of Gallipolis, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 899) authorizing the Secretary of War to donate to the town of McArthur, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 900) authorizing the Secretary of War to donate to the town of Chester, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 901) authorizing the Secretary of War to donate to the town of Oak Hill, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 902) authorizing the Secretary of War to donate to the town of Racine, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 903) authorizing the Secretary of War to donate to the town of Glouster, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 904) authorizing the Secretary of War to donate to the town of Hamden, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 905) authorizing the Secretary of War to donate to the town of Proctorville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 906) authorizing the Secretary of War to donate to the city of Ironton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 907) authorizing the Secretary of War to donate to the town of Zaleski, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 908) authorizing the Secretary of War to donate to the town of Middleport, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 909) authorizing the Secretary of War to donate to the town of Rutland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 910) to correct the military record of Darius Atkinson; to the Committee on Military Affairs.

Also, a bill (H. R. 911) to reimburse Isaac Gibbs for damages arising from the destruction of a ford across the Hocking River, in Athens County, Ohio, due to backwater created by the construction of Lock and Dam No. 20 on the Ohio River; to the Committee on Claims.

Also, a bill (H. R. 912) granting an increase of pension to Arzila Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 913) granting a pension to Ella Cowgill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 914) granting a pension to Emma Townsend; to the Committee on Invalid Pensions.

Also, a bill (H. R. 915) granting a pension to Georgianna Ballard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 916) granting a pension to Olive W. Myrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 917) granting a pension to William T. Prater; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 918) authorizing the Secretary of War to donate to the city of Elkton, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 919) authorizing the Secretary of War to donate to the city of Chestertown, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 920) authorizing the Secretary of War to donate to the city of Centerville, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 921) authorizing the Secretary of War to donate to the city of Easton, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 922) authorizing the Secretary of War to donate to the city of Denton, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 923) authorizing the Secretary of War to donate to the city of Cambridge, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 924) authorizing the Secretary of War to donate to the city of Salisbury, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 925) authorizing the Secretary of War to donate to the city of Princess Anne, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 926) authorizing the Secretary of War to donate to the city of Snow Hill, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 927) for the relief of Fred S. Johnston; to the Committee on Claims.

Also, a bill (H. R. 928) granting a pension to Angelina H. Hompe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 929) granting a pension to Isaac Tierson; to the Committee on Pensions.

Also, a bill (H. R. 930) granting a pension to Susan M. Gregory; to the Committee on Pensions.

Also, a bill (H. R. 931) authorizing the Secretary of War to donate to the village of Lyons, State of New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 932) authorizing the Secretary of War to donate to the village of Cato, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 933) authorizing the Secretary of War to donate to the village of Port Byron, State of New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 934) authorizing the Secretary of War to donate to the village of Guyanoga, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 935) authorizing the Secretary of War to donate to the village of East Bloomfield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 936) authorizing the Secretary of War to donate to the city of Auburn, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 937) authorizing the Secretary of War to donate to the town of Newark, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 938) authorizing the Secretary of War to donate to the village of Sodus, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 939) authorizing the Secretary of War to donate to the City of Geneva, State of New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 940) authorizing the Secretary of War to donate to the town of Aurora, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 941) authorizing the Secretary of War to donate to the city of Canandaigua, State of New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 942) authorizing the Secretary of War to donate to the village of Penn Yan, State of New York, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 943) authorizing the Secretary of War to donate to the village of Covert, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 944) authorizing the Secretary of War to donate to the village of Interlaken, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 945) authorizing the Secretary of War to donate to the village of Shortsville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 946) authorizing the Secretary of War to donate to the village of Port Gibson, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 947) authorizing the Secretary of War to donate to the town of Caribou, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 948) authorizing the Secretary of War to donate to the town of Houlton, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 949) authorizing the Secretary of War to donate to the town of Milo, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 950) authorizing the Secretary of War to donate to the town of Dexter, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 951) authorizing the Secretary of War to donate to the town of Presque Isle, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 952) authorizing the Secretary of War to donate to the town of Island Falls, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 953) authorizing the Secretary of War to donate to the town of Dover, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 954) authorizing the Secretary of War to donate to the town of Fort Fairfield, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 955) granting a pension to Lydia A. Bodfish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 956) granting a pension to Maurice Roach; to the Committee on Pensions.

Also, a bill (H. R. 957) granting a pension to Jennie S. Avery; to the Committee on Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 958) for the relief of Anton Anderson; to the Committee on Claims.

Also (by request), a bill (H. R. 959) for the relief of Edward B. Fox, administrator of the last surviving partner of the firm of Child, Pratt & Fox; to the Committee on War Claims.

Also, a bill (H. R. 960) granting a pension to Georgianna J. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 961) granting a pension to Peter Thomassen; to the Committee on Pensions.

Also, a bill (H. R. 962) for the relief of the heirs of Robert Laird McCormick, deceased; to the Committee on Claims.

Also, a bill (H. R. 963) for the relief of John A. Olson; to the Committee on Claims.

Also, a bill (H. R. 964) to reimburse David J. Williams for cash shortage due to theft of public funds; to the Committee on Claims.

Also, a bill (H. R. 965) for the relief of H. Van Vlack & Co.; to the Committee on Claims.

Also, a bill (H. R. 966) for the relief of the Tacoma Tug & Barge Co.; to the Committee on Claims.

Also, a bill (H. R. 967) for the relief of Charles H. Fullerton; to the Committee on Claims.

Also, a bill (H. R. 968) to change the retired status of Chief Pay Clerk R. E. Ames, United States Navy, retired; to the Committee on Naval Affairs.

Also, a bill (H. R. 969) granting a pension to Jane Mathilda McDonald; to the Committee on Invalid Pensions.

Also, a bill (H. R. 970) granting a pension to Timothy O'Neill; to the Committee on Pensions.

Also, a bill (H. R. 971) for the relief of Joe F. Jenkins; to the Committee on Military Affairs.

Also, a bill (H. R. 972) for the relief of Augustus Sipple; to the Committee on Military Affairs.

Also, a bill (H. R. 973) for the relief of George H. Montgomery; to the Committee on Military Affairs.

Also, a bill (H. R. 974) for the relief of William McCutcheon; to the Committee on Military Affairs.

Also, a bill (H. R. 975) for the relief of Thomas J. K. Looney; to the Committee on Military Affairs.

Also, a bill (H. R. 976) for the relief of Lon Lewis, alias Alonzo E. Schneider; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 977) granting a pension to Margaret P. Long; to the Committee on Pensions.

Also, a bill (H. R. 978) granting an increase of pension to Margaret A. Osborn; to the Committee on Pensions.

Also, a bill (H. R. 979) authorizing the Secretary of War to donate to the city of Springfield, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 980) authorizing the Secretary of War to donate to the city of Lebanon, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 981) authorizing the Secretary of War to donate to the city of Campbellsville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 982) authorizing the Secretary of War to donate to the city of Greensburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 983) authorizing the Secretary of War to donate to the city of Hodgensville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 984) authorizing the Secretary of War to donate to the city of Bardstown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 985) authorizing the Secretary of War to donate to the city of Shepherdsville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 986) authorizing the Secretary of War to donate to the city of Elizabethtown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 987) authorizing the Secretary of War to donate to the city of Leitchfield, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 988) authorizing the Secretary of War to donate to the city of Hartford, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 989) authorizing the Secretary of War to donate to the city of Brandenburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 990) authorizing the Secretary of War to donate to the city of Munfordsville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 991) authorizing the Secretary of War to donate to the city of Hardinsburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 992) for the relief of Jacob W. Moyer; to the Committee on Military Affairs.

Also, a bill (H. R. 993) for the relief of Bertrand W. Heim; to the Committee on Military Affairs.

Also, a bill (H. R. 994) to reimburse the school district of the city of Bethlehem, Pa., for sums advanced on projects of the United States Housing Corporation; to the Committee on Claims.

Also, a bill (H. R. 995) authorizing the Secretary of War to donate to the city of Easton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 996) authorizing the Secretary of War to donate to the town of Northampton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 997) authorizing the Secretary of War to donate to the town of Mauch Chunk, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 998) authorizing the Secretary of War to donate to the town of Palmerton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 999) authorizing the Secretary of War to donate to the town of Nazareth, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1000) authorizing the Secretary of War to donate to the city of Bethlehem, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1001) authorizing the Secretary of War to donate to the town of Lehighton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1002) authorizing the Secretary of War to donate to the town of Stroudsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1003) authorizing the Secretary of War to donate to the town of Milford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 1004) granting a pension to Addie Evans; to the Committee on Pensions.

Also, a bill (H. R. 1005) granting a pension to Martha J. Morris; to the Committee on Invalid Pensions.

By Mr. LANHAM: A bill (H. R. 1006) granting an increase of pension to John A. Poe; to the Committee on Pensions.

Also, a bill (H. R. 1007) for the relief of C. L. Hampton; to the Committee on Claims.

Also, a bill (H. R. 1008) for the relief of C. P. McManus; to the Committee on Claims.

Also, a bill (H. R. 1009) for the relief of H. C. Mullins, his wife, and minor children; to the Committee on Claims.

Also, a bill (H. R. 1010) authorizing the Secretary of War to donate to the city of Granbury, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1011) authorizing the Secretary of War to donate to the city of Fort Worth, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1012) authorizing the Secretary of War to donate to the city of Glen Rose, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1013) authorizing the Secretary of War to donate to the city of Stephenville, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1014) authorizing the Secretary of War to donate to the city of Weatherford, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1015) authorizing the Secretary of War to donate to the city of Cleburne, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 1016) granting an increase of pension to James B. Bristow; to the Committee on Pensions.

Also, a bill (H. R. 1017) granting a pension to Harry J. Krolage; to the Committee on Pensions.

Also, a bill (H. R. 1018) granting a pension to Sarah J. Nagel; to the Committee on Pensions.

Also, a bill (H. R. 1019) granting a pension to Charles M. Conaway; to the Committee on Pensions.

Also, a bill (H. R. 1020) granting a pension to Christina Stenger; to the Committee on Pensions.

Also, a bill (H. R. 1021) granting an increase of pension to Amasa Johnston; to the Committee on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 1022) granting a pension to Mary Collum; to the Committee on Invalid Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 1023) granting a pension to Mrs. Rodia A. Sunifer; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 1024) granting a pension to Lewis V. Boyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1025) granting a pension to Benjamin H. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1026) granting a pension to Emily Eliza Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1027) granting a pension to Emma Pierce Sayce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1028) for the relief of Daniel H. Prunk; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 1029) granting an increase of pension to Andrew J. Duncan; to the Committee on Pensions.

Also, a bill (H. R. 1030) granting an increase of pension to May E. Bunn; to the Committee on Pensions.

Also, a bill (H. R. 1031) granting an increase of pension to Fletcher Duling; to the Committee on Pensions.

Also, a bill (H. R. 1032) granting a pension to Jennie Barker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1033) authorizing the Secretary of War to donate to the city of Ashland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1034) authorizing the Secretary of War to donate to the city of Coshocton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1035) authorizing the Secretary of War to donate to the city of Newark, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1036) authorizing the Secretary of War to donate to the city of Mount Vernon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1037) authorizing the Secretary of War to donate to the city of Delaware, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1038) authorizing the Secretary of War to donate to the city of Mansfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1039) authorizing the Secretary of War to donate to the city of Utica, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1040) authorizing the Secretary of War to donate to the city of Loudonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1041) authorizing the Secretary of War to donate to the city of Alexandria, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1042) authorizing the Secretary of War to donate to the city of Hebron, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1043) authorizing the Secretary of War to donate to the city of Granville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1044) authorizing the Secretary of War to donate to the city of Fredericktown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1045) authorizing the Secretary of War to donate to the city of Warsaw, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1046) authorizing the Secretary of War to donate to the city of West Lafayette, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1047) authorizing the Secretary of War to donate to the city of Ashley, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1048) authorizing the Secretary of War to donate to the city of Galena, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1049) authorizing the Secretary of War to donate to the city of Johnstown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1050) authorizing the Secretary of War to donate to the city of Gambier, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1051) authorizing the Secretary of War to donate to the city of Ankenytown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1052) authorizing the Secretary of War to donate to the city of Butler, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1053) authorizing the Secretary of War to donate to the city of Bellville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1054) authorizing the Secretary of War to donate to the city of Shiloh, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1055) authorizing the Secretary of War to donate to the city of Lexington, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1056) authorizing the Secretary of War to donate to the city of Plymouth, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1057) authorizing the Secretary of War to donate to the city of Shelby, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1058) authorizing the Secretary of War to donate to the city of Polk, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1059) authorizing the Secretary of War to donate to the city of Jeromesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1060) authorizing the Secretary of War to donate to the city of Sullivan, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1061) authorizing the Secretary of War to donate to the city of Conesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1062) authorizing the Secretary of War to donate to the twin cities of Danville and Buckeye City, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PARRISH: A bill (H. R. 1063) authorizing the Secretary of War to donate to Bowie Pelham Camp, of Bowie, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1064) authorizing the Secretary of War to donate to Victory Park, of Graham, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1065) authorizing the Secretary of War to donate to the county of Jack, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1066) authorizing the Secretary of War to donate to the county of Clay, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1067) authorizing the Secretary of War to donate to the county of Wichita, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1068) authorizing the Secretary of War to donate to the county of Archer, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1069) authorizing the Secretary of War to donate to the county of Throckmorton, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1070) authorizing the Secretary of War to donate to the county of Denton, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1071) authorizing the Secretary of War to donate to the county of Montague, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1072) authorizing the Secretary of War to donate to the county of Wilbarger, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1073) authorizing the Secretary of War to donate to the county of Cooke, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1074) authorizing the Secretary of War to donate to the county of Wise, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1075) authorizing the Secretary of War to donate to the county of Young, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 1076) granting a pension to Susan E. Allgood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1077) granting a pension to Annie Crill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1078) granting a pension to William D. Wheaton; to the Committee on Pensions.

Also, a bill (H. R. 1079) to correct the military record of John W. Terry; to the Committee on Military Affairs.

Also, a bill (H. R. 1080) authorizing the Secretary of War to donate to the city of Sigourney, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1081) authorizing the Secretary of War to donate to the city of What Cheer, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1082) authorizing the Secretary of War to donate to the city of Bloomfield, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1083) authorizing the Secretary of War to donate to the city of Newton, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1084) authorizing the Secretary of War to donate to the city of Colfax, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1085) authorizing the Secretary of War to donate to the city of Monroe, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1086) authorizing the Secretary of War to donate to the city of Oskaloosa, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1087) authorizing the Secretary of War to donate to the city of New Sharon, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1088) authorizing the Secretary of War to donate to the city of Albia, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1089) authorizing the Secretary of War to donate to the city of Montezuma, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1090) authorizing the Secretary of War to donate to the city of Grinnell, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1091) authorizing the Secretary of War to donate to the city of Ottumwa, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBSION: A bill (H. R. 1092) granting an increase of pension to Abby Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1093) granting an increase of pension to Mary D. Phillipi; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1094) granting an increase of pension to James W. Robinson; to the Committee on Pensions.

Also, a bill (H. R. 1095) granting an increase of pension to Lucy Hunt; to the Committee on Pensions.

Also, a bill (H. R. 1096) granting an increase of pension to James La Rue; to the Committee on Pensions.

Also, a bill (H. R. 1097) granting an increase of pension to Richard Stevens; to the Committee on Pensions.

Also, a bill (H. R. 1098) granting a pension to Elmer H. Weddle; to the Committee on Pensions.

Also, a bill (H. R. 1099) granting a pension to William M. Edwards; to the Committee on Pensions.

Also, a bill (H. R. 1100) granting an increase of pension to John D. Jones; to the Committee on Pensions.

Also, a bill (H. R. 1101) granting an increase of pension to John N. McCreary; to the Committee on Pensions.

Also, a bill (H. R. 1102) granting a pension to Charles Eversole; to the Committee on Pensions.

Also, a bill (H. R. 1103) granting a pension to George D. Hendrickson; to the Committee on Pensions.

Also, a bill (H. R. 1104) granting a pension to Hugh Sizemore; to the Committee on Pensions.

Also, a bill (H. R. 1105) granting a pension to Charles M. Green; to the Committee on Pensions.

Also, a bill (H. R. 1106) granting an increase of pension to Julia A. Marcum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1107) authorizing the Secretary of War to donate to the city of Harlan, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1108) authorizing the Secretary of War to donate to the city of Middlesboro, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1109) authorizing the Secretary of War to donate to the city of Pineville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1110) authorizing the Secretary of War to donate to the city of London, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1111) authorizing the Secretary of War to donate to the city of Williamsburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1112) authorizing the Secretary of War to donate to the city of Somerset, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1113) authorizing the Secretary of War to donate to the city of Monticello, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1114) authorizing the Secretary of War to donate to the city of Barbourville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1115) authorizing the Secretary of War to donate to the city of Corbin, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1116) authorizing the Secretary of War to donate to the city of Mount Vernon, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SANDERS of New York: A bill (H. R. 1117) granting an increase of pension to Raymond E. Daniels; to the Committee on Pensions.

Also, a bill (H. R. 1118) granting an increase of pension to Mary A. Bordwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1119) granting a pension to Elizabeth E. Ellicott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1120) for the relief of James Scroggs; to the Committee on Military Affairs.

Also, a bill (H. R. 1121) for the relief of James P. Cornes; to the Committee on Military Affairs.

Also, a bill (H. R. 1122) for the relief of James M. Byrne; to the Committee on Military Affairs.

By Mr. SUMMERS of Washington: A bill (H. R. 1123) granting an increase of pension to Simpson Hornaday; to the Committee on Pensions.

By Mr. CABLE: A bill (H. R. 1124) to renew and extend certain letters patent; to the Committee on Patents.

By Mr. SUMMERS of Washington: A bill (H. R. 1125) authorizing the Secretary of War to donate to the counties of Walla Walla, Whitman, and Yakima, State of Washington, six German cannons or fieldpieces each, for distribution by the boards of county commissioners; to the Committee on Military Affairs.

Also, a bill (H. R. 1126) authorizing the Secretary of War to donate to the counties of Adams, Asotin, Benton, Columbia, Franklin, Garfield, Grant, Kittitas, and Klickitat, State of Washington, three German cannons or fieldpieces each, for distribution by the boards of county commissioners; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 1127) to reimburse Henry H. Stevenson for safe destroyed by burglars; to the Committee on Claims.

Also, a bill (H. R. 1128) to reimburse Abbie J. Foster for safe destroyed by burglars; to the Committee on Claims.

Also, a bill (H. R. 1129) to reimburse the Farmers' Savings Bank of Brandon, Iowa, for currency destroyed by fire; to the Committee on Claims.

Also, a bill (H. R. 1130) to reimburse J. T. Thomas for currency destroyed by fire; to the Committee on Claims.

Also, a bill (H. R. 1131) authorizing and directing the payment of the claim of Edwin C. Foster; to the Committee on War Claims.

Also, a bill (H. R. 1132) authorizing the Secretary of War to donate to the city of Eagle Grove, State of Iowa, one German cannon or fieldpiece, to be placed on the lawn of the public library at said place; to the Committee on Military Affairs.

Also, a bill (H. R. 1133) authorizing the Secretary of War to donate to the city of Clarion, State of Iowa, one German cannon or fieldpiece, to be placed in courthouse park in said city; to the Committee on Military Affairs.

Also, a bill (H. R. 1134) authorizing the Secretary of War to donate to the city of Greene, State of Iowa, two German cannon or fieldpieces, to be placed in the J. Perrin Park in said city; to the Committee on Military Affairs.

Also, a bill (H. R. 1135) authorizing the Secretary of War to donate to the city of Worthington, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1136) authorizing the Secretary of War to donate to the Iowa Training School for Boys, located at Eldora, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1137) authorizing the Secretary of War to donate to the city of Eagle Grove, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1138) authorizing the Secretary of War to donate to the city of Lamont, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1139) authorizing the Secretary of War to donate to the city of Eldora, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1140) authorizing the Secretary of War to donate to the city of Dubuque, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1141) authorizing the Secretary of War to donate to the city of Laporte City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1142) authorizing the Secretary of War to donate to the city of Ackley, State of Iowa; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1143) authorizing the Secretary of War to donate to the city of Waverly, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1144) authorizing the Secretary of War to donate to the Fairview Cemetery Association, of Waterloo, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TOWNER: A bill (H. R. 1145) authorizing the Secretary of War to donate to the city of Lorimor, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1146) authorizing the Secretary of War to donate to the city of Lenox, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1147) authorizing the Secretary of War to donate to the city of Leon, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1148) authorizing the Secretary of War to donate to the city of Lamoni, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1149) authorizing the Secretary of War to donate to the city of Mount Ayr, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1150) authorizing the Secretary of War to donate to the city of Centerville, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1151) authorizing the Secretary of War to donate to the city of Corydon, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1152) authorizing the Secretary of War to donate to the city of Chariton, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1153) authorizing the Secretary of War to donate to the city of Osceola, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1154) authorizing the Secretary of War to donate to the city of Garden Grove, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1155) authorizing the Secretary of War to donate to the city of Afton, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1156) authorizing the Secretary of War to donate to the city of Corning, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1157) authorizing the Secretary of War to donate to the city of Bedford, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1158) authorizing the Secretary of War to donate to the city of Clarinda, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1159) authorizing the Secretary of War to donate to the city of Shenandoah, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1160) authorizing the Secretary of War to donate to the city of Creston, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1161) authorizing the Secretary of War to donate to the city of Sidney, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1162) authorizing the Secretary of War to donate to Hamburg, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 1163) granting an increase of pension to Nicholas Baggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1164) granting a pension to Clara H. Farnsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1165) for the relief of Paschall C. Hibbs; to the Committee on Military Affairs.

Also, a bill (H. R. 1166) for the relief of Reuben Clymer; to the Committee on Military Affairs.

Also, a bill (H. R. 1167) for the relief of George W. Horn; to the Committee on Military Affairs.

Also, a bill (H. R. 1168) authorizing the Secretary of War to donate to the borough of Lansdale, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1169) authorizing the Secretary of War to donate to the borough of Sellersville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1170) authorizing the Secretary of War to donate to the borough of Pottstown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1171) authorizing the Secretary of War to donate to the borough of Doylestown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1172) authorizing the Secretary of War to donate to the borough of Hulmeville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1173) authorizing the Secretary of War to donate to the borough of Langhorne, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1174) authorizing the Secretary of War to donate to the borough of Norristown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs;

Also, a bill (H. R. 1175) authorizing the Secretary of War to donate to the borough of Conshohocken, State of Pennsylvania,

one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1176) authorizing the Secretary of War to donate to the borough of Cheltenham, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1177) authorizing the Secretary of War to donate to the cemetery at Barren Hill, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1178) authorizing the Secretary of War to donate to the Glenside Post, No. 248, of Glenside, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 1179) authorizing the Secretary of War to donate to the town of Auburn, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1180) authorizing the Secretary of War to donate to the town of Blackstone, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1181) authorizing the Secretary of War to donate to the town of East Douglass, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1182) authorizing the Secretary of War to donate to the town of Grafton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1183) authorizing the Secretary of War to donate to the town of Hopkinton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1184) authorizing the Secretary of War to donate to the town of Hopedale, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1185) authorizing the Secretary of War to donate to the town of Mendon, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1186) authorizing the Secretary of War to donate to the town of Milford, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1187) authorizing the Secretary of War to donate to the town of Millbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1188) authorizing the Secretary of War to donate to the town of Millville, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1189) authorizing the Secretary of War to donate to the town of Northbridge, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1190) authorizing the Secretary of War to donate to the town of Shrewsbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1191) authorizing the Secretary of War to donate to the town of Sutton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1192) authorizing the Secretary of War to donate to the town of Upton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1193) authorizing the Secretary of War to donate to the town of Uxbridge, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1194) authorizing the Secretary of War to donate to the town of Westboro, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1195) authorizing the Secretary of War to donate to the city of Worcester, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 1196) authorizing the Secretary of War to donate to the city of Riverton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1197) authorizing the Secretary of War to donate to the city of Cedarville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1198) authorizing the Secretary of War to donate to the city of Bridgeton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1199) authorizing the Secretary of War to donate to the city of Hammonton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1200) authorizing the Secretary of War to donate to the city of Beverly, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1201) authorizing the Secretary of War to donate to the city of Ocean City, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1202) authorizing the Secretary of War to donate to the city of Wildwood, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1203) authorizing the Secretary of War to donate to the city of Cape May City, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1204) authorizing the Secretary of War to donate to Cape May Court House, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1205) authorizing the Secretary of War to donate to the city of Greenwich, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1206) authorizing the Secretary of War to donate to the city of Pleasantville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1207) authorizing the Secretary of War to donate to the city of Florence, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1208) authorizing the Secretary of War to donate to the city of Mount Holly, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1209) authorizing the Secretary of War to donate to the city of Riverside, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1210) authorizing the Secretary of War to donate to the city of Moorestown, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1211) authorizing the Secretary of War to donate to the city of Burlington, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1212) authorizing the Secretary of War to donate to the city of Vineland, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1213) authorizing the Secretary of War to donate to the city of Millville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1214) authorizing the Secretary of War to donate to the city of Atlantic City, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1215) authorizing the Secretary of War to donate to the city of Mays Landing, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1216) authorizing the Secretary of War to donate to the city of Egg Harbor, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BIRD: A bill (H. R. 1217) granting a pension to Benjamin F. Burch; to the Committee on Pensions.

By Mr. BLANTON: A bill (H. R. 1218) granting a pension to Nannie Sue Pickett; to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 1219) for the relief of the Van Dorn Iron Works Co.; to the Committee on Claims.

Also, a bill (H. R. 1220) for the relief of Frederick G. Barker; to the Committee on Claims.

By Mr. CABLE: A bill (H. R. 1221) granting a pension to Cerelda A. Robbins; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 1222) for the relief of C. L. Walker; to the Committee on Claims.

Also, a bill (H. R. 1223) granting a pension to Harry Vail; to the Committee on Pensions.

Also, a bill (H. R. 1224) granting an increase of pension to Dollie C. Goodell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1225) granting an increase of pension to Jerry Fitzpatrick; to the Committee on Pensions.

By Mr. CHINDBLOM: A bill (H. R. 1226) for the relief of James G. Weart; to the Committee on Claims.

Also, a bill (H. R. 1227) for the relief of Frank G. Emmes; to the Committee on Claims.

Also, a bill (H. R. 1228) authorizing the Secretary of War to donate to the city of Chicago, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1229) authorizing the Secretary of War to donate to the city of Evanston, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1230) authorizing the Secretary of War to donate to the town of Wilmette, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1231) authorizing the Secretary of War to donate to the town of Kenilworth, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1232) authorizing the Secretary of War to donate to the town of Hubbard Woods, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1233) authorizing the Secretary of War to donate to the town of Winnetka, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1234) authorizing the Secretary of War to donate to the town of Glencoe, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1235) authorizing the Secretary of War to donate to the city of Highland Park, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1236) authorizing the Secretary of War to donate to the city of Highwood, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1237) authorizing the Secretary of War to donate to the city of Lake Forest, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1238) authorizing the Secretary of War to donate to the town of Lake Bluff, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1239) authorizing the Secretary of War to donate to the city of North Chicago, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1240) authorizing the Secretary of War to donate to the city of Waukegan, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1241) authorizing the Secretary of War to donate to the city of Zion, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1242) authorizing the Secretary of War to donate to the town of Antioch, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1243) authorizing the Secretary of War to donate to the town of Grayslake, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1244) authorizing the Secretary of War to donate to the city of Libertyville, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1245) authorizing the Secretary of War to donate to the town of Wauconda, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1246) authorizing the Secretary of War to donate to the town of Winthrop Harbor, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COPLEY: A bill (H. R. 1247) granting a pension to Elmer F. Miller; to the Committee on Pensions.

Also, a bill (H. R. 1248) granting a pension to Florence Hall; to the Committee on Pensions.

Also, a bill (H. R. 1249) granting a pension to Daniel Lynch; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 1250) granting an increase of pension to Emma M. H. Haas; to the Committee on Pensions.

Also, a bill (H. R. 1251) for the relief of Edith Kreger; to the Committee on Claims.

Also, a bill (H. R. 1252) to remove the charge of desertion from the military record of John A. Douglas; to the Committee on Military Affairs.

Also, a bill (H. R. 1253) granting a pension to Mary A. Clegg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1254) granting a pension to Mary Schoneman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1255) granting a pension to Susan L. Paul; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1256) granting a pension to Mary A. Hicks; to the Committee on Invalid Pensions.

By Mr. CULLEN: A bill (H. R. 1257) for the relief of Swend A. Swendson; to the Committee on Claims.

Also, a bill (H. R. 1258) granting a pension to George H. Bruckner; to the Committee on Pensions.

Also, a bill (H. R. 1259) authorizing a survey of Bay Ridge and Red Hook Channels, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1260) authorizing the Secretary of War to donate to the borough of Brooklyn, State of New York, one German cannon or fieldpiece for Sunset Park; to the Committee on Military Affairs.

Also, a bill (H. R. 1261) authorizing the Secretary of War to donate to the borough of Brooklyn, State of New York, one German cannon or fieldpiece for Carroll Park; to the Committee on Military Affairs.

Also, a bill (H. R. 1262) authorizing the Secretary of War to donate to the borough of Brooklyn, State of New York, one German cannon or fieldpiece for Red Hook Park; to the Committee on Military Affairs.

By Mr. CURRY: A bill (H. R. 1263) for the relief of Charles L. McCulley; to the Committee on Naval Affairs.

Also, a bill (H. R. 1264) for the relief of Robert L. Brantley; to the Committee on Military Affairs.

Also, a bill (H. R. 1265) granting a pension to Lola A. Stevens; to the Committee on Invalid Pensions.

By Mr. CAREW (by request): A bill (H. R. 1266) to compensate the owners of the American steamship *Vindal* for damages and expenses in repairing the said steamship, and to make an appropriation therefor; to the Committee on War Claims.

Also (by request), a bill (H. R. 1267) to compensate the owners of the steamship *Brynhild* for damages and expenses in repairing the said steamship, and to make an appropriation therefor; to the Committee on War Claims.

By Mr. CURRY: A bill (H. R. 1268) for the relief of the Six Minute Ferry Co., of Vallejo, Calif.; to the Committee on Claims.

Also, a bill (H. R. 1269) for a preliminary survey of the Calaveras river in California with a view to the control of its floods; to the Committee on Flood Control.

By Mr. DALLINGER: A bill (H. R. 1270) granting a pension to Georgiana L. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1271) for the relief of Preston D. Alden; to the Committee on Military Affairs.

Also, a bill (H. R. 1272) granting a pension to Mary D. Jenness; to the Committee on Pensions.

Also, a bill (H. R. 1273) for the relief of Edward D. Black; to the Committee on Naval Affairs.

Also, a bill (H. R. 1274) for the relief of Maude H. Mosher; to the Committee on Claims.

Also, a bill (H. R. 1275) granting a pension to Charles McHugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1276) granting a pension to John A. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1277) to appropriate the sum of $4,000, to be paid to Alfred Roberts for personal injuries received at the United States customhouse in Boston, Mass.; to the Committee on Claims.

Also, a bill (H. R. 1278) authorizing the Secretary of War to donate to the town of Watertown, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1279) authorizing the Secretary of War to donate to the town of Winchester, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1280) authorizing the Secretary of War to donate to the town of Stoneham, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1281) authorizing the Secretary of War to donate to the town of Wakefield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1282) authorizing the Secretary of War to donate to the city of Medford, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1283) authorizing the Secretary of War to donate to the city of Melrose, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1284) authorizing the Secretary of War to donate to the city of Cambridge, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1285) authorizing the Secretary of War to donate to the town of Lexington, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1286) authorizing the Secretary of War to donate to the town of Arlington, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1287) authorizing the Secretary of War to donate to the town of Belmont, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 1288) granting a pension to Mary Ella Crout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1289) granting a pension to Hall Stanton Siner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1290) for the relief of Cornelius Dugan; to the Committee on Naval Affairs.

Also, a bill (H. R. 1291) for the relief of Mary Ellen Tiefenthaler (formerly Eagin), administratrix cum testamento annexo of Patrick Eagin, deceased, surviving partner of Donnelly & Co.; to the Committee on War Claims.

Also, a bill (H. R. 1292) for the relief of Gilbert Smith Galbraith, a commander on the active list of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 1293) for the relief of certain customs employees at the port of Philadelphia who served as acting customs guards during the war emergency; to the Committee on Ways and Means.

Also, a bill (H. R. 1294) for the relief of the heirs of R. M. Bryson; to the Committee on Claims.

Also, a bill (H. R. 1295) for the relief of the Mutual Fire, Marine & Inland Insurance Co. of Philadelphia, Pa., for stamp taxes illegally paid; to the Committee on Claims.

By Mr. DAVIS of Minnesota: A bill (H. R. 1296) for the relief of J. P. J. Johnston; to the Committee on Claims.

Also, a bill (H. R. 1297) for the relief of Anton H. Burg; to the Committee on Claims.

Also, a bill (H. R. 1298) for the relief of Fred Klossner; to the Committee on Claims.

Also, a bill (H. R. 1299) for the relief of Edward J. Klossner; to the Committee on Claims.

Also, a bill (H. R. 1300) for the relief of William E. Jones, Faribault, Minn.; to the Committee on Military Affairs.

Also, a bill (H. R. 1301) authorizing the Secretary of War to donate to Fort Ridgely, State of Minnesota, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1302) authorizing the Secretary of War to donate to the city of Zumbrota, State of Minnesota, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1303) authorizing the Secretary of War to donate to the city of Hutchinson, State of Minnesota, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1304) authorizing the Secretary of War to donate to the city of Faribault, State of Minnesota, two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1305) granting an increase of pension to John H. Dorsey; to the Committee on Pensions.

Also, a bill (H. R. 1306) providing for the purchase of a site and the erection of a public building at Northfield, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1307) for the construction of new lookouts in the post office at Red Wing, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1308) providing for the purchase of a site and the erection of a public building thereon at South St. Paul, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1309) for the purchase of a site for a Federal building at Hastings, Minn.; to the Committee on Public Buildings and Grounds.

Mr. DENISON: A bill (H. R. 1310) for the relief of Daniel Ward; to the Committee on Military Affairs.

Also, a bill (H. R. 1311) for the relief of Joshua Cavins; to the Committee on Military Affairs.

Also, a bill (H. R. 1312) for the relief of James Orange; to the Committee on Military Affairs.

Also, a bill (H. R. 1313) for the relief of Adam Louis Owens; to the Committee on Military Affairs.

Also, a bill (H. R. 1314) granting a pension to Eveline Shepherd White; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 1315) for the relief of Phil Livingston; to the Committee on Claims.

Also, a bill (H. R. 1316) for the relief of J. P. Littell; to the Committee on Claims.

By Mr. DRIVER: A bill (H. R. 1317) to authorize the Secretary of War to release the Kansas City & Memphis Railway & Bridge Co. from reconstructing its highway and approaches across its bridge at Memphis, Tenn.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1318) granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 1319) authorizing the Secretary of War to donate to the city of Osceola, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1320) authorizing the Secretary of War to donate to the city of Helena, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1321) authorizing the Secretary of War to donate to the city of Lake City, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1322) authorizing the Secretary of War to donate to the city of Piggott, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1323) authorizing the Secretary of War to donate to the city of Corning, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1324) authorizing the Secretary of War to donate to the city of Earl, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1325) authorizing the Secretary of War to donate to the city of Marvell, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1326) authorizing the Secretary of War to donate to the city of Marked Tree, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1327) authorizing the Secretary of War to donate to the city of Wynne, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1328) authorizing the Secretary of War to donate to the city of Jonesboro, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1329) authorizing the Secretary of War to donate to the city of Marmaduke, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1330) authorizing the Secretary of War to donate to the city of Rector, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1331) authorizing the Secretary of War to donate to the city of Paragould, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1332) authorizing the Secretary of War to donate to the city of Leachville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1333) authorizing the Secretary of War to donate to the city of Luxora, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1334) authorizing the Secretary of War to donate to the city of Marianna, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1335) authorizing the Secretary of War to donate to the city of Blytheville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1336) authorizing the Secretary of War to donate to the city of Forrest City, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1337) authorizing the Secretary of War to donate to the city of Marion, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1338) authorizing the Secretary of War to donate to the city of Harrisburg, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1339) donating a captured German cannon or fieldpiece, gun and carriage, to the American Legion of Woodruff County, Ark.; to the Committee on Military Affairs.

Also, a bill (H. R. 1340) granting a pension to Ruth Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1341) granting a pension to Margrett Mabery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1342) granting a pension to Thomas W. Breckenridge; to the Committee on Pensions.

Also, a bill (H. R. 1343) granting an increase of pension to Samuel P. Beck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1344) granting an increase of pension to William R. Boren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1345) granting an increase of pension to Jacob McKnight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1346) granting an increase of pension to John M. Thorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1347) granting an increase of pension to John Small; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1348) granting an increase of pension to Horace B. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1349) granting an increase of pension to Sarah L. Little; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1350) granting a pension to Thomas W. Breckenridge; to the Committee on Pensions.

Also, a bill (H. R. 1351) granting a pension to John H. Hollingworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1352) for the purchase of a site and the erection of a public building at Blytheville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1353) for the erection of a public building at Forrest City, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1354) to increase the limit of cost of the erection of a post-office building at Marianna, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1355) for the purchase of a site and the erection of a public building at Rector, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1356) for the purchase of a site and the erection of a public building at Earle, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1357) for the purchase of a site and the erection of a public building at Wynne, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. DUNBAR: A bill (H. R. 1358) granting an increase of pension to Alice A. Warner; to the Committee on Pensions.

Also, a bill (H. R. 1359) granting a pension to William H. Grimes; to the Committee on Pensions.

Also, a bill (H. R. 1360) granting an increase of pension to Charles Ingle; to the Committee on Pensions.

Also, a bill (H. R. 1361) granting a pension to James A. Haley; to the Committee on Pensions.

Also, a bill (H. R. 1362) for the relief of M. Fine & Sons; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 1363) granting an increase of pension to Annie Flowers; to the Committee on Pensions.

Also, a bill (H. R. 1364) authorizing the Secretary of War to donate to the city of St. Louis, Mo., four German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. DUPRÉ: A bill (H. R. 1365) granting a pension to Edmond Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1366) for the relief of I. C. Johnson, jr.; to the Committee on Naval Affairs.

Also, a bill (H. R. 1367) granting an increase of pension to Mary Fried; to the Committee on Pensions.

Also, a bill (H. R. 1368) granting a pension to James A. Coyne; to the Committee on Pensions.

Also, a bill (H. R. 1369) granting a pension to Henry Rudolph; to the Committee on Pensions.

Also, a bill (H. R. 1370) for the relief of Col. Herbert Deakyne, Corps of Engineers, United States Army; to the Committee on Claims.

Also, a bill (H. R. 1371) for the relief of Miss Lillian G. Friedrich; to the Committee on Claims.

Also, a bill (H. R. 1372) for the relief of the M. Feitel House Wrecking Co.; to the Committee on Claims.

Also, a bill (H. R. 1373) for the relief of George M. Leahy, receiver of the New Orleans Mechanics' Society, of New Orleans, in the State of Louisiana; to the Committee on War Claims.

Also, a bill (H. R. 1374) for the relief of Louise St. Gez, executrix of Auguste Ferré, deceased, surviving partner of Lepene & Ferré; to the Committee on War Claims.

Also, a bill (H. R. 1375) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Isabella Ann Fluker; to the Committee on War Claims.

By Mr. FESS: A bill (H. R. 1376) granting an increase of pension to Demmie Inman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1377) granting an increase of pension to Josiah Holbrook; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1378) granting a pension to Jane Hughes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1379) granting an increase of pension to Murray R. Marshall; to the Committee on Pensions.

Also, a bill (H. R. 1380) granting a pension to Bettie Cowels; to the Committee on Pensions.

Also, a bill (H. R. 1381) for the relief of Marie Patton; to the Committee on Claims.

Also, a bill (H. R. 1382) for the relief of Earl Smith; to the Committee on Claims.

Also, a bill (H. R. 1383) for the relief of John W. Kellough; to the Committee on Military Affairs.

Also, a bill (H. R. 1384) authorizing the Secretary of War to donate to the village of Bloomingburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1385) authorizing the Secretary of War to donate to the village of Bellbrook, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1386) authorizing the Secretary of War to donate to the village of Jeffersonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1387) authorizing the Secretary of War to donate to the village of Milford Center, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1388) authorizing the Secretary of War to donate to the city of Fairfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1389) authorizing the Secretary of War to donate to Wilberforce University, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1390) authorizing the Secretary of War to donate to the village of West Liberty, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1391) authorizing the Secretary of War to donate to the village of Blanchester, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1392) authorizing the Secretary of War to donate to the city of London, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1393) authorizing the Secretary of War to donate to the city of Washington Court House, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill, (H. R. 1394) authorizing the Secretary of War to donate to the village of Bloomingburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1395) authorizing the Secretary of War to donate to the Knights of Pythias Children's Home, of Springfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1396) authorizing the Secretary of War to donate to Pleasant View Cemetery, of Cable, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1397) authorizing the Secretary of War to donate to the village of Cedarville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1398) authorizing the Secretary of War to donate to the village of Marysville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1399) authorizing the Secretary of War to donate to Antioch College, in the village of Yellow Springs, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1400) authorizing the Secretary of War to donate to the village of Belle Center, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1401) authorizing the Secretary of War to donate to the village of Jamestown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1402) authorizing the Secretary of War to donate to the village of Bowersville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1403) authorizing the Secretary of War to donate to the village of Milledgeville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1404) authorizing the Secretary of War to donate to the Paint Township Cemetery, in Madison County, in the State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 1405) making an appropriation for the payment of special assessment for paving, curbing, and guttering of Lock Avenue, Louisa, Ky., adjacent to real estate owned by the United States and occupied by Government Lock No. 3; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1406) granting a pension to Ramey Whitaker; to the Committee on Pensions.

Also, a bill (H. R. 1407) granting a pension to Charles W. Willis; to the Committee on Pensions.

Also, a bill (H. R. 1408) granting an increase of pension to Louis G. Murray; to the Committee on Pensions.

Also, a bill (H. R. 1409) granting a pension to Rosie E. Crabtree; to the Committee on Pensions.

Also, a bill (H. R. 1410) granting a pension to Lida Kibbe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1411) granting a pension to Rebecca Jarrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1412) granting a pension to Edgar F. Bradley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1413) granting a pension to Kate Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1414) granting an increase of pension to Penelope Morton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1415) granting a pension to Elizabeth Jennings; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1416) granting a pension to Charles Kennan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1417) granting an annuity to Henry M. Hutchinson; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 1418) for the relief of James H. C. Mann; to the Committee on Military Affairs.

Also, a bill (H. R. 1419) for the relief of James R. McGuire; to the Committee on Military Affairs.

Also, a bill (H. R. 1420) for the relief of Lizzie Wilson; to the Committee on Claims.

Also, a bill (H. R. 1421) for the relief of Joseph E. Lindsey; to the Committee on War Claims.

By Mr. FITZGERALD: A bill (H. R. 1422) for the relief of Henry C. Williams; to the Committee on Military Affairs.

Also, a bill (H. R. 1423) for the relief of Herman Wagner, alias Henry Burnett; to the Committee on Military Affairs.

Also, a bill (H. R. 1424) for the relief of James H. Tucker; to the Committee on Military Affairs.

Also, a bill (H. R. 1425) for the relief of Jacob Shoup; to the Committee on Military Affairs.

Also, a bill (H. R. 1426) to correct the military record of Algernon N. Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 1427) for the relief of William L. Spivey; to the Committee on Military Affairs.

Also, a bill (H. R. 1428) for the relief of Garrett M. Martin; to the Committee on Military Affairs.

Also, a bill (H. R. 1429) for the relief of Allen Moore; to the Committee on Military Affairs.

Also, a bill (H. R. 1430) for the relief of Dock Leach; to the Committee on Military Affairs.

Also, a bill (H. R. 1431) for the relief of Sylvester Haus; to the Committee on Military Affairs.

Also, a bill (H. R. 1432) for the relief of James A. Flory; to the Committee on Military Affairs.

Also, a bill (H. R. 1433) for the relief of Samuel B. Faulkner; to the Committee on Military Affairs.

Also, a bill (H. R. 1434) for the relief of John M. V. Dutton; to the Committee on Military Affairs.

Also, a bill (H. R. 1435) for the relief of Louis Cupp; to the Committee on Military Affairs.

Also, a bill (H. R. 1436) for the relief of Jacob Ehla, alias Jacob Eby, alias John Ihle; to the Committee on Military Affairs.

Also, a bill (H. R. 1437) authorizing the Secretary of War to donate to the town of Hamilton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1438) authorizing the Secretary of War to donate to the town of Middletown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1439) authorizing the Secretary of War to donate to the town of Oxford, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1440) authorizing the Secretary of War to donate to the town of Brookville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1441) authorizing the Secretary of War to donate to the town of Eaton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1442) authorizing the Secretary of War to donate to the town of Miamisburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1443) authorizing the Secretary of War to donate to the town of West Alexandria, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1444) authorizing the Secretary of War to donate to the town of New Paris, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1445) authorizing the Secretary of War to donate to the town of Camden, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1446) authorizing the Secretary of War to donate to the town of Centerville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1447) authorizing the Secretary of War to donate to the town of Miltonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1448) authorizing the Secretary of War to donate to the town of Germantown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1449) authorizing the Secretary of War to donate to the town of Vandalia, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1450) authorizing the Secretary of War to donate to the town of Dayton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 1451) granting an increase of pension to Willis D. Clark; to the Committee on Pensions.

Also, a bill (H. R. 1452) granting relief to Evarts Walton Opie; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 1453) granting an increase of pension to Ellen B. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1454) granting a pension to Eugenie B. Bohnemann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1455) granting an increase of pension to Christine Miner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1456) granting a pension to Martha E. W. Briggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1457) to carry out the findings of the Court of Claims in the case of Edwin A. Bowen; to the Committee on War Claims.

Also, a bill (H. R. 1458) authorizing the Secretary of War to donate to the city of Belvidere, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GENSMAN: A bill (H. R. 1459) for the relief of Charles R. Powell; to the Committee on the Public Lands.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 1460) for the relief of the William Gordon Corporation; to the Committee on Claims.

Also, a bill (R. R. 1461) for the relief of the Metropolitan Lumber Co.; to the Committee on the Judiciary.

Also, a bill (H. R. 1462) to compensate the owners of the barge *McIlvaine No. 1* for damages and expenses in repairing the said barge and to make an appropriation therefor; to the Committee on Claims.

By Mr. GREEN of Iowa: A bill (H. R. 1463) for the relief of William Malone; to the Committee on Claims.

Also, a bill (H. R. 1464) for the relief of Anthony Wade; to the Committee on Claims.

By Mr. GRIFFIN: A bill (H. R. 1465) granting an increase of pension to John J. Powers; to the Committee on Pensions.

Also, a bill (H. R. 1466) for the relief of Dennis Shevlin; to the Committee on Military Affairs.

Also, a bill (H. R. 1467) for the relief of Thomas F. Kenny; to the Committee on Claims.

Also, a bill (H. R. 1468) authorizing the Secretary of War to donate to the borough of The Bronx, New York City, two German cannons or fieldpieces of artillery, to be used for memorial purposes; to the Committee on Military Affairs.

By Mr. HADLEY: A bill (H. R. 1469) granting a pension to Jessie A. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1470) for the relief of Frederick W. Seidell; to the Committee on Claims.

Also, a bill (H. R. 1471) granting a pension to Isola Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1472) for the relief of J. M. Farrell; to the Committee on Claims.

Also, a bill (H. R. 1473) for the relief of Emma Pierce; to the Committee on Claims.

Also, a bill (H. R. 1474) granting a pension to Peter Beebe; to the Committee on Pensions.

Also, a bill (H. R. 1475) providing for a grant of land to the State of Washington for a biological station and general research purposes; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 1476) granting an increase of pension to Joseph J. Nedd; to the Committee on Pensions.

Also, a bill (H. R. 1477) granting a pension to Claude H. Dean; to the Committee on Pensions.

Also, a bill (H. R. 1478) granting an increase of pension to Zara Dayton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1479) granting a pension to Margaret E. Craig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1480) granting a pension to Sylvia Farrington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1481) for the relief of James T. Farrill; to the Committee on Military Affairs.

Also, a bill (H. R. 1482) for the relief of James T. Farrill; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 1483) authorizing a preliminary examination to be made of the Colorado River, with a view to controlling the flood waters thereof; to the Committee on Flood Control.

By Mr. HAYS: A bill (H. R. 1484) granting a pension to Daniel Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1485) granting a pension to Jesse A. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1486) granting a pension to John M. Riddick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1487) granting a pension to Lucinda J. Henry; to the Committee on Pensions.

Also, a bill (H. R. 1488) granting an increase of pension to Julia E. Sherrill; to the Committee on Pensions.

Also, a bill (H. R. 1489) granting a pension to Annis Tatum; to the Committee on Pensions.

Also, a bill (H. R. 1490) granting a pension to James R. Carson; to the Committee on Pensions.

Also, a bill (H. R. 1491) authorizing the Secretary of War to donate to the city of Ava, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1492) authorizing the Secretary of War to donate to the city of Gainesville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1493) authorizing the Secretary of War to donate to the city of Forsyth, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1494) authorizing the Secretary of War to donate to the city of Ozark, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1495) authorizing the Secretary of War to donate to the city of Galena, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1496) authorizing the Secretary of War to donate to the city of Westplains, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1497) authorizing the Secretary of War to donate to the city of Jackson, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1498) authorizing the Secretary of War to donate to the city of Cape Girardeau, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1499) authorizing the Secretary of War to donate to the city of Benton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1500) authorizing the Secretary of War to donate to the city of Sikeston, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1501) authorizing the Secretary of War to donate to the city of Charleston, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1502) authorizing the Secretary of War to donate to the city of New Madrid, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1503) authorizing the Secretary of War to donate to the city of Caruthersville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1504) authorizing the Secretary of War to donate to the city of Hayti, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1505) authorizing the Secretary of War to donate to the city of Kennett, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1506) authorizing the Secretary of War to donate to the city of Bloomfield, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1507) authorizing the Secretary of War to donate to the city of Dexter, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1508) authorizing the Secretary of War to donate to the city of Poplar Bluff, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1509) authorizing the Secretary of War to donate to the city of Doniphan, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1510) authorizing the Secretary of War to donate to the city of Alton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 1511) authorizing the Secretary of War to donate to the village of Westbury, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1512) authorizing the Secretary of War to donate to the village of South Hampton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1513) authorizing the Secretary of War to donate to the village of Smithtown Branch, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1514) authorizing the Secretary of War to donate to the village of St. Albans, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1515) authorizing the Secretary of War to donate to the village of Sea Cliff, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1516) authorizing the Secretary of War to donate to the village of Mineola, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1517) authorizing the Secretary of War to donate to the village of Port Washington, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1518) authorizing the Secretary of War to donate to the village of New Hyde Park, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1519) authorizing the Secretary of War to donate to the village of Riverhead, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1520) authorizing the Secretary of War to donate to the village of Rockville Center, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1521) authorizing the Secretary of War to donate to the village of Roosevelt, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1522) authorizing the Secretary of War to donate to the village of Manhasset, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1523) authorizing the Secretary of War to donate to the village of Hicksville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1524) authorizing the Secretary of War to donate to the village of Greenlawn, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1525) authorizing the Secretary of War to donate to the village of East Rockaway, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1526) authorizing the Secretary of War to donate to the village of Central Islip, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1527) authorizing the Secretary of War to donate to the village of Centerport, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1528) authorizing the Secretary of War to donate to the village of Bayshore, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1529) authorizing the Secretary of War to donate to the village of Bellmore, State of New York, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1530) authorizing the Secretary of War to donate to the village of Bridgehampton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1531) authorizing the Secretary of War to donate to the village of Baldwin, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1532) authorizing the Secretary of War to donate to the village of West Babylon, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1533) authorizing the Secretary of War to donate to the armory of the National Guard at Flushing, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1534) authorizing the Secretary of War to donate to the district of Lawrence, comprising Cedarhurst, Woodmere, Hewlett, Inwood, and Lawrence, in the State of New York, one cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1535) granting an increase of pension to Henry Oelhoff; to the Committee on Pensions.

Also, a bill (H. R. 1536) to authorize the President of the United States to reappoint J. P. D. Shiebler a major of Infantry; to the Committee on Military Affairs.

Also, a bill (H. R. 1537) for the relief of Nellie Berman; to the Committee on Claims.

Also, a bill (H. R. 1538) for the relief of Alphonse Vulin; to the Committee on Claims.

Also, a bill (H. R. 1539) for the relief of Edwin Wicks; to the Committee on Claims.

Also, a bill (H. R. 1540) for the relief of Theodore Bloom; to the Committee on Claims.

Also, a bill (H. R. 1541) for the relief of Lillian D. Boone; to the Committee on Claims.

Also, a bill (H. R. 1542) for the relief of Mrs. W. Sharp; to the Committee on Claims.

Also, a bill (H. R. 1543) for the relief of Bertram Gardner; to the Committee on Claims.

Also, a bill (H. R. 1544) granting a pension to Marie Merz; to the Committee on Pensions.

Also, a bill (H. R. 1545) granting a pension to Sarah A. West; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1546) granting a pension to Emma J. Crocker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1547) granting a pension to William Southard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1548) granting a pension to Carrie E. Preston; to the Committee on Pensions.

By Mr. IRELAND: A bill (H. R. 1549) granting an increase of pension to Valentine B. Proehl; to the Committee on Pensions.

Also, a bill (H. R. 1550) authorizing a preliminary survey to be made of certain portions of the Illinois River and its tributaries; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1551) authorizing estimate of cost of improving a certain portion of the Illinois and Mississippi Rivers; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1552) for the relief of John E. Ramsden and Mary D. Ramsden; to the Committee on Interstate and Foreign Commerce.

By Mr. JEFFERIS: A bill (H. R. 1553) granting a pension to George E. Hyde; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1554) authorizing the Secretary of War to donate to the city of Omaha, State of Nebraska, three German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1555) authorizing the Secretary of War to donate to the town of Herman, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1556) authorizing the Secretary of War to donate to the town of Gretna, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1557) authorizing the Secretary of War to donate to the town of Waterloo, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1558) authorizing the Secretary of War to donate to the town of Millard, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1559) authorizing the Secretary of War to donate to the town of Springfield, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1560) authorizing the Secretary of War to donate to the town of Bellevue, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1561) authorizing the Secretary of War to donate to the town of Blair, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1562) authorizing the Secretary of War to donate to the city of Papillion, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1563) authorizing the Secretary of War to donate to the town of Arlington, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1564) authorizing the Secretary of War to donate to the town of Valley, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1565) authorizing the Secretary of War to donate to the town of Bennington, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1566) authorizing the Secretary of War to donate to the town of Elkhorn, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1567) authorizing the Secretary of War to donate to the town of Fort Calhoun, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JOHNSON of Kentucky: A bill (H. R. 1568) to carry out the findings of the Court of Claims in the case of Alexander Magruder; to the Committee on War Claims.

Also, a bill (H. R. 1569) to carry out the findings of the Court of Claims in the case of Robert Brodie; to the Committee on War Claims.

Also, a bill (H. R. 1570) to carry out the findings of the Court of Claims in the case of Frank M. Vowels; to the Committee on War Claims.

Also, a bill (H. R. 1571) to carry out the findings of the Court of Claims in the case of Daniel Sullivan; to the Committee on War Claims.

Also, a bill (H. R. 1572) to carry out the findings of the Court of Claims in the case of John C. Chamberlin; to the Committee on War Claims.

Also, a bill (H. R. 1573) for the relief of Frank Brownlee, administrator of the estate of John B. Brownlee, deceased; to the Committee on War Claims.

By Mr. JOHNSON of South Dakota: A bill (H. R. 1574) granting a pension to Eliza Hook Hinkle; to the Committee on Pensions.

Also, a bill (H. R. 1575) for the relief of Thomas E. Philips; to the Committee on Military Affairs.

Also, a bill (H. R. 1576) to renew patent No. 757,879, issued to Louisa M. Brown; to the Committee on Patents.

By Mr. JOHNSON of Washington: A bill (H. R. 1577) to provide a preliminary survey of Cowlitz River, Wash., with a view to control its floods; to the Committee on Flood Control.

Also, a bill (H. R. 1578) to provide a preliminary survey of the Puyallup River, Wash., with a view to control its floods; to the Committee on Flood Control.

Also, a bill (H. R. 1579) to validate the war-risk insurance of Warren O. Grimm, Ernest Dale Hubbard, Arthur McElfresh, and Ben Casagranda, who were murdered while parading in the uniform of the United States Army at Centralia, Wash., November 11, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Pennsylvania: A bill (H. R. 1580) granting a pension to William R. Potter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1581) for the relief of Calvin E. Dunlap; to the Committee on Military Affairs.

Also, a bill (H. R. 1582) for the relief of Zora B. Custer; to the Committee on Military Affairs.

By Mr. JONES of Texas: A bill (H. R. 1583) granting a pension to Olive Dixon; to the Committee on Pensions.

By Mr. KAHN: A bill (H. R. 1584) granting an increase of pension to Bernard J. Boldermann; to the Committee on Pensions.

Also, a bill (H. R. 1585) for the relief of Alexander Murray; to the Committee on Claims.

Also, a bill (H. R. 1586) for the relief of Emma D. Shackelford; to the Committee on War Claims.

Also, a bill (H. R. 1587) to authorize the appointment of Henry Nieman, sergeant, United States Army, retired, as first sergeant, United States Army, retired; to the Committee on Military Affairs.

Also, a bill (H. R. 1588) for the relief of John Bulotti; to the Committee on Claims.

Also, a bill (H. R. 1589) for the relief of Wong Wing, also known as Wong Wai; to the Committee on Claims.

Also, a bill (H. R. 1590) to place Maj. Gen. Hunter Liggett, retired by operation of law, on the retired list of the Army as lieutenant general; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 1591) granting a pension to Willie E. Persell; to the Committee on Pensions.

Also, a bill (H. R. 1592) granting an increase of pension to John H. Dale; to the Committee on Pensions.

Also, a bill (H. R. 1593) for the relief of the Post Publishing Co.; to the Committee on Claims.

Also, a bill (H. R. 1594) for the relief of Walter P. King; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 1595) authorizing the Secretary of War to donate to the borough of Hughesville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1596) authorizing the Secretary of War to donate to the town of Galeton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1597) authorizing the Secretary of War to donate to the town of Westfield, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1598) authorizing the Secretary of War to donate to the town of Coudersport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1599) authorizing the Secretary of War to donate to the city of Lock Haven, State of Pennsylvania, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1600) authorizing the Secretary of War to donate to the city of Williamsport, State of Pennsylvania, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1601) authorizing the Secretary of War to donate to the town of Wellsboro, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1602) authorizing the Secretary of War to donate to the town of Ralston, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1603) authorizing the Secretary of War to donate to the borough of Tioga, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1604) authorizing the Secretary of War to donate to the borough of Blossburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1605) authorizing the Secretary of War to donate to the town of Jersey Shore, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1606) authorizing the Secretary of War to donate to the town of Picture Rocks, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1607) authorizing the Secretary of War to donate to the town of Montgomery, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1608) authorizing the Secretary of War to donate to the town of Montoursville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1609) authorizing the Secretary of War to donate to the town of Muncy, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1610) authorizing the Secretary of War to donate to the town of Knoxville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1611) authorizing the Secretary of War to donate to the town of Elkland, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1612) authorizing the Secretary of War to donate to the town of Shingle House, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1613) for the relief of John A. Odell; to the Committee on Military Affairs.

Also, a bill (H. R. 1614) for the relief of Bernhard Steuber; to the Committee on Military Affairs.

Also, a bill (H. R. 1615) for the relief of Ashley H. Short; to the Committee on Military Affairs.

Also, a bill (H. R. 1616) to correct the military record of John S. Miller; to the Committee on Military Affairs.

Also, a bill (H. R. 1617) to correct the military record of George O. Pratt; to the Committee on Military Affairs.

Also, a bill (H. R. 1618) for the relief of Leonore M. Sorsby; to the Committee on Foreign Affairs.

Also, a bill (H. R. 1619) authorizing the Secretary of War to donate to the borough of Mansfield, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 1620) granting a pension to Wilber Peck; to the Committee on Pensions.

Also, a bill (H. R. 1621) granting an increase of pension to Ruth E. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1622) for the relief of J. C. Maxfield; to the Committee on Claims.

Also, a bill (H. R. 1623) granting an increase of pension to Joseph J. Johnson; to the Committee on Pensions.

Also, a bill (H. R. 1624) authorizing the Secretary of War to donate to the city of Farmington, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1625) authorizing the Secretary of War to donate to the city of Galva, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1626) authorizing the Secretary of War to donate to the town of Abingdon, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1627) authorizing the Secretary of War to donate to the town of Oneida, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1628) authorizing the Secretary of War to donate to the city of Kewanee, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1629) authorizing the Secretary of War to donate to the town of Yates City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1630) authorizing the Secretary of War to donate to the town of Orion, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1631) authorizing the Secretary of War to donate to the city of Cambridge, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1632) authorizing the Secretary of War to donate to the city of Lewistown, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1633) authorizing the Secretary of War to donate to the city of Rushville, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1634) authorizing the Secretary of War to donate to the city of Geneseo, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1635) authorizing the Secretary of War to donate to the city of Canton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1636) authorizing the Secretary of War to donate to the city of Galesburg, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1637) authorizing the Secretary of War to donate to the city of Quincy, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1638) authorizing the Secretary of War to donate to the town of Maquon, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1639) authorizing the Secretary of War to donate to the Soldiers' and Sailors' Home at Quincy, State of Illinois, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1640) for the relief of B. I. Bryant; to the Committee on Claims.

Also, a bill (H. R. 1641) to remove the charge of desertion from the military record of George H. Webb, alias George Hinman; to the Committee on Military Affairs.

Also, a bill (H. R. 1642) granting an increase of pension to Wesley Priest; to the Committee on Pensions.

Also, a bill (H. R. 1643) granting a pension to John Linean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1644) granting a pension to Harrison Lantz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1645) granting a pension to Daniel Guthrie; to the Committee on Pensions.

Also, a bill (H. R. 1646) granting an increase of pension to J. S. Dickinson; to the Committee on Pensions.

By Mr. KRAUS: A bill (H. R. 1647) granting an increase of pension to Mary Hollingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1648) granting a pension to Fred J. Driftmeyer; to the Committee on Pensions.

Also, a bill (H. R. 1649) granting an increase of pension to Charles M. Baughman; to the Committee on Pensions.

Also, a bill (H. R. 1650) to carry out the findings of the Court of Claims in the case of John R. Polk, late lieutenant colonel, Eighth Regiment Indiana Volunteer Infantry, Civil War; to the Committee on War Claims.

By Mr. LAYTON: A bill (H. R. 1651) granting an increase of pension to Harry Franklin Hastings; to the Committee on Pensions.

Also, a bill (H. R. 1652) for the relief of Moore L. Henry; to the Committee on Claims.

By Mr. LAZARO: A bill (H. R. 1653) for the relief of the legal representatives of the estate of Alphonse Desmare, deceased, and others; to the Committee on War Claims.

By Mr. LEA of California: A bill (H. R. 1654) granting an increase of pension to Alice L. Collins; to the Committee on Pensions.

Also, a bill (H. R. 1655) granting an increase of pension to Terrissa N. Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1656) for the relief of James Kesner; to the Committee on Military Affairs.

Also, a bill (H. R. 1657) authorizing the payment of salary due J. A. McCreary; to the Committee on War Claims.

Also, a bill (H. R. 1658) for the relief of the legal representatives of W. H. Mills, deceased; to the Committee on Claims.

Also, a bill (H. R. 1659) granting an increase of pension to Eliza F. Platt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1660) for the relief of Martin C. Rucker; to the Committee on Military Affairs.

Also, a bill (H. R. 1661) for the relief of Joseph A. Stevenson; to the Committee on Military Affairs.

Also, a bill (H. R. 1662) for the relief of Cornelia M. A. Tower; to the Committee on Claims.

By Mr. LINTHICUM: A bill (H. R. 1663) granting an increase of pension to Thomas Rolle; to the Committee on Pensions.

By Mr. LUCE: A bill (H. R. 1664) granting a pension to Annie M. O'Brien; to the Committee on Pensions.

Also, a bill (H. R. 1665) for the relief of Thomas Casey, alias Clancy; to the Committee on Military Affairs.

Also, a bill (H. R. 1666) granting a pension to Thomas Casey, alias Clancy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1667) granting a pension to Elisha R. Kenyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1668) for the relief of Laban H. Davies; to the Committee on Claims.

Also, a bill (H. R. 1669) for the relief of Ellen Driscoll; to the Committee on Claims.

Also, a bill (H. R. 1670) for the relief of Mrs. G. Abbott Rogers; to the Committee on Claims.

Also, a bill (H. R. 1671) for the relief of Thomas F. Veno; to the Committee on Claims.

Also, a bill (H. R. 1672) for the relief of Mary L. Flaherty; to the Committee on Claims.

By Mr. LUFKIN: A bill (H. R. 1673) for the relief of Franklin Madison; to the Committee on Military Affairs.

Also, a bill (H. R. 1674) granting an increase of pension to Carrie A. Chaplin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1675) granting a pension to Clara E. Chase; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1676) granting a pension to Harriet F. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1677) for the relief of Margaret F. Lane; to the Committee on Claims.

Also, a bill (H. R. 1678) for the relief of Frank P. Hoyt; to the Committee on Military Affairs.

Also, a bill (H. R. 1679) granting a pension to Augustus E. Orbeton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1680) granting a pension to Sarah A. Graves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1681) granting a pension to Charles W. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 1682) granting a pension to Mary E. Hiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1683) for the relief of Edith P. Friend; to the Committee on Claims.

Also, a bill (H. R. 1684) for the relief of Mrs. Herbert W. Bean; to the Committee on Claims.

Also, a bill (H. R. 1685) granting an increase of pension to Archie M. Leighton; to the Committee on Pensions.

Also, a bill (H. R. 1686) authorizing the Secretary of War to donate to the town of Amesbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1687) authorizing the Secretary of War to donate to the city of Beverly, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1688) authorizing the Secretary of War to donate to the town of Danvers, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1689) authorizing the Secretary of War to donate to the town of Essex, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1690) authorizing the Secretary of War to donate to the town of Georgetown, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1691) authorizing the Secretary of War to donate to the city of Gloucester, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1692) authorizing the Secretary of War to donate to the town of Groveland, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1693) authorizing the Secretary of War to donate to the town of Hamilton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1694) authorizing the Secretary of War to donate to the city of Haverhill, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1695) authorizing the Secretary of War to donate to the town of Ipswich, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1696) authorizing the Secretary of War to donate to the town of Manchester, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1697) authorizing the Secretary of War to donate to the town of Marblehead, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1698) authorizing the Secretary of War to donate to the town of Merrimac, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1699) authorizing the Secretary of War to donate to the town of Newbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1700) authorizing the Secretary of War to donate to the city of Newburyport, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1701) authorizing the Secretary of War to donate to the town of Rockport, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1702) authorizing the Secretary of War to donate to the town of Rowley, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1703) authorizing the Secretary of War to donate to the city of Salem, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1704) authorizing the Secretary of War to donate to the town of Salisbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1705) authorizing the Secretary of War to donate to the town of Swampscott, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1706) authorizing the Secretary of War to donate to the town of Topsfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1707) authorizing the Secretary of War to donate to the town of Wenham, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1708) authorizing the Secretary of War to donate to the town of West Newbury, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McCLINTIC: A bill (H. R. 1709) for the relief of William G. Phelps; to the Committee on Military Affairs.

By Mr. MACGREGOR: A bill (H. R. 1710) granting a pension to Loisa Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1711) granting a pension to Lena A. Belcher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1712) granting a pension to Levina Baize; to the Committee on Pensions.

Also, a bill (H. R. 1713) granting a pension to William Olday; to the Committee on Pensions.

Also, a bill (H. R. 1714) granting a pension to Margeret Judge; to the Committee on Pensions.

Also, a bill (H. R. 1715) granting a pension to Agnes E. Smith; to the Committee on Pensions.

Also, a bill (H. R. 1716) granting a pension to Arthur S. Hurlburt; to the Committee on Pensions.

Also, a bill (H. R. 1717) granting an increase of pension to Agnes B. Earl; to the Committee on Pensions.

Also, a bill (H. R. 1718) granting an increase of pension to Harry W. Feldman; to the Committee on Pensions.

Also, a bill (H. R. 1719) for the relief of Cosmo Palermo; to the Committee on Claims.

Also, a bill (H. R. 1720) for the relief of John C. Bush; to the Committee on Claims.

Also, a bill (H. R. 1721) to authorize the refund of a part of the purchase price of Camp Mills to the Buffalo Housewrecking & Salvage Co.; to the Committee on Claims.

Also, a bill (H. R. 1722) authorizing the Secretary of the Treasury to reimburse the International Brewing Co., of Buffalo, N. Y., for the loss of revenue stamps for fermented liquor; to the Committee on Claims.

Also, a bill (H. R. 1723) authorizing the payment of compensation to Edward J. Schaefer for the death of Ruth Stone Schaefer through an unlawful shot fired by a soldier in the service of the United States at Camp Alexander, Va.; to the Committee on Claims.

Also, a bill (H. R. 1724) authorizing the Secretary of War to donate to the village of Williamsville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1725) authorizing the Secretary of War to donate to the village of Elma, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1726) authorizing the Secretary of War to donate to the village of Marilla, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1727) authorizing the Secretary of War to donate to the village of Lancaster, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1728) authorizing the Secretary of War to donate to the village of Akron, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1729) authorizing the Secretary of War to donate to the village of Depew, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1730) authorizing the Secretary of War to donate to the village of Alden, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1731) authorizing the Secretary of War to donate to the city of Buffalo, State of New York, three German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1732) authorizing the Secretary of War to donate to the village of Clarence, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1733) for the relief of W. R. Grace & Co.; to the Committee on Claims.

Also, a bill (H. R. 1734) granting a pension to Dorothy D. Grabenstatter; to the Committee on Pensions.

By Mr. MADDEN: A bill (H. R. 1735) for the relief of the W. P. Nelson Co.; to the Committee on Claims.

Also, a bill (H. R. 1736) for the relief of Margaret G. Boudreaux; to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 1737) granting an increase of pension to Clara L. Conklin; to the Committee on Pensions.

Also, a bill (H. R. 1738) granting a pension to Johanna Lords; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 1739) granting an increase of pension to Jules J. Toffier; to the Committee on Pensions.

Also, a bill (H. R. 1740) for the relief of the heirs of Susan A. Nicholas; to the Committee on War Claims.

By Mr. MASON: A bill (H. R. 1741) for the relief of John M. Green; to the Committee on Military Affairs.

By Mr. MILLSPAUGH: A bill (H. R. 1742) for the relief of Duncan McCoy; to the Committee on Military Affairs.

Also, a bill (H. R. 1743) for the relief of Jacob F. Webb; to the Committee on Military Affairs.

Also, a bill (H. R. 1744) granting a pension to Arthur E. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1745) granting an increase of pension to Sarah J. White; to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 1746) granting a pension to Carrie M. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1747) for the relief of George D. Root; to the Committee on Claims.

By Mr. MOORES of Indiana: A bill (H. R. 1748) authorizing the Secretary of War to donate to the city of Indianapolis, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOORE of Virginia: A bill (H. R. 1749) for the relief of Asbury Scrivener; to the Committee on Military Affairs.

Also, a bill (H. R. 1750) for the relief of Fannie M. Higgins; to the Committee on Claims.

Also, a bill (H. R. 1751) for the relief of Julia A. Reid; to the Committee on Claims.

Also, a bill (H. R. 1752) for the relief of Ella V. Gordon; to the Committee on War Claims.

By Mr. MOTT: A bill (H. R. 1753) granting a pension to Juliet Ratchford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1754) for the relief of the estate of Isabella H. Silvey; to the Committee on War Claims.

By Mr. MONTAGUE: A bill (H. R. 1755) granting a pension to Carl Olson; to the Committee on Pensions.

Also, a bill (H. R. 1756) granting an increase of pension to Morris Adler; to the Committee on Pensions.

Also, a bill (H. R. 1757) for the relief of John B. H. Waring; to the Committee on Military Affairs.

Also, a bill (H. R. 1758) for the relief of the owners of the steamship *Mohican;* to the Committee on Claims.

Also, a bill (H. R. 1759) for the relief of the owners of the steam lighter *Comport;* to the Committee on Claims.

Also, a bill (H. R. 1760) for the relief of the owners of the barge *Anode;* to the Committee on Claims.

Also, a bill (H. R. 1761) for the relief of Ellen M. Willey; to the Committee on Claims.

Also, a bill (H. R. 1762) for the relief of the Gauley Mountain Coal Co.; to the Committee on Claims.

Also, a bill (H. R. 1763) for the relief of Bessie B. Fowlkes; to the Committee on Claims.

Also, a bill (H. R. 1764) for the relief of J. A. Leslie; to the Committee on Claims.

Also, a bill (H. R. 1765) authorizing the Secretary of War to donate to the town of West Point, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1766) authorizing the Secretary of War to donate to the city of Williamsburg, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1767) authorizing the Secretary of War to donate to the city of Richmond, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NOLAN: A bill (H. R. 1768) granting a pension to Nellie Masters; to the Committee on Pensions.

Also, a bill (H. R. 1769) for the relief of Harry J. Dabel; to the Committee on Claims.

Also, a bill (H. R. 1770) granting a pension to Maxwell Gray; to the Committee on Pensions.

Also, a bill (H. R. 1771) granting a pension to Charles A. Lyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1772) for the relief of Mary Curtin, widow of Michael Curtin; to the Committee on Military Affairs.

Also, a bill (H. R. 1773) for the relief of Patrick McNamee; to the Committee on Naval Affairs.

Also, a bill (H. R. 1774) granting an increase of pension to Arthur Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1775) for relief of Horatio S. Turrell, alias Horatio Seaward; to the Committee on Military Affairs.

Also, a bill (H. R. 1776) for the relief of George F. Stedman; to the Committee on Naval Affairs.

Also, a bill (H. R. 1777) authorizing the President of the United States to restore to the active list Daniel Moriarty, chief boatswain, United States Navy, retired; to the Committee on Naval Affairs.

Also, a bill (H. R. 1778) granting a pension to Robert F. Tietz; to the Committee on Pensions.

Also, a bill (H. R. 1779) granting an increase of pension to Ransom Griffin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1780) for the relief of Jasper J. Henry; to the Committee on Military Affairs.

Also, a bill (H. R. 1781) granting an increase of pension to James M. Wilson; to the Committee on Pensions.

Also, a bill (H. R. 1782) granting an increase of pension to Sarah E. Holton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1783) granting a pension to John H. Simmons; to the Committee on Pensions.

Also, a bill (H. R. 1784) for the relief of David Walker; to the Committee on Military Affairs.

Also, a bill (H. R. 1785) granting a pension to Katie Noblitt; to the Committee on Pensions.

Also, a bill (H. R. 1786) granting a pension to John Haight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1787) for the relief of James Ross; to the Committee on Naval Affairs.

Also, a bill (H. R. 1788) for the relief of Thomas Ford; to the Committee on Military Affairs.

Also, a bill (H. R. 1789) authorizing the Rolph Navigation & Coal Co. to sue the United States to recover damages resulting from collisions; to the Committee on Claims.

Also, a bill (H. R. 1790) authorizing the Commissioner of Navigation to cause the foreign-built steamers *Hawk* and *Port Saunders* to be documented as vessels of the United States for certain purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. O'CONNOR: A bill (H. R. 1791) granting a pension to Noelie Gilmore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1792) granting an increase of pension to Frank M. Schmehr; to the Committee on Pensions.

By Mr. OLIVER: A bill (H. R. 1793) to provide a preliminary survey of the Cahaba River, Ala., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 1794) to provide a preliminary survey of the Sipsey River, Ala., with a view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 1795) to provide a preliminary survey of the Cahaba River, Ala., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. OSBORNE: A bill (H. R. 1796) for the relief of Samuel T. Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 1797) for the relief of Charles D. Crego; to the Committee on Military Affairs.

Also, a bill (H. R. 1798) for the relief of Michael Sweeney; to the Committee on Military Affairs.

Also, a bill (H. R. 1799) for the relief of Andrew J. Bell; to the Committee on Military Affairs.

Also, a bill (H. R. 1800) for the relief of Arthur D. Moore; to the Committee on Military Affairs.

Also, a bill (H. R. 1801) for the relief of Robert Abernethy; to the Committee on Military Affairs.

Also, a bill (H. R. 1802) for the relief of John B. Elliott; to the Committee on Claims.

Also, a bill (H. R. 1803) for the relief of Austin G. Tainter; to the Committee on Claims.

Also, a bill (H. R. 1804) for the relief of the Citizens' National Bank, of Los Angeles, Calif.; to the Committee on Claims.

Also, a bill (H. R. 1805) for the relief of Henry Storm; to the Committee on Claims.

Also, a bill (H. R. 1806) granting a pension to Henry H. Snow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1807) granting an increase of pension to Alban E. Bentley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1808) granting a pension to Anna Greer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1809) granting a pension to Anna M. Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1810) granting an increase of pension to Rachel Melton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1811) granting a pension to Helen A. Seeker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1812) granting a pension to Hannah C. Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1813) granting a pension to Sarah J. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1814) granting a pension to Almira Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1815) granting a pension to Eleanor Lewis Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1816) granting a pension to Katherine Krauss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1817) granting a pension to Caroline C. Leach; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1818) granting a pension to Carl Schoppe; to the Committee on Pensions.

Also, a bill (H. R. 1819) granting a pension to William G. Bryce; to the Committee on Pensions.

Also, a bill (H. R. 1820) granting a pension to Claude W. Smyth; to the Committee on Pensions.

Also, a bill (H. R. 1821) granting a pension to Ackley R. Plumstead; to the Committee on Pensions.

Also, a bill (H. R. 1822) granting a pension to Delos M. Porter; to the Committee on Pensions.

Also, a bill (H. R. 1823) granting an increase of pension to Hannah Barney; to the Committee on Pensions.

Also, a bill (H. R. 1824) granting an increase of pension to Robert G. Clark; to the Committee on Pensions.

Also, a bill (H. R. 1825) granting a pension to Alice H. Von Pinnon; to the Committee on Pensions.

Also, a bill (H. R. 1826) for the relief of James Green; to the Committee on Naval Affairs.

Also, a bill (H. R. 1827) for the relief of Miles Swift; to the Committee on Naval Affairs.

By Mr. PARK of Georgia: A bill (H. R. 1828) authorizing the Secretary of War to donate to the city of Moultrie, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1829) authorizing the Secretary of War to donate to the city of Thomasville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1830) authorizing the Secretary of War to donate to the city of Bainbridge, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 1831) granting a pension to Elizabeth Swails; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1832) granting a pension to Ethel Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1833) granting a pension to Mary A. Rodman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1834) granting a pension to Minnie M. Field; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1835) granting a pension to Marshall E. Shutters; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1836) granting a pension to Mary J. Landes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1837) granting a pension to Clara R. Pearson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1838) granting an increase of pension to Theodore R. Harbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1839) granting a pension to Nancy J. Crum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1840) granting a pension to Kate Cobb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1841) granting an increase of pension to Elizabeth J. Deakyne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1842) granting an increase of pension to Mary E. Graham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1843) authorizing the Secretary of War to donate to the city of Attica, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1844) authorizing the Secretary of War to donate to the city of Delphi, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1845) authorizing the Secretary of War to donate to the city of Veedersburg, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1846) authorizing the Secretary of War to donate to the city of Lebanon, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1847) authorizing the Secretary of War to donate to the city of Covington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1848) authorizing the Secretary of War to donate to the city of Noblesville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1849) authorizing the Secretary of War to donate to the city of Kokomo, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1850) authorizing the Secretary of War to donate to the town of Linden, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1851) authorizing the Secretary of War to donate to the city of Frankfort, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1852) authorizing the Secretary of War to donate to the city of Tipton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1853) authorizing the Secretary of War to donate to the town of New Richmond, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1854) authorizing the Secretary of War to donate to the town of Sheridan, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1855) authorizing the Secretary of War to donate to the town of Thorntown, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1856) authorizing the Secretary of War to donate to the town of Wingate, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1857) authorizing the Secretary of War to donate to the city of Crawfordsville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1858) granting a pension to William Mendenhall; to the Committee on Pensions.

By Mr. REBER: A bill (H. R. 1859) for the relief of Thomas J. Rose; to the Committee on Military Affairs.

Also, a bill (H. R. 1860) for the relief of James Montgomery; to the Committee on Military Affairs.

Also, a bill (H. R. 1861) for the relief of Christian Reichert; to the Committee on Military Affairs.

Also, a bill (H. R. 1862) for the relief of Leroy Fisher; to the Committee on Claims.

Also, a bill (H. R. 1863) for the relief of Harry Callen; to the Committee on Claims.

Also, a bill (H. R. 1864) authorizing the Secretary of War to donate to the Miners' State Hospital, at Fountain Springs, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1865) authorizing the Secretary of War to donate to the town of McAdoo, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1866) authorizing the Secretary of War to donate to the town of Coaldale, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1867) authorizing the Secretary of War to donate to the town of Hegins, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1868) authorizing the Secretary of War to donate to the town of Ringtown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1869) authorizing the Secretary of War to donate to the town of Gordon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1870) authorizing the Secretary of War to donate to the town of Silver Creek, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1871) authorizing the Secretary of War to donate to the town of Girardville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1872) authorizing the Secretary of War to donate to the town of Frackville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1873) authorizing the Secretary of War to donate to the city of Schuylkill Haven, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1874) authorizing the Secretary of War to donate to the town of Tremont, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1875) authorizing the Secretary of War to donate to the town of Minersville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1876) authorizing the Secretary of War to donate to the city of Pottsville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1877) authorizing the Secretary of War to donate to the town of Port Carbon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1878) authorizing the Secretary of War to donate to the town of St. Clair, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1879) authorizing the Secretary of War to donate to the town of Tamaqua, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1880) authorizing the Secretary of War to donate to the town of Mahanoy City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1881) authorizing the Secretary of War to donate to the town of Tower City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1882) authorizing the Secretary of War to donate to the town of Pine Grove, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1883) authorizing the Secretary of War to donate to the town of Auburn, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1884) authorizing the Secretary of War to donate to the town of Orwigsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1885) authorizing the Secretary of War to donate to Theodore Roosevelt Camp, No. 25, Department of Pennsylvania, of Shenandoah, Pa., one German cannon or fieldpiece, to be placed on a plat of ground in the Annunciation Cemetery for the burial of deceased members; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 1886) granting a pension to Mary T. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1887) for the relief of Milton M. Fenner; to the Committee on Naval Affairs.

By Mr. REED of West Virginia: A bill (H. R. 1888) granting a pension to Joseph Miley; to the Committee on Invalid Pensions.

By Mr. RIDDICK: A bill (H. R. 1889) granting a pension to W. Orville Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1890) granting a pension to James Duffy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1891) granting a pension to Alonzo Hazelton Hatch; to the Committee on Pensions.

Also, a bill (H. R. 1892) for the relief of L. A. McMullen; to the Committee on Claims.

Also, a bill (H. R. 1893) for the relief of George Emerson; to the Committee on Claims.

Also, a bill (H. R. 1894) for the relief of Loren S. Foot; to the Committee on Claims.

By Mr. RIORDAN: A bill (H. R. 1895) granting an increase of pension to Harriet K. Bailie; to the Committee on Pensions.

Also, a bill (H. R. 1896) for the relief of the heirs of Rocco De Muccio; to the Committee on Claims.

Also, a bill (H. R. 1897) for the relief of the widow and next of kin of James J. Curran; to the Committee on Claims.

Also, a bill (H. R. 1898) for the relief of the R. S. Howard Co.; to the Committee on Claims.

Also, a bill (H. R. 1899) for the relief of Nat Wolf; to the Committee on Claims.

Also, a bill (H. R. 1900) for the adjudication by the Court of Claims of the claims of George Chorpenning under contracts with the United States for carrying the mails; to the Committee on Claims.

Also, a bill (H. R. 1901) for the relief of William H. Sullivan; to the Committee on Claims.

Also, a bill (H. R. 1902) for the relief of Clarence F. Birkett; to the Committee on Claims.

Also, a bill (H. R. 1903) for the relief of Thomas Crowley; to the Committee on Claims.

Also, a bill (H. R. 1904) for the relief of Bridget McGrane; to the Committee on Claims.

Also, a bill (H. R. 1905) for the relief of Cataldo Bellanova; to the Committee on Claims.

Also, a bill (H. R. 1906) providing for a survey of Great Kills, Staten Island, N. Y.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1907) authorizing the Secretary of War to donate to the city of New York, borough of Richmond, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1908) for the relief of James Frazier; to the Committee on Claims.

By Mr. ROACH: A bill (H. R. 1909) granting a pension to Mary A. Lutz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1910) granting a pension to Nancy A. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1911) for the relief of the Thompson-Vache Boat Co., of Bonnots Mill, Mo.; to the Committee on Claims.

By Mr. ROGERS: A bill (H. R. 1912) for the relief of Mayhew A. Ross; to the Committee on Claims.

Also, a bill (H. R. 1913) for the relief of Arthur H. Bagshaw; to the Committee on Claims.

By Mr. ROSENBLOOM: A bill (H. R. 1914) authorizing the Secretary of War to donate to the city of Grafton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1915) authorizing the Secretary of War to donate to the city of Fairmont, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1916) authorizing the Secretary of War to donate to the city of New Martinsville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1917) authorizing the Secretary of War to donate to the city of Moundsville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1918) authorizing the Secretary of War to donate to the city of Wheeling, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1919) authorizing the Secretary of War to donate to the city of Wellsburg, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1920) authorizing the Secretary of War to donate to the city of New Cumberland, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SANDLIN: A bill (H. R. 1921) authorizing the Secretary of War to donate to the city of Arcadia, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1922) authorizing the Secretary of War to donate to the city of Homer, in the State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1923) authorizing the Secretary of War to donate to the city of Minden, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1924) authorizing the Secretary of War to donate to the city of Benton, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1925) authorizing the Secretary of War to donate to the city of Mansfield, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1926) authorizing the Secretary of War to donate to the city of Coushatta, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1927) authorizing the Secretary of War to donate to the city of Shreveport, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCHALL: A bill (H. R. 1928) granting an increase of pension to John Ferriter; to the Committee on Pensions.

Also, a bill (H. R. 1929) granting a pension to Mary A. Sims; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1930) authorizing the Secretary of War to donate to the village of Lindstrom, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1931) authorizing the Secretary of War to donate to the village of Annandale, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1932) authorizing the Secretary of War to deliver for ornamental purposes one captured cannon, machine gun, or fieldpiece to the following Minnesota villages: Center City, Chisago City, North Branch, Rush City, Taylors Falls, Excelsior, Hopkins, Robbinsdale, St. Louis Park, Wayzata, Braham, Cambridge, Morra, Princeton, Hinckley, Pine City, Sandstone, Buffalo, Delano, Howard Lake; to the Committee on Military Affairs.

Also, a bill (H. R. 1933) authorizing the Secretary of War to donate to the village of Anoka, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1934) authorizing the Secretary of War to donate to the village of Monticello, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1935) authorizing the Secretary of War to donate to the city of Minneapolis, State of Minnesota, eight German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 1936) to donate one captured machine gun to each of the villages of Ogilvie and Milaca, Minn.; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 1937) granting an increase of pension to William W. Jordan; to the Committee on Pensions.

Also, a bill (H. R. 1938) granting an increase of pension to Patrick Flood; to the Committee on Pensions.

Also, a bill (H. R. 1939) for the relief of Mrs. T. E. S. Cates; to the Committee on Claims.

Also, a bill (H. R. 1940) for the relief of the Southern Iron & Metal Co., Jacksonville, Fla.; to the Committee on Claims.

Also, a bill (H. R. 1941) to provide for the refund of entrance and clearance fees erroneously collected by the customs authorities from the Peninsular & Occidental Steamship Co.; to the Committee on Claims.

Also, a bill (H. R. 1942) for the relief of the owners of the dredge *Maryland;* to the Committee on Claims.

By Mr. SHREVE: a bill (H. R. 1943) granting an increase of pension to Caroline I. Minneley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1944) granting a pension to Mary A. Crate; to the Committee on Pensions.

By Mr. SINNOTT: A bill (H. R. 1945) for the relief of E. W. McComas; to the Committee on the Public Lands.

Also, a bill (H. R. 1946) for the relief of Milburn Knapp; to the Committee on Claims.

By Mr. SMITH: A bill (H. R. 1947) granting a pension to Dora Richter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1948) for the relief of Virgil O. McWhorter; to the Committee on Claims.

Also, a bill (H. R. 1949) for the relief of Richard J. Easton; to the Committee on Naval Affairs.

By Mr. SNYDER: A bill (H. R. 1950) granting a pension to August Richards; to the Committee on Pensions.

Also, a bill (H. R. 1951) granting a pension to Parthena S. Tennant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1952) granting a pension to Mildred O'Mara; to the Committee on Pensions.

Also, a bill (H. R. 1953) granting a pension to Hannah R. Grant; to the Committee on Pensions.

Also, a bill (H. R. 1954) granting an increase of pension to Charles E. Benson; to the Committee on Pensions.

Also, a bill (H. R. 1955) granting a pension to Ferdinand Buhler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1956) to carry out the findings of the Court of Claims in the case of Martin H. Mullin; to the Committee on Claims.

By Mr. SPROUL: A bill (H. R. 1957) granting a pension to Marguerite B. Fitzgerald; to the Committee on Pensions.

By Mr. STEAGALL: A bill (H. R. 1958) granting a pension to William H. Baird; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 1959) granting a pension to Ole L. Rindahl; to the Committee on Pensions.

Also, a bill (H. R. 1960) for the relief of William Roof; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas: A bill (H. R. 1961) authorizing the Secretary of War to donate to the city of Ennis, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1962) authorizing the Secretary of War to donate to the city of Dallas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1963) authorizing the Secretary of War to donate to State Fair Association of Texas, Dallas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1964) for the appointment of William Edward Tidwell as first lieutenant in the United States Army; to the Committee on Military Affairs.

Also, a bill (H. R. 1965) for the relief of Mrs. D. Montgomery; to the Committee on Claims.

By Mr. SWANK: A bill (H. R. 1966) granting an increase of pension to Elijah P. Higgins; to the Committee on Pensions.

Also, a bill (H. R. 1967) granting a pension to James E. Mulford; to the Committee on Pensions.

Also, a bill (H. R. 1968) granting an increase of pension to Jacob Amberg; to the Committee on Pensions.

By Mr. TAGUE: A bill (H. R. 1969) to enlarge and extend the immigration station at East Boston, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1970) granting a pension to George E. P. Mitchell; to the Committee on Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 1971) granting a pension to Serelda Pargin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1972) granting a pension to Hattie E. Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1973) granting an increase of pension to Ellen G. Cassedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1974) for the relief of John R. Smith, deceased; to the Committee on Military Affairs.

Also, a bill (H. R. 1975) for the relief of Henry C. Hickman; to the Committee on Claims.

Also, a bill (H. R. 1976) for the reimbursement of James E. Murphy for the loss of a horse while hired by the United States Reclamation Service; to the Committee on Claims.

Also, a bill (H. R. 1977) for the relief of Jose Ramon Cordova; to the Committee on Claims.

Also, a bill (H. R. 1978) for the reimbursement of James Caviness for the loss of his residence while occupied as camp headquarters by United States Geological Survey; to the Committee on Claims.

Also, a bill (H. R. 1979) for the relief of Jacob Holman; to the Committee on Claims.

By Mr. THOMAS: A bill (H. R. 1980) authorizing the Secretary of War to donate to the town of Central City, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1981) authorizing the Secretary of War to donate to the town of Elkton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1982) authorizing the Secretary of War to donate to the town of Edmonton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1983) authorizing the Secretary of War to donate to the town of Brownsville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1984) authorizing the Secretary of War to donate to the town of Morgantown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1985) authorizing the Secretary of War to donate to the town of Scottsville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1986) authorizing the Secretary of War to donate to the city of Bowling Green, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1987) authorizing the Secretary of War to donate to the town of Franklin, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1988) authorizing the Secretary of War to donate to the town of Glasgow, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1989) authorizing the Secretary of War to donate to the town of Greenville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 1990) authorizing the Secretary of War to donate to the town of Russellville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 1991) granting a pension to Eliza Hoffman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1992) granting an increase of pension to Frank A. Bohn; to the Committee on Invalid Pensions.

Also, bill (H. R. 1993) granting an increase of pension to Elias B. Hill; to the Committee on Pensions.

Also, a bill (H. R. 1994) granting a pension to Harmon E. Deck; to the Committee on Pensions.

Also, a bill (H. R. 1995) granting an increase of pension to Bruce E. Townsend; to the Committee on Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 1996) for the relief of the estate of Jarib L. Sanderson, deceased; to the Committee on Claims.

Also, a bill (H. R. 1997) granting a pension to Hulda Flatt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 1998) granting a pension to Elizabeth Leher; to the Committee on Pensions.

Also, a bill (H. R. 1999) granting a pension to Chester E. Green; to the Committee on Pensions.

Also, a bill (H. R. 2000) granting a pension to Laura E. Pengelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2001) to remove the charge of desertion from the military record of Warren R. Reed; to the Committee on Military Affairs.

Also, a bill (H. R. 2002) to remove the charge of desertion from the military record of Matthew Thomas; to the Committee on Military Affairs.

Also, a bill (H. R. 2003) for the relief of Hubert Reynolds; to the Committee on Claims.

Also, a bill (H. R. 2004) for the relief of Frank Ferrin; to the Committee on Military Affairs.

Also, a bill (H. R. 2005) for the relief of Michael Curran; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 2006) granting a pension to James E. (Jim) Sebring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2007) granting a pension to Annie V. Benedict; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2008) granting a pension to Lydia B. Ellis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2009) granting a pension to Ollie M. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2010) granting a pension to Susie M. Anderson; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 2011) granting a pension to Patrick W. O'Donnell; to the Committee on Pensions.

Also, a bill (H. R. 2012) for the relief of the city of Boston; to the Committee on Claims.

By Mr. TOWNER: A bill (H. R. 2013) granting an increase of pension to Millard F. Lash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2014) granting an increase of pension to Walter A. Fleming; to the Committee on Pensions.

By Mr. TYSON: A bill (H. R. 2015) authorizing the Secretary of War to donate to the city of Bay Minette, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2016) authorizing the Secretary of War to donate to the city of Brewton, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2017) authorizing the Secretary of War to donate to the city of Greenville, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2018) authorizing the Secretary of War to donate to the city of Camden, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2019) authorizing the Secretary of War to donate to the city of Luverne, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2020) authorizing the Secretary of War to donate to the city of Montgomery, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2021) authorizing the Secretary of War to donate to the city of Andalusia, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2022) authorizing the Secretary of War to donate to the city of Evergreen, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. VAILE: A bill (H. R. 2023) authorizing the President to appoint Thomas F. Long, a lieutenant (senior grade) in the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 2024) authorizing the Secretary of War to donate to certain municipalities in the State of Colorado certain pieces of ordnance; to the Committee on Military Affairs.

Also, a bill (H. R. 2025) authorizing and directing the Secretary of War to donate to the city and county of Denver, in the State of Colorado, six German guns or fieldpieces, with carriages, with an appropriate number of shells; to the Committee on Military Affairs.

Also, a bill (H. R. 2026) granting an increase of pension to Matthew Paul; to the Committee on Pensions.

Also, a bill (H. R. 2027) granting an increase of pension to David A. Gardner; to the Committee on Pensions.

Also, a bill (H. R. 2028) for the relief of Stephen Olop; to the Committee on Claims.

Also, a bill (H. R. 2029) for the relief of Maj. Dean Monahan; to the Committee on Military Affairs.

Also, a bill (H. R. 2030) granting an increase of pension to Julia E. Hoadley; to the Committee on Pensions.

Also, a bill (H. R. 2031) granting a pension to Joseph Holtz; to the Committee on Pensions.

Also, a bill (H. R. 2032) granting an increase of pension to Kate M. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2033) granting a pension to John Tomlinson; to the Committee on Pensions.

Also, a bill (H. R. 2034) granting an increase of pension to George C. Hazeltine; to the Committee on Pensions.

Also, a bill (H. R. 2035) for the relief of Edward H. Lockwood; to the Committee on Military Affairs.

Also, a bill (H. R. 2036) for the relief of Sarah T. Chamberlain; to the Committee on Claims.

Also, a bill (H. R. 2037) for the relief of Elizabeth T. Wells; to the Committee on Military Affairs.

Also, a bill (H. R. 2038) for the relief of Hannah Parker; to the Committee on Military Affairs.

Also, a bill (H. R. 2039) for the relief of Richard A. Schwab; to the Committee on Claims.

Also, a bill (H. R. 2040) granting an increase of pension to David M. Hammond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2041) granting an increase of pension to Everill J. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2042) for the relief of William C. Brown; to the Committee on Military Affairs.

Also, a bill (H. R. 2043) for the relief of Mark A. Skinner; to the Committee on Claims.

Also, a bill (H. R. 2044) granting an increase of pension to Hugh O. Neville; to the Committee on Pensions.

Also, a bill (H. R. 2045) for the relief of Dennis Sexton; to the Committee on Claims.

Also, a bill (H. R. 2046) for the relief of John Doyle, alias John Geary; to the Committee on Military Affairs.

Also, a bill (H. R. 2047) granting a pension to Margaret Coyle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2048) granting a pension to Adelia A. Dell; to the Committee on Pensions.

By Mr. VARE: A bill (H. R. 2049) for the relief of the Delaware River Lightering Co.; to the Committee on Claims.

By Mr. VOLSTEAD: A bill (H. R. 2050) for the relief of Ole Thorpe; to the Committee on the Public Lands.

Also, a bill (H. R. 2051) granting a pension to Agnes O'Brien; to the Committee on Pensions.

Also, a bill (H. R. 2052) authorizing the Secretary of War to donate to the city of Ortonville, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2053) authorizing the Secretary of War to donate to the city of Montevideo, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2054) authorizing the Secretary of War to donate to the city of Willmar, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2055) authorizing the Secretary of War to donate to the city of Madison, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2056) authorizing the Secretary of War to donate to the city of Alexandria, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2057) authorizing the Secretary of War to donate to the town of Elbow Lake, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2058) authorizing the Secretary of War to donate to the city of Marshall, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2059) authorizing the Secretary of War to donate to the city of Litchfield, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2060) authorizing the Secretary of War to donate to the city of Glenwood, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2061) authorizing the Secretary of War to donate to the town of Olivia, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2062) authorizing the Secretary of War to donate to the city of Morris, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2063) authorizing the Secretary of War to donate to the city of Benson, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2064) authorizing the Secretary of War to donate to the town of Wheaton, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2065) authorizing the Secretary of War to donate to the city of Granite Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALSH: A bill (H. R. 2066) making an appropriation for compensation of the personnel of the steamer *Phalarope* of the Bureau of Fisheries; to the Committee on Appropriations.

By Mr. WARD of New York: A bill (H. R. 2067) for the relief and reimbursement of Cora T. Dering; to the Committee on Claims.

Also, a bill (H. R. 2068) for the relief of Maj. R. W. Gausmann; to the Committee on Claims.

Also, a bill (H. R. 2069) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claim of Robert B. Keller for extra pay under amended statute and overtime pay as coal inspector of the Steamboat-Inspection Service of the United States; to the Committee on Claims.

By Mr. WHITE of Maine: A bill (H. R. 2070) granting a pension to Lizzie J. Levensaler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2071) granting a pension to Ellen Hoctor; to the Committee on Pensions.

Also, a bill (H. R. 2072) granting a pension to David F. Mansfield; to the Committee on Pensions.

Also, a bill (H. R. 2073) granting a pension to Rosa Glass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2074) granting a pension to Alice D. Day; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2075) granting a pension to Herbert A. Mecham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2076) granting a pension to Adaline M. Hannaford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2077) for the relief of Willard F. Delano; to the Committee on Claims.

Also, a bill (H. R. 2078) granting an increase of pension to Cornelius Conley, alias Cornelius Connelly; to the Committee on Pensions.

Also, a bill (H. R. 2079) granting a pension to Evelyn R. Barlow; to the Committee on Invalid Pensions.

By Mr. WINGO: A bill (H. R. 2080) for the relief of Benjamin F. Reams; to the Committee on Military Affairs.

Also, a bill (H. R. 2081) for the relief of James M. Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 2082) for the relief of the legal representatives of Thomas H. Rogers, deceased; to the Committee on Claims.

Also, a bill (H. R. 2083) for the relief of Silas Shepherd; to the Committee on Military Affairs.

Also, a bill (H. R. 2084) for the relief of Wesley Maynor; to the Committee on Military Affairs.

Also, a bill (H. R. 2085) for the relief of James M. Wright; to the Committee on Military Affairs.

Also, a bill (H. R. 2086) for the relief of the estate of William Alger Varner; to the Committee on Claims.

Also, a bill (H. R. 2087) to correct the military record of Thomas Lee; to the Committee on Military Affairs.

Also, a bill (H. R. 2088) for the relief of Robert D. Shaddon; to the Committee on Military Affairs.

Also, a bill (H. R. 2089) authorizing the Secretary of War to donate to the county of Polk, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2090) authorizing the Secretary of War to donate to the county of Miller, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2091) authorizing the Secretary of War to donate to the county of Logan, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2092) authorizing the Secretary of War to donate to the county of Crawford, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2093) authorizing the Secretary of War to donate to the county of Howard, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2094) authorizing the Secretary of War to donate to the northern district of the county of Logan, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2095) authorizing the Secretary of War to donate to the county of Scott, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2096) authorizing the Secretary of War to donate to the county of Little River, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2097) authorizing the Secretary of War to donate to the county of Montgomery, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2098) authorizing the Secretary of War to donate to the Fort Smith district of the county of Sebastian, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2099) authorizing the Secretary of War to donate to the Greenwood district of the county of Sebastian, State of Arkansas; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2100) authorizing the Secretary of War to donate to the county of Pike, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2101) authorizing the Secretary of War to donate to the county of Sevier, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WOOD of Indiana: A bill (H. R. 2102) granting a pension to George F. Harter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2103) granting an increase of pension to Hattie Gorse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2104) granting a pension to Jennie Hutton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2105) granting a pension to Paulina Tanner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2106) granting a pension to Richie Arvilla Holmes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2107) granting a pension to Eva A. Steece; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2108) granting an increase of pension to Addison Holmes; to the Committee on Pensions.

Also, a bill (H. R. 2109) granting an increase of pension to Francis M. Washburn; to the Committee on Pensions.

Also, a bill (H. R. 2110) granting an increase of pension to Charles Dilden, alias James Carman; to the Committee on Pensions.

Also, a bill (H. R. 2111) granting an increase of pension to Lawson Ellsworth; to the Committee on Pensions.

Also, a bill (H. R. 2112) to correct the military record of Thomas Spurrier; to the Committee on Military Affairs.

Also, a bill (H. R. 2113) to correct the military record of G. W. Gilkison; to the Committee on Military Affairs.

Also, a bill (H. R. 2114) for the relief of Crawford Miller; to the Committee on Claims.

Also, a bill (H. R. 2115) authorizing the Treasurer of the United States to pay Catherine C. Schilling $599; to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 2116) for the relief of Gill I. Wilson; to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT: A bill (H. R. 2117) for the relief of the city of West Point, Ga.; to the Committee on Claims.

By Mr. WYANT: A bill (H. R. 2118) granting a pension to Elizabeth B. Rebhun; to the Committee on Pensions.

By Mr. ZIHLMAN: A bill (H. R. 2119) granting a pension to Cassander Twigg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2120) granting a pension to Lucinda Bittner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2121) granting a pension to Edgar A. Norris; to the Committee on Pensions.

Also, a bill (H. R. 2122) for the relief of Anthony Schartzenberger; to the Committee on Military Affairs.

Also, a bill (H. R. 2123) for the relief of Frank H. Walker and Frank E. Smith; to the Committee on Claims.

Also, a bill (H. R. 2124) to reimburse William C. Hann for property destroyed by an automobile truck operated by the Post Office Department; to the Committee on Claims.

Also, a bill (H. R. 2125) to refund to the corporate authorities of Frederick City, Md., the sum of $200,000, exacted of them by the Confederate Army under Gen. Jubal Early July 9, 1864, under penalty of burning said city; to the Committee on War Claims.

Also, a bill (H. R. 2126) granting a pension to Louisa C. Coleman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2127) granting an increase of pension to Ida B. Welker; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 2128) granting a pension to Ira D. Bryant; to the Committee on Pensions.

By Mr. CROWTHER: A bill (H. R. 2129) granting a pension to Priscilla J. Raisbeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2130) granting a pension to Ellen E. Rose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2131) granting a pension to Lucinda Casler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2132) granting an increase of pension to Savira Hutchins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2133) granting an increase of pension to James Sullivan; to the Committee on Pensions.

Also, a bill (H. R. 2134) for the relief of John Dzikowicz; to the Committee on Claims.

Also, a bill (H. R. 2135) for the relief of Ada P. Sack; to the Committee on Claims.

By Mr. ELSTON: A bill (H. R. 2136) granting a pension to Frank J. Griesbaum; to the Committee on Pensions.

By Mr. FAUST: A bill (H. R. 2137) granting a pension to Rachel Bledso; to the Committee on Pensions.

By Mr. GREENE of Vermont: A bill (H. R. 2138) granting an increase of pension to Charles H. Scribner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2139) granting a pension to Joseph O. Lambert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2140) granting an increase of pension to Norman F. Henry; to the Committee on Pensions.

Also, a bill (H. R. 2141) for the relief of the heirs of Benjamin S. Roberts; to the Committee on Claims.

Also, a bill (H. R. 2142) for the relief of the State of Vermont; to the Committee on War Claims.

By Mr. JACOWAY: A bill (H. R. 2143) for the relief of H. L. McFarlin; to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 2144) for the relief of the owners of the schooner *Charlotte W. Miller;* to the Committee on Claims.

By Mr. KNUTSON: A bill (H. R. 2145) granting an increase of pension to Joseph McClosky; to the Committee on Pensions.

Also, a bill (H. R. 2146) granting a pension to Edith Z. Pyles; to the Committee on Pensions.

Also, a bill (H. R. 2147) granting an increase of pension to Sarah A. Evans; to the Committee on Pensions.

Also, a bill (H. R. 2148) granting an increase of pension to Edward McClellan; to the Committee on Pensions.

Also, a bill (H. R. 2149) granting an increase of pension to Charles Hurrle; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 2150) granting an increase of pension to Samuel E. Blevins; to the Committee on Pensions.

Also, a bill (H. R. 2151) granting an increase of pension to At McCoy; to the Committee on Pensions.

Also, a bill (H. R. 2152) granting a pension to Burnham Gibson; to the Committee on Pensions.

Also, a bill (H. R. 2153) granting an increase of pension to Clark P. Hoskins; to the Committee on Pensions.

Also, a bill (H. R. 2154) granting an increase of pension to Biram Smith; to the Committee on Pensions.

Also, a bill (H. R. 2155) granting a pension to William Sally; to the Committee on Pensions.

Also, a bill (H. R. 2156) granting a pension to John E. Stidham; to the Committee on Pensions.

Also, a bill (H. R. 2157) granting a pension to Owen Combs; to the Committee on Pensions.

By Mr. SIEGEL: Joint resolution (H. J. Res. 34) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration and Naturalization.

By Mr. MASON: Resolution (H. Res. 38) to investigate certain officers of the Department of Justice; to the Committee on Rules.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1. By the SPEAKER (by request): Petition of Polar Bear Post, No. 436, Veterans of Foreign Wars of the United States, regarding certain radical organizations in the United States; to the Committee on the Judiciary.

2. Also (by request), petition of Steam Fitters' Protective Association, Local Union No. 597, Chicago, Ill., favoring the amending of the water power act so that it will not apply to national parks and monuments; to the Committee on Water Power.

3. Also (by request), petition of University of California, Division of Forestry, Berkeley, Calif., urging Congress to reject all measures which propose to divert any part of those national parks and monuments from their original and exclusive purpose; to the Committee on Water Power.

4. Also (by request), petition of National Association of Merchant Tailors of America, favoring the passage of the daylight saving law; to the Committee on Interstate and Foreign Commerce.

5. Also (by request), petition of the Women's World Disarmament Committee, Colorado Springs, Colo., favoring world disarmament; to the Committee on Foreign Affairs.

6. Also (by request), petition of City Council of the City of Milwaukee, urging that one of the public health service institutions be located in the city of Milwaukee, Wis.; to the Committee on Appropriations.

7. Also (by request), petition of 628 members of the L'Union St. Jean-Baptiste d'Amerique, of Massachusetts, opposing the passage of the Smith-Towner bill; to the Committee on Education.

8. Also (by request), petition of American Association for the Recognition of the Irish Republic, Columbus, Ohio, and New Orleans, La., urging the recognition of the Irish requblic; to the Committee on Foreign Affairs.

9. Also (by request), resolutions adopted at the March meeting of the Miller Falls Congregational Brotherhood favoring

the passage of the Smith-Towner bill; to the Committee on Education.

10. Also (by request), resolution adopted by the members of Lodge 37, Amalgamated Metal Workers of America, at Philadelphia, on March 26, requesting Congress to provide food, clothing, and shelter for the unemployed workers, to open all the industries now closed; and further, that trade relations be opened with Soviet Russia; to the Committee on Foreign Affairs.

11. Also (by request), resolutions adopted by the Illinois Commandery Naval and Military Order of the Spanish-American War, requesting Congress to amend the water power act so that it shall not apply to national parks and monuments and to preserve them in their natural state; to the Committee on Interstate and Foreign Commerce.

12. By Mr. CANNON: Petition of Division No. 354, Brotherhood of Locomotive Engineers, opposed to the repeal of the excess-profits tax, also the enactment of a sales or turnover tax; to the Committee on Ways and Means.

13. By Mr. CRAMTON: Petition of Rev. C. Binhammer, pastor, and the trustees of the New Salens Church, Sebewaing, Mich., protesting against the presence of colored French troops in Germany; to the Committee on Foreign Affairs.

14. By Mr. KELLEY of Michigan: Petition of 33 members of the Women's Hospital Auxiliary, of Flint, Mich., favoring passage of the Sheppard-Towner bill; to the Committee on Education.

15. By Mr. SNYDER: Petition of W. A. Semple, of Utica, N. Y., favoring the reduction of the proposed tax on musical goods; to the Committee on Ways and Means.

16. By Mr. WATSON: Petition of members of the Travel Club and citizens of the city of Bristol, Pa., in favor of improving the navigation of the Delaware River and its tributaries; to the Committee on Rivers and Harbors.

17. Also, resolution passed by the Pomona Grange, No. 22, of Bucks and Philadelphia Counties, in favor of reducing the military forces of the United States and adoption of a 5-year naval vacation program; to the Committee on Military Affairs.

18. Also, resolution passed by the Bucks and Philadelphia Counties, Pomona Grange, No. 22, in favor of the Jones-Miller bill, prohibiting the export of opium from the United States; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *April 12, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O Thou God of our fathers, in whom they trusted in every hour of need and of responsibility, to Thee we look this morning, confident that our trust will never be betrayed, and believing the same hand that led them shall lead us in every pathway of duty. Give unto us the consciousness that there are for us opportunities for still wider usefulness in this world of need, of suffering, and of sin. Be pleased to be with Thy servants to-day, and may Thy grace be made sufficient for every emergency. We ask through Jesus Christ our Lord. Amen.

WILLIAM S. KENYON, a Senator from the State of Iowa, and THOMAS E. WATSON, a Senator from the State of Georgia, appeared in their seats to-day.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE, on behalf of the committee on the part of the Senate appointed to wait on the President of the United States, said:

Mr. President, the committee appointed to act in conjunction with a like committee on the part of the House of Representatives, to wait upon the President of the United States and inform him of the organization of the two Houses of Congress, have performed the duty assigned them, and beg leave to report that the President has expressed his purpose to communicate to the two Houses at a joint meeting in the Hall of the House of Representatives at 1 o'clock p. m. to-day.

JOINT MEETING OF THE TWO HOUSES.

A message from the House of Representatives, by W. H. Overhue, its enrolling clerk, announced that the House had passed a concurrent resolution providing that the two Houses of Congress shall assemble in the Hall of the House of Representatives on Tuesday, the 12th day of April, 1921, at 1 o'clock p. m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

Mr. LODGE. I ask that the concurrent resolution of the House may be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution of the House of Representatives, which will be read.

The Assistant Secretary read the concurrent resolution, as follows:

House concurrent resolution 1.

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 12th day of April, 1921, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Mr. LODGE. I move that the Senate concur in the resolution of the House of Representatives.

The resolution was concurred in.

COLUMBIA HOSPITAL FOR WOMEN AND LYING-IN ASYLUM.

The VICE PRESIDENT. The Chair announces the appointment of the Senator from Vermont, Mr. DILLINGHAM, as a director on the part of the Senate of the Columbia Hospital for Women and Lying-in Asylum, to succeed Hon. George E. Chamberlain, as provided for in the act approved June 10, 1872.

COLUMBIA INSTITUTION FOR THE DEAF.

The VICE PRESIDENT. The Chair announces the appointment of the Senator from Ohio, Mr. POMERENE, as a director on the part of the Senate of the Columbia Institution for the Deaf, to succeed himself, as provided for in the act approved July 27, 1868.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting a list of publications and documents on file in the consular offices which are not needed in the conduct of business of the Department of State and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. MOSES and Mr. PITTMAN members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

WATER SUPPLY AT NEWPORT NEWS AND FORT MONROE, VA.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting a draft of legislation authorizing the sale of the Government's interest in the water supply system at or near Newport News and Fort Monroe, Va., which was referred to the Committee on Military Affairs.

UNITED STATES HOUSING CORPORATION.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Labor, transmitting, pursuant to law, a report of the United States Housing Corporation as of December 31, 1920, which was referred to the Committee on Public Buildings and Grounds.

BOY SCOUTS OF AMERICA.

The VICE PRESIDENT laid before the Senate a communication from the president of the Boy Scouts of America, transmitting, pursuant to law, the eleventh annual report of the Boy Scouts of America, which was referred to the Committee on Printing.

STANDING COMMITTEES OF THE SENATE.

Mr. BRANDEGEE. Mr. President, I send to the desk a notice of a change of the rules which I ask may be read.

The VICE PRESIDENT. The notice will be read.

The Assistant Secretary read as follows:

Notice is hereby given in accordance with the provisions of Rule XL of the Standing Rules of the Senate that upon the next calendar day of the sessions of the Senate a motion will be made to amend Rule XXV of the Standing Rules of the Senate so that the same shall read as provided in the resolution which I offer herewith and ask to have printed in the RECORD as a part of this notice, and referred to the Committee on Rules.

The resolution hereby offered recites Rule XXV as it exists. The amendments proposed to the existing rule consist of striking out certain words and inserting in lieu thereof other words and in the addition of other words as indicated in the resolution. The words proposed to be eliminated from the rule as it exists have been stricken through in the print of the resolution which I now offer. The words proposed to be inserted or added to the existing rule are printed in italics in said resolution. The purposes of the amendments are to increase the membership of certain committees, to change the names of certain committees, and to provide that the standing committees named in the resolution shall continue and have the power to act until their successors are appointed.

Mr. BRANDEGEE. I ask that the notice and the resolution be referred to the Committee on Rules.

Mr. HARRISON. The resolution goes to the Committee on Rules.

Mr. BRANDEGEE. This is simply the notice required by the rule one day in advance of consideration. I ask that the notice and the resolution be printed in the RECORD for the information of Senators and referred to the Committee on Rules.

The resolution (S. Res. 19) was referred to the Committee on Rules, as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be, and it is hereby, amended so as to read as follows:

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"Committee on Agriculture and Forestry, to consist of 16 Senators;
"Committee on Appropriations, to consist of 16 Senators;
"Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 5 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same;
"Committee on Banking and Currency, to consist of 13 Senators;
"Committee on Civil Service, to consist of 11 Senators;
"Committee on Claims, to consist of 13 Senators;
"Committee on Commerce, to consist of 16 Senators;
"Committee on the District of Columbia, to consist of 13 Senators;
"Committee on Education and Labor, to consist of 11 Senators;
"Committee on Enrolled Bills, to consist of 3 Senators, who shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person and report the fact and date of such presentation to the Senate;
"Committee on Expenditures in the Executive Departments, to consist of 7 Senators;
"Committee on Finance, to consist of 16 Senators;
"Committee on Foreign Relations, to consist of 16 Senators;
"Committee on Immigration, to consist of 11 Senators;
"Committee on Indian Affairs, to consist of 11 Senators;
"Committee on Interoceanic Canals, to consist of 11 Senators;
"Committee on Interstate Commerce, to consist of 16 Senators;
"Committee on Irrigation and Reclamation, to consist of 11 Senators;
"Committee on the Judiciary, to consist of 16 Senators;
"Committee on the Library, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives;
"Committee on Manufactures, to consist of 11 Senators;
"Committee on Military Affairs, to consist of 16 Senators;
"Committee on Mines and Mining, to consist of 9 Senators;
"Committee on Naval Affairs, to consist of 16 Senators;
"Committee on Patents, to consist of 7 Senators;
"Committee on Pensions, to consist of 11 Senators;
"Committee on Post Offices and Post Roads, to consist of 16 Senators;
"Committee on Printing, to consist of 7 Senators, which shall have power to act jointly with the same committee of the House of Representatives;
"Committee on Privileges and Elections, to consist of 13 Senators;
"Committee on Public Buildings and Grounds, to consist of 13 Senators, which shall have power to act jointly with the same committee of the House of Representatives;
"Committee on Public Lands and Surveys, to consist of 13 Senators;
"Committee on Revision of the Laws, to consist of 3 Senators;
"Committee on Rules, to consist of 12 Senators;
"Committee on Territories and Insular Possessions, to consist of 13 Senators.

"2. Said committees shall continue and have the power to act until their successors are appointed."

The VICE PRESIDENT. The notice will also be referred, as requested by the Senator from Connecticut.

Mr. HARRISON. May I ask the Senator from Connecticut what is the understanding about the Committee on Rules being called to consider the proposition. Will it be at a very early date?

Mr. BRANDEGEE. The chairman of the Committee on Rules, I believe, is in his committee room at present. I do not know his intention except that as the committees can not be organized until the rule is changed or refused to be changed, the chairman of the committee informed me yesterday that he would poll the committee if they were willing to be polled upon the question, so as to report at the earliest possible moment.

Mr. HARRISON. I asked the Senator the question because several of the minority members of the Committee on Rules are not in the city. They are expected back the middle or the latter part of the week. I was wondering whether it would be insisted that the committee should take action before those members return.

Mr. BRANDEGEE. Of course the notice and resolution are referred to the committee to-day, and they could not be taken up by the Senate before to-morrow. I have no doubt the chairman of the committee will be on the floor in a few moments and he can answer the question better than I could. I do not know what his intentions are, but it seems to me there should be prompt action on the part of the committee. Of course, if the members of the committee are not in town, it will be for the committee itself to say when they will take up the resolution.

Mr. HARRISON. I understand that it is the object of the proposition to increase the number of majority members on the various committees. Of course, I suppose what the Senator has offered will also increase the minority on certain committees by one member.

Mr. BRANDEGEE. The object of the change in the rule is to increase the total membership of certain committees, adding one to certain committees, and it is the intention of the Committee on Committees appointed by the Republican Party to suggest names to the Republican conference, if the rule is adopted, to place 10 Republicans and 6 Democrats upon each one of the major committees.

Mr. HARRISON. The old rule, which was adopted unanimously by the Senate, agreed to in the Rules Committee by the minority members as well as the majority members, reduced the various committees a certain number, in some instances from 19, I think, to 15, and on that proportion the steering committee of the minority was notified that they might appoint 6 members. They went ahead and did that. Now, is it proposed to take care of 10 new Members on the majority side of the Senate, giving to the minority no additional places at all? Is that the object of the rule?

Mr. CUMMINS. Mr. President, I ask for the regular order.

Mr. ASHURST. I join in that request.

Mr. HARRISON. I should like to get an answer to my last question.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. CALDER. Mr. President, on April 4 it was my privilege to attend a great mass meeting in the city of New York, at Carnegie Hall, held by the citizens of that city for the purpose of urging that adequate provision be made for the care of the disabled, wounded, and sick soldiers of the late war. Resolutions were adopted at that meeting, addressed to my colleague and myself, which I now present and ask to have printed in the RECORD.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Resolutions adopted at a mass meeting at Carnegie Hall, New York City, April 4, 1921.

Whereas however high the motives and intent of those responsible, the Government as a whole has failed to make adequate provision for the disabled veterans of the war, and has permitted many real and substantial injustices to result from defects of administration; and

Whereas it is the overwhelming sentiment of the American people that the needs of those who suffered in our defense must be accorded immediate and thorough attention; and

Whereas the President of the United States has earnestly and with a whole heart espoused this great cause: Therefore be it

Resolved, That this meeting of citizens, freely assembled in Carnegie Hall, New York City, on April 4, 1921, irrespective of political, religious, military, or other affiliations, commends the interest shown by the present national administration, and at the same time emphatically urges upon Congress at the session called to meet on April 11 the adoption of adequate measures for the compensation, medical care, and vocational training of all disabled veterans at the earliest possible date; and be it further

Resolved, That the legislation to be enacted should include a bill to consolidate in a single bureau of one of the executive departments, under the same assistant secretary, the Bureau of War Risk Insurance, the Rehabilitation Division of the Federal Board for Vocational Education, and those functions of the United States Public Health Service which relate to the care of ex-service men and women, and also to provide that the activities of such consolidated bureau shall be decentralized through the establishment of sufficient regional and branch offices to permit the examination and disposition of individual cases without delay; and be it further

Resolved, That we demand an immediate appropriation by Congress of a sufficient sum for the construction and equipment at once of suitable modern hospitals and sanatoria for the treatment of all cases, especially cases of tuberculosis and mental disorders; and in this connection we urge upon the Secretary of the Treasury the vital importance of using the $12,000,000 appropriated at the last session of Congress for new construction rather than for the renovation and repair of antiquated existing structures built for other purposes; and be it further

Resolved, That we indorse the recommendation of the special investigating committee of the American Legion, department of New York, calling for the immediate authorization by the New York Legislature of the building and equipment of the proposed hospital for mental cases at Creedmoor; that we deplore all attempts to repeal the appropriation of $3,000,000 which has already been made for that purpose, and that we resent all makeshift and halfway measures in place of prompt, adequate, and first-class provisions; and be it further

Resolved, That we also indorse the recommendation of the special investigating committee of the American Legion, department of New York, calling for the abandonment of Fox Hills Hospital, and that pending its abandonment thorough discipline be enforced for the purpose of medical inspection and preventing the introduction of liquor and drugs; and be it further

Resolved, That pending the execution of a permanent program we demand the immediate employment by the Government of every agency, public and private, for the relief and rehabilitation of the disabled veteran; and be it further

Resolved, That the action of this meeting be communicated to the President of the United States, to the members of his recently appointed commission of inquiry, to the Senators and Representatives of the State of New York in Congress, to the governor and the leaders of the New York Legislature, and to prominent citizens in other cities for similar action in their several communities; and be it further

Resolved, That our country views with ever increasing pride the glorious record of our defenders, and pledges herself in deepest gratitude to the tender, loving care and protection of those who have suffered and must suffer in the valiant defense of her honor.

Mr. McCUMBER presented a resolution of the Legislature of North Dakota, which was referred to the Committee on Public Lands, as follows:

Concurrent resolution.

To the Senate and House of Representatives of the United States of America in Congress assembled:

We, the Seventeenth Legislative Assembly of the State of North Dakota, beg leave to represent to your honorable bodies:

First. That there is in the western part of this State, lying within the boundaries of Billings County, near the town of Medora, a wonderful petrified forest, consisting of thousands of petrified stumps, ranging in size up to 8 and 10 feet high and as much as 14 feet in diameter. This prehistoric forest, appearing in a certain stratum of soil, is apparently in its original position, a large number of the stumps being erect, while others are prostrate, due to the action of the elements in wearing away the soil on which this forest grew, while others appear as huge mushrooms on pedestals of firmer soil. That there is to be found among these petrified stumps the fossil leaves of these once giant trees. These fossils or petrified trees are found in the greatest profusion on four sections of land.

Second. That the surrounding country is a wonderful and picturesque section of Bad Lands, along the Little Missouri River, being a distinct type of country, very interesting and alluring to tourists and sightseers, and of great scientific value.

Third. That there are groves of pines and quaking aspens, which are found almost nowhere else within the State of North Dakota. Cedars, ash, cottonwood, boxelders, cherries, plums, and berry trees abound in the hills and in the draws and canyons, and along the Little Missouri River.

Fourth. That our late President Theodore Roosevelt loved this country and made it his home, and that his cattle ranged over every section of this country while he was engaged in the stock business in Billings County, N. Dak.

Fifth. That this is the natural home of deer, elk, antelope, and buffalo, and that there is now a considerable number of deer living on this tract of land. Bald and golden eagles are plentiful.

Sixth. That the above-mentioned features and points of interest, including Roosevelt's range, are all contained in 33 sections of land, involving 21,945.04 acres, being sections 5, 6, 7, 8, 17, 18, 19, 20, township 140, range 101; sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 23, and 24, township 140, range 102; sections 31, 32, 33, 34, 35, township 141, range 101; and sections 26, 27, 34, 35, 36, township 141, range 102, all west of the fifth principal meridian. Less than 5 per cent of this land is susceptible to cultivation.

Seventh. That even though the southern border of this proposed park is but one-half mile from the town of Medora, which is located on the Northern Pacific Railroad and the Red Trail, or National Park Highway, it is nearly all inaccessible under the more convenient modes of travel and a large part is only accessible with saddle horses. Due to this fact, the scenic and scientific wonders of this region are almost wholly unknown, except locally.

Eighth. That there are artesian wells and natural fresh-water springs at various points on this tract, which make possible the most delightful and ideal camping grounds.

Now, therefore, we, the Seventeenth Legislative Assembly of the State of North Dakota, believing that this wonderful fossil forest and this beautiful and fantastic section of Bad Lands, with its grotesque formation and its wonderfully colored buttes, should be made accessible to scientists and sightseers and preserved inviolate for future generations, do hereby most respectfully petition your honorable bodies to take steps for the purchase of the above-described tract of land and as much more as your honorable bodies may deem fit and the establishment of a national park and game preserve. And we further respectfully request that the same shall be called Roosevelt Park, as a lasting memorial to our beloved late President; and be it

Resolved by the Seventeenth Legislative Assembly of the State of North Dakota, That our Senators and Representatives in Congress be, and are hereby, authorized and instructed to use all honorable means to induce the Congress of the United States to make the proposed Roosevelt park a reality in the near future, under the care and supervision of the Federal Government. Also that the secretary of the State of North Dakota be, and is hereby, requested and instructed to transmit a copy of this memorial to the President of the United States, the Secretary of the Interior, and to each House of Congress, to each of our national Senators and Representatives, and also a copy of this memorial, together with a blue print of this proposed park, to the chairman of the National Park Commission.

This is to certify that the foregoing concurrent resolution originated in the House of Representatives of the Seventeenth Legislative Assembly of the State of North Dakota, the senate concurring therein, and was adopted.

L. L. TWICHELL,
Speaker of the House of Representatives.
C. T. DAWSON,
Chief Clerk of the House of Representatives.
H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.

Mr. NELSON presented a petition of sundry physicians of the United States praying for the enactment of legislation to prohibit the manufacture and sale of beer and other malt liquors for medicinal purposes, which was referred to the Committee on the Judiciary.

Mr. WOLCOTT presented a concurrent resolution of the Legislature of Delaware, which was referred to the Committee on Manufactures, as follows:

Senate concurrent resolution 15.

Whereas during the past year all other commodity prices, except coal prices, have steadily decreased, while the price of coal to the consumer has mounted higher and higher; and

Whereas there is a widespread belief among the long-suffering people of this country that the mine owners have deliberately retarded production with a view to creating a scarcity and boosting the prices of this household necessity: Now, therefore, be it

Resolved by the Senate of the State of Delaware (the House of Representatives concurring therein), That we favor some strong and effective governmental action in the interests of the public at large for the control of industries that produce the prime necessities of civilization, such as coal, and we urge our Senators and Representatives in Congress to support such measures as will afford relief to the people; and be it further

Resolved, That a copy of this resolution be forwarded to both of our Senators and our Representative in Congress from the State of Delaware.

WALLACE S. HANDY,
President pro tempore of the Senate.
WALTER J. PASKEY,
Speaker of the House.

Approved April 4, 1921.

WM. D. DENNEY, *Governor.*

STATE OF DELAWARE,
OFFICE OF SECRETARY OF STATE.

I, A. R. Benson, secretary of state of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of senate concurrent resolution No. 15, approved April 4, A. D. 1921, as the same appears on file in this office.

In testimony whereof I have hereunto set my hand and official seal, at Dover, this 4th day of April, in the year of our Lord 1921.

[SEAL.] A. R. BENSON,
Secretary of State.

Mr. WOLCOTT also presented a concurrent resolution of the Legislature of Delaware, which was referred to the Committee on Finance, as follows:

Senate concurrent resolution 29.

Whereas the Government of the United States, by the will of a united people, called upon the flower of her manhood to vindicate the right of democracy to live in the world in the dark days of 1917; and a magnificent Army of American heroes was raised in the country, of which large units were transported across the ocean, an unheard-of experience in the life of the American people; and

Whereas many lost their lives in camps and on the battle field, and many were returned broken in health and disabled by wounds, and all faced the risk of these sacrifices; and

Whereas by the peculiar workings of the governmental machinery men working short hours in Government factories and shipyards were paid during the time of the service of our brave heroes abroad at wages from five to ten times as high as the same Government paid to her splendid soldiers: Now, therefore, be it

Resolved by the Senate and the House of Representatives of the State of Delaware, in General Assembly met, That it is time for some action on the part of the Federal Government in recognition of the splendid services of the Armies of 1917 and 1918 and for a liberal compensation by which will be made up to the individual soldier some of the hardships incurred and sacrifices suffered and risked, and pecuniary losses to which he was subject as a consequence of his military service; and

Resolved, That the secretary of state of the State of Delaware be directed to convey a copy of this resolution to each House of Congress at the approaching special session.

WALLACE S. HANDY,
President pro tempore of the Senate.
WALTER J. PASKEY,
Speaker of the House.

Approved April 4, 1921.

WM. D. DENNEY, *Governor.*

STATE OF DELAWARE,
OFFICE OF THE SECRETARY OF STATE.

I, A. R. Benson, secretary of state of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of Senate concurrent resolution 29, approved April 4, A. D. 1921, as the same appears on file in this office.

In testimony whereof, I have hereunto set my hand and official seal at Dover, this 4th day of April, in the year of our Lord 1921.

[SEAL.] A. R. BENSON,
Secretary of State.

Mr. WARREN presented a resolution of United Mine Workers of America, Local Union No. 488, of Sublet, Wyo., favoring the enactment of legislation to release and pardon Eugene V. Debs at an early date, which was referred to the Committee on the Judiciary.

He also presented a resolution of Local Union No. 908, United Mine Workers of America, of Lionkol, Wyo., favoring legislation granting immediate amnesty to all political prisoners, and also that Eugene V. Debs be one of the first to be released, which was referred to the Committee on the Judiciary.

He also presented a resolution of Central Labor Union, of Laramie, Wyo., favoring the enactment of legislation granting immediate amnesty to all political prisoners, which was referred to the Committee on the Judiciary.

Mr. RANSDELL presented a petition of sundry citizens of the State of Louisiana, praying for the enactment of legislation recognizing the independence of Ireland, which was referred to the Committee on Foreign Relations.

Mr. PITTMAN presented a resolution of the Legislature of Nevada, which was referred to the Committee on Interstate Commerce, as follows:

Assembly joint resolution.

Whereas there is now pending in the Senate of the United States of America Senate bill No. 3686, which is commonly known as the French-Capper truth in fabric bill; and

Whereas by the terms of said bill it is provided that all material purporting to be wool cloth shall have branded thereon the proportion of virgin wool contained in such cloth; and

Whereas without such branding it is impossible for a purchaser thereof to know how much wool such cloth really contains; and

Whereas the enactment of the aforesaid measure would have a strong tendency to restrict deceit and profiteering in the sale of woolen goods to the public and the public interests would be thereby profited: Now, therefore, be it

Resolved by the assembly (the senate concurring), That it is the wish of this legislature that our Senators and Representative in Congress do use their best efforts in procuring the passage and approval of the aforementioned measure; and be it further

Resolved, That his excellency, the secretary of state of the State of Nevada, is hereby directed to forward to each of our Senators and to our Representative in Congress a certified copy of this resolution.

Approved March 22, 1921.

EMMET D. BOYLE, *Governor.*

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 14 now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 24th day of March, A. D. 1921.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. P. BURRIS, *Deputy.*

Mr. PITTMAN also presented a resolution of the Legislature of Nevada, which was referred to the Committee on Interstate Commerce, as follows:

Assembly joint resolution memorializing the Congress of the United States to so amend the transportation act, 1920, as to eliminate therefrom the rule of rate making, as applied to intrastate rates, and to reserve to the States of the Union power with relation to intrastate rates, services, and facilities, and local questions affecting common carriers within the States.

Whereas the Interstate Commerce Commission, through its interpretation of the transportation act, 1920, seems to indicate its purpose to assume for itself full and exclusive authority to regulate the railroads and all instrumentalities entering into the field of transportation, and thereby to divest the legislatures of the several States of substantially all power to regulate the intrastate rates and service of the railroads within the respective States; and

Whereas, in conformity with this policy and acting upon what it claims to be the intent of Congress in the enactment of section 13 (4) of the transportation act, 1920, the Interstate Commerce Commission has made orders which seek to compel increases and other changes in intrastate rates in a number of States, without regard or heed to the protests of the governments of those States; and

Whereas the authority it has assumed for itself permits the Interstate Commerce Commission to wield unreasonable power; and

Whereas it is unjust and unnecessary to permit the development of a system which will compel a citizen of Nevada or any other State either to forego relief for local transportation problems or seek it solely through the Interstate Commerce Commission at Washington, at great expense in time and money; and

Whereas before the passage by Congress of the transportation act, 1920, there was no serious conflict between Federal authority in the regulation of interstate commerce and State authority in the regulation of intrastate commerce; and

Whereas all government, whether through Federal or State agency, is directed to the sole end of promoting the welfare and happiness of the people, it is our firm conviction that it is neither sound nor practical government to deny to the people of the several States the indisputable benefits of State regulation of commerce within the States upon the assumption that to do otherwise may in some way be prejudicial to commerce between the people of the different States: Therefore, be it

Resolved by the assembly (the senate concurring), That the Legislature of the State of Nevada hereby respectfully petitions the Congress of the United States to so amend the transportation act, 1920, as to protect and preserve the powers of the several States with relation to intrastate rates, services, and facilities, and the local affairs of the common carriers within the States, in so far as the same shall not clearly and directly conflict with or discriminate against interstate rates, services, and facilities established by or under the authority of the Interstate Commerce Commission, and to make such amendment or amendments in language so plain that the authority of the States in their respective territories shall be maintained without opportunity for misinterpretation: And be it further

Resolved, That the secretary of state of Nevada be, and he is hereby, directed to transmit a certified copy of this resolution to the United States Senate and House Committees on Interstate Commerce, respectively, and to each United States Senator and the Representatives in Congress of the State of Nevada.

Approved March 22, 1921.

EMMET D. BOYLE, *Governor.*

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 20 now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 24th day of March, A. D. 1921.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. W. BURRIS,
Deputy.

Mr. PITTMAN also presented two resolutions of the Legislature of Nevada, which were referred to the Committee on Public Lands, as follows:

Assembly joint resolution.

Resolved by the assembly (the senate concurring), That Senate bills 4925 and 4926, introduced into the Senate of the United States of America by Hon. REED SMOOT, Senator from the State of Utah, which said bills are designed to prevent the cancellation by the Secretary of the Interior of applications for permits in the event of the discovery of oil within the district before the permits have been granted under the terms of the United States oil leasing act, be indorsed by the Legislature of the State of Nevada, and that our Senators and Representative in Congress are urged to use every endeavor to secure the passage and approval of same: And be it further

Resolved, That a duly certified copy of this resolution be transmitted by the secretary of state of the State of Nevada to the Hon. REED SMOOT and to our Senators and Representative in Congress.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DAN E. MORTON,
Chief Clerk of the Assembly.

Approved March 11, 1921.

EMMET D. BOYLE, *Governor.*

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 12 now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 14th day of March, A. D. 1921.

[SEAL.]

GEORGE BRODIGAN,
Secretary of State.
By R. W. BURRIS, *Deputy.*

—

Assembly joint resolution memorializing the Congress of the United States to grant the State of Nevada 1,500,000 acres of land for the permanent school fund of the State.

Whereas there is in the State of Nevada 54,267,175 acres of unappropriated and unreserved Government land, an area far in excess of any other State in the Union; and

Whereas by an act approved June 16, 1880, Congress granted to the State of Nevada 2,000,000 acres in lieu of the unsold lands in the sixteenth and thirty-sixth sections in the State, estimated at 3,841,500 acres; and

Whereas in the acceptance of the said grant of 2,000,000 acres the State incurred a loss of 1,841,500 acres: Be it therefore

Resolved by the assembly (the senate concurring), That the Representatives in the Congress of the United States from the State of Nevada be, and they are, requested to use their most active and energetic efforts to secure for the State of Nevada a grant of at least 1,500,000 acres for the benefit of the permanent school fund, to be disposed of under the present laws and regulations governing the sales and disposition of State lands of the State of Nevada.

Resolved, That his excellency, the secretary of state of the State of Nevada, be requested to transmit copies of the foregoing preamble and resolutions to the President of the Senate and to the Speaker of the House of Representatives and to our Senators and Representative in Congress.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DAN E. MORTON,
Chief Clerk of the Assembly.

Approved March 8, 1921.

EMMET D. BOYLE, *Governor.*

Mr. POINDEXTER presented a resolution adopted by the general conference committee of Seventh-day Adventists, at Washington, D. C., which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

A memorial adopted by the General Conference Committee of Seventh-day Adventists.

HEADQUARTERS, *Washington, D. C.*

The following are some of the reasons why Seventh-day Adventists are opposed to all Sunday legislation:

We are Christians and believe in the total separation of the church and the State.

As Christians, we believe in the American idea of government and the constitutional principles upon which it is founded, and honor the men who so nobly stood for the principles of civil and religious liberty. Their principles are our principles.

As Christians, we believe in God, and recognize Jesus Christ His Son as our divine Saviour and Mediator, through whom we have redemption from sin; and in the Holy Spirit as the divine power in the regeneration of the heart. We believe that the Holy Scriptures are divinely inspired, and of supreme authority in all spiritual things, and that each individual should be left free to follow this infallible word as conscience and the Holy Spirit may dictate, untrammeled by any interference by the civil magistrate.

As Christians, we recognize that civil government is of divine appointment, ordained for the peace and preservation of society, that it is supreme in the sphere of civil matters, and most cheerfully subscribe to the principle divinely commanded by the Son of God in Judea, to "render unto Cæsar the things which are Cæsar's, and unto God the things that are God's." A failure to recognize the distinction between civil and religious duties has been the primary cause of all the religious persecutions of the past.

We believe that the Constitution has withheld from the Federal Government the right to invade the soul of man and dictate to him what

he shall believe. In the realm of religion the State has no constitutional authority. We are left free to believe or not believe; to worship any god or no god, to observe a Sabbath or not observe it, as conscience may dictate. The State is to direct in civil questions, and these only. With man's relations to his Creator, it has no authority whatsoever. It is to protect all and to interfere with none. For this reason we protest against any encroachment of the civil power into the spiritual realm. The strong organized efforts being put forth at the present time to do this are destructive both to the church and the State, and however innocent they may appear, if successful, will eventually destroy the pillars upon which our Government is founded.

Sabbath-keeping is not a civil but a religious duty. Congress, therefore, has nothing whatever to do with the question of its observance. Such legislation is forbidden by the first amendment to the Constitution, which declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The Fourth of July, Washington's Birthday, and Memorial Day are civil institutions and their observance is never made compulsory. But the Sabbath is a religious institution. Its observance is not a civil duty but a religious act. It is worship rendered to the Creator. Its violation is a spiritual, not a civil offense. Its observance includes the very thoughts and purposes of the heart, and its violation is sin, not crime, and can be punished only at the tribunal of the Universal Judge. Only those whose hearts God has changed can truly keep a holy Sabbath. As no legislation by Congress can change the human heart, to make citizens perform a religious act when they are not religious is to enforce hyprocrisy by law.

The only divine Sabbath law there is was spoken by Jehovah from Sinai. This law declares that the seventh day of the week is God's appointed rest day. To enforce by law the observance of Sunday, or any other day of the week, as a day of rest, involves an interpretation of the law of God and the deciding of a religious controversy. But defining the laws of God and determining what dogma or religion is true or what is false is not the legitimate province of Congress. Such legislation is a step toward the union of the church and the state, and however distant it may be from the inquisition of other times it prepares the way for the exercise of religious bigotry and intolerance. It was the following of this wrong principle that darkened the world for more than a millennium.

Sunday legislation is a returning to colonial days, when the religious dogmas of a few were enforced by law and so-called witches were burned, Quakers whipped and hanged, their property confiscated, and the prisons choked with those who dared to worship according to the dictates of conscience. Others were banished, the untutored red man of the forest becoming the conservator of religious freedom. As our Constitution recognizes that every person has a right to choose his own religion or to have no religion and be free from police molestation, we are therefore opposed to any legislation compelling a day of rest, knowing that it is in principle a union of the church and the state and lays the foundation for a desolating scourge similar to the Dark Ages.

Sunday laws result in persecution, as the past clearly shows. In a number of States where these iniquitous laws are on the statute books devoted, God-fearing persons have been spied upon, meddled with, imprisoned, and even worked in chain gangs for no other reason than exercising their God-given and constitutional right to work six days and rest on the seventh day of the week, as the Lord commanded.

Companies of worshipers and other peaceable gatherings are protected by law every day in the week. No special legislation is therefore necessary to afford civil protection to citizens on Sunday more than on other days of the week. That which is civil on other days is civil on Sundays. Honest labor is no more uncivil on Sunday than on Monday. It is only religious prejudices which are disturbed by labor on this day more than on other days. Religious services are held every day in the week. Funerals are held daily in churches while work is continued as usual, and no special legislation is necessary. Then why thought necessary for Sunday? For no other reason, it would appear, than to protect a day which the majority regard as holy. But bolstering of some particular theological dogma and protecting the religious prejudices of citizens is not the business of Congress.

We believe in Sabbath keeping and that it is the legitimate work of ministers and all the religious element of the Nation to bring all the moral suasion possible upon young and old, believers and unbelievers, to keep holy the day of rest which they believe to be divinely appointed. We are doing this as a denomination. But moral suasion is the only weapon of force the church can legitimately use. All are not even agreed as to which day is the Sabbath, and we are opposed to the National Legislature entering the field of religion and deciding a religious controversy and establishing a precedent which, if followed to its legitimate end, will lead our fair land into a career of intolerance and fan into a flame the smoldering embers of religious oppression. The keeping of a Sabbath is a religious duty and, like all religious duties, is rendered not to the state but to God.

Its observance is therefore not definable by Congress. Should Congress pass a law enforcing the religious dogma of a Sabbath, this will not be the end. Other religious legislation will follow, and where the end would be no human foresight can foretell. Think of the hopeless sea of uncertainty, unseemly wrangling, and bewildering perplexity which will be thrown upon Congress and courts in their vain efforts to define acts of necessity and charity, decide how every business of every kind shall be conducted, and just how every man under all the varied circumstances of life, deprived by law of the right to follow his own conscience, shall keep the day of rest which Congress has decided is holy.

Further, the Sabbath commandment is only one of the precepts of the Bible. For example, the Word declares that the tenth of our income shall be holy unto the Lord. This is as plain as the Sabbath precept. Then there is the Lord's Supper. Shall this be enforced by national legislation? If not, why not? And what about the Lord's Prayer? It is surely a good thing to pray. Shall we have a law enforcing this prayer at the end of a policeman's baton? Then there is baptism, an institution of the church established by the Lord Himself. Shall Congress make a law enforcing this holy ordinance? True, all are not agreed as to the mode of baptism, but it is as much the province of Congress to define the mode of baptism as which day is the Sabbath and the manner of its observance. To enforce any of these sacred institutions by law would destroy the very purpose for which they were divinely instituted and would tend to inculcate formalism and hypocrisy rather than real Christianity. The same is true of Sabbath keeping under duress of civil law.

The gospel of the Son of God and the Constitution of the great American Republic recognize no power but that of persuasion for the enforcement of religious observances, so that the divinely ordained principle of civil government and the freedom guaranteed by the fundamental law of the land may remain unimpaired for the Nation, District of Columbia, and State. We therefore, as Christians and loyal citizens, protest against all enforced Sabbath observance, whether it be the seventh day, which we ourselves observe, or some other day.

Mr. POINDEXTER also presented a resolution of the Chamber of Commerce of Spokane, Wash., remonstrating against unpreparedness and favoring universal military training as a means of national defense, which was referred to the Committee on Military Affairs.

Mr. LA FOLLETTE presented a resolution of the Legislature of Wisconsin, which was referred to the Committee on Interstate Commerce, as follows:

Joint resolution 6, memorializing the Congress of the United States to pass the French-Capper bill.

Whereas two bills are now pending in Congress, one House bill No. 11641 and the other Senate bill No. 3686, both having in view the prevention of deceit and profiteering in the sale of garments or other articles of apparel; and

Whereas the passage of either of said "the truth in fabric law" would require every manufacturer of said garments or other articles of apparel to tag or stamp the same so as to indicate the ingredients thereof before offering the same for sale; and

Whereas the passage of such law would be of benefit to the people of the State of Wisconsin: Now, therefore, be it

Resolved by the assembly (the senate concurring), That this legislature most respectfully urges the Congress of the United States to pass said "truth in fabric law"; and be it further

Resolved, That copies of this joint resolution be transmitted to the presiding officers of each House of Congress and to each of the Senators and Representatives from this State in the Congress of the United States.

GEO. C. FOMINGS,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE also presented a resolution of the Legislature of Wisconsin, which was referred to the Committee on Naval Affairs, as follows:

Joint resolution 10, 1921, memorializing the President of the United States and Congress to take the initiative for world disarmament and to withdraw immediately all our military forces from European and Asiatic countries.

Whereas we are advised that there is now a resolution before a committee of Congress showing there are 3,500,000 children in Europe on the verge of starvation who will die for the want of clothes and food unless saved by the charity of the people of the United States; and

Whereas our country is carrying a fixed debt of $24,000,000,000 and meeting current expenditures to the amount of about $4,000,000,000 per annum, with a deficit of nearly $2,000,000,000 confronting us; and

Whereas the business interests of the country have advised Congress that it will be very difficult for business people to meet the coming installment of taxes; and

Whereas the party now in charge of the legislative department of the Government and soon to be in charge of all the departments pledged the people of this country in the last compaign that not one dollar should be appropriated from the Treasury of the United States except when absolutely necessary to meet the unavoidable expenses of the Government; and

Whereas there are now at least 15,300 American soldiers quartered in Europe on the German people, 7,000 in Hawaii, 5,900 in Panama, 10,000 in the Philippines, 1,800 in Porto Rico, and 1,400 in China; and

Whereas the present military program of Congress calls for a standing Army of 175,000 men, which is 100,000 greater than before the World War; and

Whereas by resolution of Congress our country has promised the Philippines independence; and

Whereas an American Army quartered abroad is a standing menace against our peace and national security; and

Whereas the governor of Wisconsin in his message has called to the attention of the legislature of this State the alarming military and naval expenditures of the National Government, which adds greatly to the tax burdens of the people of our State; and

Whereas it is generally believed that a large military and naval establishment is a direct incentive to war, with all its horrors of the killed and maimed, besides great suffering of the people at home from lack of necessities of life; and

Whereas at the present time our former enemies are humbled and unable to endanger our peace or security; and

Whereas none but our allies in the recent war have any armament to threaten our peace, and it is unthinkable that our former allies will turn upon our Nation after we have saved them from destruction, and all the leading nations are so burdened with debt that they are unable to pay the interest on their loans from this country; and

Whereas now, more than at any other time in the history of the world, disarmament is possible and is demanded: Therefore be it

Resolved, That we memorialize the President of the United States and Congress to take energetic action to reduce the military and naval expenditures of the Government to the lowest possible level consistent with the national safety.

That our Government set an example of disarmament at once without waiting upon the initiative of any other nation. That it propose to the other nations of the world a general plan for immediate disarmament of all nations.

That our Government take such action as is necessary for the immediate withdrawal of all our military forces from European and Asiatic countries.

Resolved further, That Congress pass such legislation as is necessary which will enable the people of the United States to alleviate the sufferings of the starving children of Europe; and be it further

Resolved, That a copy of this resolution, properly signed by the presiding officers of both houses and duly attested by the chief clerks thereof, be forwarded to the President of the United States, to the President of the Senate, to the Speaker of the House, and to the Representatives in Congress from Wisconsin.

GEO. C. FOMINGS,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE presented a resolution of the Legislature of Wisconsin, which was referred to the Committee on the Judiciary, as follows:

Joint resolution No. 20, 1921, memorializing and urging the Congress of the United States to direct immediate Federal action to control profiteering in the necessities of life.

Whereas unscrupulous, merciless, and prolonged profiteering in the necessities of life has been the cause of much suffering and hardship among our people, contributing much to industrial and social unrest in the cities and in the country; and

Whereas the people of the State of Wisconsin have long tried to correct these oppressive conditions, and to punish the profiteers, but without success because the situation was brought about by conditions beyond the control of the administrative, legislative, or legal agencies of the State; and

Whereas the necessities of life are controlled by great corporations which are interstate in character and can only be reached by the legislative, administrative, and legal agencies of the Federal Government; and

Whereas Wisconsin is peculiarly in a defenseless position, because there are not in this State to any appreciable degree any of the great monopolies, such as coal mines or oil wells. Not only is the control of these natural monopolies in the hands of great corporate interests, but monopolistic control of the great basic industries producing many of the essentials of life has also developed and is progressing rapidly. The prices for farm machinery, for extras and repairs are permitted, for example, to be held up to war levels, or actually advanced even to the extent of 100 per cent, while on the other hand the prices of farm products are permitted to decline, in many cases far below the cost of the production of the farm products; and

Whereas the State is defenseless and helpless, and without hope of a remedy without the cooperation of the Federal Government. The State can not interfere with interstate commerce. It can not reach the great packers. It can not regulate the price of sugar. It can not regulate the profits on woolen clothing. It can not control great interstate organizations such as the Harvester Co. and the farm machinery organizations. It can not affect the price of coal. In short, it is helpless to protect itself against much of the sources of our present trouble. The State is willing to do its part. Through the division of markets and other agencies it is going as far as it may go: Therefore be it

Resolved by the assembly (the senate concurring), That the Congress of the United States be respectfully memorialized that the Federal Government must assume the great and obvious duty resting upon it in the present situation. It must give us more vigorous and more effective administration of the laws we now have and it must give us through the courts such protection as will come from the imposition of prison sentences as well as fines upon the profiteers. It must give us, further, such legislation as is necessary to insure us against the tyranny of uncontrolled monopoly upon the necessities of life; and be it further

Resolved, That the Congress of the United States be respectfully urged to:

First, immediately determine the possibilities of State action and the limitations upon the States in their power to protect their own citizens and the citizens of other States.

Second, publish the findings concerning possible methods and plans for coordinate action on the part of the State.

Third, determine and enact such Federal legislation or take such other action as may be needed to meet the weaknesses and to close the gap between the laws of the States and between State and Federal action.

Fourth, authorize and direct immediate and vigorous Federal action to protect equally the people of every State from the injustice and evils which have come upon them through failure of the States to cooperate and failure of the Federal Government to assert its power where cooperation is impossible: And be it further

Resolved, That suitable copies of this resolution, attested by the signatures of the presiding officers and chief clerks of both houses, be transmitted to the President of the United States Senate and to the Speaker of the House of Representatives, and to each United States Senator and Congressman from this State.

GEO. C. FOMINGS,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. PHIPPS presented a resolution of the Legislature of Colorado, which was referred to the Committee on Interstate Commerce, as follows:

STATE OF COLORADO,
Office of the Secretary of State.

UNITED STATES OF AMERICA,
State of Colorado, ss:

I, Carl S. Milliken, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of house concurrent resolution No. 6 which was filed in this office the 5th day of April, A. D. 1921, at 11.25 o'clock a. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado, at the city of Denver, this 5th day of April, A. D. 1921.

[SEAL.]

CARL S. MILLIKEN,
Secretary of State.
By CHAS. M. ARMSTRONG,
Deputy.

House concurrent resolution No. 6, by Messrs. Gordon, Moore, Headlee, Lambert, Miller, Vroman, Reed, and Austin.

Whereas the existing freight rates on all agricultural products and live stock from points in Colorado to the Missouri River and east thereof are confiscatory and have left the farmers and live-stock growers of Colorado almost without a market for their products, to the great economic and financial loss of the State of Colorado: Now, therefore, be it

Resolved by the house of representatives of the twenty-third general assembly (the senate concurring), That the Interstate Commerce Commission of the United States of America be respectfully urged and requested to make, or cause to be made, an investigation at the earliest possible time to determine the possibility of lowering such freight rates; be it further

Resolved, That a copy of this resolution be forwarded to the Interstate Commerce Commission at Washington, D. C., and to the Representatives of the State of Colorado in Congress.

ROY A. DAVIS,
Speaker of the House of Representatives.
EARL COOLEY,
President of the Senate.

Approved April 5, 1921, 8.45 a. m.

OLIVER H. SHOUP,
Governor of the State of Colorado.

Mr. PHIPPS also presented a memorial of the Legislature of Colorado, which was referred to the Committee on Irrigation and Reclamation of Arid Lands, as follows:

Senate joint memorial 2.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislature of the State of Colorado, respectfully represent that:

Whereas the future growth and prosperity of Colorado and the entire West and Southwest is of vital importance in connection with the maintenance of our national institutions and of inestimable value in connection with the future defense of the Nation, and is almost wholly dependent upon the development and utilization of natural resources, particularly the reclamation by irrigation and drainage of the vast areas of now unproductive desert and swamp lands; and

Whereas the wisdom of Government reclamation of arid lands by irrigation and drainage has been fully demonstrated through the accomplishments of the United States Reclamation Service, created by an act of Congress in 1902, whereby former arid and wholly unproductive lands now sustain upward of 45,000 prosperous families and contribute annually $80,000,000 in crop value to our national wealth; and

Whereas there is an urgent necessity for stimulating activity in that greatest of all American industries—home building—and for the lending of national support to the "back-to-the-farm movement," in order that our discontented floating population might be permanently cemented to the soil and its loyalty as citizens guaranteed to the Nation; and

Whereas the most important of these reclamation enterprises are beyond the scope and probability of development by private or even State capital, but are essentially national problems: Now, therefore,

Your memorialists, the Senate and House of Representatives of the State of Colorado, hereby indorse a fixed and comprehensive national policy of reclamation of arid and swamp lands and solicit the immediate enactment of legislation designed and adapted to the needs of this great work, embodying such policies as will make available the natural resources essential to drainage and reclamation; and

It is directed that this memorial be enrolled and one copy sent to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Agriculture, one copy to the Senate chairman of Agriculture, and one copy to the Senators and Congressmen representing the State of Colorado.

FRANCES J. KNAUSS,
President pro tempore of the Senate.
ROY A. DAVIS,
Speaker of the House of Representatives.

Approved March 22, 1921.

OLIVER H. SHOUP,
Governor of Colorado.

Mr. CAPPER presented a memorial of Division No. 396, Brotherhood of Locomotive Engineers, of Kansas City, Kans., remonstrating against the enactment of legislation to repeal the excess profits tax and the adoption of sales tax, which was referred to the Committee on Finance.

He also presented a petition of sundry members of Local Union No. 23, International Brotherhood of Bookbinders, of Topeka, Kans., praying for the enactment of legislation placing a tariff on all foreign-bound books, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Osborne County, Kans., remonstrating against the enactment of legislation placing a tariff on coal-tar products and dips and disinfectants used for live-stock purposes, which was referred to the Committee on Finance.,

He also presented a petition of the Chamber of Commerce of Kansas City, Mo., praying for the enactment of legislation placing a tariff on poultry and poultry products, which was referred to the Committee on Finance.

He also presented a resolution of the Brotherhood of Railway Carmen of America, No. 751, of Topeka, Kans., favoring legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a resolution of Charles A. Learned Post No. 1, the American Legion, of Detroit, Mich., commending the Department of Justice for its action regarding radical organizations of bolsheviki tendencies, which was referred to the Committee on the Judiciary.

He also presented a resolution of the Chamber of Commerce of Traverse City, Mich., favoring the lakes-to-ocean deep-waterway project, which was referred to the Committee on Commerce.

He also presented memorials of sundry citizens of Detroit, Royal Oak, Manchester, and Sebewaing, all in the State of Michigan, protesting against the atrocities of uncivilized colored troops in the occupied zone of the Rhine, which were referred to the Committee on Foreign Relations.

He also presented a resolution of Robert Emmet Branch of the Friends of Irish Freedom, of Detroit, Mich., protesting against the methods pursued by the rulers of the British Empire in their activities against the Irish people, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Pomona Grange, No. 66, of Chippewa County, of St. Louis, Mich., favoring legislation placing an emergency tax on soy bean and peanut oils produced by the pauper labor of China and Japan and the coconut pickers of Africa, which was referred to the Committee on Finance.

He also presented a resolution of the Chamber of Commerce, of Traverse City, Mich., favoring legislation placing a tariff on potato flour and potato starch, which was referred to the Committee on Finance.

He also presented a resolution of the Board of Commerce, of Wyandotte, Mich., favoring legislation permitting corporations to claim deduction in income and profit tax returns for amounts contributed to charitable, scientific, and educational associations, which was referred to the Committee on Finance.

He also presented resolutions of the board of directors of the Upper Peninsula Mutual Building & Loan Association, of Sault Ste. Marie; of the board of directors of the Home Building Association, of Petoskey; and of the Building & Loan Association of St. Joseph, all in the State of Michigan, favoring legislation amending the income tax laws which will exempt annual income to the extent of $500 when derived from investments in a domestic building and loan association, which were referred to the Committee on Finance.

Mr. WALSH of Montana presented a resolution of the Legislature of Montana, which was referred to the Committee on Irrigation and Reclamation of Arid Lands, as follows:

Senate joint memorial 2.

A resolution memoralizing the Congress of the United States to enact appropriate legislation and provide sufficient appropriations for the completion of Federal reclamation projects within the State of Montana, at as early a date as possible, and candidly to advise the Congress and the Cabinet at Washington of the exact facts relating to irrigation and public-land settlement within the State of Montana.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas there has existed, and exists now, for reasons hereinafter appearing, most injurious misconception of the circumstances and conditions prevailing within the State of Montana, affecting the subject of irrigation and reclamation, and the necessities and desires of the people in respect thereto, requiring correction and immediate legislation to overcome the misfortune and suffering within the State, now the legislative assembly of said State, in the earnest hope that a candid and exact statement of the case will prompt, on the part of the Federal Government, that vigorous and beneficial action so urgently necessary, respectfully shows as follows:

(1) That the State of Montana contains 93,000,000 acres of land, of which one-third is agricultural in nature and may be made to produce, under proper conditions, great quantities of grain and foodstuffs, far in excess of any amount required for the needs of its own people.

(2) That prior to the year 1910 Montana was principally a mining and grazing country. Thereafter, and consequent on the passage of the 320 acres enlarged homestead act by the Congress, there was initiated an intensive campaign, persistently conducted by railroad immigration agents and private lands vendors, to induce settlers to come into Montana from other sections of the United States and enter upon homestead areas on the great eastern plateau of the Rocky Mountains. Inspired by the hope of a free home on easily tilled land and accompanying economic and financial independence, thousands of settlers, originating from every State in the Union, came into Montana from the years 1910 to 1915 and entered homesteads upon the great empire of grazing lands sloping from the Rockies to the Mississippi Basin.

(3) During the years 1911 to 1916, inclusive, a plenteous natural precipitation of moisture caused the growth of grain crops sufficient to justify the broadcast representations of railroad immigration agents and land vendors that irrigation was unnecessary and dry-land farming always a feasible and safe undertaking, and to warrant conviction on the part of the newcomers, ignorant of the experience of the past, that irrigation was not essential to their welfare, a conviction clinched beyond the possibility of removal by adverse argument and warning when the summer of 1916 produced on the plains for 300 miles east of the Rocky Mountains in Montana enormous yields of wheat, of greater value than the total annual production of Montana's gold mines. Under the spell of their new wealth and with five years' experience behind them, thousands of these settlers, firmly believing irrigation to be unnecessary, resisted the incorporation of their lands in the Federal reclamation projects or petitioned their homesteads out of projects. These actions of the new settlers were strongly opposed and counseled against by the older residents of Montana, whose long acquaintance with her climate had impressed them with the indispensability of irrigation on a great scale, with the knowledge that without irrigation there was no security for man or beast, but their warnings were thrown aside as the obsessions of alarmists in the face of the 1916 yield.

(4) With 1917 came the World War. Financed by the bounteous returns of 1916 and stimulated by the two most impelling motives of human impulse—patriotism and greed—the new settlers broke up great stretches of new land and planted the greatest acreage ever sown in Montana. For lack of rainfall the crop practically failed, returning but enough to furnish seed for 1918. The farmers being without resources of their own, the bankers and storekeepers took up the burden of financing the planting for the crop of 1918. The seed was sown, but there was no crop, for again the rains failed to come and the autumn of the war's second year witnessed a greater disaster than in 1917. Goaded by the universal cry for greater production and endeavoring to recoup part of the losses of 1917 and 1918, these new settlers, by this time reduced to the extremity of appealing for public aid, brought their case to the attention of the President of the United States, and the President set aside $5,000,000 from his war emergency fund of $100,000,000 to finance the farmers of the drought-stricken areas in another attempt to grow wheat as a war emergency measure. The spring of 1919 passed into the summer solstice without rainfall and the summer continued and closed without any rainfall, producing the greatest drought in the history of Montana, the grasses on the prairies failing to grow, and the streams and rivers diminished in flow to a lower point than ever known in the history of the State.

(5) When in the middle of the summer of 1919 it was an established fact that the State was in the third year of drought, and the most disastrous year of the three, a special session of the Legislative Assembly of Montana was called to devise plans to carry stockmen and farmers over the winter and finance another attempt to plant a crop. Laws were passed permitting the counties in the drought section to issue bonds for the purpose of financing this attempt. The winter that followed the drought of 1919, for extreme length and severity, has never been equaled, with the result that at least $50,000,000 were expended outside of the State for the importation of forage to keep the herds and flocks alive. All seed grains were imported from Canada and adjoining States for seed purposes. The crops of 1920 proved on an average a little greater in quantity than the crops of 1917, 1918, and 1919, but the cost of forage, of seed, of labor, and of farming machinery, the increased freight rates, and, finally, the precipitate decline in the prices of agricultural commodities swept away any margin of profit that might have accrued to be used against interest payments on the debts arising from the operations of 1917, 1918, and 1919.

Whereas all the people of Montana are now thoroughly convinced beyond any doubt that the salvation of agriculture in the State is directly dependent upon proper irrigation and reclamation and the new settlers of the State are frank to acknowledge the error of refusing encouragement to irrigation and reclamation; and

Whereas throughout the State of Montana there are mighty rivers and streams flowing abundant quantities of water easily and readily susceptible of use for irrigation, but the diversions of which are beyond the ability of private individuals and can only be undertaken by the State and National Governments; and

Whereas it is the firm conviction of the Legislative Assembly of the State of Montana that the only remedy for the present deplorable situation lies in an enlarged program of irrigation development whereby these destitute people can be given employment on construction of irrigation dams and ditches and ultimately placed upon irrigated lands where they can acquire a home and financial independence: Now, therefore, be it

Resolved by the Senate of the Seventeenth Legislative Assembly of the State of Montana and the House of Representatives concurring therein, That we do hereby petition the Congress of the United States for the immediate passage of liberal legislation providing for the prompt completion of irrigation and reclamation projects now undertaken by the Federal Government, and further providing for the initiation of new irrigation and reclamation projects on a large scale within this state; and be it further

Resolved, That we hereby pledge to the Congress of the United States and the proper officers of Washington our full and unstinted aid and cooperation in such Federal measures; and be it further

Resolved, That a copy of this memorial be transmitted by the secretary of state of Montana to the honorable Members of the United States Senate and the House of Representatives and to the President and the Cabinet officers at Washington and to the Senators and Representatives from the State of Montana, with the particular request that they exert every possible effort within their power to enact such legislation as is prayed for herein.

Approved February 26, 1921.

JOS. M. DIXON, *Governor.*

Filed February 28, 1921, at 9.45 o'clock a. m.

C. T. STEWART, *Secretary of State.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of senate joint memorial No. 2, being "A resolution memoralizing the Congress of the United States to enact appropriate legislation and provide sufficient appropriations for the completion of Federal reclamation projects within the State of Montana, at as early a date as possible, and candidly to advise the Congress and the Cabinet at Washington of the exact facts relating to irrigation and public land settlement within the State of Montana," enacted by the Seventeenth Session of the Legislative Assembly of the State of Montana and approved by Jos. M. Dixon, governor of said State, on the 26th day of February, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Montana at Helena, the capital, this 28th day of February, A. D. 1921.

[SEAL.] C. T. STEWART, *Secretary of State.*

Mr. WALSH of Montana also presented a resolution of the Legislature of Montana, which was referred to the Committee on Public Lands, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of a resolution memorializing Congress for the passage of legislation authorizing the State of Montana to lease State lands for such periods and on such terms and conditions as provided by the Legislative Assembly of the State of Montana enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Jos. M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

House joint resolution 1.

A resolution memorializing Congress for the passage of legislation authorizing the State of Montana to lease State lands for such periods and on such terms and conditions as provided by the Legislative Assembly of the State of Montana.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas under the act of Congress approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States," commonly known as the enabling act, the State of Montana is restrained from leasing State lands for periods of more than five years; and

Whereas for the purposes of properly developing the State lands and accomplishing for the State of Montana the greatest benefits from the leasing of the State lands granted to the State by the United States, particularly lands now considered as having real or potential value for stone, coal, oil, gas, other hydrocarbons, and other minerals, the said limitation of 5-year leases contained in the enabling act is too brief and has resulted in failure of the State lands to be developed for said purposes on an equal footing with public and privately owned lands similarly situated: Now, therefore, be it

Resolved by the House of Representatives of the State of Montana (the Senate concurring), That the Congress of the United States be, and is hereby, petitioned to enact suitable legislation amending the said enabling act and authorizing the State of Montana to lease her State lands for such periods of time and on such terms and conditions as may be from time to time provided by the Legislative Assembly of the State of Montana: *Provided, however*, That in the leasing of lands for agricultural and grazing purposes the duration of any lease shall not be for a longer period than five years; be it further

Resolved, That copies of this memorial be forwarded by the secretary of the State of Montana, to the Senate of the United States, and that copies of this memorial be forwarded by the secretary of state of the State of Montana to the House of Representatives of the United States, and that copies thereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives in Congress of the State of Montana.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

JOS. M. DIXON, *Governor.*

Filed March 7, 1921, at 9.30 o'clock a. m.

C. T. STEWART, *Secretary of State.*

Mr. WALSH of Montana also presented a resolution of the Legislature of Montana, which was referred to the Committee on Foreign Relations, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of an act memorializing the Congress of the United States, the Secretary of State of the United States, and the secretary of the International Joint Commission, and relating to the interpretation of the treaty between Great Britain and the United States, proclaimed May 13, 1910, adjudicating the division of the waters of St. Marys River and Milk River, said interpretation being inequitable and not contemplated nor the intent of either contracting party at the time of negotiations; and urging upon the Congress, the Secretary of State of the United States, and the secretary of the American side of International Joint Commission, the necessity of a hearing at an early date before the said International Joint Commission at some point within the Milk River Valley, the Milk River Valley irrigation project containing approximately 300,000 acres of irrigable lands, at which hearing the opportunity to secure an equitable interpretation may be had, enacted by the seventeenth session of the legislative assembly of the State of Montana, and approved by Joseph M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

House joint memorial 9.

Memorializing the Congress of the United States, the Secretary of State of the United States, and the secretary of the International Joint Commission, and relating to the interpretation of the treaty between Great Britain and the United States, proclaimed May 13, 1910, adjudicating the division of the waters of St. Marys River and Milk River, said interpretation being inequitable and not contemplated nor the intent of either contracting party at the time of negotiations; and urging upon the Congress, the Secretary of State of the United States, and the secretary of the American side of International Joint Commission the necessity of a hearing at an early date before the said International Joint Commission at some point within the Milk River Valley, the Milk River Valley irrigation project containing approximately 300,000 acres of irrigable lands, at which hearing the opportunity to secure an equitable interpretation may be had.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas by the terms of article 6 of the treaty between the United States and Great Britain, dated January 11, 1909, and promulgated February 2, 1912, provision is made for the division and apportionment of the waters of St. Marys and Milk Rivers between the two countries; and

Whereas both of said rivers have their source within the State of Montana and the waters thereof are of vital necessity for the irrigation of the lands of the Milk River Valley; and

Whereas the International Boundary Commission charged with the duty of dividing, apportioning, and administering the waters of the said rivers have been unable to construe the said article 6 in a manner satisfactory to the high contracting parties; and

Whereas several hearings have been held, at which arguments have been presented by representatives of both countries; and

Whereas all such hearings have been held at points remote from the region most directly interested and concerned so that no considerable numbers of witnesses most vitally concerned could attend and be heard except at relatively enormous expense and inconvenience: Therefore be it

Resolved, That the house of representatives of the State of Montana, the senate concurring, does respectfully petition Congress, the Secretary of State of the United States, and the secretary of the American side of the International Boundary Commission that an early hearing of the said International Boundary Commission should be held in the Milk River Valley in the vicinity of the streams on which the controversy arose, and in the locality of the lands most vitally affected; and be it further

Resolved, That a copy of this resolution be sent by the secretary of state of the State of Montana to the Secretary of the American side of the said boundary commission, and the Senators and Representatives of Montana in Congress, and to the Secretary of State of the United States.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

JOS. M. DIXON, *Governor.*

Filed March 7, 1921, at 9.30 o'clock a. m.

C. T. STEWART, *Secretary of State.*

Mr. WALSH of Montana also presented two resolutions of the Legislature of Montana, which were referred to the Committee on Finance, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of memorial to the Congress of the United States to enact such legislation as may be necessary to impose an import duty on chrome ore for the protection of producers of chrome ore within the United States, enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Joseph M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.]

C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

House joint memorial 14.

Memorial to the Congress of the United States to enact such legislation as may be necessary to impose an import duty on chrome ore for the protection of producers of chrome ore within the United States.

To the honorable Senate and House of Representatives in the Congress of the United States of America:

Your memorialists, the members of the seventeenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas during the war between the United States and the Imperial German Government and her allies certain western mining States of the Union did develop and produce large quantities of chrome ore; and

Whereas such production was at the request and for the benefit of the Government of the United States while so engaged in said war, and so made possible by the price then prevailing upon such ores, due to the fact that foreign ores were not then being imported into the United States; and

Whereas since the cessation of hostilities such quantities of chrome ore have been, and are now, being imported into the United States at prices far below what domestic ores can be placed upon the market for; and

Whereas those mining enterprises in the Western States, including the State of Montana, have spent large sums of money in the development of chrome ore, and other like ores, and have been unable to operate their respective properties since the cessation of hostilities by reason of the large influx of foreign ores, and if such importation is to continue the domestic mining enterprises of chrome ores will be unable to compete with foreign producers, and large sums of money heretofore invested in the development of these mining enterprises will be lost to the American people; and

Whereas the only means of restoring such domestic mining enterprises to the profit of both the laborer and capital of the United States is to place a tariff on the importation of chrome ore into the United States, and in order to stimulate and keep alive such industry it is the judgment of this legislative assembly that a tariff should be assessed against all importations of chrome ore in such an amount as will enable the domestic producers of chrome ore to compete with foreign producers: Therefore be it

Resolved, That it is the sense of this legislative assembly that the Government of the United States should, at the earliest possible moment, place a tariff upon the importation of chrome ore in such an amount as will protect the domestic producers of such ore; and be it further

Resolved, That a copy of this memorial be forwarded to the Senate and House of Representatives of the United States and to our Senators and Representatives in Congress.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

JOS. M. DIXON, *Governor.*

Filed March 7, 1921, at 9.30 o'clock a. m.

C. T. STEWART, *Secretary of State.*

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of a resolution memorializing Congress for the passage of the legislation now pending before Congress for the care and rehabilitation of our soldiers, sailors, and marines who were injured in the late war, enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Joseph M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

C. T. STEWART, *Secretary of State.*
[GREAT SEAL.] By CLIFFORD L. WALKER, *Deputy.*

Substitute for house joint memorial 7.

(Introduced by Committee on Military Affairs.)

Resolution memorializing Congress for the passage of the legislation now pending before Congress for the care and rehabilitation of our soldiers, sailors, and marines who were injured in the late war.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas the first duty of the American people should be the care and rehabilitation of our soldiers, sailors, and marines who were injured in the late war; and

Whereas thousands of these men are now quartered in temporary buildings that were built during the war and are now unfit for hospitals; and

Whereas thousands of these men have suffered inattention from the Bureau of Public Health, thousands who should have been taking vocational training have become discouraged, and thousands have not received compensation to which they were justly entitled, because of the maze of red tape and duplication required, because of the fact that the Bureau of War Risk Insurance, the rehabilitation section of the Public Health Service, and the Board for Vocational Education are under separate heads and each requires almost identical proofs of a man's disability and service; and

Whereas certain inequalities and injustices are the result of existing laws: Now, therefore, be it

Resolved by the House of Representatives of the Seventeenth Legislative Assembly of the State of Montana (the Senate concurring therein), That we do hereby petition the Congress of the United States for the passage of the legislation now pending before that body, relating to injured ex-service men, as follows:

First. Watson bill (H. R 13558) providing for the establishment of fourteen regional offices of the War Risk Bureau and as many suboffices as deemed necessary; authorizing the Post Office Department to collect premiums on Government insurance; and relieving from payment of premiums all disabled men in receipt of hospitalization after discharge from military service.

Second. Stevenson bill (H. R. 10835) providing for the retirement of disabled emergency or reserve corps officers on the same basis as that granted to officers of the Regular Army.

Third. Hospitalization: France bill (S. 4357) appropriating $29,530,000 for the building of new hospitals; Langley bill (H. R. 14315) appropriating $10,000,000 for the building of new hospitals.

Fourth. Rogers-Capper bill, providing for the consolidation of the Bureau of War Risk Insurance, the rehabilitation section of the Public Health Service, and the Federal Board for Vocational Education under the jurisdiction of the Department of the Interior.

Fifth. The Walsh bill (S. 4695) providing for the establishment of a board of appeals in each State, to which disabled men may appeal from any award made by the Government, and providing a time within which the Bureau of War Risk Insurance must make an award of compensation.

Be it further resolved, That a copy of this memorial be transmitted by the secretary of the State of Montana to the Senators and Representatives in Congress from the State of Montana, with the request that they use every effort within their power to bring about the enactment of said legislation.

PERCY F. DODDS,
Speaker of the House pro tempore.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

JOS. M. DIXON.

Filed March 7, 1921, at 9.30 o'clock a. m.
C. T. STEWART, *Secretary of State.*

Mr. WALSH of Montana also presented a resolution of the Legislature of Montana, which was referred to the Committee on Education and Labor, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of memorial concerning House bill No. 10925, known as the Sheppard-Towner bill, now pending congressional action, enacted by the seventeenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 5th day of March, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 10th day of March, A. D. 1921.

[SEAL.] C. T. STEWART, *Secretary of State.*
By CLIFFORD L. WALKER, *Deputy.*

House joint memorial 16.

Memorial concerning House bill No. 10925, known as the Sheppard-Towner bill, now pending congressional action.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialist, the members of the Seventeenth Legislative Assembly of the State of Montana (the Senate and House concurring), respectfully represent:

Whereas it is the belief of this assembly that the deaths of 15,000 women who annually sacrifice their lives in childbearing in the United States constitute a serious reflection upon our humanitarianism and educational facilities; and

Whereas approximately 150 mothers die each year in Montana from ignorance of natal hygiene or from inability to secure proper care and attention; and

Whereas this number constitutes 2½ per cent of the total deaths in Montana, or 1 out of each 40, from all causes; and

Whereas we believe that childbearing should not continue to be a journey into the valley of the shadow of death; and

Whereas House bill No. 10925, known as the Sheppard-Towner bill, now pending congressional action, and designed to inaugurate a campaign for the education, protection, and relief of expectant mothers through a Federal central agency, and to offer Federal aid to States for localized campaigns, is proposed as a corrective measure: Therefore be it

Resolved, That we urge early enactment of this measure by Congress and its support by our own Representatives in that body; be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of the State of Montana to the Senate and House of Representatives of the United States, and that copies thereof be transmitted by the secretary of state of the State of Montana to the Montana Senators and Representatives in the Congress of the United States.

FRED L. GIBSON,
Speaker of the House.
NELSON STORY, Jr.,
President of the Senate.

Approved March 5, 1921.

JOS. M. DIXON, *Governor.*

Filed March 7, 1921, at 9.30 o'clock a. m.
C. T. STEWART, *Secretary of State.*

Mr. ASHURST presented two resolutions of the Legislature of Arizona, which were referred to the Committee on Indian Affairs, as follows:

House joint memorial No. 4.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialist, the Fifth Legislature of the State of Arizona, in regular session assembled, do respectfully represent that—

In 1909 the Twenty-fourth Legislative Assembly of the (then) Territory of Arizona did respectfully, but most earnestly, call to the attention of the President of the United States and the Secretary of the Interior that the Geological Survey of the United States, after due and complete investigation, including surveys, soundings for bedrock, stream measurements, and all other work necessary to afford them full and complete knowledge of the feasibility and desirability of constructing a storage dam on the Gila River in the vicinity of the San Carlos Indian Agency in Arizona, did report and declare:

That it was feasible to construct a dam at said Carlos Reservoir site;

That such dam would impound 250,000 acre-feet of water and reclaim 150,000 acres of land;

That the annual discharge of the Gila River at said dam site was ample to fill the reservoir in years of minimum flow;

That in the Casa Grande Valley, the first agricultural land to be reached below the San Carlos Reservoir, there are 360,000 acres of land which are irrigable, level, gently sloping, and admirably conditioned for irrigation and possessed of a soil of unsurpassed fertility and endurance, capable of producing in great abundance every variety of agricultural and horticultural crop known to the semitropical climates;

That the lands so reclaimed by the San Carlos Reservoir will support in ease and luxury more than 40,000 people and make homes for 8,000 families, averaging 5 persons to the family;

That the said San Carlos Reservoir would furnish 20,000 electric horsepower, and as said reservoir would be in the heart of one of the largest mining belts in Arizona rentals from said electricity would more than pay the cost of maintaining the reservoir;

That if the dam were made of a greater height the storage capacity would be 560,000 acre-feet, and that such larger dam was feasible.

Your memorialist further represents that the report of the Geological Survey, setting forth in great detail all of the foregoing facts, was submitted to and approved by the then Secretary of the Interior, and by him referred to Congress, with a recommendation asking an immediate appropriation for the said construction of the said San Carlos dam, and said report was also printed as paper No. 33, Geological Survey of the United States, and the original is now on file in the Department of the Interior;

That in 1918 and 1919 the Third and Fourth Legislatures of the State of Arizona called to the attention of the honorable the Secretary of the Interior the fact that the Congress of the United States, in pursuance to the report of the Geological Survey and the request of the honorable the Secretary of the Interior, had, in 1916, appropriated from the funds of the Indian Tribes the sum of $175,000 for the construction of a diversion dam on the Gila River, above the city of Florence, Ariz., and later had made a second appropriation of $75,000 additional, making a total of $250,000, which has at all times since been available for the purpose of erecting this unit in the recommended San Carlos dam;

That at that time, and at all times since, surveys, maps, plans, and specifications have been completed and are now on file with the engineering department of the United States;

That the national administration at Washington has urged upon the people of the United States and upon Congress the necessity of throwing open to entry for the soldiers returning from the war the lands belonging to the United States and to the various States of the Union;

That the national administration at Washington has urged the necessity of the reclamation of the waste and arid lands of the Southwest in order that lands might be assigned to these returning soldiers;

That the national administration at Washington has urged the immediate need of employment on public works and otherwise of the returned soldiers, that their absorption into industrial life may be accomplished without disturbance of conditions:

Wherefore your memorialist urgently requests that the Congress of the United States take such action as it may seem best to see that the money already for some five years appropriated be applied to the carrying out of the project recommended and approved for over 12 years, and that Congress, if it deem such action wise, appropriate such further sums as may be necessary to carry to completion the entire project as outlined by the Geological Survey in 1909, that this vast

acreage of rich and fertile land may be made available to fulfill the promise of the national administration in giving employment to large numbers of the returned men who went forth to war, and in furnishing homes and economic independence to those who offered up their all so cheerfully for the triumph of the ideals of democracy.

It is ordered that copies of this memorial be sent to the President of the Senate, and the Speaker of the House of Representatives of the United States, and that other copies be forwarded to our representatives in Congress, that they, as our representatives, may lend their aid in obtaining the accomplishment of this great work.

Adopted by the house March 1, 1921, by unanimous vote.

P. C. KEEFE,
Speaker of the House.
OSCAR ZAPF, *Chief Clerk.*

Unanimously adopted March 9, 1921.

H. B. WILKINSON,
President of the Senate.
ROY N. DAVIDSON,
Secretary of the Senate.
THOMAS E. CAMPBELL,
Governor of Arizona.

—

Senate joint memorial 4.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Whereas there exist in many places throughout the State of Arizona, Indian reservations, which are under the exclusive jurisdiction of the Federal Government; and

Whereas many of said Indian reservations are close by and contiguous to cultivated agricultural lands and centers of many of the farming communities of the State of Arizona; and

Whereas the general movement for good roads throughout the country at large, and the State of Arizona in particular, have met with serious obstacles by being compelled to cease construction upon reaching said Indian reservations, or undertaken expensive detours, with the incidental loss of time, money and material in making said necessary detours: Therefore be it

Resolved by the Senate and the House of Representatives of the Fifth State Legislature of the State of Arizona, That Congress be earnestly requested to devise a method and create and finance a system of road construction through, over and across the said Indian reservations within the State of Arizona, connecting with the public highways of the State as now existing and as may be in the future laid out and constructed: Be it further

Resolved, That a copy of this memorial and these resolutions be immediately forwarded to the President of the United States Senate, the Speaker of the National House of Representatives, to the Secretary of the Interior, to the superintendent of the Bureau of Indian Affairs, and to each of the Representatives in Congress from Arizona.

Passed the senate February 26, 1921.
Passed the house February 26, 1921.
Approved by the governor March 3, 1921.
Attest:

ROY N. DAVIDSON,
Secretary of the Senate.

Mr. ASHURST also presented a resolution of the Legislature of Arizona, which was referred to the Committee on Interstate Commerce, as follows:

FIFTH STATE LEGISLATURE,
STATE OF ARIZONA.

House concurrent resolution 5.

Whereas the recent decision of the Interstate Commerce Commission in the Illinois rate case interprets the Esch-Cummins Act as giving them complete authority over the railways, the entire field of transportation, the traffic itself, and all the instrumentalities and means of carrying it on; and

Whereas it means that the laws of the States are ignored and that the Interstate Commerce Commission has assumed exclusive authority over the railways; and

Whereas the mining and agricultural industries of Arizona will be seriously handicapped, if not entirely destroyed, by any further increase in existing rates; and

Whereas the freight and passenger rates are already burdensome to the producers and consumers, and the railroads have asked for further increase in rates, with no consideration apparently having been given in the recent raise in rates, to the high cost of production and operation in Arizona, with no completed valuation of the railways or as to the fact that the railways in this State have not millions invested in depots and terminals, we consider it unwise to confer upon the Interstate Commerce Commission the greatest power ever given to a body of men in peace times: Therefore be it

Resolved by the house of representatives (the senate concurring), That we call upon Congress to so amend the transportation act and in such plain language that the authority of the States over intrastate traffic in their respective territories will be maintained without an opportunity for misinterpretation; and be it further

Resolved, That a copy of this resolution be sent to each United States Senator and Congressman from Arizona.

Adopted by the house March 3, 1921, by unanimous vote.

P. C. KEEFE,
Speaker of the House.
OSCAR ZAPF,
Chief Clerk of the House.

Adopted by the senate March 5, 1921, by unanimous vote.

H. B. WILKINSON,
President of the Senate.
ROY N. DAVIDSON,
Secretary of the Senate.

Approved March 8, 1921.

THOMAS E. CAMPBELL,
Governor of Arizona.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

A bill (S. 1) for the relief of Edward H. Dennison; to the Committee on Claims.

A bill (S. 2) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Agriculture and Forestry.

A bill (S. 3) to authorize the widening of First Street NE., and for other purposes;

A bill (S. 4) to make the necessary survey and to prepare a plan of a proposed parkway to connect the old Civil War forts in the District of Columbia;

A bill (S. 5) to amend an act approved February 28, 1899, entitled "An act relative to the payment of claims for material and labor furnished for District of Columbia buildings";

A bill (S. 6) to amend an act approved March 3, 1921, entitled "An act to enlarge the jurisdiction of the municipal court of the District of Columbia and to regulate appeals from the judgments of said court, and for other purposes";

A bill (S. 7) to amend an act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the District of Columbia," approved February 4, 1913;

A bill (S. 8) to prevent fraud respecting securities offered for sale within the District of Columbia, to provide a summary proceeding therefor, to register persons selling securities in the District of Columbia, and for other purposes; and

A bill (S. 9) to amend section 857 of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 10) granting an increase of pension to Cordelia Safford; and

A bill (S. 11) granting an increase of pension to Emma M. Wainwright; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 12) to acquire a new site for a courthouse, etc., at Portland, Oreg.; to the Committee on Public Buildings and Grounds.

By Mr. POINDEXTER:

A bill (S. 14) providing for the election of a Delegate to the House of Representatives from the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 15) to amend section 4 of the act to regulate commerce passed February 4, 1887, and subsequent amendments thereof; and

A bill (S. 16) to prohibit interference with commerce; to the Committee on Interstate Commerce.

A bill (S. 17) appropriating the sum of $500 for the erection of a suitable monument over the grave of the Indian "Spokane Garry"; to the Committee on Indian Affairs.

A bill (S. 18) appropriating $24,000 for providing and installing in the harbor of Seattle, Wash., four mooring buoys for the use of the Government; to the Committee on Commerce.

A bill (S. 19) for the relief of Napoleon Le Clerc;

A bill (S. 20) to establish the Mount Baker National Park in the State of Washington; and

A bill (S. 21) authorizing the lease of school lands containing deposits of coal, oil, oil shale, or gas by the State of Washington for longer periods than five years; to the Committee on Public Lands.

A bill (S. 22) to prohibit "cost-plus" Government contracts, and to prohibit the payment of commissions for the awarding of Government contracts; and

A bill (S. 23) to protect the property, processes, and agencies of the Government of the United States from anarchy and bolshevism; to the Committee on the Judiciary.

A bill (S. 24) providing free passage through the Panama Canal for American ships; to the Committee on Interoceanic Canals.

A bill (S. 25) further defining and enlarging the duties of the Tariff Commission; to the Committee on Finance.

A bill (S. 26) for the relief of Samuel H. Dolbear; and

A bill (S. 27) for the relief of Hymer & Rufener; to the Committee on Mines and Mining.

A bill (S. 28) providing for the men and officers in the Russian Railway Service Corps the status of enlisted men and officers of the United States Army when discharged;

A bill (S. 29) authorizing the Secretary of War to grant to Lloyd E. Gandy, of Spokane, Wash., his heirs and assigns, the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., on such terms and conditions with respect to improvements to be made on the present target range as may be prescribed by the Secretary of War, or in lieu of such improvements to be made on the present target

range the Secretary of War may accept a conveyance to the United States of such other lands to be designated by the Secretary of War as may be deemed suitable for a target range in exchange for such overflow lands; that to facilitate the acquisition of the necessary additional lands the Secretary of War is authorized to condemn land necessary and suitable for target-range purposes, such condemnation to be at the expense of said Lloyd E. Gandy, grantee, his heirs and assigns; and

A bill (S. 30) to retain in military service partially disabled men and officers able to perform certain classes of work; to the Committee on Military Affairs.

A bill (S. 31) to regulate the operation of and to foster the development of radio communications in the United States; and

A bill (S. 32) for the relief of contractors, subcontractors, and material men who have suffered loss by reason of Government orders; to the Committee on Naval Affairs.

A bill (S. 33) for the relief of Anna Laguee;

A bill (S. 34) for the relief of the Pacific Commissary Co.; and

A bill (S. 35) to reimburse David J. Williams for cash shortage due to theft of public funds; to the Committee on Claims.

By Mr. FRELINGHUYSEN:

A bill (S. 36) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; and

A bill (S. 37) granting pensions to certain members of the former Life-Saving Service; to the Committee on Commerce.

A bill (S. 38) to establish in the District of Columbia a Government bureau of supply, and for other purposes; to the Committee on Appropriations.

A bill (S. 39) to authorize national banking associations to establish and maintain branches; to the Committee on Banking and Currency.

A bill (S. 40) amending the act of August 24, 1912, chapter 389, paragraph 1 (37 Stats., p. 550), to include periodical publications of regularly incorporated charitable organizations, admitting such publications to the mail as second-class matter; to the Committee on Post Offices and Post Roads.

A bill (S. 41) to further amend the interstate commerce act, as amended, to provide for seasonable rates for the transportation of coal; and

A bill (S. 42) to provide for the appointment of a Federal coal commissioner, to define his powers and duties, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 43) granting a pension to James D. Ash;

A bill (S. 44) granting a pension to George H. Fox;

A bill (S. 45) granting a pension to John B. Moore;

A bill (S. 46) granting a pension to Ralph M. Collins;

A bill (S. 47) granting an increase of pension to Sarah E. Hanes;

A bill (S. 48) granting an increase of pension to Joseph J. Waldron; and

A bill (S. 49) granting a pension to Amanda A. M. Taylor; to the Committee on Pensions.

A bill (S. 50) to compensate William Davies for the use and occupation of the fifth floor of the building 218-220 Fifth Avenue, Manhattan Borough, city of New York, N. Y., by the United States Department of Labor during the months of August and September, 1918;

A bill (S. 51) for the relief of Paul Guenther (Inc.) and Paul Guenther and Olga Guenther;

A bill (S. 52) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.;

A bill (S. 53) for the relief of Clotilda Freund;

A bill (S. 54) for the relief of Emil Schneider; and

A bill (S. 55) for the relief of Mabel L. Noble; to the Committee on Claims.

A bill (S. 56) for the relief of Edward S. Farrow; and

A bill (S. 57) for the relief of Edward Johnson; to the Committee on Military Affairs.

A bill (S. 58) to authorize the President of the United States to appoint John H. A. Day an officer of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. McLEAN:

A bill (S. 59) granting privilege of the floor and right to participate in debate to heads of executive departments and other officers; to the Committee on the Judiciary.

A bill (S. 60) to authorize the coinage of a Roosevelt 2-cent coin; to the Committee on Banking and Currency.

A bill (S. 61) to provide for a library information service in the Bureau of Education; to the Committee on Education and Labor.

A bill (S. 62) for the relief of Charles K. Bond, alias Kimball W. Rollins;

A bill (S. 63) for the relief of Lester A. Rockwell;

A bill (S. 64) to correct the military record of Walter H. Hutchinson; and

A bill (S. 65) to grant medals to survivors and heirs of volunteers of the Port Hudson forlorn-hope storming party; to the Committee on Military Affairs.

A bill (S. 66) for the relief of Joshua A. Fessenden and others;

A bill (S. 67) for the relief of the heirs of Adam and Noah Brown;

A bill (S. 68) for the relief of the heirs of Paul Noyes; and

A bill (S. 69) for the relief of James Gilfillan; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 70) to establish the Killdeer Mountain National Park, in the State of North Dakota, and for other purposes; and

A bill (S. 71) for the consolidation of the offices of register and receiver in district land offices in certain cases, and for other purposes; to the Committee on Public Lands.

A bill (S. 72) to establish an Indian boarding school at or near the city of Rolla, in the State of North Dakota; to the Committee on Indian Affairs.

A bill (S. 73) for the purchase of a site and the erection of a post-office building at Grafton, N. Dak.;

A bill (S. 74) for the purchase of a site and the erection of a post-office building at New Rockford, N. Dak.; to the Committee on Public Buildings and Grounds.

A bill (S. 75) imposing temporary duties upon certain agricultural products to meet present emergencies, to provide revenue, and for other purposes;

A bill (S. 76) to transfer claims for compensation for death or disability under the war risk insurance act from the Department of the Treasury to the Department of the Interior, and for other purposes; to the Committee on Finance.

A bill (S. 77) to amend section 177 of the Judicial Code; and

A bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota; to the Committee on the Judiciary.

A bill (S. 79) giving preference in appointments under the civil service laws to those persons having had military or naval service in any of the wars of the United States; to the Committee on Civil Service and Retrenchment.

A bill (S. 80) to establish a fish-cultural station in the State of North Dakota; to the Committee on Commerce.

A bill (S. 81) authorizing the Secretary of War to donate to Richland County, N. Dak., three brass cannons, with carriages; to the Committee on Military Affairs.

A bill (S. 82) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North, at or near the city of Pembina, N. Dak.; to the Committee on Commerce.

A bill (S. 83) authorizing and directing the Secretary of State to examine and settle the claim of the Wales Island Packing Co.;

A bill (S. 84) for the relief of James L. Vai; and

A bill (S. 85) for the relief of the legal representatives of the estate of Henry H. Sibley, deceased; to the Committee on Claims.

By Mr. EDGE:

A bill (S. 86) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. DILLINGHAM:

A bill (S. 87) to limit the immigration of aliens; and

A bill (S. 88) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and for other purposes; to the Committee on Immigration.

A bill (S. 89) for the relief of the heirs of Benjamin S. Roberts; to the Committee on Claims.

By Mr. TOWNSEND:

A bill (S. 90) to amend section 23 of the act of February 5, 1917, Thirty-ninth Statutes at Large, 874 (with an accompanying paper); to the Committee on Immigration.

A bill (S. 91) to amend section 657 of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 92) authorizing the Ottawa and Chippewa Tribes of Indians of Michigan to submit claims to the Court of Claims; to the Committee on Indian Affairs.

A bill (S. 93) to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.; to the Committee on Commerce.

A bill (S. 94) for the relief of Leonore M. Sorsby; to the Committee on Foreign Relations.

A bill (S. 95) providing one German cannon or fieldpiece for the City of Albion, Mich.;
A bill (S. 96) providing one German cannon or fieldpiece for the village of Concord, Mich.;
A bill (S. 97) providing one German cannon or fieldpiece for the town of Allen, Mich.;
A bill (S. 98) providing two German cannons or fieldpieces for the town of Trenton, Mich.;
A bill (S. 99) to correct the military record of Edgar Durfee;
A bill (S. 100) granting promotion to Robert M. Smith;
A bill (S. 101) to correct the military record of Burton Hubbell; and
A bill (S. 102) to correct the military record of Clark G. Russell; to the Committee on Military Affairs.
A bill (S. 103) for the relief of Morgan Miller;
A bill (S. 104) to carry into effect the findings of the Court of Claims in favor of Myron C. Bond, Guy M. Claflin, and Edwin A. Wells;
A bill (S. 105) for the relief of the estate of Jay A. Hubbell;
A bill (S. 106) for the relief of the Cornwell Co.;
A bill (S. 107) for the relief of Robert Edgar Zeigler; and
A bill (S. 108) for the relief of Mary E. Cook; to the Committee on Claims.
A bill (S. 109) granting an increase of pension to William H. Savage;
A bill (S. 110) granting an increase of pension to Ann Lenora Sayre;
A bill (S. 111) granting an increase of pension to Wesley H. Dick;
A bill (S. 112) granting an increase of pension to Edmund W. Hunt;
A bill (S. 113) granting an increase of pension to Josephine M. Higgins;
A bill (S. 114) granting a pension to Belva Furgason;
A bill (S. 115) granting an increase of pension to Caleb B. Gaffney;
A bill (S. 116) granting an increase of pension to Ralph S. Jordan;
A bill (S. 117) granting an increase of pension to Lucy V. Pardee;
A bill (S. 118) granting an increase of pension to Emma F. Clark;
A bill (S. 119) granting an increase of pension to Michael Pletcher;
A bill (S. 120) granting an increase of pension to Annie Manchester;
A bill (S. 121) granting a pension to Matilda Love;
A bill (S. 122) granting a pension to Heinery Poth;
A bill (S. 123) granting a pension to Lorenzo J. McEvoy;
A bill (S. 124) granting an increase of pension to Sanford S. See;
A bill (S. 125) granting an increase of pension to Charles E. Rogers;
A bill (S. 126) for the relief of Emma M. Gordon;
A bill (S. 127) granting an increase of pension to David A. Kooker; and
A bill (S. 128) granting a pension to Nirenia S. Savage; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 129) to provide for election contests in the Senate of the United States; to the Committee on Privileges and Elections.
A bill (S. 130) to amend title 9, section 900, paragraph (8), of the act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; and
A bill (S. 131) for the relief of Seemann & Co.; to the Committee on Finance.
A bill (S. 132) authorizing the Secretary of the Treasury to sell the present marine-hospital site in the city of St. Louis and to acquire a suitable and sufficient tract of land in or adjacent to the city of St. Louis for the construction of a complete hospital plant for the treatment of beneficiaries of the war-risk insurance and the Public Health Service;
A bill (S. 133) to provide for the erection of a public building on ground already acquired at Caruthersville, in the State of Missouri; and
A bill (S. 134) to provide for the erection of a public building at Charleston, in the State of Missouri; to the Committee on Public Buildings and Grounds.
A bill (S. 135) to provide for deporting certain aliens, and for other purposes; to the Committee on Immigration.
A bill (S. 136) for the relief of Dr. O. H. Tittmann, former Superintendent of the United States Coast and Geodetic Survey; and
A bill (S. 137) to modify the law of June 10, 1920, so as to authorize the power commission to employ William H. Standish, of Reeds Spring, Mo., to select a site on any navigable river of the United States for the location of a tunnel dam, patented to him by patent No. 1280573, which the Senate required by an amendment of the bill that came to that body from the House creating the commission, in the Sixty-sixth Congress; to the Committee on Commerce.
A bill (S. 138) creating a commission on the racial question; to the Committee on the Judiciary.
A bill (S. 139) for the relief of Philippine Scout officers;
A bill (S. 140) for the relief of Peter Shell;
A bill (S. 141) for the relief of Frank Ferrin;
A bill (S. 142) for the relief of Lewis Doll;
A bill (S. 143) authorizing the President to nominate and, by and with the advice and consent of the Senate, appoint Irvin Edward Kenter, late a major in the Infantry of the United States Army, a major in the Infantry on the retired list, and increasing the retired list by one for the purposes of this act;
A bill (S. 144) to correct and amend the service and military record of Herbert Langley, United States Marine Corps;
A bill (S. 145) for the relief of William S. Judkins;
A bill (S. 146) for the relief of J. M. Brown;
A bill (S. 147) for the relief of Hubert J. Stanley, alias John H. Lash;
A bill (S. 148) for the relief of George W. Stinebaker;
A bill (S. 149) to correct the military record of Second Lieut. Van Buren S. Reber;
A bill (S. 150) to provide longevity pay for reserve officers and National Guard officers serving under orders of the War Department;
A bill (S. 151) to amend sections 4874 and 4875 of the Revised Statutes relating to compensation for superintendents of national cemeteries; and
A bill (S. 152) to amend section 1274, Revised Statutes of the United States, giving to officers retired from active service 75 per cent of the pay and allowances of the rank upon which they are retired; to the Committee on Military Affairs.
A bill (S. 153) to establish in the Department of the Navy a bureau to be known as the chaplains' bureau, and for other purposes; to the Committee on Naval Affairs.
A bill (S. 154) to extend the benefits of the employees' liability act of September 7, 1916, to Arthur E. Rump;
A bill (S. 155) for the relief of C. W. Struckmeyer;
A bill (S. 156) for the relief of the heirs of Julio Carrazco, deceased;
A bill (S. 157) for the relief of the Rosen Reichardt Brokerage Co., of St. Louis, Mo.;
A bill (S. 158) for the relief of certain estates;
A bill (S. 159) for the relief of William E. Lewis;
A bill (S. 160) for the relief of Kristina Furjak;
A bill (S. 161) for the relief of Dr. Demetri Boyoucoglou;
A bill (S. 162) for the relief of Sarah Shelton;
A bill (S. 163) for the relief of Francis L. Flanders;
A bill (S. 164) for the relief of Mamie Millender;
A bill (S. 165) for the relief of Hans Weideman;
A bill (S. 166) for the relief of Edwin F. Mathews;
A bill (S. 167) for the relief of John H. Rheinlander;
A bill (S. 168) for the relief of J. H. Livingston; and
A bill (S. 169) for the relief of Barry County, Mo.; to the Committee on Claims.
A bill (S. 170) to revise and equalize rates of pension to the survivors of certain Indian wars, and for other purposes;
A bill (S. 171) to extend the provisions of the act of May 11, 1912;
A bill (S. 172) granting a pension to Andrew Kurtz;
A bill (S. 173) granting an increase of pension to Andrew Houlihan;
A bill (S. 174) granting an increase of pension to Thomas H. Wilkerson;
A bill (S. 175) granting a pension to Harriet Daniels;
A bill (S. 176) granting a pension to Uletha M. Robison;
A bill (S. 177) granting an increase of pension to John P. Wright;
A bill (S. 178) granting a pension to Theodosia Benner;
A bill (S. 179) granting an increase of pension to John M. Herndon;
A bill (S. 180) granting a pension to Catherine Hartman;
A bill (S. 181) granting an increase of pension to George Nash;
A bill (S. 182) granting an increase of pension to Peter Noblet;
A bill (S. 183) granting an increase of pension to John Christian Hohman;

A bill (S. 184) granting an increase of pension to William H. Howell;
A bill (S. 185) granting a pension to Oliver H. P. Harvey;
A bill (S. 186) granting a pension to Mary Boyles;
A bill (S. 187) granting a pension to Hannah J. Grove;
A bill (S. 188) granting a pension to Maria C. Vance;
A bill (S. 189) granting an increase of pension to Fannie S. Grant;
A bill (S. 190) granting a pension to James A. Clements;
A bill (S. 191) granting a pension to James W. Wilson;
A bill (S. 192) granting an increase of pension to John J. Hogan;
A bill (S. 193) granting an increase of pension to Mary F. Cooley;
A bill (S. 194) granting an increase of pension to Uriah Ruch;
A bill (S. 195) granting an increase of pension to John W. Sharrock;
A bill (S. 196) granting a pension to Edward D. Lockwood, alias George E. McDaniel;
A bill (S. 197) granting a pension to John H. Helser;
A bill (S. 198) granting an increase of pension to Nellie E. Crane;
A bill (S. 199) granting an increase of pension to Perry Harter; and
A bill (S. 200) granting an increase of pension to William D. Woodworth (with accompanying papers); to the Committee on Pensions.

A bill (S. 201) authorizing the appointment of Maj. Eniel H. Burgher as a major in the Regular Army; to the Committee on Military Affairs.

Mr. JONES of Washington. By request, I introduce a bill which provides for a general system of reclamation under certain conditions. It has some points in it that I think are very valuable. I have not had an opportunity to study it fully, however, so I present it in the way I have indicated, and ask that it be referred to the Committee on Irrigation and Reclamation of Arid Lands.

The bill (S. 203) to encourage the development of agricultural resources, water power, and waterways of the United States through cooperation of the United States with the several States of the United States, in conjunction with each other, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces, was read twice by its title and referred to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. JONES of Washington:

A bill (S. 204) exempting vessels of the United States from the payment of tolls when passing through the Panama Canal; to the Committee on Interoceanic Canals.

Mr. WALSH of Montana. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. WALSH of Montana. I inquire what reference was made of the bill introduced by the Senator from Washington touching the subject of tolls on American vessels passing through the Panama Canal?

The VICE PRESIDENT. The bill was referred to the Committee on Interoceanic Canals.

Mr. WALSH of Montana. Very well.

By Mr. JONES of Washington:

A bill (S. 205) relating to the fiscal system of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A bill (S. 206) to amend section 6 of an act approved January 17, 1914, entitled "An act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909"; to the Committee on Finance.

A bill (S. 207) to transfer from the Department of Commerce to the Department of Labor the duty and power to enforce so much of the navigation laws and laws governing the Steamboat Inspection Service as relate to persons employed in seafaring occupations, and for other purposes; and

A bill (S. 208) providing for the construction of a Pacific cable, and for other purposes; to the Committee on Commerce.

A bill (S. 209) to provide for the incorporation of certain companies operating in China; to the Committee on the Judiciary.

Mr. JONES of Washington. Mr. President, I introduce a bill which technically should go to the Committee on the District of Columbia, as it relates to marine insurance companies in the District of Columbia. The primary purpose of the bill, however, is to promote commerce and especially shipping. I have conferred with the chairman of the Committee on the District of Columbia and he agrees with me that really the bill should go to the Committee on Commerce, and therefore I ask that the bill may be referred to that committee.

There being no objection, the bill (S. 210) to regulate marine insurance in the District of Columbia, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 211) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Commerce.

A bill (S. 212) to regulate further certain public service corporations operating within the District of Columbia, and to amend an act relating to railway corporations owning or operating street railways in said District, approved June 5, 1905, and for other purposes; to the Committee on the District of Columbia.

By Mr. OVERMAN:

A bill (S. 213) to authorize the Secretary of War to grant the use of land and camp equipment to the United States Training Corps for Women, and to detail Army officers for service at recreational camps; to the Committee on Military Affairs.

A bill (S. 214) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and

A bill (S. 215) to prohibit improper and corrupt lobbying and to regulate the employment of legislative counsel and agents; to the Committee on the Judiciary.

By Mr. HITCHCOCK:

A bill (S. 216) to establish a mint of the United States in the city of Omaha; to the Committee on Banking and Currency.

A bill (S. 217) to amend section 24a of an act entitled "An act to amend an act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; to the Committee on Military Affairs.

By Mr. PITTMAN:

A bill (S. 218) to provide for the application of the reclamation law to irrigation districts; and

A bill (S. 219) for the examination and survey for irrigation works for the storage and diversion and development of waters on the watershed of the Truckee River; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 220) to authorize the acquisition of a site and the erection of a Federal building at Tonopah, Nev.;

A bill (S. 221) to increase limit of cost heretofore fixed by Congress for purchase of site and erection of building for use of post office at Fallon, Nev.;

A bill (S. 222) to provide for additions and extensions to the United States post office at Reno, Nev.; and

A bill (S. 223) to provide for the acquisition of a site and the erection thereon of a Federal building at Ely, Nev.; to the Committee on Public Buildings and Grounds.

A bill (S. 224) authorizing the Secretary of the Interior to purchase a tract of land, with sufficient water right attached, for the use and occupancy of the Temoak Band of homeless Indians, located at Ruby Valley, Nev.;

A bill (S. 225) for the relief of settlers and town-site occupants of certain lands in the Pyramid Lake Indian Reservation, Nev.; and

A bill (S. 226) to authorize the Secretary of the Interior to convey title to certain lands in the State of Nevada; to the Committee on Indian Affairs.

A bill (S. 227) to regulate the interstate use of automobiles and all self-propelled vehicles which use the public highways in interstate commerce; and

A bill (S. 228) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended June 29, 1906; April 13, 1908; June 18, 1910; February 17, 1917; March 2, 1917; May 29, 1917; August 10, 1917; and February 28, 1920; to the Committee on Interstate Commerce.

A bill (S. 229) to protect certain wild animals in Humboldt National Forest, in Nevada; to the Committee on Agriculture and Forestry.

A bill (S. 230) to create a division of mines and geology in the Department of the Interior;

A bill (S. 231) to amend section 2324 of the Revised Statutes; and

A bill (S. 232) to amend section 2324 of the Revised Statutes; to the Committee on Mines and Mining.

A bill (S. 233) to amend section 304 of the revenue act of 1918, approved February 24, 1919; to the Committee on Finance.

A bill (S. 234) for the relief of J. I. Earl; and

A bill (S. 235) for the relief of Annie H. Martin; to the Committee on Claims.

A bill (S. 236) granting to the State of Nevada 1,500,000 acres of land in said State for the use and benefit of the public schools of Nevada;

A bill (S. 237) to consolidate certain forest lands within the Humboldt National Forest, in the State of Nevada, and to add certain lands thereto, and for other purposes;

A bill (S. 238) to authorize the addition of certain lands to the Humboldt National Forest;

A bill (S. 239) for the consolidation of lands in the national parks, and for other purposes;

A bill (S. 240) authorizing the exchange of certain lands in the State of Nevada;

A bill (S. 241) to aid in the reclamation of lands in the bed of Carson Lake, in the State of Nevada;

A bill (S. 242) to aid in the reclamation of certain lands in portions of the bed of Virgin River, in the State of Nevada;

A bill (S. 243) to promote the utilization and disposition of the waters of the Colorado River for irrigation and power uses, and for other purposes; and

A bill (S. 244) to aid in the reclamation of lands in the bed of Winnemucca Lake, in the State of Nevada; to the Committee on Public Lands.

A bill (S. 245) to amend section 6 of an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes, approved July 11, 1916, as amended"; to the Committee on Post Offices and Post Roads.

By Mr. WALSH of Montana:

A bill (S. 246) for the relief of certain nations or tribes of Indians in Montana (with accompanying papers);

A bill (S. 247) for the relief of certain members of the Flathead Nation of Indians, and for other purposes (with accompanying papers);

A bill (S. 248) to cancel the allotment of Little Bear, deceased Indian of the Crow Reservation, Mont. (with accompanying papers);

A bill (S. 249) for the relief of certain tribes and nations of Indians in the State of Montana;

A bill (S. 250) authorizing the Crow Tribe of Indians, residing in the State of Montana, to submit claims to the Court of Claims; and

A bill (S. 251) providing that Indians and other persons on Indian reservations and superintendencies shall be subject to certain State or Territorial laws, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 252) to amend an act approved February 22, 1889, entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States";

A bill (S. 253) granting to the county of Custer, State of Montana, certain land in said county for use as a fair ground;

A bill (S. 254) authorizing the conveyance of certain land to the city of Miles City, State of Montana, for park purposes;

A bill (S. 255) for the consolidation of forest lands within the Gallatin National Forest, and for other purposes; and

A bill (S. 256) to reimburse the State of Montana for expenses incurred by it in suppressing forest fires on Government land during the year 1919; to the Committee on Public Lands.

A bill (S. 257) providing for an additional judge for the district of Montana (with accompanying papers); and

A bill (S. 258) concerning actions on account of death or personal injury within places under the exclusive jurisdiction of the United States; to the Committee on the Judiciary.

A bill (S. 259) to enlarge, extend, remodel, etc., public building at Helena, Mont.;

A bill (S. 260) to provide for the erection of a public building at Glasgow, Mont.; and

A bill (S. 261) to increase the limit of cost for the Federal building and site therefor at Billings, Mont., and to authorize the provision of quarters for United States courts in said building; to the Committee on Public Buildings and Grounds.

A bill (S. 262) to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River; to the Committee on Commerce.

A bill (S. 263) for the relief of James W. Nugent;

A bill (S. 264) to correct the military record of William McCormick;

A bill (S. 265) for the relief of Levi B. Rouse;

A bill (S. 266) for the relief of Edward T. Moran;

A bill (S. 267) for the relief of Thomas W. Williams;

A bill (S. 268) for the relief of William O. Mallahan; and

A bill (S. 269) to provide for building and furnishing a building at Custer Battle Field National Cemetery for use as an office for the custodian and for the convenience and comfort of the public; to the Committee on Military Affairs.

A bill (S. 270) providing for the establishment of State boards of war-risk appeals; and

A bill (S. 271) providing for the establishment of State boards of war-risk appeals; to the Committee on Finance.

A bill (S. 272) to reimburse the county of Lewis and Clark, State of Montana, for expenses incurred by it for the construction of a public highway through the Helena National Forest; to the Committee on Agriculture and Forestry.

A bill (S. 273) to amend section 11 of the Federal farm loan act, as amended April 20, 1920, and section 32, as amended January 18, 1918; to the Committee on Banking and Currency.

A bill (S. 274) for the erection and maintenance of a dam across the Yellowstone River, in the State of Montana; and

A bill (S. 275) for the erection and maintenance of a dam across the Yellowstone River, in the State of Montana; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 276) granting a pension to Mary E. King;

A bill (S. 277) granting a pension to Justus W. King;

A bill (S. 278) granting a pension to James Farrell;

A bill (S. 279) granting a pension to Mary E. Hover;

A bill (S. 280) granting a pension to Kathryn C. Sterling;

A bill (S. 281) granting a pension to Thomas Ryan;

A bill (S. 282) granting an increase of pension to William L. Pierce;

A bill (S. 283) granting an increase of pension to Charles H. Lufkin;

A bill (S. 284) granting a pension to Lucinda Harrington;

A bill (S. 285) granting a pension to David H. Russell; and

A bill (S. 286) granting an increase of pension to Edmund W. Bache; to the Committee on Pensions.

A bill (S. 287) to reimburse the heirs of Chief Heavy Runner on account of his death and for property taken from him at the time of the Baker massacre;

A bill (S. 288) for the relief of John T. Eaton (with an accompanying paper);

A bill (S. 289) for the relief of Kate Canniff;

A bill (S. 290) for the relief of Harry Scott;

A bill (S. 291) for the relief of John T. Eaton;

A bill (S. 292) for the relief of Grace Brewster-Arnold, administratrix of the estate of George W. Brewster, deceased;

A bill (S. 293) to reimburse Hill County, State of Montana, for money expended for the support of the Rocky Boy Band of Chippewa Indians;

A bill (S. 294) for the relief of Patrick Rafferty;

A bill (S. 295) for the relief of H. Frank Adkins;

A bill (S. 296) for the relief of John E. Woods;

A bill (S. 297) for the relief of J. D. Savage;

A bill (S. 298) for the relief of Lars T. Rykken; and

A bill (S. 299) for the relief of Stella M. Musselman; to the Committee on Claims.

By Mr. HARRISON (for Mr. KING):

A bill (S. 300) making an appropriation for the purchase of property adjoining the Federal building at Salt Lake City, Utah;

A bill (S. 301) to increase the cost of the public building at Eureka, Utah;

A bill (S. 302) to increase the cost of the public building at Park City, Utah;

A bill (S. 303) providing for the enlargement, extension, and remodeling of the post office and courthouse at Salt Lake City, Utah;

A bill (S. 304) to provide for the erection of a public building at Price, Utah;

A bill (S. 305) to authorize the appropriation of $60,000 for the erection of a public building at Nephi, Utah;

A bill (S. 306) for the purchase of a post-office site at Cedar City, Utah;

A bill (S. 307) for the purchase of a site and the erection of a public building at St. George, Utah;

A bill (S. 308) to provide for the purchase of a site and the erection of a public building thereon at Bingham Canyon, in the State of Utah;

A bill (S. 309) for the construction of a Federal building at Fillmore, Utah;

A bill (S. 310) for the appropriation of additional funds for the purchase of a site and the erection of a Federal building at Spanish Fork, Utah;

A bill (S. 311) to increase the cost of the public building at Vernal, Utah;

A bill (S. 312) for the purchase of a post-office site at Manti, Utah;

A bill (S. 313) for the purchase of a post-office site at Beaver, Utah;

A bill (S. 314) for the purchase of a post-office site at Moab, Utah;

A bill (S. 315) for the purchase of a post-office site at Tremonton, Utah;

A bill (S. 316) for the purchase of a post-office site at Tooele, Utah;

A bill (S. 317) for the purchase of a post-office site at Duchesne, Utah;

A bill (S. 318) for the purchase of a post-office site at Heber City, Utah;

A bill (S. 319) for the purchase of a post-office site at Farmington, Utah; and

A bill (S. 320) for the purchase of a post-office site at Coalville, Utah; to the Committee on Public Buildings and Grounds,

By Mr. McKELLAR:

A bill (S. 321) to enable the Secretary of Agriculture to carry out investigations of the causes and means of prevention of fires and dust explosions in industrial plants; to the Committee on Agriculture and Forestry.

A bill (S. 322) regarding the education and naturalization of aliens and the children of aliens, and for other purposes; to the Committee on Education and Labor.

A bill (S. 323) relative to the acquisition of oil lands by foreign Governments; to the Committee on Foreign Relations.

A bill (S. 324) to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; and

A bill (S. 325) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; to the Committee on Civil Service and Retrenchment.

A bill (S. 326) to prohibit interstate shipments or transportation of certain food products; to define and to prohibit transportation and sale of adulterated or misbranded food products; to regulate traffic therein; to define and regulate cold storage; to regulate dealing in cold-storage food products; and to fix penalties for violation, and for other purposes; and

A bill (S. 327) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," approved February 13, 1893; to the Committee on Interstate Commerce.

A bill (S. 328) to raise revenue by taxing certain articles of food held in cold storage; and

A bill (S. 329) to reduce the tax on oleomargarine; to the Committee on Finance.

A bill (S. 330) for the relief of the Hottum-Kennedy Dry Dock Co., of Memphis, Tenn. (with accompanying papers); to the Committee on Claims.

A bill (S. 331) authorizing and directing the Interstate Commerce Commission to establish a system of mileage books to be issued to commercial travelers at reduced rates by all railroad companies carrying passengers; to the Committee on Interstate Commerce.

A bill (S. 332) to provide for the acquisition of a site and the erection thereon of a public building at McMinnville, Tenn.;

A bill (S. 333) for the construction of a complete hospital plant in the city of Memphis, Tenn.; and

A bill (S. 334) to increase the cost of the public building at Memphis, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 335) to establish a new judicial circuit of the United States with a circuit court of appeals, hereafter to be called the tenth circuit;

A bill (S. 336) to incorporate the International Association of Rotary Clubs, and for other purposes; and

A bill (S. 337) regulating trials by jury; to the Committee on the Judiciary.

A bill (S. 338) providing additional compensation to certain employees of the Post Office Department for overtime service; and

A bill (S. 339) for the reduction of postage on first-class mail matter; to the Committee on Post Offices and Post Roads.

A bill (S. 340) granting a pension to F. W. Gerding;

A bill (S. 341) granting a pension to Ruben B. Hyder;

A bill (S. 342) granting an increase of pension to Robert T. C. Blevins;

A bill (S. 343) granting a pension to Mary E. Martin;

A bill (S. 344) granting an increase of pension to George W. Pinion;

A bill (S. 345) granting an increase of pension to William H. Hart;

A bill (S. 346) granting an increase of pension to Sarah M. Brown;

A bill (S. 347) granting an increase of pension to Samuel Hawkins;

A bill (S. 348) granting a pension to Eva Durham;

A bill (S. 349) granting a pension to Emil K. Schroeder;

A bill (S. 350) granting a pension to Susan E. Nash;

A bill (S. 351) granting an increase of pension to J. S. Driggs;

A bill (S. 352) granting a pension to L. F. Pampe;

A bill (S. 353) granting a pension to Albert M. Griffith;

A bill (S. 354) granting a pension to George W. Hacker; and

A bill (S. 355) granting a pension to James Besheers; to the Committee on Pensions.

A bill (S. 356) authorizing the Secretary of War to donate to the municipality of Martin, Tenn., captured German cannons and cannon balls or shells;

A bill (S. 357) to correct the military record of E. D. Judkins;

A bill (S. 358) relative to discharges of certain soldiers and sailors who served in the war with Germany;

A bill (S. 359) for the relief of Robert C. Wilcox;

A bill (S. 360) for the relief of Alfred Clark;

A bill (S. 361) for the relief of Barneybas Eastridge;

A bill (S. 362) authorizing the Secretary of War to donate to the town of Lewisburg, Tenn., three German cannon;

A bill (S. 363) authorizing the Secretary of War to donate to the city of Trenton, Tenn., one German cannon or fieldpiece;

A bill (S. 364) authorizing the Secretary of War to deliver to the town of Murfreesboro, Tenn., two condemned bronze or brass cannons or fieldpieces and suitable outfit of cannon balls;

A bill (S. 365) authorizing the Secretary of War to deliver to the town of Murfreesboro, Tenn., five condemned bronze or brass cannons or fieldpieces and suitable outfit of cannon balls;

A bill (S. 366) for the relief of Charles Lee Baker;

A bill (S. 367) to authorize the reinstatement of honorably discharged soldiers and sailors to former positions in Government service and restoration to eligible register of the names of honorably discharged soldiers and sailors;

A bill (S. 368) reappointing Edgar C. Campbell as pay clerk in Quartermaster Corps, United States Army, with rank of second lieutenant;

A bill (S. 369) for the relief of Martin A. Hayes;

A bill (S. 370) to correct the military record of Alfred Clark;

A bill (S. 371) to amend an act entitled "An act to amend an act entitled 'An act for making further and more effectual provision for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; and

A bill (S. 372) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, provost marshal general, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico; to the Committee on Military Affairs.

A bill (S. 373) to reimburse Capt. K. E. Kern, Fifty-fourth Infantry, for certain expenditures;

A bill (S. 374) for the relief of the heirs of Robert E. L. Rogers;

A bill (S. 375) for the relief of W. K. Ellis;

A bill (S. 376) for the relief of Thomas J. Hunt, surviving partner of Mosby & Hunt;

A bill (S. 377) to carry into effect the findings of the Court of Claims in matter of the claim of the Overton Hotel Co.;

A bill (S. 378) for the relief of the estate of Matthew C. Butler, jr., deceased;

A bill (S. 379) making appropriation for payment of claims of John Sevier, sr., and John Sevier, jr., in accordance with report and findings in the Court of Claims as reported in House Documents Nos. 1302 and 131, under the provisions of the act approved March 3, 1883, known as the Bowman Act;

A bill (S. 380) for the relief of the Shelby Medical College, of Nashville, Tenn.;

A bill (S. 381) for the relief of the legal representatives of Enoch Ensley, deceased;

A bill (S. 382) for the relief of Daniel M. Whitaker; and

A bill (S. 383) for the relief of Mary Whitaker Moffatt; to the Committee on Claims.

By Mr. DIAL:

A bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge; to the Committee on the Judiciary.

A bill (S. 385) to amend section 5 of the United States cotton futures act, approved August 11, 1916, as amended; to the Committee on Agriculture and Forestry.

By Mr. ASHURST:

A bill (S. 386) authorizing a right of way for the transportation of water for improvement of grazing and development of the live-stock industry upon public and national forest lands in Arizona; and

A bill (S. 387) granting certain public lands to the city of Phoenix, Ariz., for municipal purposes; to the Committee on Public Lands.

A bill (S. 388) to provide for the erection of a public building at Prescott, in the State of Arizona; and

A bill (S. 389) providing for the erection and completion of a public building at Tucson, Ariz.; to the Committee on Public Buildings and Grounds.

A bill (S. 390) granting a pension to Frank Hall; to the Committee on Pensions.

A bill (S. 391) for the relief of Alfred Cluff and certain other settlers at Forestdale, Apache County, Ariz., who were evicted from their homes by reason of a change in the location of the north boundary of the White Mountain or San Carlos Apache Indian Reservation; and

A bill (S. 392) to repeal such portion of the act approved April 21, 1904 (33 Stat., p. 211), as relates to the exchange of certain lands; to the Committee on Indian Affairs.

A bill (S. 393) making an appropriation for the construction of roads within the Petrified Forest National Monument, Ariz.; to the Committee on Appropriations.

A bill (S. 394) for the establishment and maintenance of a forest experiment station in Arizona; to the Committee on Agriculture and Forestry.

A bill (S. 395) providing for an additional judge for the district of Arizona; to the Committee on the Judiciary.

A bill (S. 396) for the relief of William Wooster; to the Committee on Claims.

A bill (S. 397) to establish a fish-hatching and fish-cultural station in the State of Arizona; to the Committee on Commerce.

A bill (S. 398) to provide Federal aid in caring for indigent tuberculous persons, and for other purposes; to the Committee on Interstate Commerce.

By Mr. CARAWAY:

A bill (S. 399) to prevent the sale of cotton and grain in future markets; to the Committee on Agriculture and Forestry.

A bill (S. 400) to amend the practice and procedure in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. RANSDELL:

A bill (S. 401) for the relief of the heirs of Susan A. Nicholas;

A bill (S. 402) for the relief of Capt. C. Newton, jr.;

A bill (S. 403) for the relief of Louise St. Gez, executrix of Auguste Ferré, deceased, surviving partner of Lapene & Ferré;

A bill (S. 404) for the relief of the legal representatives of the estate of Alphonse Desmare, deceased, and others; and

A bill (S. 405) for the relief of Harold Kernan; to the Committee on Claims.

By Mr. POMERENE:

A bill (S. 406) to incorporate the Disabled American Veterans of the World War; to the Committee on the Judiciary.

A bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 408) to establish a department of social welfare; to the Committee on Education and Labor.

By Mr. McCORMICK:

A bill (S. 409) to create a commission on lynching; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 410) to define and punish lobbying; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 411) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War; and

A bill (S. 412) for the relief of Jesse Dotts (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 413) for the relief of Mrs. Silas Cooper (with accompanying paper); and

A bill (S. 414) for the relief of J. H. Orr (with accompanying paper); to the Committee on Claims.

A bill (S. 415) to authorize the Secretary of the Navy to waive the age limit for admission to the United States Naval Academy; to the Committee on Naval Affairs.

A bill (S. 416) to provide for the promotion of physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including health supervisors and school nurses, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education and Labor.

A bill (S. 417) providing for the election of Delegates to the House of Representatives from the District of Columbia, Commissioners of the District of Columbia, a public utilities commission, a board of education, and for other purposes; to the Committee on the District of Columbia.

By Mr. WADSWORTH:

A bill (S. 418) for the relief of Claude L. Seiler;

A bill (S. 419) for the relief of the owners of the steamship *Esperanza;*

A bill (S. 420) for the relief of the Long Island Railroad Co.;

A bill (S. 421) for the relief of the owners of the steamship *Lexington;* and

A bill (S. 422) for the relief of the owners of the steamship *Cammanche;* to the Committee on Claims.

By Mr. NELSON:

A bill (S. 423) for the relief of Hans P. Guttormsen; to the Committee on Claims.

A bill (S. 424) providing for increased fees for witnesses and jurors;

A bill (S. 425) fixing the salaries of certain United States attorneys and United States marshals;

A bill (S. 426) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stat., p. 866); and

A bill (S. 427) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended; to the Committee on the Judiciary.

By Mr. SMOOT:

A bill (S. 428) to amend section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended; and

A bill (S. 429) to amend section 10 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended; to the Committee on Interstate Commerce.

A bill (S. 430) to protect the name and insignia of the World War organizations; to the Committee on Military Affairs.

A bill (S. 431) to repeal section 16 of the act of Congress approved July 17, 1916, known as the Federal farm loan act;

A bill (S. 432) to amend section 1 of the act approved July 17, 1916, known as the Federal farm loan act, so as to provide for the payment of the expenses of the Federal Farm Loan Board and employees by the Federal land banks and joint stock land banks; and

A bill (S. 433) to amend section 26 of the act approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

A bill (S. 434) providing for an embargo on wool; to the Committee on Finance.

A bill (S. 435) to authorize the Secretary of Commerce to sell certain department publications and to provide for crediting the department's printing allotment with the proceeds; to the Committee on Printing.

A bill (S. 436) to authorize the appropriation of $50,000 for the erection of a public building at Nephi, Utah;

A bill (S. 437) to increase the cost of the public building at Eureka, Utah;

A bill (S. 438) to increase the cost of the public building at Vernal, Utah;

A bill (S. 439) for the purchase of a post-office site at Mount Pleasant, Utah;

A bill (S. 440) for the purchase of a post-office site at Tremonton, Utah;

A bill (S. 441) for the purchase of a site and the erection of a public building at St. George, Utah;

A bill (S. 442) for the purchase of a post-office site at Cedar City, Utah;

A bill (S. 443) to provide for the purchase of a site and the erection of a public building thereon at Bingham Canyon, Utah;

A bill (S. 444) to provide for the erection of a public building at Price, Utah; and

A bill (S. 445) to increase the cost of the public building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

A bill (S. 446) to amend an act entitled "An act to amend an act entitled 'An act to provide for the adjudication and payment of claims arising from Indian depredations,' approved January 11, 1915"; and

A bill (S. 447) providing for the leasing of arid lands which are irrigable, belonging to Indian allottees, and fixing the maximum time for which such leases may run; to the Committee on Indian Affairs.

A bill (S. 448) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah; and

A bill (S. 449) for the relief of the Eldredge Bros. Live Stock Co., a corporation; to the Committee on Finance.

A bill (S. 450) to provide for an increased annual appropriation for agricultural experiment stations, to be used in researches and experiments in home economics, and regulating the expenditure thereof; to the Committee on Agriculture and Forestry.

A bill (S. 451) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917;

A bill (S. 452) granting a pension to Matilda Lucas;

A bill (S. 453) granting an increase of pension to Adolph Lochwitz;

A bill (S. 454) granting a pension to Lillian J. Duncan;

A bill (S. 455) granting a pension to Richard A. Norris;

A bill (S. 456) granting an increase of pension to James Mellor, jr.;

A bill (S. 457) granting a pension to Olive R. Grow;

A bill (S. 458) granting a pension to Mary C. Sorensen;

A bill (S. 459) granting a pension to William Derby Johnson;

A bill (S. 460) granting a pension to Solomon F. Kimball; and

A bill (S. 461) granting an increase of pension to Lucinda C. Doney; to the Committee on Pensions.

A bill (S. 462) for the relief of Max B. Baldenburg; to the Committee on Military Affairs.

A bill (S. 463) for the relief of Charles Hurst;

A bill (S. 464) for the relief of the estate of Moses M. Bane;

A bill (S. 465) for the relief of Alfred B. Andrews;

A bill (S. 466) for the relief of David Thygerson;

A bill (S. 467) for the relief of the estate of John Scowcroft;

A bill (S. 468) for the relief of N. Thomas;

A bill (S. 469) for the relief of Berdie Olson;

A bill (S. 470) for the relief of Emma Kiener;

A bill (S. 471) for the relief of Lars Thompson; and

A bill (S. 472) for the relief of William B. Lancaster; to the Committee on Claims.

A bill (S. 473) to authorize the exchange of certain lands within the Sevier National Forest, Utah;

A bill (S. 474) to amend an act approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, and for other purposes";

A bill (S. 475) fixing the taxable status of lands received in exchange for lands formerly embraced in the grants to the Oregon & California Railroad Co. and the Coos Bay Wagon Road Co.;

A bill (S. 476) providing for the reservation of certain lands in Utah for two bands of Paiute Indians;

A bill (S. 477) to amend an act to authorize the purchase of certain public lands of the United States;

A bill (S. 478) validating certain applications for and entries of public lands, and for other purposes;

A bill (S. 479) to provide for the disposition of boron deposits;

A bill (S. 480) to authorize the exchange of certain lands within the Fillmore National Forest, Utah;

A bill (S. 481) to consolidate certain forest lands within the Fishlake National Forest, in the State of Utah, and for other purposes;

A bill (S. 482) to authorize the temporary exchange of certain public lands for experiments in sheep growing, and for other purposes;

A bill (S. 483) to authorize the exchange of certain lands within the Fishlake National Forest, Utah;

A bill (S. 484) permitting minors of the age of 18 years or over to make homestead entry or other entry of the public lands of the United States;

A bill (S. 485) granting to the State of Utah the Fort Duchesne Reservation for its use as a branch agricultural college;

A bill (S. 486) to provide for agricultural entries on coal lands in Alaska;

A bill (S. 487) to establish the Utah National Park, in the State of Utah;

A bill (S. 488) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States;

A bill (S. 489) to authorize the President to consolidate the offices of register and receiver in United States district land offices;

A bill (S. 490) to consolidate national forest lands;

A bill (S. 491) to provide without expenditure of Federal funds the opportunities of the people to acquire rural homes, and for other purposes;

A bill (S. 492) for the relief of Ira W. Hatch; and

A bill (S. 493) for the relief of E. O. Brown; to the Committee on Public Lands.

By Mr. MYERS:

A bill (S. 494) for the relief of Benjamine O. Kerlee;

A bill (S. 495) for the relief of F. A. Carnal and Ada Lewis;

A bill (S. 496) for the relief of George A. Robertson;

A bill (S. 497) for the relief of Joseph C. Cosley;

A bill (S. 498) for the relief of G. W. Kates;

A bill (S. 499) for the relief of John F. Niklaus;

A bill (S. 500) for the relief of James W. Thompson; and

A bill (S. 501) for the relief of the Jefferson Lime Co.; to the Committee on Claims.

A bill (S. 502) providing for the enlargement of the Federal building at Missoula, Mont.;

A bill (S. 503) to increase the limit of cost of public building at Great Falls, Mont.;

A bill (S. 504) to provide for the purchase of a site and the erection of a public building thereon at Anaconda, in the State of Montana; and

A bill (S. 505) to provide for the purchase of a site and the erection of a public building thereon at Havre, in the State of Montana; to the Committee on Public Buildings and Grounds.

By Mr. McCUMBER:

A bill (S. 506) to provide adjusted compensation for veterans of the World War, and for other purposes; to the Committee on Finance.

By Mr. TRAMMELL:

A bill (S. 507) to establish a subexperimental farm and station in the State of Florida on the reclaimed muck lands of the Everglades territory of said State; to the Committee on Agriculture and Forestry.

By Mr. ASHURST:

A bill (S. 508) to provide funds for reimbursing farms on Yuma project, Arizona-California, and to provide funds to operate and maintain the Colorado River front work and levee system of Yuma project, Arizona-California; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. OWEN:

A bill (S. 509) to amend the act approved December 23, 1913, known as the Federal reserve act, as amended by the acts of August 4, 1914, August 15, 1914, March 3, 1915, September 7, 1916, and June 21, 1917; and

A bill (S. 510) to amend the Federal reserve act as amended prohibiting a rate of interest in excess of 6 per cent per annum on loans secured by stocks or bonds as collateral; to the Committee on Banking and Currency.

A bill (S. 511) to establish a national bulletin; to the Committee on Printing.

A bill (S. 512) to amend act of Congress approved June 30, 1913;

A bill (S. 513) granting a deed of quitclaim and release to J. L. Holmes of certain land in the town of Whitefield, Okla.;

A bill (S. 514) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Cherokee, Creek, and Seminole Indians may have against the United States, and for other purposes;

A bill (S. 515) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes;

A bill (S. 516) to adjust and settle the claims of the loyal Shawnee, Cherokee-Shawnees, and loyal Absentee Shawnee and Delaware Tribes of Indians;

A bill (S. 517) to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, and conferring authority on the courts of said State in reference thereto, and for other purposes;

A bill (S. 518) to carry out the provisions of an act approved July 1, 1902, known as the act entitled "An act to accept, ratify, and confirm a proposed agreement submitted by the Kansas or Kaw Indians of Oklahoma, and for other purposes," and to provide for a settlement to Addie May Auld and Archie William Auld, who were enrolled as members of the said tribe after the lands and money of said tribe had been divided;

A bill (S. 519) to perpetuate the memory of the Chickasaw and Seminole Tribes of Indians in Oklahoma; and

A bill (S. 520) authorizing the sale of inherited and unpartitioned allotments for town-site purposes in the Quapaw Agency, Okla.; to the Committee on Indian Affairs.

A bill (S. 521) for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

A bill (S. 522) authorizing the licensing and control of corporations engaged in the storing of food products for interstate shipment; to the Committee on Interstate Commerce.

A bill (S. 523) to create the department of education; to the Committee on Education and Labor.

A bill (S. 524) to provide for public education upon political questions and for the dissemination of information upon political issues and matters of a political nature of public interest by an authorized publicity pamphlet; to the Committee on Privileges and Elections.

A bill (S. 525) to establish a sanitary reserve corps for the Public Health Service; to the Committee on Military Affairs.

A bill (S. 526) to establish a department of health, and for other purposes; to the Committee on Appropriations.

A bill (S. 527) to establish an interstate marketing system, and for other purposes; to the Committee on Interstate Commerce.

A bill (S. 528) for the relief of the widow of Rudolph H. von Ezdorf, deceased; to the Committee on Claims;

A bill (S. 529) for the relief of S. S. Markley; and

A bill (S. 530) to quiet title to certain tracts of land in the city of Walters, State of Oklahoma; to the Committee on Public Lands.

A bill (S. 531) for the relief of Ivy L. Merrill; and

A bill (S. 532) conferring jurisdiction on the Court of Claims for adjudging the rights of the Otoe and Missouria Tribes of Indians for compensation on a basis of guardian and ward, and conferring jurisdiction on the Court of Claims to adjust the claims between the Otoe and Missouria Tribes of Indians and the Omaha Indians to certain moneys received by the Omaha Indians; to the Committee on Claims.

A bill (S. 533) to revise, amend, and codify the laws relating to publicity of contributions and disbursements at elections at which candidates for the offices of United States Senator and Representative in the Congress of the United States are nominated and elected, regulating and limiting the purposes and the amounts for which contributions and disbursements may be made, and for other purposes; to the Committee on Privileges and Elections.

A bill (S. 534) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

By Mr. KELLOGG:

A bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States; to the Committee on Interstate Commerce.

By Mr. McNARY:

A bill (S. 536) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. MOSES:

A bill (S. 537) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications; to the Committee on Printing.

By Mr. CUMMINS:

A bill (S. 538) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended;

A bill (S. 539) to further amend an act entitled "An act to regulate commerce," approved February 4, 1887, as amended; and

A bill (S. 540) to make it unlawful and to punish giving commissions, bribes, or rewards to employees, and to accept the same, and for other purposes; to the Committee on Interstate Commerce.

By Mr. CALDER:

A bill (S. 541) for the relief of Bolognesi, Hartfield & Co.; to the Committee on Claims.

By Mr. REED:

A bill (S. 542) to purchase a site for a United States post-office building in the West Kansas addition to the city of Kansas City, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. LODGE:

A bill (S. 543) for the relief of contributors of the Ellen M. Stone ransom fund; and

A bill (S. 544) to provide for the transfer of the steamship *Martha Washington* to Cosulich Societa Triestina di Navigazione, an Italian corporation of Trieste, and directing the United States Shipping Board to make delivery of the said steamship; to the Committee on Foreign Relations.

A bill (S. 545) for the allowance of certain claims for indemnity for spoliations by the French prior to July 31, 1801, as reported by the Court of Claims; and

A bill (S. 546) making an appropriation to pay the State of Massachusetts for expenses incurred and paid at the request of the President in protecting the harbors and fortifying the coast during the Civil War, in accordance with the findings of the Court of Claims and Senate report No. 764, Sixty-sixth Congress, third session; to the Committee on Claims.

A bill (S. 547) granting a pension to Florence A. Hill; to the Committee on Pensions.

A bill (S. 548) to place Albert Hamilton on the retired list of the United States Navy; to the Committee on Naval Affairs.

By Mr. HARRISON:

A bill (S. 549) to require street railways carrying passengers in their cars within the District of Columbia to provide equal but separate accommodations for the white and colored races, and to prescribe punishment and penalties for violating its provisions; to the Committee on the District of Columbia.

By Mr. HARRISON (for Mr. KING):

A bill (S. 550) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890; to the Committee on the Judiciary.

A bill (S. 551) to establish a branch of the Interior Department in the Western States and to transfer to such branch certain bureaus and offices of the Interior Department; to the Committee on Public Lands.

A bill (S. 552) to establish the standard of the work and duty of common carriers of freight and to establish uniform rates for the carriage of freight by common carriers in commerce between the States; to the Committee on Interstate Commerce.

A bill (S. 553) to establish uniform maximum interest and discount rates for national banking associations; to the Committee on Banking and Currency.

A bill (S. 554) to authorize the construction of the Lincoln and Lee Memorial Bridge over the Potomac River; to the Committee on the Library.

A bill (S. 555) to exclude certain foreign-language publications from second-class mailing privileges, to increase second-class postal rates, and for other purposes; to the Committee on Post Offices and Post Roads.

A bill (S. 556) granting additional lands from the Fort Douglas Military Reservation to the University of Utah; to the Committee on Military Affairs.

A bill (S. 557) providing for the payment of claims arising from damages sustained in connection with the leasing of irrigable Indian lands on the Uintah Reservation, Utah; to the Committee on Indian Affairs.

A bill (S. 558) to provide for the transfer of the Bureau of Fisheries from the Department of Commerce to the Department of Agriculture; to the Committee on Commerce.

A bill (S. 559) to amend an act entitled "An act to define, regulate, and punish trading with the enemy, and for other purposes," approved October 6, 1917, as amended; to the Committee on the Judiciary.

A bill (S. 560) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico;

A bill (S. 561) to grant citizens of Washington and Kane Counties, Utah, the right to cut timber in the State of Arizona for agricultural, mining, and other domestic purposes;

A bill (S. 562) to amend chapter 559 of the Revised Statutes of the United States, approved March 3, 1891;

A bill (S. 563) to amend an act approved February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, and for other purposes"; and

A bill (S. 564) to cede unreserved public lands to the several States; to the Committee on Public Lands.

A bill (S. 565) to establish a standard decimal system of weights and measures for the United States; to the Committee on Agriculture and Forestry.

A bill (S. 566) providing for a reclamation project on the Strawberry River, Duchesne County, Utah, to be known as the Castle Peak reclamation project;

A bill (S. 567) providing for a reclamation project on Price River, Utah; and

A bill (S. 568) providing for a reclamation project on Green and Grand Rivers, in the State of Utah; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 569) to provide for the temporary suspension of immigration, and for other purposes;

A bill (S. 570) to exclude certain alien immigrants from the United States;

A bill (S. 571) to amend section 2169 of the Revised Statutes relating to the naturalization of aliens; and

A bill (S. 572) to transfer to the Attorney General of the United States the power and duty to deport certain aliens, and for other purposes; to the Committee on Immigration.

A bill (S. 573) to establish the office of accounts and the office of estimates in the Department of the Treasury, and to provide for an annual budget; to the Committee on Finance.

By Mr. GOODING:

A bill (S. 574) to amend an act entitled "An act to save daylight and to provide standard time for the United States," as amended; to the Committee on Commerce.

By Mr. McKELLAR:

A joint resolution (S. J. Res. 2) to amend the census act of March 3, 1919; to the Committee on Military Affairs.

A joint resolution (S. J. Res. 3) authorizing and directing the Secretary of the Treasury as to settlement of war loans; to the Committee on Finance.

By Mr. McNARY:

A joint resolution (S. J. Res. 4) requesting the President to negotiate a treaty or treaties for the protection of salmon in certain parts of the Pacific Ocean; and

A joint resolution (S. J. Res. 5) authorizing the President to invite foreign nations to take part in an exposition at Portland, Oreg., in 1925; to the Committee on Foreign Relations.

By Mr. POINDEXTER:

A joint resolution (S. J. Res. 6) creating a budget committee; to the Committee on Rules.

By Mr. ASHURST:

A joint resolution (S. J. Res. 8) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FRANCE:

A joint resolution (S. J. Res. 9) providing for the recommendation of amnesty and pardon for political prisoners in the United States; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 10) providing for the reestablishment of peace and the calling of an international conference to institute a concert of nations to advise concerning international cooperation as a substitute for the League of Nations; and

A joint resolution (S. J. Res. 11) authorizing the President of the United States to undertake negotiations for the purchase of the territories in east, southwest, and west Africa, and in Oceania over which Germany exercised sovereignty prior to the war; to undertake negotiations with a view to acquiring by purchase or otherwise the cables surrendered under article 244, Annex VII, of the treaty of peace with Germany; to enter upon the negotiation of a treaty of international comity, commerce, and cooperation with the allied and associated powers looking to the development of the human and natural resources of Africa; to urge the fixing by the allied and associated powers of a just and reasonable indemnity to be paid by Germany to said powers; and to negotiate for the settlement of the principal sums and interest that represent the debts now owing by the said allied and associated powers to the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 12) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic; to the Committee on Agriculture and Forestry; and

A joint resolution (S. J. Res. 13) authorizing sale of foodstuffs in the possession of the War Department to any foreign State or Government; to the Committee on Military Affairs.

By Mr. OWEN:

A joint resolution (S. J. Res. 14) proposing a method of amending the Constitution of the United States; and

A joint resolution (S. J. Res. 15) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

Mr. STERLING. I introduce the bill which I send to the desk, and ask leave that later there may be attached thereto a schedule as a part of the bill.

The bill (S. 13) to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes, was read twice by its title.

Mr. STERLING. I ask that the bill be referred to the Committee on Civil Service and Retrenchment.

The VICE PRESIDENT. If there be no objection, the bill will be so referred.

Mr. SMOOT. Mr. President, the chairman of the Committee on Appropriations is not in the Chamber at this time, but I wish to say that the subject matter of the bill just introduced by the Senator from South Dakota has previously been before the Appropriations Committee for consideration. I expect to-morrow, if possible, to introduce a bill covering the same subject matter, which will go to the Appropriations Committee, if the Senate does not otherwise order. The Appropriations Committee has all the data in relation to this matter, and the bill presented by the Senator from South Dakota ought to go to that committee. As the chairman of the Appropriations Committee is not present at the moment, I ask that the bill lie over to-day.

The VICE PRESIDENT. Without objection the bill will lie over.

PROPOSED SALES TAX.

Mr. SMOOT introduced a bill (S. 202) to provide revenue, and for other purposes, which was read twice by its title and referred to the Committee on Finance.

Mr. SMOOT. In order that the Senate and the people generally may know just what the bill contains, I ask that it be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as "The Sales Tax Act, 1921."

TITLE I. GENERAL PROVISIONS.

DEFINITIONS.

SEC. 2. That when used in this act—

The term "person" includes individuals, partnerships, corporations, and associations;

The term "Secretary" means the Secretary of the Treasury;

The term "commissioner" means the Commissioner of Internal Revenue; and

The term "collector" means Collector of Internal Revenue.

TITLE II. SALES TAX.

SEC. 201. That in addition to all other taxes, there shall be levied, assessed, collected, and paid upon all goods, wares, or merchandise sold or leased on or after July 1, 1921, a tax equivalent to 1 per cent of the price for which so sold or leased; such tax to be paid by the vendor or lessor.

SEC. 202. (a) That this title shall not apply to sales and leases made during any year in which the total price for which the taxable sales and leases are made, does not exceed $6,000.

(b) In computing the tax due under this title every taxpayer shall be entitled to an annual exemption of $6,000.

(c) In any case where the full amount of the exemption is not claimed in computing the tax due for the first quarter, the part not so claimed shall be deducted in computing the tax due for the second quarter, or succeeding quarters. For the purpose of this act the first quarter shall be the months of July, August, and September; the second quarter, the months of October, November, and December; the third quarter, the months of January, February, and March; and the fourth quarter, the months of April, May, and June.

(d) The taxes imposed by this title shall not apply to sales or leases made by (1) the United States; (2) any foreign Government; (3) any State or Territory, or political subdivision thereof, or the District of Columbia; (4) any mutual ditch or irrigation company; (5) any hospital; or (6) Army and Navy commissaries and canteens; or (7) any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) The taxes imposed by this title shall not apply to sales or leases of articles taxable under Title VI or VII or paragraphs (1), (2), (3), (12), and (20) of section 900 of the revenue act of 1918.

(f) Under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, the taxes imposed by this title shall not apply in respect to articles sold or leased for export and in due course so exported.

SEC. 203. That in computing the taxes imposed by this title no credit shall be allowed for any tax reimbursed or paid in any manner to any person in connection with any previous transaction in respect to which a tax is imposed by law.

SEC. 204. That every person liable for any tax imposed by section 201 shall make quarterly returns under oath in duplicate and pay the tax imposed by such section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so

fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

SEC. 205. That in the case of an overpayment of any tax imposed by this act the person making such overpayment may take credit therefor against taxes due upon any quarterly return.

SEC. 206. That the commissioner, with the approval of the Secretary, is authorized to make all needful rules and regulations for the enforcement of the provisions of this act.

The commissioner with such approval may by regulation provide that any return required by this act to be made under oath may, if the amount of the tax covered thereby is not in excess of $10, be signed or acknowledged before two witnesses instead of under oath.

SEC. 207. That on and after July 1, 1921, sections 628, 629, 630, 902, 904, 905, 906, 907, and 900, except paragraphs (1), (2), (3), (12), and (20), are repealed, except that such sections shall remain in force for the assessment and collection of all taxes which have accrued thereunder and for the imposition and collection of all penalties which have accrued and may accrue in relation to any such taxes.

PROPOSED RECOGNITION OF IRELAND.

Mr. LA FOLLETTE. I introduce a joint resolution which I ask to have lie on the table.

Mr. PENROSE. Let the joint resolution be read.

The joint resolution (S. J. Res. 1) declaring that the independence of the republic of Ireland ought to be recognized by the Government of the United States was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the independence of the republic of Ireland ought to be recognized by the Government of the United States of America.

The VICE PRESIDENT. The joint resolution will lie on the table.

Mr. LA FOLLETTE. I wish to give notice that at the conclusion of the morning hour on Monday, April 25, the business of the Senate permitting, I shall submit some observations in support of the joint resolution.

FOREIGN DEPOSITARIES OF PUBLIC MONEYS.

Mr. McLEAN introduced a joint resolution (S. J. Res. 7) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States, which was read twice by its title and referred to the Committee on Banking and Currency.

Mr. PENROSE. Mr. President, I suggest that that joint resolution should be referred to the Committee on Finance. As I am a member of both committees, it does not make any difference to me personally, but it seems to me the joint resolution should be referred to the Committee on Finance.

The VICE PRESIDENT. The Secretary will read the title of the joint resolution.

The ASSISTANT SECRETARY. A joint resolution (S. J. Res. 7) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States.

Mr. PENROSE. The Committee on Finance has always had measures of that character before it; the joint resolution does not relate to our American banking system in any way.

There was a practice, Mr. President, in the last Congress of careless and sometimes entirely inexcusable reference of bills and joint resolutions which led to very great embarrassment and irregularity and, in my opinion, to considerable trouble. I hope that during the present extra session—and I know the Chair will help in that direction—all measures may be referred to the committees which always have had jurisdiction of the respective subjects matter. Unless the Senator who introduced the joint resolution objects, I will ask that it be referred to the Committee on Finance, which, I repeat, has always had charge of similar proposed legislation.

The VICE PRESIDENT. Is there objection to the reference of the joint resolution to the Committee on Finance?

Mr. McLEAN. Do I understand that the Senator from Pennsylvania objects to the proposed reference of the joint resolution which I have introduced?

Mr. PENROSE. The Senator from Connecticut is a member of the Committee on Finance as well as of the Committee on Banking and Currency, and I have simply suggested that the measure should be referred to the Committee on Finance.

Mr. McLEAN. I suggest that the joint resolution lie on the table to-day. I can explain to the Senator that it is a matter of no great consequence, and that in the past similar measures have been considered by the Committee on Banking and Currency.

Mr. PENROSE. The immediate past is hardly to be considered a precedent. I will be glad, however, to accept the Senator's suggestion that the joint resolution lie on the table. It is not a matter of great importance, except for my intense desire to see that hereafter all references of proposed legislation are made as they should be.

Mr. McLEAN. I do not take issue with the Senator in that regard; in fact, I concur with his view; but I will say to the Senate that reference to the Committee on Banking and Currency is the proper reference of the joint resolution. However, we can discuss that when the matter comes up again.

Mr. ASHURST. I ask for the regular order.

Mr. PENROSE. Let the resolution lie on the table.

The VICE PRESIDENT. In the absence of objection, the joint resolution will lie on the table.

COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. FRANCE. I give notice of an amendment of the rules which I ask may be read.

The Assistant Secretary read as follows:

I hereby give notice, in accordance with Rule XL, that on the legislative day of Wednesday, April 13, I shall offer the following amendment to the rules:

AMENDMENT.

To Rule XXV, after the words "Committee on Territories and Insular Possessions, to consist of 13 Senators," add the following:

"Committee on Public Health and National Quarantine, to consist of 11 Senators."

CONVENTION OF AMERICAN INSTRUCTORS OF THE DEAF.

On motion of Mr. POMERENE, it was

Ordered, That the manuscript entitled "Proceedings of the Twenty-second Meeting of the Convention of American Instructors of the Deaf," held at Mount Airy, Philadelphia, June 29–July 3, inclusive, transmitted to the Senate, as provided for in the act of Congress approved January 26, 1897, be returned to the president of the Convention of American Instructors of the Deaf, and that the Secretary of the Senate is hereby authorized and directed to carry out this resolution.

HEARINGS OF COMMITTEE ON FOREIGN RELATIONS.

Mr. LODGE submitted the following resolution (S. Res. 20), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

EMPLOYMENT OF ADDITIONAL PAGES.

Mr. LODGE submitted the following resolution (S. Res. 21), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ five additional pages for the Senate Chamber, at $3 per day each, during the first session of the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

HEARINGS OF COMMITTEE ON FINANCE.

Mr. PENROSE submitted the following resolution (S. Res. 22), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

OPERATING REVENUES AND EXPENSES OF RAILROADS.

Mr. CUMMINS submitted the following resolution (S. Res. 23), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce is hereby authorized and directed to inquire into and report to the Senate as speedily as practicable upon the following matters, to wit:

First. The operating revenues and expenses of the railroads of the country which under the law make reports to the Interstate Commerce Commission, comparing these revenues and expenses with like revenues and expenses (including the period of Federal control) since 1912.

Second. The reasons which led to the extraordinary cost of maintenance and operation from March 1, 1920, to March 1, 1921.

Third. The reasons which induced the diminished volume of traffic in the latter part of the year 1920 and first two months of 1921, and in that connection the influence of the increased freight and passenger rates prevailing during that period.

Fourth. The efficiency or inefficiency of railroad management during Federal control during the year beginning March 1, 1920, and the efficiency or inefficiency of labor employed by the management during the same periods.

Fifth. The best means of bringing about a condition that will warrant the Interstate Commerce Commission in reducing freight and passenger rates.

The committee is authorized to act under this resolution either as a whole or through any subcommittee appointed for the purpose, to subpœna witnesses, administer oaths, send for persons and papers, and to employ counsel, experts, and stenographers. The expense incurred shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

THE COMMITTEE ON PUBLIC LANDS.

Mr. SMOOT submitted the following resolution (S. Res. 24), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate and ordered to be printed:

Resolved, That the Committee on Public Lands, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

CESSION OF BRITISH POSSESSIONS IN WEST INDIES.

Mr. REED submitted the following resolution (S. Res. 25), which was referred to the Committee on Foreign Relations and ordered to be printed:

Resolved, That the President be, and he is hereby, respectfully requested to ascertain whether the Government of the United Kingdom of Great Britain, etc., is willing to discuss the cession by it to the United States of all or any part of its possessions in the West Indies, including the island of Trinidad, and also the Bermuda Islands.

CESSION OF FRENCH POSSESSIONS IN LESSER ANTILLES.

Mr. REED also submitted the following resolution (S. Res. 26), which was ordered to lie on the table and be printed:

Resolved, That the President be, and he is hereby, respectfully requested to ascertain whether the Government of the Republic of France is willing to discuss the cession by it to the United States of all or any part of its possessions in the Lesser Antilles, including the islands of Grande Terre, Guadeloupe, Marie Galante, and Martinique.

FEDERAL AID TO STATES IN ROAD CONSTRUCTION.

Mr. HARRISON (for Mr. KING) submitted the following resolution (S. Res. 27), which was referred to the Committee on Post Offices and Post Roads:

Whereas the Congress of the United States, by the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and by other acts, amendatory and supplementary thereto, has authorized the appropriation of moneys of the Federal Government to the amount of $266,750,000 for the purpose of aiding the several States in the construction of rural post roads, which sum has been allotted to the several States as directed in said act; and

Whereas commitments and contracts covering more than two-thirds of said moneys have been made, and nearly one-half of said moneys has already been expended; and

Whereas it is charged that there has been waste and extravagance in the expenditure of said Federal moneys, and that the same to a great extent have been and are being dissipated without adequate returns in the work accomplished; and

Whereas it is further charged that a large and improper proportion of said Federal moneys has been and is being consumed in administrative, supervisory, and overhead charges which do not represent expenditures for actual road construction, and for which the engineering and road officials of the several States are entirely competent, without direction or interference of Federal officials, and that in many cases such Federal direction and influence is unnecessary and otherwise undesirable; and

Whereas it is further charged that Federal engineers and agents having control of the distribution and application of said moneys have unduly interfered with the authority and powers of the officials of the several States having charge of road construction therein, and have imposed impractical plans and specifications for road construction, and have designated impractical routes for road improvement, without regard to the particular requirements of the case and of the local conditions to be accommodated; and

Whereas it is further charged that impractical and extravagant projects for road construction have been formulated in the several States, which will require hundreds of millions of dollars for their execution and completion, and that some of the States have committed themselves to such extravagant projects and obligations upon unauthorized representations that Federal moneys would be forthcoming for the execution and completion of the same: Now, therefore, be it

Resolved by the Senate, That a special committee shall be appointed, composed of three Members of the Senate, to be designated by the President of the Senate, which committee is hereby authorized and directed to make inquiry into the subject of Federal aid to the States in the construction of post roads under the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and other acts amendatory and supplementary thereto, including the allotment and expenditure of the appropriations made by said acts, the methods of and expenses of administration, supervision, and overhead charges not actually expended in road construction; the work accomplished by such expenditures; whether or not wasteful and extravagant practices have been followed; whether or not a propaganda has been carried on to induce larger and further appropriations by Congress for said purposes and whether or not extravagant and impractical projects for road construction have been formulated upon unauthorized representations that Congress would make appropriations for the completion of such projects; whether or not the Federal engineers and agents having control of the distribution and application of Federal moneys have unduly interfered with the authority and powers of the officials of the several States having charge of road construction therein and have imposed impractical plans and specifications for road construction without regard to the particular requirements of the case and the local conditions to be accommodated; and whether or not a judicious and proper use has been made by the States of the personal property and equipment transferred to them by the United States, and to report their findings and recommendations in the premises to the Senate; and for this purpose they are authorized to sit during the sessions or recess of Congress at such times and places as they may deem advisable, to send for persons and papers, to administer oaths, to summons and compel the attendance of witnesses, and to employ such clerical and expert stenographic services as shall be necessary, and to pay the necessary expenses under such inquiry out of the contingent funds of the Senate upon the audit or order of the chairman or acting chairman of said committee.

HEARINGS BEFORE COMMITTEE ON PENSIONS.

Mr. McCUMBER submitted the following resolution (S. Res. 28), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Pensions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON CLAIMS.

Mr. SPENCER submitted the following resolution (S. Res. 29), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Claims, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

PENINSULA OF LOWER CALIFORNIA.

Mr. ASHURST submitted the following resolution (S. Res. 30), which was referred to the Committee on Foreign Relations:

Resolved, That the President of the United States is hereby respectfully requested to open negotiations with the Republic of Mexico for the purchase of the peninsula of Lower California and for the purchase of that tract of land in the State of Sonora, Republic of Mexico, approximating in area 10,000 square miles, and lying north of the parallel of 31 degrees 20 minutes north latitude.

FREIGHT RATES ON CITRUS FRUITS.

Mr. TRAMMELL submitted the following resolution (S. Res. 31), which was referred to the Committee on Interstate Commerce:

Resolved, That the Interstate Commerce Committee of the Senate be, and it is hereby, directed to investigate the present high freight rates being charged on citrus fruits, vegetables, and other perishable farm products, with a view to bringing about early legislation that will result in a reduction of the existing freight rates on such perishable products.

TREATY WITH GERMANY.

Mr. HARRISON (for Mr. KING) submitted the following resolution (S. Res. 32), which was referred to the Committee on Foreign Relations:

Whereas the Congress of the United States, by joint resolution, passed upon the 6th day of April, 1917, declared that a state of war existed between the United States and Germany and authorized the President of the United States as Commander in Chief of the Army and Navy to prosecute said war to a successful termination; and

Whereas the President of the United States, as Commander in Chief of the Army and Navy, did upon the 11th day of November, 1918, in conjunction with the Allies and associates of the United States in said war, enter into certain articles of armistice whereby there was a cessation of belligerent operations and the establishment of a de facto status of peace between the United States and Germany; and

Whereas the President of the United States and the delegates of the United States did upon the 28th day of June, 1919, at Versailles, negotiate and sign certain articles of peace, designated the treaty of Versailles, which articles contain covenants upon the part of Germany which inure to the benefit of the Government and people of the United States and which establish a lawful status of peace between the United States and Germany; and

Whereas Germany has irrevocably signed and ratified said treaty of Versailles and is irrevocably bound upon the covenants therein contained, including the covenants which inure to the benefit of the Government and people of the United States; and

Whereas the Government and people of the United States can not obtain the benefit of said covenants in their favor without a ratification of said treaty and an acceptance upon the part of the United States of said covenants which inure to the benefit of the Government and people of the United States; and

Whereas Part I of said treaty of Versailles comprised of articles 1 to 26, inclusive, being the articles of the League of Nations, constitute in form and effect a treaty between the States which were allied and associated in the war against Germany; and

Whereas Germany is not a party to said articles of the League of Nations and is not a member of the League of Nations by virtue of her ratification of the treaty of Versailles or otherwise; and

Whereas States which were neutral in the war between the United States and Germany and which were not parties to said treaty of Versailles have acceded to said articles of the League of Nations without becoming otherwise parties to said treaty of Versailles; and

Whereas Part XIII of the treaty of Versailles, comprising articles 387 to 427, inclusive, is ancillary to the articles constituting the League of Nations and have the same status and relation to said treaty of Versailles as the articles constituting the League of Nations; and

Whereas the establishment of a legal status of peace between the United States and Germany and the acceptance by the United States of the covenants upon the part of Germany, which inure to the benefit of the Government and people of the United States, do not require that the United States accede to articles 1 to 26, inclusive, constituting Part I, and to articles 387 to 427, inclusive, constituting Part XIII of the treaty of Versailles, to which articles Germany is not an effectual party; and

Whereas it is impossible at this time that the Senate of the United States, two-thirds of the Senators concurring, agree to advise or consent to the ratification of Parts I and XIII of the treaty of Versailles, or agree, two-thirds of the Senators concurring, to any revision or amendment of the articles comprising said Parts I and XIII of said treaty; and

Whereas the ratification of the treaty of Versailles by the United States can not, by means of reservations, qualifications, or conditions, be made the instrument of such revision or amendment of the articles constituting the League of Nations as would be acceptable or agreeable to the United States; and

Whereas the revision and amendment of the articles constituting the League of Nations can be effectuated only by the action and recommendation of the Assembly of the League of Nations, and the ratifications of the States which are members of the League of Nations; and

Whereas the President of the United States, with the advice and consent of the Senate, may hereafter accede to said articles constituting the League of Nations, in the event that the same be revised and amended in a form acceptable to the United States and that the obligations of the United States be defined and qualified as may be agreed upon between the United States and the members of the League of Nations; and

Whereas it is not incompatible with the interests of the United States that the League of Nations discharge the duties and functions committed to the league by the treaty of Versailles, including the granting of mandates with regard to territories in Africa and Asia, the government of the Saar Basin and of the free city of Danzig, the control of the internationalized waterways of Europe, and the supervision of commissions and bureaus created by international conventions; and

Whereas it is imperative that the acceptance by the United States of the terms of peace with Germany as embodied in said treaty of Versailles be not longer delayed; that impediments to the execution of the treaty of Versailles as affecting the interests of the United States and of the allied and associated powers be removed; that a permanent status of peace with Germany be established and proclaimed; and that diplomatic and commercial relations with Germany be resumed: Now, therefore, be it

Resolved, That it is the sense of the Senate that the treaty concluded at Versailles on the 28th day of June, 1919, be ratified excepting the articles 1 to 26, inclusive, constituting Part I, and articles 387 to 427, inclusive, constituting Part XIII of said treaty, and that the aforesaid exceptions be expressly included in the act of ratification.

JOINT MEETING OF THE TWO HOUSES.

Mr. LODGE. Mr. President, as the time has nearly come at which we must go to the House, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Simmons
Ball	Gooding	McKinley	Smith
Brandegee	Hale	McLean	Smoot
Broussard	Harreld	McNary	Spencer
Bursum	Harris	Moses	Stanfield
Calder	Harrison	Myers	Sterling
Cameron	Heflin	Nelson	Swanson
Capper	Hitchcock	New	Townsend
Caraway	Johnson	Nicholson	Trammell
Colt	Jones, N. Mex.	Norbeck	Wadsworth
Culberson	Jones, Wash.	Norris	Walsh, Mass.
Cummins	Kellogg	Overman	Walsh, Mont.
Curtis	Kendrick	Penrose	Warren
Dial	Kenyon	Phipps	Watson, Ga.
Dillingham	Knox	Pittman	Watson, Ind.
Edge	Ladd	Poindexter	Weller
Elkins	La Follette	Pomerene	Willis
Ernst	Lenroot	Ransdell	Wolcott
Fletcher	Lodge	Reed	
France	McCormick	Sheppard	
Frelinghuysen	McCumber	Shortridge	

Mr. MOSES. I have been requested to announce the absence of my colleague [Mr. KEYES], who is detained on business of the Senate. I ask that this announcement may stand for the day.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of the serious illness of his mother.

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present. The hour having arrived at which, in accordance with the concurrent resolution of the two Houses, the Senate is to proceed to the Hall of the House of Representatives for the purpose of hearing a communication from the President of the United States, the Senate will now proceed under the escort of the Sergeant at Arms.

Thereupon the Senate, preceded by the Sergeant at Arms and the Assistant Doorkeeper, the Vice President and the Secretary, the President pro tempore and the Assistant Secretary, proceeded to the Hall of the House of Representatives.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES.

The address of the President of the United States this day delivered at a joint meeting of the two Houses of Congress appears in the proceedings of the House of Representatives, beginning at page 169.

The Senate returned to its Chamber at 2 o'clock p. m., and the Vice President resumed the chair.

RECESS.

Mr. REED. Mr. President, I am sure that all Members of the Senate wish to hear the Senator from Massachusetts [Mr. LODGE]. It is 2 o'clock and we have been held in the Hall of the other House. I desire to inquire whether it will be agreeable to the Senator from Massachusetts that the Senate shall take a recess for 30 minutes that Senators may have some lunch. Then we can all come back and be in attendance. I shall not make the motion unless it is entirely agreeable to the Senator from Massachusetts.

Mr. LODGE. It is entirely agreeable to me. I think it very desirable that we should have a recess of half an hour in order that Senators may get lunch.

Mr. REED. I move that the Senate take a recess until half past 2 o'clock.

The motion was agreed to; and (at 2 o'clock and 3 minutes p. m.) the Senate took a recess until 2 o'clock and 30 minutes p. m., when it reassembled.

CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Ernst	McLean	Simmons
Ball	Fletcher	McNary	Smith
Borah	Hale	Moses	Smoot
Brandegee	Harris	Myers	Spencer
Broussard	Hitchcock	Nelson	Stanfield
Bursum	Johnson	New	Sterling
Calder	Jones, N. Mex.	Norbeck	Trammell
Cameron	Jones, Wash.	Norris	Walsh, Mass.
Capper	Kellogg	Overman	Walsh, Mont.
Caraway	Kendrick	Phipps	Warren
Culberson	Kenyon	Pittman	Watson, Ga.
Cummins	Ladd	Poindexter	Watson, Ind.
Curtis	La Follette	Pomerene	Willis
Dial	Lodge	Ransdell	Wolcott
Dillingham	McCormick	Reed	
Edge	McCumber	Sheppard	
Elkins	McKellar	Shortridge	

The VICE PRESIDENT. Sixty-five Senators having answered to their names, a quorum is present.

ADDRESS BY SENATOR FLETCHER.

Mr. LODGE rose.

Mr. RANSDELL. Mr. President, will the Senator from Massachusetts yield to me for just one moment?

Mr. LODGE. I will yield before making the motion I rose to submit.

Mr. RANSDELL. I ask unanimous consent to have published in the RECORD a very interesting and timely address on "Some Pressing Public Questions," especially the American merchant marine, which was delivered before the Twelfth Annual Convention of the Southern Commercial Congress held in this city on the 2d of last month by the senior Senator from Florida [Mr. FLETCHER].

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. I understand it is a Senator's speech?

Mr. RANSDELL. Yes, sir; it was made before the Southern Commercial Congress by the senior Senator from Florida [Mr. FLETCHER].

The VICE PRESIDENT. Is there objection? The Chair hears none, and the address will be printed in the RECORD.

The address is as follows:

ADDRESS OF HON. DUNCAN U. FLETCHER AT THE TWELFTH ANNUAL CONVENTION OF THE SOUTHERN COMMERCIAL CONGRESS, WASHINGTON, D. C., MARCH 2, 1921.

SOME PRESSING PUBLIC QUESTIONS.

Senator FLETCHER said: "Mr. President, ladies, and gentlemen, there are some problems of vital importance, national in character, and some of international scope, which press for solution.

"To consider them with any degree of thoroughness would require hours of time and their discussion would be dry and tedious.

"We are driven, therefore, to limit these remarks to a few questions calling for immediate attention, and some of them, at least, can not be said to be of minor significance. They must be disposed of before some weightier problems can be dealt with, just as the underbrush must be cleared away before the larger growth can be approached unhindered. They are matters which obstruct our access to the heavier work, and a proper disposition of them will be of assistance to us in dealing with the more comprehensive tasks which rest in the near future.

"For instance, just to indicate a few, we must soon deal with new phases of our fiscal policy; gradually, but as quickly as possible, we must attain social, economic, and industrial equilibrium; the transportation problem, by sea and rail and air, must be examined in all its bearings and finally solved in the public interest; we must meet conclusively the most modern form of communism that stalks in our midst; the tendency toward increase of Federal power and diminution of authority, responsibility, and duty of the States must be checked for the good of the Nation and the preservation of the States; steps looking to disarmament and the removal of all causes of war and the establishment of international law and accord, promotion of inter-

national morality, and reduction of unnecessary burdens upon the people must be taken and persevered in to ultimate success.

"In the meantime we must right now grip with our jaws set, our muscles taut, our minds alert, and our purpose fixed the question which your name suggests.

AMERICAN COMMERCE.

"There have been ardent contenders for the policy that would give American industry and trade a monopoly of the home market, which involved the idea that such market was sufficient and such a condition was all that should be desired. We have learned quite well that we must give up once for all that notion. It has been burned into our minds lately that we must look to world markets. Everyone must be convinced that the trouble with American producers in recent months is the demoralized condition of world markets. The day for isolation has passed for any advancing nation. Isolation means depression and then retrogression.

"As the greatest creditor and producing nation, it would be the height of folly for us to adopt a policy which would place restrictions upon and in some instances destroy foreign markets, to which the products of our industries, of fields and factories, should and must go in ever-increasing volume. There would be no object in reaching those market places with our surplus products if there were no purchasers able to buy them. The supply of gold—real money—is inadequate in other portions of the world; the basis and facilities for credit are lacking; their purchasing power is founded on their production of commodities which they are in position to tender in payment for what we have to offer and they want of us. If, therefore, we raise barriers by customs duties, embargoes, or otherwise, which will keep out the goods of those who would trade with us, we destroy their ability to purchase our surplus products and they become worthless on our hands.

"On the contrary, we must stimulate and encourage the peoples who would buy of us, facilitate exchange, and do the things needful to make it possible for us to enjoy the world market.

"Fortunately we are no longer dependent upon any nation for the means of reaching those markets.

MERCHANT MARINE.

"It should be a source of some gratification to the Southern Commercial Congress to recall the active part you took in 1914, 1915, and 1916 in bringing the country and Congress to the realization of the fact that the Government must enter upon the construction of merchant ships and adopt a definite policy that would lead to the establishment of an adequate American merchant marine.

"At that time we had, flying our flag in overseas trade, about 1,000,000 tons of merchant shipping, and an equal amount was owned by Americans, but operated under foreign flags. Only about 10 per cent of our imports and exports were being carried in American bottoms. We were dependent upon foreign ships to serve our foreign business, and we paid them over $300,000,000 per annum to do it.

"What this meant was not appreciated until the war burst upon the world in July and August, 1914.

"When the German ships went out of commission and the British ships were commandeered largely for war uses and the ships of other countries were interfered with, we found our products weighing down our terminals, warehouses, and docks on the Atlantic, Gulf, Pacific, and Great Lakes, with no means to take them to the waiting markets overseas.

"The shipping bill of 1915 was filibustered to death, but the opposition broke down under the pressure which this condition created, and in September, 1916, Congress passed the shipping act, putting the Government into the business of building, owning, and operating ships. There was nothing else to do. Ships could not be purchased or chartered; they were not to be had; it was necessary to build them and private enterprise was unequal to the task. In fact, so neglected had been our merchant marine, such had been the failure of private undertakings in that regard, that we actually had 4,000,000 tons less of merchant shipping under our flag in 1914 than we had in 1861.

"Very soon, too, it became apparent that a merchant fleet in time of war is just as essential as a means of defense as battleships, dreadnaughts, and cruisers. It is now plain that Great Britain could not have waged, must less won, the war without her merchant ships.

"By 1917 the demand from every quarter—commercial interests, the Army, Navy, and our friends on the other side of the ocean—appealed to us to build ships and more ships, and to sacrifice economy for speed in doing it.

"We had to first build and equip yards, get designs and plans, arrange for material, utilize green, unskilled workers, and contend with every possible disadvantage and difficulty, because we were sadly lacking and deficient in every needed equipment, facility, and factor. We were not a maritime nation in a true sense. We were not a sea power. We had to learn much by experience. What we accomplished under the conditions as they existed is little short of marvelous. Congress readily made appropriations. The people bought Liberty bonds freely, knowing the proceeds were to go into ships, the net appropriations totaling $3,253,201,000.

"A great program was formulated by the Shipping Board. The armistice alone prevented its full completion. The Shipping Board and Fleet Corporation achieved a triumph that will be historic.

"We now have, owned by the Government, 1,676 merchant vessels, aggregating 10,837,955 dead-weight tons, and including 1,388 steel steamers. Of these, 981 are oil burners, the balance of the fleet being coal burners. Of the steel ships, 978 are in active service—785 to foreign ports—131 are temporarily inactive, and 251 tied up. The idleness of these vessels is due directly to the general depression in ocean trade. Most of those not in use are the small, Lake type, for which there has been some foreign demand, and the wooden vessels are out of commission, numbering 269.

"We are carrying in American bottoms 40 per cent of our overseas commerce—some months as much as 60 per cent. The Shipping Board has sold 439 vessels of all types and classes.

"Some of these ships can not be economically operated in ocean trade; they are not now needed in coastwise and Great Lakes business, but they are by no means worthless. I believe they can and should be sold to other countries wanting ships of that character.

THE WOODEN SHIPS.

"The wooden ships can also be made into sailing vessels and will be found to be valuable and highly useful in such a service. Hulls of this type are now doing service in many seas as barkentines, schooners, barges, and steam schooners, and, notwithstanding the jibes that they are 'idle,' 'unseaworthy,' and 'rotting hulks,' are functioning successfully. The records made by the *Alicia Haviside*, the *Russet Haviside*, the *Anne Comyn* demonstrate what can be done with Ferris hulls rigged as six-masted barkentines. These vessels are owned and operated most successfully by the Pacific Freighters Co. of San Francisco.

"Another of these six-masted schooners is the *Oregon Fir*, a magnificent vessel which recently made 220 nautical miles in 24 hours and is a full 10-knot ship.

"Another is the schooner *Fort Loraine*, which carried about 2,000,000 feet of lumber.

"These wooden hulls can be utilized as barges and steam schooners, as proven by the *Griffson*, of Seattle, and *The Forest King*.

"There is a field for these wooden ships not only as sailing vessels and steam schooners, but as motor ships with direct Diesel engine drive, or by Diesel electric drive. The *Libby Main* and other vessels give ample evidence of this.

"The vessels mentioned have been making consistent time on regular voyages under all kinds of sea conditions, and with an economy of operation which can not be approached by any steamer of similar capacity.

"By use of one or more of the methods suggested the wooden ships now tied up at Norfolk could be put into operation.

OUR FUTURE POLICY.

"At last we have a decent American merchant marine, American owned and operated, for the benefit of American commerce and industry.

"Shall it be maintained as such or shall we go back to our situation in 1914?

"That is the burning question, and every citizen who bought a Liberty bond is interested in it.

"The merchant marine act of 1920 sets forth very clearly the policy which Congress has approved, and we ought to have sense, courage, and public spirit enough to give it a fair trial. In its opening section it says:

"That it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine of the best equipped and most suitable types of vessels sufficient to carry the greater portion of its commerce and serve as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by citizens of the United States; and it is hereby declared to be the policy of the United States to do whatever may be necessary to develop and encourage the maintenance of such a merchant marine, and, in so far as may not be inconsistent with the express provisions of this act, the United States Shipping Board shall, in the disposition of vessels and shipping property as hereinafter provided, in the making of rules and regulations, and in the administration of the shipping laws, keep always in view this purpose and object as the primary end to be attained.

"Recently not far from this hall I listened to some public addresses which were humiliating and discreditable. Ship-

owners and operators, supposedly of great financial strength, concluded loud avowals of their patriotism and their unselfish cooperation to establish an American merchant marine by demanding that the Shipping Board should reimburse them the difference between what they agreed to pay for certain ships and what those ships would bring in the open market to-day. What a spectacle! Shouting their profession of love of country and loyalty and claiming they took an interest and made investments in shipping not to make money but to help the Government, now that they have not made money they insist the Government should help them.

"Operators made fabulous sums during the war and until recently, when, on account of the falling down of world markets, the demoralized condition of trade, the rates of exchange, foreign competition, and other causes, shipping profits are disappointing.

"Suppose the ships they purchased had increased in value, would they offer that increase to the Government?

"Is it possible that business morality and integrity disappear when people deal with the Government?

"I have not heard of any offer to return to the Shipping Board or to shippers any portion of the enormous profits made from exorbitant freight charges a few months ago by operators and owners.

"We can never win with any such spirit as some American shipping people now manifest.

"The Shipping Board should not sell these ships for a song. They should not charter them to those only who would employ them on certain picked routes and on terms that would insure to the charterers simply a money-making proposition.

"The board should establish regular routes, regular schedules, and a definite service, where the commerce of this country requires it, and with a view to advancing and building up our foreign trade.

"Trade routes must be regularly and firmly established so regular sailings can be relied upon. This is important, too, in order that transshipments may be accommodated.'

"The board should see to it that there is no discrimination between the ports of the country. The Constitution prohibits that in express terms by section 9, Article I, to wit:

"No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

"The fathers foresaw what might happen otherwise. Proper terminals and facilities should be provided at all available ports, and the board can do much to promote that development.

"Merchants, manufacturers—the people generally—must take an interest in our ships, and by their financial support and influence strengthen our own carrying facilities.

"There are those who would focus the world's routes of trade into one or two ports on the Atlantic, and the same effort would be made on the Pacific.

"The wise policy would distribute the ships and encourage the improvement and growth of the ports where inland transportation, the facilities, and the natural advantages combine to make the business.

GOVERNMENT OPERATION.

"The Shipping Board should not immediately give up operating the Government ships remaining on hand.

"The 77 vessels in Latin-American service, 550,000 tons, ought to enable us to hold and increase that trade, which competitors will endeavor to take from us.

"The argument that private enterprise will be discouraged until the Government ceases entirely to build, own, or operate ships, because it is claimed individuals can not compete with the Government, is far-fetched and unsound. There is no reason why private enterprise should not receive every possible support and encouragement, all that Congress will ever be willing to give, along the lines provided for in the merchant marine act, and still permit of the Government operations in a way along routes in trades that would not place it in unfair competition with private lines. All we have to do is to note what is now going on, where no such fear or complaint is being made. The Government operates the Panama Line right alongside of private lines to the Canal Zone.

"Canada operates her ships greatly to the benefit of her commerce. The report of the Canadian Government merchant marine shows Canada's shipping is growing and earning substantial profits.

"Australia is running a line of Government-owned modern steamers to Europe with great success and speaks of extending the service to America. The high commissioner is of the opinion that the Commonwealth Government can conduct a shipping line as efficiently and economically as any private concern.

"New Zealand operates her merchant marine and is thoroughly satisfied with results.

"Portugal operates her merchant marine. Bear in mind that there are private lines in all these countries.

"Great Britain furnishes another example. She operates telephone and telegraph lines, radio, cables, railroads, and, I think, ships to some extent, and at the same time encourages private enterprise in all these services.

"The Government and private concerns conduct business in each of these undertakings side by side, and there is no complaint that the Government is unfair, oppressive, or lacking in sympathetic interest toward private concerns.

"I contend there is no necessity for waste, extravagance, inefficiency, or failure on the part of the Government in operating ships.

"If private enterprise takes the proper interest, shows the proper spirit, and gets in position to take over all operations in a manner that will serve the public needs and interest, then the Government, and to that extent, may well relinquish that responsibility and pledge its help and stimulation besides.

"The immediate call of the whole country is, 'See to it that our shipping shall not pass to the control of foreign interests and, after that, shall not go into the hands of a few big concerns who will concentrate all traffic in one or two ports of the country, receiving and delivering cargoes only at such center or centers.'

"If either of these things come to pass, we will have thrown away our golden opportunity, our commerce and industries will suffer immeasurably, America will again revert to the humiliating position of being a 'beggar of ships—a fettered and embargoed trafficker on the seas.'

"The problem to-day, domestic and foreign, of chief concern to us is the problem of distribution. We require our facilities at home developed and enlarged. We can not expect to reach or supply the waiting markets of the world, or any material portion thereof, without ships, American owned and operated.

"With adequate tonnage the markets of the world are open to us.

"We need some of the products of other countries and they need many of ours. Having the ships, our flag and our products will be welcomed, steady favorites in every port.

"I have no desire to become the greatest military power or the greatest naval power, but I would like to see the United States the greatest commercial nation on the earth, and with adequate shipping facilities there is nothing to prevent that. The language of commerce is the language of peace and good will.

"That nation which can produce a surplus of the prime necessities of life, which other nations must have or go hungry and unclothed, is in a position of supreme power. America is that nation.

"It would be folly to lose sight of the question of national defense, but I simply say that a navy, however large, is not complete without a complement of merchant ships; that a navy otherwise is simply 'an aggregation of floating batteries,' and merchant ships are as necessary to establish sea power as dreadnaughts, torpedo boats, colliers, and the like.

"Only in one way can we protect our commerce against unreasonable exactions and unjust discriminations.

"We must have improved access to foreign markets, otherwise we may expect stagnation and even distress at home.

"Our European competitors are already vigorously expanding their foreign trade by setting up their agencies, sending out trained representatives, establishing connections in the markets to which we must look for the successful disposition of our surplus products.

"It is our opportunity and our business now to make the American flag truly the 'talisman of a world commerce.'

RAIL TRANSPORTATION.

"Of interest to all, producers and consumers, is adequate transportation service.

"Let it be understood that an increase in freight and passenger rates does not always mean an increase in earnings. Rates do not make dividends; traffic does that.

"Just as customs duties may be so high as to practically exclude importations, thereby depriving the Government of any material revenue by reason of the tariff, so railroad rates may be so high as to materially reduce, if not destroy, the traffic, and thus diminish or prevent the earnings.

"Merely having ample cars and rolling stock, even though it be moving, does not mean earnings; the cars must go loaded.

"Excessive rates may have a serious, adverse effect on production and certainly cause a diminution of traffic. Profits will

come to railroads and benefits to the public if rates and service are such as to encourage production, promote consumption, and at the same time increase the steady and dependable movement of traffic.

"The country is now undergoing a strain by reason of the dislocation of transportation systems and the maladjusted rates and unsettled conditions, which it is important should be placed in proper order as soon as possible.

"A grower shipped two carloads of cabbage from Moore Haven, Fla., to Baltimore. They sold for $436.65 per carload. The freight was $482.30 per car. The railroad company is now looking to the shipper for the $45.65, the freight being that much more than the cabbage brought. This is not an isolated case.

"Our rail lines can be operated so as to have a very vital bearing not only on our domestic but on our foreign commerce.

"We provide to-day one-quarter of all the agricultural products produced in the world, a large portion of which must be exported, because it is in excess of our home requirements.

"We mine one-third of all the mineral products of the world.

"We turn out one-third of all the world's manufactured goods.

"We must find markets abroad for a large surplus in all these lines.

"These are impressive facts when we recall that we have only 6 per cent of the world's population and only 7 per cent of the globe's land area.

"We export normally 15 per cent of our total production.

"In 1920 the value of our imports of merchandise was $5,238,021,668.

"The value of our exports was $8,111,039,733.

"Our surplus this year will include about 8,000,000 bales of cotton, 300,000,000 bushels of wheat, $750,000,000 worth of semi-manufactured raw material, and $250,000,000 worth of packing-house products. We must bear in mind that the world's money is at an enormous discount. The world's buying power is almost exhausted. Hence it is that our goods are to-day deteriorating in foreign markets, the purchasers being unable to pay for them. Those who buy from us must pay from 30 to 1,000 per cent more than they would pay if money was at par. Hence, too, ships are arriving in our ports in ballast, scarcely one-fourth of them bringing cargoes. We must buy foreign goods and foreign securities. The nation that does not buy can not long continue to sell.

"We must deal with and keep in touch with a large portion of the 94 per cent of the peoples overseas, and we must not lose sight of the 93 per cent of the globe beyond our border.

"In 1914 we owed foreign nations $5,000,000,000. We have paid that back, and now foreign nations owe us some sixteen billion dollars, on which they are to pay interest.

"We hold the largest gold reserve of any nation in the world, and our per capita wealth has gone from $1,165 in 1900 to $4,70 in 1920.

"It is said that our bank deposits exceed by millions the combined bank deposits of the whole world outside the United States.

"In view of these facts and considering the vast resources of our country, we must feel that the present unsatisfactory situation, the existing disturbed conditions, are the inescapable outcome of a world upheaval and the result of the mighty shock of a disastrous World War, and are only temporary.

"There is no occasion for discouragement or alarm."

TREATY WITH COLOMBIA.

Mr. LODGE. I move that the Senate proceed, in open executive session, to the consideration of the treaty with Colombia.

The motion was agreed to; and the Senate in open executive session and as in Committee of the Whole proceeded to consider the treaty.

Mr. LODGE. I now move that the injunction of secrecy be removed from the message of the President, and any other documents or papers connected with the Colombian treaty from which it has not already been removed.

The motion was agreed to.

Mr. BORAH. Mr. President, may I ask a question of the Senator from Massachusetts?

Mr. LODGE. Certainly.

Mr. BORAH. At the close of the special session of the Senate, the Senator from Montana [Mr. WALSH] suggested that there was some information concerning which he had been informed that was supposed to be in the possession possibly of the Secretary of State with reference to some documents and evidence as to what took place in Panama on the 3d of November, 1903; and the Senator from Massachusetts, as I understood him, said he would be glad to make inquiry on the subject. Have we received any information with regard to that matter?

Mr. LODGE. I do not know that I said anything about making an inquiry. I remember the incident, but I did not think of it again. I supposed that if there was anything it would be sent in. I have heard nothing more.

I ask that the message of the President be read.

The VICE PRESIDENT. The Secretary will read the message.

The Assistant Secretary read the President's message, as follows:

SETTLEMENT OF DIFFERENCES WITH COLOMBIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, SUGGESTING EARLY AND FAVORABLE CONSIDERATION OF THE TREATY SIGNED AT BOGOTA OF APRIL 6, 1914, BETWEEN THE UNITED STATES AND THE REPUBLIC OF COLOMBIA, FOR THE SETTLEMENT OF THEIR DIFFERENCES ARISING OUT OF THE EVENTS WHICH TOOK PLACE ON THE ISTHMUS OF PANAMA IN NOVEMBER, 1903.

March 9, 1921.—Read; referred to the Committee on Foreign Relations, and ordered to be printed in confidence for the use of the Senate.

To the Senate:

I very respectfully invite the attention of the Senate to the pending treaty which has been negotiated between the United States and the Republic of Colombia which is in the hands of your honorable body, with full information relating to its negotiation and its later modification and revision.

The early and favorable consideration of this treaty would be very helpful at the present time in promoting our friendly relationships. There have been many and long delays in dealing with this treaty until we have been made to seem unmindful, when in truth we have had no thought but to deal with this sister Republic in a most cordial consideration. I believe the revised treaty to be a fair expression of our just and friendly relationship with the Republic of Colombia, and I would rejoice to have our example in dealing with the Republic of Colombia to be made an assurance of that promptness and firmness and justice which shall invite added confidence in our Government and a new regard for our own Republic.

WARREN G. HARDING.

THE WHITE HOUSE,
March 9, 1921.

Mr. LODGE. Mr. President, since the day, 400 years ago, when Cortez in poetry and Balboa in fact discovered the Pacific Ocean, the Isthmus of Panama has never ceased to play a part in the history and the affairs of the world. Visions of piercing the Isthmus and connecting the two oceans haunted the dreams of men almost from the time of its discovery. Spain built and fortified towns on either side of the Isthmus. It was the scene of the famous raids of the buccaneers and pirates of the seventeenth century. It was the route by which the gold and silver of the west coast, and all the valued products of the Orient, found a path from one ocean to the other. It was there that the United States constructed the railroad which connected the Atlantic and Pacific in 1855. Many other routes for a canal were explored, considered, and surveyed, but the minds of men everywhere always ended by coming back to the crossing between Colon and Panama. Whatever else was projected, people and nations finally returned to the line followed in the main by Balboa. The revolutions which freed South America from the control of Spain created the Republic of New Granada, and the Province, or State, of Panama became finally a part of that Republic and held within its borders the precious Isthmus. Panama more than once attempted to break away from New Granada, now known as Colombia, but never successfully. In the early seventies began the movement in France for the construction of a canal at that point. The Wyse concession was bought, a company was formed under the auspices of Ferdinand de Lesseps, and in 1881 the French company began work on the canal. They were defeated by the climate and the diseases incident to the country, and the work on the canal languished and finally ended.

In 1903, following long discussions in the United States as to different routes for the canal, the movement for the Nicaragua route being particularly strong, it was finally decided that the proper place for the canal was Panama. Negotiations with the Colombian Government at the request of that Government were entered into and a treaty was made which the representatives of Colombia accepted as entirely satisfactory. This treaty, known as the Hay-Herran treaty, was ratified by the Senate. I voted for it. It then went to Colombia, where strong opposition was developed because of the effort to get more money than the treaty provided for—$10,000,000, the amount accepted and I think suggested by the representatives of Colombia in Washington—and also with a view to extorting more money still from the proprietors of the French canal company. This effort resulted in the rejection of the treaty by Colombia in October, 1903. The conduct of Colombia in dealing with this treaty was, in my judgment now as then, entirely indefensible, and the motives and purposes which caused the defeat of the treaty were even worse. Active agitation in the State of Panama began at once. The canal route was the one great treasure of the Province. It was all the people of that Province really had, and those in control of the Government of Colombia proposed to deprive the people of their most precious possession, for that was what the rejection of the Hay-Herran treaty amounted to. There was no secret about what was going on in Panama.

It had been talked about during the past summer in case the Hay-Herran treaty was rejected, and after its rejection the movement came rapidly to a head. The people of Panama rose in rebellion that they might establish their own independence. The United States interfered to prevent war, and such Colombian troops as were there were forced to retire.

The Panama Republic was established, recognized by the United States, and a treaty made between the Republic of Panama and the United States which gave to the latter the Canal Zone and the right to build a canal. I do not propose at this time to go into the details of this momentous transaction. There is no need of my doing so, because the Senator from Pennsylvania, who then was Attorney General of the United States, took part in it from beginning to end and knows its history in every detail, which I am sure he will present to the Senate of the United States in the able and conclusive manner in which he discusses every subject. I merely desire to say here that not only at the time but ever since I have never had the slightest question that President Roosevelt was not only absolutely justified but absolutely right in the action taken by him to set free the canal route by sustaining the Republic of Panama. He would have been guilty of a dereliction of duty if he had failed to do it and if he had not done it in my opinion the world to-day would not have the canal and we should probably be still disputing about routes and about our rights on the Isthmus. What President Roosevelt did was a very great service not only to the United States, and the two Americas, but to the world. It stands out as one of the greatest public services ever rendered by any President of the United States. My feeling in regard to it, as I have already said, is precisely the same as it was when President Roosevelt secured by his policy the canal route and the building of the canal. I joined with four of my colleagues on the Foreign Relations Committee in expressing this opinion in the views of the minority on March 14, 1917, and I adhere to it to-day unchanged. The treaty then before us has, however, been vitally changed, but my opinion of it in its original form has not been altered except on one point.

I now desire, very briefly, to give an outline of our relations and negotiations with Colombia since the establishment of the Republic of Panama and the beginning of the work which culminated in the construction and triumphant completion of the canal.

Five years after the recognition of Panama and the beginning of the canal, the administration of President Roosevelt undertook in 1908 negotiations to secure the recognition by Colombia of the independence and the boundaries of Panama, which resulted in 1909 in what was known as the Root-Cortes agreement. This treaty was accompanied with two others, one between the United States and Panama and one between Colombia and Panama. The two treaties made by the United States were ratified on February 24 and March 3, 1909, respectively. Under these treaties $2,500,000 additional to former payments was to be furnished by the United States and paid by Panama to Colombia for the recognition of the former by the latter. The Root-Cortes treaty, as Senators will find if they take the trouble to examine it, is substantially the same as that now before the Senate except as to the amount of money to be paid to Colombia for the recognition of the independence and of the boundaries of Panama. It is not necessary to go into the details of the negotiations, which finally failed through the refusal of Colombia to accept the terms, but simply to point out that President Roosevelt, before his administration expired, sought to bring about the recognition of Panama by Colombia by the payment of money to Colombia. President Roosevelt was altogether too great a statesman and too far-seeing a man to suppose that we were never to have any further relations with Colombia, and he and Mr. Root alike attached importance to the final settlement of the international status of Panama and of her southern boundary by the recognition of Colombia. I wrote to Mr. Root in regard to his negotiations and recently received a letter from him from which I venture to take the following paragraph, as it states so well the purposes the administration of President Roosevelt then had in mind:

> As the result of much discussion, including that which you recall in your letter, I came to a very definite personal opinion about the relations which ought to exist. This was, of course, talked over with President Roosevelt, and we were in entire agreement about it. The opinion was that the successful Panama revolution produced what John Quincy Adams used to talk so much about as "a partition of empire," and that under our guaranty of the independence of Panama there were two specific things which ought to be brought about—one, the settlement of Panama's share of the public debt of Colombia, and the other a recognition of the independence of Panama by Colombia, so that the state of inchoate war, which had continued ever since November, 1903, would be ended and the title of Panama would be free from cloud. It seemed to us that we could be very liberal with Colombia in settling these two questions.

The point that I desire to make is that the policy of restoring good relations with Colombia was entered upon by President Roosevelt himself during his own administration. The principle, the policy, and the importance of reaching some settlement with Colombia were conceded. It is to be remembered that we had never been at war with Colombia, and there was and could be no question of belligerent rights or rights of conquest. Therefore the only way to secure the desired recognition was by a money payment. There was a valuable recognition to be bought and sold. The only question was the price.

In the administration of President Taft this policy was adhered to and a second negotiation was opened with Colombia for the same purposes and on the same principles. This negotiation also failed. It was then taken up again when President Wilson came in, and a treaty was made which in amended form is now before us. It was easy for Mr. Bryan to make this treaty because he apparently allowed Colombia to write it. It began with an article of apology by the United States, wholly intolerable, and was improvidently drawn in other respects. So far as I am personally concerned—and Republican members of the committee shared my views—the treaty as it stood was out of the question. I would never have assented to the first article under any conditions, or to any form of words that could be distorted into a reflection upon President Roosevelt and his action in regard to Panama in 1903, which I thought absolutely right, or upon the United States. The contest in the committee continued, action was postponed, and the treaty dragged along until in 1917 it was reported to the Senate by the late Senator Stone, then chairman of the committee. The dissenting views of the minority, which I signed in company with Senators McCUMBER, BORAH, BRANDEGEE, and Fall, objected to the treaty on the ground that "it contained an apology for past conduct on the part of the United States which, however veiled by redrafting, was still an apology." Also, that "it made too liberal an exception in regard to the rights of transit," that "it had been accompanied by threats of hostility," and that "the size of the payment involved an admission of injury to Colombia to which we could not assent."

As I have said, I should never have assented under any circumstances to the treaty containing an apology, however worded. That is removed from the amended treaty by striking out Article I. Our rights with reference to Colombia's rights of transit are somewhat better guarded in the treaty now before us than they were in the Root-Cortes treaty. Colombia's rights of transit have been modified by amendments and the threats of hostility by uniting with Germany of course have been removed entirely by the passage of time and the course of events. There remains the objection grounded on the amount of the money payment. I am frank to say that I consider the amount too great, but to bring about a settlement of this question I am ready to waive my objection on that point in order to secure better relations with Colombia and a settlement of the vexed question of recognition and of boundaries. An amendment has also been added in regard to the periods and mode of payment of the $25,000,000, which, though not reducing the total amount, have a very considerable importance in view of the future and in giving us a certain control over the money to be paid. When Senator Stone brought the treaty in with a favorable report in 1917, he announced that he proposed to have a vote on it whether the treaty was accepted or rejected, but after a short time he changed his mind and the treaty was laid aside. I was invited soon afterwards to have an interview with Mr. Lansing, and I called upon him and had a long conversation with him. I told him very frankly that the treaty in its present form could not possibly pass, but that I thought with certain amendments, in view of the importance of the interests involved, it might be adopted by the Senate; but the amendments were vital. Article I must be stricken from the treaty entirely, and other changes must be made. These amendments were suggested by Senator KNOX, by Senator Root, and by me. There was one, as I recall, by Mr. Lansing himself.

I wrote to Col. Roosevelt at the time—I had been corresponding with him about the treaty situation as soon as it began to be pressed for action—and I informed him of my interview with Mr. Lansing and told him that I thought Mr. Lansing would accept all the amendments I had proposed whether formulated by me or by others, and that he would present them to Colombia and insist upon them as the only means by which Colombia could hope to secure any action upon the treaty. It was in March, 1917, that this took place, when the former Senator from Missouri, Mr. Stone, reported the treaty. Then the war came and the whole Colombian question was swept aside. During that period we were informed

that Colombia would accept the amendments which I had proposed, and in the spring of 1919 the Committee on Foreign Relations took the treaty up again. On July 29, 1919, the treaty was reported favorably from the committee, the Senator from Idaho [Mr. BORAH] offering no objection to making the report but reserving the right to oppose the treaty on the floor. It was, therefore, reported with substantial unanimity, and this, it will be observed, was long before any nomination even was made for the Presidency. Mr. Wilson had still nearly two years to serve. Senator Harding, then a member of the committee, voted for the report of the treaty as amended. Just after the treaty was thus reported dispatches from Colombia informed us that a decree had been issued reviving certain other decrees nearly a hundred years old which seriously affected the rights and titles of American investors in Colombia, including especially concessions of lands made to American oil companies. The treaty was thereupon withdrawn from the Senate and recommitted to the committee and the question of the decrees after full consideration was referred to a subcommittee consisting of Senators Fall, Smith of Arizona, and MCCUMBER, and further negotiation with Colombia was entered upon in which Senator Fall, representing the committee, was consulted throughout by the department.

The question of the decrees was finally settled by a decision of the Colombian Supreme Court, which confirmed the constitutionality of the concessions and gave in this way the strongest possible titles, stronger than any that could have been obtained by a statute alone. The treaty was then brought again before the committee, and on June 3, 1920, was again reported favorably to the Senate. I am speaking entirely of the treaty, with the amendments, as it now stands before the Senate. This was before any nominations had been made for the Presidency, a fact which I mention because I desire to dispose of the allegation which I have heard put forward that this treaty has been taken up simply because the present administration asked for it. As now amended, it was twice reported favorably to the Senate before this administration came into existence or the candidates who were successful at the November election had even been named. When the treaty was reported for the second time in June, 1920, the session was just drawing to a close and it was not possible to take it up until last winter. When the short session came in December, 1920, other business was so pressing and so crowded that it was found impossible to get time for the treaty. In this way it has come over and has been a third time reported by the Foreign Relations Committee for the consideration of the Senate.

Having thus given in outline the course of the treaty, I have shown by the facts I have cited that the policy of once more establishing good relations with Colombia and of securing her acknowledgment of the independence and the boundaries of Panama did not originate with the last administration or the one before that but with Mr. Roosevelt's own administration, and that it has now received the approbation, as set forth in the President's message, of the present administration, which is the fourth that has dealt with it; in other words, four administrations of different parties charged with our foreign relations have felt it to be of the highest importance that our relations with Colombia should be brought back to a status of good will and friendship—in fact, that our old relations with that country should be restored. It has also been shown that the treaty in its amended form was brought before the Senate before the present administration came into existence.

I now wish, in this connection, to say something further in regard to President Roosevelt's attitude. I need not repeat again what he actually did in his own administration. He felt very strongly in regard to the action of Colombia, and he resented most deeply any suggestion that he had not behaved in the most honorable and straightforward way in dealing with the revolution in Panama and the subsequent establishment of the canal. I absolutely shared all his views then and I share them now; and, although those who are devoted to his memory as I am are numbered by the thousand in all parts of the country, I do not think that there is anyone who loved him better or who honors his memory more than I. Nothing would induce me to take part in any measure which, it seemed to me, could be under existing conditions construed as a reflection upon anything he did in regard to the Panama Canal, one of the greatest services, as I have said and now repeat, ever rendered to his country and mankind by any President of the United States. When the treaty was up for consideration in 1917, as I have already said, I was in constant communication with him and I knew very well that he no more expected that we should cease from all relations with Colombia for all time than he did when he permitted the negotiation with Colombia under his own administration and sent the Root-Cortes treaty to the Senate with his approval. But the treaty made by Mr. Bryan he absolutely resented, and attacked it in public, both in a magazine article and in his statements to the committee, which have all been published and are now before the Senate. He never took the position with me that there should never be any further relations with Colombia, and I laid before him, as I have already said, the amendments which were proposed.

At the same time Senator Fall, whose extraordinary knowledge and familiarity with all South American questions are well known to this Senate, had taken the matter up with Col. Roosevelt and had also been in constant consultation with him. I need hardly say that there is no man in the United States more attached to President Roosevelt's memory than Senator Fall. They were close friends. As I shall presently show, President Roosevelt had the very highest opinion of him and in the convention of 1916 Senator Fall presented Col. Roosevelt's name to the convention for nomination as President. He laid before Col. Roosevelt in 1917 the plan which he had worked out for solving the difficult question of our relations with Colombia. This plan involved the ratification of the treaty as it now stands with amendments to be followed by another treaty of amity and commerce by which we should rid ourselves of the old Grenadine treaty of 1846 which has been a subject of dispute and trouble ever since it was made and by which we should also reestablish our relations with Colombia and secure her promise to join with us in the defense of the canal at any and all times. All the details relating to this are set forth in a letter from Senator, now Secretary, Fall, which I shall read later, but there is one letter which was written to him on March 21, 1917, by ex-President Roosevelt, which I desire to read in full here. In this letter President Roosevelt says:

I greatly liked your statement about the Colombian treaty. It is very strong. I, of course, most earnestly hope that your negotiations for a new and proper treaty will be successful. The proposition on the last two pages seems to me to be eminently right. I feel exactly as you do about the type of treaty we should have with these Latin-American countries. Root takes substantially your view. He is going down to Washington, I understand, not long hence, and I think that it would be well for you to see him if possible. You keep in touch with LODGE and KELLOGG, do you not? If some such treaty, as you suggest, could be negotiated, it would be a capital thing. It seems to me that LODGE and KELLOGG could help you work it out. They feel very strongly that the administration may get through a new treaty if some of the objectionable matter is eliminated, and, of course, I would have much preferred some kind of a treaty that was good enough to warrant our supporting it—as would be eminently the case if your suggestions were adopted.

I commend the consideration of this letter to those who have been urging upon the people of the United States objection to this treaty on the ground that President Roosevelt did not approve it. It will be seen by this letter that he approved absolutely Senator Fall's plan, which was all laid before him, and that the necessary preliminary to the treaty of amity and commerce, of which he speaks specifically, is the adoption of the treaty now before us as amended. Without the ratification of what is contained in this treaty no treaty of amity and commerce could possibly be obtained, which President Roosevelt knew, of course, to be the case. I shall leave at this point the question of Col. Roosevelt's attitude in 1917, two years later than the Metropolitan article, toward the project of a settlement with Colombia. I will merely say this in conclusion on this point, that to no one can the memory of Theodore Roosevelt be dearer or more sacred than it is to me, and that no treaty or other measure would ever receive support from me if I believed that in anyway it reflected upon him or his great career and services, which will always remain one of the finest and noblest chapters in the history of the Republic.

I now come to the reasons which I shall state or restate very briefly, which cause me to support this treaty and which convince me that its ratification is for the interests of the United States.

Let me call attention first to the geographical situation of Colombia. The territory of Colombia comes up to the boundary of Panama not far from the canal. Colombia is the only South American state which has both an Atlantic and Pacific coast, and on those coasts are good harbors, capable of large development. It commands in this way the approaches to the canal, and I shall show presently by a letter from Senator Fall the extreme importance which Col. Roosevelt attached to those approaches to the canal and to the necessity of our having control over them through arrangement with Colombia, a control not to be shared with any country other than Colombia and Panama. This matter of the eastern and southern approaches to the canal, whether by sea or land, gives a great value to the establishment of good relations and to further treaty arrangements with Colombia. I need not dwell upon the importance of

fixing finally the international status of Panama, which remains unsettled until there is secured the recognition by Colombia of both the independence of Panama and her boundaries, and this is effected by one of the provisions of this treaty. The amount to be paid by the treaty is very large. It has seemed to me, as I have already said, too large, but I changed my mind after 1917, when I voted to report the treaty, as to the size of the payment having any effect as to the attitude of President Roosevelt and the United States when we recognized Panama and established the canal.

The question of the amount of the indemnity, to which I was strongly opposed, I became convinced carried with it no admission as to the past of any kind but was simply a question of money and of the amount to be paid in consideration of the recognition by Colombia of the independence of Panama and of the boundaries and for the extinction of certain money claims resting upon treaties made long prior to 1903. It sometimes becomes necessary for a nation, in order to achieve by peaceful methods a very large and important purpose, to pay more money in negotiation than the thing paid for is intrinsically worth. Take the case of the Virgin Islands. Mr. Seward offered five millions 55 years ago for those islands. Mr. Hay, in the treaty of January 24, 1902, offered the same amount and the Hay treaty was only defeated by a single vote in the upper house of the Danish Parliament. Five millions was all that those islands were intrinsically worth, but when the opportunity to buy them came in 1917 the importance of the islands to us not only as a protection to the main route of commerce to the canal but as removing a source of conflict with European powers was such that we unhesitatingly paid twenty-five millions for them—five times what upon a liberal computation they were actually worth economically and commercially. The political purpose of the purchase far outweighed the value of the islands in themselves. The twenty-five millions to be paid to Colombia in installments of five millions a year for five years is obviously not an attempt to pay for the province of Panama. That province, which contains the canal route, is worth many times twenty-five millions. It is so valuable that we have spent over four hundred millions in building the canal through it and all we tried to buy under the Hay-Herran treaty, all that we have bought from Panama is a properly safeguarded right of way for our canal. The money claim of Colombia is a very different thing, rests on very different foundations and on very real grounds. Under a contract, of 1867, Colombia ceded the Trans-Isthmian Railroad to the Panama Railroad for a period of ninety-nine (99) years, at the end of which period the railroad, with all its improvements, was to revert to Colombia. Second. The estimated value of the Panama Railroad, which was to revert to Colombia in 1967, will be found in the report of the Panama Railroad referred to by Mr. Dubois, and made to Mr. Taft, Secretary of War, in 1906. Under the Wyse concession, which, of course, passed to us when we took over the French concession of the canal route, dated March 20, 1878, annual payments to the Government of Colombia were to be made from the date of the opening of the canal, as follows:

Five (5%) per cent on the total gross receipts for the first twenty-five (25) years.

Six (6%) per cent of the total gross receipts from the twenty-sixth (26th) to the fiftieth (50th) year.

Seven (7%) per cent from the fifty-first (51st) to the seventy-fifth (75th) year, and

Eight (8%) per cent from the seventy-sixth (76th) to the end of the concession, ninety-nine (99) years.

In no event was the annual payment to Colombia to be less than two hundred and fifty thousand ($250,000) dollars, which sum was guaranteed to be paid.

The concession would have expired in 1984, and under this concession dating the opening of the canal from 1914 Colombia claims seventy (70) annuities at two hundred fifty thousand ($250,000) dollars each, or a total of seventeen million five hundred thousand ($17,500,000) dollars.

The Loubet decision, which is now insisted upon by Panama, as affecting the present Panama and Costa Rican boundary controversy, was made while Panama was still a part of Colombia. The total cost of this arbitration, two hundred thousand ($200,000) dollars, was paid by Colombia, and Panama has repaid no part of it whatsoever, unless it has been repaid very recently.

Under the terms of the railroad transfer Colombia would have received in annual payments, before the road was returned to her, $16,000,000. I now give the summary of these claims based on prior treaty agreements and pertaining to the railroad and the canal concessions which had passed into our hands not by war, but by treaty with Colombia and further treaty with the Republic of Panama recognized by us.

Summary.

Value of railroad	$16,446,942.75
Panama Canal rights (Wyse concession)	17,500,000.00
Panama Railroad annuities	16,000,000.00
Cost Loubet arbitration	200,000.00
Total as shown by the Dubois report	50,146,942.75

I give these figures because they constitute two legal claims of Colombia under treaties and concessions of which we are now the beneficiaries, the subjects of which have passed into our possession. These are usually overlooked when the twenty-five millions is spoken of as exemplary damages and a confession of wrongdoing. I have come to the conclusion that it is neither. The other changes are the omission from the treaty of article 1, the article which contained an apology, however veiled, to which this country would never assent. By changes in the present article 1, formerly article 2, we have taken from Colombia the right to pass its troops, materials of war, and ships of war through the canal in time of war; that is, the decision is left with us. The other amendments, in paragraphs 2, 3, and 4, of article 2, are for the same purpose. In paragraph 5 of the same article, which gives Colombia the right to carry her principal products—coal, petroleum, and sea salt—free over the railroad, this right is limited to those cases where these articles of export are carried for Colombian consumption alone and are merely shipped from one Colombian seaport to another. Article 2, formerly numbered article 3, changes the time and method of payment of the twenty-five millions, requiring that this sum shall be paid in installments of five millions a year each, a change of importance, as I have already suggested, in giving to the United States a certain control over the payments. Former article 4, now article 3, is unchanged. It contains the recognition of Panama as an independent State by Colombia and also the acceptance of the boundaries as laid down by us. It also contains the very important promise on the part of Colombia to bring about a treaty of peace and friendship between Panama and Colombia. This article is, of course, the essential point of the treaty.

Now, to say a few words about the larger aspects of the question: We are desirous—indeed, I may say, we are anxious—to improve our relations with South America in every possible way, and there is no doubt that the countries of South America will receive with satisfaction the ratification of this treaty. I know well that gratitude among nations, unless fortified by interest, is not a position to be strongly counted upon. At the same time—and I think I am well informed upon the subject—there is no doubt that the settlement of this open question with Colombia will have a good effect among all the South American States, and especially the larger, more stable, and more powerful States upon the eastern and western coasts and in the southern part of the continent. We have received every assurance short of a written treaty that this treaty now pending before us will be followed by a treaty of amity and commerce with Colombia, which will rid us, as I have pointed out, in the first place, of the old Grenadine treaty of 1846, which has been the subject of endless dispute and a stumblingblock in the way, and which will unite the interests of Colombia in the defense of the canal, and commercially with those of the United States. There is no doubt that the present administration in Colombia is desirous of a very friendly relation with the United States, and that can not fail to be of profit and benefit to both countries.

I have said enough, I think, about the manner and degree in which the security of the canal will be promoted by improved relations with Colombia and by the protection which it would give to the southern approaches to the canal, always a source of possible danger in the present unsettled condition. It will also, however, I believe, largely promote our commerce and therefore be in accord with the policy which it has become very essential to the United States to strengthen and carry out. Our exports have been falling off. I fear that a long time will pass before a normal condition of our trade will be established with Europe, and it is clearly to our advantage to enlarge and extend our trade so far as possible in South America and in the Far East. Apart from the rest of South America there is much that Colombia alone would take from us, particularly in the development of her railroads, which would be very valuable to the commerce of the United States and open new doors to our overseas commerce. It is an old saying that "trade follows the flag," but in these times in which we are now living it may be more truly said that trade and commerce follow investments.

There has been a great change in the conditions of competition in foreign trade and we are all familiar with the German syndicates backed, financed, and frequently controlled, as they were,

by the Imperial Government before the war. I suppose the same policy is being pursued so far as it can be in Germany at this moment. Other nations are doing the same in various directions; that is, the governments are putting in money and taking control of the companies which are engaged in foreign commerce and in making foreign investments. We are in competition no longer with individuals and corporations but with governments when we enter the great field of foreign commerce. The most conspicuous instance of this sort is in regard to oil. I have heard it said that the oil interests are supporting this treaty. I do not know whether they are or not. No one interested in the production of oil has ever spoken to me on the subject so far as I am aware, but I know, and everybody else who has studied the subject knows, that the question of oil is one that is vital to every great maritime nation. Oil goes much beyond the mere economic value of the trade or of the production. The use of oil-burning engines both in merchantmen and in ships of war makes it vital to the carriers of our commerce and, what is still more important, to our power of defense by sea. Our own production of oil, great as it has been, is beginning to show undoubted signs of limitation both in the life of the wells and the amount of production. It would be a very serious matter to this country, incalculably grave, if we are cut off by the government competition of other nations from an increasing oil supply. I am entirely against having the United States invest money in any enterprises or enter into business of any kind. I do not believe that this would be a sound system for our Government to pursue. I think, however, that it is absolutely necessary that we should give to American investors in foreign countries the protection which American citizens in other countries are entitled to so long as they obey the laws of the country in which they may be operating.

We must stand behind our own people wherever they may be in the world, whether in business or merely as travelers. In this direction the United States has been careless and indifferent and in some instances, notably in Mexico, much worse than careless. If we are to extend our foreign trade in South America and the East, Americans who invest their money in those countries and who live according to the laws of the foreign country in which they are placed must always be sure that they have behind them their own Government and that they will receive the protection to which they are entitled. Our Government in the past has in certain cases actually gone to the point of taking the position that an American citizen or an American corporation making investments in another country was not entitled to any protection, that they were to be frowned upon instead of being encouraged. I regard this as an absolutely false policy, and if we persist in it we shall not only make the expansion of our commerce impossible but we shall find ourselves very much weakened in securing those articles necessary to our business life and to the life of our people, like oil, rubber, and other great raw materials of equal importance. If American capital is willing and ready, with the assurance that its rights are to be protected in foreign countries, to invest in those countries and thereby develop and enlarge our trade, it should be encouraged and praised, not berated and attacked.

So far as oil is concerned, I wish the Senate would look at these documents, which I have had placed on every desk, one a map, another a list of producing, distributing, and marketing oil companies belonging to the Royal Dutch-Shell Combine, which serve as sources of supply or distribution in so far as known April 20, 1919. I shall ask to have this list printed with my remarks, if there is no objection.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

(To accompany Plate II. Omitted.)

LIST OF PRODUCING, DISTRIBUTING, AND MARKETING OIL COMPANIES BELONGING TO THE ROYAL DUTCH-SHELL COMBINE OR WHICH SERVE AS SOURCES OF SUPPLY OR DISTRIBUTION, IN AS FAR AS KNOWN APRIL 20, 1919.

1. Acetylene Gas and Benzine Maat.
2. Alliance Co. (Mexico): Operates 16,000 acres held in dispute by Mexican Eagle and Mexican Petroleum (Doheny) Cos.
3. Anglo-Egyptian Oil Fields (Ltd.) (Egypt): July 6, 1911; $6,561,000; managed by Anglo-Saxon.
4. Anglo-Mexican Petroleum Co. (Ltd.) (London): Marketers for Mexican Eagle and Eagle Transport Co.; hence now closely related to Shell-Dutch: Markets in Central and South America and British Isles.
5. Anglo-Persian Oil Co. (Ltd.) (Persia): Marketing agreement until 1922 with Dutch-Shell. (Not a part of the combine—associated by marketing or other agreements.)
6. Anglo-Saxon Petroleum Co. (Ltd.) (London): June 29, 1907; $38,880,000.
7. Asiatic Petroleum Co. (Ltd.) (London): June 29, 1903; $9,720,000.
8. Asiatic Petroleum Co. (Ltd.) (Ceylon): Refiners, distributers, carriers; November 13, 1917; $972,000.
9. Asiatic Petroleum Co. (Ltd.) (Egypt): Property acquired from Anglo-Saxon; March 25, 1911; $972,000.
10. Asiatic Petroleum Co. (Ltd.) (Federated Malay States): February 28, 1911; $243,000; property acquired from Anglo-Saxon.
11. Asiatic Petroleum Co. (Ltd.) (India): Property acquired from Anglo-Saxon; $2,673,000.
12. Asiatic Petroleum Co. (Ltd.) (North China): August 11, 1913; from Anglo-Saxon; $2,430,000.
13. Asiatic Petroleum Co. (Ltd.) (Philippine Islands): Registered January 30, 1914; $72,900.
14. Asiatic Petroleum Co. (Ltd.) (Siam): August 11, 1913; from Anglo-Saxon; $364,500.
15. Asiatic Petroleum Co. (Ltd.) (South China): Property acquired from Anglo-Saxon August 11, 1913; $1,701,000.
16. Asiatic Petroleum Co. (Ltd.) (Straits Settlements): February 28, 1911; from Anglo-Saxon; $1,215,000.
17. Astra Romana Societe Anonyme, Rumania: Geconsoledere Hollandsche Maat. is heavily interested; $13,027,500.
18. Astra Refining Co. (Rumania): $965,000.
19. Atjan Mining Co. (Sumatra).
20. Bataafche Petroleum Maatschappij (Holland): January 1, 1907; Anglo-Saxon managers; $56,000,000.
21. Belgian Benzine Co.; $100,000.
22. Benzine Lagerungs Geselschaft (Blexen); $121,500.
23. Benzine Lagerungs Geselschaft (Breslau); $12,150.
24. Benzine Lagerungs Geselschaft (Hamburg); $72,000.
25. Benzine Lagerungs Geselschaft (Madgeburg); $85,050.
26. Benzinwerke Regensburg Geselschaft; $170,000.
27. Benzinwerke Rhenania Dusseldorf, $204,120.
28. Bermudez Co. (Ltd.), Venezuela, subsidiary of General Asphalt Co.
29. [1]Bolivar Concessions (1917) (Ltd.), Venezuela. (Interested in Venezuelan Oil Concessions (Ltd.) only.) A source of supply, but not a part of the Dutch-Shell group.
30. British-American Oil Co., Toronto.
31. British-Borneo Petroleum Syndicate, $583,200.
32. British Imperial Oil Co. (Ltd.), London. (Australia, New Zealand, and South Africa), $972,000. From Anglo-Saxon.
33. British Imperial Oil Co. (Ltd.), New Zealand. Property acquired from Anglo-Saxon, August 7, 1912, $97,200.
34. British Imperial Oil Co. (Ltd.), South Africa. August 12, 1912. From Anglo-Saxon, $48,600.
35. British Western Isles Syndicate (Ltd.), London, $486,000. June 4, 1912.
36. California Oilfields (Ltd.). (Liquidated.) Shell Co. of California, $1,944,000.
37. Caribbean Petroleum Syndicate (Ltd.), Venezuela. Owned jointly by General Asphalt and Dutch-Shell.
38. Ceram Oil Syndicate (Ltd.), island of Ceram. Dutch-Shell, $972,000.
39. Ceram Petroleum Co., Dutch East Indies. Dutch-Shell.
40. Chijoles Oil (Ltd.), Mexico. (See Tampico Panuco Oilfields (Ltd.), $972,000. Tampico Panuco Petroleum Maat.
41. Cleophane Oil & Gas Co., Oklahoma. (Liquidated.)
42. [1]Colon Development Co. (Ltd.), Venezuela. Friendly to but probably not as yet a part of the group, $486,000.
43. Commercial & Mining Co., London, $48,600.
44. Curacoa Petroleum Co., $1,600,000.
45. Curacoasche Scheepvaart Maatschappij, island of Curacoa, September, 1916. Subsidiary of Bat. Pet. Maat., $800,000.
46. Danske Engelske Benzin Petroleum Akt., Denmark, $135,000.
47. Danske Tyske Petroleum Co. (Ltd.), Denmark, $270,000.
48. Dordtsche Petroleum Maatschappij. Dutch-Shell selling and refining agency in Dutch East Indies, $12,000,000.
49. Eagle Oil Transport Co. (Ltd.) (Tank steamers for Mexican crude and fuel; now related to Dutch-Shell through Mexican-Eagle purchase.)
50. East Borneo Maat., Borneo, $883,600.
51. Erste Bayerische Petroleum Geselschaft, $364,500.
52. Finnische Petroleum Import Geselschaft, Finland.
53. Geconsolideerde Hollandsche Petroleum Co., Holland. Interested in Astra Romana, and Dutch-Shell companies are largely interested in it; $9,600,000. January, 1907.
54. General Asphalt Co., United States of America, Trinidad, and Venezuela. $31,000,000. (The Dutch-Shell controls the petroleum production of all this company's Trinidad and Venezuela holdings, but is apparently not interested in its asphalt business.)
55. Gravenhage Association (London): (Liquidated.)
56. Grozny-Sundja Oil Fields (Ltd.) (Russia): Managed by Anglo-Saxon; $1,458,000; March 31, 1913.
57. Helouan Petroleum Co.: (Liquidated); $243,000.
58. Java Petroleum Co.: (Liquidated); $280,000.
59. Kasbee Syndicate (Ltd.) (Russia): $6,240,000.
60. Koetei Exploratie Maat: $520,000.
61. Koninklijke Nederlandsche Maatschappij tot Exploitatie van Petroleum in Nederlandsche Indie: Incorporated, Holland, June 16, 1890, and amalgamated with Shell Transport & Trading Co. (Ltd.) as from January 1, 1907; $60,760,000 (Royal Dutch).
62. King Oil Co. (Oklahoma): (Liquidated.)
63. La Corona Petroleum Maatschappij (Holland): To consolidate Dutch-Shell interests in Mexico; $10,000,000; steamships.
64. La Corona Petroleum Co. (Mexico).
65. Lubricating & Fuel Oils (Ltd.) (London): $486,000.
66. Mexican Eagle Oil Co. (Ltd.) (Mexico): $30,000,000.
67. Mineralol & Benzine Werke (Rhenia): $240,000.
68. Mineralolwerke (Rhenania).
69. Moeara Enim (Sumatra): $4,000,000.
70. Moesillir (Sumatra): $3,840,000.
71. Nederlandsche-Indische Exploration Syndicate.
72. Nederlandsche-Indische Industrie & Handel. (Maat): Anglo-Saxon manager; $8,000,000; Balik Papes, Koete.
73. Nederlandsche-Indische Petroleum Maat: $144,000.
74. Nederlandsche-Indische Tank Stoomboot Co.: Anglo-Saxon and B. P. M. managers; $1,200,000.
75. New Orleans Refining Co.: Roxana Petroleum Corporations; $400,000.
76. New Schibaieff Petroleum Co. (Ltd.) (South Russia): $5,637,000; Anglo-Saxon is manager.
77. Norske Engelske Mineral Oil Akt (Norway): $147,420.
78. North Caucasian Oil Fields (Ltd.) (Grosny, South Russia): January 29, 1901; Anglo-Saxon is commercial manager; $3,645,000.
79. Nouvelle Societe du Standard Russe de Grosny: Dutch-Shell; $6,240,000.

80. Oil Fields of Mexico Co.: Marketing and shipping obligations with Mexican Eagle; $8,500,000.
81. Panama Canal Storage Co.
82. Petroleum Development Co. (Ltd.) (Trinidad): Subsidiary of General Asphalt Co
83. Puova Oil Co. (Oklahoma): (Roxana Corporation.)
84. Perlak Petroleum Maatschappij (North Sumatra): Dutch-Shell; $4,000,000.
85. Quintuple Oil Co. (Oklahoma): Roxana Corporation; (liquidated).
86. Regatul-Roman: $4,632,000.
87. Rising Sun Petroleum Co. (Japan): $2,000,000.
88. Red Sea Oilfields (Ltd.) (Liquidated.) $2,187,000.
89. Roxana Petroleum Corporation, New Jersey. Holding company for Mid-Continent and Wyoming properties; $60,000,000; March 8, 1917.
90. Roxana Petroleum Co. of Oklahoma. Roxana Petroleum Corporation; $8,000,000; 1914.
91. Sarawak Brunei, Borneo.
92. Sebatik Petroleum Maat; $800,000.
93. Shanghai Langkat Maat, Sumatra; $1,095,000.
94. Shell Co. of Canada; $243,000.
95. Shell Co. of California. To consolidate Dutch-Shell interests in California; $45,000,000; July 30, 1915.
96. "Shell" Marketing Co. (Ltd.), London. Marketing in United Kingdom; $7,290,000.
97. Shell Transport & Trading Co. (Ltd.), London. Registered October 18, 1897, as a transporter and marketer of oil; amalgamated with the Royal Dutch as from January 1, 1907; $111,880,000.
98. Signal Oil Co., Oklahoma. Roxana Corporation. (Liquidated.)
99. Simplex Refining Co., California. Shell Co. of California; $3,000,000.
100. Societe Commerciale et Industrielle de Eaphte Caspienne et de la Mer Noire, Bnito (Russia). Rothschilds; February, 1912; $5,200,000; Dutch-Shell.
101. Societa Anonima Italiana. $291,000.
101–a. Societe Nafta, Genoa.
102. Societe de Mazout, Russia. Dutch-Shell (Rothschilds); February, 1912; $12,000,000.
103. Sumatra Palembang, Sumatra. $2,800,000.
104. Sumatra Petroleum Co. $1,458,000. (Liquidated.)
105. Svensk Engelske Mineral Oil Akt, Sweden. $540,000.
106. Tampico-Panuco Oil Fields (Ltd.), Mexico. Held by the Tampico-Panuco Petroleum Maat., which in turn is held by the Bat. Pet. Maat.; $1,550,000; December, 1916.
107. Tampico Panuco Petroleum Maatschappij, Holland. Holds the Tampico-Panuco Oilfields (Ltd.), the Chijoles Oil (Ltd.), and the Tampico-Panuco Valley Railway Co.; $2,880,000.
108. Tampico-Panuco Valley Railway Co., Mexico. (See above.)
109. Tatakan Petroleum Co. (?) $1,560,000.
110. Trinidad Lake Petroleum Co. (Ltd.) A subsidiary of the General Asphalt Co.; all oil production controlled by Dutch-Shell.
111. Trinidad Oilfields (Ltd.). Assets taken over by United Britain Oilfields of Trinidad (Ltd.); August, 1913; $1,940,000.
112. Turner Oil Co., California. Bought out by Shell of California; $500,000.
113. United British Oilfields of Trinidad (Ltd.) Managed by the United British West Indies Petroleum Syndicate (Ltd.); $3,152,500; July 1, 1913.
114. United British Producing Co. (Ltd.), Trinidad. Managed by the United British West Indies Petroleum Syndicate (Ltd.); $1,458,000.
115. United British Refineries (Ltd.), Trinidad. Managed by United British West Indies Petroleum Syndicate (Ltd.); $486,000.
116. United British West Indies Petroleum Syndicate (Ltd.). (West Indies, British Guiana, or elsewhere.) Anglo-Saxon Co. heavily interested, along with the Burmah and Anglo-Persian crowd; $972,000; July 18, 1912.
117. Ural Caspian Oil Corporation (Ltd.), 10,000 square miles on northeastern seaboard of Caspian Sea; $4,860,000; April 15, 1910. Looks like Dutch-Shell.
118. Valley Pipeline Co., California. (Dutch-Shell of California); $10,000,000.
119. Venezuelan Oil Concessions (Ltd.). Dutch-Shell financially interested and to be managers for at least 15 years from 1915; $2,430,000.
120. Vereinigte Benzinfabriken Ces.; $21,870.
121. W. K. Oil Co., California. Liquidated and owned by Shell of California; $500,000.
122. Yarhola Pipeline Co. Roxana Petroleum Corporation; $10,000,000.
123. Zuid Perlak Maat, Sumatra; $600,000.

Mr. LODGE. Unfortunately, I can not have the graphic table printed, but I think it will repay Senators to examine the map in order to see the competition. The Senator from Utah [Mr. SMOOT] is kind enough to say that I can have this graphic table and map printed, and I ask also that that be done; I do this because I am anxious that Senators shall see graphically the manner in which England is taking possession of the oil supply of the world.

The VICE PRESIDENT. Without objection, it will be so ordered.

[The graphic table and map referred to will be found on pp. 164 and 165.]

Mr. LODGE. Mr. Chamberlain announced the other day in the House of Commons that England still controlled the Anglo-Persian Co., and England also controls the Royal Dutch and Shell Transport combination, whose holdings are exhibited in the table. We must not only enlarge our trade, but we must enlarge our sources for a supply of oil wherever it is possible to do so, and we can not do it if we take the position that it is a sin for Americans to make money and that those who are engaged in foreign investment and foreign commerce are to be punished instead of being sustained. If Americans are willing to put in large amounts of capital for the production of oil, they are entitled to make money, and I hope they will.

Mr. WATSON of Indiana. Mr. President, would it interrupt the Senator if I should ask him a question?

Mr. LODGE. No.

Mr. WATSON of Indiana. The Senator says that England controls the Royal Dutch Shell group. Does he mean by that the Government of England or citizens of England?

Mr. LODGE. The Government.

Mr. WATSON of Indiana. The Government itself?

Mr. LODGE. The Government has 60 per cent of the stock of the Royal Dutch and 40 per cent of the Shell, I think. It may be the reverse, but it controls both. Of course, the Royal Shell is an English corporation. In the Royal Dutch the Government has the absolute control of 60 per cent; at least, that is the report in response to the inquiry of our Government.

The Government will not be involved financially, but will simply be called upon to do what every other government does and what we ought always to do—protect its citizens in their lawful trade in other countries. The indications are very strong that the very large oil fields, perhaps the largest in the world, are on the point of development in Venezuela and Colombia. American companies have already started in Colombia, but they will pass into the hands of the powerful British combination if our people can not at least understand that they will be protected against wrong and injustice if they invest in countries other than their own for the purpose of furnishing the United States with oil and enlarging our commerce. I believe one of our companies in Colombia has already been obliged to seek financial aid, and it has been given to it by Great Britain or by British interests. This is one of the important features of good relations with Colombia and with all South America, but particularly with those countries in the north where the oil fields are believed to lie. These are some of the arguments which seemed to me very strongly to justify, in fact to demand, the ratification of this treaty.

I am now going to read to the Senate two letters from our former colleague, Mr. Fall, the present Secretary of the Interior. Secretary Fall has a larger and more minute and accurate knowledge of South American conditions and relations than anybody whom I know. It was he who after the decrees of the summer of 1919 took up in conjunction with the State Department negotiations with Colombia which resulted in the decision of the supreme court of that country to which I have referred. His patriotism and farsightedness are as conspicuous as his knowledge and I am sure the Senate will give attention and weight to what he has to say in regard to this pending treaty with which he has been so largely concerned.

THE SECRETARY OF THE INTERIOR,
Washington, March 21, 1921.

Hon. HENRY CABOT LODGE,
United States Senate, Washington.

MY DEAR SENATOR: The fight upon the ratification of the Colombian Treaty will rest, I presume, largely upon the following propositions:

I. Some of the friends and followers of Col. Roosevelt will urge such opposition because the treaty, in its original form, constituted what was regarded as an insult to Col. Roosevelt and to his administration.

II. As I have noted in the papers, upon the ground that the present demand for ratification of the treaty, as amended, is caused by the anxiety of certain American oil companies to obtain some special favors in Colombia, or in Latin-America, by the gift to Colombia, without consideration, of the amount of $25,000,000 of the taxpayers' money.

III. I have noticed the reported speech by one very prominent Senator, in which he desires to know what change has occurred which would justify those Republicans opposing the treaty in 1917, as it stood, in changing their attitude and now supporting the treaty.

As to the first of these propositions, i. e., the opposition of Col. Roosevelt's friends because of the supposed attack upon the colonel's personal integrity, or honor, as President of the United States.

I have never referred, publicly, to my association with, and love and admiration for Col. Roosevelt, nor the confidence which the colonel seemed to repose in my judgment and integrity.

I only make such reference now to throw light, if possible, upon the attitude of Col. Roosevelt toward the Colombian question and the pending Colombian treaty. For this reason I am going to quote from one short letter, received from the colonel in 1916:

"I wish to thank you most cordially * * * dear Senator, for your gallant fight on behalf of Americanism and humanity, and the performance of international duty; a fight you have valiantly waged for over four years in the Senate of the United States.

"You have been the kind of a public servant of whom all Americans should feel proud. I congratulate the whole country that you are in the United States Senate."

Col. Roosevelt urged me to become a candidate for reelection two years since.

In 1918, after the transactions of 1917—

Upon definitely determining to accept the nomination, under certain circumstances, in event it came to me unanimously, on June 18, I notified the colonel of my determination and in answer received a message at once, saying "I am overjoyed."

Upon being elected for my first term in the United States Senate, I received a telegram from Col. Roosevelt, dated at Milwaukee, Wis., on March 30, 1912, as follows:

"The Republican Party and the progressive cause are both gainers by your election to the United States Senate. Accept my heartiest congratulations."

During the campaign, two years since, on October 30, 1918—

Eighteen months after the correspondence of March, 1917, when the Colombian treaty was up—

I received from Col. Roosevelt the following telegram, addressed to me at Three Rivers, N. Mex.:

"The events of the last three weeks make it more than ever imperative that the country shall not be deprived of your great ability in leadership, and in consideration of your work in the United States Senate, to a peculiar degree, you embody the best American spirit and I trust that every good American will join in supporting you."

To repeat, with great hesitation I have given you the above, but solely for the reason that you may understand how I retained Col. Roosevelt's confidence during the discussion of Colombian and other matters. It is my pride that I had the Colonel's confidence in the same degree up to the moment of his death.

I very often discussed the Panaman-Colombian matter with Col. Roosevelt at his home at Oyster Bay, in New York City, and in this city.

I had, from time to time, corresponded with the Colonel upon this subject.

First. I can say, without hesitation, that Col. Roosevelt indignantly denied that he had taken any part in, or had anything whatsoever to do with, the Panaman revolution before that revolution became an accomplished fact.

Second. That he regarded the Panaman revolution as the consequence of the acts, solely, of the Colombian Government, which he also regarded as not in good faith with the Government of the United States.

Third. That he never admitted, at any time whatsoever, that he, or this Government under his administration, had, in the Panama Canal matter, or otherwise, wronged Colombia.

Fourth. That he never for a moment denied that Colombia had suffered very serious loss and damage by the revolution in Panama; our action in recognizing that Government and the consequent loss to Colombia of her interest in the Panama Railroad and in the Wyse concession, which we purchased from the French holders.

In other words, the Colonel treated and recognized the damage and loss to Colombia as having been brought about by her own acts and ours, but never agreed that we had wronged Colombia or violated our treaty of 1846 with her.

Col. Roosevelt always insisted that the United States, in so far as all other countries were concerned, must insist upon their recognition of our preponderant political, economical, and social interests from the southern boundary of the United States to the approaches to the Panama Canal on the south.

In other words, he fully recognized the fact that for the protection of the Panama Canal and the interests of the United States on this hemisphere we must have, in so far as all other nations were concerned, even including those of South America aside from Colombia, the last word with reference to the countries lying south of our border, and including Colombia, south of the canal.

Col. Roosevelt strongly opposed the treaty with Colombia, even as it was amended and reported in first by the late Senator Stone.

I, myself, signed the minority report, with you and others, opposing ratification of the treaty at that time, the various minority members drawing up a report in which I joined for the reason, as pointed out in one of the last paragraphs, that certain amendments regarded by myself as absolutely necessary were not embraced in the amendments prepared by the majority of the committee.

These amendments, which I insisted upon at that time, are now each practically incorporated in the treaty (with amendments) pending before the Senate for ratification.

At about the time the Stone report came in I wrote to Col. Roosevelt—that is to say, on March 18, 1917. In this letter I inclosed the Colonel a general statement of my views, which statement I practically repeated to the Senate in June of that year.

I also suggested the lines of negotiation of a treaty, including the present pending treaty as amended, with certain additions suggested, the new treaty, including the pending treaty with amendments, to replace the old treaty of amity and commerce of 1846.

In this letter I stated that I had been in close touch with those much closer to the Colombian Government and was inclined to think that a treaty along the lines of my suggestion could be negotiated at any early date.

I stated that I knew that the Colombian Government would receive a copy of the proposition.

[I submitted also a copy of this proposition to the then Secretary of State of the United States, at whose request Senator Stone asked to withdraw, or suspend any action upon, the treaty at that time.]

The Colonel was later informed, by myself personally, that the Colombian Government apparently looked with great favor upon the negotiating with the United States of a treaty for the defense of the canal, such as I had proposed, and upon other suggestions contained in my statement, but doubted the feasibility of entering into new negotiations. At the time, I believe, the Colombian authorities feared a political, if not a violent armed, revolution should such new negotiations be taken up prior to ratifications of the pending treaty.

The Colombians, discussing the matter, claimed that negotiations had continued for so long, from one administration to another, all looking to the payment to Colombia of some sum in consideration of her interest in the Panama Canal, that with a treaty pending, should action be withheld and new negotiations attempted, they would be rejected by the people of Colombia, to whom it would be impossible to explain the matter fully.

In this statement referred to, I spoke of the damage done to Colombia, and set forth, specifically, suggestions as to the new points which should be covered, in addition to the provisions of the pending treaty, with all apologies, etc., stricken out.

In other words, my propositions, as submitted to Col. Roosevelt, were:

First. With the then pending treaty amended as it now stands amended by the committee, and as proposed to be ratified by the Senate, there should be additional provisions quieting title, if necessary, to any islands near the entrance to the Canal Zone.

Second. The acquisition of an option on the Atrato River canal route. (This route, of course, not regarded as feasible and the option only for the purpose of preventing any other country obtaining same ostensibly as a canal route, and using it for submarine or other purposes.)

Third. That neither country, in event of war or trouble with any foreign country, should allow its ports, coast, or territory to be used by the forces of the country with which the other might be at war.

Fourth. An agreement for mutual defense of the Panama Canal, each country allowing the use of its waters and shores, when necessary, under conditions to be agreed upon as the necessity arose from time to time, for necessary defense of the canal.

I stated specifically in this connection that this Government would be justified in entering into such mutual agreements, and, in securing same, in paying any reasonable amount to the Republic of Colombia.

Of course, it is well understood that not only were the purposes as therein set forth the true purposes, but that the nominal consideration was for the loss and damage sustained by Colombia in the amount, as she claims, of fifty millions of dollars gold, through the acquisition by the United States of the Panama Canal and the Panama Railroad through the independence of Panama.

You have had the letter of Col. Roosevelt of March 21, 1917, in answer to my letter and statement referred to. In this letter from the Colonel, among other things, he states:

"I greatly liked your statement about the Colombian treaty. It is very strong. I, of course, most earnestly hope that your negotiations for a new and proper treaty will be successful. The proposition on the last two pages seem to me to be eminently right." (Proposition is briefed in my statement just preceding.) "I feel exactly as you do about the type of treaty we should have with these Latin-American countries. Root takes substantially your view. If some such treaty as you suggest could be negotiated it would be a capital thing."

Referring to the views of others with whom he has talked, he continues:

"They feel very strongly that the administration may get through * * * a treaty if some of the objectionable matter is eliminated, and, of course, I would have much preferred some kind of a treaty that was good enough to warrant our supporting it—as would be eminently the case if your suggestions were adopted."

I can only say that I have, through request of the State Department, in connection with oil negotiations and the decision of the Supreme Court of Colombia thereupon, been in close contact with representatives of Colombia in this country, and through certain personal representatives of my own in connection with my duties as chairman of the Senate subcommittee, in close contact with officials of the Colombian Government and prominent citizens in Bogota and other portions of Colombia.

I have every assurance, satisfactory to myself, short of an actual written agreement, that the present Colombian Government, and prominent Colombians, favoring this policy, will immediately, upon ratification of the present treaty, of their own motion, or upon a mere suggestion from us, enter into a supplemental treaty embracing the identical suggestions made to Col. Roosevelt, as submitted by myself in the letter and statement referred to.

This assurance may not be satisfactory at all to other Members of the Senate; but understanding the Latin-American character as I do, and knowing, I think, very clearly, the sentiment in Colombia; realizing, as I think I do, the desire of that country and of these people to enter into very close relations with the United States, not through love of us, but for their own protection and development, I am confident that such a treaty will be successfully negotiated if we choose to suggest, or accept, propositions to or from Colombia, along this line.

I am convinced that the present Colombian Government recognizes the great advantage of such a treaty to Colombia, as Col. Roosevelt so clearly recognized the great advantage of the treaty to the United States, as he unequivocally said in his letter referred to.

As throwing further light upon the position of Col. Roosevelt, with reference to this matter and upon his sentiment concerning the duty of this country to itself and to Latin-American countries between our southern border and the southern approaches to the Panama Canal, I might recite the following facts:

It will be recalled that in 1915 the United States had called in the "A–B–C" powers—that is to say, Argentina, Brazil, and Chile—for conference and action concerning the settlement of Mexican matters.

Later I made a speech in the Senate concerning Mexico, and was asked by Senator McCUMBER what I should suggest. In answer, I stated that I would call upon the "A–B–C" powers and notify them that Mexico's troubles should be settled immediately, and ask them to assist in settling same along our lines, or words to this effect; that I would not have given this answer were it not for the fact that these "A–B–C" powers had already been called in and were supposed to be acting at the request of this Government.

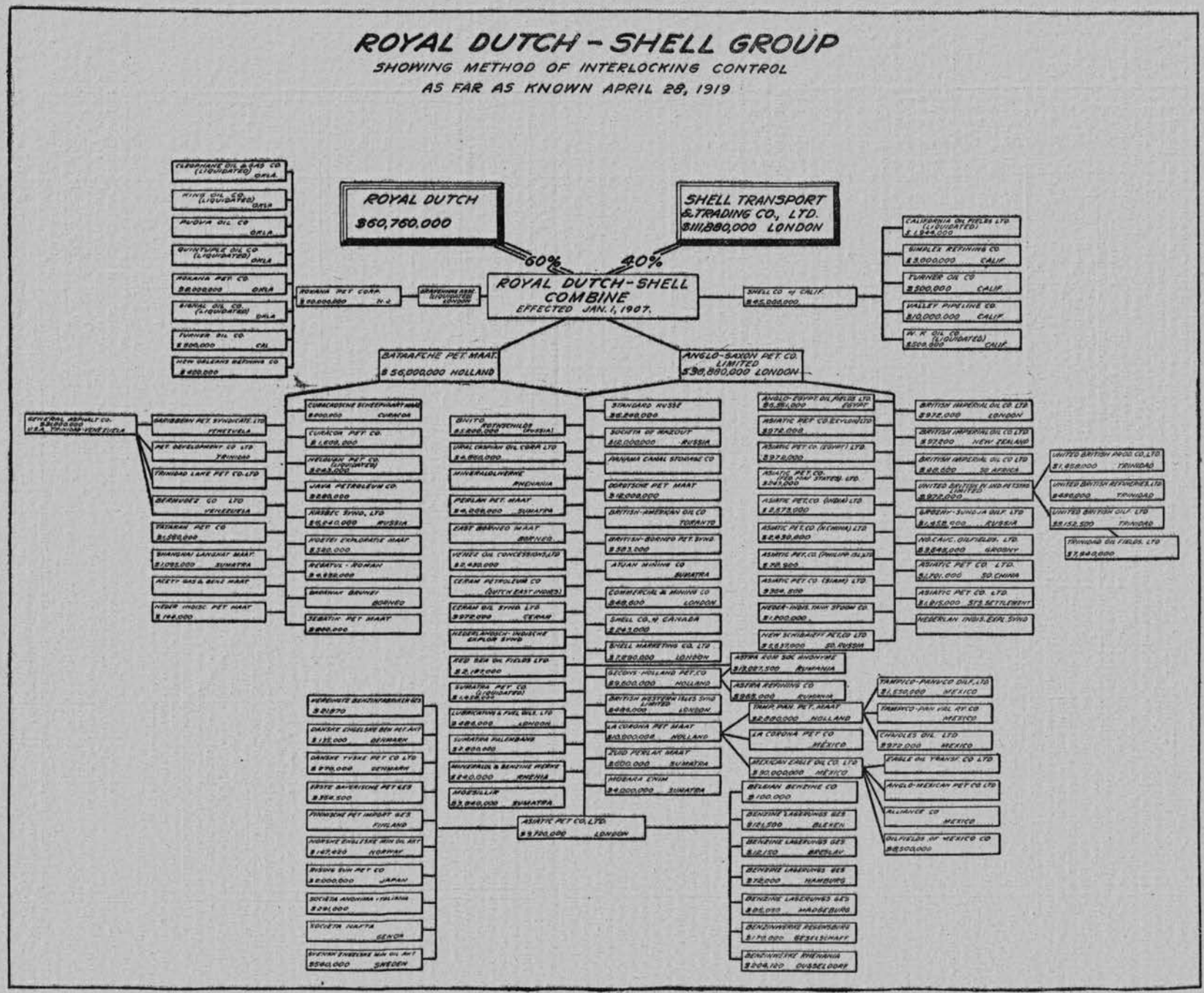
Col. Roosevelt read some statement of this answer of mine in the newspapers, and wrote me, on February 26, stating among other things, that he had a great regard for Brazil, the Argentine, and Chile, but said: "I earnestly hope you will not try to bring in Brazil, the Argentine, and Chile to cooperate with us in policing Mexico."

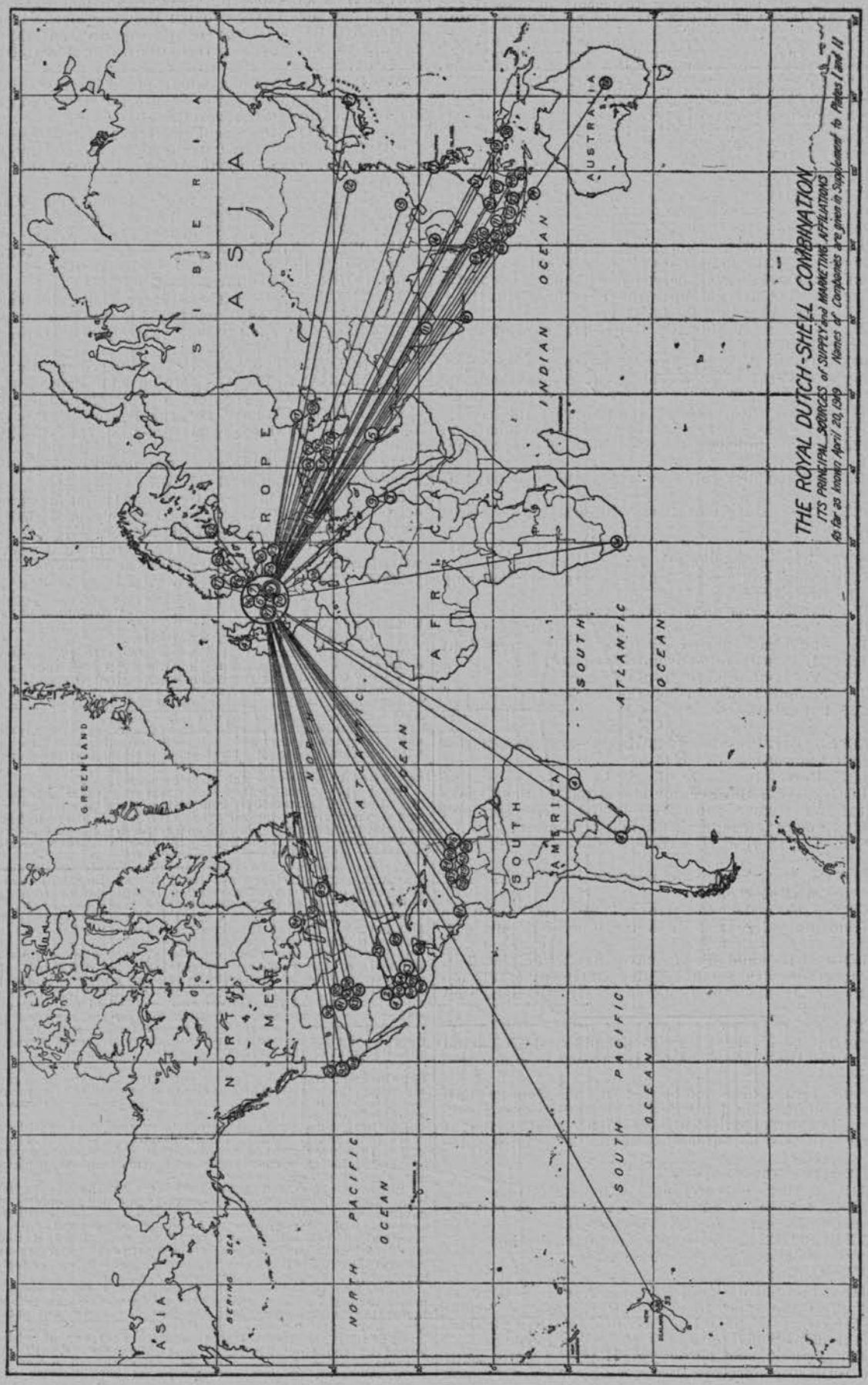
I immediately replied, calling his attention to the statements made by myself, which had not been published in the papers, and among other things saying that I believed it would be possibly to our future interest if we should form an agreement with the "A–B–C" (Argentina, Brazil, and Chile) to the effect that south of the Panama Canal the United States should not take any strong action except after first notifying the "A–B–C" (Argentina, Brazil, and Chile) of such contemplated action, and endeavoring to secure their active cooperation; that we should, in such understanding with the "A–B–C," distinctly impress upon them that north of the Panama Canal the United States reserved the right to act not only upon its own initiative, but without consultation with the "A–B–C," and that we would not ask "cooperation upon their part in any action which we might take."

I continued by stating that, in my opinion (in other words), we should give the countries of Latin America distinctly to understand that as to affairs "south of Panama" we would consult and act with the "A–B–C," or other stable governments, even in cooperation with them, upon agreed terms of such cooperation and, at the same time, we should announce our determination "not to submit to any interference from any such countries in any matter of interest to the United States nor to the canal," although we would "hope always to have the moral support of the Latin-American countries in any action which we might take."

In answer to this letter, the Colonel wrote me on March 13, among other things, as follows:

"That's a very interesting letter of yours; and I now understand and sympathize with your action. When you say 'south of Panama,' I suppose you mean south of the line of approaches to the Panama Canal." (Underscoring mine.)


ROYAL DUTCH - SHELL GROUP
SHOWING METHOD OF INTERLOCKING CONTROL
AS FAR AS KNOWN APRIL 28, 1919
ROYAL DUTCH
$60,760,000
SHELL TRANSPORT & TRADING CO., LTD.
£11,280,000 LONDON
60%
40%
ROYAL DUTCH-SHELL COMBINE
EFFECTED JAN. 1, 1907.
BATAAFSCHE PET. MAAT.
$ 56,000,000 HOLLAND
ANGLO-SAXON PET. CO. LIMITED
£36,860,000 LONDON
ROXANA PET. CORP.
$ 10,000,000
GRAFFENHAM AGRY (LIQUIDATED) LONDON
SHELL CO. of CALIF.
$ 45,000,000
CALIFORNIA OIL FIELDS LTD. (LIQUIDATED)
$ 1,944,000
SIMPLEX REFINING CO
$ 3,000,000 CALIF.
TURNER OIL CO
$ 300,000 CALIF.
VALLEY PIPELINE CO.
$ 10,000,000 CALIF.
W. K. OIL CO. (LIQUIDATED)
$ 500,000 CALIF.
CLEOPHANE OIL & GAS CO (LIQUIDATED) OHIO
KING OIL CO (LIQUIDATED) OHIO
PUOVA OIL CO OHIO
QUINTUPLE OIL CO (LIQUIDATED) OHIO
ROXANA PET. CO. $ 10,000,000 OHIO
SIGNAL OIL CO. (LIQUIDATED) OHIO
TURNER OIL CO. $ 300,000 CAL
NEW ORLEANS REFINING CO $ 400,000
GEVAERT ARNAULT CO. $ 400,000 U.S.A. TRINIDAD VENEZUELA
CARIBBEAN PET. SYNDICATE, LTD VENEZUELA
PET. DEVELOPMENT CO LTD TRINIDAD
TRINIDAD LAKE PET. CO. LTD
BERMUDEZ CO LTD VENEZUELA
TATARAN PET. CO $ 1,500,000
SHANGHAI LANGKAT MAAT. $ 1,095,000 SUMATRA
ACEH GAS & BENZ MAAT.
NEDER INDISC. PET MAAT $ 144,000
CURACHOSCHE BENEEPVAART MIJ. $ 800,000 CURACOA
CURACOA PET. CO. $ 1,600,000
NEDERLAND PET. CO. (LIQUIDATED) $ 243,000
JAVA PETROLEUM CO. $ 280,000
KUBBEC SYND., LTD $ 6,240,000 RUSSIA
NOETEI EXPLORATIE MAAT $ 320,000
REDJATUL - ROMAN $ 9,952,000
BORNEAN BENZINE BORNEO
SEBATIK PET MAAT $ 800,000
UNITO ROTHSCHILDS $ 2,500,000 (RUSSIA)
URAL CAUCAS OIL CORP LTD $ 4,950,000
MINERALOLHERME RHENANIA
PERLAK PET. MAAT $ 40,000,000 SUMATRA
EAST BORNEO MAAT BORNEO
VENEZ OIL CONCESSIONS, LTD $ 12,450,000
CERAM PETROLEUM CO (DUTCH EAST INDIES)
CERAM OIL SYND. LTD $ 972,000 CERAM
NEDERLANDSCH-INDISCHE EXPLOR SYND
RED SEA OIL FIELDS LTD $ 2,187,000
SUMATRA PET. CO (LIQUIDATED) $ 1,458,000
LUBRICATION & FUEL OILS, LTD $ 486,000 LONDON
SUMATRA PALEMBANG $ 2,000,000
MINERAROL & BENZINE WERKE $ 240,000 RHENIA
MOESILLIA $ 2,240,000 SUMATRA
STANDARD RUSSE $ 6,240,000
SOCIETA DE NAFOUT $ 12,000,000 RUSSIA
PANAMA CANAL STORAGE CO
GOORTSCHE PET. MAAT $ 12,000,000
BRITISH-AMERICAN OIL CO TORONTO
BRITISH-BORNEO PET. SYND. $ 583,000
ATJAH MINING CO SUMATRA
COMMERCIAL & MINING CO $ 48,600 LONDON
SHELL CO. of CANADA $ 243,000
SHELL MARKETING CO. LTD $ 7,290,000 LONDON
GECOVS-HOLLAND PET. CO $ 9,600,000 HOLLAND
BRITISH WESTERN ISLES SYND LIMITED $ 486,000 LONDON
LA CORONA PET MAAT $ 10,000,000 HOLLAND
DJUD PERLAK MAAT $ 600,000 SUMATRA
MADARA CNIM $ 4,000,000 SUMATRA
ASIATIC PET CO, LTD. $ 9,720,000 LONDON
ANGLO-EGYPT OIL FIELDS LTD $ 6,561,000 EGYPT
ASIATIC PET. CO (CEYLON) LTD $ 972,000
ASIATIC PET. CO. (EGYPT) LTD. $ 972,000
ASIATIC PET. CO. (FOR. COM. STATES) LTD. $ 243,000
ASIATIC PET. CO (INDIA) LTD $ 2,673,000
ASIATIC PET. CO. (N. CHINA) LTD $ 2,430,000
ASIATIC PET. CO. (PHILIPP. ISL.) LTD $ 729,000
ASIATIC PET. CO. (SIAM) LTD. $ 364,500
NEDER-INDIS. TANK STOOM CO. $ 1,800,000
NEW SCHIBAJEFF PET. CO LTD $ 5,832,000 SO. RUSSIA
ASTRA ROM SOC ANONYME $ 13,027,500 RUMANIA
ASTRA REFINING CO $ 965,000 RUMANIA
TAMP. PAN. PET. MAAT $ 2,880,000 HOLLAND
LA CORONA PET CO MEXICO
MEXICAN EAGLE OIL CO. LTD $ 90,000,000 MEXICO
BELGIAN BENZINE CO $ 100,000
BENZINE LAGERUNGS GES $ 121,500 BLEICH
BENZINE LAGERUNGS GES $ 121,150 BRESLAU
BENZINE LAGERUNGS GES $ 72,900 HAMBURG
BENZINE LAGERUNGS GES $ 85,050 MAGDEBURG
BENZINVERKE ROSENBURG $ 170,000 GESELSCHAFT
BENZINWERKE RHENANIA $ 204,120 DUSSELDORF
BRITISH IMPERIAL OIL CO LTD $ 972,000 LONDON
BRITISH IMPERIAL OIL CO LTD $ 972,000 NEW ZEALAND
BRITISH IMPERIAL OIL CO LTD $ 486,000 SO. AFRICA
UNITED BRITISH IND. REFINING LIMITED $ 972,000
UNITED BRITISH OILFIELDS, LTD $ 1,458,000 TRINIDAD
UNITED BRITISH REFINERIES, LTD $ 486,000 TRINIDAD
UNITED BRITISH OILF. LTD $ 5,132,500 TRINIDAD
TRINIDAD OIL FIELDS, LTD $ 7,940,000
NO. CAUC. OILFIELDS, LTD. $ 3,645,000 GROZNY
ASIATIC PET. CO. LTD. $ 1,701,000 SO. CHINA
ASIATIC PET. CO. LTD. $ 1,215,000 STS SETTLEMENT
NEDERLAN. INDIS. EXPL SYND
TAMPICO-PANUCO OILF. LTD $ 1,530,000 MEXICO
TAMPICO-PAN. OIL PIT. CO MEXICO
CHINOLES OIL LTD $ 972,000 MEXICO
EAGLE OIL TRANSP. CO LTD
ANGLO-MEXICAN PET CO. LTD
ALLIANCE CO MEXICO
OILFIELDS OF MEXICO CO $ 850,000
VEREENIGTE BENZINFABRIEKEN GES $ 21,870
DANSKE ENGELSKE BEN PET ANT $ 135,000 DENMARK
DANSKE TYSKE PET CO LTD $ 270,000 DENMARK
STATE BAVERISCHE PET GES $ 356,500
FINNISCHE PET IMPORT GES FINLAND
NORSKE ENGLESKE MIN OIL ACT $ 147,450 NORWAY
RISING SUN PET CO $ 2,000,000 JAPAN
SOCIETA ANONIMA ITALIANA $ 291,000
SOCIETA NAFTA GENOA
SVENSK ENGELSKE MIN OIL ACT $ 540,000 SWEDEN


THE ROYAL DUTCH-SHELL COMBINATION
ITS PRINCIPAL SOURCES of SUPPLY and MARKETING AFFILIATIONS
As far as known April 20, 1919
Names of Companies are given in Supplement to Plates I and II
ASIA
SIBERIA
EUROPE
AFRICA
AUSTRALIA
INDIAN OCEAN
SOUTH ATLANTIC OCEAN
SOUTH AMERICA
GREENLAND
NORTH AMERICA
NORTH ATLANTIC OCEAN
NORTH PACIFIC OCEAN
SOUTH PACIFIC OCEAN
BERING SEA

This was, as I understood it from our very many conversations, always the position held by Col. Roosevelt, as it has been mine.

Again, to repeat, Col. Roosevelt most thoroughly understood and appreciated, at all times, our interest in such an agreement with Colombia as would make of that country our warm friend and even our ally, for the reason, among others, that he understood, as I did, that with Colombia an enemy, the Panama Canal could never be protected against attack of any nation, no matter how many thousands of millions of dollars were expended in fortifying the canal.

Colombia controls both the Pacific and Atlantic approaches to the Canal, with fine ports and harbors upon both coasts.

Pardon the length of this communication.

You are, of course, at liberty to use such portions of it, or the statements therein contained, as you may see fit.

Very sincerely, yours,

ALBERT B. FALL.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Certainly.

Mr. REED. As I understood the reading, one of the clauses near the end of the letter indicates that in the opinion of Mr. Fall the canal could not be will defended without the cooperation of Colombia. I could not hear the Senator distinctly.

Mr. LODGE. Yes; that is what he said.

Mr. REED. Is there anything in the treaty now proposed which takes care of that difficulty?

Mr. LODGE. He is here speaking of a separate question, which he discussed with Col. Roosevelt, as to the southern approaches of the canal. His general proposition is that if we have friendly relations with Colombia, and approve this treaty, we shall then negotiate a treaty of commerce and amity in which we shall be able to cover the question of the approaches to the canal.

Mr. REED. But the first thing we are to do is to pay the money?

Mr. LODGE. Yes; this treaty is preliminary, necessarily, to the future treaty.

Mr. REED. Then, having paid the money, we are to trust to the future for other concessions?

Mr. LODGE. Not wholly to the future, because we pay only five million the first year.

Mr. REED. But we agree to pay every year?

Mr. LODGE. Yes.

Mr. REED. And I take it that with the United States that is good, whether it is with other countries or not.

Mr. LODGE. Yes; our promise to pay is good.

Mr. REED. I wanted just to get the point clearly in my own mind, and I thank the Senator. I think I understand the situation.

Mr. KELLOGG. Mr. President, will the Senator from Massachusetts permit a question?

Mr. LODGE. Certainly.

Mr. KELLOGG. Will the Senator please put in the RECORD the complete letter from Senator Fall to Col. Roosevelt, and Col. Roosevelt's answer, together with that statement?

Mr. LODGE. I have read the whole of Col. Roosevelt's answer.

Mr. KELLOGG. Has the Senator read the whole of Senator Fall's letter to Col. Roosevelt?

Mr. LODGE. I have not read it at all, because I have his own letter from him. I do not think the other is in my possession.

Mr. KELLOGG. I should like to have that letter placed in the RECORD, together with Senator Fall's statement of his objections to the treaty, and the proposed treaty which he suggested.

Mr. LODGE. I have here the suggestions for the new treaty, but I have not his letter here. In this pamphlet which I hand to the Senator are the suggestions for the treaty to which this is preliminary.

Mr. President, I have here another letter from Senator Fall in regard to the oil question, but it is so late, and there is a conference of the majority party called for half past 4, that I will ask to have the second letter of Senator Fall printed without reading.

Mr. NORRIS. Mr. President——

Mr. LODGE. If there is objection, I will read it, of course.

Mr. NORRIS. I have no objection, but I want to ask the Senator a question in regard to the oil situation.

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Nebraska?

Mr. LODGE. Certainly.

Mr. NORRIS. I would like to get the Senator's viewpoint as to just what effect the approval of this treaty by the Senate will have on the control of the oil of the world by Great Britain, as shown by the maps which have been put in the RECORD.

Mr. LODGE. I think, and better judges than I agree with me, that the ratification of this treaty will lead to a prompt additional treaty of commerce and amity with Colombia which will improve our opportunities there of making secure the concessions we now have. That is the general effect of it.

Mr. NORRIS. Of course, the approval of this treaty has nothing to do with the present control by Great Britain of the oil situation?

Mr. LODGE. Nothing whatever. I simply wanted, when I referred to it, to show the Senate the very critical nature of the oil situation in the world.

Mr. NORRIS. The Senator thinks that if we approve the treaty it will result in friendly relations and the development of oil in Colombia through American money and by American interests?

Mr. LODGE. There are two—I think three—American companies there now. I am told there are three.

Mr. McLEAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. LODGE. Certainly.

Mr. McLEAN. Does the Senator know what percentage of the total output of oil is controlled by the two companies? The capital is not very alarming—$60,000,000 in one company and $111,000,000 in the other.

Mr. LODGE. Those are the holding companies.

Mr. McLEAN. There is nothing which appears in the statement indicating the percentage of the total output.

Mr. LODGE. I have not the figures of the total output. Those can be obtained, I am very sure, from the State Department.

Mr. WATSON of Indiana. But together they are very much larger than the Standard Oil Co.?

Mr. LODGE. Oh, yes; very much; but it shows a control of the oil fields of the world. I merely used that as an illustration of the importance of the matter.

I think instead of leaving it to be printed, I will, if Senators will allow me, read Secretary Fall's second letter. It is very important. The letter is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, March 21, 1921.

Hon. HENRY CABOT LODGE,
United States Senate, Washington.

MY DEAR SENATOR: As I have set forth in the accompanying communication to you, explaining Col. Roosevelt's attitude, as I understood it, I have learned that the claim is made that the sentiment, or efforts, in behalf of the ratification of the present Colombian treaty, with amendments, pending, is brought about by propaganda in favor of American oil companies, or other interests.

I can not speak for others, but I may say for myself that I am most thoroughly impressed with the seriousness of the present crisis with relation to the oil developments throughout the world.

I say "crisis," and desire to emphasize "crisis" as the proper expression to use under the circumstances.

The people of the United States have for years been bombarded with all kinds of statements concerning the "predatory" oil interests of this country and the fact that such selfish interests have endeavored to force this country even into a war for the purpose of protecting their "dirty dollars" or of adding to the wealth of conscienceless, piratical, American oil adventurers and monopolists.

Various bureaus and departments of this Government have endeavored, particularly within the last two years, to throw some light upon true conditions with relation to oil, and to arouse the patriotic American people to the realization that truly we are confronted with a "crisis" which will have a serious influence upon the future prosperity and actual safety of this country as the "crisis" may be met and dealt with intelligently or otherwise.

It is true that American oil men are the pioneer prospectors in the oil fields of the world; it is true that oil drills and oil machinery, managed by Americans, are in use in every oil development on the face of the earth; it is true that geologists attached to the staff of one of the departments of this Government are, when not immediately needed, loaned to oil companies or individuals, on furlough, without pay, and that their reports, brought back from Africa, South America, Asia, and Europe, furnish a more or less comprehensive understanding of the oil situation and of the "crisis" of which I speak.

Other nations are aware of the seriousness of the situation, and Great Britain learned at least one lesson from the recent war. That is to say, that the nation which controlled the oil industry controlled commerce by sea, in view of the fact that no coal burner can compete with an oil-burning ship.

Realizing this, Great Britain, the nation, has, within the last two years particularly, followed a policy which she had adopted in many of her Provinces many years ago; that is, of excluding Americans from or placing heavy burdens upon such Americans or other foreigners in any British oil field.

Within the last two years, however, taught by the lessons of the war, Great Britain has deliberately pursued a policy of obtaining governmental control of all the great oil companies in which British subjects had been interested, and, going beyond this, has secured practical, if not sole, control of the great "Royal Dutch-Shell," and other foreign companies, particularly through what is known as the "Royal Dutch-Shell Group" combine, which was effected in January, 1907.

Of course, it is impossible to give exact figures, but our Government, through at least two of its departments, has information satisfactory beyond question, that the British Government actually controls the "Royal Dutch-Shell" combine, 60 per cent of the stock of which is owned by the Royal Dutch, and 40 per cent of whose stock was owned by the Shell Transport & Trading Co. (Ltd.).

I am handing you herewith several copies of a very striking diagram, prepared by the Department of the Interior of the United

States, from information obtained through our geologists and other entirely reliable sources.

You will at once note the extensive holdings of this British national enterprise in the States of Oklahoma and California in the United States.

You will notice in the extreme left portion of this diagram the British companies which are operating particularly in the Island of Trinidad and Venezuela.

In the lower right-hand portion of this diagram you will find the interlocking British National companies which control British petroleum holdings in the Republic of Mexico.

The Mexican Eagle Oil Co. (Ltd.), known to us as the "Aguila" company, is the principal "Cowdray" company in Mexico.

Allow me to call your attention here to a most significant matter which has recently occurred, i. e.:

The British Government and the French Government have each repeatedly protested to the Mexican Government, from time to time, along exactly similar lines to the protests made by this Government concerning the confiscatory decrees of the Mexican Government under the constitution of 1917, proclaimed by Carranza, and being followed by Obregon.

These protests yet stand as the official last word of Great Britain and France, as exactly similar protests yet stand as our last word to that country.

The Mexican Eagle Co. ("Aguila") has been a member of the American Association of Oil Companies and has for years cooperated with this association in making protests against confiscatory decrees in Mexico, both from the British Government and the American Government.

Recently, within the last three months, the "Aguila" Co. finally notified the American association that it proposed to pursue its own lines and make its own terms with the Mexican Government, accepting the Mexican Government's demands with reference to oil drilling permits, etc.

This came as a shock out of a clear sky, and I am informed that after certain protests made by the association and by the American companies, the Mexican Eagle ("Aguila") Co. has not, in fact, obtained titles under this confiscatory decree, upon properties belonging to others, but, yet, has not countermanded instructions to its agents in Mexico to obtain such titles from time to time.

Nevertheless the British protest still stands and Great Britain is ostensibly acting with the United States officially, in identical official protests against the constitution of 1917 and decrees under it.

The British "Aguila" Oil Co., owned, as a matter of fact, by Great Britain herself, is, however, yielding to such decrees and obtaining advantage of American companies, who are faithfully abiding by the advice and instructions of the American Government in the matter.

British oil interests are giving every assurance to Obregon, and Mexican officials, of their support and friendly cooperation, seeking advantage against or over American companies, while the British Government, owning this oil company, is ostensibly standing by the United States Government in its action.

I bring these matters to your attention, and am furnishing you with the diagram referred to, for the reason that it is high time that Americans should understand the situation and as patriotic Americans deal with it.

I am also handing you herewith a map of the world, showing, most graphically, the situation with reference to oil, as such situation is being influenced by the Royal Dutch-Shell combination.

Extending from Holland and England, you will notice the lines of the industries of this combination reaching all over the world.

Mr. WATSON of Indiana. Will the Senator state the date of the letter?

Mr. LODGE. The letter is dated March 21, 1921. It continues:

From the best information obtainable the actual investments in money and value of property of British nationally owned oil companies are practically double in amount the capitalization of all American oil companies operating in the United States and elsewhere.

The Senator from Indiana [Mr. WATSON] asked a question with reference to that a few moments ago. It is about double the amount of all the American oil companies. The letter proceeds:

The American oil developer and producer in the United States, in Mexico, in Mesopotamia, in Africa, in South America, and elsewhere, working by himself, with practically no protection from his Government, and abused and vilified by American authorities in high place, must come in competition with the great British nation, realizing its duty to itself and encouraging and supporting its citizens with national funds wherever they may be able to obtain a footing through private manipulation or national influence in every country of the world.

Great Britain, as usual, has a policy of upbuilding and assisting its citizens in upbuilding the nation, while the American has no protection, and many of its prominent men are engaged, as usual, in retarding every effort of the individual citizens of this country in their individual development, and objecting to any protection of them as American citizens.

The Royal Dutch Shell combine, owned by Great Britain, as will be seen from this map inclosed, from the diagram handed you, and from the list of producing, etc., companies attached to this map, controls the oil fields of Venezuela, which are developing by leaps and bounds into magnificent, wonderful oil producers.

Adjoining these Venezuela fields to the east lie the Colombian oil fields, as yet largely undeveloped, and which can never be developed properly except by the investment of tens of millions of dollars in the construction of pipe lines to the seacoast.

American oil men are pioneers here as in Venezuela.

Colombia, hoping for close relations and practical cooperation with us, based upon mutual interests in the Panama Canal and ocean-trade routes, has, during this last Colombian administration particularly, been exceedingly friendly to American investors and has not received the advances of British capitalists with the same degree of favor.

Americans are heavily interested in Colombia, where indications are that one of the great oil fields of the world may, at an early date, if these Americans are properly protected, add its wealth to that of this country.

In Latin America, as in the Orient, trade follows the investment.

During the Great War Latin American trade could only seek American markets and to-day the United States is in the position where, if by governmental policy it assists its citizens in the matter of mere protection in their investments, the United States can bind to itself the great trade of this hemisphere, 80 per cent of which has, prior to the war, gone to enrich the countries of the Old World.

Thus far it is undoubtedly true that American oil interests are much interested in the friendly settlement of all outstanding difficulties with Colombia and in drawing more closely the commercial relations of the two countries through political friendship.

Activities of the oil companies are directed, generally, by intelligent, broad-minded American business men, who, of course, realize, as do other thinking American citizens, that upon governmental action largely depends the success of individual investment and consequent trade wealth.

Believing, as Theodore Roosevelt and others believed, that friendly and very close relations with Colombia are absolutely necessary for the safety of the Panama Canal, and of American interests, and realizing, as they do, that friendly relations between the two Governments must exist as a preliminary and as prerequisite to the development of Colombia's natural resources by American capital, it is doubtless true that American oil companies are urging ratification of the present treaty.

The matters just referred to—that is, the fact that Great Britain as a nation has gone into the oil business since the report of the Senate minority was made, in 1917, show such a change in conditions since the latter date as will justify very serious thought and even serious effort to meet conditions as they now exist.

In other words, world conditions and international conditions on this continent have changed exactly as they have changed throughout the world. Each country is now called upon to meet these changed conditions.

We are more justified now than we were, even in 1917, therefore, in going to any extreme which our self-respect and our great respect and love and honor for the great American, Roosevelt, will justify in carrying out that great American policy which he so clearly understood, even if some person not understanding conditions and misunderstanding his attitude, may criticize us as having changed our own opinions at the dictation of some greasy oil corporation.

Remember this, Senator, the American investor in the Orient must come into competition with the Japanese Government in all trade activities; American oil developers and producers must come in competition, throughout the world and upon his own soil, with the great British Government as a Government engaged in the same activities. Have not conditions changed?

Are we not justified in reconsidering preconceived ideas based, possibly, upon an erroneous understanding of the then existing conditions and concerning which conditions at least have changed during the last two years?

Most sincerely, yours,

ALBERT B. FALL.

Mr. REED. Has the Senator from Massachusetts information as to what American interests have these oil possessions in Colombia?

Mr. LODGE. I do not know the names of the companies. There is one, I believe, named the Tropical. The names of the other two I do not know.

Mr. REED. Frequent references in the letter were made to the companies.

Mr. LODGE. I can get the names and will get them.

Mr. REED. I wish we might have the names and their connections. Of course, the name would not indicate anything unless we knew more about it. I merely desired to know for my own information.

Mr. LODGE. I will get those names, because I can, and I shall also get any information about the company that it may be possible to secure.

Mr. President, I shall leave the case here and attempt no further argument at this time. The treaty has been agreed to by the Colombian Government as it stands, with the amendments. It has the approval of our own Government. The President, who has given the treaty the most careful consideration, recommends its prompt ratification as a part of a large policy affecting most gravely our trade and commerce and our most important relations with South America. I feel it my clear duty to sustain the President's policy and concur with his advice as to the ratification of the treaty, and I earnestly hope that such will be the view of the Senate.

Mr. KELLOGG. Mr. President, if the Senator from Massachusetts has no objection, I should like to have printed in the RECORD the memoranda of Secretary Fall, which was handed to me a few moments ago.

Mr. LODGE. Certainly. I have no objection, and I am sure Secretary Fall would have none.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

I would be glad to see a treaty negotiated between this country and Colombia superseding the old Granadine treaty, and by which—

First. This country should obtain the title to any islands or lands near either entrance of the Canal Zone, should such islands or possessions be claimed by Colombia.

Second. The United States should acquire from Colombia the right to construct a canal by way of the Atrata River, and an option upon any other canal routes whatsoever, which Colombia may own.

Third. A new agreement should be reached as to peace between the two countries, and providing for the absolute neutrality of both, and that neither in event of war or trouble between the other and any foreign country, should allow its ports, coast, or territory to be used by the forces, naval or otherwise, of the country or countries with which either might be at war.

Fourth. An agreement for the defense of the Panama Canal, each country allowing the full use of its waters and shores to the other for

such purposes, under conditions to be agreed upon between the two countries at the time and from time to time, if and when occasion may render such use necessary for such defensive.

Fifth. The recognition by Colombia of the independence of Panama is obtained.

These are considerations for which this Government would be justified in paying any reasonable amount to the Republic of Colombia and entering into mutual agreements.

In my judgment any agreement, by treaty or otherwise, as to transit through the canal, should be worded so that treaties of like character might be made with all the other Latin-American countries.

No exceptions should be contained in such agreement constituting discriminations against any one or more Latin-American countries, or against the possessions of France, Holland, and Great Britain upon this hemisphere, or at least in the neighborhood of the Panama Canal.

A special clause in such treaty should be inserted by which in return for transit exceptions or discriminations in her favor Colombia should allow us to use her ports and her territory for the protection of our reciprocal neutrality agreement in event of her inability to so protect this agreement and her territory from illegal use by any country with which we were at war or not on terms of amity.

I can see no reason why Colombia would not cheerfully enter into a treaty such as I have suggested, as the advantages to the United States and Colombia would be mutual.

Mr. KELLOGG. Mr. President——

Mr. LODGE. Does the Senator desire to address the Senate at this time?

Mr. KELLOGG. No; I do not care to go on to-night. I understand it is the desire of the Senator from Massachusetts to move a recess until 12 to-morrow?

Mr. LODGE. To adjourn.

Mr. KELLOGG. I had hoped the Senate would take a recess. I should like to go on at 12 o'clock to-morrow.

Mr. LODGE. I will say to the Senator that there is a great deal of morning business to be transacted at the beginning of the session. I have no objection personally at all, but there is a good deal of morning business that Senators are anxious to get through that they did not present to-day. We have eight days for the consideration of the treaty.

Mr. KELLOGG. We have only four more days for open discussion.

Mr. LODGE. How does the Senator mean? I conceive that the eight days' time begins to-day and covers next Wednesday. I wish to devote all the time to the treaty that may be desired by anyone, but there are a great many Senators who have morning business they want to transact and I do not believe it will take very long, unless the Senator is very anxious for some particular reason, and in that case I shall be glad to move a recess.

Mr. KELLOGG. Then I wish to give notice that I shall address the Senate immediately at the close of the routine morning business to-morrow.

Mr. LODGE. Very well. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 15 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Wednesday, April 13, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 12, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Heavenly Father, we tarry in Thy holy presence and lift unto Thee our humble supplications, for Thy goodness has been round about us like the morning light. Hold in gracious favor, direct with Divine wisdom our President, and enrich our country and lift upon our Nation the light of Thy holy countenance. Inspire our citizens everywhere with heroic faith and spare us from the weakness of impatience. Make it hard for us to be unjust and make it easy for us to be upright. Increase our courage, Lord, and establish Thou the work of our hands; the work of our hands establish Thou it. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENTS BY THE SPEAKER.

The SPEAKER. The Chair appoints as a member of the House Office Building Commission the gentleman from North Carolina [Mr. KITCHIN] to fill a vacancy, and as a director of the Columbia Institution for the Deaf the gentleman from Delaware [Mr. LAYTON].

SWEARING IN OF MEMBERS.

Mr. JAMES of Virginia and Mr. HARDY of Texas appeared before the bar of the House and took the oath of office.

PRINTING AND BINDING FOR CERTAIN COMMITTEES OF THE HOUSE.

Mr. KIESS. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The gentleman from Pennsylvania offers the resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 39.

Resolved, That the standing committees of the House of Representatives, the floor leader, and the chairman of the conference minority are hereby authorized to have such printing and binding done as may be actually necessary for the transaction of their official business during the Sixty-seventh Congress.

Mr. KIESS. Mr. Speaker, I move the adoption of the resolution.

Mr. GARNER. Mr. Speaker, I did not catch exactly the reading of the resolution.

The SPEAKER. Without objection, the Clerk will again report the resolution.

There was no objection.

The resolution was again reported.

Mr. GARNER. Will the gentleman yield?

Mr. KIESS. I will.

Mr. GARNER. Has this resolution ever been introduced at the beginning of any Congress heretofore?

Mr. KIESS. Mr. Speaker, this is exactly the resolution which was passed at the beginning of the Sixty-sixth Congress. There is no change in the wording of it whatever, and it is the customary resolution.

Mr. GARNER. I do not understand—of course, I do not recall this resolution—but it seems to me it gives at least unlimited authority to a great many gentlemen for the purpose of ordering printing. I do not know whether the gentleman's committee, under the rules, has jurisdiction to cut it down or not.

Mr. KIESS. Mr. Speaker, the Committee on Printing does have certain jurisdiction, but this resolution does not give any more power than previously given. It gives to the chairmen of different committees the privilege of having the necessary printing and binding done, and also the floor leader and the chairman of the conference minority.

Mr. MANN. Mr. Speaker, may I say to the gentleman that formerly it was the practice of the House as soon as the committees were appointed for the chairmen of the various committees each to ask unanimous consent that his committee be accorded the privilege of having printing and binding done? I think it was in the Sixty-fifth Congress—it may have been prior to that; it has been the universal practice of the House—I suggested that it be put into one resolution coming from the Committee on Printing, and that was done, and it was done in the last Congress.

Mr. GARNER. Probably the resolution ought to pass, but this does give unlimited power to these gentlemen to have unlimited printing done; but it seems to me there ought to be somebody somewhere who would have the power to pass upon the matter in case they undertook to do it.

Mr. MANN. This does no more than has been done in every Congress since the gentleman from Texas and I have been Members of the House.

Mr. KIESS. Mr. Speaker, I move the adoption of the resolution.

The question was taken, and the resolution was agreed to.

ST. MARY'S INDUSTRIAL SCHOOL BAND.

Mr. LINTHICUM. Mr. Speaker, I ask leave to address the House for one minute.

The SPEAKER. The gentleman from Maryland asks unanimous consent to address the House for one minute. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, will the gentleman from Maryland state upon what subject?

Mr. LINTHICUM. I only ask for one minute to make a statement, but it is in reference to some music to be played this afternoon.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Speaker and Members of the House, I have the privilege of announcing a rare musical treat for this afternoon. St. Mary's Industrial School Band, of Baltimore, one of the largest and perhaps the finest boys' band in the country, will play at the east front of the Capitol this afternoon from 4 o'clock until 6. These youngsters would very much appreciate the attendance of the Members of this House, and the shaking of their hands would encourage them mightily in their splendid work. They have been heard in their tour from the Atlantic to the Pacific, and large audiences have always gathered to hear them. They will play this afternoon

for the Senate, the House of Representatives, and the public, with the permission of the Vice President of the United States and the Speaker of this House. I do hope that Members will give them every encouragement by their attendance and by shaking their hands and wishing them Godspeed in their great work. Remember Babe Ruth and the St. Mary's Industrial School Band. [Applause.]

DUTY ON COFFEE.

Mr. DAVILA. Mr. Speaker, I ask permission to print in the RECORD a resolution adopted by the House of Representatives and Senate of Porto Rico relative to the placing of a customs duty on all coffee imported into the United States from foreign countries.

The SPEAKER. The Resident Commissioner from Porto Rico asks unanimous consent to have printed in the RECORD a resolution adopted by the Porto Rico Legislature relative to a duty on coffee. Is there objection? [After a pause.] The Chair hears none.

The resolution referred to is as follows:

CÁMARA DE REPRESENTANTES DE PUERTO RICO,
Secretaría.

I, Francisco L. Amadeo, secretary of the House of Representatives of Porto Rico, hereby certify that the House of Representatives and the Senate of Porto Rico have passed the following:

"Concurrent resolution praying the Congress of the United States to place a duty on all coffee imported from foreign countries into the United States of America or any of its Territories.

"Whereas one of the greatest sources of public wealth in Porto Rico is coffee, which is also one of the best coffees in the world;

"Whereas the free market competition of inferior grades not produced in territory of the United States, but where they enjoy the advantage of extremely low wages, is a bar to the development of this national product;

"Whereas Federal tariff protection, besides helping to increase production in its own Territories, would be a source of considerable revenue to the Treasury of the United States; and

"Whereas in April of the current year, when the new National Congress meets, it purposes to carry out a revision and readjustment of the new customs tariff: Now, therefore, be it

"*Resolved by the House of Representatives (the Senate of Porto Rico concurring):*

"First. That the Congress of the United States be hereby respectfully petitioned, through adequate legislation, to impose a customs duty on all coffee imported into the United States or any of its Territories from any foreign country or territory; or that in making a revision of international commercial treaties our coffee be taken into consideration and be included in such treaties as may be celebrated with Cuba, Spain, France, and any other country which shall have been a consumer of the said product.

"Second. That a copy of this resolution be transmitted to the Senate and House of Representatives of the United States, to the President of the United States, and to the Committee on Ways and Means of each House, through the Resident Commissioner for Porto Rico in Washington, to be presented and supported by him."

And for transmittal to the honorable the Resident Commissioner in Washington for the purposes stated in paragraph second of the resolution hereinabove transcribed I issue, sign, and seal this certificate in the House of Representatives of Porto Rico this 31st day of March, 1921.

[SEAL.] F. L. AMADEO,
Secretary of the House of Representatives.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed the following concurrent resolution:

House concurrent resolution 1.

Resolved by the House of Representatives (the Senate concurring). That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, the 12th day of April, 1921, at 1 o'clock in the afternoon, for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

HOSPITAL AT CAMP LOGAN.

Mr. BLANTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Texas rise?

Mr. BLANTON. To make a unanimous-consent request. I have been requested by the commander of a post of the American Legion to bring to the attention of Congress the facts contained in a communication which I have addressed to the Surgeon General of the Public Health Service in reference to the condition of hospital No. 25 at Camp Logan. I ask unanimous consent in accordance with the request to print that matter in the RECORD. It is a very important one and affects nearly 700 patients in that hospital.

Mr. McCLINTIC. Reserving the right to object, how long is it?

Mr. BLANTON. It contains a report relative to the charge of lunacy against a man charged with breaking up an officer's dance there, and with respect to tubercular patients being kept there for months when some of them were dying.

The SPEAKER. Is there objection?

Mr. McCLINTIC. I object.

RECESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House stand in recess until 12.45 p. m.

The SPEAKER. The gentleman from Wyoming asks unanimous consent that the House take a recess until 12.45. Is there objection?

There was no objection; accordingly (at 12 o'clock and 20 minutes p. m.) the House stood in recess until 12.45 p. m.

AFTER THE RECESS.

The recess having expired, the House was called to order by the Speaker.

JOINT MEETING OF SENATE AND HOUSE.

At 12 o'clock and 50 minutes p. m. the members of the President's Cabinet entered the Hall and took seats at the left of the Speaker's rostrum.

At 12 o'clock and 52 minutes p. m. the Doorkeeper announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant at Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. The Speaker appoints as committee on the part of the House to wait upon the President and conduct him to the Hall the gentleman from Wyoming [Mr. MONDELL], the gentleman from Michigan [Mr. FORDNEY], the gentleman from Iowa [Mr. GOOD], the gentleman from North Carolina [Mr. KITCHIN], and the gentleman from Tennessee [Mr. BYRNS].

The VICE PRESIDENT. The Vice President appoints on the part of the Senate the Senator from Iowa [Mr. CUMMINS], the Senator from Massachusetts [Mr. LODGE], the Senator from Pennsylvania [Mr. KNOX], the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Virginia [Mr. GLASS].

At 1 o'clock p. m. the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House, was announced by the Doorkeeper, and stood at the Clerk's desk, amid applause on the floor and in the galleries.

The SPEAKER. Gentlemen of the Senate and of the House, the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT.

The PRESIDENT. Mr. Speaker, Vice President, and Members of the Congress, you have been called in extraordinary session to give your consideration to national problems far too pressing to be long neglected. We face our tasks of legislation and administration amid conditions as difficult as our Government has ever contemplated. Under our political system the people of the United States have charged the new Congress and the new administration with the solution—the readjustments, reconstruction, and restoration which must follow in the wake of war.

It may be regretted that we were so illy prepared for war's aftermath, so little made ready to return to the ways of peace, but we are not to be discouraged. Indeed, we must be the more firmly resolved to undertake our work with high hope, and invite every factor in our citizenship to join in the effort to find our normal, onward way again.

The American people have appraised the situation, and with that tolerance and patience which go with understanding they will give to us the influence of deliberate public opinion which ultimately becomes the edict of any popular government. They are measuring some of the stern necessities, and will join in the give and take which is so essential to firm reestablishment.

First in mind must be the solution of our problems at home, even though some phases of them are inseparably linked with our foreign relations. The surest procedure in every government is to put its own house in order.

I know of no more pressing problem at home than to restrict our national expenditures within the limits of our national income [applause] and at the same time measurably lift the burdens of war taxation from the shoulders of the American people.

One can not be unmindful that economy is a much-employed cry, most frequently stressed in preelection appeals, but it is ours to make it an outstanding and ever-impelling purpose in both legislation and administration. [Applause.] The unrestrained tendency to heedless expenditure and the attending growth of public indebtedness, extending from Federal authority to that of State and municipality and including the smallest political subdivision, constitute the most dangerous phase of government

to-day. The Nation can not restrain except in its own activities, but it can be exemplar in a wholesome reversal.

The staggering load of war debt must be cared for in orderly funding and gradual liquidation. We shall hasten the solution and aid effectively in lifting the tax burdens if we strike resolutely at expenditure. It is far more easily said than done. In the fever of war our expenditures were so little questioned, the emergency was so impelling, appropriation was so unimpeded that we little noted millions and counted the Treasury inexhaustible. It will strengthen our resolution if we ever keep in mind that a continuation of such a course means inevitable disaster.

Our current expenditures are running at the rate of approximately five billions a year, and the burden is unbearable. There are two agencies to be employed in correction: One is rigid resistance in appropriation and the other is the utmost economy in administration. Let us have both. [Applause.] I have already charged department heads with this necessity. I am sure Congress will agree; and both Congress and the administration may safely count on the support of all right-minded citizens, because the burden is theirs. The pressure for expenditure, swelling the flow in one locality while draining another, is sure to defeat the imposition of just burdens, and the effect of our citizenship protesting outlay will be wholesome and helpful. I wish it might find its reflex in economy and thrift among the people themselves, because therein lies quicker recovery and added security for the future.

The estimates of receipts and expenditures and the statements as to the condition of the Treasury which the Secretary of the Treasury is prepared to present to you will indicate what revenues must be provided in order to carry on the Government's business and meet its current requirements and fixed-debt charges. Unless there are striking cuts in the important fields of expenditure, receipts from internal taxes can not safely be permitted to fall below $4,000,000,000 in the fiscal years 1922 and 1923. This would mean total internal tax collections of about one billion less than in 1920 and one-half billion less than in 1921.

The most substantial relief from the tax burden must come for the present from the readjustment of internal taxes, and the revision or repeal of those taxes which have become unproductive and are so artificial and burdensome as to defeat their own purpose. A prompt and thoroughgoing revision of the internal tax laws, made with due regard to the protection of the revenues, is, in my judgment, a requisite to the revival of business activity in this country. [Applause.] It is earnestly hoped, therefore, that the Congress will be able to enact without delay a revision of the revenue laws and such emergency tariff measures as are necessary to protect American trade and industry. [Applause.]

It is of less concern whether internal taxation or tariff revision shall come first than has been popularly imagined, because we must do both, but the practical course for earliest accomplishment will readily suggest itself to the Congress. We are committed to the repeal of the excess-profits tax and the abolition of inequities and unjustifiable exasperations in the present system.

The country does not expect and will not approve a shifting of burdens. It is more interested in wiping out the necessity for imposing them and eliminating confusion and cost in the collection.

The urgency for an instant tariff enactment, emergency in character and understood by our people that it is for the emergency only, can not be too much emphasized. I believe in the protection of American industry, and it is our purpose to prosper America first. [Applause.] The privileges of the American market to the foreign producer are offered too cheaply to-day, and the effect on much of our own productivity is the destruction of our self-reliance, which is the foundation of the independence and good fortune of our people. Moreover, imports should pay their fair share of our cost of government.

One who values American prosperity and maintained American standards of wage and living can have no sympathy with the proposal that easy entry and the flood of imports will cheapen our costs of living. It is more likely to destroy our capacity to buy. [Applause.] To-day American agriculture is menaced, and its products are down to prewar normals, yet we are endangering our fundamental industry through the high cost of transportation from farm to market and through the influx of foreign farm products, because we offer, essentially unprotected, the best market in the world. It would be better to err in protecting our basic food industry than paralyze our farm activities in the world struggle for restored exchanges. [Applause.]

The maturer revision of our tariff laws should be based on the policy of protection, resisting that selfishness which turns to greed, but ever concerned with that productivity at home which is the source of all abiding good fortune. It is agreed that we can not sell unless we buy, but ability to sell is based on home development and the fostering of home markets. There is little sentiment in the trade of the world. Trade can and ought to be honorable, but it knows no sympathy. While the delegates of the nations at war were debating peace terms at Paris, and while we later debated our part in completing the peace, commercial agents of other nations were opening their lines and establishing their outposts, with a forward look to the morrow's trade. It was wholly proper, and has been advantageous to them. Tardy as we are, it will be safer to hold our own markets secure, and build thereon for our trade with the world. [Applause.]

A very important matter is the establishment of the Government's business on a business basis. There was toleration of the easy-going, unsystematic method of handling our fiscal affairs, when indirect taxation held the public unmindful of the Federal burden. But there is knowledge of the high cost of government to-day, and high cost of living is inseparably linked with high cost of government. There can be no complete correction of the high living cost until government's cost is notably reduced.

Let me most heartily commend the enactment of legislation providing for the national budget system. [Applause.] Congress has already recorded its belief in the budget. It will be a very great satisfaction to know of its early enactment, so that it may be employed in establishing the economies and business methods so essential to the minimum of expenditure.

I have said to the people we meant to have less of government in business as well as more business in government. It is well to have it understood that business has a right to pursue its normal, legitimate, and righteous way unimpeded, and it ought have no call to meet Government competition where all risk is borne by the Public Treasury. [Applause.] There is no challenge to honest and lawful business success. But Government approval of fortunate, untrammeled business does not mean toleration of restraint of trade or of maintained prices by unnatural methods. It is well to have legitimate business understand that a just Government, mindful of the interests of all the people, has a right to expect the cooperation of that legitimate business in stamping out the practices which add to unrest and inspire restrictive legislation. Anxious as we are to restore the onward flow of business, it is fair to combine assurance and warning in one utterance.

One condition in the business world may well receive your inquiry. Deflation has been in progress but has failed to reach the mark where it can be proclaimed to the great mass of consumers. Reduced cost of basic production has been recorded, but high cost of living has not yielded in like proportion. For example, the prices on grains and live stock have been deflated, but the cost of bread and meats is not adequately reflected therein. It is to be expected that nonperishable staples will be slow in yielding to lowered prices, but the maintained retail costs in perishable foods can not be justified.

I have asked the Federal Trade Commission for a report of its observations, and it attributes, in the main, the failure to adjust consumers' cost to basic production costs to the exchange of information by "open-price associations," which operate, evidently, within the law, to the very great advantage of their members and equal disadvantage to the consuming public. Without the spirit of hostility or haste in accusation of profiteering, some suitable inquiry by Congress might speed the price readjustment to normal relationship, with helpfulness to both producer and consumer. A measuring rod of fair prices will satisfy the country and give us a business revival to end all depression and unemployment.

The great interest of both the producer and consumer—indeed, all our industrial and commercial life, from agriculture to finance—in the problems of transportation will find its reflex in your concern to aid reestablishment, to restore efficiency, and bring transportation cost into a helpful relationship rather than continue it as a hindrance to resumed activities.

It is little to be wondered that ill-considered legislation, the war strain, Government operation in heedlessness of cost, and the conflicting programs, or the lack of them, for restoration have brought about a most difficult situation, made doubly difficult by the low tide of business. All are so intimately related that no improvement will be permanent until the railways are operated efficiently at a cost within that which the traffic can bear.

If we can have it understood that Congress has no sanction for Government ownership, that Congress does not levy taxes upon the people to cover deficits in a service which should be self-sustaining, there will be an avowed foundation on which to rebuild. [Applause.]

Freight-carrying charges have mounted higher and higher until commerce is halted and production discouraged. Railway rates and costs of operation must be reduced. [Applause.]

Congress may well investigate and let the public understand wherein our system and the Federal regulations are lacking in helpfulness or hindering in restrictions. The remaining obstacles which are the heritance of capitalistic exploitation must be removed, and labor must join management in understanding that the public which pays is the public to be served [applause], and simple justice is the right and will continue to be the right of all the people.

Transportation over the highways is little less important, but the problems relate to construction and development, and deserve your most earnest attention, because we are laying a foundation for a long time to come, and the creation is very difficult to visualize in its great possibilities.

The highways are not only feeders to the railroads and afford relief from their local burdens, they are actually lines of motor traffic in interstate commerce. They are the smaller arteries of the larger portion of our commerce, and the motor car has become an indispensable instrument in our political, social, and industrial life.

There is begun a new era in highway construction, the outlay for which runs far into hundreds of millions of dollars. Bond issues by road districts, counties, and States mount to enormous figures, and the country is facing such an outlay that it is vital that every effort shall be directed against wasted effort and unjustifiable expenditure.

The Federal Government can place no inhibition on the expenditure in the several States; but, since Congress has embarked upon a policy of assisting the States in highway improvement, wisely, I believe, it can assert a wholly becoming influence in shaping policy.

With the principle of Federal participation acceptably established, probably never to be abandoned, it is important to exert Federal influence in developing comprehensive plans looking to the promotion of commerce, and apply our expenditures in the surest way to guarantee a public return for money expended.

Large Federal outlay demands a Federal voice in the program of expenditure. Congress can not justify a mere gift from the Federal purse to the several States, to be prorated among counties for road betterment. Such a course will invite abuses which it were better to guard against in the beginning.

The laws governing Federal aid should be amended and strengthened. The Federal agency of administration should be elevated to the importance and vested with authority comparable to the work before it. And Congress ought to prescribe conditions to Federal appropriations which will necessitate a consistent program of uniformity which will justify the Federal outlay.

I know of nothing more shocking than the millions of public funds wasted in improved highways, wasted because there is no policy of maintenance. The neglect is not universal, but it is very near it. There is nothing the Congress can do more effectively to end this shocking waste than condition all Federal aid on provisions for maintenance. [Applause.] Highways, no matter how generous the outlay for construction, can not be maintained without patrol and constant repair. Such conditions insisted upon in the grant of Federal aid will safeguard the public which pays and guard the Federal Government against political abuses which tend to defeat the very purposes for which we authorize Federal expenditure.

Linked with rail and highway is the problem of water transportation—inland, coastwise, and transoceanic. It is not possible, on this occasion, to suggest to Congress the additional legislation needful to meet the aspirations of our people for a merchant marine. In the emergency of war we have constructed a tonnage equaling our largest expectations. Its war cost must be discounted to the actual values of peace and the large difference charged to the war emergency; and the pressing task is to turn our assets in tonnage to an agency of commerce.

It is not necessary to say it to Congress, but I have thought this to be a befitting occasion to give notice that the United States means to establish and maintain a great merchant marine. [Long applause.]

Our differences of opinion as to a policy of upbuilding have been removed by the outstanding fact of our having builded. If the intelligent and efficient administration under the existing laws makes established service impossible, the Executive will promptly report to you. Manifestly, if our laws governing American activities on the seas are such as to give advantage to those who compete with us for the carrying of our own cargoes and those which should naturally come in American bottoms through trade exchanges, then the spirit of American fair play will assert itself to give American carriers their equality of opportunity. [Applause.] This Republic can never realize its righteous aspirations in commerce, can never be worthy the traditions of the early days of the expanding Republic until the millions of tons of shipping which we now possess are coordinated with our inland transportation and our shipping has Government encouragement, not Government operation, in carrying our cargoes under our flag, over regularly operated routes, to every market in the world agreeable to American exchanges. It will strengthen American genius and management to have it understood that ours is an abiding determination, because carrying is second only to production in establishing and maintaining the flow of commerce to which we rightfully aspire.

It is proper to invite your attention to the importance of the question of radio communication and cables. To meet strategic, commercial, and political needs active encouragement should be given to the extension of American owned and operated cable and radio services. [Applause.] Between the United States and its possessions there should be ample communication facilities providing direct services at reasonable rates. Between the United States and other countries not only should there be adequate facilities, but these should be, so far as practicable, direct and free from foreign intermediation. Friendly cooperation should be extended to international efforts aimed at encouraging improvement of international communication facilities and designed to further the exchange of messages. Private monopolies tending to prevent the development of needed facilities should be prohibited. Government-owned facilities, wherever possible without unduly interfering with private enterprise or Government needs, should be made available for general uses. Particularly desirable is the provision of ample cable and radio services at reasonable rates for the transmission of press matter, so that the American reader may receive a wide range of news and the foreign reader receive full accounts of American activities. The daily press of all countries may well be put in position to contribute to international understandings by the publication of interesting foreign news.

Practical experience demonstrates the need for effective regulation of both domestic and international radio operation if this newer means of intercommunication is to be fully utilized. Especially needful is the provision of ample radio facilities for those services where radio only can be used, such as communication with ships at sea, with aircraft, and with out-of-the-way places. International communication by cable and radio requires cooperation between the powers concerned. Whatever the degree of control deemed advisable within the United States, Government licensing of cable landings and of radio stations transmitting and receiving international traffic seems necessary for the protection of American interests and for the securing of satisfactory reciprocal privileges.

Aviation is inseparable from either the Army or the Navy, and the Government must, in the interests of national defense, encourage its development for military and civil purposes. The encouragement of the civil development of aeronautics is especially desirable as relieving the Government largely of the expense of development, and of maintenance of an industry, now almost entirely borne by the Government through appropriations for the military, naval, and postal air services. The Air Mail Service is an important initial step in the direction of commercial aviation.

It has become a pressing duty of the Federal Government to provide for the regulation of air navigation; otherwise independent and conflicting legislation will be enacted by the various States which will hamper the development of aviation. The National Advisory Committee for Aeronautics, in a special report on this subject, has recommended the establishment of a bureau of aeronautics in the Department of Commerce for the Federal regulation of air navigation, which recommendation ought to have legislative approval.

I recommend the enactment of legislation establishing a bureau of aeronautics in the Navy Department to centralize the control of naval activities in aeronautics, and removing the restrictions on the personnel detailed to aviation in the Navy.

The Army Air Service should be continued as a coordinate combatant of the Army, and its existing organization utilized in cooperation with other agencies of the Government in the establishment of national transcontinental airways, and in cooperation with the States in the establishment of local airdromes and landing fields.

The American people expect Congress unfailingly to voice the gratitude of the Republic in a generous and practical way to its defenders in the World War, who need the supporting arm of the Government. [Applause.] Our very immediate concern is for the crippled soldiers and those deeply needing the helping

hand of Government. [Applause.] Conscious of the generous intent of Congress, and the public concern for the crippled and dependent, I invited the services of a volunteer committee to inquire into the administration of the Bureau of War Risk Insurance, the Federal Board for Vocational Training, and other agencies of Government in caring for the ex-soldiers, sailors, and marines of the World War. This committee promptly reported the chief difficulty to be the imperfect organization of governmental effort, the same lack of coordination which hinders Government efficiency in many undertakings, less noticed because the need for prompt service is less appealing.

This committee has recommended, and I convey the recommendations to you with cordial approval, that all Government agencies looking to the welfare of the ex-service men should be placed under one directing head, so that the welfare of these disabled saviors of our civilization and freedom may have the most efficient direction. It may be well to make such an official the Director General of Service to War Veterans, and place under his direction all hospitalization, vocational training, war insurance, rehabilitation, and all pensions.

The immediate extension and utilization of the Government's hospital facilities in Army and Navy will bring relief to the acute conditions most complained of, and the hospital building program may be worked out to meet the needs likely to be urgent at the time of possible completion.

The whole program requires the most thoughtful attention of Congress, for we are embarking on the performance of a sacred obligation which involves the expenditure of billions in the half century before us. Congress must perfect the policy of generous gratitude, and conscientious administration must stamp out abuses in the very beginning. We must strengthen rather than weaken the moral fiber of the beneficiaries, and humanize all efforts so that rehabilitation shall be attended by respiritualization. [Applause.]

During the recent political canvass the proposal was made that a department of public welfare should be created. It was indorsed and commended so strongly that I venture to call it to your attention and to suggest favorable legislative consideration.

Government's obligation affirmatively to encourage development of the highest and most efficient type of citizenship is modernly accepted, almost universally. Government rests upon the body of citizenship; it can not maintain itself on a level that keeps it out of touch and understanding with the community it serves. Enlightened governments everywhere recognize this and are giving their recognition effect in policies and programs. Certainly no government is more desirous than our own to reflect the human attitude, the purpose of making better citizens—physically, intellectually, spiritually. To this end I am convinced that such a department in the Government would be of real value. It could be made to crystallize much of rather vague generalization about social justice into solid accomplishment. Events of recent years have profoundly impressed thinking people with the need to recognize new social forces and evolutions, to equip our citizens for dealing rightly with problems of life and social order.

In the realms of education, public health, sanitation, conditions of workers in industry, child welfare, proper amusement and recreation, the elimination of social vice, and many other subjects, the Government has already undertaken a considerable range of activities. I assume the maternity bill, already strongly approved, will be enacted promptly, thus adding to our manifestation of human interest. But these undertakings have been scattered through many departments and bureaus without coordination and with much overlapping of functions which fritters energies and magnifies the cost. Many subjects of the greatest importance are handled by bureaus within Government departments which logically have no apparent relation to them. Other subjects which might well have the earnest consideration of Federal authority have been neglected or inadequately provided for. To bring these various activities together in a single department, where the whole field could be surveyed, and where their interrelationships could be properly appraised, would make for increased effectiveness, economy, and intelligence of direction. In creating such a department it should be made plain that there is no purpose to invade fields which the States have occupied. In respect of education, for example, control and administration have rested with the States, yet the Federal Government has always aided them. National appropriations in aid of educational purposes the last fiscal year were no less than $65,000,000. There need be no fear of undue centralization or of creating a Federal bureaucracy to dominate affairs better to be left in State control. We must, of course, avoid overlapping the activities by the several States, and we must ever resist the growing demand on the Federal Treasury for the performance of service for which the State is obligated to its citizenship. [Applause.]

Somewhat related to the foregoing human problems is the race question. Congress ought to wipe the stain of barbaric lynching from the banners of a free and orderly, representative democracy. [Applause.] We face the fact that many millions of people of African descent are numbered among our population, and that in a number of States they constitute a very large proportion of the total population. It is unnecessary to recount the difficulties incident to this condition, nor to emphasize the fact that it is a condition which can not be removed. There has been suggestion, however, that some of its difficulties might be ameliorated by a humane and enlightened consideration of it, a study of its many aspects, and an effort to formulate, if not a policy, at least a national attitude of mind calculated to bring about the most satisfactory possible adjustment of relations between the races, and of each race to the national life. One proposal is the creation of a commission embracing representatives of both races, to study and report on the entire subject. The proposal has real merit. I am convinced that in mutual tolerance, understanding, charity, recognition of the interdependence of the races, and the maintenance of the rights of citizenship lies the road to righteous adjustment.

It is needless to call your attention to the unfinished business inherited from the preceding Congress. The appropriation bills for Army and Navy will have your early consideration.

Neither branch of the Government can be unmindful of the call for reduced expenditure for these departments of our national defense. The Government is in accord with the wish to eliminate the burdens of heavy armament. The United States ever will be in harmony with such a movement toward the higher attainments of peace. But we shall not entirely discard our agencies for defense until there is removed the need to defend. [Applause.] We are ready to cooperate with other nations to approximate disarmament, but merest prudence forbids that we disarm alone.

The naval program which had its beginning in what seemed the highest assurances of peace can carry no threat after the latest proof of our national unselfishness. The reasonable limitation of personnel may be combined with economies of administration to lift the burdens of excessive outlay.

The War Department is reducing the personnel of the Army from the maximum provided by law in June, 1920, to the minimum directed by Congress in a subsequent enactment. When further reduction is compatible with national security, it may well have the sanction of Congress, so that a system of voluntary military training may offer to our young manhood the advantages of physical development, discipline, and commitment to service, and constitute the Army reserve in return for the training.

Nearly two and a half years ago the World War came to an end, and yet we find ourselves to-day in the technical state of war, though actually at peace, while Europe is at technical peace, far from tranquillity and little progressed toward the hoped-for restoration.

It ill becomes us to express impatience that the European belligerents are not yet in full agreement, when we ourselves have been unable to bring constituted authority into accord in our own relations to the formally proclaimed peace.

Little avails in reciting the causes of delay in Europe or our own failure to agree. But there is no longer excuse for uncertainties respecting some phases of our foreign relationship. In the existing League of Nations, world-governing with its superpowers, this Republic will have no part. [Enthusiastic applause.] There can be no misinterpretation, and there will be no betrayal of the deliberate expression of the American people in the recent election; and, settled in our decision for ourselves, it is only fair to say to the world in general, and to our associates in war in particular, that the League covenant can have no sanction by us. [Applause.]

The aim to associate nations to prevent war, preserve peace, and promote civilization our people most cordially applauded. We yearned for this new instrument of justice, but we can have no part in a committal to an agency of force in unknown contingencies; we can recognize no superauthority. [Applause.]

Manifestly the highest purpose of the League of Nations was defeated in linking it with the treaty of peace and making it the enforcing agency of the victors of the war. [Applause.] International association for permanent peace must be conceived solely as an instrumentality of justice, unassociated with the passions of yesterday, and not so constituted as to attempt the dual functions of a political instrument of the conquerors and of an agency of peace. There can be no prosperity for the fundamental purposes sought to be achieved by any such association so long as it is an organ of any particular treaty, or com-

mitted to the attainment of the special aims of any nation or group of nations. [Applause.]

The American aspiration, indeed, the world aspiration, was an association of nations, based upon the application of justice and right, binding us in conference and cooperation for the prevention of war and pointing the way to a higher civilization and international fraternity in which all the world might share. In rejecting the league covenant and uttering that rejection to our own people, and to the world, we make no surrender of our hope and aim for an association to promote peace in which we would most heartily join. We wish it to be conceived in peace and dedicated to peace, and will relinquish no effort to bring the nations of the world into such fellowship, not in the surrender of national sovereignty but rejoicing in a nobler exercise of it in the advancement of human activities, amid the compensations of peaceful achievement.

In the national referendum to which I have adverted we pledged our efforts toward such association, and the pledge will be faithfully kept. [Applause.] In the plight of policy and performance, we told the American people we meant to seek an early establishment of peace. The United States alone among the allied and associated powers continues in a technical state of war against the Central Powers of Europe. This anomalous condition ought not to be permitted to continue. To establish the state of technical peace without further delay, I should approve a declaratory resolution by Congress to that effect [applause], with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves, and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

Such a resolution should undertake to do no more than thus to declare the state of peace, which all America craves. It must add no difficulty in effecting, with just reparations, the restoration for which all Europe yearns, and upon which the world's recovery must be founded. Neither former enemy nor ally can mistake America's position, because our attitude as to responsibility for the war and the necessity for just reparations already has had formal and very earnest expression.

It would be unwise to undertake to make a statement of future policy with respect to European affairs in such a declaration of a state of peace. In correcting the failure of the Executive, in negotiating the most important treaty in the history of the Nation, to recognize the constitutional powers of the Senate we would go to the other extreme, equally objectionable, if Congress or the Senate should assume the function of the Executive. Our highest duty is the preservation of the constituted powers of each, and the promotion of the spirit of cooperation so essential to our common welfare.

It would be idle to declare for separate treaties of peace with the Central Powers on the assumption that these alone would be adequate, because the situation is so involved that our peace engagements can not ignore the Old World relationship and the settlements already effected, nor is it desirable to do so in preserving our own rights and contracting our future relationships.

The wiser course would seem to be the acceptance of the confirmation of our rights and interests as already provided and to engage under the existing treaty, assuming, of course, that this can be satisfactorily accomplished by such explicit reservations and modifications as will secure our absolute freedom from inadvisable commitments and safeguard all our essential interests.

Neither Congress nor the people needs my assurance that a request to negotiate needed treaties of peace would be as superfluous and unnecessary as it is technically ineffective, and I know in my own heart there is none who would wish to embarrass the Executive in the performance of his duty when we are all so eager to turn disappointment and delay into gratifying accomplishment.

Problems relating to our foreign relations bear upon the present and the future and are of such a nature that the all-important future must be deliberately considered with greater concern than mere immediate relief from unhappy conditions. We have witnessed, yea, we have participated in the supremely tragic episode of war, but our deeper concern is in the continuing life of nations and the development of civilization.

We must not allow our vision to be impaired by the conflict among ourselves. The weariness at home and the disappointment to the world have been compensated in the proof that this Republic will surrender none of the heritage of nationality, but our rights in international relationship have to be asserted; they require establishment in compacts of amity; our part in readjustment and restoration can not be ignored, and must be defined.

With the supergoverning league definitely rejected and with the world so informed, and with the status of peace proclaimed at home, we may proceed to negotiate the covenanted relationships so essential to the recognition of all the rights everywhere of our own Nation and play our full part in joining the peoples of the world in the pursuits of peace once more. Our obligations in effecting European tranquillity, because of war's involvements, are not less impelling than our part in the war itself. This restoration must be wrought before the human procession can go onward again. We can be helpful because we are moved by no hatreds and harbor no fears. Helpfulness does not mean entanglement, and participation in economic adjustments does not mean sponsorship for treaty commitments which do not concern us, and in which we will have no part.

In an all-impelling wish to do the most and best for our own Republic and maintain its high place among nations and at the same time make the fullest offering of justice to them, I shall invite in the most practical way the advice of the Senate, after acquainting it with all the conditions to be met and obligations to be discharged, along with our own rights to be safeguarded. Prudence in making the program and confident cooperation in making it effective can not lead us far astray. We can render no effective service to humanity until we prove anew our own capacity for cooperation in the coordination of powers contemplated in the Constitution, and no covenants which ignore our associations in the war can be made for the future. More, no helpful society of nations can be founded on justice and committed to peace until the covenants reestablishing peace are sealed by the nations which were at war. To such accomplishment—to the complete reestablishment of peace and its contracted relationships, to the realization of our aspirations for nations associated for world helpfulness without world government, for world stability on which humanity's hopes are founded—we shall address ourselves, fully mindful of the high privilege and the paramount duty of the United States in this critical period of the world. [Prolonged applause.]

At 1 o'clock and 55 minutes p. m. the President and the members of his Cabinet retired from the Hall of the House.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

The SPEAKER. The joint session of the two Houses is now adjourned.

LEAVE OF ABSENCE.

Mr. WOODS of Virginia, by unanimous consent, was granted leave of absence for three days, on account of the death of a friend.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, to-morrow is Calendar Wednesday. As we all know, there is no legislation prepared for the consideration of the House. We had expected a report from the Committee on Ways and Means and immediate consideration of a bill reported by that committee. The probability is, however, that, while the committee will report to-morrow, it will not be possible to take up the emergency tariff legislation until the following day. In all probability, therefore, there will be no important business transacted to-morrow. I make this announcement, Mr. Speaker, because I understand there is an important affair to be in progress elsewhere, which Members may desire to attend. [Laughter.]

Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 2 minutes p. m.) the House adjourned until to-morrow, Wednesday, April 13, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

4. A letter from the Secretary of the Treasury, transmitting estimates of appropriation required by the Office of the Supervising Architect, Treasury Department, for expenses of public buildings for the current fiscal year (H. Doc. No. 2); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation from the Department of Labor to cover "Salaries and expenses, Commissioners of Conciliation," during the fiscal year 1921 (H. Doc. No. 3); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting request for authorization to the Director of the Bureau of Printing and Engraving in connection with United States currency, national bank notes, and Federal reserve bank notes (H. Doc.

No. 4); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting proposed paragraph of legislation authorizing the payment of certain bills for advertising (H. Doc. No. 5); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriation required for the District of Columbia (H. Doc. No. 6); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Secretary of the Treasury, transmitting estimate of appropriation required by the Coast Guard to pay a certain claim; to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. YOUNG: A bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money, and for other purposes; to the Committee on Ways and Means.

By Mr. COLE: A bill (H. R. 2436) to increase the limit of cost of the public building to be erected in Kenton, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2437) to provide for the purchase of a site and the erection of a public building at Bucyrus, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 2438) to provide for a site and public building at Coatesville, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. KING: A bill (H. R. 2439) to amend section 4 of the act of May 9, 1902, in regard to adulterated butter; to the Committee on Agriculture.

Also, a bill (H. R. 2440) to provide for the segregation and care of men in the United States Army afflicted with mental and nervous maladies; to the Committee on Military Affairs.

Also, a bill (H. R. 2441) to provide for the establishment on the Mississippi River of fish-rescue stations, to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on the Merchant Marine and Fisheries.

By Mr. LAMPERT: A bill (H. R. 2442) to authorize the establishment of aids to navigation and to improve the existing aids in Fox River, Lake Winnebago, and lakes and channels connecting therewith, in the State of Wisconsin; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2443) granting additional compensation to all soldiers, sailors, and marines, and others who served in the armed forces of the United States in the war against Germany and Austria; to the Committee on Ways and Means.

Also, a bill (H. R. 2444) providing for the purchase of a site and the erection thereon of a public building at Oshkosh, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2445) for the erection of a Federal building at Waupun, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2446) providing for the extension of the post office and public building at Fond du Lac, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. PARRISH: A bill (H. R. 2447) amending the act of February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, and for other purposes"; to the Committee on the Public Lands.

By Mr. SANDLIN: A bill (H. R. 2448) providing for an increase of salary for the United States marshal and district attorney for the western district of Louisiana; to the Committee on Expenditures in the Department of Justice.

By Mr. SMITH: A bill (H. R. 2449) to amend an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. SINNOTT: A bill (H. R. 2450) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

By Mr. STINESS: A bill (H. R. 2451) giving permanent rank to district superintendents of the Coast Guard on the retired list; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON: A bill (H. R. 2452) to regulate the hours of duty of the officers and members of the fire department of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2453) providing for a site and public building for a post office at Sparta, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2454) to construct a public building for a post office at the city of Sandersville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2455) providing for a site and public building for a post office at Tennille, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2456) to construct a public building for a post office at the city of Thomson, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. TILLMAN: A bill (H. R. 2457) to pay to Confederate soldiers and to the widows of Confederate soldiers $500 and $30 per month during the remainder of their lives; to the Committee on War Claims.

By Mr. LAZARO: A bill (H. R. 2458) for the relief of occupants of lands included in the Bellevue grant, in St. Landry Parish, La.; to the Committee on the Public Lands.

By Mr. BYRNS of Tennessee: A bill (H. R. 2459) to amend an act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes"; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2460) to provide for the reduction of mileage to actual transportation expenses of Representatives and Senators; to the Committee on Mileage.

Also, a bill (H. R. 2461) to establish a fish hatchery and biological station in the sixth congressional district of the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2462) to amend section 162 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

Also, a bill (H. R. 2463) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.

By Mr. TOWNER: A bill (H. R. 2464) providing for the purchase of a site and the erection thereon of a public building at Corning, in the State of Iowa; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 2465) to authorize the Secretary of the Treasury to cause to be erected a suitable building or buildings for marine hospital purposes on the present marine hospital site at San Francisco, Calif., and to remove all or any of the present structures on said site; to the Committee on Public Buildings and Grounds.

By Mr. LANHAM: A bill (H. R. 2466) to constitute Fort Worth, in the State of Texas, a port of entry and to extend to said port the privileges of section 7 of an act approved June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes"; to the Committee on Ways and Means.

By Mr. UPSHAW: A bill (H. R. 2467) to prevent the mobilization and cultivation of foreign sentiment on American soil, and for other purposes; to the Committee on the Judiciary.

By Mr. ARENTZ: A bill (H. R. 2468) to provide revenue for the Government and to promote the production of tungsten ores and manufactures thereof in the United States; to the Committee on Ways and Means.

By Mr. CRISP: A bill (H. R. 2469) to deport from the United States certain aliens who withdrew their declaration of intention to become citizens to evade military service, and to suspend all immigration to the United States until January 1, 1930; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 2470) to provide for the entrance into the civil service of veterans of the war with Germany; to the Committee on Reform in the Civil Service.

By Mr. HAYDEN: A bill (H. R. 2471) to establish a fish hatchery and fish-cultural station in the State of Arizona; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2472) to amend section 852, Revised Statutes of the United States, relating to jurors' fees; to the Committee on the Judiciary.

By Mr. FULLER: A bill (H. R. 2473) providing for the purchase of additional ground for enlargement of present site or for the purchase of a new site and enlargement of present building or the erection of a new building at the city of Rockford, in the State of Illinois, for the use and accommodation of the post office, Federal court, and other Government offices in said city; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2474) providing for the erection of a public building at Mendota, Ill., on a site heretofore provided for the same; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2475) providing for the purchase of a site and the erection thereon of a public building at Peru, in the State of Illinois; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2476) to regulate the interstate use of automobiles and all self-propelled vehicles which use the public highways in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. DALLINGER: A bill (H. R. 2477) fixing the compensation of the United States customs guards and night inspectors; to the Committee on Ways and Means.

Also, a bill (H. R. 2478) to increase the pension for total deafness; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 2479) for the establishment of branch post offices or stations beyond the corporate limits or boundaries of any city or town in which the principal office is located; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 2480) for the reduction of postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. TOWNER: A bill (H. R. 2481) providing for the purchase of a site for a public building at Osceola, in the State of Iowa; to the Committee on Public Buildings and Grounds.

By Mr. WARD of North Carolina: A bill (H. R. 2482) to establish an air mail service along the coasts of Virginia and North Carolina, between Norfolk, Va., and Beaufort, N. C.; to the Committee on the Post Office and Post Roads.

By Mr. ASWELL: A bill (H. R. 2483) for the erection of a Federal building at Leesville, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2484) for the erection of a Federal building at Bunkie, La.; to the Committee on Public Buildings and Grounds.

By Mr. WOOD of Indiana: A bill (H. R. 2485) to establish in the Treasury Department a bureau of supply, and for other purposes; to the Committee on Appropriations.

By Mr. OGDEN: A bill (H. R. 2486) to relieve distillers and owners of distilled spirits from taxes upon spirits lost by theft or unestablished cause; to the Committee on Ways and Means.

By Mr. FAIRFIELD: A bill (H. R. 2487) to provide for the classification of civilian positions within the District of Columbia and the standardization of compensation therefor, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. UPSHAW: A bill (H. R. 2488) to encourage the fullest Americanism, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. BUTLER: A bill (H. R. 2489) to authorize the President to relieve certain officers and enlisted men from the disabilities which they have heretofore or would hereafter suffer through the charge of desertion standing on their records, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 2490) authorizing the disposition of certain lands, title to which was acquired by the United States for naval purposes during the war, which lands are no longer needed for naval purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 2491) authorizing the removal of the War College, Rhode Island, to the District of Columbia; to the Committee on Naval Affairs.

Also, a bill (H. R. 2492) authorizing the Secretary of the Navy to continue and to enlarge the construction of the naval hospital at San Diego, Calif.; to the Committee on Naval Affairs.

Also, a bill (H. R. 2493) to provide for the transfer of the naval seaplane known and designated as *NC-4* to the Smithsonian Institution; to the Committee on Naval Affairs.

Also, a bill (H. R. 2494) to establish in the Department of the Navy a bureau to be known as the chaplains' bureau, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 2495) to abolish the punishment of solitary confinement on bread and water as authorized by the Articles for the Government of the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 2496) to provide for a site and public building at Lansdowne, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2497) fixing a time limit within which claims arising under war contracts may be filed in the Court of Claims; to the Committee on Claims.

Also, a bill (H. R. 2498) authorizing the return to its former owners of certain land, title to which was taken by the United States by proclamation of the President, for the enlargement of the naval training station, Great Lakes, Ill., and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 2499) to provide for the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Hawaiian Islands; to the Committee on the Territories.

Also, a bill (H. R. 2500) to amend section 13 of article 8 of section 1624 of the Revised Statutes of the United States, relative to the receipt on board of a vessel of the Navy of goods, merchandise, or treasure for freight or safe-keeping; to the Committee on Naval Affairs.

Also, a bill (H. R. 2501) to increase the efficiency of the Medical Department of the Naval Reserve Force; to the Committee on Naval Affairs.

Also, a bill (H. R. 2502) to place the direction and management of all vessels in the service of the Government under the control of the Secretary of the Navy in case of war or national emergency; to the Committee on Naval Affairs.

Also, a bill (H. R. 2503) to equalize the rank, pay, allowances, and other benefits of warrant officers in the Marine Corps with warrant officers in the Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 2504) authorizing the President to requisition fuel necessary to maintain the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. DALLINGER: A bill (H. R. 2505) permitting civilian employees of the War Department to purchase supplies from commissary stores of the Army; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 2506) to amend an act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916; to the Committee on Military Affairs.

Also, a bill (H. R. 2507) to confer jurisdiction upon the Court of Claims to adjudicate the claims of American citizens; to the Committee on the Judiciary.

Also, a bill (H. R. 2508) providing for the relinquishment of certain described property by the United States to the city and county of San Francisco, State of California; to the Committee on Public Buildings and Grounds.

By Mr. GREENE of Vermont: A bill (H. R. 2509) for the relief of contractors under supervision of the War Department for losses which have arisen under contracts entered into between April 6, 1917, and November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 2510) authorizing the President to appoint an additional circuit judge for the fourth circuit; to the Committee on the Judiciary.

By Mr. BARBOUR: Joint resolution (H. J. Res. 38) extending for the period of six months from the passage hereof section 18a of an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920; to the Committee on the Public Lands.

By Mr. BUTLER: Joint resolution (H. J. Res. 39) to provide a commission to inquire into and submit recommendations to Congress relative to the erection of a suitable memorial to the late Admiral George Dewey, United States Navy; to the Committee on the Library.

Also, joint resolution (H. J. Res. 40) to provide a commission to inquire into and submit recommendations to Congress relative to the advisability of erecting a naval museum in Washington, D. C.; to the Committee on Naval Affairs.

Also, joint resolution (H. J. Res. 41) to provide a commission to inquire into and submit recommendations to Congress relative to the necessity and advisability of erecting a new chapel at the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. BLAND of Virginia: Joint resolution (H. J. Res. 42) authorizing and directing the construction of a road from the monument marking the birthplace of George Washington, in Westmoreland County, Va., to the State highway running from Fredericksburg, Va., to Montross, Va.; to the Committee on Roads.

By Mr. CROWTHER: Joint resolution (H. J. Res. 43) making June 1 a legal holiday; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 44) repealing the tariff act of October 3, 1913, commonly known as the Underwood tariff measure, and reenacting the act of August 5, 1909, commonly known as the Payne-Aldrich tariff measure; to the Committee on Ways and Means.

By Mr. HAYDEN: Joint resolution (H. J. Res. 45) directing the Secretary of War to investigate the claims of American citizens for damages suffered within American territory and growing out of the insurrection in Mexico; to the Committee on Foreign Affairs.

By Mr. LITTLE: Joint resolution (H. J. Res. 46) instructing the Attorney General to institute proceedings against certain corporations, restraining them from distributing surplus war profits; to the Committee on Rules.

By Mr. GREEN of Iowa: Resolution (H. Res. 40) authorizing the Committee on Ways and Means to sit during the sessions and recesses of Congress; to the Committee on Accounts.

By Mr. LAMPERT: Resolution (H. Res. 41) directing the Federal Trade Commission to make a survey of all coal-bearing lands; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER: Resolution (H. Res. 42) authorizing the Committee on Naval Affairs to sit during the sessions and recesses of the Sixty-seventh Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 2511) authorizing the Secretary of War to donate to the Merle Reed Post of the American Legion, Delano, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2512) authorizing the Secretary of War to donate to the city of Selma, Calif., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 2513) granting a pension to Anson C. Douglas; to the Committee on Pensions.

By Mr. BIRD: A bill (H. R. 2514) granting a pension to Loretta J. Rhoads; to the Committee on Invalid Pensions.

By Mr. BLANTON: A bill (H. R. 2515) authorizing the Secretary of War to donate to the county of Taylor, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2516) authorizing the Secretary of War to donate to the county of Shackelford, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2517) authorizing the Secretary of War to donate to the county of Burnet, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2518) authorizing the Secretary of War to donate to the county of Concho, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2519) authorizing the Secretary of War to donate to the county of Nolan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2520) authorizing the Secretary of War to donate to the county of Llano, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2521) authorizing the Secretary of War to donate to the county of Mills, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2522) authorizing the Secretary of War to donate to the county of Runnels, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2523) authorizing the Secretary of War to donate to the county of Palo Pinto, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2524) authorizing the Secretary of War to donate to the county of San Saba, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2525) authorizing the Secretary of War to donate to the county of Stephens, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2526) authorizing the Secretary of War to donate to the county of Coleman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2527) authorizing the Secretary of War to donate to the county of Lampasas, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2528) authorizing the Secretary of War to donate to the county of Jones, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2529) authorizing the Secretary of War to donate to the county of McCulloch, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2530) authorizing the Secretary of War to donate to the county of Brown, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2531) authorizing the Secretary of War to donate to the county of Comanche, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2532) authorizing the Secretary of War to donate to the county of Callahan, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2533) authorizing the Secretary of War to donate to the county of Eastland, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 2534) for the relief of the Old National Bank of Martinsburg, Martinsburg, W. Va.; to the Committee on Claims.

Also, a bill (H. R. 2535) authorizing the Secretary of War to donate to the city of Piedmont, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2536) authorizing the Secretary of War to donate to the city of Thomas, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2537) authorizing the Secretary of War to donate to the city of Morgantown, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2538) authorizing the Secretary of War to donate to the city of Elkins, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2539) authorizing the Secretary of War to donate to the city of Martinsburg, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2540) authorizing the Secretary of War to donate to the city of Moorefield, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2541) authorizing the Secretary of War to donate to the city of Charles Town, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2542) authorizing the Secretary of War to donate to the city of Kingwood, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2543) authorizing the Secretary of War to donate to the city of Belington, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2544) authorizing the Secretary of War to donate to the city of Berkeley Springs, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2545) authorizing the Secretary of War to donate to the city of Petersburg, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2546) authorizing the Secretary of War to donate to the city of Shepherdstown, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2547) authorizing the Secretary of War to donate to the city of Terra Alta, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2548) authorizing the Secretary of War to donate to the city of Parsons, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2549) authorizing the Secretary of War to donate to the city of Philippi, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2550) authorizing the Secretary of War to donate to the city of Keyser, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2551) authorizing the Secretary of War to donate to the city of Davis, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2552) authorizing the Secretary of War to donate to the city of Franklin, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2553) authorizing the Secretary of War to donate to the city of Romney, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2554) authorizing the Secretary of War to donate to the city of Harpers Ferry, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2555) authorizing the Secretary of War to donate to the town of Paw Paw, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 2556) to advance Capt. Benjamin S. Berry to the permanent rank of major; to the Committee on Naval Affairs.

Also, a bill (H. R. 2557) for the relief of Frank Pulaski; to the Committee on Naval Affairs.

Also, a bill (H. R. 2558) for the relief of Richard P. McCullough; to the Committee on Naval Affairs.

Also, a bill (H. R. 2559) authorizing the Secretary of War to donate to the city of Coatesville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2560) authorizing the Secretary of War to donate to the borough of Aldan, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2561) authorizing the Secretary of War to donate to the borough of Norwood, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2562) authorizing the Secretary of War to donate to the township of Darby, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2563) authorizing the Secretary of War to donate to the Media Local Armory Board, of Media, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2564) authorizing the Secretary of War to donate to the city of Chester, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2565) authorizing the Secretary of War to donate to the town of Atglen, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2566) authorizing the Secretary of War to donate to the Pennsylvania Military College, of Chester, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2567) authorizing the Secretary of War to donate to the town of Morton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2568) authorizing the Secretary of War to donate to East Coventry Township and Parker Ford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2569) to advance Capt. Benjamin S. Berry to the permanent rank of major; to the Committee on Naval Affairs.

By Mr. BYRNS of Tennessee: A bill (H. R. 2570) granting an increase of pension to James W. Bess; to the Committee on Pensions.

Also, a bill (H. R. 2571) granting an increase of pension to Charlotte C. Brandau; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2572) granting an increase of pension to Mrs. Sidney E. Collins; to the Committee on Pensions.

Also, a bill (H. R. 2573) authorizing the Secretary of War to donate to the city of Clarksville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2574) authorizing the Secretary of War to donate to the county of Cheatham, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2575) authorizing the Secretary of War to donate to the city of Springfield, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2576) authorizing the Secretary of War to donate to the city of Nashville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 2577) authorizing the Secretary of War to donate to the city of Coatesville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2578) authorizing the Secretary of War to donate to the Media local armory board, of Media, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2579) authorizing the Secretary of War to donate to the city of Chester, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2580) authorizing the Secretary of War to donate to the town of Atglen, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2581) authorizing the Secretary of War to donate to the Pennsylvania Military College, of Chester, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2582) authorizing the Secretary of War to donate to the borough of Norwood, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2583) authorizing the Secretary of War to donate to Darby Township, Delaware County, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2584) authorizing the Secretary of War to donate to the town of Morton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2585) authorizing the Secretary of War to donate to the borough of Aldan, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2586) authorizing the Secretary of War to donate to East Coventry Township and Parker Ford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COLE: A bill (H. R. 2587) granting an increase of pension to Joseph W. Pugh; to the Committee on Pensions.

Also, a bill (H. R. 2588) granting a pension to William H. Dean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2589) granting a pension to Mary E. Tussing; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 2590) authorizing the Secretary of War to donate to the city of Fort Plain, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2591) authorizing the Secretary of War to donate to the city of Fonda, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2592) authorizing the Secretary of War to donate to the city of Amsterdam, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2593) authorizing the Secretary of War to donate to the city of Gloversville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2594) authorizing the Secretary of War to donate to the city of Johnstown, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, bill (H. R. 2595) authorizing the Secretary of War to donate to the city of Broadalbin, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2596) authorizing the Secretary of War to donate to the city of Schenectady, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FROTHINGHAM: A bill (H. R. 2597) authorizing the Secretary of War to donate to the towns of Milton, Rockland, Weymouth, and Westwood, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2598) authorizing the Secretary of War to donate to the towns of Easton, Canton, and Norwood, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2599) authorizing the Secretary of War to donate to the towns of Avon, Braintree, and Holbrook, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2600) authorizing the Secretary of War to donate to the cities of Brockton and Quincy, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2601) authorizing the Secretary of War to donate to the towns of East Bridgewater, West Bridgewater, and Whitman, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2602) authorizing the Secretary of War to donate to the towns of Dedham, Randolph, and Stoughton, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2603) authorizing the Secretary of War to donate to the towns of Abington, Foxboro, and Sharon, State of Massachusetts, each one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 2604) authorizing the Secretary of War to donate to the village of Ransom, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2605) authorizing the Secretary of War to donate to the city of Mendota, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2606) authorizing the Secretary of War to donate to the village of Genoa, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2607) authorizing the Secretary of War to donate to the city of Sandwich, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2608) authorizing the Secretary of War to donate to the city of Sycamore, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2609) authorizing the Secretary of War to donate to the village of Kirkland, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 2610) to authorize the appointment of William Roberts, major, United States Army, retired, in the reserve of the United States Public Health Service; to the Committee on Military Affairs.

Also, a bill (H. R. 2611) authorizing the President to appoint Henry S. Kiersted, late a captain in the Medical Corps of the United States Army, a major in the Medical Corps, on the retired list; to the Committee on Military Affairs.

Also, a bill (H. R. 2612) for the relief of Joseph A. McCarthy; to the Committee on Claims.

Also, a bill (H. R. 2613) for the relief of the A. Lietz Co., of San Francisco, Calif.; to the Committee on Naval Affairs.

Also, a bill (H. R. 2614) for the relief of Luke Ratigan; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2615) for the relief of Florence Proud; to the Committee on Claims.

Also, a bill (H. R. 2616) for the relief of the heirs of Ewing M. Skaggs; to the Committee on War Claims.

Also, a bill (H. R. 2617) granting an increase of pension to John B. Jeffery; to the Committee on Pensions.

Also, a bill (H. R. 2618) for the relief of Charles Hellyer; to the Committee on Claims.

Also, a bill (H. R. 2619) for the relief of Peter Boragni; to the Committee on War Claims.

Also, a bill (H. R. 2620) for the relief of Welch, Fairchild & Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 2621) for the relief of Lieut. Commander Edward R. Wilson, Pay Corps, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 2622) for the relief of Palmer & McBryde; to the Committee on Claims.

Also, a bill (H. R. 2623) for the relief of James H. Riley; to the Committee on Claims.

Also, a bill (H. R. 2624) for the relief of Anna L. Meyers; to the Committee on Claims.

Also, a bill (H. R. 2625) for the relief of Samuel H. Dolbear; to the Committee on Mines and Mining.

Also, a bill (H. R. 2626) for the relief of Jacob Meyers; to the Committee on Claims.

Also, a bill (H. R. 2627) for the relief of Ellen B. Monahan; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 2628) granting an increase of pension to Mary C. Parsons; to the Committee on Pensions.

Also, a bill (H. R. 2629) granting an increase of pension to Jessie F. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2630) granting an increase of pension to Willimina Porste; to the Committee on Pensions.

Also, a bill (H. R. 2631) granting a pension to Esta Abbott; to the Committee on Pensions.

Also, a bill (H. R. 2632) granting a pension to Lewvina Hoffer; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 2633) for the relief of Frank J. De Bolt; to the Committee on Claims.

Also, a bill (H. R. 2634) granting an increase of pension to Mary J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2635) granting a pension to Ora Agnes Carter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2636) granting an increase of pension to Anna E. Herrington; to the Committee on Pensions.

Also, a bill (H. R. 2637) for the relief of Thomas A. McInerney; to the Committee on Claims.

Also, a bill (H. R. 2638) for the relief of William C. Burgess; to the Committee on Claims.

Also, a bill (H. R. 2639) to correct the military record of A. G. Vincent; to the Committee on Military Affairs.

Also, a bill (H. R. 2640) for the relief of Barton H. Newell; to the Committee on Claims.

By Mr. KIESS: A bill (H. R. 2641) granting an increase of pension to Abbie J. Lewis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2642) granting a pension to Hiram Willson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2643) to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective departments; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 2644) granting an increase of pension to Giles A. Woolsey; to the Committee on Pensions.

By Mr. LAMPERT: A bill (H. R. 2645) for the relief of Theresa Scherer; to the Committee on Claims.

Also, a bill (H. R. 2646) to remove the charge of desertion against Joseph Scharbonaugh; to the Committee on Military Affairs.

Also, a bill (H. R. 2647) granting a pension to Emma Hotchkiss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2648) granting a pension to Elenore Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2649) granting a pension to Esther F. Davison; to the Committee on Pensions.

Also, a bill (H. R. 2650) granting an increase of pension to Georgia Sabin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2651) authorizing the Secretary of War to donate to the city of Chilton, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2652) authorizing the Secretary of War to donate to the village of Oshkosh, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2653) authorizing the Secretary of War to donate to the city of Berlin, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2654) authorizing the Secretary of War to donate to the village of Endeavor, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2655) authorizing the Secretary of War to donate to the city of Ripon, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2656) authorizing the Secretary of War to donate to the city of Fond du Lac, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2657) authorizing the Secretary of War to donate to the village of Markesan, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2658) authorizing the Secretary of War to donate to the village of Princeton, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2659) authorizing the Secretary of War to donate to the village of Oakfield, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2660) authorizing the Secretary of War to donate to the village of Brandon, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2661) authorizing the Secretary of War to donate to the city of Two Rivers, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2662) authorizing the Secretary of War to donate to the village of Hilbert, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2663) authorizing the Secretary of War to donate to the village of Brillion, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2664) authorizing the Secretary of War to donate to the village of New Holstein, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2665) authorizing the Secretary of War to donate to the village of Green Lake, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2666) authorizing the Secretary of War to donate to the village of Winneconne, State of Wisconsin, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2667) authorizing the Secretary of War to donate to the village of Omro, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2668) authorizing the Secretary of War to donate to the village of Westfield, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2669) authorizing the Secretary of War to donate to the city of Neenah, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2670) authorizing the Secretary of War to donate to the village of Kiel, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2671) authorizing the Secretary of War to donate to the city of Menasha, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2672) authorizing the Secretary of War to donate to the village of Montello, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2673) authorizing the Secretary of War to donate to the city of Waupun, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2674) authorizing the Secretary of War to donate to the village of Oxford, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2675) authorizing the Secretary of War to donate to the city of Manitowoc, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANHAM: A bill (H. R. 2676) to authorize the acquisition of a site and the erection of a Federal building at Stephenville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. LEE of Georgia: A bill (H. R. 2677) authorizing the Secretary of War to donate to the city of Dallas, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2678) authorizing the Secretary of War to donate to the city of Dalton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2679) authorizing the Secretary of War to donate to the city of Summerville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2680) authorizing the Secretary of War to donate to the city of Buchanan, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2681) authorizing the Secretary of War to donate to the city of Cartersville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2682) authorizing the Secretary of War to donate to the city of La Fayette, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2683) authorizing the Secretary of War to donate to the city of Trenton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2684) authorizing the Secretary of War to donate to the city of Marietta, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2685) authorizing the Secretary of War to donate to the city of Ringgold, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2686) authorizing the Secretary of War to donate to the city of Cedartown, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2687) authorizing the Secretary of War to donate to the city of Menlo, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2688) authorizing the Secretary of War to donate to the city of Calhoun, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2689) authorizing the Secretary of War to donate to the city of Rome, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2690) authorizing the Secretary of War to donate to the city of Chatsworth, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2691) authorizing the Secretary of War to donate to the town of Chickamauga, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2692) authorizing the erection of a post-office building at Rossville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2693) for the relief of Nels D. Anderson; to the Committee on Claims.

Also, a bill (H. R. 2694) for the relief of Seth J. Harris, Jimmie Lou Martin, Mary Holloman, and William Henry Coleman; to the Committee on Claims.

By Mr. LITTLE: A bill (H. R. 2695) authorizing the Secretary of War to donate to the city of Pleasanton, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2696) authorizing the Secretary of War to donate to the city of Osawatomie, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2697) authorizing the Secretary of War to donate to the city of Louisburg, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2698) granting a pension to Marsha E. Towles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2699) granting a pension to Benjamin J. Close; to the Committee on Pensions.

Also, a bill (H. R. 2700) granting a pension to Gue M. Allen; to the Committee on Pensions.

Also, a bill (H. R. 2701) granting a pension to Maggie Crouch; to the Committee on Pensions.

Also, a bill (H. R. 2702) for the relief of J. W. Glidden and E. F. Hobbs; to the Committee on Claims.

Also, a bill (H. R. 2703) for the relief of Albert H. Campbell; to the Committee on Military Affairs.

Also, a bill (H. R. 2704) to correct the military record of Alfred Rebsamen; to the Committee on Military Affairs.

By Mr. LYON: A bill (H. R. 2705) authorizing the Secretary of War to donate to the city of Southport, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2706) authorizing the Secretary of War to donate to the city of Elizabethtown, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2707) authorizing the Secretary of War to donate to the city of Fayetteville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2708) authorizing the Secretary of War to donate to the city of Lillington, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2709) authorizing the Secretary of War to donate to the city of Wilmington, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2710) authorizing the Secretary of War to donate to the city of Whiteville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2711) authorizing the Secretary of War to donate to the city of Lumberton, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McARTHUR: A bill (H. R. 2712) granting an increase of pension to Emily E. Patison; to the Committee on Pensions.

Also, a bill (H. R. 2713) for the relief of George Owens, John J. Bradley, William M. Godfrey, Rudolph G. Ebert, Herschel Tupes, William H. Sage, Charles L. Tostevin, Alta B. Spaulding, Grace E. Lewis, and Dolly Neely; to the Committee on Claims.

Also, a bill (H. R. 2714) granting a pension to Katherine Barger; to the Committee on Pensions.

By Mr. McDUFFIE: A bill (H. R. 2715) authorizing the Secretary of War to donate to the county of Choctaw, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2716) authorizing the Secretary of War to donate to the county of Clarke, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2717) authorizing the Secretary of War to donate to the county of Washington, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2718) authorizing the Secretary of War to donate to the county of Mobile, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2719) authorizing the Secretary of War to donate to the county of Marengo, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2720) authorizing the Secretary of War to donate to the city of Mobile, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2721) authorizing the Secretary of War to donate to the county of Monroe, State of Alabama, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 2722) for the relief of W. W. McGrath; to the Committee on Claims.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 2723) to remove the charge of desertion from the military record of James F. Cole; to the Committee on Military Affairs.

Also, a bill (H. R. 2724) to remove the charge of desertion from the military record of James M. Webster; to the Committee on Military Affairs.

Also, a bill (H. R. 2725) to remove the charge of desertion from the military record of Joseph W. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 2726) to remove the charge of desertion from the military record of William A. Tozer; to the Committee on Military Affairs.

Also, a bill (H. R. 2727) to carry into effect the findings of the Court of Claims in the case of Lemuel C. Canfield; to the Committee on War Claims.

By Mr. MALONEY: A bill (H. R. 2728) authorizing the Secretary of War to donate to the city of Lawrence, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2729) authorizing the Secretary of War to donate to the city of Lynn, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2730) authorizing the Secretary of War to donate to the city of Peabody, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2731) authorizing the Secretary of War to donate to the city of North Andover, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2732) authorizing the Secretary of War to donate to the city of Middleton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2733) authorizing the Secretary of War to donate to the city of Nahant, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2734) authorizing the Secretary of War to donate to the city of Boxford, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2735) authorizing the Secretary of War to donate to the city of Saugus, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2736) authorizing the Secretary of War to donate to the city of North Reading, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2737) authorizing the Secretary of War to donate to the city of Lynnfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 2738) for the relief of Ignatius Shoen; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 2739) granting a pension to Sarah J. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 2740) granting an increase of pension to William A. Hartley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2741) granting a pension to Phebe Clark; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 2742) for the relief of J. B. Waterman; to the Committee on Claims.

Also, a bill (H. R. 2743) correcting the military record of William H. Murphy; to the Committee on Military Affairs.

Also, a bill (H. R. 2744) granting an increase of pension to Daniel W. Eveland; to the Committee on Pensions.

Also, a bill (H. R. 2745) granting a pension to Edith S. Schwartz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2746) granting an increase of pension to Louis Settles; to the Committee on Pensions.

Also, a bill (H. R. 2747) granting a pension to Mary S. Lowe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2748) granting a pension to Nancy J. Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2749) granting a pension to Mayne Quigley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2750) granting a pension to Harriet B. S. Soliday; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2751) granting an increase of pension to Malcolm G. Brenholtz, alias Malcolm Brenholt; to the Committee on Pensions.

Also, a bill (H. R. 2752) granting an increase of pension to Frederick W. Gruber; to the Committee on Pensions.

By Mr. NEWTON of Minnesota: A bill (H. R. 2753) for the relief of Silas Overmire; to the Committee on Military Affairs.

By Mr. O'CONNOR: A bill (H. R. 2754) for the relief of Alfred Gregory Lee; to the Committee on Military Affairs.

By Mr. PETERSEN: A bill (H. R. 2755) authorizing the Secretary of War to donate to the city of Brooklyn, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PARRISH: A bill (H. R. 2756) granting a pension to Calvin S. Hines; to the Committee on Pensions.

Also, a bill (H. R. 2757) to provide for the acquisition of a site and the erection of a public building thereon at Henrietta, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2758) to provide for the acquisition of a site and the erection of a public building thereon at Wichita Falls, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2759) granting a pension to James D. White; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2760) granting a pension to John B. Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 2761) for the relief of M. W. McCord; to the Committee on Claims.

By Mr. PETERSEN: A bill (H. R. 2762) authorizing the payment of certain moneys to Henry Dice; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 2763) for the relief of Sanford Kirkpatrick; to the Committee on Claims.

Also, a bill (H. R. 2764) granting a pension to Mariah Dell Schooley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2765) granting a pension to Effie Wall; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 2766) authorizing the Secretary of War to donate to the city of Williamsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2767) authorizing the Secretary of War to donate to the city of Tyrone, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2768) authorizing the Secretary of War to donate to the city of Tyrone, State of Pennsylvania, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 2769) authorizing the Secretary of War to donate to the city of Johnstown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 2770) for the relief of Marion Banta; to the Committee on Claims.

Also, a bill (H. R. 2771) for the relief of William McCormack; to the Committee on Military Affairs.

By Mr. SEARS: A bill (H. R. 2772) granting a pension to Pauline Gove; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2773) for the relief of J. N. Lummus and C. L. Huddleston; to the Committee on Claims.

By Mr. SWING: A bill (H. R. 2774) granting a pension to Eleanor Peel; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Colorado: A bill (H. R. 2775) authorizing the Secretary of War to donate to the town of Walden, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2776) authorizing the Secretary of War to donate to the town of Cortez, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2777) authorizing the Secretary of War to donate to the town of Fairplay, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2778) authorizing the Secretary of War to donate to the town of Buena Vista, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2779) authorizing the Secretary of War to donate to the town of Eagle, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2780) authorizing the Secretary of War to donate to the town of Hot Sulphur Springs, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2781) authorizing the Secretary of War to donate to the town of Rico, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2782) authorizing the Secretary of War to donate to State normal school, of Gunnison, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2783) authorizing the Secretary of War to donate to the city of Grand Junction, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2784) authorizing the Secretary of War to donate to the city of Glenwood Springs, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2785) authorizing the Secretary of War to donate to the town of Pagosa Springs, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2786) authorizing the Secretary of War to donate to the town of Meeker, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2787) authorizing the Secretary of War to donate to the town of Steamboat Springs, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2788) authorizing the Secretary of War to donate to the city of Montrose, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2789) authorizing the Secretary of War to donate to the city of Salida, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2790) authorizing the Secretary of War to donate to the city of Durango, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2791) authorizing the Secretary of War to donate to the city of Leadville, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2792) authorizing the Secretary of War to donate to the town of Breckenridge, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2793) authorizing the Secretary of War to donate to the town of Aspen, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2794) authorizing the Secretary of War to donate to the town of Rifle, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2795) authorizing the Secretary of War to donate to the town of Mancos, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2796) authorizing the Secretary of War to donate to the town of Gunnison, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2797) authorizing the Secretary of War to donate to the town of Ouray, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2798) authorizing the Secretary of War to donate to the town of Telluride, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2799) authorizing the Secretary of War to donate to the town of Silverton, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2800) authorizing the Secretary of War to donate to the city of Delta, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 2801) granting a pension to Julia Hollingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2802) granting a pension to William Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2803) granting a pension to Flora Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2804) granting a pension to Richard Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2805) granting a pension to Arbany Terry; to the Committee on Pensions.

Also, a bill (H. R. 2806) granting a pension to Charles Payne; to the Committee on Pensions.

Also, a bill (H. R. 2807) granting a pension to Mary B. Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2808) granting a pension to James Cantrell; to the Committee on Pensions.

Also, a bill (H. R. 2809) granting a pension to Nannie Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2810) granting a pension to Mary Callaway; to the Committee on Pensions.

Also, a bill (H. R. 2811) granting a pension to William Allen; to the Committee on Pensions.

Also, a bill (H. R. 2812) granting a pension to Eliza Sharp; to the Committee on Pensions.

Also, a bill (H. R. 2813) granting a pension to Sidney T. Dobbins; to the Committee on Pensions.

Also, a bill (H. R. 2814) granting a pension to James H. Buckner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2815) granting a pension to Hiram M. Graves; to the Committee on Pensions.

Also, a bill (H. R. 2816) granting a pension to James M. Farris; to the Committee on Pensions.

Also, a bill (H. R. 2817) granting a pension to Ebb Hundley; to the Committee on Pensions.

Also, a bill (H. R. 2818) granting a pension to Emma McDaniel; to the Committee on Pensions.

Also, a bill (H. R. 2819) granting a pension to P. R. Bright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2820) granting a pension to Isabella McGhee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2821) granting a pension to John McGhee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2822) granting a pension to LaFayette McFarland; to the Committee on Pensions.

Also, a bill (H. R. 2823) granting a pension to F. W. Gerding; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2824) granting an increase of pension to Earle W. Brown; to the Committee on Pensions.

Also, a bill (H. R. 2825) granting an increase of pension to Elizabeth L. M. Miller; to the Committee on Pensions.

Also, a bill (H. R. 2826) granting a pension to Nora Meredith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2827) to carry out the findings of the Court of Claims in the case of Shadrach T. Harris for three months' pay proper; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 2828) granting a pension to Emma Esterline; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 2829) authorizing the Secretary of War to donate to the county of Boone, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2830) authorizing the Secretary of War to donate to the county of Madison, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2831) authorizing the Secretary of War to donate to the county of Searcy, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2832) authorizing the Secretary of War to donate to the county of Marion, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2833) authorizing the Secretary of War to donate to the county of Benton, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2834) authorizing the Secretary of War to donate to the county of Washington, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2835) authorizing the Secretary of War to donate to the county of Van Buren, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 2836) granting a pension to Julia T. Griswold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2837) granting a pension to Martha A. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2838) granting a pension to Maria F. Tighe; to the Committee on Pensions.

Also, a bill (H. R. 2839) granting a pension to Sarah S. Morse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2840) granting a pension to Mary L. Brill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2841) for the relief of Charles Lynch; to the Committee on Military Affairs.

Also, a bill (H. R. 2842) granting an increase of pension to Mary J. Milton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2843) granting a pension to Alexander B. Murphy; to the Committee on Pensions.

By Mr. VINSON: A bill (H. R. 2844) authorizing the Secretary of War to donate to the city of Sparta, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2845) authorizing the Secretary of War to donate to the city of Sandersville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2846) authorizing the Secretary of War to donate to the city of Crawfordville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2847) authorizing the Secretary of War to donate to the city of Louisville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2848) authorizing the Secretary of War to donate to the city of Tennille, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2849) authorizing the Secretary of War to donate to the city of Harlem, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2850) authorizing the Secretary of War to donate to the city of Lincolnton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2851) authorizing the Secretary of War to donate to the city of Milledgeville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2852) authorizing the Secretary of War to donate to the city of Gibson, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2853) authorizing the Secretary of War to donate to the city of Irwinton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2854) authorizing the Secretary of War to donate to the city of Warrenton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2855) authorizing the Secretary of War to donate to the city of Thomson, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2856) providing for survey of the Savannah River below Augusta, Ga.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2857) to provide a preliminary survey of the Savannah River at Augusta, Ga., with the view to the control of its floods; to the Committee on Flood Control.

Also, a bill (H. R. 2858) granting an increase of pension to Clark Brown; to the Committee on Pensions.

Also, a bill (H. R. 2859) granting an increase of pension to James H. Stevens; to the Committee on Pensions.

Also, a bill (H. R. 2860) granting an increase of pension to William F. Epps; to the Committee on Pensions.

By Mr. WEBSTER: A bill (H. R. 2861) authorizing the Secretary of War to grant to Lloyd E. Gandy, of Spokane, Wash., his heirs and assigns, the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., on such terms as may be prescribed by the Secretary of War, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 2862) granting an increase of pension to William Sondergaard; to the Committee on Pensions.

By Mr. WILSON: A bill (H. R. 2863) granting a pension to Oscar M. Simpkins; to the Committee on Pensions.

Also, a bill (H. R. 2864) authorizing the Secretary of War to donate to the cities and towns in Louisiana, German cannon and fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 2865) authorizing the Secretary of the Interior to sell and patent to J. D. Calhoun, of Lincoln Parish, La., certain lands; to the Committee on the Public Lands.

Also, a bill (H. R. 2866) authorizing the Secretary of the Interior to sell and patent to parties named herein certain lands in Louisiana; to the Committee on the Public Lands.

By Mr. BUTLER: Joint resolution (H. J. Res. 47) authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy, at Annapolis, Mr. Jose A. de la Torriente, a citizen of Cuba; to the Committee on Naval Affairs.

SENATE.

WEDNESDAY, *April 13, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee for the providences which surround us and which contribute so much to our comfort and inspiration. Grant that this day may be freighted with those happy omens of Thine own direction, and help us in all things to glorify Thee. For Thy great name's sake. Amen.

HENRY W. KEYES, a Senator from the State of New Hampshire, appeared in his seat to-day.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

FINDINGS OF COURT OF CLAIMS (S. DOC. NO. 2).

The VICE PRESIDENT laid before the Senate a communication from the assistant chief clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by said court in the case of William W. Danenhower against the United States, which was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. SMOOT presented a resolution of the Legislature of Utah, which was referred to the Committee on Immigration, as follows:

STATE OF UTAH,
EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, H. E. Crockett, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint memorial 1 as appears on file in my office.

It witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 1st day of March, 1921.

[SEAL.] H. E. CROCKETT, *Secretary of State.*

House joint memorial 1.

Petitioning the Congress of the United States to pass such legislation as will prohibit, with certain exceptions, the further immigration of oriental aliens and safeguard rights of States to enact such legislation respecting acquisition, succession to, and disposition of lands within their borders.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memoralists, the governor and the Legislature of the State of Utah, respectfully represent that—

Whereas during recent years there has arisen in our Western States a very grave problem in connection with immigration and civic rights of oriental aliens; and

Whereas these oriental aliens will always remain separate and distinct from our own people, and there exists a social chasm between them and the white people that will never be successfully crossed, and their presence in large numbers in our midst will always be a source of trouble; and

Whereas certain of our sister States have found it necessary to enact legislation looking to the solution of this problem and the protection of the rights of their own citizens: Now, therefore, be it

Resolved by the Legislature of the State of Utah (both houses concurring), That we hereby indorse and commend the recent firm stand taken by the State of California upon this question, and disapprove and condemn the making of any treaty or other agreement between the United States and any oriental nation, or the enactment of any law by Congress by the terms of which the right to citizenship shall be extended to the people of any oriental nation; and be it further

Resolved, That we favor and urge Congress to enact a law or to take any other action that may be found necessary and proper that will prohibit the further immigration of the subjects of oriental nations to the United States, save and except students, merchants, teachers, and their servants and employees; and be it further

Resolved, That in any treaty or agreement hereafter to be made with any oriental nation the right of any State to enact legislation respecting the acquisition, succession to, and disposition of lands within the borders of such State by aliens must always be recognized and safeguarded.

The foregoing house joint memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 24th day of February, 1921.

THOMAS E. MCKAY,
President of the Senate.

Attest:

Q. B. KELLY,
Secretary of Senate.

The foregoing house joint memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 24th day of February, 1921.

E. R. CALLISTER,
Speaker of the House.

Attest:

C. R. BRADFORD,
Chief Clerk of the House.

Received from the house this 26th day of February, 1921.
Approved March 1, 1921.

CHAS. R. MABEY, *Governor.*

Received from the governor and filed in the office of the secretary of state this 1st day of March, 1921.

H. E. CROCKETT, *Secretary of State.*

Mr. BALL presented a resolution of the Legislature of Delaware, favoring governmental action in the interest of the public for control of industries that produce prime necessities of civilization, such as coal, which was referred to the Committee on Manufactures.

(For resolution see yesterday's proceedings, p. 135, when presented by Mr. WOLCOTT.)

He also presented a resolution of the Legislature of Delaware, favoring substantial recognition for ex-service men, which was referred to the Committee on Finance.

(For resolution see yesterday's proceedings, p. 135, when presented by Mr. WOLCOTT.)

Mr. CURTIS (for Mr. ODDIE) presented two resolutions of the Legislature of Nevada, which were referred to the Committee on Public Lands, as follows:

Assembly joint resolution memorializing the Congress of the United States to grant the State of Nevada 1,500,000 acres of land for the permanent school fund of the State.

Whereas there is in the State of Nevada 54,267,175 acres of unappropriated and unreserved Government land, an area far in excess of any other State in the Union; and

Whereas by an act approved June 16, 1880, Congress granted to the State of Nevada 2,000,000 acres in lieu of the unsold lands in the sixteenth and thirty-sixth sections in the State, estimated at 3,841,500 acres; and

Whereas in the acceptance of the said grant of 2,000,000 acres the State incurred a loss of 1,841,500 acres: Be it therefore

Resolved by the assembly (the senate concurring), That the Representatives in the Congress of the United States from the State of Nevada be, and they are, requested to use their most active and energetic efforts to secure for the State of Nevada a grant of at least 1,500,000 acres for the benefit of the permanent school fund, to be disposed of under the present laws and regulations governing the sales and disposition of State lands of the State of Nevada.

Resolved, That his excellency the secretary of state of the State of Nevada be requested to transmit copies of the foregoing preamble and resolution to the President of the Senate and to the Speaker of the House of Representatives and to our Senators and Representative in Congress.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHARLES S. CHANDLER,
Speaker of the Assembly.
DAN E. MORTON,
Chief Clerk of the Assembly.

Approved March 8, 1921.

EMMET D. BOYLE, *Governor.*

Assembly joint resolution.

Resolved by the assembly (the senate concurring), That Senate bills 4925 and 4926, introduced into the Senate of the United States of America by Hon. REED SMOOT, Senator from the State of Utah, which said bills are designed to prevent the cancellation by the Secretary of the Interior of applications for permits in the event of the discovery of oil within the district before the permits have been granted under the terms of the United States oil-leasing act, be indorsed by the Legislature of the State of Nevada, and that our Senators and Representative in Congress are urged to use every endeavor to secure the passage and approval of the same; and be it further

Resolved, That a duly certified copy of this resolution be transmitted by the secretary of state of the State of Nevada to the Hon. REED SMOOT and to our Senators and Representative in Congress.

MAURICE J. SULLIVAN,
President of the Senate.
T. R. HOFER,
Secretary of the Senate.
CHAS. S. CHANDLER,
Speaker of the Assembly.
DAN E. MORTON,
Chief Clerk of the Assembly.

Approved March 11, 1921.

EMMET D. BOYLE.

STATE OF NEVADA,
Department of State, ss:

I, George Brodigan, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 12, now on file and of record in this office.

In witness whereof, I have hereunto set my hand and affixed the great seal of State, at my office, in Carson City, Nev., this 14th day of March, A. D. 1921.

GEORGE BRODIGAN,
Secretary of State.
By R. W. BURRIS, *Deputy.*

Mr. CURTIS (for Mr. ODDIE) also presented a resolution of the Legislature of Nevada, favoring legislation amending the transportation act of 1920, so as to protect and preserve the powers of the several States with relation to intrastate rates, services, and facilities and the local affairs of common carriers within the States, etc., which was referred to the Committee on Public Lands.

He also (for Mr. ODDIE) presented a resolution of the Legislature of Nevada, favoring the truth-in-fabric bill, which was referred to the Committee on Interstate Commerce.

(For resolution see yesterday's proceedings, p. 136, when presented by Mr. PITTMAN.)

Mr. CURTIS (for Mr. ODDIE) presented a resolution of the American Association for Recognition of the Irish Republic, of Reno, Nev., favoring legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

Mr. PHIPPS presented a resolution of the Legislature of Colorado, which was referred to the Committee on Finance, as follows:

Senate joint resolution 15.

Memorializing the Congress of the United State to refrain from placing a duty on lumber imported from the Dominion of Canada.

Whereas the present housing shortage is a matter of deep national concern, the stimulation of home construction being a vital need of the Nation, and anything that would add to the already high cost of building should fall of legislative sanction; and

Whereas the cost of lumber production in the United States is lower than in any country in the world, the American mill, therefore, needing no tariff to protect it; and

Whereas a duty placed on lumber imported from Canada would operate to increase the cost to the ultimate consumer and thereby permit the increased financial burden to thousands of farmers and home builders of this country for the benefit of a selected few; and

Whereas such a tariff is against the best interests and general welfare of the public, would compel excessive depletion of our own timber resources and would invite retaliatory measures on the part of Canada to the extreme detriment of all lines of manufactures: Therefore be it

Resolved by the Senate of the Twenty-third General Assembly of the State of Colorado (the House of Representatives concurring), That the Senate and House of Representatives of the United States be, and there hereby are, urged to refrain from placing a duty on lumber imported from the Dominion of Canada; and be it further

Resolved, That a copy of these resolutions be sent to each Member of the United States Senate and House of Representatives from Colorado, to the President of the Senate, and the Speaker of the House of Representatives, to the Finance Committee of the Senate, and to the Ways and Means Committee of the House of Representatives.

EARL COOLEY,
President of the Senate.
ROY A. DAVIS,
Speaker of the House of Representatives.

Approved April 5, 1921.

OLIVER H. SHOUP,
Governor of Colorado.

Mr. LADD presented a resolution of the Legislature of North Dakota, which was referred to the Committee on the Judiciary, as follows:

Resolution on metric system introduced by Mr. O. C. Gross by request.

Whereas there is in the United States a deplorable lack of uniformity in weights and measures, and the units used are unscientific, cumbersome, and unrelated, constituting an actual hindrance to education, industry, world trade, and the activities of daily life; and

Whereas the metric system of weights and measures is a decimal system, simple, logical, and easy to use, so that its adoption will result in an incalculable saving in time and energy; and

Whereas the metric system has been adopted by the vast majority of enlightened nations, and its adoption by the United States is calculated to promote friendly relations and commerce with all the world; and

Whereas the State of North Dakota, by reason of its great commercial and industrial activities, is vitally interested, both as a State and in behalf of its citizens, in the speedy adoption of world-wide uniform standards of weights and measures: Now, therefore, be it

Resolved, That the State Senate of the State of North Dakota respectfully urges that the units of the metric system be adopted by the Congress of the United States as the legal standard of weights and measures after a transition period of 10 years, as proposed in bills now before Congress; and be it further

Resolved, That copies hereof be forwarded to the President of the United States of America and to the Senators and Representatives of the State of North Dakota in the Congress of the United States.

I, W. J. Prater, secretary of the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, do hereby certify that the foregoing resolution on metric system was adopted in the senate.

W. J. PRATER,
Secretary of the Senate.

Mr. LADD also presented a resolution of the Legislature of North Dakota, which was referred to the Committee on Commerce, as follows:

Concurrent resolution.

Whereas it is proposed to make such improvement in the St. Lawrence as to make the Great Lakes accessible to ocean-going commerce; and

Whereas this improvement will in effect bring the State of North Dakota hundreds of miles nearer the world's markets; and

Whereas as there are within the State great resources that lie wholly undeveloped while the production of all things is diminished or retarded by distance from markets; and

Whereas because our producers and the consuming public have alike suffered enormous losses in the last year by transportation shortage and failure; and

Whereas because by reason of these conditions the transportation situation constitutes an emergent need; and

Whereas as a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement: Therefore be it

Resolved by the Senate and House of Representatives of the State of North Dakota, That the State of North Dakota is properly associated in the above-named organization with its neighboring Commonwealths in pressing to advance this undertaking, and that the action of the governor in so declaring is hereby approved and confirmed, and the participation of this State by the governor and those who represent him in the council of these States is approved;

Resolved, That the Representatives of this State in the Congress of the United States be requested to facilitate and expedite in every possible way the prosecution of this undertaking for the economic freedom of a landlocked continent.

This is to certify that the foregoing concurrent resolution originated in the Senate of the Seventeenth Legislative Assembly of the State of North Dakota, the House of Representatives concurring therein, and was adopted.

H. R. WOOD,
President of the Senate.
W. J. PRATER,
Secretary of the Senate.
L. L. MITCHELL,
Speaker of the House of Representatives.
C. LOVENSON,
Chief Clerk of the House of Representatives.

Mr. JONES of Washington presented a resolution of the Legislature of Washington, which was referred to the Committee on Finance, as follows:

Senate joint memorial 9.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, respectfully represent that—

Whereas the State of Washington was among the first to recognize, in a practical manner, the obligation of the Government to award compensation to those who served honorably in the armed forces of the United States at some time during the war with the Imperial German Government; and

Whereas the House of Representatives of the United States also recognized the principle of awarding adjusted compensation to those who served as aforesaid by its passage on May 29, 1920, of House bill No. 14157, commonly known as the fourfold optional plan of adjusted compensation, which bill is now pending in the Senate of the United States; and

Whereas the following bills are also before Congress, to wit: House bill No. 13558, known as the Wason bill, providing for certain changes in the administration of war-risk insurance; House bill No. 10835, known as the Stevenson bill, providing for the retirement of disabled emergency or reserve corps officers on the same basis as that granted to officers of the Regular Army; and the Rogers bill, providing for the consolidation and coordination of the Bureau of War Risk Insurance, the Rehabilitation Division of the Federal Board for Vocational Education, and the United States Public Health Service to be placed under the jurisdiction of the Department of the Interior:

Now, therefore, your memorialists, the Senate and House of Representatives of the State of Washington, respectfully petition the Senate of the United States to pass House bill No. 14157, and we further petition your honorable body to pass with the utmost dispatch the other bills hereinbefore mentioned. And your memorialists will ever pray. Be it

Resolved, That the secretary of state of the State of Washington is hereby directed to transmit copies of this memorial to the presiding officer of the United States Senate, the Speaker of the House of Representatives, and to each Senator and Representative in Congress from the State of Washington.

Passed by the senate February 18, 1921.

WM. J. COYLE,
President of the Senate.

Passed by the house March 8, 1921.

E. H. GUIE,
Speaker of the House.

Mr. McLEAN presented a petition of Nathan Hale Memorial Chapter, Daughters of the American Revolution, of East Haddam, Conn., praying for the enactment of legislation for the protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also presented a petition of Hannah Woodruff Chapter, of Southington, Conn., praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

He also presented memorials of St. Joseph Society, of Torrington; Court Isabelle No. 585, National Order of Daughters of Isabella, of Middletown; Holy Name Society of the Sacred Heart Parish, of Bridgeport; St. Agnes Ladies' Total Abstinence and Benevolence Society, of New Haven; Holy Name Society of St. Patrick's Church, of Bridgeport; Young Ladies' Sodality, of Winsted; executive council of L'Union des Franco-Americans, of Waterbury; Villa Maria Council, No. 149, of L'Union St. Jean Baptiste d'Amerique, of Waterbury; and La Concorde Council, No. 114, of L'Union St. Jean Baptiste d'Amerique, of Putnam, all in the State of Connecticut, remonstrating against the enactment of legislation creating a department of education, which were referred to the Committee on Education and Labor.

He also presented a resolution of the metal-trade workers of New Haven, Conn., favoring immediate resumption of trade with soviet Russia, which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Chamber of Commerce of New Haven, Conn., remonstrating against the enactment of legislation creating a Federal live-stock commission, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of New Haven, Conn., favoring the so-called daylight saving law, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Northwest Mining Convention, held at Spokane, Wash., favoring legislation for the protection of the monetary gold reserve, etc., which was referred to the Committee on Finance.

He also presented a resolution of the New London Ship & Engine Co., of Groton, Conn., opposing the sales tax imposed on pleasure craft, which was referred to the Committee on Finance.

He also presented a petition of the Riverside Committee of Memorial Week for Disabled Soldiers, of Riverside, Conn., praying for the enactment of legislation for the benefit of sick and injured veterans of the World War, which was referred to the Committee on Finance.

He also presented resolutions of Meriden Permanent Building & Loan Association and the Fourth Meriden Building & Loan Association, both of Meriden, Conn., favoring legislation amending the income tax laws which will exempt annual incomes to the extent of $500 when derived from investments in a domestic building and loan association, which were referred to the Committee on Finance.

He also presented petitions of MacSwiney Council of the American Association for Recognition of the Irish Republic, of Bridgeport; Kevin Barry Council, American Association for Recognition of the Irish Republic, of Waterbury, both in the State of Connecticut; American Association for Recognition of the Irish Republic, of Newark, N. J.; Division No. 1, Ancient Order of Hibernians, of East Hartford; and the American Association for Recognition of the Irish Republic, of New Britain, all in the State of Connecticut, praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented memorials of the pastor and trustees of the German Baptist Church, of Meriden; the pastor and trustees of the English Lutheran Church, of New Haven; German Catholic Sick Benefit Society, of Waterbury; and Harmonia Lodge, No. 2, O. D. H. S., of Meriden, all in the State of Connecticut, protesting against conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which were referred to the Committee on Foreign Relations.

Mr. KENYON presented a resolution of the Legislature of Iowa, which was referred to the Committee on Commerce, as follows:

Concurrent resolution relating to the proposed improvement of the Great Lakes and St. Lawrence River for the purpose of providing water transportation for the products of the Mississippi Valley to the markets of the coast and of the Old World.

Whereas by joint action of Canada and the United States it is proposed to make such improvement in the St. Lawrence as to make the Great Lakes accessible to ocean-going commerce; and as this improvement will in effect bring the State of Iowa hundreds of miles nearer the world's markets; and

Whereas our producers and the consuming public have alike suffered enormous losses in the last year by transportation shortage and failure; and by reason of these conditions the transportation situation constitutes an emergent need; and

Whereas a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement: Be it

Resolved by the house (the senate concurring), That the State of Iowa is properly associated in the above-named organization with its neighboring Commonwealths in urging this undertaking;

That the Representatives of this State in the Congress of the United States be requested to facilitate and expedite in every proper way the prosecution of this undertaking for the economic freedom of a land-locked continent;

That a copy of this resolution be forwarded to our Senators and Representatives in the Congress of the United States.

ARCH W. MCFARLANE,
Speaker of the House.
JOHN HAMMILL,
President of the Senate.

I hereby certify that this concurrent resolution was introduced in the house on March 16, 1921, and adopted, and was concurred in by the senate on March 17, 1921.

A. C. GUSTOPON,
Chief Clerk of the House.

Mr. ELKINS presented a resolution of the Business Men's Association of Fairmont, W. Va., favoring legislation providing for a 1-cent drop-letter rate in cities, towns, and rural routes, which was referred to the Committee on Post Offices and Post Roads.

Mr. HARRELD presented a resolution of the Legislature of Oklahoma, which was referred to the Committee on Interstate Commerce, as follows:

STATE OF OKLAHOMA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, Joe S. Morris, secretary of state of the State of Oklahoma, do hereby certify that the following and hereto attached is a true copy of house concurrent resolution No. 12 of the Eighth Legislature of the State of Oklahoma passed by the house March 2, 1921, and passed by the senate March 9, 1921, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of State.

Done at the city of Oklahoma City this 14th day of March, A. D. 1921.

[SEAL.]

JOE S. MORRIS,
Secretary of State.
C. J. KENDLE,
Assistant Secretary of State.

House concurrent resolution 12.

Memorializing Congress of the United States to nullify certain orders of the Interstate Commerce Commission affecting intrastate railroad rates and to amend the act to regulate commerce so as to render such orders in the future impossible.

Whereas in the so-called Esch-Pomerene bill to amend the act to regulate commerce it was provided that the Interstate Commerce Commission should have authority to make such orders as might in its judgment tend to remove any undue burden upon interstate or foreign commerce; and

Whereas there was widespread apprehension, both in Congress and with the public generally, that the inclusion of such a provision would almost, if not entirely, eliminate State control of intrastate railroad rates for the reason that the commission might decide that any intrastate rates upon a lower basis than corresponding interstate rates would constitute such undue burden; and

Whereas after much debate upon the question, both in committee and upon the floor of the House of Representatives, it was decided that such objectionable provision should be, and the same was, stricken out of the bill; and

Whereas the Interstate Commerce Commission has since the passage of the transportation act, 1920, interpreted section 13 (4) of the act to regulate commerce, to confer upon it the same power over intrastate rates which it was feared would result had said undue burden clause been included; and, purporting to act under the authority of said section, the commission has already made orders purporting to change entire systems of intrastate rates in the States of New York, Illinois, Minnesota, and Wisconsin, and has many similar proceedings now pending before it; and

Whereas the reasons given by the commission for the orders in question would apply wherever intrastate rates are upon a lower basis than the corresponding interstate rates, so that, under its interpretation of said section 13 (4), the legislatures of the several States have been deprived of substantially all power to regulate intrastate rates; and

Whereas the construction placed upon said section is not only in contravention of the tenth amendment to the Constitution of the United States, but is directly contrary to the will of Congress as evidenced by its action when it removed said undue burden clause from the Esch-Pomerene bill: Wherefore it is

Resolved by the House of Representatives of the State of Oklahoma (the Senate concurring), That the Congress of the United States be, and it is hereby, respectfully and earnestly petitioned to take such action as will nullify the orders of the Interstate Commerce Commission hereinabove mentioned and to so amend the act to regulate commerce as to render such orders impossible in the future.

Resolved, That the secretary of state of Oklahoma be, and he is hereby, directed to transmit a certified copy of this resolution to each United States Senator and each Representative in Congress of the State of Oklahoma.

Passed by the house of representatives this 2d day of March, 1921.

GEO. B. SCHWABE,
Speaker of the House of Representatives.

Passed by the senate this 9th day of March, 1921.

T. C. SIMPSON,
President pro tempore of the Senate.

Correctly enrolled:

I. L. HARRIS,
Chairman of Committee on Enrolled and Engrossed Bills.

Mr. HARRIS presented a resolution of the Commercial Traffic Managers' Association, of Macon, Ga., favoring legislation amending the transportation laws, so as to extend the period in which overcharge claims may be entered and collected until March 1, 1922, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the South Atlantic Coastal Highway Association, of Brunswick, Ga., favoring legislation granting additional appropriations for the construction of public roads, which was referred to the Committee on Post Offices and Post Roads.

Mr. MOSES presented a memorial of the First Presbyterian Church, of Manchester, N. H., protesting against conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by a meeting of the citizens of Claremont, N. H., favoring legislation for the relief of the disabled soldiers, sailors, and marines of the World War, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution of the National Wool Growers' Association, of Salt Lake City, Utah, favoring the truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of Cherokee Lodge No. 370, Brotherhood of Railroad Trainmen, of Parsons, Kans., protesting against a repeal of the excess-profits tax and enactment of a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of Red Top Local No. 632, Kansas Division of Farmers' Educational and Cooperative Union of America, of Brownell, Kans., favoring legislation placing a high tariff on agricultural products, which was referred to the Committee on Finance.

Mr. COLT presented a petition of sundry citizens of Rhode Island, praying for the enactment of legislation reestablishing the second naval district, which was referred to the Committee on Naval Affairs.

He also presented a resolution of Central Labor Union of Newport, R. I., favoring legislation to reestablish the second naval district, which was referred to the Committee on Naval Affairs.

He also presented a resolution of East Providence Post, No. 21, American Legion, of East Providence, R. I., praying for the enactment of legislation providing for the care of wounded and disabled veterans of the World War, which was referred to the Committee on Finance.

Mr. KEYES presented a resolution of the committee on agriculture of the Legislature of New Hampshire, favoring tariff legislation to include such measures of protection as shall preserve to New England a healthy and prosperous agriculture, which was referred to the Committee on Finance.

He also presented a memorial of Division No. 335, Brotherhood of Locomotive Engineers, of Concord, N. H., protesting against a repeal of the excess-profits tax and to substitute a single sales tax, which was referred to the Committee on Finance.

Mr. NELSON presented a resolution of the Turners' Building Association, of Minneapolis, Minn., favoring legislation amending the income tax laws exempting annual income up to $500 when derived from investments in a domestic building and loan association, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens in and near Austin, Minn., praying for the enactment of legislation for the recognition of the Irish republic, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 575) to encourage the building of homes by providing for exemption from taxation of the income on mortgages on real estate; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 576) to convey to the city of Portland, State of Oregon, the old post-office building in the city of Portland, to be converted into a public park and maintained as a memorial to soldiers, sailors, and marines who lost their lives in the World War; to the Committee on Public Buildings and Grounds.

By Mr. STERLING:

A bill (S. 577) to prohibit the prosecution of claims against the United States by former Government employees; and

A bill (S. 578) to prevent the nullification of State anti-gambling laws by international or interstate transmission of bets and betting odds on horse races and other contests; to the Committee on the Judiciary.

A bill (S. 579) to amend section 9 of the Federal reserve act, as amended by the act approved June 21, 1917; to the Committee on Banking and Currency.

A bill (S. 580) to allow credit for husbands' military service in case of homestead entries by widows, and for other purposes; to the Committee on Public Lands.

A bill (S. 581) to repeal the act prohibiting increased pay under lump-sum appropriations to employees transferred within one year; and

A bill (S. 582) to repeal section 5 of the act approved June 22, 1906, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes"; to the Committee on Civil Service and Retrenchment.

By Mr. BORAH:

A bill (S. 583) for the relief of Lyn Lundquist; to the Committee on Public Lands.

A bill (S. 584) for the relief of Elijah Stroud;

A bill (S. 585) for the relief of Aaron Kibler; and

A bill (S. 586) for the relief of Alvin Harder; to the Committee on Military Affairs.

A bill (S. 587) granting a pension to Mrs. H. A. Whittington;

A bill (S. 588) granting an increase of pension to Ira N. Levalley;

A bill (S. 589) granting an increase of pension to Benjamin Williams;

A bill (S. 590) granting an increase of pension to Edward Flannery;

A bill (S. 591) granting a pension to John Hermo; and

A bill (S. 592) granting an increase of pension to Joseph N. Foster; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 593) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. WARREN:

A bill (S. 594) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; to the Committee on Public Lands.

A bill (S. 595) for the relief of Archie B. and Gladys B. Darling; and

A bill (S. 596) for the relief of Con Murphy; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 598) granting a pension to Margaret Pinkham; to the Committee on Pensions.

By Mr. HARRISON:

A bill (S. 599) to authorize the purchase of Federal farm loan bonds by the Secretary of the Treasury; to the Committee on Banking and Currency.

Mr. HARRISON subsequently said: Mr. President, the bill that I introduced a moment ago authorizing an appropriation of $100,000,000 for the purchase of farm loan bank bonds was referred to the Committee on Banking and Currency. Since the bill relates to a matter which eventually will come before the Appropriations Committee, I ask unanimous consent that the bill be referred to that committee.

The VICE PRESIDENT. Without objection, the reference will be changed and the bill so referred.

By Mr. FLETCHER:

A bill (S. 600) for the consolidation of forest lands within the Florida National Forest;

A bill (S. 601) for releasing and quitclaiming of all claims of the United States to arpent lot No. 28 in the old city of Pensacola, Fla.;

A bill (S. 602) for releasing and quitclaiming all claims of the United States to the west 144 feet of arpent lot 79, old city of Pensacola, Escambia County, Fla.; and

A bill (S. 603) for releasing and quitclaiming all claims of the United States to lot 319 in the old city of Pensacola, situated on the south side of Garden Street, between Alcaniz and Tarragona Streets; to the Committee on Public Lands.

A bill (S. 604) to provide for a site and public building at Fort Myers, Fla.;

A bill (S. 605) providing for a site and building at Arcadia, Fla.;

A bill (S. 606) increasing the limit of cost for a Federal building at Apalachicola, Fla.;

A bill (S. 607) for the purchase of a site for and the erection of a post-office building at Quincy, Fla.;

A bill (S. 608) for the erection of a post-office building at De Funiak Springs, Fla.;

A bill (S. 609) for the purchase of a site for and erection of a post-office building at Tarpon Springs, Fla.; and

A bill (S. 610) to increase the cost of the public building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

A bill (S. 611) granting a pension to Fleming R. Moodie;

A bill (S. 612) granting a pension to Isabel Romero Rockwell;

A bill (S. 613) granting an increase of pension to Sarah V. Cribb;

A bill (S. 614) granting an increase of pension to Mertina Andrew;

A bill (S. 615) granting an increase of pension to Josiah Roberts;

A bill (S. 616) granting a pension to Ida L. Fay;

A bill (S. 617) granting an increase of pension to William Genovar;

A bill (S. 618) to increase the pensions of surviving soldiers of the various Indian wars; and

A bill (S. 619) to increase the pensions of widows of soldiers of the various Indian wars; to the Committee on Pensions.

A bill (S. 620) to extend rediscount privilege to farm loan bonds, promote their sale, and for other purposes; to the Committee on Banking and Currency.

A bill (S. 621) to amend section 206(c) of an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920; to the Committee on Interstate Commerce.

A bill (S. 622) to establish a national conservatory of music for the education of pupils in music in all its branches, vocal and instrumental, and for other purposes; to the Committee on Education and Labor.

A bill (S. 623) to repeal certain provisions of an act entitled "An act to provide revenue, and for other purposes," approved February 24, 1919; to the Committee on Finance.

(By request.) A bill (S. 624) to regulate the practice of the science of chiropractic in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 625) for the relief of W. H. Overocker; and

A bill (S. 626) prescribing certain qualifications of postmasters of offices of the first, second, and third class; to the Committee on Post Offices and Post Roads.

A bill (S. 627) to establish and maintain a forest experiment station in the State of Florida; and

A bill (S. 628) to provide for the protection and preservation of the United States bird reservation on Passage Key at the entrance of Tampa Bay, Fla.; to the Committee on Agriculture and Forestry.

A bill (S. 629) to authorize the Federal courts of the United States to render declaratory judgments;

A bill (S. 630) to provide for the incorporation of certain companies engaged in foreign trade;

A bill (S. 631) to amend the act approved February 7, 1916, entitled "An act providing for the maintenance of the United States section of the International High Commission"; and

A bill (S. 632) to further protect interstate and foreign commerce against bribery and other corrupt trade practices; to the Committee on the Judiciary.

A bill (S. 633) to authorize the establishemnt and the erection of a Coast Guard station on the east coast of Florida at or in the Government Cut, Miami Beach, Dade County;

A bill (S. 634) to authorize the Department of Commerce, by the National Bureau of Standards, to examine and test manufactured articles or products for the owner or manufacturer thereof, to issue a certificate as to the nature and quality of such manufactured articles or products, and to prevent the illegal use of such certificate;

A bill (S. 635) to amend section 4433 of the Revised Statutes of the United States, relative to working steam pressure allowable on boilers in steam vessels, and section 4418 of the Revised Statutes of the United States, relating to hydrostatic test of steam boilers; and

A bill (S. 636) to authorize the establishment and the erection of a Coast Guard station on the east coast of Florida at or in the vicinity of Lake Worth Inlet; to the Committee on Commerce.

A bill (S. 637) to protect Government documents by copyright; and

A bill (S. 638) to give effect to certain provisions of the Convention for the Protection of Trade-Marks and Commercial Names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes; to the Committee on Patents.

A bill (S. 639) for the relief of the Estes Shoe Co., of St. Augustine, Fla.;

A bill (S. 640) for the relief of Luanna Ross;

A bill (S. 641) for the relief of Mary E. Boyd;

A bill (S. 642) for the relief of the H. W. Davis Co., of St. Augustine, Fla.;

A bill (S. 643) for the relief of Jessie M. White;

A bill (S. 644) for the relief of Frank A. Kopp;

A bill (S. 645) for the relief of Edward J. Fisher;

A bill (S. 646) for the relief of Emma LaMee;

A bill (S. 647) for the relief of the owners of the dredge *Maryland;* and

A bill (S. 648) for the relief of the heirs of Paul Norton; to the Committee on Claims.

By Mr. DIAL:

A bill (S. 649) to authorize the President of the United States to appoint Marion C. Raysor an officer of the Army (with accompanying papers); to the Committee on Military Affairs.

(By request.) A bill (S. 650) for the relief of Elizabeth R. Nicholls and Joanna L. Nicholls, heirs of Joshua Nicholls, deceased; to the Committee on Claims.

By Mr. HARRIS:

A bill (S. 651) for the relief of Ethel Williams; and

A bill (S. 652) for the relief of Janie Beasley; to the Committee on Claims.

By Mr. KEYES:

A bill (S. 653) making an appropriation for the purchase of property adjoining the Federal building at Keene, N. H.;

A bill (S. 654) to provide for the purchase of a site and the erection thereon of a public building at Claremont, in the State of New Hampshire; and

A bill (S. 655) to acquire by purchase, condemnation, or otherwise, additional land for the Federal building at Manchester, N. H., and to construct an addition thereon; to the Committee on Public Buildings and Grounds.

A bill (S. 656) to create a bureau of aeronautics in the Department of the Navy; to the Committee on Naval Affairs.

By Mr. NELSON:

A bill (S. 657) to amend section 1014 of the Revised Statutes of the United States so as to authorize the issue of a warrant for the arrest and removal of persons under indictment for offenses against the United States; to the Committee on the Judiciary.

A bill (S. 658) to amend section 5146 of the Revised Statutes, relative to the qualification of bank directors; to the Committee on Banking and Currency.

By Mr. NORRIS:

A bill (S. 659) to create a Federal Live Stock Commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HARRELD:

(By request.) A bill (S. 660) authorizing the United States Court of Claims to hear, adjudicate, and determine any claims of the Eastern and Emigrant and Western Cherokee Indians and Creek and Seminole Indians of Indian Territory, now Oklahoma, for any moneys, lands, and interest found due said Indians; to the Committee on Indian Affairs.

A bill (S. 661) for the relief of Arthur Frost; to the Committee on Claims.

(By request.) A bill (S. 662) to allow the Delaware Tribe of Indians in Oklahoma to prosecute certain claims against the Government in the Court of Claims of the United States; and

(By request.) A bill (S. 663) to compensate the Delaware Indians for services rendered by them to the United States in various wars; to the Committee on Indian Affairs.

By Mr. BORAH:

A bill (S. 664) to protect persons in the exercise of certain privileges and immunities guaranteed and secured by the Constitution of the United States; to the Committee on the Judiciary.

A bill (S. 665) to provide for free tolls for American ships through the Panama Canal; to the Committee on Interoceanic Canals.

A bill (S. 666) to encourage the establishment of farms and suburban homes by veterans of the World War; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. SWANSON:

A bill (S. 667) for the relief of John B. H. Waring; to the Committee on Military Affairs.

By Mr. KENDRICK:

A bill (S. 668) for the relief of J. S. Van Doren (with an accompanying paper); to the Committee on Claims.

A bill (S. 669) authorizing the Northern Arapahoe Tribe and the Northern Cheyenne Tribe of Indians to submit claims to the Court of Claims (with an accompanying paper); to the Committee on Indian Affairs.

A bill (S. 670) providing for an exchange of lands between the Swan Land & Cattle Co. and the United States (with an accompanying paper); and

A bill (S. 671) to add certain lands to the Ashley National Forest; to the Committee on Public Lands.

By Mr. BROUSSARD:

A bill (S. 672) granting an increase of pension to Jules J. Toffier (with an accompanying paper); and

A bill (S. 673) granting an increase of pension to John Belony (with an accompanying paper); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 674) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. MOSES:

A bill (S. 675) to create the World War Memorial Commission, and for other purposes; to the Committee on the Library.

A bill (S. 676) to prevent and punish the desecration, mutilation, or improper use of the flag of the United States of America;

A bill (S. 677) providing for an additional session of the Congress on the 5th of March following the election of such Congress; and

A bill (S. 678) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 679) for preventing the manufacture, sale, or transportation of adulterated, mislabeled, or misbranded linseed oil, turpentine, or paint; to the Committee on Manufactures.

A bill (S. 680) to establish a national park to be known as the Mississippi Valley National Park, near Prairie du Chien, Wis., and McGregor, Iowa; to the Committee on Public Lands.

A bill (S. 681) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and to regulate the expenditure of moneys that shall be appropriated for such purposes; to the Committee on Education and Labor.

A bill (S. 682) to amend sections 2, 7, 9, 10, 11, 12, 13, and 32 of the Federal farm loan act, approved July 17, 1916, as amended, and to amend sections 2, 3, 4, 9, 11, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23, and 24 of the United States warehouse act, approved August 11, 1916, as amended; to the Committee on Banking and Currency.

By Mr. COLT:

A bill (S. 683) granting a pension to Elizabeth M. Reynolds; and

A bill (S. 684) granting an increase of pension to Margaret Kearney (with accompanying papers); to the Committee on Pensions.

A bill (S. 685) to remove the charge of desertion from the military record of Albert F. Smith, deceased; and

A bill (S. 686) to remove the charge of desertion from the military record of Charles E. Dennis (with accompanying papers); to the Committee on Military Affairs.

By Mr. McKINLEY:

A bill (S. 687) granting a pension to William Lyon; and

A bill (S. 688) granting a pension to Newton Ernest McElvain (with accompanying papers); to the Committee on Pensions.

By Mr. LADD:

A bill (S. 689) authorizing the Indians residing on or belonging to the Turtle Mountain Reservation, N. Dak., to submit claims to the Court of Claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. CALDER:

A bill (S. 690) to amend section 1 of the act to regulate commerce, approved February 4, 1887, as amended; to the Committee on Interstate Commerce.

By Mr. ELKINS:

A bill (S. 691) for the purchase or construction of a suitable building to be used for residential and office purposes by the Vice President of the United States; to the Committee on Public Buildings and Grounds.

A bill (S. 692) legalizing the issuance of free transportation and service to eleemosynary institutions and charitable organizations; to the Committee on the District of Columbia.

A bill (S. 693) making the 11th day of November of each year a legal holiday; and

A bill (S. 694) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

A bill (S. 695) to authorize the retirement of enlisted men of the Army, Navy, and Marine Corps for disability; and

A bill (S. 696) granting an honorable discharge to William H. Sites, alias William H. Johnson, deceased; to the Committee on Military Affairs.

A bill (S. 697) for the relief of Barbara Kurner;

A bill (S. 698) for the relief of Bessie Reese;

A bill (S. 699) for the relief of parties who lost war-savings stamps, which were in the possession of the Ansted National Bank, of Ansted, W. Va.;

A bill (S. 700) for the relief of Lottie Adeline Cross; and

A bill (S. 701) to carry out the findings of the Court of Claims in the case of Asa S. Hugill; to the Committee on Claims.

A bill (S. 702) granting an increase of pension to Otto H. Michaelson;

A bill (S. 703) granting an increase of pension to John S. Kenney;

A bill (S. 704) granting an increase of pension to James Forsyth Harrison;

A bill (S. 705) granting an increase of pension to Grant H. Hill;

A bill (S. 706) granting a pension to Annie Gilmore;

A bill (S. 707) granting a pension to John W. Gilpin;

A bill (S. 708) granting an increase of pension to John P. Fetty;

A bill (S. 709) granting an increase of pension to Lydia M. Fleming;

A bill (S. 710) granting an increase of pension to Jess Musgrave;

A bill (S. 711) granting a pension to James C. Cline;

A bill (S. 712) for the relief of soldiers, sailors, and Army nurses of the War with Spain, their widows and dependents;

A bill (S. 713) granting an increase of pension to Robert L. Boseley;

A bill (S. 714) granting an increase of pension to David D. Arnold;

A bill (S. 715) granting an increase of pension to Bernard Brady;

A bill (S. 716) granting an increase of pension to Mary E. Moore;

A bill (S. 717) granting an increase of pension to Cora C. O'Neill;

A bill (S. 718) granting a pension to Francis M. Britton;

A bill (S. 719) granting a pension to Mary E. Prine; and

A bill (S. 720) granting a pension to Lottie M. Steele; to the Committee on Pensions.

By Mr. COLT:

A bill (S. 721) to refer the claim of the State of Rhode Island for expenses during the War with Spain to the Court of Claims for adjudication; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 722) to grant certain lands to the city of Miles City, State of Montana, for use by said city for park, recreation, community, and camping purposes;

A bill (S. 723) for the relief of James Duffy;

A bill (S. 724) for the relief of Henry J. Davis;

A bill (S. 725) for the relief of Orion Mathews;

A bill (S. 726) for the relief of George Emerson; and

A bill (S. 727) for the relief of Peter S. Kelly; to the Committee on Military Affairs.

A bill (S. 728) for the consolidation of lands within the Jefferson National Forest;

A bill (S. 729) providing for noncontiguous homestead entries within the former Fort Peck Indian Reservation, Mont., of land of the character described in the enlarged homestead act of February 19, 1909;

A bill (S. 730) adding certain lands to the Beaverhead National Forest, Mont.;

A bill (S. 731) to provide for the addition of certain public lands to the Lewis and Clark National Forest in Montana;

A bill (S. 732) to extend the provisions of section 2455, Revised Statutes, to the lands within the abandoned Fort Buford Military Reservation, in the States of North Dakota and Montana;

A bill (S. 733) to amend an act approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands";

A bill (S. 734) to provide for the payment for certain lands within the former Flathead Indian Reservation, in the State of Montana;

A bill (S. 735) providing for enlarged homesteads in forest reserves and for additional homesteads;

A bill (S. 736) giving the right to an additional homestead to all persons who have exhausted or who shall exhaust their original right of entry through the purchase of Indian lands;

A bill (S. 737) for the relief of Delilah Siebenaler;

A bill (S. 738) authorizing any land-grant railroad company, or its successors, to convey for public-road purposes certain parts of its right of way; and

A bill (S. 739) authorizing the Secretary of the Interior to sell and convey to the Great Northern Railway Co. certain lands for stockyards, and for other purposes, at Browning Station, in the State of Montana; to the Committee on Public Lands.

By Mr. SPENCER:

A bill (S. 740) granting an increase of pension to Henry Chapple (with accompanying papers); to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 741) to provide for refunding and consolidating that portion of the public debt of the United States of America represented by its bonds known as Liberty bonds and Victory notes, and for other purposes; to the Committee on Finance.

By Mr. ELKINS:

A bill (S. 742) providing for the equalization of pensions to former soldiers, sailors, marines, and Army nurses of the Mexican, Indian, Civil, Spanish, and World Wars, their widows and dependents; to the Committee on Pensions.

By Mr. BORAH:

A joint resolution (S. J. Res. 17) authorizing the President of the United States to advise the Governments of Great Britain and Japan that the Government of the United States is ready to take up with them the question of disarmament, etc.; and

A joint resolution (S. J. Res. 18) authorizing the President of the United States to invite the Governments of Great Britain and Japan to send representatives to a conference which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs shall be substantially reduced during the next five years; to the Committee on Foreign Relations.

By Mr. DIAL (by request):

A joint resolution (S. J. Res. 19) for the relief of Elizabeth R. Nicholls and Joanna L. Nicholls, heirs of Joshua Nicholls; to the Committee on Claims.

By Mr. WALSH of Montana:

A joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available; to the Committee on Indian Affairs.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 21) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. McCORMICK:

A joint resolution (S. J. Res. 22) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920; to the Commitee on Naval Affairs.

By Mr. WARREN:

A joint resolution (S. J. Res. 23) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit; to the Committee on Military Affairs.

By Mr. MOSES:

A joint resolution (S. J. Res. 24) tendering the thanks of Congress to Lieut. Commander Albert Cushing Read, United States Navy, for his achievement in completing the first trans-Atlantic airplane flight; to the Committee on Naval Affairs.

FOREIGN TRADE ZONES.

Mr. JONES of Washington. Mr. President, I am about to introduce a bill to which I desire to call the attention of the Senator from Pennsylvania [Mr. PENROSE]. I am in hearty accord with his desire and purpose to see that the various measures introduced are referred to the proper committees which have jurisdiction over the respective subject matters. The bill I introduce was introduced in the last Congress, at which time the Senator interposed an objection as to its reference, which I think he subsequently withdrew. It was originally introduced a great many years ago and referred to the Committee on Commerce, and a report was made to the Senate without recommendation. I think the report was presented by the then Senator Chandler. It is a bill with regard to the establishment, operation, and maintenance of foreign-trade zones in ports of entry, and so forth. I introduce the bill and ask that it lie over until to-morrow, when I hope that the Senator will look into the matter, and if he then feels that the bill should go to the Committee on Finance, that question will have to be determined by the Senate.

Mr. PENROSE. Mr. President, perhaps I can tell the Senator now. I was interrupted while he was speaking. Will he kindly tell me what the bill is?

Mr. JONES of Washington. It is a bill to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, and so forth. The Senator expressed the opinion in the last Congress when a similar measure was introduced that it should be referred to the Finance Committee. I have no desire to have it referred to the Committee on Commerce if it should not go there. So I ask the Senator to look into it. It is quite different from the bill that was originally introduced. I introduce the bill and ask that it lie on the table, and we can take up to-morrow the question of its reference and determine where it should go.

Mr. PENROSE. Very well.

There being no objection, the bill (S. 597) to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, was read twice by its title and ordered to lie on the table.

PEACE WITH GERMANY.

Mr. KNOX introduced a joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes, which was read twice by its title and referred to the Committee on Foreign Relations.

Mr. MOSES. I ask unanimous consent that the joint resolution may be printed in the RECORD.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Resolved, etc., That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States, and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end: *Provided, however*, That all property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in or has since that date come into the possession or under control of the Government of the United States or of any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States and no disposition thereof made, except as shall have been heretofore or specifically hereafter be provided by Congress, until such time as the German Government has, by treaty with the United States, ratification whereof is to be made by and with the advice and consent of the Senate, made suitable provisions for the satisfaction of all claims against the German Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States, and who have suffered, through the acts of the German Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also provisions granting to persons owing permanent allegiance to the United States, most-favored-nation treatment, whether

the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and confirming to the United States all fines, forfeitures, penalties, and seizures imposed or made by the United States during the war, whether in respect to the property of the German Government or German nationals, and waiving any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States and Germany to the contrary notwithstanding.

SEC. 2. That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States, although it has not ratified the treaty of Versailles, reserves all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals have become entitled, including the right to enforce the same under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof, or which under the treaty of Versailles have been stipulated for its benefit or to which it is entitled as one of the principal allied and associated powers.

SEC. 3. That the joint resolution of Congress approved December 7, 1917, "declaring that a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States, and making provisions to prosecute the same," be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

The VICE PRESIDENT. There is on the table for reference the bill (S. 13) to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes.

Mr. STERLING. Does the Senator from Wyoming object to the reference of the bill to the Committee on Civil Service and Retrenchment?

Mr. WARREN. I think it had better go over another day, because other papers connected with it have not yet been submitted.

Mr. STERLING. I had hoped the Senator would not object to the reference at this time. However, I think it may take some time to consider it and I am willing to waive the matter now and allow it to go over another day.

The VICE PRESIDENT. The bill will remain on the table for the present.

Mr. WARREN. Very well.

FOREIGN DEPOSITARIES OF PUBLIC MONEYS.

The VICE PRESIDENT. There is also on the table for reference the joint resolution (S. J. Res. 7) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States.

Mr. McLEAN. Mr. President, I introduced a similar joint resolution at the last session at the instance of the Secretary of the Treasury and it was referred to the Committee on Banking and Currency, reported to the Senate and passed, but did not pass the House. I introduced it yesterday at the instance of the Secretary of the Treasury. It authorizes the Secretary to designate banking institutions in foreign countries to act as depositaries of foreign and domestic funds. It seems to me it might properly go to the Committee on Banking and Currency or the Committee on Finance. I have no desire to ask that the Committee on Banking and Currency shall assume any responsibilities that the Senator from Pennsylvania [Mr. PENROSE] wishes for his committee, and if he desires to have the joint resolution go to the Committee on Finance, I certainly have no objection. I have merely stated the history of the measure.

Mr. PENROSE. Mr. President, I ask the Senator to excuse me; I was otherwise engaged and did not observe that he was addressing the Senate. I understood that the Senator was to look up the practice in connection with this particular measure.

Mr. McLEAN. A similar joint resolution was referred to the Committee on Banking and Currency at the last session at the instance of the Secretary of the Treasury, reported to the Senate, passed the Senate, but failed to pass the House. Secretary Mellon wrote me the other day that he would like to have it reintroduced, and I introduced it yesterday.

Mr. PENROSE. Prior to that, my recollection is, that legislation of this character went to the Committee on Finance.

Mr. McLEAN. That may be true; I have not had an opportunity to look it up; but, as I said, if the Senator desires it to go to the Committee on Finance I have no disposition to interfere.

Mr. PENROSE. Mr. President, the discussion is entirely amicable. Both the Senator from Connecticut and I are members of the Committee on Finance and the Committee on Banking and Currency. But I am extremely solicitous that correct and parliamentary references shall be made of bills and that we shall start right in the present Congress. The performances in the Senate toward the end of the last session of Congress were in my opinion a parliamentary scandal. Measures of very great magnitude and importance relating to financial matters were actually taken up by the Committee on Agriculture and Forestry, and in one instance submitted to this body and voted on and passed without reference to any committee. There was apparently no use to make a protest against it. Everything had become so slipshod and careless that the practice was, in my opinion, unworthy of any body dominated by Anglo-Saxon people under the parliamentary inheritance of a thousand years.

All I wish to have is regularity and decency. It has never been my nature to do anything that anyone else was willing to do, and I therefore cheerfully agree, having made this moderate protest, that the Committee on Banking and Currency shall retain the joint resolution.

Mr. McLEAN. I was about to move that it be referred to the Committee on Finance, but I am always glad to please the Senator from Pennsylvania, and as he has his motion in first I shall not object.

Mr. PENROSE. The best way to please me is that I may witness the Senator from Connecticut doing work that he seems now to wish to put on me. I will amend the motion to the effect that the joint resolution shall be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. The question is on the motion to refer the joint resolution to the Committee on Banking and Currency.

The motion was agreed to.

Mr. HEFLIN subsequently said: Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Chair will hear it.

Mr. HEFLIN. What disposition was made of the motion of the Senator from Pennsylvania [Mr. PENROSE]? I did not hear the Chair make an announcement of the result of the vote.

The VICE PRESIDENT. The motion was agreed to and the joint resolution was referred to the Committee on Banking and Currency.

HEARINGS BEFORE COMMITTEE ON APPROPRIATIONS.

Mr. WARREN submitted the following resolution (S. Res. 33), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations, or any subcommittee thereof, is authorized, during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. NORRIS submitted the following resolution (S. Res. 34), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON CIVIL SERVICE AND RETRENCHMENT.

Mr. STERLING submitted the following resolution (S. Res. 35), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Civil Service and Retrenchment, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON COMMERCE.

Mr. JONES of Washington submitted the following resolution (S. Res. 36), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON IMMIGRATION.

Mr. COLT submitted the following resolution (S. Res. 37), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Immigration, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost of not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. TOWNSEND submitted the following resolution (S. Res. 38), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

ASSISTANT CLERK OF COMMITTEE ON COMMERCE.

Mr. JONES of Washington submitted the following resolution (S. Res. 39), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce be, and it is hereby, authorized to employ an assistant clerk at the rate of $2,000 per annum, to be paid out of the contingent fund of the Senate, during the present session of the Sixty-seventh Congress.

THE DADE MASSACRE.

Mr. FLETCHER submitted the following resolution (S. Res. 40), which was referred to the Committee on Printing:

Resolved, That the paper entitled "The Dade Massacre," by Frederick Cubberly, together with the accompanying maps and illustrations, be printed as a public document.

HEARINGS BEFORE COMMITTEE ON THE JUDICIARY.

Mr. NELSON submitted the following resolution (S. Res. 42), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

METHOD OF INTRODUCTION OF PRIVATE BILLS.

Mr. MOSES submitted a concurrent resolution (S. Con. Res. 1), which was read as follows:

Resolved by the Senate (the House of Representatives concurring), That legislation dealing with pensions, either original or increases, with private claims, with the distribution of war trophies to municipalities or organizations, and with matters not of a public nature shall hereafter be initiated by petition upon suitable forms provided for that purpose, which petition shall be referred to its appropriate committee without printing other than by title in the CONGRESSIONAL RECORD, and that any bill resulting therefrom shall be printed only when reported favorably by the committee.

The VICE PRESIDENT. The concurrent resolution will be referred to the Committee on Printing.

Mr. REED. Mr. President, the concurrent resolution which has just been read, providing as it does for the conditions under which certain bills may be introduced, should not, in my opinion, be referred to the Committee on Printing. It is not a resolution which relates fundamentally to printing but it relates to the procedure of this body.

Mr. MOSES. Is the Senator about to suggest that the concurrent resolution be referred to the Committee on Rules?

Mr. REED. Yes.

Mr. MOSES. I have no objection to that reference, Mr. President.

Mr. REED. The matter of printing is an incident. When it is proposed that a Senator can not introduce here any kind of a bill he wants under any circumstances it gets to a question far beyond printing. I do not desire to discuss the merits of the matter now.

Mr. MOSES. Mr. President, the Senator quite misunderstands the purpose of the measure. The purpose of the measure is not at all to prevent the introduction of any kind of business. The purpose of the measure is to reduce the printing expense of the Congress by about $80,000 a year. Everything can be done just as it has been done heretofore, except that we shall not have to print this mass of bills as they are introduced.

I will say to the Senator from Missouri that there were introduced in the last Congress a total of about 13,000 bills of this nature, and it cost $7 apiece to print them. This would constitute a return to the former practice, where all pension legislation was initiated by petition, just as this resolution proposes. It happens now that the great bulk of legislation of the character described in this resolution is already handled in an omnibus bill reported from the appropriate committee, so that no rights whatsoever will be lost, and a great sum of money will be saved.

Mr. SMOOT and Mr. FLETCHER addressed the Chair.

Mr. REED. Just a moment; I have the floor. I have no desire to discuss this matter now. I simply think the resolution ought to go to the Committee on Rules.

Mr. MOSES. I have no objection to that reference. It should go to the Committee on Printing; but I have no objection to its going to the Committee on Rules, being a member of each committee.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that the purpose is to avoid printing what we know as private pension bills. The resolution proposes that they shall be referred to the committee before printing.

Mr. MOSES. Yes.

Mr. REED. I understand that is stated to be the purpose. That may be a very good purpose, but the resolution contains this language:

That legislation dealing with pensions, * * * and with matters not of a public nature, shall hereafter be initiated by petition, upon suitable forms provided for that purpose, which petition shall be referred to its appropriate committee without printing.

I do not know what that means. It seems to me that it has something to do with the way a bill is introduced. I should like to know something about it before it is passed.

Mr. MOSES. If the Senator wishes to go on with the discussion of the matter——

Mr. McCUMBER. I call for the regular order.

The VICE PRESIDENT. The regular order is called for. The introduction of concurrent or other resolutions is in order.

Mr. REED. Mr. President, where does this resolution land? That is the regular order, I think.

Mr. McCUMBER. I understand that there is no disagreement about the reference; that it is to go to that committee.

Mr. REED. Does the resolution go to the Committee on Rules?

The VICE PRESIDENT. Without objection, the concurrent resolution will be referred to the Committee on Rules.

PROPOSED SALES TAX.

Mr. SMOOT. Mr. President, yesterday I introduced what is known as the sales tax bill, and had not time to make a brief explanation of it. I ask consent of the Senate now that I be allowed a few minutes to explain the bill, and I will say that I shall take only a very few minutes. I do not expect to go into a detailed explanation of the bill, but I want to make a brief statement as to its provisions.

Mr. McCUMBER. Mr. President, will the Senator allow me to interrupt him? The Senator from Minnesota [Mr. KELLOGG] gave notice yesterday that immediately upon the close of the morning business to-day he would address the Senate on the subject of the Colombian treaty. He has been waiting now for considerably over half an hour, and it seems to me that the Senate ought to accord to him the courtesy of going on at the close of the morning business.

Mr. BRANDEGEE. Mr. President, I saw the Senator from Minnesota last night, and he agreed with me that he would defer his remarks on that question, which have to be made in executive session, as I understood him, in order that the rule might be discussed.

Mr. KELLOGG. Oh, no, Mr. President; I misunderstood the Senator, entirely. If he is going to bring up business that will take all the afternoon, I can not give way.

Mr. BRANDEGEE. I certainly understood the Senator to say, "Very well; go ahead with the rule."

Mr. KELLOGG. Oh, no. I have no objection to the rule being taken up, but if the rule is going to be discussed all the afternoon I certainly can not give way.

Mr. BRANDEGEE. Of course, the Senator understands that the mere giving of notice that he will address the Senate does not give him the privilege of the floor. It is perfectly immaterial to me, but I do not desire to misquote the Senator. I simply stated what was my understanding.

Mr. KELLOGG. I did not understand the Senator in that way. I have no objection to the rule being taken up, but I shall ask for the floor as soon as the morning business is over.

Mr. SMOOT. I desire to speak before the Senate goes into open executive session. I have only 10 pages here, and I assure the Senator that I will take only a few minutes.

Mr. McCUMBER. I think the Senator ought to yield to a notice that has already been given.

Mr. SMOOT. I will say to the Senator that I gave notice on Monday that I would speak on yesterday. If there is no objection, I will proceed.

Mr. McCUMBER. I object.

COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. FRANCE. Mr. President, a parliamentary inquiry. Has the morning business been closed?

The VICE PRESIDENT. It has not been closed. The introduction of concurrent and other resolutions is in order.

Mr. FRANCE. If the Senator will yield, I desire to offer an amendment to the rules for reference to the Committee on Rules. I gave notice yesterday that I should offer an amendment to the rules. I now offer that amendment, and ask that it be referred to the Committee on Rules.

The VICE PRESIDENT. Without objection, it will be so referred.

Mr. PENROSE. Let it be read.

Mr. McCUMBER. I call for the regular order.

Mr. PENROSE. Let it be read, Mr. President.

The VICE PRESIDENT. The Secretary will read the proposed amendment of the rules.

The resolution (S. Res. 41) was read and referred to the Committee on Rules, as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be amended by adding, at the end of paragraph 1, after the words "A Committee on Territories and Insular Possessions, to consist of 13 Senators," the following:

"A Committee on Public Health and National Quarantine, to consist of 11 Senators."

PROPOSED SALES TAX.

Mr. SMOOT. Now, Mr. President, I ask unanimous consent that I be allowed to proceed with my remarks upon the sales tax bill.

The VICE PRESIDENT. Is there objection?

Mr. McCUMBER. I object, Mr. President.

The VICE PRESIDENT. There is an objection. The regular order is the introduction of concurrent or other resolutions. [A pause.] If there be no further morning business, the morning business is closed.

TREATY WITH COLOMBIA.

Mr. LODGE. I move that the Senate proceed, in open executive session, to consider the treaty with Colombia.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. KELLOGG. Mr. President, I sincerely regret that circumstances compel me to state to the Senate the reasons why I can not vote for the ratification of this treaty. I had hoped that a new treaty would be negotiated on a basis consistent with the honor of the Nation; but there is an evident desire to press for the ratification of this treaty.

In the long letter written by former Senator Fall to the Senator from Massachusetts [Mr. LODGE] on the 21st of March, 1921, which constituted a large part of the Senator's speech yesterday, Senator Fall said that he understood the chief opposition or attack on this treaty would be, first, by those friends of Col. Roosevelt who thought the ratification of the treaty would be a reflection upon him; second, the fact that the treaty was being supported by the oil interests; and, third, because they demanded the reasons for certain Senators changing their position.

I shall not even discuss the last matter. That is a matter for every Senator to decide for himself. I do not care whether the oil interests are supporting the treaty or not, and I shall not discuss that proposition. I do not, of course, oppose this treaty entirely because I believe it a reflection upon the administration of President Roosevelt, as much as I loved and honored him in his lifetime and revere his memory.

Mr. President, I am opposed to this treaty because it writes the word "shame" across the pages of American history. I am opposed to this treaty because it is an acknowledgment of guilt, and I believe we are not guilty. I am opposed to this treaty because I do not believe the good will and friendship of nations is to be bartered in international markets. It is, rather, to be won by honorable dealing. If we have wronged Colombia, we should apologize. If we have not wronged Colombia, we should not.

Mr. President, I inquire at the outset, Why are we paying $25,000,000 to Colombia? Disguise it as you may, the verdict of history will be that we are paying this sum as compensation to Colombia for the loss of Panama, under the claim that we encouraged the revolution, violated her rights under the treaty of 1846 and under international law, and wrested from her by force one of her Provinces. This was substantially the claim made by the distinguished Senator from Colorado, Mr. Thomas, I believe in January or February of this year, in a long speech in this Chamber. He claimed, as a reason for the ratification of this treaty, that we had violated our treaty with Colombia and encouraged the revolution, and he laid at the door of Col. Roosevelt these unlawful acts. It was the only argument he made for ratification of the treaty.

But, Mr. President, it is well understood by the public, and the press announced, that this treaty is to be adopted to compensate Colombia for the loss of Panama. The people of this country and of the world will so understand it.

Now, let me state the issue at the outset. In 1903, after being authorized by the Congress to do so, President Roosevelt negotiated a treaty with Colombia for the acquisition of the French rights to the construction of the Panama Canal. The United States was to pay $10,000,000 and an annuity of $250,000 per annum. That treaty was ratified by the Senate. But in October, 1903, the Colombian Congress refused to ratify it, for reasons which I shall discuss. Thereupon Panama revolted, and set up a separate government, which was recognized by the United States according to the principles of international law, and also recognized by all the leading nations of the world, including substantially all of the South American Republics; every one, I believe, except Colombia.

We made a treaty with Panama for the construction of the canal, and paid her the same compensation we had previously agreed to pay Colombia. The canal was built, and for 17 years we have consistently, as a Nation, made the claim that our action was entirely legal in this respect.

Now, what is the position of Colombia? She has always been consistent. She claimed in 1903, and ever since has claimed, that the United States violated her treaty of 1846 with New Granada, to which Colombia succeeded; that we failed to maintain her sovereignty over Panama, that we violated the principles of neutrality by intervening with armed forces, and prevented Colombia from putting down the rebellion, and that we are responsible, and should make reparation to Colombia—now I quote her exact language—"for all the moral, physical, and financial losses which she sustained by reason of her separation from Panama."

This position she has iterated and reiterated. Mr. President, she not only has always taken that position but she took that position, as I will show, immediately before Mr. Bryan negotiated this treaty, and that is what he agreed to pay twenty-five millions for, as I will show by the correspondence between the two countries.

I have no wish to bring this into politics, but I might add that this position of Colombia has been taken by the principal Democratic leaders in the Senate of the United States since 1904, and I assume that the Democratic Party is now to be congratulated on finally getting some of the leaders of the Republican Party to agree with them. Whatever comfort they may get out of that they are entitled to. But the Democratic Party, as represented by many distinguished men in this body, has never changed its position, as I will show.

I do not say that every Senator on the Democratic side claimed that we violated our treaty and wrested Panama from Colombia. As I will show, it was not true of the distinguished Senator from North Carolina [Mr. SIMMONS] or the former Senator from Arkansas, Mr. Clarke.

Mr. President, this issue has never been changed. Immediately following the events of 1903 in Panama, on November 18, 1903, Senator Morgan, of Alabama, introduced a resolution in the Senate declaring that a state of war existed between Colombia and Panama; that Colombia refused to recognize the validity of the act of secession, and was engaged in military and naval operations to assert and enforce her claim of the supreme right of government over that territory; that if she was not prevented by some powerful foreign nation—the United States, of course—she was manifestly able to maintain her effort to repress the rebellion and to sustain her sovereignty over Panama; that the United States had entered into a treaty with Panama containing a clause as follows:

The United States guarantees and will maintain the independence of the Republic of Panama.

Then the resolution contained this statement:

That said stipulation is in effect a declaration of war with Colombia and is not within the limits of any power conferred upon the President by the act of Congress or the Constitution or the laws of the Nation.

Further, the resolution stated that the President had no lawful right or power, without the consent of Congress, to use the military and naval forces of the United States to prevent Colombia from enforcing her claim of sovereignty, and in sub-

stance that the United States was guilty of armed intervention in violation of the rights of neutrality.

But a very important resolution was introduced by Senator Bacon, of Georgia, in which he requested the President to negotiate a treaty to adjust the differences between the United States and Colombia growing out of the revolution in Panama, and I quote from the resolution as follows:

And that full and complete compensation may be made by the United States to the Republic of Colombia for the loss of her sovereignty and property rights in Panama so far as the same may be shown to be due to any act of the United States through the land or naval forces of the same.

Mr. President, it is not surprising that Colombia looked to the Democratic Party as its champion, and turned to them in 1913 to grant her rights and to make reparation for the loss of Panama. Mr. Clifford Smythe, the former consul general at Cartagena, reported that the President of Colombia said:

The people of Colombia still hope that actual conflict may be averted through Democratic intervention in the Senate. * * * Personally I count on the assistance of the Democratic Party and the great American people to save the sacred rights of Colombia which have been so scandalously wounded.

Mr. President, you will notice that the great debate which took place in the Senate in 1904 was not alone on the ratification of the treaty. The issue then was exactly the same as it is to-day: Did we wrong Colombia? Is it our duty to compensate Colombia? The resolution of Senator Bacon demanded that we should provide such compensation, and it has been the position of the leading men on that side of the Chamber ever since, and was the position of Mr. Bryan when he negotiated the treaty.

Mr. President, the issue then, as I have said, was exactly as it is to-day. A great debate took place in the Senate, participated in on the Democratic side by Senators Morgan, Bacon, Carmack, Daniel, Stone, Teller, and others, and on the Republican side by Senators Lodge, Spooner, Foraker, Aldrich, Hale, McCumber, Fairbanks, Dolliver, and others. The issue was squarely framed at the time and has never changed. All the facts were before the Senate and were publicly discussed by these distinguished statesmen in a debate which for ability and great learning has rarely if ever been exceeded in this body.

I could not add anything to the facts or the arguments of those distinguished statesmen, most of whom have passed from the stage of action, and my only excuse for taking the time of the Senate is to restate propositions which have been accepted by the Congress and the American people for nearly 20 years.

If this Government was guilty of the acts charged by the minority party in 1903 and 1904, we should have made reparation then. If the treaty which is now submitted to the Senate is a good treaty at this date, it was a good treaty eight years ago, when negotiated by the Democratic administration. I realize as much as anyone that our foreign relations should not be made the subject of partisan strife, but they were so made in 1903 and 1904, and were so made by the negotiation of this treaty immediately after the inauguration of President Wilson in 1913.

I do not claim that all Democratic Senators took this position. A notable exception was the distinguished Senator from North Carolina [Mr. SIMMONS], now an honored Member of this body. While he did not in all respects agree with the administration in power in 1903, his speech on the occasion of the debate, in the main, supported the attitude of President Roosevelt, and showed a broad-minded statesmanship, for which he is noted. I wish to recall to the Senate the language of the Senator from North Carolina. His speech was so at variance with the position taken by some of his colleagues that I ask the indulgence of the Senate while I read certain quotations:

I have heard of no contention nor intimation that Panama did not have the legal right to make this treaty. Some question has been made about the authority of the President, under the Spooner Act, to make it on behalf of this Government, but none has been made, and, in my judgment, none can be made, to Panama's right in the premises, for when we recognized the independence of Panama, and shortly thereafter practically all of the other great nations of the world, including Nicaragua, her competitor for the canal, joined us in that recognition, whether that recognition was rightful or wrongful, whether in accordance with international law or in contravention of it, Panama became an independent and sovereign State, with all the rights and powers which sovereignty implies, including, of course, the treaty-making power.

* * * * * * *

I do not think, therefore, Mr. President, that the Hay-Varilla treaty can be assailed on the ground of lack of power in the President to contract as he has contracted in this treaty with Panama. Neither do I think what the President may have done so far as present information discloses in connection with the revolution in or the recognition of Panama is sufficient reason, in law or in conscience, for the defeat of this treaty, otherwise altogether satisfactory.

The Senator took the position that we had a legal right to negotiate the treaty with Panama for the cession of the canal rights. Then he said:

Mr. President, I can not find it in my heart to blame the Panamans seceding from Colombia. If oppression, if tyranny, if despotism ever justified revolutions, they were justified in revolution. They were bound to a State which had never felt or shown any interest in them or in their welfare. They were forced to pay ruinous taxes with only nominal representation, without receiving in return any of the benefits of taxation in government or administration, in public improvements, or in the education of the people.

The canal was their only hope for relief from the miserable and wretched conditions to which Colombia's greed and tyranny had reduced them, and even that the Government at Bogota denied them.

Perhaps their first aspirations for freedom were wrong, but our forefathers under like conditions did not think so. Perhaps they should have submitted supinely to oppression, but our forefathers under similar conditions struck for liberty and, with the help of France, achieved it.

On the other hand, Mr. President, I can not enthuse over the alleged wrongs of Colombia. The treaty we made with her was of her own seeking. It was signed by her authorized agents, with full knowledge of its contents. It provided for the construction upon her own territory of the greatest work of internal and international improvement and development ever essayed by man.

By duplicity and treachery she defeated that treaty, not because she did not want the canal and would not have gladly taken it upon the terms provided therein but because she wanted in an indirect way to extort more money from us or the Panama Canal Co., or perhaps from both.

Her treachery toward Panama and toward us in this canal matter illustrates both her traditional policy toward Panama and her standard of diplomacy. In all of her history I know of nothing to excite the admiration of any humane man or any patriotic, liberty-loving American citizen.

The last clause of his speech, which I wish to read, is as follows:

Mr. President, when I consider the wrongs Colombia has perpetrated against Panama, and when I consider this last great act of indifference to the welfare of that long-suffering people, the conclusion forces itself upon me that when Colombia lost the canal, when Panama succeeded in establishing her independence, the eternal principles of right and righteousness once again prevailed.

Mr. President, if that was true then, it is true to-day. Colombia has not changed her position. Immediately prior to the negotiation of this treaty by Mr. Bryan, the President of Colombia declared as follows:

Nine years ago the Government of the United States, in violation of a solemn treaty, took Panama, our richest asset, from us by armed intervention.

And in a report of Minister DuBois to Mr. Bryan, he stated that the President of Colombia said:

Colombia desires either the arbitration of the whole Panama question or a direct settlement involving the payment of all loss sustained by the separation of Panama, and we firmly believe that the Democratic Party, which has always deprecated the great injustice inflicted upon us by the Panama incident, will promptly and generously right that wrong.

They attempted to do it, and the question is, Will we ratify that treaty?

It was in the light of that report and the demand of the President of Colombia that this treaty was negotiated, and I am willing to submit to the verdict of the American people whether the treaty does not provide for such payment and compensation.

Mr. President, I am not so much concerned about the pecuniary loss to the United States—deeply as we are involved in debt and burdened by taxation—as I am concerned about the fair name of the United States. I am concerned lest we go on record by the pusillanimous act of this ratification, and thereby cast a shadow on the brightest page of the history of American accomplishments. I am concerned because by this act we will place a stain upon the name and fame of one of America's greatest Presidents.

Since that memorable day on September 25, 1513, when Balboa looked out upon the Pacific from the heights of the Isthmus, the search for a short route to the Orient has engaged the attention and stirred the imaginations of men. For more than a hundred years past the consummation of this project—the construction of a canal to link the two oceans—engrossed the leading nations of the world. There came a day when there was a man occupying the presidential chair with vision, with determination, who saw clearly the pathway of duty and what it would mean to this country and to the world to accomplish this great object. When the mists of passion have passed away and the lapse of time enables future generations to see clearly history will give him his proper place, and this will be one of the great acts of his administration, one of the great accomplishments of the century in which he lived. No man since Lincoln has exercised a greater influence than Roosevelt. He came nearer to knowing, in his daily life, and sharing the hopes, the aspirations and motives which move the great mass of the people and work out the destiny of nations than any man of his time. In his intercourse with other nations he was broad-minded, just, and ever jealous of the good name and the fame of his country, and when the impartial historian shall

write the history of the Panama Canal I am confident of the verdict, and I shall not vote for any treaty which will place a lasting blot upon that name.

Mr. President, at this point I wish to comment upon some facts which I should not have mentioned but for the speech of the distinguished Senator from Massachusetts yesterday. From the beginning to the end of that speech there was an evident laborious effort to give the Senate and the country to understand that Col. Roosevelt approved the principle of the amended treaty. When the treaty as amended was reported to the Senate Col. Roosevelt had been slumbering in his grave for 18 months. He never saw it and, I believe, he never approved it and never would have approved it, as he valued his reputation and the honor of his country. Why, it is perfectly evident what he had in mind when he wrote the letter which was quoted yesterday, stating in substance that he would not oppose a new and a proper treaty.

The basis and the ground of that treaty was stated by Senator Fall in his memorandum which he sent to Col. Roosevelt in March, 1917, to which Col. Roosevelt answered that he would not oppose a proper treaty. I asked the distinguished Senator from Massachusetts yesterday to let me have that memorandum. I had never seen it before. I asked to have it placed in the RECORD, and I invite the attention of Senators to it. I state confidently that there is but one thing mentioned in the memorandum which is granted in this treaty. Let me read:

I would be glad to see a treaty negotiated between this country and Colombia superseding the old Granadine treaty—

That is, the treaty of 1846. This is Senator Fall's statement—

and by which—

That is, the new treaty should contain the following propositions—

First. This country should obtain the title to any islands or lands near either entrance of the Canal Zone, should such islands or possessions be claimed by Colombia.

This treaty does not contain any such clause or any such grant.

Second. The United States should acquire from Colombia the right to construct the canal by way of the Atrata River, and an option upon any other canal routes whatsoever which Colombia may own.

The treaty contains no such clause and no such grant.

Third. A new agreement should be reached as to peace between the two countries, and providing for the absolute neutrality of both, and that neither in event of war or trouble between the other and any foreign country should allow its ports, coast, or territory to be used by the forces, naval or otherwise, of the country or countries with which either might be at war.

There is no such clause in this treaty.

Fourth. An agreement for the defense of the Panama Canal, each country allowing the full use of its waters and shores to the other for such purposes, under conditions to be agreed upon between the two countries at the time and from time to time, if and when occasion may render such use necessary for such defensive.

This is not contained in the treaty before the Senate.

Fifth. The recognition by Colombia of the independence of Panama is obtained.

The last clause is the only one incorporated in this treaty, and I stop to inquire, Is our title, which has been recognized by every civilized nation in the world, so weak that we need the recognition of Colombia to make it good? That is all there is granted to us in the treaty.

I read further:

In my judgment, any agreement, by treaty or otherwise, as to transit through the canal, should be worded so that treaties of like character might be made with all the other Latin-American countries.

We give her preferential rights in the canal, and yet Senator Fall said the treaty was an outrage and violation of the Hay-Pauncefote treaty, as I shall show. If it was an outrage and violation of that treaty four years ago, it is to-day.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I shall be glad to answer an inquiry.

Mr. CUMMINS. Has there been any effort on the part of the executive department, so far as the Senator knows, to negotiate a treaty with Colombia covering the points mentioned in the letter of Senator Fall?

Mr. KELLOGG. None that I know of. It was announced here yesterday by the distinguished Senator from Massachusetts, as stated in the letter from Senator Fall, that it was expected that we would negotiate, subsequent to this treaty, a treaty of amity, commerce, and so forth. It has not been negotiated. Not one of the things mentioned in Senator Fall's letter is contained in the treaty except the recognition of the independence of Panama.

Now, I hesitate to quote letters, and I consider them immaterial, except in this respect. I do consider material what the judgment of President Roosevelt was during the years he carried on the great work of the construction of this canal, of such inestimable value to all the world. But for the laborious attempt to show that Col. Roosevelt approved this action I should not do it. He wrote his letter based upon what Senator Fall had told him, he recommended a new treaty, and he wrote like letters to me on the same subject at that time.

The first telegram which I received from Col. Roosevelt on that subject was dated March 15, 1917, and reads:

OYSTER BAY, N. Y.

Senator FRANK B. KELLOGG,
Senate Chamber, Washington, D. C.—

I omit anything not pertaining at all to the Panama treaty.

Mr. BORAH. That was six days before the Fall letter?

Mr. KELLOGG. That was six days before the letter to Senator Fall. I readily acquiesce in what Col. Roosevelt said about Senator Fall personally as being a very able and distinguished gentleman, but I ask what has that to do with this treaty? It is more in point to know what Col. Roosevelt thought about the treaty than it is what he thought about Senator Fall or any other Senator. Much as I would prize his commendations, I should not stop to read them to the Senate. Then it is evident that he did not have such an exalted opinion of me as he did of Senator Fall, but that is neither here nor there. What he thought about the treaty is the point to which I am coming. He said in the telegram to which I have just referred:

I know, of course, you are against this infamous Colombian treaty, but I wish you would point out that it makes precedent for some successor of Wilson to pay at least as large a sum apiece to Costa Rica, Nicaragua, Haiti, and San Domingo for what has been done to them recently, and also to Chile for our insolent and improper treatment of her in connection with the Alsop claim.

THEODORE ROOSEVELT.

That does not sound very much as though he thought this treaty could honorably be ratified by the United States Senate.

Again, on the same date, Col. Roosevelt wrote me:

DEAR SENATOR KELLOGG: I send you herewith my book, "Fear God and Take Your Own Part."

I have read it, and perhaps a few more Senators have.

In it, at page 305, you will find a full discussion of the present blackmail treaty and of what I did in getting hold of the Canal Zone. There is little I can add and nothing that anyone can truthfully say in refutation.

I inclose a letter from a Colombian. He hits the nail on the head.

I can not find the letter. I wish I could.

The crux of the matter is as to whether we ought or not to have recognized Panama; and, if we did badly, we are in honor bound now to restore both Panama and the Canal Zone to the bandits from whom they were then severed.

That language is strong, but not much stronger than that of the distinguished Senator from North Carolina [Mr. SIMMONS].

Mere payment of blackmail is not enough. Of course no smallest particle of evidence to show that we engineered the revolution can be produced, because our every action was open and has been set forth scores of times in minute detail. No revolution was ever more justified than that of Panama against Colombia, and if I had not acted precisely as I did there would now be no canal.

If succeeding administrations can act as Wilson's is now acting in reference to mine in international matters, then unquestionably there is a far heavier claim for reparation against the United States by Mexico because of what Wilson did about Huerta and Villa (not to mention Carranza), and by San Domingo and Haiti for his invasion and overthrow of their governments by armed force without declaration of war, while Costa Rica, Nicaragua, and Guatemala all have similar grievances, and in the case of one (I think Costa Rica) the international court on the Isthmus has actually decided that we are to blame.

I wish you would show this letter to LODGE.

Always yours,

THEODORE ROOSEVELT.

Mr. President, it is perfectly evident, as I shall show you in a minute by another letter, what Col. Roosevelt was talking about when he stated that he would be willing to support a new treaty, because after the treaty was withdrawn by then Senator Stone in March, 1917, from consideration by the Senate I wrote Col. Roosevelt a letter, which I will ask to have printed in the RECORD, except the part I shall now read.

MARCH 17, 1917.

Since writing you I have seen in the papers that the administration intends to negotiate another treaty, to be submitted the 16th of April. I doubt if they can pass the present treaty, but if a new one is negotiated they may get one which will be confirmed. For instance, if they should strike out the clause expressing regret, etc., modify the clause granting preferential use of the canal to Colombia—for instance, so that she could not use the canal at all in the event of war with Panama—make this clause along the line of the tripartite treaty negotiated by Secretary Root, procure a grant of the right to construct a canal on the Atrato route, with the use of the islands of St. Andrews and Providence, and perhaps some limitation upon the expenditure of the money, I doubt whether it could be defeated, and I am not at all sure of the wisdom of trying it.

I ask that the remainder of the letter may be printed in the RECORD.

There being no objection, the remainder of the letter was ordered to be printed in the RECORD, as follows:

It might put us in a worse position. Of course, Secretary Root agreed to the preferential use of the canal, agreed to Panama's paying to Colombia the first 10 payments, and, as I recollect, although I have not the treaty before me this moment, agreed to commence the annual payments five years earlier than our treaty with Panama provided for.

I am going to Virginia Hot Springs to-night to take a short vacation before the reassembling of Congress. I should be glad to have you write me there.

With most sincere regards,

Yours, truly, FRANK B. KELLOGG.

To Col. THEODORE ROOSEVELT,
Oyster Bay, N. Y.

Mr. KELLOGG. I wrote him another letter, in which the Senate is not interested, in which I gave my views as to the treaty along the line I shall give to-day, but I shall not now stop to read the letter to the Senate. Having Mr. Fall's letter, in which he distinctly outlines five or six propositions that the new treaty should contain—and not a word concerning any of them, except one, is in the pending treaty—and having my letter, he wrote:

METROPOLITAN,
OFFICE OF THEODORE ROOSEVELT,
432 Fourth Avenue, New York, March 21, 1917.

MY DEAR SENATOR: That's fine. I appreciate both of your letters. LODGE had already notified me along the lines of your second letter, that a modified treaty probably could not be beaten, and that he doubted the wisdom and expediency of trying.

What kind of a modified treaty? Along the lines suggested by Mr. Fall and as suggested by myself after conversation with the distinguished Senator from Massachusetts, and in accordance with the record of the correspondence of then Secretary Knox, the present distinguished Senator from Pennsylvania.

Of course, I told him that whatever you and he and Fall thought proper would meet my unqualified approval and support. I think that if you can get a decent treaty, it would be far better to support it, even though the price paid for what we are to receive is excessive, than it would be to antagonize it, because of course we must not assume an attitude that looks like mere factional obstruction. At the same time I would make it clear that you did not support it because you thought it was as good a piece of work as could be done, but as the best that under the present administration could be obtained. I hope you will consult Fall, who has some capital ideas on the subject—

Which, Senators will notice, they will see he had already conveyed to Col. Roosevelt; and which I should gladly approve of in a treaty—

and Bob Bacon has communicated with LODGE, making what I think is a very good suggestion.

Faithfully, yours,

THEODORE ROOSEVELT.

Hon. FRANK B. KELLOGG,
United States Senate, Washington, D. C.

Mr. President, the events of 1903 which led to the separation of Panama from Colombia, the making of the Panama treaty, and the construction of the canal have passed into history. That history is written in the records of the State Department, in the correspondence between Colombia, Panama, and the United States, in the messages of the President, and the laws of Congress. From an examination of the documents and this record I am convinced beyond question that this Government did not violate its treaty with Colombia; did not instigate the revolution; had a perfect right to recognize Panama and enter into the treaty for the canal concession and to acquire the French canal and complete the work, and that the title of the United States is good in law and morals.

Mr. REED. Mr. President, will it interrupt the Senator from Minnesota to ask him one question?

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Missouri?

Mr. KELLOGG. I yield to the Senator from Missouri.

Mr. REED. The Senator has stated several things which the United States did not do; that is, that it did not instigate the Panama revolution and certain other things. The Senator has examined this question, I think, with considerable care, and I wish to ask him, Did the United States prevent Colombia from sending in her troops to overcome the Panama revolution? I think that is a very important question in this case, and I should like to have the Senator answer it.

Mr. KELLOGG. I had intended to answer it further on, but I will answer it now.

Mr. REED. If the answer is coming further on, I do not want to interrupt the Senator now.

Mr. KELLOGG. I will answer the question now.

The United States did not do what the Senator from Missouri has suggested. The United States complied with its treaty of 1846, wherein it guaranteed to keep open the transit across the Isthmus. The United States landed 42 marines in order to prevent the Colombian forces from shelling the place to which American citizens were taken in order to protect them. The United States prevented either Panama or Colombia transporting troops on the railroad, which we had done many times previously, both at the request of Colombia and without her request, under the treaty of 1846. We did the same thing in 1856, in 1869, in 1873, in 1885, in 1901, and in 1902. We were requested by the Colombian Government to do it in 1869, 1873, in 1885, and in 1900.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Mississippi?

Mr. KELLOGG. I yield.

Mr. WILLIAMS. Do I understand the Senator from Minnesota to say that there were various instances where the United States Government forbade the Government of Colombia to land troops upon its own territory?

Mr. KELLOGG. I will say there were various instances where the United States prevented either insurgents or Colombians using the railway there and kept open the transit.

Mr. WILLIAMS. I understood the Senator from Minnesota to say a moment ago——

Mr. KELLOGG. I decline to yield further at this point. I have answered that question, and I will again answer it in my argument as I go on. I will not engage in a discussion with the Senator. He may take all the time he pleases after I get through.

Mr. WILLIAMS. Any assertion to the effect that there has been any precedent for this particular action is historically inaccurate.

Mr. KELLOGG. It is not historically inaccurate, and I submit the records of the State Department, the correspondence of Secretary Hay, of Secretary Root, and of Secretary Knox, and the claims of this Government made many times in support of my statement. If the Senator from Mississippi will read them he will find exactly what the record is. If I had any doubt upon this subject, all I need to do is to refer to the messages of President Roosevelt and the exceedingly able and exhaustive review of the subject by the distinguished Senator from Massachusetts, the present Republican leader of the Senate, made in 1904; to the correspondence of Secretaries Hay and Root under the administration of President Roosevelt, and of Secretary Knox under the administration of President Taft, and to the speech of Mr. Root, made in Chicago before the Union League Club. The review of this whole history by these gentlemen is exhaustive and unanswerable. These most distinguished statesmen and international lawyers pronounce our rights and title clear. That title has been recognized by the civilized world, accepted by the Congress and the American people, and now, after the lapse of nearly 20 years, we are asked to make reparation to Colombia for taking Panama. In view of this I am loath to take the time of the Senate to go into the details of the history of the Panama Canal, and shall not do so beyond what seems to me to be necessary to place upon this record what I believe to be the irrefutable facts which sustain the vote I am about to cast.

I might add another reason. The speech of the distinguished Senator from Colorado challenged the record I am about to state. He charged this Government with bad faith, instigation of revolution, and violation of the laws of neutrality and of our treaty of 1846.

What is the question now pending before the Senate? By the treaty with Panama, signed November 18, 1903, the United States obtained the title to the canal or it did not obtain it. If it did not, Colombia is entitled to compensation and to an apology——

Mr. POINDEXTER. And to the canal.

Mr. KELLOGG. And to the canal, as the Senator from Washington well adds. If it did obtain title, Colombia is not entitled to compensation. The issue has been squarely drawn by the declarations of Colombia that this treaty provides compensation for wresting from her, through military intervention, the Province of Panama, and no subterfuge will dodge that issue. I shall show before I conclude my remarks that the outgoing administration rushed into the arms of Colombia and granted practically everything she demanded. Sir, the evidence leads one to believe that the motives which actuated the action of that administration were not of the highest order, and I am not alone in my judgment. When this treaty was reported to the Senate on March 14, 1917, by Mr. Stone, from the Committee on Foreign Relations, he referred to the treaties negotiated by Mr. Root and proposed by Mr. KNOX, which were not ratified by Colombia, and said—and this is significant—

In all of these treaties the United States, out of the desire to settle the controversy, has offered to make recompense to Colombia by way of satisfaction for her claim for damages.

That is exactly the point.

What was her claim for damages? You may read the record of this controversy from beginning to end, and you will find that, wherever mentioned, the claims of Colombia for damages are based upon the alleged wrongful action of the United States in wresting Panama from her in violation of international law and our treaty of 1846.

I call the attention of the Senate to the minority report signed by Senators LODGE, MCCUMBER, BORAH, BRANDEGEE, and Fall. I shall not read it in full, but I ask that it be printed in the RECORD at the end of my remarks. (Appendix A.)

The VICE PRESIDENT. Without objection, permission is granted.

Mr. KELLOGG. Let me call attention to certain language in that report, and I think I can show that what was then said is just as true to-day as it was at the time it was uttered.

The treaty was reported to the Senate March 14, 1917. There were three reports—one by the majority, presented by Senator Stone; one by the minority, consisting of Senators LODGE, MCCUMBER, BORAH, BRANDEGEE, and Fall, and a separate report by Senator KNOX. In the report submitted by Senator LODGE I find the following:

> What are we paying this $25,000,000 for except in settlement of old issues?

That is what is suggested to me.

> Will not the American people ask this question, and can we avoid the answer that it is in payment of something that grew out of that past issue? What does the United States receive for this vast sum? Absolutely nothing, either corporeal or incorporeal. Colombia grants nothing, parts with nothing, which she possesses.

If that was true four years ago, it is absolutely true to-day, because she grants not one single thing in this treaty, except to acknowledge the independence of Panama, and we do not need that now.

> This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally, and no combination of words, no niceties of diplomatic language, can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia. On no other hypothesis could Colombia ask for this indemnity of $25,000,000, and on no other could we acquiesce in that demand.
>
> While there is an attempt in the beginning of the report by careful wording to veil this disagreeable aspect of the case, it is nevertheless forced into relief as the moving consideration for this great outlay in another sentence of that report, which reads as follows.

Then the report quotes what Senator Stone said, that this treaty is to grant compensation for the wrongs done Panama for the claim of Colombia.

Senator LODGE's report continues:

> There is a clear admission that we are paying this sum to settle a claim for damages. By making the payment we admit the claim.
>
> The minority of the committee desire to go on record as denying the charge which this payment recognizes as valid, that this country was guilty of any international misconduct in the acquisition of the territory on which the canal was constructed.

Then the report continues as follows:

> All the articles confer rights and privileges upon Colombia, and the United States gets nothing, neither the control of the Atrato route nor the important islands provided for in the Knox treaty, nor even a formal recognition of the title of the United States to the canal and the Canal Zone.

The latter is the only thing they have granted in this treaty.

Now, the question is, Did we have title to the canal? If we are to depend upon the recognition of Colombia, then we wronged Colombia; and the very fact that we ask her to-day to ratify our title is an admission that we believe the title is infamous, and that we are guilty of wrong. I would not desire her to recognize our title. It has been recognized by every country in the world. The construction of the canal was a great accomplishment and opened the way across the Isthmus which had been the dream of the ages.

Mr. President, I ask Senators to read the treaty and determine whether the amended treaty is in principle in the slightest degree different from the original treaty reported in 1917. "Oh," it is said, "the apology has been stricken out." I wish to read the part stricken out and the part which remains, and submit to the candid judgment of Senators whether there is any difference in principle in the two clauses.

The clause stricken out is as follows:

> The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, in its own name and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations.
>
> The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accept this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear.

Now let me read the clause that still remains, the preamble to this very treaty:

> The United States of America and the Republic of Colombia, being desirous to remove all the misunderstandings growing out of the political events in Panama in November, 1903; to restore the cordial friendship that formerly characterized the relations between the two countries, and also to define and regulate their rights and interests in respect of the interoceanic canal which the Government of the United States is constructing across the Isthmus of Panama, have resolved for this purpose to conclude a treaty and have accordingly appointed as their plenipotentiaries—

And so forth, and it is agreed to pay $25,000,000.

Now, will you point out any difference? What are the misunderstandings that we agree to remove by this treaty, which occurred in November, 1903? Colombia claimed that we instigated a revolution and by force of arms prevented her from suppressing it.

How can this treaty define and regulate the rights and interests of Colombia in respect of the Panama Canal? Have we not title to the Panama Canal? Did we not acquire it according to the rules and principles of international law? Had we no right to recognize the Government of Panama? All these questions have long ago been answered, and in such a way as to demonstrate clearly that the United States has no apology or reparation to make to Colombia.

Why, there is not a grant by Colombia in this treaty. We pay them $25,000,000. We give them preferential rights in the canal. There is an agreement as to the line between Panama and Colombia, but we do not have to pay $25,000,000 for that. It never has been suggested that we should. There are grants—for what? For what Colombia has claimed from the very day she placed her signature to this treaty and claims to-day—reparation for wresting Panama from her; the violation of our treaty of 1846.

Mr. President, there is one other objection which the distinguished Senators who made this minority report made to this treaty which I do not think that they will claim has been cured. The distinguished Senator from Massachusetts [Mr. LODGE] made no reference to it. I call attention to another part of the report of the minority, made by Senator LODGE in reporting this treaty. He says:

> Another grave objection to this treaty will be found in the first clause of article 2, which makes an exception in favor of Colombian transit of the canal, particularly for her ships, munitions of war, and armed forces, not provided for in the Hay-Pauncefote treaty.

That is the one suggested by the Senator from New York [Mr. WADSWORTH].

> It discriminates as to canal tolls for all such transit against all other Latin American countries, as well as against our own ships, even in the coastwise trade. It places us in a position where, even granting our right to refuse transit to the armed forces and vessels of countries at war with us, Colombia might pass the vessels of the countries with which we are at war through the canal by putting them under her own flag and claiming them as her nationals.

As the Senator from Massachusetts relied so much upon the ability and judgment of the former Senator from New Mexico, Mr. Fall, I wish to quote what Senator Fall said in June, 1918, about this very point. Before doing so let me read the clause in the Hay-Pauncefote treaty, which provides:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect of the conditions or charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

Now, I know it is claimed—and I am not going to stop to discuss that—that this does not prevent the United States from itself giving preference to its coastwise trade. I do not deny that. I am granting that for the purpose of the argument. If that treaty violated the Hay-Pauncefote treaty four years ago, it violates it to-day, because it has not been changed in one word in principle on that question; and here is what Senator Fall said about it in June, 1918:

> I think there has never been such an attempt made in negotiating any treaty in this country to violate every obligation to all the countries of the earth with which we have treaties as is shown by this treaty which is now before us. Certainly there has never been any treaty proposed to the Senate of the United States for its ratification which violated every principle of international comity as does this treaty.

And Senators LODGE and MCCUMBER and BORAH and Fall all signed this report, containing substantially the same declarations. I am not saying that I would not vote for a treaty which grants Colombia these claims, but I am saying that these distinguished international lawyers, who pronounced this treaty a violation of the Hay-Pauncefote treaty only two years and four years ago, do not mention in what respect and can not show in what respect the treaty has been cured.

But I pass to a more important subject. My main objection to the treaty is that it is impossible for us to pay $25,000,000 simply for the good will of Colombia without staining the record of the United States. If we are guilty of what Colombia claims, of what Senators Morgan, Carmack, and Bacon claimed, of what

the Senator from Colorado, Mr. Thomas, claimed, then let us acknowledge it to the world and say, "The exigencies of the case required us to do it, and we are willing to apologize and to pay you the damages," which are not limited, perhaps, simply to $25,000,000. They may be more. Let us not try to buy good will and future trade by bartering the good name of the Nation.

I say that no other important change is made in this treaty. The Senator from Massachusetts says that there is a very important change in the fact that instead of paying $25,000,000 in one payment, we are to pay it in installments of $5,000,000, the first payment to be made six months after the ratification of the treaty and the balance in four annual installments. In other words, we do not swallow our humiliation in one lump, but we divide it up to make it less disagreeable. That is all there is of it. We agree to pay it, and I want any agreement of the United States to be kept. If there is anything important in this day, when the foundations of government have been shaken, it is that the United States should stand out as an example of high honor in its dealings and keeping its treaty obligations. I am not willing by a shilly-shally method like this to get the good will of any country. We could not get it by such means if we tried.

Here is one change that is made: The treaty provides that the Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war, even in case of war between Colombia and another country, without paying any charges to the United States. The words "even in case of war between Colombia and another country" are stricken out. So that it leaves us agreeing that they may transport their ships of war and materials and men at all times and under all circumstances, which makes it worse. The Senator from Massachusetts did not claim, and I have not yet heard anyone claim, that that made any difference. But if it did, it permits Colombia to pass her troops through the canal, even in the event of a war with Panama. It grants an extraordinary right to Colombia, which I ask Senators if they are willing to grant to every South American country. This treaty contains nothing but grants to Colombia, manifestly to purchase her good will, and to gloss over the events of 1903.

Mr. WADSWORTH. May I ask the Senator if he construes that section to mean that in the event, for example, that Colombia was at war with Venezuela, Colombia could transport her troops through our canal free of charge, and Venezuela, if she wanted to do so, would have to pay for it?

Mr. KELLOGG. The only inference against it is that those words are stricken out. But it certainly leaves it subject to grave doubt, I will say to the Senator from New York, because if it remains as it is now she can transport at all times.

Mr. WADSWORTH. "At all times" means in peace or war.

Mr. KELLOGG. In peace or war.

Mr. POINDEXTER. All of that doubt is removed by another amendment which is proposed in the report of the committee, which specifies the case of a war between Colombia and Panama. Having specified that as an exception to the rule, it would permit Colombia, in the case of a war with Venezuela, free passage through the canal with her ships of war and deny it to Venezuela.

Mr. KELLOGG. It certainly would, and I therefore return to the statement of Senator Fall, who, as Senator LODGE says—and I agree—is a distinguished international lawyer, that—

> there was never such an attempt made, in negotiating a treaty, to violate every obligation to every other country of the world with which we have treaties as is shown by this treaty which is now before us.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. If we are to be guided by the Hay-Pauncefote treaty, and the interpretation which was claimed for it by the last administration and by Mr. Root, and upon the basis of which we repealed certain provisions in the Panama Canal act, how in the world could we grant now to Colombia different terms upon which she should pass any of her ships through the Panama Canal than we are compelled to grant to every nation in the world?

Mr. KELLOGG. Manifestly, Mr. President, we could not. I am not saying that the position so taken was correct. There is another opinion in the Senate that the United States has a right to pass its own ships through under preferential rates. But those who hold that position do not claim that the United States has a right to pass the ships of Colombia through under preferential rates over Venezuela, or Venezuela over Brazil.

Mr. CUMMINS. Mr. President, I am one of those Senators who contended, when we passed the Panama Canal act, that the limitation contained in the Hay-Pauncefote treaty did not apply to the ships of the United States, but applied only to ships of other countries of the world, including, of course, Great Britain. But under any construction of the treaty, I have never heard it suggested that the United States has any right to give to any other nation discriminating rates through the Panama Canal. I have never heard it claimed that it could be done. In fact, it was stoutly asserted that we had no right to give to Panama privileges which were not enjoyed by other nations of the world, and that was only justified by the fact that we were taking from Panama the right of way upon which to construct the canal, and we were the beneficiary of other privileges granted by Panama at that time.

Mr. KELLOGG. Then I take it that the Senator from Iowa agrees with Senator Fall and with the distinguished Senator from Massachusetts [Mr. LODGE] and the minority of the committee that this provision is illegal, or in violation at least of the Hay-Pauncefote treaty.

Mr. LENROOT. Following the suggestion of the Senator from Iowa, is it not true that the only theory upon which this provision could stand would be that we had taken something from Colombia which belonged to her, and this was in restitution?

Mr. KELLOGG. I see no other way. Mr. President, the importance of this question, the fact that it must be decided upon the events which took place nearly 20 years ago, is my excuse for now briefly reviewing our title to the Panama Canal.

Mr. CUMMINS. Mr. President, before the Senator passes to that phase of the subject, I want to ask him whether, during the course of the discussion, he intends to refer to the position taken by the Senator from Massachusetts [Mr. LODGE] yesterday with regard to our indebtedness to Colombia arising out of the railway treaty?

Mr. KELLOGG. I will do that further on in my remarks.

Mr. CUMMINS. Then I shall defer any question until the Senator reaches that point.

Mr. KELLOGG. If the Senator desires, I will say now that Mr. KNOX offered to arbitrate the question of the reversionary right in the railroad. That is a legal question. If there is doubt enough about it, and we desire to buy it, that is another proposition. There is nothing in this treaty to indicate that we are buying the reversionary interest in the railway.

From the time of the making of the Hay-Pauncefote treaty, in 1900, it had been known to Colombia that the United States intended to build a canal across the Isthmus. It was also known that steps were being taken to build the canal on what was known as the Nicaragua route. On June 28, 1902, the Congress authorized the President to enter into a treaty with Colombia for building the canal across the Isthmus, providing that in the event of failure to secure treaty rights to do so after a reasonable lapse of time recourse should be had to building the Nicaragua Canal. Colombia literally besieged the United States to select the Panama route, which was manifestly of great economic and political advantage to her. A treaty was finally entered into, signed by the representatives of both Governments, known as the Hay-Herran treaty, and ratified by the United States, by which Colombia, in consideration of $10,000,000 and an annuity of $250,000 per annum, granted to the United States the right to build the canal and acquire all the rights of the French company. This treaty was never ratified by the Colombian Congress, and I recognize perfectly the legal right of the Congress to refuse to do so, although I shall have some comments to make upon the good faith of the Government itself. But immediately following this failure Panama revolted and set up a separate government, which we recognized. We all know that Panama, since she was wrongfully deprived of her independence, had time and again revolted against the tyranny of Colombia, but for the moment I pass this phase of the case. A treaty was made with Panama similar to the Hay-Herran treaty with Colombia, by which we acquired the right to construct a canal and also the right to acquire the French company's rights and the title to the Panama Railroad. We were to pay $10,000,000 and an annuity of $250,000 per annum. Not only did we recognize Panama as an independent Government on November 18, 1903, but she was recognized by all the leading nations of the world.

Remember that our title depends upon our right to recognize the Government of Panama as a de facto government. It is important to show that every South American country did the same except Colombia. It has been said that we did it with undue haste. I wish to refer to a speech, one of the ablest I have ever read, made by the distinguished Senator from Massachusetts in 1904, on the right of recognition. Senators

will find it in the CONGRESSIONAL RECORD. It covers the entire subject, and I would not pretend to attempt to add anything to what the Senator said.

Mr. LODGE. Will the Senator allow me to interrupt him?

Mr. KELLOGG. Certainly.

Mr. LODGE. I did not have the books by me at the time the question of granting rights of passage through the canal was raised, but I thought it was well to have them. We granted such rights to Panama in the treaty of 1903. There was no provision about that in the Hay-Pauncefote treaty. In the treaty with Colombia, made by Mr. Root and sent to the Senate by Mr. Roosevelt, we provided that Colombia should have the right to pass troops, materials of war, and ships of war without paying any duty to the United States, even in the case of international war between Colombia and another country. That treaty was sent in by President Roosevelt, was drawn by Mr. Root; and when you are finding difficulty in reconciling this with the Hay-Pauncefote treaty you had better reconcile the Root-Cortes treaty that was sent in and the treaty we made with Panama granting her rights of transmission through the canal.

Mr. CUMMINS rose.

Mr. LODGE. One moment. I understand that in all these cases, including the present, it was submitted to Great Britain, the country with which we had the Hay-Pauncefote treaty, and that she said she had no objection—there being an exchange of notes—to granting these rights to Panama and Colombia.

Mr. CUMMINS. Mr. President, may I make a suggestion at that point?

Mr. KELLOGG. I yield for that purpose.

Mr. CUMMINS. When Senator Root was discussing the subject in the Senate, I, in an inquiry made of him at that time, challenged his consistency. I may be wrong, but I think I am not. I agree that the Hay-Herran proposed treaty would have been, if consummated, just as much a violation of the Hay-Pauncefote treaty as the present proposed treaty with Colombia.

Mr. LODGE. I was not quoting that treaty, but the same thing applies. It applies to our treaty with Panama. It applies to the treaty that President Roosevelt sent in and that Mr. Root made—and I think he is a pretty good international lawyer—in which the same rights were granted that are granted under this treaty.

Mr. CUMMINS. Mr. Root is a very good international lawyer, none better——

Mr. LODGE. He signed the treaty at all events.

Mr. CUMMINS. But he sometimes is as guilty of inconsistency——

Mr. LODGE. As the rest of us.

Mr. CUMMINS. As those of us who are less learned on that subject. I think he fell into that error at that time. The Hay-Pauncefote treaty provided that the canal should be open to the ships of all the world upon like terms. I am not attempting to quote the exact language.

Mr. LODGE. That is the language in substance.

Mr. CUMMINS. The only question that could ever arise is whether the United States was included within the phrase "all the nations of the world."

Mr. LODGE. Or the other nations.

Mr. CUMMINS. I contended that the United States was not included within that phrase, but I think it is generally acknowledged that we must treat all other nations at least without discrimination.

Mr. LODGE. My point is that the same thing was done in our treaty with Panama and that the same thing was done in the Root-Cortes treaty which President Roosevelt submitted to the Senate.

Mr. CUMMINS. I agree to that, but I think the treaty with Panama, under the Root construction of that treaty, is a violation of it. I think the treaty with Colombia was a violation of it, and I think that this treaty, if ratified, is a violation of it, if we are to give it the construction which has been claimed for it.

Mr. LODGE. It may be a violation, but the same violation has been committed before.

Mr. CUMMINS. I agree to that, but that does not justify a further violation.

Mr. NELSON. Mr. President, may I ask a question of the chairman of the committee?

Mr. KELLOGG. Certainly.

Mr. NELSON. I have a vague recollection that the Root treaty to which the Senator from Massachusetts referred included the right to build a canal somewhere else in addition.

Mr. KELLOGG. The Knox treaty which followed so provided.

Mr. LODGE. I was speaking of the Root-Cortes treaty which is almost identical with this one except in the amount of money involved.

Mr. KELLOGG. I think I shall be able to demonstrate that the Root-Cortes treaty is far from identical with this treaty.

Mr. LODGE. It may not be identical, but I should like to have the Senator state whether it does not open the canal to the ships of Colombia.

Mr. KELLOGG. It does.

Mr. LODGE. Certainly, and to Panama too.

Mr. KELLOGG. I stated that.

Mr. LODGE. That was stated as if it was the first treaty that ever did that.

Mr. KELLOGG. I did not so state. If the Senator had listened to what I said——

Mr. LODGE. I was listening, and that is why I made the correction.

Mr. KELLOGG. I simply quoted the distinguished former Senator from New Mexico, Mr. Fall, and the minority of the committee in the report made four years ago, that this treaty was absolutely in violation of the Hay-Pauncefote treaty, and I said if it was in violation of it then it is to-day.

Mr. LODGE. That applies exactly to the Root-Cortes treaty, too, which was sent in by President Roosevelt.

Mr. KELLOGG. I am not denying that.

Mr. POINDEXTER. That does not make it right.

Mr. KELLOGG. I had said, when I was interrupted, that our title rested upon the question of recognition. That is shown by the great debates in 1904, and I have referred to the speech of the distinguished Senator from Massachusetts, and stated it had been claimed that we recognized Panama with undue haste. We did not lose much time, but the circumstances required haste. We recognized in less than two days the Republic of France in the eighteenth century at the time of the French Revolution; also the Consulate and Empire during the Napoleonic régime. We have the right to decide when and under what circumstances we shall recognize a de facto government. It was recognized, as I said, by all the other countries.

I ask to have inserted in the RECORD without reading the list of countries and dates of their recognition which followed rapidly upon our recognition of Panama.

The VICE PRESIDENT. Without objection, permission is granted.

The list referred to is as follows:

List of Governments which have recognized the independence of Panama, with the dates of recognition.

United States, November 13, 1903.
France, November 16, 1903.
China, November 26, 1903.
Austria-Hungary, November 27, 1903.
Germany, November 30, 1903.
Denmark, December 3, 1903.
Russia, December 6, 1903.
Sweden and Norway, December 7, 1903.
Belgium, December 9, 1903.
Nicaragua, December 15, 1903.
Peru, December 19, 1903.
Cuba, December 23, 1903.
Great Britain, December 24, 1903.
Italy, December 24, 1903.
Japan, December 28, 1903.
Costa Rica, December 28, 1903.
Switzerland, December 28, 1903.

Mr. KELLOGG. Congress accepted this title, appropriated money to build the canal, and three Secretaries of State, under two separate administrations, have sustained, by irrefutable arguments, the right and title of the United States thus acquired. All the facts and circumstances have been furnished to Congress and to the public, and the highest authority in this land has placed its approval upon this title, and it has been recognized by the civilized world.

Two propositions are now made. I do not say they are made by the Senator from Massachusetts; not at all. He insists that our title is perfect. He insists that all that the Roosevelt administration did is correct and was done in the interest of the country and with the highest intention. But the former Senator from Colorado, Mr. Thomas, and many other Senators in days past upon this floor have made this proposition—the former Senator from Colorado within two months—that the United States conspired to cause the revolution and prevented Colombia from suppressing it.

Two propositions are now made: 1. That under the treaty with New Granada, to which the United States of Colombia succeeded, we were obligated to guarantee the sovereignty of Colombia over Panama. 2. That the United States conspired to cause the revolution and prevented Colombia from suppressing it. I send to the desk and ask to be inserted at the

end of my remarks article 35 of this treaty of 1846. (Appendix B.)

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KELLOGG. By it the citizens, vessels, and merchandise of the United States were guaranteed the right to enjoy the ports of New Granada and those upon the Isthmus of Panama, and that this equality of favors should extend to passengers, correspondence, and merchandise of the United States in their transit across the Isthmus. Then follows the following clause:

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States. * * *

And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Now I make two propositions. Of course they have been made before by most distinguished Senators upon this floor and by President Roosevelt, but I wish to remind Senators of these. The two propositions are now perfectly plain: (1) That the United States incurred an obligation at all times to keep open and free all means of transportation across the Isthmus, not only in the interests of our own citizens and the citizens of Colombia, but in the interest of the world and that great commerce that was some day to flow from ocean to ocean across this narrow strip of land; and (2) that she guaranteed only the sovereignty of Colombia as against some foreign nation, but did not guarantee it against internal revolution. This position was made clear by two Secretaries of State, and by Attorney General Speed in 1865—a position which has never been questioned until this controversy arose.

QUOTATION FROM ROOT'S SPEECH.

Secretary Cass in 1858 officially stated the position of this Government as follows:

"The progress of events has rendered the interoceanic route across the narrow portion of Central America vastly important to the commercial world, and especially to the United States, whose possessions extend along the Atlantic and Pacific coasts, and demand the speediest and easiest modes of communication. While the rights of sovereignty of the States occupying this region should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if administered with more regard to the just demands of other nations than they have been, would be permitted, in a spirit of eastern isolation, to close the gates of intercourse on the great highways of the world and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is almost equivalent, to encumber them with such unjust relations as would prevent their general use."

Seven years later, in 1865, Mr. Seward, in different communications, took the following position:

"The United States have taken and will take no interest in any question of internal revolution in the State of Panama, or any State of the United States of Colombia, but will maintain a perfect neutrality in connection with such domestic altercations. The United States will, nevertheless, hold themselves ready to protect the transit trade across the Isthmus against invasion of either domestic or foreign disturbers of the peace of the State of Panama. * * * Neither the text nor the spirit of the stipulation in that article, by which the United States engages to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with the requisition (of the President of the United States of Colombia for a force to protect the Isthmus of Panama from a body of insurgents of that country). The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only."

Attorney General Speed, under date of November 7, 1865, advised Secretary Seward as follows:

"From this treaty it can not be supposed that New Granada invited the United States to become a party to the intestine troubles of that Government, nor did the United States become bound to take sides in the domestic broils of New Granada. The United States did guarantee New Granada in the sovereignty and property over the territory. This was as against other and foreign Governments."

But aside from these opinions on well recognized principles, this guaranty of sovereignty over Panama could not be construed to be a guaranty to suppress a revolution within Colombia.

Is it possible that the United States forever guaranteed the unity of the States of Colombia and agreed to maintain for all time the supremacy of Colombia over all her territory? Such a guaranty was not germane to the object to be obtained, which was the free right of way and transit across the Isthmus, and to secure this we guaranteed the neutrality of this territory and the sovereignty of Colombia over the territory. This object could just as well be attained by guaranteeing the independence of Panama in the event she should set up a separate Government. Certainly it can hardly be claimed that the United States undertook to forever maintain Colombia's sovereignty over the State of Panama.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Minnesota yield to the Senator from Idaho?

Mr. KELLOGG. I yield.

Mr. BORAH. I do not know whether the Senator has put it in his remarks or not—if he has it will not be necessary to insert it again—but in this connection I call the Senator's attention to the fact that on September 14, 1866, the Colombian minister of foreign affairs at Bogota stated in a note to the minister of the United States his understanding of this guaranty of 1846. I quote his language:

That the United States will act to preserve such sovereignty only when there is danger of transfer of such sovereignty to a foreign power, but not if the disturbances are confined to citizens of this Republic.

Mr. KELLOGG. I had not put it in the RECORD, and I thank the Senator for doing so. As I said, Colombia never disputed that until this controversy arose after the Panama revolution was successful.

The second proposition which I desire to make is that the United States did not conspire to cause the revolution. Now, I wish to put in the RECORD what I believe to be the irrefutable fact which sustains me fully.

A brief narration of the history of Panama and the events of November, 1903, I believe will demonstrate this position. Panama had been at one time an independent nation. From 1821 to 1886 she was a member of the Federation of New Granada and Colombia. Her rights were taken away by force. From 1886 to 1903 she had consistently struggled to regain her independence. In 1895 the people arose and were suppressed by force. In 1899 they again arose and maintained a war for liberation, which lasted until 1902. In this very revolution in 1902 the commander of the *Cincinnati* landed his naval forces and guarded the railway across Panama, and prevented the transportation of armed forces—either the forces of Colombia or Panama. This was more than a year before the revolution which finally separated Panama from Colombia.

For the edification of the Senator from Mississippi, who asked me a question, if he is now in the Chamber, I wish to read this letter, as follows:

U. S. S. "CINCINNATI," *September 19, 1902.*

DEAR SIR: I have the honor to inform you that the United States naval forces are guarding the railway trains and the line of transit across the Isthmus of Panama from sea to sea, and that no persons whatever will be allowed to obstruct, embarrass, or interfere in any manner with the trains or the route of transit. No armed men, except forces of the United States, will be allowed to come on or use the line.

All of this is without prejudice or any desire to interfere in domestic contentions of the Colombians.

Please acknowledge receipt of this communication.

With assurances of high esteem and consideration, I remain,

Very respectfully,

T. C. MCLEAN,
Commander, United States Navy, Commanding.

That is exactly what we did in 1903 with 42 marines.

The uprising in 1903 occurred because Colombia violated her moral obligation to ratify this treaty. As I sat and listened the other day to the distinguished Senator from Colorado, one would have thought that this revolution was the only one which had occurred in Colombia; that there was no ground for it, and that Colombia was taken entirely by surprise. As a matter of fact, everybody knew the great aspirations of the Panamans for independence and their intense feeling because Colombia was to deprive them of the right of having the canal constructed. The only surprising thing is that anybody should think that a revolution would not occur. There had been in the last 57 years, prior to 1903, 53 revolutions, rebellions, insurrections, and riots, in many of which it was necessary for the United States to land its naval forces to protect the railroad and transportation across the Isthmus. As I have already said, one had just ended which lasted five years, and it was only the active interference of the United States that kept open the railroad and this transportation route.

I do not deny the legal right of the Colombian Congress to refuse to ratify the treaty, although Maroquin, the then President, was a dictator, and no session of the Congress had been held for five years. But the Colombian Congress did meet and refused to ratify the treaty, for reasons which I think everyone knows, and immediately after the revolution, on the 6th of November, Gen. Reyes proposed to the American minister, Mr. Baupre, that if the United States would land troops and preserve Colombia's sovereignty over the Isthmus, the Government "will approve by decree the ratification of the canal treaty as signed; or if the Government of the United

States prefers, will call extra session of Congress with new and friendly members next May to approve the treaty."

But conceding the right of the Congress to refuse ratification, Colombia can not deny to us the right of recognizing the Government of Panama. Under well-established principles of international law, the time when and the circumstances under which such recognition shall be given is left to the judgment of the recognizant nation.

I wish again to call the attention of the Senate to a very able speech by the Senator from Massachusetts on that question, which was made in 1904. It is a complete answer to any possible claim that we had not a legal and moral right to recognize Panama. The Senator cites the circumstances under which recognition may be accorded, the decisions of the Supreme Court, and the historical decisions and precedents in reference to the subject. I shall not burden the Senate with a review of that which has been said much better than I could say it. It is easy to see why the treaty was not ratified. The scheme of Colombia was shown by the majority report of the Panama Canal Committee made to the Colombian Senate on the 14th of October, 1903, when the Hay-Herran treaty was pending for ratification. In this report it was proposed that the consideration of the subject should be deferred until October 31, 1904, when the next Colombian Congress should have met in ordinary session. By that time, according to the report, the extension granted to the Panama Canal Co. by the treaty of 1893 would have expired and the new Congress would be in a position to take up the question whether the French company had not, in spite of further extension that had been granted by legislative acts, forfeited all its property and rights in the canal. The report continues, "When that time arrives the Republic, without any impediment, will be able to contract and will be in more clear, more definite, and more advantageous position, both legally and materially."

That is the whole premise stated by the distinguished Senator from North Carolina in his speech in 1904. This language is very significant. Colombia had previously granted an extension, but the scheme was to declare it unconstitutional, take possession of the canal, hold up the French owners, and then deal with the United States. If that was the scheme in 1903, is it any less wrongful in 1921? Has time dulled our senses and blinded us to the magnitude of this great event in American history?

But let me come now to the events which took place in Panama between November 3 and 4, 1903. The treaty of 1846 had given the United States the right of way or transit across the Isthmus of Panama upon any mode of communication that then existed or might thereafter be constructed, and in order to secure the tranquil and consistent enjoyment of these advantages the United States guaranteed that this transportation should not be interrupted or embarrassed. Time and again it had been necessary for the United States to land marines to protect the railway and to prevent the interruption of traffic, and that is all that the United States did in November, 1903. I quote here from the speech of Mr. Root, which gives an account of what occurred on the Isthmus at that time. I ask consent that I may insert it in the RECORD rather than take the time of the Senate to read it.

The PRESIDING OFFICER. In the absence of objection, permission is granted.

The matter referred to is as follows:

All the world knew that there would be a rising by the people of Panama if the Colombian Congress adjourned without approving the treaty, as it did adjourn on the 31st of October. The newspapers of the United States were filled with statements to that effect, and our State and Navy Departments could not fail to be aware of it. They took the same steps they had always taken under similar circumstances to have naval vessels present to keep the transit open and protect American life and property. If any criticism is to be made upon their course, it is that there was too little rather than too much provision and preparation. There was no naval vessel of the United States at the city of Panama, and there were no armed forces of the United States there when the rising occurred. There was one small vessel at Colon, which was able to land a force of 42 marines and bluejackets; that was the entire force which the United States had on the Isthmus at the time of the revolution. They were landed at Colon, as our troops had many times before been landed, and they were landed under these circumstances: On the morning of November 3, the day of the rising at Panama, about 450 Colombian troops landed at Colon and their two generals proceeded by rail to the city of Panama, where they were arrested and placed in confinement by the insurgents, who had been joined by all the Colombian troops on the Isthmus, except the 450 just landed, and who had a force of 1,500 men under arms. On the morning of the next day, the 4th of November, the remaining commander of this body of Colombian troops in Colon sent a notice to the American consul that if the officers who had been arrested by the insurgents in Panama the evening before were not released by 2 o'clock p. m. he would open fire on the town of Colon and kill every United States citizen in the place. There was then no American armed force of any description on the soil of the Isthmus. The *Nashville* was in the harbor. The American consul appealed to the commander of the *Nashville* for protection and he landed the 42 marines and bluejackets. They took possession of the shed of the Panama Railroad Co., a stone building capable of defense, collected there the American men residing in Colon, sent the American women and children on board of a Panama Railroad steamer and a German steamer which were lying at the dock, and prepared to receive the threatened attack. The building was surrounded by the Colombian troops, and for an hour and a half this little force stood to its arms, ready to fire and expecting to receive the threatened and apparently intended attack of ten times their number. Then cooler judgment prevailed with the Colombian officers and the tension was relieved. On the following day a renewal of the threatening attitude of the Colombian troops led to a reoccupation of the railroad shed and a return of the women and children to the steamers; but again the danger passed without conflict; and on the evening of the second day, the 5th of November, after conferences with the insurgent leaders, in which the American officers took no part, the Colombian troops boarded a Colombian ship and sailed away from the harbor of Colon, leaving no Colombian force on the Isthmus. The commander of the *Nashville* closed his report of these occurrences in these words:

"I beg to assure the department that I had no part whatever in the negotiations that were carried on between Col. Torres and the representatives of the provisional government; that I landed an armed force only when the lives of American citizens were threatened, and withdrew this force as soon as there seemed to be no ground for further apprehension of injury to American lives and property; that I relanded an armed force because of the failure of Col. Torres to carry out his agreement to withdraw and announced intention to return; and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the Isthmus."

Objection has been made that owing to American direction the Panama Railroad Co. refused to transport the 450 Colombian soldiers to Panama to attack the 1,500 insurgents in arms there, and that the officers of the American Government were directed to prevent any troops of either party from making the line of the railroad the theater of hostilities; but this was no new policy devised or applied for this occasion; and it was impartial as to both parties to the controversy. The insurgents were anxious that the transportation should be given, for they outnumbered the Colombians more than three to one.

Mr. KELLOGG. Mr. Root's speech shows the whole history of what occurred on the Isthmus as it appears by the reports and correspondence of Secretary Hay. He states that everyone knew there would be a revolution; that the United States did not make provision enough to protect the railway. The only ship there was the *Nashville*, and they succeeded in landing 42 marines in order to protect American lives when they were threatened by 450 or 500 Colombians, and then not until the Colombians had threatened that they would kill every American citizen in Panama if certain generals who had been captured by the Panamans were not given up. The American forces simply protected the railroad and the lives of American citizens. I ask Senators not only to read this candid statement of one of America's greatest statesmen, but also the statement of Secretary Hay, another of America's greatest statesmen.

Mr. Root was Secretary of State in Mr. Roosevelt's Cabinet after these transactions took place and carried on the correspondence with Colombia over the tripartite treaties, which were never ratified by that country. But I do not rest on his statement alone. You may search in vain in the correspondence to substantiate the charge of Colombia. In landing 42 marines to protect American lives and the right of transit across the Isthmus the United States did no more than it had frequently done before under the treaty in preventing the soldiers of Colombia or the revolutionary soldiers from using the railway for transportation.

Furthermore, we have the declaration of Mr. Roosevelt, in his message to Congress, that the United States Government did not incite or encourage the revolution. Now, I wish to read a part of what he said:

I hesitate to refer to the injurious insinuations which have been made of complicity by this Government in the revolutionary movement in Panama. They are as destitute of foundation as of propriety. The only excuse for my mentioning them is the fear lest unthinking persons might mistake for acquiescense the silence of mere self-respect. I think proper to say, therefore, that no one connected with this Government had any part in preparing, inciting, or encouraging the late revolution on the Isthmus of Panama, and that save from the reports of our military and naval officers, given above, no one connected with this Government had any previous knowledge of the revolution except as was accessible to any person of ordinary intelligence who reads the newspapers and kept up a current acquaintance with public affairs.

Mr. President, the American people and the world believe what Theodore Roosevelt said, and I listened with amazement to the arraignment of his conduct recently in the Senate of the United States. Is he to be blamed for the recognition of Panama that enabled this country to realize the dream of the ages in the accomplishment of this magnificent project? Was he to wait upon the interminable delays of diplomatic correspondence, with an irresponsible Government, torn by factions and distracted by civil wars, or was he to recognize the aspirations of an oppressed people, enter into the treaty, and construct the canal, which will be of such inestimable value to all the generations to come?

As I have said, the people believed Theodore Roosevelt. As was eloquently said by the Senator from Idaho upon the floor of the Senate, through the life of this many-sided man always ran the golden thread of patriotism. He was doing then what he believed to be and what I believed to be for the interest of this

country, for which I am not willing to vote an apology or to buy the good will of Colombia.

It seems to me that the construction of a canal across the Isthmus was contemplated by the treaty of 1846 between this country and New Granada; that its construction was of the most surpassing importance to this country as well as to the entire world; that Colombia recognized that this was the only country whose wealth and position made it feasible to attempt the enterprise; that every principle of interest and good faith required that Government to further this object; that in negotiating the Hay-Herran treaty this Government was generous in its conduct and furthered the interests of Colombia; that at least the members of the Government who negotiated the treaty were obligated in good faith to attempt to procure its confirmation by the Colombian Congress; that Colombia did not act in good faith and tried to block the immediate construction of the canal, tried to procure more money from the French Canal Co.; and that had we not recognized Panama and promptly entered into a treaty and commenced the construction of the canal, its construction would have been delayed for many years and the material interests of this country as well as of the entire world sacrificed. But if I had doubt upon these questions, those doubts would be set at rest by the conscientious, candid, and able statement of the case by two previous administrations.

I have read with great interest the communications of Mr. Hay to Gen. Reyes of January 5, 9, and 13, 1904, and other documents emanating from this distinguished statesman, together with the statement of the case by Secretary of State Root on February 10, 1906, in which, after referring to the statement of the case by Mr. Hay, he says:

> Upon the most painstaking review of the facts and of the positions taken by my predecessor, I find no just ground for departing from the conclusions which he reached. It is needless to repeat the views then expressed.

Not only that, but the subject was considered during the four years of President Taft's administration, under the able administration of Mr. KNOX as Secretary of State. I have read with great interest the instructions given by Mr. KNOX to our representative in Colombia, and I do not find there any concession that this Government violated the treaty, international laws, or moral obligations in its dealings with Colombia. I do find a willingness to adjust the difficulties, to pay Colombia $10,000,000 and receive from Colombia a concession for the right of way to the Atrato Canal and the use of certain islands adjacent to the present canal. Neither do I find in the treaty, in the tripartite agreements negotiated with Colombia and Panama by Mr. Root, any justification for the present treaty. I have read the separate views of the distinguished Senator from Pennsylvania upon this treaty, in which he says:

> This treaty differs in degree or character of consideration and other details, but not in principle, from the two sets of contemplated treaties which, if consummated, would have embodied the policies of the last two Republican administrations.

I would ask the Senator if this treaty embodied the principles willing to be conceded by the last two administrations why Secretaries Hay and Root did not negotiate it, or why the Senator did not himself, as Secretary of State, enter into this treaty? If I read correctly the instructions of Mr. KNOX as Secretary of State to Du Bois, our representative in Colombia, with all due respect to the distinguished Senator, I do not think they bear out this construction. As I have already stated, the distinguished Senator from Pennsylvania claims that this treaty differs in degree or character of consideration and other details, but not in principle, from the treaties negotiated by Mr. Root and the settlement proposed by himself under the administration of Mr. Taft.

In my judgment those treaties and that settlement are in no way comparable to the treaty now before this Senate for ratification. This treaty is exactly what Colombia claims it to be—a payment to her of damages for having been deprived of Panama. I wish Senators would read with care the correspondence of Secretary Hay, Secretary Root, and Secretary Knox in their efforts to negotiate these treaties. If they do, they will find the most generous attempts to make a settlement and adjustment, never, however, conceding the right of Colombia to compensation for being deprived of Panama or for any acts of this Government in connection with the recognition of the Government of Panama or growing out of the acquisition of the canal rights. You will find also that the United States consistently refused to arbitrate any of those questions, because they were political issues which this Government could not and would not arbitrate. Senators will also find that Colombia insisted upon such compensation or arbitration, and that Secretary Knox finally, just before March 4, 1913, notified Colombia that the propositions made by him were the utmost limit to which this Government would go, and yet we are now asked to ratify a treaty which agrees to pay $25,000,000 to Colombia, which is for no other purpose—and can be for no other purpose—than to compensate her for the loss sustained by the revolution in Panama in November, 1903.

Secretary Root, in 1909, negotiated two treaties—one between the United States and Panama, known as the Root-Arosemena treaty, and one between the United States and Colombia, known as the Root-Cortes treaty. A treaty was also negotiated between Colombia and Panama, known as the Cortes-Arosemena treaty. These were known as the tripartite treaties, and each was dependent upon the ratification of the other, which ratifications were to be exchanged simultaneously.

I have not the time to analyze all of these treaties, but a brief statement of the treaty between the United States and Colombia will be sufficient for the present discussion.

Article 1 of this treaty expresses a desire for mutual peace and sincere friendship.

Article 2 grants Colombia the right to convey through the ship canal now in course of construction troops, materials of war, and ships of war without duty, and officers and agents of the Government of Colombia.

In that respect the treaty is similar to this. I stated that before.

Article 3 admits products of the soil of Colombia on the same terms as like products from the United States.

Article 4 gives the mails free passage through the Canal Zone and the post offices of Ancon and Cristobal, and during the construction of the canal Colombian products were to be passed over the Isthmian Railway at the lowest rates which were charged for similar products of the United States, and sea salt for actual cost of handling, not exceeding one-half the ordinary freight rates.

Article 5 simply recognizes the agreement of Panama to pay Colombia $250,000 a year for 10 years.

The distinguished Senator from Massachusetts [Mr. LODGE] said yesterday that we had agreed to the payment of money to obtain the good will of Colombia, and that in that treaty we were to pay the money through Panama. As a matter of fact, we simply agreed in the Root-Cortes treaty that Panama might pay for 10 years $250,000, which she was to receive from us; that is all. Now, Colombia did claim that Panama was obligated to pay a part of the Colombian debt in the event she had independence, and Mr. LODGE in the Senate of the United States in 1904 answered that argument completely, and said that it was not a principle of international law that a seceding country was obliged to pay any part of the debt of the country from which it seceded, but if Panama wished to do it we simply consented to Panama paying over to Colombia her own money which we were to pay her under the treaty under which we constructed the canal; that is all. That is an entirely different proposition from our paying Colombia $25,000,000 for nothing else except her good will.

Article 6 provides that the Republic of Colombia grants to the United States use of all ports of the Republic open to commerce as places of refuge for any vessels employed in the canal enterprise and for all vessels in distress passing through the canal and seeking shelter or anchorage in said ports, subject in times of war to the rules of neutrality properly applicable thereto, such vessels to be exempt from anchorage or tonnage dues. The Republic of Colombia renounces all rights and interests in connection with any contract or concession made between it and any corporation or person relating to the construction or operation of a canal or railway across the Isthmus of Panama.

Article 7 contains an agreement to negotiate various treaties of the United States, Panama, and Colombia relating to commerce, and so forth.

Now, there is nothing in that treaty that is comparable to this treaty. Read it with care.

Colombia refused to ratify these treaties. They were signed during the administration of President Roosevelt, were ratified by the United States Senate, but were never ratified by the Colombian Congress. During the administration of President Taft his Secretary of State, the distinguished Senator from Pennsylvania [Mr. KNOX], carried on a long correspondence, in which he made certain additional concessions, but positively refused to arbitrate the political acts of this Government or for a moment to use any language which would impugn in any way the past attitude, acts, or motives of the United States in connection with this matter. Finally, Secretary Knox proposed, through Minister Du Bois, five propositions, which he said in his note of February 7, 1913, were the utmost limit to which the United States would go. I quote from Secretary Knox's letter:

During your next interview with the President you may explain that the plan under discussion represents the utmost limit of propositions which the United States would be willing to consider if the Government of Colombia proposed them. If the Government of Colombia, as you state in your telegram, prefers to discuss this matter with the incoming administration, you will indicate to the President of Colombia that further discussion at this time becomes obviously useless, and that you are therefore under instructions to refrain from further conversation in the matter.

The five propositions made by Secretary Knox are as follows:

First. The completion of the tripartite treaties by Colombia.

Second. The payment of $10,000,000 to Colombia for an option to construct an interoceanic waterway on the Atrato route and for the privilege of coaling stations on the islands of San Andreas and Providencia.

These propositions are not included in this treaty.

Third. The good offices of the United States in the settlement of all disputes between Colombia and Panama.

Fourth. The arbitration of the claims of Colombia to reversionary rights in the Panama Railroad.

You will see, if you read the correspondence, that arbitration was to be protected by certain concessions of the independence of Panama, which, in my judgment, gave her the title to the railroad; but if Colombia to-day wishes to arbitrate the question of whether she has a reversionary interest in the railroad, I would be willing to arbitrate it, provided always she concedes as a prerequisite to that arbitration our right to recognize Panama, and to make the treaty and to acquire the French rights and build the canal. That I would never agree to arbitrate with any nation. It is a political question. Secretary Knox agreed to arbitrate the question of the reversionary right in the railway with proper protection; that is all.

Fifth. The granting of extraordinary preferential rights to Colombia in the Panama Canal.

These propositions were rejected by Colombia and Mr. Du Bois reported the language of the President of Colombia in answer to these suggestions as follows. Now, I want to show that Colombia took the same position in 1913, just before the making of this treaty by Mr. Bryan, that she took in 1903. He says:

Nine years ago the Government of the United States, in violation of a solemn treaty, took Panama, our richest asset, from us by armed intervention, and now they send an envoy here to ask us to practically sell our islands and grant the right to construct another canal through our territory. You must realize, Mr. Minister, that the acceptance of any proposition which would give to your Government the supervision in any form whatsoever over Colombian territory would mean the undoing of my administration.

And yet for years she begged us to build a canal in her territory. When did she become so independent that she would not grant the right to build a canal and have supervision over it?

To the patriotic spirit of Colombia it would be an unthinkable thing, and as to the ratification of the Root-Cortes treaty, it will never be concluded by the Colombian Government with its present impossible terms.

The reason for this refusal is perfectly evident from the correspondence between Mr. Du Bois and Secretary Knox. Colombia believed that the new administration would grant any concessions which she should ask, and before the inauguration the Colombian Government had been evidently notified that it could make more favorable terms with the Democratic administration. I quote part of a letter from Minister Du Bois to Secretary KNOX, dated February 5, 1913:

What the outcome of these conferences will be is still uncertain. Beyond the peradventure of a doubt word has reached headquarters here from the United States that the Democratic administration "should have the prestige" of a settlement between the two countries, and will make a much more generous arrangement than the present administration can possibly offer. I have tried to impress upon those in authority here that the policy of the department on general principles is unaffected by a change of administration—

I wonder if the distinguished Senator from Pennsylvania is still under that same illusion—

that it always remains true to the broadest lines of treatment of all nations; and that, while I have no authority to speak for the incoming administration, still it is difficult to conceive of any plan it could adopt that would be more just and honorable and generous than the one now under consideration, and which at the same time would meet with the approval of the American people. Whatever happens, the Department of State has now suggested a settlement which for liberality, practicability, and deference to the susceptibilities of the Colombian people must challenge the admiration and sympathy of all right-thinking persons, no matter what their nationality may be. I hope that the Colombian authorities may find it possible to arrange a settlement on the lines now proposed, and I suggest that if the department deems it proper the statement herewith inclosed might be published, provided Colombia refuses to treat along these lines. Notice of such refusal would, of course, be cabled to the department as soon as it is known here. It would prove to the world that the United States has made a sincere and honest endeavor along broad and generous lines to render every possible justice to the Republic of Colombia, whose ancient friendship our country would rejoice to see renewed.

Noble words; and yet here, eight years later, we find the same gentleman in the Senate—and I make no suggestions that his motives are not the highest; he is a patriotic gentleman—advocating the payment of $25,000,000 to Colombia, granting her all these preferential rights, and not even getting the Atrato route or the islands of St. Andrews and Providencia or any of the other rights which he insisted were the utmost propositions the United States would consider. I for one will stand on that declaration.

But again, Mr. President, I also quote from two other communications from Minister Du Bois, dated February 17 and February 19, 1913. I will be through in a moment, but I will take the time of the Senate to read these because they are very important. He said:

I had on last Saturday my first and last conference with the new minister for foreign affairs, Mr. Urrutia. I made informal suggestion concerning and explained in full the following bases for settlement: Ten million dollars' option for Atrato Canal route and coaling stations on the islands of San Andrés and Providencia, good offices in the settlement of Panaman controversy, arbitration of the reversionary rights of Colombia in the Panama Railroad, and preferential privileges over the Panama Canal. In reply the minister stated that, although he had supported the tripartite treaties, he now agreed with the Colombian Government that all the informal suggestions made by me should be rejected. When asked for his reasons, he replied that should the Colombian Government accept, the result would be a revolution. Whereupon I asked if the Colombian Government would accept if the United States should offer $10,000,000 without requesting the options, together with the other suggestions. He answered, "No; all the suggestions made by you are far less than Colombia can accept." I then inquired what terms Colombia would accept. The reply was: Arbitration of the whole question of Panama or a direct proposition on the part of the United States to give Colombia compensation for all the moral, physical, and financial losses which she sustained as a result of the separation of Panama. When I asked if this was the last word of the Colombian Government in this matter, he replied, "Yes."

I expressed deep regret that all of my generous suggestions for a friendly settlement should have been rejected by the Colombian Government and that it should insist upon terms so impossible. I then withdrew from further discussion all of the suggestions and notified the Colombian Government that it should consider them as never having been made. I shall present the note as instructed in your February 7, 1 p. m.

It seems to be expected by the Colombian Government that the incoming administration will either arbitrate the entire question of Panama or will directly compensate Colombia for the value of the Panaman territory, the railway, the annuities, and the French Canal Co.'s contract. In the pouch of February 5 I mailed important statements to the department. The contents should be published at once, so that the world, and Latin America especially, may be aware of the generous effort made by the United States Government to adjust the Colombian differences.

I request leave of absence to come to Washington and make personal report to the department of all details. (Granted February 18.)

* * * * * * *

In reference to my telegram of February 17, 7 p. m., I report that in a subsequent interview with the minister for foreign affairs I informally again asked the question: If the United States, without requesting options or privileges of any kind, should offer Colombia $25,000,000, its good offices, the arbitration of reversionary railroad rights, and preferential canal rights, would Colombia accept? The reply was "No."

Here is the secret of this treaty. The negotiations which took place during the Roosevelt and the Taft administrations demonstrated that Colombia demanded compensation for "all the moral, physical, and financial losses which she sustained as a result of the separation of Panama"; that she believed the incoming Democratic administration would make a much more generous settlement than the Roosevelt administration; that she expected the incoming administration would either arbitrate the entire question of Panama, or would directly recompense Colombia for the value of Panama and the territory, the railway, the annuities, and the French Canal Co.'s contract; that immediately after the inauguration of the Democratic administration Mr. Bryan made this treaty, which provides direct compensation for these claims of Colombia, and if this treaty is ratified we acknowledge to the world that we wronged Colombia, violated her rights, and are now willing to make reparation therefor.

Mr. President, I am as anxious as anyone to place upon an enduring basis amicable relations between the United States and all nations of the world, especially the Central and South American Republics. To them we should be more than generous, but with that friendship must go a respect for this Government and its institutions. We can best cement that feeling of friendship by a firm adherence to the principles of international law. That respect can not be obtained by a surrender of the honor of the United States. Let it be understood that this Government will always firmly insist upon its rights, without encroachment upon the rights of others, and we will not only have the respect but the enduring friendship of those countries. See where a vacillating, compromising attitude toward Mexico has brought us; how the rights of American citizens have been violated with impunity, American property confiscated, and lives sacrificed. Is this policy to be continued? The Latin-American countries know, and all the world knows, that in what we did in 1903 we were strictly within our rights

and pursued the only course for the consummation of this great project.

Mr. CUMMINS. Mr. President, if the Senator will permit me, I desire to ask him one additional question, which may have been answered while I was out of the Chamber for a few moments. Does the Senator from Minnesota understand that the annual payments, as provided for when Colombia granted the right to build the railroad across Panama, rest upon the same basis that her reversionary right to the railroad rests?

Mr. KELLOGG. Yes; I think they do.

Mr. CUMMINS. And if she has no reversionary interest in the railroads she is not entitled, then, as the Senator suggests, to any annual payment by the United States because we have taken over the railroad.

Mr. KELLOGG. That is my position. But, Mr. President, if there is any doubt about that position, we can arbitrate that, as the Senator from Pennsylvania suggested. But that is not this treaty. It is a bald, simple payment of $25,000,000 and grants of great value, which are of questionable validity, to obtain the good will and to settle the controversies which arose from events on the Isthmus in 1903, and I say that, while I am perfectly willing to arbitrate any legal question, perfectly willing to buy the Atrata route, and pay an enormous price for the islands of St. Andrew and Providencia, I am not willing to barter the Nation's honor for the good will of Colombia or any other country.

APPENDIX A.

[Senate (in executive session) Rept. 1, Part 2, Sixty-fifth Congress, special session.]

SETTLEMENT OF DIFFERENCES WITH COLOMBIA.

Mr. MCCUMBER, from the Committee on Foreign Relations, submitted the following views of a minority, to accompany Executive H, Sixty-third Congress, second session:

"The undersigned minority members of the Committee on Foreign Relations agree most heartily with the declaration contained in the majority report that 'no good can come by recalling and discussing old issues.' But we beg to remind the majority that this proposed treaty does exactly that thing. What are we paying this $25,000,000 for except in settlement of old issues? Will not the American people ask this question, and can we avoid the answer that it is in payment of something that grew out of that past issue? What does the United States receive for this vast sum? Absolutely nothing, either corporeal or incorporeal. Colombia grants nothing, parts with nothing which she possesses.

"This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally, and no combination of words, no niceties of diplomatic language can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia. On no other hypothesis could Colombia ask for this indemnity of $25,000,000, and on no other could we acquiesce in that demand.

"While there is an attempt in the beginning of the report by careful wording to veil this disagreeable aspect of the case, it is, nevertheless, forced into relief as the moving consideration for this great outlay in another sentence of that report, which reads as follows: 'In all of these treaties the United States, out of the desire to settle the controversy, has offered to make recompense to Colombia by way of satisfaction for her claim for damages.' There is a clear admission that we are paying this sum to settle a claim for damages. By making the payment we admit the claim.

"The minority of the committee desire to go on record as denying the charge which this payment recognizes as valid, that this country was guilty of any international misconduct in the acquisition of the territory on which the canal was constructed.

"On the contrary, the minority declare that our conduct in securing an agreement from Panama was just and proper in every respect and that the Colombian Government has no just or equitable claim against this Nation for any act on our part in connection therewith.

"This treaty is, in effect, not only a plea of guilty to the charge made against us by Colombia, but an agreement that, in addition to the payment of $10,000,000, the price for which the Government of Colombia had agreed to convey to us the right of way over the Isthmus, while she claimed sovereign rights over that territory, we shall also pay $15,000,000 to Colombia as exemplary damages. No other construction can or will be placed by the world on our action.

"Nor can we avoid this conclusion by declaring to the world that we are paying this vast sum, two and a half times greater than we paid Panama for our right of way, 'to establish cordial relations of amity.' We can not afford to purchase cordial relations with any country. We can not afford to answer a blackmail demand. Once respond to such a demand and we shall be held up for every fancied wrong by other countries.

"This treaty involves two questions: First, whether on its merits it ought to be ratified by the Senate, and, second, whether any treaty with Colombia ought, under existing circumstances, to be ratified at this time. In our opinion Colombia, by her conduct at the time of the Hay-Herran treaty, forfeited all claim upon the United States on account of the latter's acquisition of the Canal Zone and its accompanying rights from the Republic of Panama. But assuming that a treaty is to be made at all, the undersigned regard the one now presented to the Senate as improvident and unworthy. This treaty contains an apology for past conduct on the part of the United States which, however veiled, is still an apology. It proposes to give Colombia the enormous sum of twenty-five millions with no return, no equivalent except the highly doubtful good will of Colombia. All the articles confer rights and privileges upon Colombia, and the United States gets nothing, neither the control of the Atrato route nor the important islands provided for in the Knox treaty, nor even a formal recognition of the title of the United States to the canal and the Canal Zone. It seems to the minority that such a treaty, giving a huge sum of money to a country which has, strictly speaking, forfeited all claims upon the United States by its own conduct, is not to be defended and should not be ratified.

"Another grave objection to this treaty will be found in the first clause of article 2, which makes an exception in favor of Colombian transit of the canal, particularly for her ships, munitions of war, and armed forces, not provided for in the Hay-Pauncefote treaty. It discriminates as to canal tolls for all such transit against all other Latin-American countries, as well as against our own ships even in the coastwise trade. It places us in a position where, even granting our right to refuse transit to the armed forces and vessels of countries at war with us, Colombia might pass the vessels of the countries with which we are at war through the canal by putting them under her own flag and claiming them as her nationals.

"The second objection which lies against any possible treaty with Colombia at this time is to be found in the fact that immediate and hasty action is urged because Colombia threatens us with hostility.

"Any friendship which is bought is worthless, especially when purchased under threats which, when successful, breed contempt in the mind of the seller and a sense of bitter dislike and humiliation in that of the buyer. No strong and proud nation should ever consent to buy with money the abstention from hostility of any country which sees fit to threaten it. It is a degradation to which the United States should never submit.

"If we believed that we had wronged the Colombian Government, we should be quick to repair that wrong. As we believe we have not done that country any injustice, we earnestly protest against the purchase of her friendship.

"H. C. LODGE.
"P. J. MCCUMBER.
"W. E. BORAH.
"F. B. BRANDEGEE.
"A. B. FALL."

APPENDIX B.

ARTICLE XXXV.

The United States of America and the Republic of New Granada, desiring to make as durable as possible the relations which are to be established between the two parties by virtue of this treaty, have declared solemnly, and do agree to the following points:

First. For the better understanding of the preceding articles, it is and has been stipulated between the high contracting parties that the citizens, vessels, and merchandise of the United States shall enjoy in the ports of New Granada, including those of the part of the Granadian territory generally denominated Isthmus of Panama, from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels, and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory, from one sea to the other. *The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States;* and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce, belonging to the citizens of the United States; that no other tolls or charges shall be levied or collected upon the citizens of the United States, or their said merchandise, thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is, under like circumstances, levied upon and collected from the Granadian citizens; that any lawful produce, manufactures, or merchandise belonging to citizens of the United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever, or, having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said Isthmus. *And, in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the 4th, 5th, and 6th articles of this treaty, the United States guarantee, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and, in consequence, the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.*

Mr. LODGE. Mr. President, I request that there be printed in the RECORD two decisions of the Supreme Court as to the counting of the days, which make it very clear that the opinion which has been held by myself and others is correct, that the count begins the day after the day named; that is, the day named being the first day of the session, Tuesday is the first day counted, and that takes us to Wednesday, the 20th, as the day on which we shall vote. I owe the quotations which I give from the Supreme Court to the Senator from Minnesota [Mr. KELLOGG], and I think there can be no doubt about the question. I thought it well that the Senate should know that the vote would come on the 20th at 4 o'clock under the unanimous-consent agreement.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

In Sheetz *v.* Sheldons, lessee, Second Wallace, page 177, the court held "in the interpretation of contracts where time is to be computed from a particular day or a particular event, and when the act is to be performed within a specified period from or after the day named, the general rule is to exclude the day thus designated and to include the last day of the specified period."

This rule was laid down in the very latest case in the Supreme Court of the United States on this subject. (Lanahan, administrator, *v.* McKeel, 244 U. S., 583.) In that case the approval of the Secretary

of the Interior was to be effective 30 days from date. The approval of the Secretary was on the 26th day of March, and the court held that that day was to be excluded, and that the time expired on the 25th day of April, to wit, 30 days after the first day, excluding the first day.

Mr. BRANDEGEE. Mr. President, I move that the Senate proceed to the consideration of legislative business.

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harreld	McCumber	Sheppard
Borah	Harris	McKellar	Shortridge
Brandegee	Harrison	McLean	Simmons
Broussard	Heflin	McNary	Smith
Bursum	Hitchcock	Moses	Smoot
Calder	Johnson	Nelson	Spencer
Cameron	Kellogg	New	Stanfield
Capper	Kendrick	Norbeck	Swanson
Caraway	Kenyon	Norris	Wadsworth
Cummins	Keyes	Overman	Walsh, Mass.
Curtis	Knox	Phipps	Warren
Dial	Ladd	Pittman	Watson, Ga.
Dillingham	La Follette	Poindexter	Watson, Ind.
Fletcher	Lenroot	Pomerene	Willis
Gooding	Lodge	Ransdell	

Mr. CURTIS. I desire to announce the absence of the Senator from Nevada [Mr. ODDIE] on account of illness.

Mr. HEFLIN. My colleague [Mr. UNDERWOOD] is absent on account of the illness of his mother.

The VICE PRESIDENT. Fifty-nine Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from Connecticut [Mr. BRANDEGEE] that the Senate proceed to the consideration of legislative business.

Mr. BORAH. Mr. President, I do not wish to debate the question, but I simply want to make an inquiry so that I may not be prejudiced by estoppel. I understand the Senator from Connecticut desires to have the Senate go into legislative session for the purpose of considering the report upon the rules. I have also understood that the Senator from Ohio [Mr. POMERENE] is prepared to go ahead with his address this afternoon. I have no desire, of course, to prevent considering a change of the rules at a time when there is no one who desires to debate the treaty. But there are a great number yet who desire to discuss the treaty, and if there is anyone who desires to go ahead, I think, in fairness to the agreement which we have made, and in the spirit of the agreement, we ought to proceed with the debate on the treaty.

Mr. BRANDEGEE. Mr. President, I have no desire whatever to interfere with the discussion of the Colombian treaty. If the construction of the unanimous-consent agreement which was entered into to vote upon that treaty eight days after the Senate convened is that it is to be exclusively before the Senate; that nothing else is to be considered; that there shall be no morning hour and no morning business transacted, I am perfectly willing to abide by the construction of the Senate upon its own unanimous-consent agreement.

Neither have I any desire to press the question of the organization of the Senate by the filling up of its committees. It means nothing to me. Such committees as I am on I am satisfied with, and I go on no new committees. But there are a number of new Senators here, to whom it is of considerable importance to know what committees they are going on, to get in touch with their committees, and to be able to attend their committee meetings. Some of the committees have two or three new Senators upon them, and others more than that.

I am perfectly willing to abide by the sense of the Senate, and not press the consideration of the amendment to the rules, or the organization of the committees at all, for eight days, if the other Senators prefer that course. It means nothing to me. I simply make the motion to go into legislative session, because the Senator from Ohio [Mr. POMERENE], who gave notice that he would follow the Senator from Minnesota, who has concluded, is willing to defer his speech on the treaty until to-morrow. If any Senator wants to discuss the Colombian treaty, all he has to do is to say so, and I will withdraw my motion to go into legislative session, and you can talk Colombian treaty exclusively for eight days. I simply want to test the sense of the Senate as to when they would like to have the rule amended and the committees made up.

Mr. POMERENE. Mr. President, as the Senate is aware, I gave notice that I would address the Senate immediately following the speech of the Senator from Minnesota [Mr. KELLOGG] and I am prepared to go on with it. But I was approached this afternoon with the suggestion that perhaps a motion would be made to go into legislative session. I did say to one Senator on this side of the Chamber that I expected to go on. Later on the Senator from Connecticut came to me, and as the matter related to the question of the organization of the Senate I was disposed to think that perhaps it had the right of way in any event, and I consented to postpone my remarks until to-morrow so that that matter could be taken up.

That is the situation so far as I am concerned. I would a little rather not go on this afternoon at this late hour, but if it is the will of the Senate that I shall go on, I am ready to proceed.

Mr. LODGE. Mr. President, I have construed the unanimous consent, as I am under impression they always were construed, to mean that the subject on which it was agreed there should be a vote at a specific time should be laid before the Senate if anyone desired to discuss it, but if there was no one ready to go on, of course it did not preclude taking up other business. That is the principle on which I have acted.

Mr. BORAH. Of course, I agree perfectly with the Senator from Massachusetts that that is the correct construction of a unanimous-consent agreement. I was under the impression that some one would desire to go on to-day. Certainly if no one does wish to go forward with the discussion I have no desire to interfere with other business.

Mr. HARRISON. Mr. President, will the Senator from Idaho yield to me to ask the Senator from Connecticut a question?

Mr. BORAH. Certainly.

Mr. HARRISON. Is it the object to go into legislative session and take up the proposed change in the rules without the Rules Committee considering the proposition in an orderly way and making its report to the Senate?

Mr. BRANDEGEE. I gave notice yesterday under the rule that to-day a motion would be made to amend the rule. Then, in order to inform the Senate, I submitted a resolution showing in what respect it was proposed to change the rule. I asked that that resolution be referred to the Committee on Rules. Every Republican member of the Committee on Rules attended the Republican conference yesterday and is in favor of the change in the rule as suggested in the resolution.

Mr. HARRISON. Does the Senator think it is sufficient for the Republican members to agree to it?

Mr. BRANDEGEE. I hope the Senator will allow me to finish my reply before he asks another question.

Mr. HARRISON. But that was so pertinent.

Mr. BRANDEGEE. The Senator from Pennsylvania [Mr. KNOX], chairman of the Committee on Rules, upon my asking whether he thought he would call the committee together, said that the resolution seemed to be so plain and the change proposed so simple he did not think it was necessary to call the committee together. I understood the Senator from Mississippi to state yesterday that there were so many Democratic members of the committee absent from the city who could not get here until the last of the week——

Mr. HARRISON. There are two absent.

Mr. BRANDEGEE. I did not know how many there were, but the Senator from Mississippi wanted to know when, in my opinion, the committee could consider it, and I told him I could not tell him.

Mr. HARRISON. Can the Senator now tell me?

Mr. BRANDEGEE. Under the rules the notice I gave was that the motion would be made, and if we go into legislative session I shall make a motion to adopt the resolution. The rule, of course, does not provide that such a motion shall be sent to the Committee on Rules. It was purely an act of courtesy on my part to have the resolution sent to the committee, because the rule does not compel it.

Mr. HARRISON. But the resolution is now before the Rules Committee.

Mr. BRANDEGEE. Yes; but the resolution I shall ask the Senate to adopt is not essentially, but a little, different.

Mr. HARRISON. Then the required notice has not been given with reference to the other resolution.

Mr. BRANDEGEE. Oh, yes. The differences between the resolution I shall offer and the resolution pending in the committee are not such differences as that adequate notice was not given in the notice which I gave on yesterday.

Mr. SWANSON. Mr. President, as I understand, the resolution, of which the Senator gave notice as required by the rules, has been referred to the Committee on Rules and is not now before the Senate.

Mr. BRANDEGEE. It is not required by the rules. The resolution referred to the committee was not the resolution which I shall move to have adopted.

Mr. SWANSON. That is the one of which the Senator gave a day's notice?

Mr. BRANDEGEE. Oh, no; I gave a day's notice that a motion would be made to change the rule in accordance with the

terms of the resolution, and if we go into legislative session I shall make the motion. I have that resolution here.

Mr. SWANSON. As I understand the position of the Senator from Mississippi, the resolution is not now before the Senate but is in the Committee on Rules.

Mr. HARRISON. Yes.

Mr. SWANSON. And it is now going to be placed before the Senate without a report from the committee.

Mr. LODGE. Nothing of that sort is going to be done. The Senator from Connecticut can move the adoption of the resolution introduced on yesterday, and the change he proposes is a change that can be made. The rule is open to amendment on the floor, and there is nothing which requires it to go to the Committee on Rules.

Mr. SWANSON. But it did go there, and it is not now before the Senate.

Mr. LODGE. It does not make any difference. The Senator offers another one.

Mr. SWANSON. The resolution must be before the Senate before it can be acted upon.

Mr. LODGE. Not the particular resolution for an amendment of the rule.

Mr. BORAH. Mr. President, in order that I may yield the floor, I should like to ask if there is any Senator who desires to proceed with a discussion of the Colombian treaty? If there is not, I have not anything further to say.

Mr. HARRISON. Mr. President, I should like to have the matter made clear, so that we may all understand it. Of course, I understand the Senator is dealing with a very small minority over here, but I am quite sure that minority finds itself in a very embarrassing position touching assignments to committees, the same as does the majority. If this matter could be considered by the Committee on Rules, it may be that the facts which would be presented by the minority Members would appeal to the judgment of the majority with reference to the situation, and that the majority might change the proposed rule in some respects. In the interest of fair play, will they not allow it to go to the Committee on Rules and be considered in an orderly way?

Mr. BRANDEGEE. Mr. President, I consider the action of the Senate to be an orderly way. When the Senate desires to have the advice of a committee, they refer something to it. There is nothing in the proposed change but what is obvious to any Senator who will read it, and it takes about two minutes to read it. The proposed change does nothing but increase the membership of the 10 major committees by one member on each committee, and changes the name of two or three committees, such as striking out "arid lands" from the name of the Committee on Irrigation and Reclamation of Arid Lands. If there is any great aid that a committee could give the Senate in considering that, I fail to see it.

The rule to which I call the attention of the presiding officer is Rule XL, which contemplates a motion to change a rule of the Senate. It provides that no motion to change such a rule shall be considered until a notice has been given the day before. That is simply to prevent a sudden change of the rule without having Senators know what the proposed change is. The notice has been duly filed and is quite specific, and the resolution has been printed in the RECORD and is on the desk of every Senator. I do not wish to press it at all. If the Senate does not wish to consider a change in the rule and does not wish to make up the committees of the Senate, it is perfectly immaterial to me. I can stand it as long as the rest can.

Mr. HARRISON. May I ask the Senator one question?

Mr. BRANDEGEE. Certainly.

Mr. HARRISON. The rule is simple. It is proposed to make an increase of one place on each of 10 certain committees. Is it the object of the steering committee on the other side of the Chamber to grab all those 10 places, or is it proposed to give to the minority half of them or any of them?

Mr. BRANDEGEE. I think I could improve on the Senator's language a little.

Mr. HARRISON. That may be so.

Mr. BRANDEGEE. I would not use the word "grab." It is only our object to take them.

Mr. HARRISON. You are so used to grabbing things.

Mr. BRANDEGEE. I will say to the Senator that there is no use of his sparring with me in this Pickwickian way, although it may entertain the galleries. The Senator knows perfectly well that the entire Republican membership of the Senate met in conference yesterday and accepted the list of committees made up by the committee on committees, proceeding upon the theory that the rule would be changed so that there would be 10 Republicans and 6 Democrats on each of the major committees, and then instructed me to introduce a resolution to so change the rule.

I am carrying out the unanimous request of the Republican Party in the Senate. That is the intention. If we can prevail upon the Senate to amend the rule, then it is our intention to take 10 of the 16 members of the 10 major committees. I wish to be perfectly frank with the Senator. But if it be the sense of the Senate to do otherwise, that is for the Senate to determine. I assume that my friend the Senator from Mississippi, or some other watchful and waiting Democrat, may offer an amendment that instead of the committees being composed of 16 members there shall be 17.

Mr. HARRISON. But you may grab those extra places.

Mr. SWANSON. I should like to ask a question of the Senator from Connecticut.

Mr. LODGE. Mr. President, I suggest that this debate is out of order. We might as well vote on the motion. If we are going to do it, let us do it in legislative session.

Mr. SWANSON. It will be a very short question.

Mr. BRANDEGEE. It will be a very short answer, too.

Mr. SWANSON. I expected that. The motion when usually made has required a two-thirds majority to pass it.

Mr. LODGE. Oh, no.

Mr. SWANSON. It is always a motion to suspend the rule.

Mr. LODGE. This is not a motion to suspend.

Mr. SWANSON. I mean a motion to suspend Rule XL.

Mr. LODGE. A two-thirds vote is required to suspend the rules, but not to amend the rules.

Mr. SWANSON. This is not to suspend the rules.

Mr. BRANDEGEE. Not at all.

Mr. SWANSON. It is to change the rules, and the Senator desires to do that without referring it to the committee at all?

Mr. LODGE. That is done by a majority vote.

Mr. BRANDEGEE. The notice I gave was that a motion would be made to amend the rule. I do not desire to suspend the rules. I want them in full force, but I want to have a rule changed.

Mr. SWANSON. Any motion to change the rule may come up on the next day after notice is given and be adopted by a majority vote, but when a motion is made to change the rules, it only requires a majority vote without going to the calendar in the usual course of business.

Mr. LODGE. If we are going to amend the rules, that is true, but a suspension is not an amendment.

Mr. SWANSON. That action is required under Rule XL.

Mr. PITTMAN. Mr. President, was that construction placed upon the rule by the Senator from Massachusetts at the time an effort was made to amend the rules and establish cloture in this body?

Mr. LODGE. I think so. Did it not require a suspension of the rules to get it on an appropriation bill?

Mr. PITTMAN. It required a suspension of the rules on a day's notice, just as the Senator would do here, but as I recollect the construction, because I was then very ardently in favor of cloture, more so than I am now, at that time it was decided that it required a two-thirds vote.

Mr. LODGE. I do not remember the fact, but if that was the case it was because the rule itself required a two-thirds vote.

Mr. PITTMAN. This is the only rule we have on it that I know of.

Mr. LODGE. It requires a two-thirds vote to make the cloture rule operative.

Mr. PITTMAN. I am not speaking of the rule we adopted, because that does require a two-thirds vote, but under the rules as they now exist and then existed it was held that we could not amend the rules limiting debate except upon a two-thirds vote.

Mr. BRANDEGEE. I think the Senator is wrong about that. I do not see how it could have been so held. I should like a vote, for I have been tolerant enough, upon the motion to go into legislative session.

The VICE PRESIDENT. The question is on the motion of the Senator from Connecticut to go into legislative session.

Mr. HITCHCOCK. Mr. President, I desire to be heard on that motion.

Mr. LODGE. I believe it is not debatable.

Mr. HITCHCOCK. Oh, yes; it is a debatable question. A motion to go into executive session is not debatable, but a motion to go into legislative session is debatable.

I realize that the majority party has the power to change the rules and to enlarge the committees and to take a majority of four upon each of the committees, in violation of all of the precedents and customs of the Senate. But we think in doing

such a radical thing, which involves the very foundation of the organization of the Senate, which involves the rights of the minority, it should be done in a decent and proper way.

Mr. President, that start was made yesterday by the author of the resolution when he introduced it. He asked that his notice and the resolution both be referred to the Committee on Rules. The plain understanding was at that time that that committee should meet and consider the matter and report to the Senate. Now we are told that because a party conference has been held the action of that party conference shall have the dignity of and be substituted for a report of a committee of the Senate. I say that if the majority undertakes to do such a high-handed thing it will live to regret the day that it deprived the minority of an opportunity even to be heard before one of the most important committees of the Senate—the Committee on Rules.

Not only that, but this matter is brought in here in the midst of a discussion of the ratification of a treaty; a treaty over which there is a controversy, a controversy which was finally adjusted by a unanimous-consent agreement to vote upon a certain date, the implication being that the time of the Senate between the day of meeting and the day of voting should be given over to the consideration of the treaty. The Senator from Ohio [Mr. POMERENE] was scheduled to speak this afternoon, following the Senator from Minnesota [Mr. KELLOGG]. The Senator from Ohio expected to speak and we all expected him to speak. He has only been dissuaded from that course by personal appeals by those who are interested in the adoption of the proposed rule. He may be good-natured enough to yield, but it is an unfair thing to the minority Members of the Senate, who had a right to assume that the program adopted on yesterday would be carried out to-day.

I say that much for the regularity of the proceedings. I think it will be an easy matter for the Committee on Rules to meet; I believe it will be an easy matter in the Committee on Rules to reach an adjustment of this question and altogether avoid taking up the time of the Senate with the discussion; but, because the matter is brought into the Senate at this time, I want to call the attention of Senators to some precedents.

So far as I know, a majority of the Senate has never attempted in the past to seize such a large proportion of the organized power of the Senate as represented in committees; there is no precedent for it. Neither party has ever assumed to take such action. Both parties have always acted on the theory that a fair working majority of the important committees was all that should be provided by the rules of the Senate and the customs of the two parties. Take the Sixty-first Congress—and I shall not weary the Senate by citing a large number of precedents, for I think they are all along the same order. In the Sixty-first Congress—in which the Republican Party had exactly the same number of votes that it has in the present Senate, 59 Senators, but in which the Democratic Party only had 32 Senators—in that Senate, which was more overwhelmingly Republican than the present Senate, the 10 major committees were almost all organized with a majority of three for the Republican Party. In the Committees on Appropriations, Agriculture and Forestry, and Interstate Commerce there were 8 Republicans and 5 Democrats. It is now proposed to have 10 Republicans and 6 Democrats on those committees; to have a majority of 4 instead of a majority of 3.

In that same Congress, in the Committees on Finance, Foreign Relations, Military Affairs, and Post Offices and Post Roads the Republicans took 9 members on each of those committees, and the Democrats were accorded 5 members—a majority of 4, just as is now proposed.

In the Committee on Naval Affairs there were 7 Republicans and 4 Democrats—a majority of 3. In the great Committee on the Judiciary, on which it is now proposed to have a majority of 4 Republicans, there were 9 Republicans and 6 Democrats—a majority of 3.

Now, let us take the Democratic Congress of 1915, in which the Democratic majority was, I suppose, larger than it had been for some time, but not so large as it is likely to be at some future time if present proceedings continue. In that Congress, which met in 1915, there were 56 Democrats and 40 Republicans. The Democrats in the Committees on Agriculture, Post Offices and Post Roads, Military Affairs, Naval Affairs, and Interstate Commerce took 9 members and accorded 7 members to the Republicans, making a majority of only 2 on those great committees. In the Committees on Appropriations, Finance, Commerce, and Foreign Relations the Democrats took 10 members but accorded 7 members to the Republicans, constituting only a majority of 3. In the Committee on the Judiciary the Democrats took 10 members and accorded to the Republicans a membership of 8, being content with a majority of only 2.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. HITCHCOCK. I yield to the Senator from Iowa.

Mr. CUMMINS. I should like to ask the Senator from Nebraska whether he is presenting this matter upon the assumption that the Committee on Rules has anything to do with the division of committees as between Republicans and Democrats?

Mr. HITCHCOCK. Absolutely not; but the Committee on Rules can fix the size of the committees and always has fixed the size of the committees by resolution referred to it, if concurred in by the Senate.

Mr. CUMMINS. I quite agree to that; but the amendment proposed by the Senator from Connecticut [Mr. BRANDEGEE] simply enlarges the membership of 10 major committees, and possibly one or two others—from 15 to 16. I think the Senator from Nebraska might assume that that would give a better opportunity, if the membership on this side was so disposed, to give a larger proportion of the committees to the Democratic side of the Chamber than though the membership remained at 15, as the rule now provides.

What objection has the Senator from Nebraska to the enlargement of the committees from 15 to 16? The question as to how that membership shall be divided upon the two sides of the Chamber will come before the Senate when our leader proposes the list of committees or submits the work of the committee on committees. Is not the Senator from Nebraska rather anticipating an event than meeting it?

Mr. HITCHCOCK. Not at all, sir. The committee on committees has already signed, sealed, and delivered its decree.

Mr. CUMMINS. That is the thing which the Senator from Nebraska wishes to oppose?

Mr. HITCHCOCK. Yes.

Mr. CUMMINS. He wishes to oppose the report of the committee on committees, but this is not the report of the committee on committees.

Mr. HITCHCOCK. The Republican committee on committees have already decided that they propose to take a majority of four on each of the major committees. I know of no way in which that matter can be compromised except by referring it to some small committee composed both of Republicans and Democrats, such as the Committee on Rules.

Mr. BRANDEGEE. Mr. President, will the Senator pardon an interruption there?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. HITCHCOCK. I yield.

Mr. BRANDEGEE. Will the Senator tell me whether he really thinks, after all the Senators on this side have decided unanimously, in a Republican conference, to take 10 out of 16 on the 10 major committees, that any Republican Senator is going to change his opinion in the Committee on Rules because he meets the distinguished Senator from Nebraska and two or three other of his fellow Democrats?

Mr. HITCHCOCK. I flatter myself that some Senator might be induced to listen to reason. I find that these figures were not known to all the Republican Senators.

Mr. BRANDEGEE. The Senator might flatter himself, but does he actually do so?

Mr. HITCHCOCK. I decline to commit myself on that important proposition.

Mr. OVERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. HITCHCOCK. I yield.

Mr. OVERMAN. Suppose the matter were before the Committee on Rules and in considering the plan proposed by the Republican conference, to which the majority have agreed, providing for a representation on committees of 10 Republicans and 6 Democrats, the minority should say, make the membership of the committees 10 and 7 instead of 10 and 6? That question was not taken up, as I understand, by the conference.

Mr. BRANDEGEE. The difficulty is that the Committee on Rules, as has been pointed out by the Senator from Iowa [Mr. CUMMINS], has no jurisdiction whatever to determine how many Democrats or how many Republicans there shall be on the respective committees. That is the duty of the majority. All the Committee on Rules can say is whether the major committees shall consist of 15, 16, or 17, or whatever the total may be, and the Republican conference will have to decide

how many Republicans shall go on the respective committees; that is, the majority of the Senate will have to decide, which is equivalent to saying the Republican conference.

Mr. OVERMAN. If the Committee on Rules should fix the number at 17, then it would be left to the fairness of the Republican conference to say whether the extra man should not be awarded to the Democrats.

Mr. BRANDEGEE. If the Committee on Rules, every Republican member of which has already bound himself to a total membership on the major committees of 16, should change its opinion and say the membership of the 10 major committees should be 17, then the matter would have to go back to a Republican conference, and we would have to start all over again on the question.

Mr. OVERMAN. That would be fair.

Mr. BRANDEGEE. We would have to recreate the committee on committees; set them to work to constitute the committees on the basis of a membership of 17 instead of 16; go through that for three or four days; then summon a new Republican conference, and bring the question here again. Of course, miracles might happen; they used to happen in olden times, and doubtless the same powers are in existence now, but I am not overoptimistic that there would be any advantage gained by going through that procedure.

Mr. OVERMAN. We would not have to go through that procedure, because the only question that would be left then to the two parties would be whether, as between a committee membership of 10 and 6 or 10 and 7, the additional member should be awarded to the Democratic side. The Republican committees are already agreed upon, and if the course I have suggested should be followed, then we could fix ours, giving us an additional member on the major committees, which would not interfere with the Republican majority at all.

Mr. BRANDEGEE. If the Senator can convert the entire Republican membership here to the proposition that we have made a mistake in saying that the major committees ought to consist of 16 and can persuade them to adopt his view and say that they shall consist of 17, and then if he can convert them to the proposition that out of the 17 the Democrats ought to have 7, there would be some object in this debate.

Mr. OVERMAN. If we can go before the Committee on Rules and convince them and that committee should report back such an amendment, we might have a chance of getting it accepted.

Mr. BRANDEGEE. Mr. President, the rule really contemplates that the rules shall be amended on the floor of the Senate. Only one day's notice of a motion to offer an amendment to a rule is required under the rules. The fact that the resolution was referred to the Committee on Rules and they have not reported it should not preclude the Senate, which is bigger than its Committee on Rules, from taking such action as it wishes to take, especially when the Senate knows in advance that a majority of the Committee on Rules is already committed to the resolution which I hope to offer some time in the not distant future.

Mr. SWANSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Virginia?

Mr. HITCHCOCK. I do.

Mr. SWANSON. Mr. President, this shows an arrogant, absolute disregard of any consideration of the minority at the beginning of the organization of the Senate at this time. Heretofore there has always been consultation between the steering committees of the two parties as to the pro rata part that the Republicans and the Democrats should have of the membership of these committees, their size, and the retention on them of members that neither side desired to have eliminated. When we had a majority of 16 the Judiciary Committee had a Democratic majority of only 2. Why? Because there were some especially efficient Republicans there that both Republicans and Democrats thought ought not to be eliminated from that committee. The same thing has been true of the Naval Affairs Committee.

The organization of the Senate at this time starts out with what? A distinct proposition that on each one of the 10 leading committees they will give the Democrats only 6 members, while the Republicans will have 10, regardless of the elimination of any Democrat of long service that both Democrats and Republicans might want to have remain on the committee.

Heretofore when I have had something to do with it, there have been conferences between the steering committees of the Republicans and the Democrats. They have looked at the situation, and on some committees they have provided for only two majority on account of certain circumstances. Yet here is the committee on committees meeting this year. Nobody knew what we would have. Nobody knows now what the Democrats will get. No consideration has been given to them. No consultation has been had. The Republican steering committee thought the proportion ought to be 9 to 6. After they saw that there was a great demand on their side for committee assignments, they concluded to take one additional member on each of these 10 committees so as to satisfy the ambitions, troubles, and trials that might arise or have arisen on the other side.

Mr. McCUMBER. Mr. President, may I ask the Senator a question?

Mr. SWANSON. I shall be very glad to have the Senator do so.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. HITCHCOCK. I yield.

Mr. McCUMBER. The question is this: The number of Republicans in the Senate is 59; the number of Democrats is 37. Now, if we divide on a committee of 15 so as to give 9 to 6, the proportion of Democrats to Republicans would be greater than the proportion between the two sides of the Chamber at the present time.

Mr. HITCHCOCK. I will say, in answer to the Senator——

Mr. McCUMBER. Just a minute. Let me finish. On the other hand, if we divide on the ratio of 10 to 6 in the major committees, we have taken on the major committees not anything more than the equivalent that we are granting to the Democrats upon the minor committees.

In other words, taking the major committees, the proportion by a proper division would be 9.4 on the Republican side to 6.1 on the Democratic side of those committees. That is about as close as we can get it. On the other hand, when you take the minor committees, or the other committees outside of the major ones, on the committees of 15, giving the Republicans 9 and the Democrats 6, you are having an equally higher ratio of Democrats on those committees than the Republicans are having on the other committees.

It seems to me there is no gross wrong in the matter, because we have divided as nearly as practicable on an amicable arrangement.

Mr. HITCHCOCK. The answer to that is evidently to be found in what I said in opening. Perhaps the Senator was not listening.

Mr. McCUMBER. I was listening.

Mr. HITCHCOCK. In every historic instance the majority party, whether Republican or Democratic, has taken less majority for its committees than it had in the Senate.

Mr. McCUMBER. That may be; but the Senator must agree that if there were, say, just 2 Republicans to 1 Democrat in the Senate, the proportion should be 2 to 1, should it not?

Mr. HITCHCOCK. Well, that is a theory.

Mr. McCUMBER. And if there were 3 Democrats to 1 Republican, it should be 3 to 1.

Mr. HITCHCOCK. No; it should not.

Mr. McCUMBER. Now, inasmuch as we can not divide upon exactly these figures, we have come just as close as it was possible to come and get what would be an amicable division, giving the Democrats a little more than their share upon the minor committees and a little less than their share upon the major committees.

Mr. HITCHCOCK. I am citing to the Senator what the Republican Party, to which he belongs, has done before when it had power. In the Senate of 1909, as I have already shown, in which the Republican Party held 64.8 per cent of the membership, it took a majority of only three on its leading committees; but now, with a membership of only 61.4 per cent, it proceeds to take a majority of four on all of the leading committees.

Mr. McCUMBER. All that the Senator can claim under that argument is that heretofore the Republican Party has not asked for full justice in its representation, and in this session it has asked for full justice.

Mr. HITCHCOCK. No; that is not all that I can claim. I can claim that the Democratic Party did the same thing, and that there is no historical instance in which the dominant party has proceeded to grab such outrageous majorities on the great committees that must handle important legislation. Each party, Democratic as well as Republican, has accorded to the minority a larger representation on these powerful committees, and there is no historical instance to the contrary.

Mr. McCUMBER. Mr. President, it certainly can not be asked for upon the grounds of equity and justice.

Mr. LODGE. There is no historical equal to the majority of last November, and we are trying to make this represent that.

Mr. HITCHCOCK. I will say to the Senator that it is not represented in this body, and it never will be. The dominant party has more majority in the Senate to-day than it will ever have again within our day.

Mr. FLETCHER. Mr. President, when I came here in 1909 the Democrats were 32 in number.

Mr. HITCHCOCK. Mr. President, I am not an advocate of larger committees. I believe that larger committees are not efficient, and that they interfere with the wise operations and efficient proceedings of the Senate. I was one who gave unanimous consent when the Senator from Pennsylvania [Mr. KNOX], chairman of the Committee on Rules, asked unanimous consent for the adoption of this rule by which the membership of the 10 great committees was reduced to 15. I gave consent because I believed smaller committees would add to efficiency and would make it possible to get a quorum. We know how difficult it was in the last Congress to get quorums of our committees, how large the percentage of absenteeism was because Senators were engaged elsewhere, and we unanimously gave consent to institute this reform of reducing committees to a membership of 15, and we had a right to suppose that it would remain there. The reform has not yet been put into operation. When the majority of the Senate, anxious either to secure an unfair party advantage on committees or to give patronage or place to its members, proceeds to increase those committees from 15 back to 16 and seize all of the places itself, I say that that is a very short-lived reform. It has evaporated in the borning, disappeared after a flourish of trumpets accompanying the claim that the Senate was to be made efficient. It has disappeared, from one or the other of the motives that I have stated.

I admit that the majority party has the power to make this change; but I say if the change is to be made, some of those Democrats who were kicked off of committees in the interest of reform, in order to make the committees small, should be readmitted to those committees. The reform should not be altogether on one side of this Chamber. It was consented to by us unanimously; and I say that the way to bring about this change is not to attempt upon the floor of the Senate to carry out the decree of a party caucus, but it is to refer it to a committee, where possibly a compromise can be reached and a discussion in the Senate avoided.

Mr. OVERMAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Carolina?

Mr. HITCHCOCK. I yield.

Mr. OVERMAN. Has it not been the custom heretofore for a committee of one conference and a committee of the other to meet, and determine equitably between the two parties how many should be on each committee? That has been the rule heretofore, as I understand.

Mr. HITCHCOCK. Always.

Mr. OVERMAN. Mr. Aldrich, who was the Republican leader here, agreed with Mr. Blackburn, and Mr. Gallinger agreed with our leader, Mr. Martin. In this case we have not been consulted at all. In previous years there has been perfect amity and agreement between the two parties. Has not that been the rule heretofore?

Mr. HITCHCOCK. It has been the invariable rule. It has been the rule of courtesy, which is supposed to be the rule which prevails in the Senate. I have been unable to find any precedent at all for this proceeding, which has gone on the theory that the majority can walk roughshod over the minority, change the rules at its fancy, avoid referring them to committees, and—as the Senator from Connecticut [Mr. BRANDEGEE] now proposes—even do away with the advance notice required. He proposes, as he avows here in his remarks to the Senate, to drop the resolution which he introduced yesterday and which is in the hands of the chairman of the Committee on Rules, out of the possession of the Senate, and introduce a new resolution—similar, of course, but a new one—and he proposes to do that without giving the one day's notice, as required by the rules.

When we get to that stage of the proceedings I shall raise a point of order, and I shall make the contention before the Senate that that point of order is well taken, and that the abandonment of the old resolution introduced yesterday and the substitution of a new resolution, however similar, means that there must be, under the rules of the Senate, the day's notice given which the rules require.

I have not any desire to take up the time of the Senate further. I could make a two hours' speech, I suppose, on the subject of this treaty; but so far as I am concerned I am disposed to let that interesting matter be a subject for debate very largely on the other side of the aisle. I am not going to take up the time of the Senate, but I have taken this occasion to make my protest against this proceeding, which I say is as un-Republican as it is un-Democratic. It is in violation of the rights of the minority, which in every American legislative assembly are sacred, and it is in violation also of the rules and practices of the Senate.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut [Mr. BRANDEGEE] that the Senate proceed to the consideration of legislative business.

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. He is absent from Washington. I transfer my pair to the Senator from Maine [Mr. FERNALD] and vote "yea."

Mr. McCUMBER (when his name was called). I have a pair with the junior Senator from Utah [Mr. KING], which I transfer to the junior Senator from Nevada [Mr. ODDIE] and vote "yea."

Mr. McKELLAR (when his name was called). I have a pair with the junior Senator from Ohio [Mr. WILLIS], which I transfer to the Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. TRAMMELL (when his name was called). I have a pair with the senior Senator from Rhode Island [Mr. COLT], which I transfer to the junior Senator from Rhode Island [Mr. GERRY] and vote "nay."

Mr. HEFLIN (when Mr. UNDERWOOD's name was called). I make the same announcement as before regarding the absence of my colleague on account of the illness of his mother.

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Kentucky [Mr. STANLEY] and vote "nay."

The roll call was concluded.

Mr. DILLINGHAM. May I inquire whether the junior Senator from Virginia [Mr. GLASS] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. DILLINGHAM. I have a general pair with that Senator, which I transfer to the senior Senator from Oregon [Mr. McNARY] and vote "yea."

Mr. FRELINGHUYSEN. I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Illinois [Mr. McKINLEY] and vote "yea."

Mr. HARRISON (after having voted in the negative). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and allow my vote to stand.

Mr. McLEAN (after having voted in the affirmative). I transfer my pair with the senior Senator from Montana [Mr. MYERS] to the Senator from Vermont [Mr. PAGE] and allow my vote to stand.

Mr. SMITH. I rise to inquire whether the Senator from South Dakota [Mr. STERLING] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. SMITH. I have a general pair with that Senator. In his absence I transfer my pair to the senior Senator from Missouri [Mr. REED] and allow my vote to stand.

Mr. FLETCHER (after having voted in the negative). Has the Senator from Delaware [Mr. BALL] voted?

The PRESIDING OFFICER. He has not voted.

Mr. FLETCHER. I have a general pair with that Senator, and not being able to get a transfer I withdraw my vote.

The PRESIDING OFFICER. The Chair desires to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Maine [Mr. HALE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 36, nays 22, as follows:

YEAS—36.

Brandegee	Harreld	McCormick	Phipps
Bursum	Jones, Wash.	McCumber	Poindexter
Calder	Kellogg	McLean	Shortridge
Cameron	Kenyon	Moses	Smoot
Cummins	Keyes	Nelson	Spencer
Curtis	Knox	New	Stanfield
Dillingham	Ladd	Nicholson	Townsend
Frelinghuysen	La Follette	Norbeck	Wadsworth
Gooding	Lodge	Norris	Warren

NAYS—22.

Ashurst	Heflin	Pomerene	Trammell
Broussard	Hitchcock	Ransdell	Walsh, Mass.
Caraway	Kendrick	Sheppard	Watson, Ga.
Dial	McKellar	Simmons	Williams
Harris	Overman	Smith	
Harrison	Pittman	Swanson	

NOT VOTING—38.

Ball	France	Myers	Sterling
Borah	Gerry	Newberry	Sutherland
Capper	Glass	Oddie	Underwood
Colt	Hale	Owen	Walsh, Mont.
Culberson	Johnson	Page	Watson, Ind.
Edge	Jones, N. Mex.	Penrose	Weller
Elkins	King	Reed	Willis
Ernst	Lenroot	Robinson	Wolcott
Fernald	McKinley	Shields	
Fletcher	McNary	Stanley	

So Mr. BRANDEGEE's motion was agreed to, and the Senate proceeded to the consideration of legislative business.

STANDING COMMITTEES OF THE SENATE.

Mr. BRANDEGEE. Mr. President, I move the adoption of the resolution which I send to the desk.

Mr. OVERMAN. Mr. President, wherein does that resolution differ from the resolution referred to the Committee on Rules?

Mr. BRANDEGEE. In no respect.

Mr. OVERMAN. The Senator moves the adoption of the resolution?

Mr. BRANDEGEE. I gave notice yesterday that I would make a motion to-day to amend the rules. I make a motion that Rule XXV be amended by the adoption of the resolution which I send to the desk.

The PRESIDING OFFICER. The Secretary will read the resolution.

The Assistant Secretary read the resolution (S. Res. 43), as follows:

Resolved, That Rule XXV of the Standing Rules of the Senate be, and it is hereby, amended so as to read as follows:

"1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

"Committee on Agriculture and Forestry, to consist of 16 Senators.
"Committee on Appropriations, to consist of 16 Senators.
"Committee to Audit and Control the Contingent Expenses of the Senate, to consist of five Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.
"Committee on Banking and Currency, to consist of 13 Senators.
"Committee on Civil Service, to consist of 11 Senators.
"Committee on Claims, to consist of 13 Senators.
"Committee on Commerce, to consist of 16 Senators.
"Committee on the District of Columbia, to consist of 13 Senators.
"Committee on Education and Labor, to consist of 11 Senators.
"Committee on Enrolled Bills, to consist of three Senators, which shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.
"Committee on Expenditures in the Executive Departments, to consist of seven Senators.
"Committee on Finance, to consist of 16 Senators.
"Committee on Foreign Relations, to consist of 16 Senators.
"Committee on Immigration, to consist of 11 Senators.
"Committee on Indian Affairs, to consist of 11 Senators.
"Committee on Interoceanic Canals, to consist of 11 Senators.
"Committee on Interstate Commerce, to consist of 16 Senators.
"Committee on Irrigation and Reclamation, to consist of 11 Senators.
"Committee on the Judiciary, to consist of 16 Senators.
"Committee on the Library, to consist of seven Senators, which shall have power to act jointly with the same committee of the House of Representatives.
"Committee on Manufactures, to consist of 11 Senators.
"Committee on Military Affairs, to consist of 16 Senators.
"Committee on Mines and Mining, to consist of nine Senators.
"Committee on Naval Affairs, to consist of 16 Senators.
"Committee on Patents, to consist of seven Senators.
"Committee on Pensions, to consist of 11 Senators.
"Committee on Post Offices and Post Roads, to consist of 16 Senators.
"Committee on Printing, to consist of seven Senators, which shall have power to act jointly with the same committee of the House of Representatives.
"Committee on Privileges and Elections, to consist of 13 Senators.
"Committee on Public Buildings and Grounds, to consist of 13 Senators, which shall have power to act jointly with the same committee of the House of Representatives.
"Committee on Public Lands and Surveys, to consist of 13 Senators.
"Committee on Revision of the Laws, to consist of three Senators.
"Committee on Rules, to consist of 12 Senators.
"Committee on Territories and Insular Possessions, to consist of 13 Senators.

"2. The said committees shall continue and have the power to act until their successors are appointed."

Mr. HITCHCOCK. Mr. President, I make a point of order that this resolution was presented to the Senate yesterday, and upon the request of the Senator from Connecticut it was referred to the Committee on Rules, in which committee it still remains, and that until that committee reports it is not in the possession of the Senate.

Mr. BRANDEGEE. Mr. President, I simply want to be heard upon the point of order to this extent: I gave a notice yesterday, in accordance with Rule XL, that to-day there would be a motion made to change Rule XXV. Now I make the motion to-day. The fact that I want to change it by using a copy of the resolution that was referred to the Committee on Rules on yesterday has nothing to do with the validity of my motion or with the notice upon which my motion is based.

Mr. NORRIS and Mr. HARRISON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and, if so, to whom?

Mr. BRANDEGEE. I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. NORRIS. Mr. President, I am in favor of this motion to amend the rules, and I expect to vote for it. Under the existing conditions I believe something of that kind is necessary. If I had had my own way about it, I would have taken off of some of these committees some of the older members, which includes myself, and made the places necessary to put the new members on these committees without increasing the numbers. But the committee on committees found that difficult and perhaps almost impossible to do; at least they did not do it, and we are confronted with the fact that these committees must be enlarged in order to put the new members of the Senate on the so-called major committees.

But, Mr. President, I believe the point of order that is made is good. I expect to vote for this motion to change the rules, but we should not be revolutionary in our method of doing it. Under the present parliamentary situation I do not believe the Senate has jurisdiction of this subject.

There is a way provided by the rules themselves by which, if the committee does not act or the Senate desires to take from the committee something that it has referred to the committee, that can be done, but it requires a notice of one day's length. In the left-hand column, at the top of the page of yesterday's CONGRESSIONAL RECORD, we find that the Senator from Connecticut, when he gave his notice of the amendment to the rules, after the Secretary had read the notice, said:

I ask that the notice and the resolution be referred to the Committee on Rules.

Mr. HARRISON. The resolution goes to the Committee on Rules?

Mr. BRANDEGEE. This is simply the notice required by the rule one day in advance of consideration. I ask that the notice and the resolution be printed in the RECORD, for the information of Senators, and referred to the Committee on Rules.

In the same column, near the middle of the page, after the reading by the Secretary of the proposed new rule, the Vice President said:

The notice will also be referred, as requested by the Senator from Connecticut.

Mr. McCORMICK. Mr. President, may I ask the Senator a question?

Mr. NORRIS. I yield to the Senator from Illinois.

Mr. McCORMICK. Is it the practice of the Chair and the Senate to refer notices to committees?

Mr. NORRIS. It is quite immaterial, in my judgment, what happened to the notice, but the facts are that the Senator from Connecticut asked that it be referred, and it was referred by the Vice President in the presence of the Senate, and under all the law it is there now. The only way for the Senate to get it back before the Senate and to get it legally, in my judgment, is to comply with another rule of the Senate, which provides, in substance, that it shall be in order to make a motion to discharge a committee from any subject that has been referred to it, and that must be taken up after the motion is made and lies on the table one day, when it is in order to be taken up the next day.

I should like to expedite this matter as much as possible, too. I sympathize with the idea of getting through with it as quickly as possible, because the committees are not yet appointed; but I am unwilling to do what in my judgment is unfair under our own rules. To me it is perfectly plain that this subject matter was referred to the Committee on Rules. I am not claiming that it is necessary that it should be done. I think we can amend the rules without referring the question to the committee. It was not necessary yesterday to have it referred. If that had not been done, then the motion would have been in order to-day, but it was referred, we did do it, and the Committee on Rules is in legal custody of all the papers pertaining to the subject. We must get a report from the Committee on Rules or we must discharge the Committee on Rules and take it up in a regular, legal way.

I would rather wait a day, even though I dislike to see the delay take place. I would rather wait a day and take it up in the regular order, even though I am anxious to avoid delay. We can not afford, it seems to me, to trample on what to me seems to be a well-defined rule. As I look at it, it is so plain that we ought to abide by it, carry it out in good faith, even though it does bring delay. I am sorry that the point of order

is made. I would like to dispose of it now, but I would rather let it go over a day than to violate a plain rule of the Senate.

Mr. CUMMINS. Mr. President, this is a mere technical matter, of course, upon either side. I am very much interested in preserving the integrity of the rules of the Senate. I wish to vote right upon the question, for I would not consciously or willingly violate the rules of the Senate in order to accomplish such a purpose as this.

The difficulty is this, and I am sure my friends on the other side will at once perceive it when it is pointed out. Yesterday when the suggestion was made to refer the matter to the Committee on Rules there was no motion made to change the rules. The Senate could not have entertained a motion to change the rules. Our rules specifically provide that a notice may be given of an intention to present a motion to change or modify a rule of the Senate, but even though the RECORD may show that there was a reference of all these papers to the Committee on Rules, it was legally impossible to refer it to the Committee on Rules, because no Senator had a right to make a motion of that kind. The Senator from Connecticut could not have made a motion of that character until to-day.

While I think we are overrating this matter altogether, yet technically—and it is all a matter of technicality—the motion was not referred to the Committee on Rules and could not have been referred, and therefore I think the point of order ought not to be sustained.

Mr. SWANSON. Will the Senator permit me?

Mr. CUMMINS. Certainly.

Mr. SWANSON. It seems to me the question is as the Senator from Nebraska stated. The question is not what could have been done, or ought to have been done, but what was done. The Senator from Connecticut asked that the notice and the motion be referred, and, there being no objection, it was done. Does the Senator from Iowa contend that a notice can not be referred to a committee? A committee can have jurisdiction of anything of which the Senate can have jurisdiction.

Mr. CUMMINS. It can not have jurisdiction of a subject of which the Senate has not had and can not have jurisdiction.

Mr. SWANSON. The Senate did have jurisdiction of the notice.

Mr. CUMMINS. Yes; but not of the motion.

Mr. SWANSON. Does the Senator mean that a notice to modify the rules can not be referred to a committee?

Mr. CUMMINS. Suppose I should rise and say that I give notice that to-morrow I intend to introduce a bill upon a certain subject, and the RECORD showed that the bill had been referred to a committee, would there be any validity in a reference of that kind? The motion was not in existence at all.

Mr. SWANSON. It was done by unanimous consent, if no objection was made. If the Senator had objected, and the point of order had been made that the resolution could not be referred until to-day, there would have been something in the Senator's contention; but, as the Senator from Nebraska has said, the Senator from Connecticut had his notice and his resolution referred to the Committee on Rules.

Mr. OVERMAN. And the notice was in writing.

Mr. SWANSON. Yes; and the RECORD shows that the Vice President said that the notice and resolution would be referred to the Committee on Rules. If the Committee on Rules could have jurisdiction of the notice, if it could have been referred by unanimous consent, it is there now. It is not before the Senate, as the Senator from Nebraska has well said.

How can the Senator from Connecticut come in and ask to have jurisdiction of a thing which he asked to be taken from the presence of the Senate and put into the control of one of its committees? That is what occurred. If we should refer the notice—and I do not understand the Senator from Iowa to contend that the notice could not be referred to a committee.

Mr. CUMMINS. No; I do not so contend, but I do not see what purpose it would serve.

Mr. SWANSON. Then if it could be referred, it should be referred the day it was introduced. The Senator from Iowa does not contend that a notice could not be referred to a committee. The notice could be referred to-day. It was introduced and was referred, and the notice and the resolution are before the committee to-day.

Mr. CUMMINS. The Senator must understand my admission. I see no reason that would prevent a notice being referred to a committee, although it is not possible for me to see any object to be accomplished by a reference of the notice to a committee. All that I say is that the proceedings yesterday through which this motion or notice was referred to the committee are an absolute nullity, for there was no such motion and could be no such motion under the rules of the Senate.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Florida?

Mr. CUMMINS. Certainly.

Mr. FLETCHER. I merely wish to suggest that this is not an ordinary notice. It is a special notice, which the rules require shall set out the purpose of the motion and the respect in which it is proposed to suspend or change the rules. All these things must be specified in the notice. The resolution or the motion is simply a part of the notice, because instead of specifying in the notice what is proposed to be changed, it could be specified in the resolution, as the Senator did when he introduced it. So the notice and the motion are necessarily combined.

Mr. CUMMINS. May I ask the Senator from Florida a question? Suppose the Senator from Connecticut had not made the motion; assume that he never shall make the motion; imagine that he may have changed his mind in the meanwhile and did not want to make a motion of that kind, what would the Committee on Rules do, and what kind of a report would they make?

Mr. FLETCHER. If that situation arose the Senator could give notice that he abandoned the motion, and the Committee on Rules would probably disregard the motion and postpone it and not report it at all. But that is not the situation. The Senator from Connecticut did not make his motion on yesterday.

Mr. BRANDEGEE. I could not have made it.

Mr. FLETCHER. He could not have made it on yesterday. He simply proposed a motion which specified the changes which he contemplated in his notice, and his motion is a part of his notice; otherwise he should have provided in his notice precisely what he set forth in his resolution which he proposes, namely, specifying what changes he wished to make in the rule. Therefore what he did was simply to tender a resolution as a part of his notice which was referred to the Committee on Rules for them to consider, because it involved the question of the purpose and the effect and the substance of the change proposed.

If the Senator from Connecticut proposes to make a motion to-day, which is not the motion which he proposed to make or offered to make on yesterday, then that is out of order, because that motion would require one day's notice. He can not now make a motion without any notice of that motion having been heretofore given, and he can not make the motion that was proposed to be made yesterday, because that is in the hands of a standing committee of the Senate. That committee has to be discharged before the Senate has jurisdiction over the question.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. The Chair is ready to rule, unless some Senator wishes to say something on the subject. The Chair is perfectly willing to listen, but the Chair is ready to rule.

Mr. PITTMAN. Of course, we all know how it is coming out.

The PRESIDING OFFICER. The Chair has good Democratic precedents before him, which he proposes to cite, to sustain his decision.

Mr. PITTMAN. We are really taking up the time of the Republican majority, and I hope the Chair will pardon me.

The PRESIDING OFFICER. Certainly.

Mr. PITTMAN. I conceive that a motion must be made before it is in order to vote upon it. The discussion of the senior Senator from Iowa seems to indicate that because a motion is not in order to-day it is not in order to make it.

Mr. CUMMINS. That is my position.

Mr. PITTMAN. We have resolutions that come over from the House which are in order for the purpose of filing and laying on the table, but they are not in order for consideration until a subsequent day. There are a number of resolutions, as I remember, that must lie on the table one day. They are in existence when they are presented to this body, but they are not in order for consideration until the following day. The rule under which the rules of the Senate may be amended provides that it shall not be in order to move such an amendment except on one day's notice, in writing. The rules does not say that the motion may not be submitted to the Senate, but it says that it shall not be in order for consideration until at least one day has elapsed.

Mr. CUMMINS. Mr. President, will the Senator from Nevada read the entire rule?

Mr. PITTMAN. Yes; I will do so in a minute, so that Senators may follow it. The rule provides:

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order—

Mr. CUMMINS. Not for consideration, but "shall be in order."

Mr. PITTMAN. The rule continues:

except on one day's notice, in writing, specifying precisely the rule or part thereof to be suspended, modified, or amended, and the purpose thereof.

That is the portion of the rule affecting this discussion. The Senator from Connecticut has seen fit to submit the proposed amendment to the rules in the form of a resolution. I think it is in order; I believe it has been held in this body time and again that a motion and a resolution were synonymous for such purposes as this. The Senator therefore attempts to amend the rules by the adoption of a resolution in writing. If the resolution does not become a part of the notice, then the Senator has failed to give the notice required by the rules, for the resolution alone states the purpose in writing of the change of the rules. I assume therefore that the resolution must be a part of the notice.

Mr. BRANDEGEE. Mr. President, my attention was diverted for a moment. Did the Senator from Nevada address a question to me?

Mr. PITTMAN. No; I did not. However, I had hoped that the Senator would not be disturbed, because he might take issue with me. What I said was that the Senator from Connecticut had seen fit to substitute for a motion a resolution; that that resolution was in writing, and was essentially in writing or no notice was given.

Mr. BRANDEGEE. Mr. President, I do not wish to interrupt the Senator, but he paused and looked at me "in an inquiring tone of voice," and I ask leave to interpolate that I substituted no resolution for any motion whatever. My motion is to adopt a resolution which I have sent to the desk. That is a motion. There is not any way of passing a resolution when a Senator has offered a resolution except to ask for its adoption, and that is a motion that it be adopted or agreed to. The notice is no part of the resolution; the notice is given one day in advance. To-day I rise and make a motion in accordance with my notice. The fact that for the information of the Rules Committee the notice also may have been referred to the committee does not take the notice out of the CONGRESSIONAL RECORD. It was there; it is there to-day. The fact is that it put every Senator upon notice, and that was the object of the rule requiring that it be given.

Mr. PITTMAN. Mr. President, I am not objecting to the notice. The notice, in my opinion, is sufficient. I do not think the Senator even has to bring his resolution before the Senate to-day.

Mr. BRANDEGEE. I could do it verbally.

Mr. PITTMAN. The Senator could do it to-morrow or the next day. The only requirement is that it shall not be brought before the Senate within one day.

Mr. BRANDEGEE. "Except on one day's notice."

Mr. PITTMAN. "Except on one day's notice." The notice was ample. But what was the notice? The notice was that after a day's time had elapsed the Senator from Connecticut would ask for the adoption of the resolution he had introduced.

Mr. BRANDEGEE. Oh, no. Let me read the notice to the Senator if he has forgotten it. The notice reads:

Notice is hereby given, in accordance with the provisions of Rule XL of the Standing Rules of the Senate, that upon the next calendar day of the sessions of the Senate a motion will be made to amend Rule XXV of the Standing Rules of the Senate so that the same shall read as provided in the resolution.

Now, I have made a motion. I have sent to the desk the identical resolution referred to in the notice; it has been read, and I have moved its adoption. Can there be anything more straightforward and direct than a motion to amend the rules in accordance with a resolution previously submitted and which on the next day I move be adopted? Can any Senator now claim by any overrefinement of technicalities that such action on my part is not a fair compliance with the provisions of the rule and does not put every Senator upon notice of how the rule is proposed to be changed?

Mr. PITTMAN. Mr. President, I am presenting my views on this matter not with any hope whatever of getting any amelioration of their action from the other side, but I merely desire to say that this is the beginning of a new precedent in the body. We have a Committee on Rules of the United States Senate, and one of the functions of that committee, as I have understood—although I have never been a member of the committee—is to consider proposed amendments to the rules and report to the Senate whether or not a proposed amendment to the rules of the body is or is not advisable. That is one of the reasons why we have a Committee on Rules. Our rules provide that every resolution introduced in this body shall be referred to the appropriate committee. There is some reason for that rule; and the reason of it is in order that this body may be advised by its committees. The change of the rules proposed by the Senator from Connecticut is not a minor change. It is a change practically of every committee of this body, or at least all those of major importance. Of course, as the Senator has said, a majority of the Committee on Rules are Republicans and are in favor of this proposed change, but there is always a minority of a board of trustees or a board of directors of a corporation, and the Senator as a lawyer knows that a poll of the majority of a board of directors of a corporation or a board of trustees is not considered as the action of the board of directors or of the trustees, as the case may be. The courts have held that the minority in a meeting of a board of directors or trustees at least should be allowed to attempt to influence some member of the majority. The minority of the committees of the Senate under the precedent now sought to be established will never be invited to a meeting because they are in the minority. The whole theory of having an open conference between the minority and the majority of committees, of at least allowing a fair discussion of matters involved, will be abandoned by this very procedure.

The Senator from Connecticut is moving the adoption of a resolution that he himself asked to have referred to the Committee on Rules. There has been no report from the Committee on Rules, but the Senator says that a majority of the Committee on Rules have in another body expressed themselves in favor of the proposed amendment. The Senator as a lawyer knows that majority action outside of a committee meeting does not constitute the action of the committee any more than it would constitute the action of a board of directors. It is a violation of the whole theory of committee action; and yet the excuse for not giving the question further consideration is that in a conference in another body, in which the minority were not present, a majority of the members of the Rules Committee, being Republicans, expressed themselves in favor of it.

Now, as a matter of fact, the Senator is trying to pass by a majority vote exactly the same instrument that he presented here yesterday; he is trying to pass by a majority vote exactly the same instrument that he himself had referred to the Committee on Rules; he is trying to pass by a majority vote exactly the same instrument that now, by reason of his request which was acted on unanimously by this body, is in the possession of the Committee on Rules.

Mr. BRANDEGEE. Mr. President, I beg the Senator's pardon.

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. PITTMAN. I yield.

Mr. BRANDEGEE. I am going to offer some amendments to it.

Mr. PITTMAN. The Senator from Connecticut is going to offer some amendments to the resolution he offered yesterday and which yesterday he had placed out of the jurisdiction of the Senate and which he has taken no steps to have brought back into the Senate. In other words, the whole proceeding is contrary to the customs of this body; it is in violation of the spirit of the rules of this body. I am not saying it is necessary for the Senator to introduce a resolution; he did not have to do so; there was no necessity for doing so; he could have given notice that he would move to amend the rules. He did not merely do that, but he did what he had a right to do; he elected to attempt to amend the rules by resolution.

Mr. BRANDEGEE. Mr. President, I have just read to the Senator the notice which I gave and in which I stated that, in accordance with the rule, a motion would be made. I am simply making my motion by means of a resolution. I can read it from the paper and make it a verbal motion just as well, if that will suit the Senator any better.

Mr. PITTMAN. Undoubtedly the Senator could have done that; but the whole history of this transaction shows the Senator did not do that, notwithstanding what he has just read. It is absolutely inconsistent with his request made at the same time that the resolution together with the notice be referred to the committee. If it had been his intention to pursue the policy he is now attempting to pursue the action on his part in having the resolution referred to the committee would have been not only useless but absurd.

Mr. OVERMAN. Mr. President, the universal practice of the Senate for 10 years or more at least, whenever an effort has been made to change the rules of the Senate, has been to comply with the rule, giving notice, specifying the change, and having it referred to the committee. The Senator from Iowa [Mr. CUMMINS] has taken such action several times, and so have I. When such a matter goes to the committee, what does the committee consider? They consider the question of changing the

rules, and they report back to the Senate whether, in their opinion, the rules ought to be changed.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Iowa?

Mr. OVERMAN. I yield.

Mr. CUMMINS. The Senator from North Carolina, if I may be permitted to say so, is entirely right. That has been the ordinary custom, but there never was an instance in which a proposed change of the rules has been referred to the Committee on Rules until the motion to change the rules has been made in the Senate. The Committee on Rules could not consider the matter of this proposed change under the reference made yesterday.

Mr. OVERMAN. The Senator has complied with what has been the universal practice of the Senate.

Mr. CUMMINS. If it is the will of the Senate to refer to the Committee on Rules the motion now made, then that could be done, and that is a question for the Senate to determine now, not yesterday.

Mr. OVERMAN. No, Mr. President. The universal practice, without exception, has been along the line I have suggested. I do not think there is a precedent to the contrary which any Senator can cite. The practice is exactly that followed yesterday, to give notice stating how the rule is to be amended and have it referred to the committee, and then for the committee to report back. I should like to know of any other procedure being followed.

Mr. CUMMINS. The Senator's experience has been longer than mine, but I have been a member of the Committee on Rules for a considerable time, and I venture to state that there never has been a reference to the Committee on Rules until the motion for change of the rules has been made, and made, of course, in order. There never was a reference to the Committee on Rules on the same day that the notice was given.

Mr. OVERMAN. Of course not; but when notice has been given, without exception, the motion is made the next day.

Mr. CUMMINS. Certainly.

Mr. OVERMAN. And on the next day it is referred to the Committee on Rules.

Mr. CUMMINS. The Senator from Connecticut has made the motion and if it is desired to refer it to the Committee on Rules that can be done.

Mr. OVERMAN. The Senator has no right to make the motion to-day, because upon his own motion all the papers that he presented are now before the Committee on Rules. The committee has not met and has not reported, and therefore, I think, the motion is not in order, because by one of the rules in Jefferson's Manual it is provided that when a matter is referred to a committee the Senate has no power over it at all until the committee has acted. In this instance the Committee on Rules has entire control and power over the resolution. Where is the resolution? Upon the motion of the Senator from Connecticut it was referred to the Committee on Rules. It is, therefore, before the Committee on Rules, and under the rule in Jefferson's Manual, to which I have referred—and Jefferson's Manual constitutes a part of the rules of the Senate unless otherwise changed by our rules—the committee have full power over it. Therefore, Mr. President, I maintain that all the papers in this matter are now before the committee for its consideration to recommend what change shall be made; and, in accordance with the universal precedents of the Senate and the rules of the Senate, the motion is out of order.

Mr. HARRISON. Mr. President, I should not say anything if it were not for the last remarks of the Senator from Connecticut [Mr. BRANDEGEE]. He, the proponent of this motion, is not going to stand by this resolution. He admitted that this is not the proposition he made, and by that admission he violates Rule XL, which says:

> No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended.

The Senator, on his own statement a moment ago, said he had some amendments he was going to offer to it.

Mr. BRANDEGEE. An amendment.

Mr. HARRISON. Well, one or two; I do not care if there are a hundred. The Senator will vote for them, whatever they are; but the object of that rule was to serve notice on the Senate as to exactly what the Senate was to vote on, and we were to get one day's notice——

Mr. BRANDEGEE. Yes; you had it.

Mr. HARRISON. Precisely specifying the rule that was to be amended. Now, the Senator has not done that.

Mr. BRANDEGEE. How does the Senator know, until he sees what amendment I am going to offer?

Mr. HARRISON. I know by the Senator's own statement here that he proposes not to offer this resolution, but to offer an amended resolution.

Mr. BRANDEGEE. No; I have offered exactly the resolution.

Mr. HARRISON. Yes; but the Senator wants to amend it.

Mr. BRANDEGEE. I am going to amend it, and I am going to amend it in a way which the specifications in the notice do not affect at all. I am going to amend it by striking out some superfluous words that were in the resolution.

Mr. HARRISON. Yes; but the Senator does not follow the rule when he does that.

Mr. BRANDEGEE. But I follow the notice I gave. Everything in the resolution the adoption of which I made the motion for is covered in the specific notice of the respects in which the rule was to be amended; and the Senator will see, when I introduce the amendment which I am going to propose, that it has nothing to do with anything contained in the notice.

Mr. HARRISON. Aside from that proposition, on which I differ with the Senator——

Mr. BRANDEGEE. I do not see how the Senator can differ with me until he knows what my amendment is.

Mr. HARRISON. Well, we differ so much that I am safe in saying we will differ, as a matter of custom.

Mr. BRANDEGEE. I do not see how the Senator can differ with me on anything I said.

Mr. HARRISON. But, Mr. President, this resolution is not before the Senate. It has not been before the Senate since yesterday. The notice is not before the Senate. It has not been since it was offered yesterday. I am wondering if the Senator from Connecticut forgot what he stated yesterday in the RECORD. The Senator from Nebraska read to the Senate part of it——

Mr. BRANDEGEE. I have read it three times.

Mr. HARRISON. And the Senator from Connecticut read part of the notice, but he did not read all of the notice. I want to finish the part that the Senator did not read. Here is what the notice that he gave yesterday said:

> Notice is hereby given in accordance with the provisions of Rule XL of the Standing Rules of the Senate that upon the next calendar day of the sessions of the Senate a motion will be made to amend Rule XXV of the Standing Rules of the Senate so that the same shall read as provided in the resolution—

Now, the Senator did not read this part of the notice a moment ago:

> Which I offer herewith and ask to have printed in the RECORD as a part of this notice, and referred to the Committee on Rules.

Not only did the Senator yesterday, in open session, ask that the notice and the resolution be referred to the Committee on Rules, but when he was drafting his notice he wrote into the notice itself that it should be referred to the Committee on Rules, and so it went to the Committee on Rules. It is in the Committee on Rules now; and the Senator asked not only once but several times in the RECORD that it go to the Committee on Rules. He had an object in having it go to the Committee on Rules; and here is what the Senator further said. I am talking now to the Presiding Officer, who will have to pass on this proposition.

The PRESIDING OFFICER. The Presiding Officer is listening.

Mr. HARRISON. I thought what the Senator from Connecticut stated yesterday about the Committee on Rules having this matter in charge might escape the attention of the Presiding Officer.

The Senator said further, in talking about the Senator from Pennsylvania [Mr. KNOX], chairman of the committee:

> The chairman of the Committee on Rules, I believe, is in his committee room at present. I do not know his intention except that as the committees can not be organized until the rule is changed or refused to be changed, the chairman of the committee informed me yesterday that he would poll the committee if they were willing to be polled upon the question, so as to report at the earliest possible moment.

The object in the mind of the Senator from Connecticut was for this resolution to go to the Committee on Rules. Why, he went to the trouble to confer with the chairman of the Committee on Rules. He went to the trouble of suggesting to the chairman of the Committee on Rules that the majority members of that committee be polled; and he did not stop there. In answer to a question, the Senator from Connecticut said:

> Of course, the notice and resolution are referred to the committee to-day, and they could not be taken up by the Senate before to-morrow. I have no doubt the chairman of the committee will be on the floor in a few moments and he can answer the question better than I could. I do not know what his intentions are, but it seems to me there should be prompt action on the part of the committee.

I wonder why this change came about?

I quote further from the Senator from Connecticut:

Of course, if the members of the committee are not in town, it will be for the committee itself to say when they will take up the resolution.

And then, further, in answer to another question, he was very candid in his statement. He was not trying to put over any proposition. He was not trying to use the whip of the Senate to put this resolution over, so he further said:

The object of the change in the rule is to increase the total membership of certain committees, adding 10 to certain committees, and it is the intention of the committee on committees appointed by the Republican party to suggest names to the Republican conference, if the rule is adopted, to place 10 Republicans and 6 Democrats upon each one of the major committees.

So, then, the Senator reiterates time and again that this matter was before the Committee on Rules, that they would take up the matter, that it would be taken up at the pleasure of the chairman of the committee, that the committee would go about its work in an orderly way, and I submit that the proposition submitted here is a new resolution. It is not the resolution and the notice offered yesterday, because they are now in the Committee on Rules.

If these Senators who have sat in their places so long in the Senate, and want to uphold precedent, want to follow it in this instance and comply with Rule XL, the Senator from Connecticut will have to let it go over again and give his one-day notice on the proposition, unless he wants to make his motion and abide by the two-thirds rule of the Senate.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The object of Rule XL is to put the Senate on notice. This notice was given yesterday, printed in the RECORD, and stated from the floor. The Senator who gave the notice can do either one of two things, or he can make his election, if he wants to, on the second day. He can either offer the resolution specified in the notice and call it up immediately, or he can offer the resolution on the second day and have it referred.

The practice of the Senate has been, by some of the Senators, to give the notice and offer the resolution on the second day and ask its reference. Others have given the notice and called up the resolution or motion on some day following.

The last time this question was before the Senate the Senator from Missouri [Mr. REED] proposed the following order of the Senate:

All Senators are required to appear forthwith in the Senate Chamber and to remain in the Chamber until excused by the Senate. Any Senator disobeying this order shall be in contempt of the Senate and shall be brought to the bar of the Senate and dealt with as the Senate may order.

Mr. Works made the point of order that it is a modification or a change in the rules, and that under the rules it must go over for one day and notice must be given.

The Presiding Officer (Mr. OWEN) overruled the point of order.

An appeal was taken, and the action of the Chair was sustained.

This question was up previously in the Fifty-first Congress, and the decision was made by a Republican presiding officer, Vice President Morton.

On motion by Mr. Aldrich, that the Senate proceed to the consideration of the resolution submitted by him December 29, 1890—

This was on the 22d of January, 1891—

to amend the rules, was agreed to, and the Senate resumed the consideration of the resolution; and, the question being on the point of order raised by Mr. Harris on the 20th instant, viz, that the notice given by Mr. Aldrich was not sufficiently specific to meet the requirements of Rule XL, as it did not specify the parts of the rules proposed to be suspended, modified, or amended, and the purposes thereof, and that the proposed rule materially modifies Rules V and XX, and neither of these rules is mentioned in the notice as rules proposed to be suspended, modified, or amended.

The Vice President (Mr. Morton) overruled the question of order and decided that it was not well taken.

An appeal was taken from the ruling of the Chair, and the opinion of the presiding officer was sustained by a vote of 33 to 28.

The present Presiding Officer overrules the point of order.

Mr. HITCHCOCK. From the decision of the Chair I respectfully appeal.

Mr. SWANSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Ernst	Johnson	McKellar
Brandegee	Fletcher	Jones, Wash.	McLean
Broussard	Frelinghuysen	Kellogg	Moses
Bursum	Glass	Kenyon	Nelson
Cameron	Gooding	Keyes	New
Capper	Harreld	Knox	Nicholson
Caraway	Harris	Ladd	Norbeck
Cummins	Harrison	Lodge	Norris
Curtis	Heflin	McCormick	Penrose
Dial	Hitchcock	McCumber	Phipps
Pittman	Simmons	Swanson	Watson, Ga.
Pomerene	Smith	Townsend	Watson, Ind.
Ransdell	Smoot	Trammell	Weller
Reed	Spencer	Wadsworth	
Sheppard	Stanfield	Walsh, Mass.	
Shortridge	Sterling	Warren	

The PRESIDING OFFICER. Sixty-one Senators have answered the roll call. A quorum is present. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. REED. Mr. President, I hope that the author of this resolution will allow it to take its orderly course, and I trust that nothing will be done in the early days of this session which in any way looks like the employment of mere force of numbers to bring about any result.

The Senate has existed a long time, and it is recognized the world over as a great deliberative body, and as perhaps the only open forum there is in all the world. It has attained that standing and reputation because the Members of the Senate have had regard for the rules of the Senate.

I candidly admit that what I have said is subject to some modification, in view of the action of the Senate on various occasions in recent years. It has too often happened that men in voting upon a construction of the rules have been governed by the desire to pass or to defeat some particular measure. Every such example has been in derogation of the high standing of this body and in derogation of proper procedure in the enactment of laws for the greatest people in the world.

Nothing is further from my purpose than to make a partisan appeal. I recognize that the Republican Party has gained in both branches of Congress an overwhelming majority; that it is possessed of the power which, if it sees fit so to do, may be so exercised as to destroy the rights of the minority, and to reduce the minority almost to a cipher, so far as its influence is concerned. The very possession of that power ought to be the strongest argument against its exercise, because it is not necessary to resort to any unusual or any harsh methods in order to accomplish the carrying out of any program which may be determined upon by the majority party.

Mr. President, we may proceed in this high-handed method—and it is high-handed, as I shall undertake to demonstrate—but if the example is set it will not add to the standing of the Senate, and it will furnish a precedent which may be followed in years to come, and followed to the detriment of the Republican side, for, if anyone thinks for a minute that the last election indicates perpetual authority on the part of the Republican Party, that individual is reckoning without the facts. If there is one lesson to be learned from the last election, it is that the American people can turn a majority into a minority, and do it very quickly; and that whenever they become dissatisfied with the conduct of any political party, no matter how it is intrenched in power, they may in a single election sweep it out of power in every department of the Government.

We elected Woodrow Wilson by over a million plurality, if I remember aright, and the same people who elected him elected Warren G. Harding by nearly 8,000,000 plurality, and the same people who elected Warren G. Harding and gave the Republicans a majority in the Senate may, in less than four years from now, elect a Democrat President and elect enough Senators to give the Democratic Party a majority in the Senate. That is not the character of appeal I want to make to my Republican brethren, however. I want to put this appeal upon higher grounds—the good of the country, which requires orderly procedure in this body, in accordance with its rules and its precedents, and that no effort shall be made to unjustly employ the mere force of a majority vote.

Mr. President, this question is too clear for honest difference of opinion, it seems to me. I say that, of course, with all respect to my friend the Senator from Kansas [Mr. CURTIS] who has just ruled on this question, and who has cited two precedents which have no more to do with this case than the history of the fall of Sodom and Gomorrah.

What are the facts? What is the law? Rule XL expressly provides that—

No motion to suspend, modify, or amend any rule, or any part thereof, shall be in order, except on one day's notice in writing, specifying precisely the rule or part proposed to be suspended, modified, or amended, and the purpose thereof. Any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1, Rule XII.

How clear that is. There must be a notice of the purpose to amend the rule. Clearly that notice must embrace the identical change which it is proposed to effectuate, and clearly it must lie over one day, to the end that every Member of the Senate shall have notice of the pendency of the change and just what change is contemplated.

Mr. President, when a Senator sees fit to bring in that notice, accompanied by the proposed change, he has two courses open to him. One of them is to allow the notice to be read to the Senate and lie in the Senate for one day, and he can then, because it is here in the Senate and has never been taken from the Senate, move to take it up on the succeeding day and insist upon a vote. That is one course. That is not the course which was pursued.

The other course is for the Senator who gives the notice and offers the proposed amendment to send it to a committee, and he may send it to the committee for the best of purposes. He may desire to secure the judgment of the committee. He may desire that his proposition shall have the backing and support of a report by the committee. If he sends it to the committee it is in the committee, and when it is in the committee there are only two ways to get it out of the committee. One is by a report of the committee. When that report is made the report brings back the subject matter to the Senate, and it is then justiciable by the Senate. The other means is to move that the committee be discharged from the consideration of the matter, and if that motion prevails then the proposal is, by virtue of the motion, taken from the committee and brought back to the Senate. But until one or the other of those courses has been pursued the resolution or the bill or the proposal, whatever its form or nature, is not in the custody of the Senate, but is in the custody of the committee.

The Senator who introduced the proposed amendment is a man whom I hold in the highest estimation for his fairness and for his learning. He had some reason in his mind, for he is not a blunderer; he does not do things haphazard; he is about the last man in the Senate to lose his head and do something on impulse. He had some reason in his mind why he wanted his resolution, which he then and there introduced, to be sent to the Committee on Rules. I do not know what that reason was. I know it was a good one because I know that the Senator from Connecticut always has a good reason. He may have wanted to consult with the members of that committee. He may have wanted to get their opinion. He may have wanted to be able to say to the Senate when the resolution came up that it is backed by the unanimous report of that committee. Whatever his reason was, on his own motion, solemnly recited in the very notice he himself gave, the entire subject matter was referred to the Committee on Rules. That as completely takes it out of the hands of the Senate as it can be taken out, the Senate having a mere right to recall it or the committee to report it, as I have said.

So the resolution is in the hands of the committee, and the Senator has two courses open to him. One is to move to discharge the committee, which I believe would require a two-thirds vote, although I am not certain; but whether it is two-thirds or a majority, it requires an affirmative action by the Senate. The other is to await the action of the committee. Neither course has resulted yet in any action by the committee, and the action of the Senate has not been invoked.

I wish to know if the Senate is going to say by its action to-day that a bill can be referred to a committee, and while it is in that committee the Senate can still act on the bill.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. WATSON of Indiana in the chair). Does the Senator from Missouri yield to the Senator from Kansas?

Mr. REED. Certainly.

Mr. CURTIS. Does the Senator distinguish between the introduction of a bill and the giving of a notice? There is nothing whatever in the rules requiring a notice to be referred to a committee.

Mr. REED. I understand there is nothing requiring it to go to the committee, but it did go there, and it is there, and it can not be taken out except by the action of the committee itself or by the action of the Senate.

Mr. CURTIS. The committee can do nothing with the notice. The committee would act on the resolution or the motion.

Mr. REED. Certainly; they would act on the resolution. We are not acting on the notice. We are acting on the proposed amendment. Why, this notice without the proposed amendment attached to it is nothing but empty air. The substance is a change of the rules in the manner and form proposed by the Senator, and the notice is nothing but a necessary step to put the Senate upon its guard. That is all. The notice went along with the substance, but the substance is the real thing referred—that is to say, the proposed change in the rules.

Now, let us see exactly where we will come out if this procedure can be followed. I am going to illustrate it by my own situation in regard to this particular case. I knew that there was a proposal to change the rules, and I was considerably interested in the matter. I inquired whether or not the question would come up to-day before the Senate, and was informed that the whole matter had been referred to the Committee on Rules and that the Committee on Rules had not reported. Therefore, having some business in my office, I went there to attend to it. I came into the Senate this afternoon by the merest accident in order to make some inquiry about printing, and I had to come to see the Senator from Utah [Mr. SMOOT] in regard to it. The first thing I knew of the pendency of this important matter was when I heard the Senator from Nevada [Mr. PITTMAN] speaking upon the question.

If this sort of thing could be tolerated for a minute in the Senate, then tricks could be played upon the Senate. Of course the Senator from Connecticut did not mean to do that in this case. I could bring in a proposed resolution to amend the rules, I could have it referred to a committee, I could lull everybody to sleep waiting for the report of that committee and thinking they had nothing whatever to do until the committee reported. Then I could certainly bring the matter forward disregarding my own act, disregarding the custom of the Senate, and pass it without a large number of the Senators knowing anything about it. That will not do. You may do it, but it will not do.

On the other hand, if this is treated as a new proposition, if what the Senator is now attempting to do this afternoon is a new proposition and is not the proposition that he had referred to the committee and that is still in the committee, then he is confronted by the proposition that he must now give a new notice with reference to this new matter. Of course he has a right to introduce his resolution and have it referred to a committee. Of course he has the right the next day to introduce the identical resolution, but when he does it is a new resolution and the notice of one day must be given.

Now, Mr. President, if I talked many hours I could not make my own views plainer. I say to the Senator who has charge of this matter, and I say to Senators upon the other side, that it would be very unfortunate if we should pursue this course. We would introduce a feeling in the Senate that I do not wish to see introduced here. I desire to feel, although there is a majority politically against my views and my party, that all the procedure here will be in strict accordance with the rules of the Senate and that no advantage will be taken. So far as I am concerned, I have never been a party to take advantage of a minority in this body, and I have sat here nearly eight years when we had a majority upon this side. The opinions and rights of the minority are sometimes of value. Whether they are of value or not the men who sit upon this side of the Chamber sit here under the Constitution of the United States, and any attempt to deprive them of a single constitutional right is an assault upon the Republic itself. While this does not rise to the dignity of a constitutional question, it is one of those propositions which goes in effect to the right of the minority to be heard to express itself in accordance with the law of the land and the rules of the body in which the minority membership sits.

I express the hope, the sincere hope, that we will not start out upon this important session of the Congress with any feeling that there is any attempt to unjustly or unfairly employ the mere power of a majority. In the solution of many of the questions that are coming before this body there is a difference of opinion on both sides of the Chamber. There will be independence of judgment rather than the exercise of party judgment. It is perhaps fortunate for the country that this is the case. So far as I am concerned, I hope we can proceed in that way, always understanding that we may come to places where there is a policy proposed upon which party lines will be drawn, but that should not be the case on the ordinary questions coming here for consideration.

The ruling of the distinguished Senator who occupied the chair a little while ago is incorrect. You may establish it now by your vote, but if you do there is no man who can tell, when a question has been referred to a committee, whether it may not be brought up the next day on the floor. It can be done with a bill as well as with this matter, for a bill referred to a committee can be taken up, if this measure can be taken up, without awaiting the report of the committee. I hope this will not be insisted upon.

Mr. WILLIAMS. Mr. President, of all the foolish and absurd things that any man could engage in perhaps the most foolish and absurd would be an appeal to the sense of fairness of the Republican Party when it is in power. I have never known of an appeal of that sort to have any reception; I have never known the Republicans to decline to take advantage of every opportunity presented to them; I have never known them to rise to the height of world spirit or even of United States national

spirit. It seems to me utterly foolish, even with you in the chair, Mr. President, to appeal to the sense of fairness of the Republican Party. I never knew them to have any of it and I never knew you to represent any of it. It seems that the Senator from Missouri is off on one of his usual tangent lines. He is worshiping a god that does not exist; he is appealing to something that is nonexistent.

Of course, whenever the Republican Party gets into power it forgets the world; it forgets the United States; it forgets everything, and remembers simply itself, and it proceeds to take the utmost advantage of every opportunity it itself has.

Mr. President, three spectacles come across my vision now. One is the world, one is the United States of America, and the other is the Republican majority in the Senate. The latter has nothing in the world to do with the two former. When I cast my eyes over the map of Europe I discover Russia in a state of chaos, nearly 100,000,000 of people all gone to the bad, trying to do something that the world has tried to do again and again and never succeeded in doing; trying it without the mental ability possessed by those portions of the world which have hitherto tried it, because Russia is composed of two classes—the aristocracy thoroughly corrupt and the remaining population thoroughly ignorant.

I see Austria constituted of practically nothing but Vienna, with almost no country added to it out of which the town folks may make a living. She has been denied even the right to conjoin with her other German conationalists in Europe. I see Siberia stricken nearly to the death; Belgium just beginning to recuperate; France nearly bankrupt, with a democratic form of government that will induce her early bankruptcy if nothing else will. I witness Viviani coming to America to see if he can not make some appeal to us. I see the British Empire, with India in a state of discontent, with Egypt ready to raise the banner of revolt, with the Sinn Fein Irish shooting men from behind hedges and throwing bombs at them wherever they happen to see them. I see Germany, away off over there, trying to do something, working the best she can; our late enemy, now trying to fool us and the remainder of the world by pretending a lot of things that are not true.

I see the whole world coming across my eyesight like a moving-picture show, and then I see the Republican Members of the Senate of the United States not even trying to grasp it, knowing nothing about it, but in magnificent and superb ignorance ignoring the world.

Then, it seems to me, Mr. President, that I see the earth, just a little bit of a planet, floating around in space, and other planets floating with us, around our sun—Mars, Venus, Neptune, Jupiter, and the others—some of them larger than we are and some of them smaller; some of them farther from the sun than we are and some of them nearer to it; all of them, I suppose, populated by God's creatures of some sort or other, some of them, perhaps, superior to us and some of them inferior; I do not know. There is the whole world, and here is the little Republican Party in the Senate of the United States looking at itself in self-admiration, wondering if it is not the whole earth, wondering if it is not the whole planetary system, wondering if it is not even the whole solar system, and not seeing that there are other solar systems outside of that. Meanwhile Indiana politics run the Senate of the United States, and if God ever witnessed anything smaller than Indiana politics on both sides, He must have used a microscope. [Laughter.]

Then, Mr. President, leaving the balance of the world out, leaving the planetary system out, because that is too broad for your grasp, I see the United States taxed to death, living hard, with armies of unemployed, and reenlisting every day as the sun shines another army of the unemployed. Great problems are to be considered by this Congress, such as taxation, revenue, relief of crippled soldiers, high cost of living, wages, and lack of houses. Somebody has said we need a million more houses for people to live in; I do not know whether that be true or not. But I see it all, and then I see the Republican Party in the Senate embracing as the greatest possible goal of human achievement the addition of one more Republican member on each committee of the Senate. Just give us one more member and then we will attend to everything! Just let us place on committees those of us who have recently come in and who are a little off color with the Republican Party; let us take 10 places on each committee and give the poor outcast Democrats just 6, and then the country will be right! Taxes are burdensome, our crippled soldiers are in a deplorable plight, bankruptcy is staring many people in the face, prices are falling from very high levels to very low levels, armies of unemployed confront us, wages are falling from a very high plane to a very low plane, with men finding no employment even at low wages; but, God in heaven register our will, we want one more assignment on each committee in the Senate of the United States, and we can not get along without it.

Europe may starve and have no money and no credit; we ought to do something as members of the international relationship of the world; but let it go. We ought to do something to cure the ills of America, but let that go, too; just give us one more committee assignment, and do it by a short cut and the shortest cut that we can get. Give us Indiana politics for one day, and let us show how well we can cavort around, cutting such antics in the face of high heaven that we make God Himself laugh; give us a chance to do these things!

There is the world picture; there is the American picture; there is your picture. God drew the other two, but you have drawn your own. What an artist you are and what a picture it is!

You can outvote this side with 9 to 7; you can outvote this side with 10 to 8; you can outvote this side with 10 to 6; but you want to be dead certain that you can outvote us every time, because you number in your ranks some so-called "progressives." How in the world a so-called "progressive" could be a Republican I never understood, but still there are men who call themselves by those two names at the same time as if they were dead certain that they were both. Now, do you not think that you have made a pretty picture of yourselves?

I have been here in Washington for now nearly 30 years. I have witnessed a House of Representatives with 150 Republican majority succeeded by one with 120 Democratic majority, and in those instances neither the Republicans nor the Democrats wanted to take any unfair advantage of the other side by giving themselves supreme authority upon committees. I have also witnessed something very recent in the history of the world as things go. I witnessed the Foreign Relations Committee of the Senate, the most important committee of this body, packed for the purpose of being certain that a Republican majority might violate the peace of the world, might be able to do everything possible to prevent just and enduring peace in the world. I witnessed an ex-President of the United States, who was president of a league to enforce peace, who finally objected to article 10 of the League of Nations covenant because it tended toward enforcing peace, bringing force to bear to make men conserve the peace.

I have witnessed all that. I do not care whether you take 11 members of each committee or not, or 12, and leave us 4 or leave us 5, leave us 2 or leave us 1. Do whatever you please. You are going to do it anyhow. There is no use in appealing to you. There is no sense of fairness in your make-up. There never was. From your Federalist and old-line Whig predecessors down to now, you never had any. You did not know what the word meant. Give us three members on each committee, and make one of those a Democratic traitor, but leave us two, so that those two, at any rate, can voice their wishes, can be heard by the American people.

I am a little astonished that in your make-up you do not go further. It seems to me that 10 to 6 is a very moderate thing for you to want to do. I am astonished that you do not make it 20 to 3, and then select a Democratic Member that you think betrayed Woodrow Wilson as one of the 3 on each committee. Give us a speaking chance, you know. Make sort of martyrs out of us—not that we want to be martyrs. We can get along very well without being martyrs, if you would leave us a chance.

What great intellect in the Republican Party suggested this idea? I do not know. You do not, either. None of you do. It just grew up, like a horseradish, overnight. You got it over. It certainly was not the Senator from Connecticut [Mr. BRANDEGEE]—no; he never would have done that of his own volition. It was not the Senator from Massachusetts [Mr. LODGE]. He never would have been unfair of his own volition. It was not the Senator from Utah [Mr. SMOOT]. I know it was not. I do not know who in the world it was and you do not, either. It just grew up somehow, and all at once you came in with this idea of giving the Democrats 6 places while you took 10.

Why did you not make it 12 to 6? Why did you not make it 11 to 5? Why did you let us on the committees at all? We have not anything to do with the Government—not now. Why, the Fifty-first Congress never did that way. The Fifty-third Congress, which was overwhelmingly Democratic, never did that way.

Why do you not appoint your committees in this way—I suggest this to you, in all due common sense: Suppose you appoint 8 Members who are Republicans and 6 Members who are Democrats, and then appoint 2 supernumeraries, just to give them places, you see, and label them in the Congressional Directory and RECORD as supernumeraries.

Mr. President, this ought not to be a matter of sport. It ought not to be a matter of fun making. It ought to be a matter of fairness. No free country can live without a bipartisan government. Every great, free country has been a country of two parties, acting with sportsmanlike touch of fairness toward one another. The minute you get three and four and five parties in a country democracy is destroyed. The moment you forget the idea of party loyalty, democracy is destroyed. There are nearly always two great parties, one wanting to go forward and one wanting to hold back, liberal or progressive as you call one, conservative as you call the other. Bipartisan government is the secret of democratic success. No democracy ever lived and developed and progressed without party government, and when a new party comes in that party ought to be allowed to have behind it men who are personally and politically loyal to the administration.

I go as far in that direction as any man could. I do not see but one thing radically wrong about the American Government, and that is that whenever a party in power misses popular approval at an election there is no way under our Constitution for it to resign and go out of power. In Canada, in Australia, in New Zealand, in South Africa, in Great Britain, and in all the other great democratic countries they have ministerial government, so that the party representing the elect of the people in the House of Commons, the House of Representatives, the House of Burgesses, or whatever it may be called, becomes the government of that time, because it is the government of the people of that time. But still in Canada, Australia, New Zealand, South Africa, and Great Britain the sportsmanlike instinct is there, and they play the game fair. The man who is voted down goes out. The man who is voted up comes in. The party that the people have indorsed governs the country. You have the chance now to govern the country. You have been elected. There is not any doubt about it. There is no dispute at all about it. Why do you not go to governing the country, then, instead of stopping for this little picayunish business of committee assignments in the Senate?

The people have made you the governors of the country for four years—for two years, at any rate—in all three branches. Then govern the country. Rise to the altitude of your trust. Do something worthy of the people behind you. You say we have made a mess of it. Then get us out of the mess. You say we have been incompetent, we have been idealistic, we have been altruistic, we have not been nationalistic, one thing or another. Then make us what you want us to be. Put laws upon the statute books. Do something. Do not stand around and fool about how many committee assignments you are going to have on this committee or that or the other.

I see the Senator from North Dakota [Mr. McCUMBER] over there. You know if you had had any way of doing it you would have taken him off of the Foreign Relations Committee at the last session, so as to make that committee plumb packed. You had to leave him, because you could not hit him in the face.

Mr. President, democratic government is a government of the people. It is a government which allows the will of the people to be heard by majorities and by minorities. It is a fair representation of what the last election meant. We went down. You went up. You have a right to govern the country, and I, for one, do not profess any right to hamper you while you are doing it. Your President has a right to have under him men who are personally and politically loyal to him, and I am going to do all I can to see that he gets men of that sort. I am not going to object to anybody that he wants to put into office unless it is clearly conveyed to me that the man in question is either incompetent or dishonest. That is seldom conveyed to me, because in a great country like this most people who aspire to office are both competent and honest.

I wish I could make an appeal to you, to that which is nonexistent with you—a sense of fair play, a sportsmanlike instinct, the English-speaking race's instinct for fair play. All we want is a chance to criticize, a chance to appeal to the people against you here and there, to have our best elements represented upon the committees so that we can do that. That is part of popular government as well as governing itself.

Why do you want to do this thing? "Is thy servant a dog, that he shall do this thing?" There is no precedent for it. It is not sportsmanlike. It is not fair. It is the madness of power taking everything unto itself; that is about all. But, of course, you are going to do it, because the master of this idea has sprung it upon the Senate, and you are going to see it through, conservatives and progressives and other sorts amongst you. You are going to attend to it right now, this day, and you will not be ashamed of it for something like two or three months after you have done it. Then you will be; but before you get ashamed of it the American people will be ashamed of you.

That is about all the appeal I can make to you.

Mr. HARRISON. Mr. President, it is a quarter to 6. Some of the Senators have left. Will not the Senator from Connecticut let this matter go over until the morning?

Mr. BRANDEGEE. Mr. President, when I made the pending motion I stated that I was no more anxious to see the committees of the Senate organized than any other Senator; I was no more anxious for precipitate action upon this motion than any other Senator. Whether or not Senators want to discuss this question any longer as lucidly as the last Senator who talked did, I am unable to say. If there are any more Senators on the other side who want to discuss it—I do not desire to keep the Senate here all night; but I had hoped we could get a vote. Does the Senator from Mississippi know of any Senators on that side who wish to speak?

Mr. HARRISON. Yes; I have some remarks to make. I wanted to read some articles that appeared about this matter at the time when the committees were reduced, showing that through compactness and a reduction of the committees the Senate would be able to transact business more efficiently, and some expense would be saved to the Government; but I do not want to proceed to-night. It is a quarter to 6.

Mr. BRANDEGEE. Mr. President, I would like to have the resolution left in such shape on the calendar that if it does not pass to-night it will be the unfinished business, because, as the Senator knows, I do not want, and nobody on this side of the Chamber, I believe, wants, to hamper the consideration of the treaty by having this matter obtruded.

Mr. HARRISON. This is on the appeal, as the Senator knows, of course.

Mr. BRANDEGEE. I was going to suggest to the Senator that if he would let us vote on the appeal from the ruling of the Chair to-night, I would be willing to have the Senate take a recess until to-morrow.

Mr. HARRISON. There were some Senators who had to leave the Chamber. They thought the Senate would not sit beyond half past 5, and they have gone away, so they would not be here to vote on the appeal, which is a very important proposition.

Mr. BRANDEGEE. If the Senator says that there are several Senators on the other side who really intend to discuss the question, and could not do it to-night, within an hour, say, I would not want to keep the Senate here.

Mr. HARRISON. I do not know what Senators want to discuss it. I want to discuss the proposition somewhat, and I know some Senators left here some 15 minutes ago, and more than that, having no idea the Senate was going into a night session. The matter can go over until to-morrow, and we can vote on the appeal to-morrow, and then we can discuss the main question.

Mr. BRANDEGEE. Mr. President, a parliamentary inquiry. If a recess is taken, would this matter come automatically before the Senate the first thing in the morning?

The PRESIDING OFFICER. The Chair believes that if a recess is taken this matter will come up in the morning.

Mr. BRANDEGEE. On that understanding, I move—or I will let the Senator from Massachusetts [Mr. LODGE] make the motion, if he prefers—that the Senate take a recess until to-morrow.

Mr. LODGE. No; I did not rise for that purpose. I was going to call attention to the fact that, of course, it is within the power of a majority here to lay the appeal on the table at any minute; and I think it is a pity that we should not be allowed to vote on it to-night. But I am not going to press that point.

Mr. MOSES. May I ask the Senator from Connecticut to what hour he proposes the Senate shall take a recess?

Mr. BRANDEGEE. I was going to move that the Senate take a recess until to-morrow at noon.

Mr. MOSES. I suggest that it would expedite matters if the Senate would meet at 11 o'clock to-morrow.

Mr. BRANDEGEE. I have no objection to that, Mr. President. I think it is desirable to have this question settled as soon as possible without interfering with the treaty, and if we can gain an hour by that course, I move that the Senate take a recess until to-morrow at 11 o'clock in the morning.

Mr. HARRISON. Will the Senator not make it 12 o'clock? There is a committee which will have a pretty important conference in the morning.

Mr. LODGE. There are not any committees organized.

Mr. MOSES. The Senator from Mississippi is preventing the organization of the committees.

Mr. HARRISON. Let us meet at 12 o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Connecticut moves that the Senate take a recess until to-morrow morning at 11 o'clock.

Mr. HARRISON. Will the Senator from Connecticut not make it 12 o'clock?

Mr. BRANDEGEE. Mr. President, I dislike to do that. I think we should devote all the time possible to this matter.

Mr. HARRISON. I move as an amendment that the Senate take a recess until 12 o'clock.

The PRESIDING OFFICER. The Senator from Mississippi moves as an amendment that the hour to which the Senate shall recess be 12 o'clock.

Mr. HARRISON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Assistant Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called): I have a general pair with the junior Senator from Virginia [Mr. GLASS]. I transfer my pair to the senior Senator from Oregon [Mr. MCNARY] and vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer my pair to the junior Senator from Illinois [Mr. MCKINLEY] and vote "nay."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. In his absence I transfer my pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD]. I transfer that pair to the senior Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. MCCUMBER (when his name was called). Transferring my pair as on the previous vote, I vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. BROUSSARD]. I transfer that pair to the junior Senator from Wisconsin [Mr. LENROOT] and vote "nay."

The PRESIDING OFFICER (Mr. WATSON of Indiana, when his name was called). I have a general pair with the senior Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from California [Mr. JOHNSON], and vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I transfer that pair to the senior Senator from Kentucky [Mr. STANLEY] and vote "yea."

The roll call was concluded.

Mr. STERLING (after having voted in the negative). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the senior Senator from Maryland [Mr. FRANCE] and allow my vote to stand.

Mr. JONES of Washington (after having voted in the negative). The senior Senator from Virginia [Mr. SWANSON] is necessarily absent, and I agreed to take care of him for the day. I find that I can transfer my pair, however, to my colleague [Mr. POINDEXTER], and I do so and allow my vote to stand.

The result was announced—yeas 11, nays 34, as follows:

YEAS—11.

Ashurst	Overman	Sheppard	Watson, Ga.
Harrison	Pomerene	Simmons	Williams
Heflin	Reed	Walsh, Mass.	

NAYS—34.

Brandegee	Frelinghuysen	McCormick	Smoot
Bursum	Gooding	McCumber	Stanfield
Calder	Harreld	Moses	Sterling
Cameron	Jones, Wash.	New	Wadsworth
Capper	Kellogg	Nicholson	Warren
Cummins	Kenyon	Norbeck	Watson, Ind.
Curtis	Ladd	Norris	Weller
Dillingham	La Follette	Phipps	
Ernst	Lodge	Shortridge	

NOT VOTING—51.

Ball	Glass	McLean	Shields
Borah	Hale	McNary	Smith
Broussard	Harris	Myers	Spencer
Caraway	Hitchcock	Nelson	Stanley
Colt	Johnson	Newberry	Sutherland
Culberson	Jones, N. Mex.	Oddie	Swanson
Dial	Kendrick	Owen	Townsend
Edge	Keyes	Page	Trammell
Elkins	King	Penrose	Underwood
Fernald	Knox	Pittman	Walsh, Mont.
Fletcher	Lenroot	Poindexter	Willis
France	McKellar	Ransdell	Wolcott
Gerry	McKinley	Robinson	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

Mr. REED. Mr. President, a quorum has not been disclosed, and I move that the Senate adjourn.

Mr. LODGE. I hope that motion will not be agreed to.

The PRESIDING OFFICER. The Senator from Missouri moves that the Senate adjourn.

Mr. HARRISON. I ask for the yeas and nays on the motion to adjourn.

The PRESIDING OFFICER. The Senator from Mississippi demands the yeas and nays on the motion to adjourn.

The yeas and nays were not ordered, and the Senate refused to adjourn.

Mr. HARRISON. Let the presence of a quorum be developed, and then the question will be on ordering the yeas and nays on the motion to adjourn. Then if the Senate refuses to adjourn the question will come on the proposition for a recess.

The PRESIDING OFFICER. No; less than a quorum can adjourn, of necessity.

Mr. HARRISON. I understand that.

Mr. LODGE. Mr. President, this is all out of order. No quorum having voted the roll must be called.

Mr. HARRISON. A parliamentary inquiry. After a quorum is developed, then the question would come on ordering the yeas and nays.

Mr. LODGE. That we can settle when we come to it.

The PRESIDING OFFICER. The Secretary will call the roll to ascertain the presence of a quorum.

The roll was called, and the following Senators answered to their names:

Brandegee	Harrison	Nicholson	Stanfield
Bursum	Jones, Wash.	Norbeck	Sterling
Calder	Kellogg	Norris	Wadsworth
Cameron	Kenyon	Overman	Walsh, Mass.
Capper	Ladd	Phipps	Warren
Cummins	La Follette	Pomerene	Watson, Ga.
Curtis	Lodge	Reed	Watson, Ind.
Dillingham	McCormick	Sheppard	Weller
Ernst	McCumber	Shortridge	
Frelinghuysen	Moses	Simmons	
Gooding	New	Smoot	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is not a quorum present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

Mr. HARRISON. On that proposition I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the instructions of the Senate and request the attendance of absent Senators.

Mr. PITTMAN, Mr. HEFLIN, Mr. HARRELD, Mr. WILLIS, Mr. MCNARY, Mr. KEYES, Mr. HARRIS, Mr. MCKELLAR, Mr. CARAWAY, Mr. COLT, and Mr. SPENCER entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Fifty-two Senators having answered to their names, a quorum is present.

Mr. BRANDEGEE. I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRANDEGEE. What is the pending motion?

The PRESIDING OFFICER. According to the understanding of the Chair the pending question is on the amendment offered by the Senator from Mississippi [Mr. HARRISON] to a motion previously made, that the hour to which the Senate shall recess shall be 12 o'clock to-morrow instead of 11 o'clock.

Mr. LODGE. The vote on that motion developed that there was no quorum present, and therefore the roll must be called upon agreeing to the motion.

Mr. HARRISON. I desire to ask the Senator from Connecticut a question. If I withdraw my amendment to make the hour to which the Senate shall recess 12 o'clock, will he agree——

Mr. BRANDEGEE. I shall not object to the Senator doing that.

Mr. HARRISON. Then, will the Senator from Connecticut agree that we shall recess until 11 o'clock to-morrow?

Mr. BRANDEGEE. That is the motion which I have made.

Mr. HARRISON. I ask unanimous consent to withdraw my amendment to the motion of the Senator from Connecticut.

The PRESIDING OFFICER. Without objection, the amendment is withdrawn. The question then recurs on the motion of the Senator from Connecticut, that the Senate stand in recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 14, 1921, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 13, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we approach Thee with the beautiful memories that make life sweet; and these, with a gentle compulsion, lure us to acknowledge Thee to be our Father in Heaven.

Be Thou with Thy servants this day, and help them to a high sense of responsibility in the performance of sacred duty, and enable us to work worthily of our origin and destiny; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

REQUEST TO PRINT REMARKS.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to print a memorial on the subject of road building, forwarded by the constitutional convention now in session in Louisiana.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to print in the RECORD a memorial in regard to road building, forwarded by the constitutional convention of his State. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, is there anything exceptional about this?

Mr. ASWELL. Yes; it is an earnest appeal to the Congress for action.

Mr. WALSH. Purely an earnest appeal?

Mr. ASWELL. Yes; by the constitutional convention which is now in session.

Mr. WALSH. I object.

The SPEAKER. Objection is made.

Mr. PARK of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech by Richard H. Edmonds, printed in the Manufacturers' Record, regarding the resources of the South.

Mr. McCLINTIC. Mr. Speaker, I object.

The SPEAKER. Objection is made.

EMERGENCY TARIFF.

Mr. YOUNG, from the Committee on Ways and Means, reported the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, which was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent that I may be permitted to file, later in the day, the report to accompany this bill, and also that the gentleman from North Carolina [Mr. KITCHIN] from the minority be permitted to file the views of the minority.

Mr. GARNER. At any time up to 12 o'clock?

Mr. YOUNG. Yes.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that up until midnight he and the gentleman from North Carolina [Mr. KITCHIN] may file reports. Is there objection?

There was no objection.

Mr. YOUNG. And that the reports be printed.

The SPEAKER. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. I wish to ask the gentleman a question for the information of the House. Is it the purpose to call up this bill for consideration to-morrow?

Mr. YOUNG. It is the purpose to call up this bill to-morrow and to have four hours of general debate, if the House consents, and that we take the bill up under the five-minute rule on the following day with the intention to pass it on that day.

Mr. GARRETT of Tennessee. It is not the purpose to try to conclude consideration of this bill to-morrow?

Mr. YOUNG. No.

Mr. GARNER. Let me remind the gentleman from North Dakota that the final agreement in the Ways and Means Committee, as I understood, was that we devote the entire day to-morrow to general debate and take up the bill under the five-minute rule on Friday.

Mr. YOUNG. I think there will be no objection to taking all of to-morrow for general debate, and taking the bill up under the five-minute rule on the following day to be passed before adjournment of that day.

REFERENCE OF PRESIDENT'S ADDRESS.

Mr. MONDELL. I move that the address of the President delivered yesterday be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The SPEAKER. The gentleman from Wyoming moves to refer the address of the President to the Committee of the Whole House on the state of the Union and that it be printed. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. MONDELL. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned until Thursday, April 14, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

10. A letter from the Secretary of the Treasury, transmitting a supplemental estimate of appropriations, required by the Public Health Service, Treasury Department, for the National Home for Lepers (H. Doc. No. 7); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2, of Rule XIII,

Mr. YOUNG, from the Committee on Ways and Means, to which was referred the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, reported the same without amendment, accompanied by a report (No. 1), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARBOUR: A bill (H. R. 2867) to provide for a public building at Visalia, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2868) for the construction and erection of a post-office building at Modesto, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2869) to increase the limit of cost of the post-office building to be erected at Bakersfield, Calif.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2870) to confer upon commissioners of the United States district courts jurisdiction to try and determine misdemeanors, as defined by section 335 of the United States Penal Code adopted March 4, 1909; to the Committee on the Judiciary.

Also, a bill (H. R. 2871) to provide for a public building at Fresno, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Ohio: A bill (H. R. 2872) for the erection of a Federal building at Niles, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. CODD: A bill (H. R. 2873) providing for the appointment of an additional district judge in and for the eastern district of Michigan; to the Committee on the Judiciary.

By Mr. CLASSON: A bill (H. R. 2874) to authorize the establishment of a Coast Guard station on the coast of Green Bay at or in the vicinity of Strawberry Passage, in Door County, Wis.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2875) providing for the extension and enlargement of the post-office building at Appleton, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2876) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2877) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate the claim, including the right of enrollment, of any mixed-blood Menominee Indian who participated in the payment of the sum of $40,000 provided for in article 4 of the treaty with the Menominee Indians of October 18, 1848 (9 Stat. L., p. 952), or any descendant of such Indian, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2878) conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Stockbridge and Munsee Indians may have against the United States, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2879) increasing the limit of cost for a Federal building at Oconto, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. DARROW: A bill (H. R. 2880) to save daylight; to the Committee on Interstate and Foreign Commerce.

By Mr. DALLINGER: A bill (H. R. 2881) to protect citizens of the United States against lynching in default of protection by the States; to the Committee on the Judiciary.

Also, a bill (H. R. 2882) to pension blind or partially blind children of persons who served in the Army, Navy, or Marine Corps of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. FAVROT: A bill (H. R. 2883) providing for the purchase of a site and the erection of a public building thereon at Plaquemine, Iberville Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2884) providing for the purchase of a site and the erection of a public building thereon at Baton Rouge, East Baton Rouge Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2885) providing for the purchase of a site and the erection of a public building thereon at Covington, St. Tammany Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2886) providing for the purchase of a site and the erection of a public building thereon at Amite, Tangipahoa Parish, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2887) providing for the purchase of a site and the erection of a public building thereon at Bogalusa, Washington Parish, La.; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 2888) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; to the Committee on Agriculture.

By Mr. HAYDEN: A bill (H. R. 2889) making available additional moneys for the reclamation fund, and for other purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2890) to prohibit the sale of peyote to Indians, and for other purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 2891) making appropriations for the administration, protection, maintenance, and improvement of certain national monuments in the State of Arizona; to the Committee on Appropriations.

By Mr. JOHNSON of Washington: A bill (H. R. 2892) authorizing the establishment of a fog signal at Gig Harbor, Wash.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2893) to provide for the care of certain insane citizens of the Territory of Alaska; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 2894) to amend section 22 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. LAYTON: A bill (H. R. 2895) to create a Negro industrial commission; to the Committee on the Judiciary.

By Mr. HAYDEN: A bill (H. R. 2896) to extend to Indians the State laws governing in the matter of marriage and divorce and the social crimes herein enumerated; to the Committee on Indian Affairs.

By Mr. LAYTON: A bill (H. R. 2897) to authorize the acquisition of a site and the erection of a Federal building at Georgetown, Del.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2898) to authorize the acquisition of a site and the erection of a Federal building at Newark, Del.; to the Committee on Public Buildings and Grounds.

By Mr. MARTIN: A bill (H. R. 2899) to provide for the erection of a public building at Morgan City, La.; to the Committee on Public Buildings and Grounds.

By Mr. MONTOYA: A bill (H. R. 2900) to provide for the purchase of a site and for the erection of a public building thereon at Silver City, N. Mex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2901) to appropriate the sum of $18,000 for the purpose of paving the streets around the Federal building at Santa Fe, in the State of New Mexico; to the Committee on Appropriations.

Also, a bill (H. R. 2902) to exclude from the Jicarilla Apache Indian Reservation certain lands included in the Executive orders of November 11, 1907, and January 28, 1908, in the county of Rio Arriba, State of New Mexico; to the Committee on Indian Affairs.

Also, a bill (H. R. 2903) to regulate the manufacture and sale of all woolen cloth and fabrics containing wool, mohair, shoddy, cotton, silk, tin, fibers, and the products thereof, to be used for the purpose of wearing apparel; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2904) providing for a commission to ascertain and determine the rights of persons occupying Pueblo Indian lands in the State of New Mexico; to the Committee on Indian Affairs.

Also, a bill (H. R. 2905) to provide for the purchase of a site and for the erection of a public building thereon at Clovis, N. Mex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2906) to provide for an investigation to ascertain the feasibility of the construction of a reservoir and irrigation project in the Santa Fe River, Santa Fe County, N. Mex.; to the Committee on Appropriations.

Also, a bill (H. R. 2907) to establish a fish-cultural station in New Mexico; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOORES of Indiana: A bill (H. R. 2908) for the incorporation of the Grand Army of the Republic; to the Committee on the Judiciary.

By Mr. RAMSEYER: A bill (H. R. 2909) to amend an act entitled "An act to amend and modify the war risk insurance act," approved December 24, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS: A bill (H. R. 2910) incorporating the "Lighthouses for the Blind"; to the Committee on the Judiciary.

By Mr. SEARS: A bill (H. R. 2911) to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on the Public Lands.

By Mr. SINCLAIR (by request): A bill (H. R. 2912) to provide for the fixing and stabilizing of agricultural products with full regard to the cost of production; to eliminate gambling and speculation; to protect the ultimate consumer; to the Committee on Banking and Currency.

By Mr. SMITH: A bill (H. R. 2913) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2914) to add certain lands to Minidoka National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 2915) to authorize the addition of certain lands to the Cache National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 2916) providing for the investigation of the feasibility of reclaiming by irrigation certain lands in the State of Idaho for agricultural purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 2917) to give preference right of employment on construction work on United States reclamation projects, and preference right of entry on the public lands within such projects, to honorably discharged soldiers, sailors, and marines; to the Committee on the Public Lands.

Also, a bill (H. R. 2918) to regulate the practice of osteopathy in the District of Columbia; to the Committee on the District of Columbia.

By Mr. SUTHERLAND: A bill (H. R. 2919) prescribing certain conditions by which annual labor may be done on mining claims in Alaska; to the Committee on the Territories.

By Mr. TINKHAM: A bill (H. R. 2920) to establish a school and home for feeble-minded persons of the District of Columbia, to be known as the Columbia training school, and providing for the legal commitment of feeble-minded persons, and for other purposes; to the Committee on the District of Columbia.

By Mr. WOOD of Indiana: A bill (H. R. 2921) to provide an equitable system for the valuation of the services of civilian employees of the Government and making appropriation therefor; to the Committee on Reform in the Civil Service.

By Mr. WOODS of Virginia: A bill (H. R. 2922) to further regulate certain public-service corporations operating within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. MARTIN: A bill (H. R. 2923) to provide for the erection of a public building at Houma, La.; to the Committee on Public Buildings and Grounds.

By Mr. FAVROT: A bill (H. R. 2924) providing for the purchase of a site and the erection of a public building thereon at Donaldsonville, Ascension Parish, La.; to the Committee on Public Buildings and Grounds.

By Mr. TINKHAM: Resolution (H. Res. 43) proposing an amendment to the rules of the House; to the Committee on Rules.

By Mr. HAYDEN: Joint resolution (H. J. Res. 48) directing a survey for a military road along the boundary between the United States and Mexico; to the Committee on Military Affairs.

By Mr. SMITH: Joint resolution (H. J. Res. 49) relating to the use of net earnings derived by the United States from the Federal reserve banks in the years 1921, 1922, and 1923, being the earnings accrued and accruing during the years 1920, 1921, and 1922; to the Committee on Banking and Currency.

By Mr. FISH: Concurrent resolution (H. Con. Res. 9) to withdraw our troops from Germany; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Colorado, opposing a duty on lumber imported from Canada; to the Committee on Ways and Means.

By Mr. CAREW: Memorial of the Legislature of the State of New York favoring extension of power development at Niagara Falls; to the Committee on Foreign Affairs.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York indorsing a Federal forest policy; to the Committee on Agriculture.

By Mr. COCKRAN: Memorial of the Legislature of the State of New York favoring extension of power development at Niagara Falls; to the Committee on Foreign Affairs.

By Mr. CULLEN: Memorial of the Legislature of the State of New York, favoring extension of power development at Niagara Falls; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of New York, indorsing a Federal forest policy; to the Committee on Agriculture.

By Mr. CAREW: Memorial of the Legislature of the State of New York, indorsing a Federal forest policy; to the Committee on Agriculture.

By Mr. KISSEL: Memorial of the Legislature of the State of New York, urging amendment to the treaty with Great Britain; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of New York, urging the passage of the Snell bill (H. R. 15327); to the Committee on Forestry.

By Mr. LAYTON: Memorial of the Legislature of the State of Delaware, favoring extended survey and study of the problems of immigration; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Delaware, favoring additional compensation for ex-soldiers; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Delaware, favoring legislation for control of coal industry and for relief to consumers; to the Committee on Interstate and Foreign Commerce.

By Mr. SINCLAIR: Memorial of the Legislature of the State of North Dakota, favoring the improvement of the St. Lawrence River in order to make the Great Lakes accessible to ocean-going commerce; to the Committee on Rivers and Harbors.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York, favoring extension of power development at Niagara Falls; to the Committee on Foreign Affairs.

By Mr. STINESS: Memorial of the Legislature of the State of Rhode Island, favoring continuation of Federal aid in construction of post roads; to the Committee on Appropriations.

By Mr. ASWELL: Memorial of the constitutional convention of Louisiana, favoring extension of Federal aid in building of roads; to the Committee on Appropriations.

By Mr. TAYLOR of Colorado: Memorial of the Legislature of the State of Colorado, inviting the President of the United States to make his summer home in Colorado; to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSORGE: A bill (H. R. 2925) granting a pension to Susan Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2926) authorizing the Secretary of War to donate to the twenty-first congressional district of New York, N. Y., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. ATKESON: A bill (H. R. 2927) authorizing the Secretary of War to donate to the city of Pleasant Hill, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2928) authorizing the Secretary of War to donate to the city of Greenfield, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2929) authorizing the Secretary of War to donate to the city of Warrensburg, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2930) authorizing the Secretary of War to donate to the city of Eldorado Springs, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2931) authorizing the Secretary of War to donate to the city of Osceola, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2932) authorizing the Secretary of War to donate to the city of Butler, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2933) authorizing the Secretary of War to donate to the city of Rich Hill, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2934) authorizing the Secretary of War to donate to the city of Clinton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2935) granting a pension to Minnie J. Cogle; to the Committee on Invalid Pensions.

By Mr. BIXLER: A bill (H. R. 2936) authorizing the Secretary of War to donate to the city of Franklin, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2937) authorizing the Secretary of War to donate to the borough of Warren, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2938) authorizing the Secretary of War to donate to the city of Mercer, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2939) authorizing the Secretary of War to donate to the borough of Tionesta, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2940) authorizing the Secretary of War to donate to the borough of Ridgway, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2941) authorizing the Secretary of War to donate to the city of Tidioute, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2942) authorizing the Secretary of War to donate to the borough of Emlenton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2943) authorizing the Secretary of War to donate to the city of Sharon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2944) authorizing the Secretary of War to donate to the city of Oil City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2945) authorizing the Secretary of War to donate to the borough of Grove City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2946) authorizing the Secretary of War to donate to the city of Greenville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2947) authorizing the Secretary of War to donate to the borough of St. Marys, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2948) authorizing the Secretary of War to donate to the borough of Johnsonburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2949) authorizing the Secretary of War to donate to the city of Sheffield, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2950) authorizing the Secretary of War to donate to the borough of Youngsville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2951) authorizing the Secretary of War to donate to the borough of Farrell, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROOKS of Pennsylvania: A bill (H. R. 2952) granting a pension to Laura Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2953) granting a pension to Adam Keesey; to the Committee on Pensions.

Also, a bill (H. R. 2954) for the relief of Joseph H. Tavenner; to the Committee on Military Affairs.

Also, a bill (H. R. 2955) granting a pension to Hattie Barnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2956) granting a pension to Elizabeth Yeatts; to the Committee on Invalid Pensions.

By Mr. CABLE: A bill (H. R. 2957) authorizing the Secretary of War to donate to the city of Wapakoneta, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2958) authorizing the Secretary of War to donate to the city of Celina, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2959) authorizing the Secretary of War to donate to the city of Lima, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2960) authorizing the Secretary of War to donate to the city of Greenville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2961) authorizing the Secretary of War to donate to the city of Troy, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2962) authorizing the Secretary of War to donate to the city of Piqua, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2963) authorizing the Secretary of War to donate to the city of Sidney, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2964) authorizing the Secretary of War to donate to the city of St. Marys, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2965) authorizing the Secretary of War to donate to the city of Bluffton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2966) authorizing the Secretary of War to donate to the city of Spencerville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLASSON: A bill (H. R. 2967) to correct the military record of Josiah P. Sanders; to the Committee on Military Affairs.

Also, a bill (H. R. 2968) for the relief of Jonas Archiquette; to the Committee on Claims.

By Mr. COOPER of Ohio: A bill (H. R. 2969) for the relief of George B. Allen; to the Committee on Claims.

By Mr. COPLEY: A bill (H. R. 2970) for the relief of William R. Peck; to the Committee on Claims.

Also, a bill (H. R. 2971) authorizing the Secretary of War to donate to the cities of Downers Grove, Naperville, Hinsdale, Wheaton, West Chicago, Aurora, Batavia, Geneva, Elgin, St. Charles, Harvard, Marengo, Woodstock, Joliet, Wilmington, and Plainfield, all in the State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2972) granting an increase of pension to Sarah M. Burnside; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2973) granting war-risk insurance benefits to John C. Kromer; to the Committee on Claims.

Also, a bill (H. R. 2974) granting war-risk insurance benefits to Hetta M. Flood; to the Committee on Claims.

Also, a bill (H. R. 2975) granting a pension to Elmer F. Miller; to the Committee on Pensions.

Also, a bill (H. R. 2976) granting a pension to Florence Hall; to the Committee on Pensions.

Also, a bill (H. R. 2977) to correct the military record of Earnest R. Crouch; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 2978) granting an increase of pension to Kate R. Harner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2979) for the relief of Lewis N. Prentice; to the Committee on Claims.

By Mr. DEAL: A bill (H. R. 2980) granting an increase of pension to Linda C. O'Connor; to the Committee on Pensions.

By Mr. DOWELL: A bill (H. R. 2981) for the relief of G. W. Bauserman; to the Committee on Claims.

By Mr. DUNBAR: A bill (H. R. 2982) granting an increase of pension to Angie E. Leslie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2983) granting an increase of pension to Mary Froman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2984) granting an increase of pension to Loudica Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2985) granting an increase of pension to Mary E. Lofton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2986) granting an increase of pension to Mary E. Goldman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 2987) authorizing the Secretary of War to donate to the city of Palmyra, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2988) authorizing the Secretary of War to donate to the city of Salem, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2989) authorizing the Secretary of War to donate to the city of Scottsburg, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2990) authorizing the Secretary of War to donate to the city of Birdseye, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2991) authorizing the Secretary of War to donate to the city of Cannellton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2992) authorizing the Secretary of War to donate to the city of Orleans, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2993) authorizing the Secretary of War to donate to the city of Tell City, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2994) authorizing the Secretary of War to donate to the city of West Baden, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2995) authorizing the Secretary of War to donate to the city of French Lick, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2996) authorizing the Secretary of War to donate to the city of Paoli, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2997) authorizing the Secretary of War to donate to the city of Mitchell, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2998) authorizing the Secretary of War to donate to the city of Corydon, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 2999) authorizing the Secretary of War to donate to the city of Jasper, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3000) authorizing the Secretary of War to donate to the city of Huntingburg, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3001) authorizing the Secretary of War to donate to the city of Milltown, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3002) authorizing the Secretary of War to donate to the city of New Albany, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3003) authorizing the Secretary of War to donate to the city of Marengo, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3004) authorizing the Secretary of War to donate to the city of English, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3005) authorizing the Secretary of War to donate to the city of Jeffersonville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3006) authorizing the Secretary of War to donate to the city of Charlestown, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 3007) granting an increase of pension to George D. Mayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3008) granting an increase of pension to August Clair; to the Committee on Invalid Pensions.

By Mr. FAVROT: A bill (H. R. 3009) for the relief of Charles L. Galloway; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 3010) granting an increase of pension to Rosa Marchant; to the Committee on Invalid Pensions.

By Mr. HAWES: A bill (H. R. 3011) granting an increase of pension to Jennie Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3012) granting a pension to Julia Beckley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3013) granting an increase of pension to Elizabeth Voneky; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3014) granting an increase of pension to George Sheehan; to the Committee on Pensions.

Also, a bill (H. R. 3015) for the relief of C. M. Perkins; to the Committee on Claims.

Also, a bill (H. R. 3016) for the relief of Mary Neaf; to the Committee on Military Affairs.

By Mr. HAWLEY: A bill (H. R. 3017) for the relief of the dependents of certain members of the Oregon National Guard who were killed (while serving in line of duty and not as the result of their own misconduct) by the explosion of 155-millimeter cannon at Camp Lewis, Wash., on July 16, 1920; to the Committee on Claims.

Also, a bill (H. R. 3018) granting the consent of Congress to H. H. Haynes to construct a dike across Mud Slough, on Isthmus Inlet, in section 23, township 26 south, range 13 west, of Willamette meridian in Oregon; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3019) granting an increase of pension to Frederick H. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 3020) granting an increase of pension to James M. Berry; to the Committee on Pensions.

Also, a bill (H. R. 3021) granting an increase of pension to Herman F. Oakes; to the Committee on Pensions.

Also, a bill (H. R. 3022) granting a pension to Sarah G. London; to the Committee on Pensions.

Also, a bill (H. R. 3023) granting a pension to Harriet U. Webber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3024) granting a pension to William M. Metzger; to the Committee on Pensions.

Also, a bill (H. R. 3025) granting a pension to Mary E. Hazelrigg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3026) granting a pension to Joseph Bauer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3027) for the relief of Francis M. Myers or Francis Meyer; to the Committee on Military Affairs.

Also, a bill (H. R. 3028) for the relief of John W. Baggott; to the Committee on Military Affairs.

Also, a bill (H. R. 3029) for the relief of Amos Dahuff; to the Committee on Military Affairs.

Also, a bill (H. R. 3030) for the relief of Henry N. Penfield; to the Committee on Military Affairs.

Also, a bill (H. R. 3031) for the relief of Louis Southworth; to the Committee on Military Affairs.

Also, a bill (H. R. 3032) for the relief of John Clark; to the Committee on Military Affairs.

Also, a bill (H. R. 3033) for the relief of Joseph B. Medley; to the Committee on Claims.

Also, a bill (H. R. 3034) for the relief of Lizzie Askel; to the Committee on Claims.

Also, a bill (H. R. 3035) granting an increase of pension to Elias L. Banta; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 3036) for the relief of Robert T. Jones; to the Committee on Claims.

Also, a bill (H. R. 3037) for the relief of William Wooster; to the Committee on Claims.

Also, a bill (H. R. 3038) for the relief of John W. Adair; to the Committee on Claims.

Also, a bill (H. R. 3039) for the relief of Charles E. Hunter; to the Committee on Claims.

Also, a bill (H. R. 3040) for the relief of Selma J. Gronewald; to the Committee on Claims.

Also, a bill (H. R. 3041) for the relief of Mrs. W. P. Miller; to the Committee on Claims.

Also, a bill (H. R. 3042) for the relief of the estate of Fritz Contzen; to the Committee on Claims.

By Mr. HOCH: A bill (H. R. 3043) granting a pension to Adeline Fender; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3044) granting a pension to Lucia Biddison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3045) granting an increase of pension to John Henderson; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Washington: A bill (H. R. 3046) authorizing the appointment of Army Field Clerk J. Nelson Stewart, United States Army, as a warrant officer on the retired list; to the Committee on Military Affairs.

Also, a bill (H. R. 3047) granting an increase of pension to Junius Thomas Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3048) for the relief of George F. Weaver; to the Committee on Claims.

Also, a bill (H. R. 3049) for the relief of Henry S. Royce; to the Committee on Claims.

By Mr. KELLEY of Michigan: A bill (H. R. 3050) for the relief of John E. Walker; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 3051) authorizing the Secretary of War to donate to the city of Bonner Springs, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3052) authorizing the Secretary of War to donate to the city of Rosedale, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3053) authorizing the Secretary of War to donate to the city of Kansas City, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3054) authorizing the Secretary of War to donate to the University of Kansas one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3055) authorizing the Secretary of War to donate to the city of Bronson, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3056) authorizing the Secretary of War to donate to the city of Fort Scott, State of Kansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUCE: A bill (H. R. 3057) for the relief of George Van Derburgh Brown; to the Committee on Claims.

By Mr. McFADDEN: A bill (H. R. 3058) authorizing the Secretary of War to donate to the city of East Smithfield, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3059) authorizing the Secretary of War to donate to the city of Hawley, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3060) authorizing the Secretary of War to donate to the city of Honesdale, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3061) authorizing the Secretary of War to donate to the city of Tunkhannock, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3062) authorizing the Secretary of War to donate to the city of Hallstead, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3063) authorizing the Secretary of War to donate to the city of Athens, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3064) authorizing the Secretary of War to donate to the city of Montrose, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3065) authorizing the Secretary of War to donate to the city of Towanda, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3066) authorizing the Secretary of War to donate to the city of Susquehanna, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3067) authorizing the Secretary of War to donate to the city of Forest City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3068) authorizing the Secretary of War to donate to the city of Troy, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3069) authorizing the Secretary of War to donate to the city of Sayre, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3070) authorizing the Secretary of War to donate to the city of Canton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McKENZIE: A bill (H. R. 3071) granting an increase of pension to Eva Bassett; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 3072) granting an increase of pension to Sarah Ann Stoddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3073) granting an increase of pension to Lugenia M. Stuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3074) granting a pension to Margaret Mason; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3075) granting an increase of pension to Margaret O'Hara; to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 3076) authorizing the Secretary of War to donate one German cannon or fieldpiece each to certain towns in Louisiana; to the Committee on Military Affairs.

By Mr. MONTOYA: A bill (H. R. 3077) granting an increase of pension to Juana Royval de Martinez; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3078) granting a pension to Gabriela Montoya de Perea; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3079) granting a pension to Mary E. Harwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3080) granting a pension to George F. Ludi; to the Committee on Pensions.

Also, a bill (H. R. 3081) granting a pension to Leandra Montoya de Pfeiffer; to the Committee on Pensions.

Also, a bill (H. R. 3082) for the relief of the Museum of New Mexico, which is a part of the educational system of New Mexico; to the Committee on the Public Lands.

By Mr. RICKETTS: A bill (H. R. 3083) granting a pension to Sarah Cutright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3084) granting a pension to Phebie Hamilton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3085) granting an increase of pension to Lorilla Downhour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3086) granting a pension to Cynthia J. Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3087) granting a pension to Sarah Barnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3088) granting an increase of pension to Laura A. McCormick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3089) granting a pension to Tillie Parkhurst; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3090) granting a pension to Sarah M. Suthers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3091) granting a pension to George E. Wycuff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3092) granting a pension to James Campbell; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 3093) authorizing the Secretary of War to donate to the county of Kenton, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3094) authorizing the Secretary of War to donate to the county of Campbell, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3095) authorizing the Secretary of War to donate to the county of Pendleton, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3096) authorizing the Secretary of War to donate to the county of Grant, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3097) authorizing the Secretary of War to donate to the county of Boone, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3098) authorizing the Secretary of War to donate to the county of Carroll, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3099) authorizing the Secretary of War to donate to the county of Gallatin, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3100) authorizing the Secretary of War to donate to the county of Trimble, State of Kentucky, two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SNYDER: A bill (H. R. 3101) authorizing the Secretary of War to donate to the city of Sauquoit, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3102) authorizing the Secretary of War to donate to the city of Clayville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3103) authorizing the Secretary of War to donate to the city of Camden, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3104) authorizing the Secretary of War to donate to the city of Waterville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3105) authorizing the Secretary of War to donate to the city of Mohawk, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3106) authorizing the Secretary of War to donate to the city of Middleville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3107) authorizing the Secretary of War to donate to the city of Newport, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3108) authorizing the Secretary of War to donate to the city of Little Falls, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3109) authorizing the Secretary of War to donate to the city of Herkimer, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3110) authorizing the Secretary of War to donate to the city of Frankfort, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3111) authorizing the Secretary of War to donate to the city of Ilion, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3112) authorizing the Secretary of War to donate to the city of Rome, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3113) authorizing the Secretary of War to donate to the city of Utica, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3114) authorizing the Secretary of War to donate to the city of Remsen, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3115) authorizing the Secretary of War to donate to the city of Boonville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SUTHERLAND: A bill (H. R. 3116) validating homestead entry of Mike Campbell for certain public lands in Alaska; to the Committee on the Territories.

By Mr. SWEET: A bill (H. R. 3117) for the relief of Maj. Ellis B. Miller; to the Committee on Naval Affairs.

By Mr. WHEELER: A bill (H. R. 3118) granting a pension to Michael Walsh; to the Committee on Invalid Pensions.

By Mr. LAYTON: A bill (H. R. 3119) authorizing the Secretary of War to donate to the town of Georgetown, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3120) authorizing the Secretary of War to donate to the town of Harrington, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3121) authorizing the Secretary of War to donate to the town of Felton, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3122) authorizing the Secretary of War to donate to the town of Bridgeville, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3123) authorizing the Secretary of War to donate to the town of Clayton, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3124) authorizing the Secretary of War to donate to the town of Dagsboro, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3125) authorizing the Secretary of War to donate to the town of Frankford, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3126) authorizing the Secretary of War to donate to the town of Smyrna, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3127) authorizing the Secretary of War to donate to the town of Selbyville, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3128) authorizing the Secretary of War to donate to the town of Lewes, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3129) authorizing the Secretary of War to donate to the town of Milton, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3130) authorizing the Secretary of War to donate to the town of Ocean View, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3131) authorizing the Secretary of War to donate to the town of Laurel, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3132) authorizing the Secretary of War to donate to the town of Delmar, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3133) authorizing the Secretary of War to donate to the town of Greenwood, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3134) authorizing the Secretary of War to donate to the town of Ellendale, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3135) authorizing the Secretary of War to donate to the town of Milford, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3136) authorizing the Secretary of War to donate to the town of Millsboro, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3137) authorizing the Secretary of War to donate to the town of Seaford, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3138) authorizing the Secretary of War to donate to the town of Woodside, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3139) authorizing the Secretary of War to donate to the town of Little Creek, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3140) authorizing the Secretary of War to donate to the town of Rehoboth, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3141) authorizing the Secretary of War to donate to the town of Cheswold, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3142) authorizing the Secretary of War to donate to the town of Frederica, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3143) authorizing the Secretary of War to donate to the town of Dover, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3144) authorizing the Secretary of War to donate to the town of Viola, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3145) authorizing the Secretary of War to donate to the town of Wyoming, State of Delaware, one German cannon or fieldpiece; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

19. By Mr. BARBOUR: Petition of Fresno (Calif.) Branch No. 33 of the American Association for the Recognition of the Irish Republic, protesting against the action of the British Government in executing prisoners of war in Ireland; to the Committee on Foreign Affairs.

20. Also, petition of certain women citizens of Exeter, Calif., urging international agreement limiting armaments; to the Committee on Foreign Affairs.

21. By Mr. BUTLER: Petition of citizens of Phoenixville, Pa., against the passage of the Capper-Fess bill; to the Committee on Education.

22. By Mr. CANNON: Petition of citizens of Illinois, praying for amendment to the Volstead Act; to the Committee on the Judiciary.

23. By Mr. CAREW: Petition of citizens' meeting held in Carnegie Hall, New York, favoring further relief for wounded ex-soldiers; to the Committee on Interstate and Foreign Commerce.

24. Also, petition of Chamber of Commerce of New York in connection with the retention of passport offices in New York and adequate care for wounded service men; to the Committees on Foreign Affairs and Interstate and Foreign Commerce.

25. Also, petition of St. Ignatius Council, Knights of Columbus, protesting against the Smith-Towner bill; to the Committee on Education.

26. By Mr. COCKRAN: Petition of the Chamber of Commerce of the State of New York in connection with the retention of passport offices in New York; adequate care of wounded ex-service men; and urging that tax revision precede tariff legislation; to the Committees on Foreign Affairs and Interstate and Foreign Commerce.

27. Also, petition of citizens' meeting held in Carnegie Hall, favoring further measures of relief for disabled veterans; to the Committee on Interstate and Foreign Commerce.

28. By Mr. COLE: Petition of numerous citizens of Galion, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

29. By Mr. CULLEN: Petition of citizens' meeting held in Carnegie Hall, favoring further measures of relief for disabled veterans; to the Committee on Interstate and Foreign Commerce.

30. By Mr. CURRY: Petition of S. E. Babson and others, of Sacramento, Calif., urging better pay for rural mail carriers; to the Committee on the Post Office and Post Roads.

31. Also, petition of the Shasta Water Co. and others, of Sacramento, Calif., urging the repeal of sections 628 and 630 of the revenue act of 1918; to the Committee on Ways and Means.

32. Also, petition of the Northern California Hotel Association, urging legislation for a bureau of publicity of scenic wonders and public parks, also automobile highways; to the Committee on Roads.

33. Also, petition of the Church Federation of Sacramento, Calif., urging legislation prohibiting certain classes of immigration; to the Committee on Immigration and Naturalization.

34. Also, petition of druggists of Vallejo, Calif., protesting against the tax on alcohol used for manufacturing, medicinal, and nonbeverage purposes; to the Committee on Ways and Means.

35. By Mr. DARROW: Petition of the Philadelphia Annual Conference of the Methodist Episcopal Church, urging the passage of the Smith-Towner bill; to the Committee on Education.

36. By Mr. DENISON: Petition of citizens of Evansville, Ill., protesting against the tariff on coal-tar products used in the manufacture of dips, etc.; to the Committee on Ways and Means.

37. Also, petition of citizens of Alexander County, Ill., against the tax on coal-tar products used in the manufacture of dips and disinfectants; to the Committee on Ways and Means.

38. By Mr. FULLER: Petition of the Rockford (Ill.) Coca-Cola Bottling Co., urging the repeal of the tax on carbonated beverages; to the Committee on Ways and Means.

39. By Mr. KEARNS: Petition of L. E. Wilkin, Greenfield, Ohio, against eyeglasses being placed with other jewelry in proposed tax on jewelry; to the Committee on Ways and Means.

40. By Mr. KIESS: Petition of citizens of Williamsport, Pa., against the passage of the Capper-Fess bill; to the Committee on Education.

41. By Mr. KISSEL: Petition of Mrs. Dausa D. Hartwell, Marion, Ill., supporting any legislation for the relief of the emergency Army officer; to the Committee on Military Affairs.

42. Also, petition of the Acme Toy Manufacturing Co., New York City, urging protective tariff; to the Committee on Ways and Means.

43. Also, petition of Otto Muhlbauer & Co., Brooklyn, relative to the tariff committee; to the Committee on Ways and Means.

44. Also, petition of H. Barnes & Co., Brooklyn, N. Y., urging that spectacles and eyeglasses not be placed on new tax legislation; to the Committee on Ways and Means.

45. Also, petition of David Belais, New York City, urging the adoption of the principle of equal taxation, etc.; to the Committee on Ways and Means.

46. Also, petition of George Borgfeldt & Co., New York City, relative to protection for patents on toys, etc.; to the Committee on Patents.

47. Also, petition of Ferdinand Gutmann & Co., New York City, urging that the duty on imports be not changed; to the Committee on Ways and Means.

48. Also, petition of the Federal Doll Manufacturing Co. (Inc.), New York, urging protective tariff on dolls; to the Committee on Ways and Means.

49. Also, petition of Reisman Barrow & Co., New York, urging 60 per cent tariff on dolls; to the Committee on Ways and Means.

50. Also, petition of the Estey Piano Co., New York, against excessive taxation on pianos and other musical instruments; to the Committee on Ways and Means.

51. Also, petition of O. W. Wuertz Co., New York City, urging against excessive taxation on musical instruments; to the Committee on Ways and Means.

52. Also, petition of E. L. Horsman and Aetna Doll Co., New York, urging 60 per cent tariff on dolls, etc.; to the Committee on Ways and Means.

53. Also, petition of citizens' meeting to obtain justice for the wounded soldiers, Carnegie Hall, New York City; to the Committee on Military Affairs.

54. Also, petition of Chamber of Commerce of the State of New York, urging the appropriation to retain branch passport offices in the city of New York; to the Committee on Foreign Affairs.

55. Also, petition of the American Engineering Council, Washington, D. C., urging the passage of the Nolan Patent Office bill; to the Committee on Patents.

56. Also, petition of Gifford Pinchot, Philadelphia, against the passage of the Snell bill, H. R. 15327; to the Committee on Agriculture.

57. Also, petition of the Modern Toy Co. (Inc.), Brooklyn, N. Y., urging tariff on dolls; to the Committee on Ways and Means.

58. Also, petition of the Central Doll Manufacturing Co., New York, urging protective tariff on dolls; to the Committee on Ways and Means.

59. Also, petition of Louis Amberg & Son, New York, urging protective tariff on dolls; to the Committee on Ways and Means.

60. Also, petition of the Progressive Toy Co., New York City, urging tariff on dolls; to the Committee on Ways and Means.

61. Also, petition of the American Character Doll Co., New York, urging tariff on dolls; to the Committee on Ways and Means.

62. Also, petition of the Universal Society of America, urging legislation for the betterment of war-tax legislation; to the Committee on Ways and Means.

63. Also, petition of publication office of Pharmacal Advance, New York, against the 10 per cent tax on medicines; to the Committee on Ways and Means.

64. Also, petition of the Remington Phonograph Co., New York, against present tax on phonographs; to the Committee on Ways and Means.

65. Also, petition of the Olympic Disk Record Corporation, New York City, against the present tax on phonographs; to the Committee on Ways and Means.

66. Also, petition of the Brooklyn Motor Vehicle Dealers' Association (Inc.), urging change in present tax laws; to the Committee on Ways and Means.

67. Also, petition of the National Institute of Invention, New York, urging the passage of the metric system bill; to the Committee on Coinage, Weights, and Measures.

68. Also, petition of the Arden-Bennett Corporation Co., New York, urging tariff on toys; to the Committee on Ways and Means.

69. Also, petition of the E. Goldberger Co., New York, urging tariff on dolls; to the Committee on Ways and Means.

70. By Mr. MACGREGOR: Petition of the Knights of Columbus of Buffalo, N. Y., protesting against the Smith-Towner bill; to the Committee on Education.

71. Also, petition of the Junior Order of the United American Mechanics of Buffalo, N. Y., favoring the Smith-Towner bill; to the Committee on Education.

72. Also, petition of citizens of Town Line, N. Y., protesting against French troops occupying German territory; to the Committee on Foreign Affairs.

73. Also, petition of the Buffalo Coca-Cola Bottling Co., favoring repeal of present tax on bottled carbonated beverages; to the Committee on Ways and Means.

74. By Mr. MADDEN: Petition of citizens of Chicago, Ill., urging and in favor of light wines and beers and against the Sunday blue laws; to the Committee on the Judiciary.

75. Also, petition of the Veterans of Liberty, Chicago, Ill., favoring beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

76. By Mr. OLDFIELD: Petition of numerous citizens, most respectfully protesting against any revisions of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants, such as creosote, phenol, naphthalene, and such other materials used in making insecticides; to the Committee on Ways and Means.

77. By Mr. RIORDAN: Petition of citizens of New York City, against the passage of the Smith-Towner bill; to the Committee on Interstate and Foreign Commerce.

78. Also, petition of citizens of Staten Island, N. Y., urging repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

79. By Mr. SINCLAIR: Petition of the pastor and trustees of the Evangelical Church at Bethel, N. Dak., protesting against the retention of colored troops in Germany; to the Committee on Foreign Affairs.

80. By Mr. SPROUL: Petition of sundry citizens of Chicago, Ill., opposing prohibition and the enactment of so-called blue laws; to the Committee on the Judiciary.

81. Also, petition of sundry citizens of Chicago, Ill., protesting against alleged conditions in territory occupied by French troops; to the Committee on Foreign Affairs.

82. By Mr. TAGUE: Petition of Conrad & Co., John W. Sanborn Co., F. L. Dunne & Co., Samuel Noyes & Co., C. A. Browning Co., and James A. Glass, all of Boston, Mass., concerning revision of existing tax and tariff laws; to the Committee on Ways and Means.

83. By Mr. TAYLOR of Colorado: Petition of the Auto Club, Montrose, Colo., protesting against the dumping of foreign automobiles in this country; to the Committee on Ways and Means.

84. By Mr. THOMPSON: Petition of the child's welfare committee of Hiram Louden Relief Corps, No. 210, Montpelier, Ohio, urging the passage of the Sheppard-Towner bill; to the Committee on Education.

85. Also, petition of Mark C. Sebring and others, of Fayette, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

86. Also, petition of Joel E. Dils and others, of Jewell, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

87. Also, petition of G. C. Burr and others, of Wauseon, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

88. Also, petition of Harry A. Clevenger and others, of Antwerp, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

89. Also, petition of Glenn W. Guthrie and others, of Delta, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

90. Also, petition of Earl J. Davis and others, of Bryan, Ohio, favoring an increase of compensation for rural letter carriers; to the Committee on the Post Office and Post Roads.

91. By Mr. VARE: Petition of Vessel Owners' and Captains' Association, against Government operation of inland barges; to the Committee on the Merchant Marine and Fisheries.

SENATE.

THURSDAY, *April 14, 1921.*

(Legislative day of Wednesday, April 13, 1921.)

The Senate met at 11 a. m., on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegee	Harrison	McCumber	Shortridge
Broussard	Hitchcock	McLean	Simmons
Bursum	Johnson	McNary	Smith
Cameron	Jones, Wash.	Moses	Smoot
Caraway	Kellogg	Myers	Stanfield
Colt	Kendrick	Norbeck	Sterling
Culberson	Kenyon	Norris	Trammell
Cummins	Keyes	Overman	Walsh, Mont.
Curtis	Knox	Penrose	Warren
Dial	Ladd	Pomerene	Watson, Ga.
Dillingham	La Follette	Reed	Willis
Harris	Lodge	Sheppard	

Mr. CURTIS. I wish to announce the absence of the Senator from Nevada [Mr. ODDIE], due to illness.

The VICE PRESIDENT. Forty-seven Senator have answered to their names. A quorum is not present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. BALL, Mr. CAPPER, Mr. ERNST, Mr. GOODING, and Mr. MCKELLAR answered to their names when called.

Mr. NEW, Mr. FRELINGHUYSEN, Mr. NELSON, Mr. WELLER, Mr. MCKINLEY, Mr. HALE, Mr. BORAH, Mr. MCCORMICK, Mr. HEFLIN, Mr. WALSH of Massachusetts, and Mr. NICHOLSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-three Senators having answered to their names, a quorum is present.

A. OWSLEY STANLEY, a Senator from the State of Kentucky, and OSCAR W. UNDERWOOD, a Senator from the State of Alabama, appeared in their seats to-day.

PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a joint memorial of the Legislature of Colorado, which was referred to the Committee on Public Lands, as follows:

Senate joint memorial 3 of the Twenty-third General Assembly of the State of Colorado indorsing and urging upon Congress the passage of Senate bill No. 474, by Senator SMOOT.

To the honorable Senate and the honorable House of Representatives of the United States:

Whereas under the act of Congress of February 25, 1920, relating to the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, it has been ruled by the Department of the Interior that upon the discovery of oil, oil shale, gas, etc., on any approved applications permitting prospecting, thereupon all unapproved applications for prospecting permits within any such known geological structure shall become void; and

Whereas under such construction of such act, every rule of law and practice and usage of the Great West, and which have promoted its development, are abrogated, to wit, the rule and practice founded upon equity and justice that, first in time is first in right; and

Whereas under such construction, the applicant, who has spent his time and money in perfecting his application, the approval of which is almost without exception delayed by the Federal Government, is thus deprived of his property and the fruits of his labor, without cause and wrongfully: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we respectfully petition and urge upon the Congress of the United States that it do pass, with all convenient speed, Senate bill No. 474, introduced by Senator SMOOT of Utah, which bill protects the applicant, whose application, without his fault, is unapproved, as well as the applicant who has been so fortunate as to secure an approval; be it further

Resolved, That copies hereof be forwarded to the honorable Speaker of the House of Representatives, the honorable President of the Senate of the United States, and to each Representative of Colorado in the House of Representatives and Senate of the United States.

FRANCES J. KNAUSS,
President pro tempore of the Senate.
ROYAL DAVIS,
Speaker of the House of Representatives.

Approved March 22, 1921.

OLIVER H. SHOUP,
Governor of Colorado.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a resolution of the Board of Commerce of Bay City, Mich., favoring legislation to restrict the immigration of aliens, which was referred to the Committee on Immigration.

He also (for Mr. NEWBERRY) presented memorials of S. M. Stevens Lodge, No. 150, Brotherhood of Locomotive Firemen and Enginemen, of Marquette; International Division, No. 116, Brotherhood of Locomotive Engineers, of Escanaba; and Wolverine Lodge, No. 332, Brotherhood of Locomotive Firemen and Enginemen, of Grand Rapids; all in the State of Michigan, remonstrating against the enactment of legislation to repeal the excess profits tax and the adoption of a sales tax, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a petition of Detroit Retail Shoe Dealers' Association, of Detroit, Mich., praying for the enactment of legislation providing for a sales tax, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a memorial of Women's Catholic Order of Foresters, of Escanaba, Mich., remonstrating against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. MOSES presented a resolution of Council Rev. C. Demers, No. 213, L'Union St. Jean-Baptiste d'Amerique, of Somersworth, N. H., protesting against the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

EMPLOYMENT OF ADDITIONAL PAGES.

Mr. SMOOT, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 21, submitted by Mr. LODGE on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Sergeant at Arms of the Senate be, and he hereby is, authorized and directed to employ five additional pages for the Senate Chamber, at $3 per day each, during the first session of the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HALE:

A bill (S. 743) granting an increase of pension to Arthur L. Manchester; and

A bill (S. 744) granting an increase of pension to Florence M. Luro (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON:

A bill (S. 745) to amend section 24 and section 256 of the Judicial Code; to the Committee on the Judiciary.

A bill (S. 746) to provide compensation for seamen injured and the dependents of seamen killed in the course of employment, to create a Federal seamen's insurance fund, and for other purposes; to the Committee on Commerce.

By Mr. TOWNSEND (for Mr. NEWBERRY):

A bill (S. 747) authorizing the Secretary of War to donate to the Mackinac Island State Park, Mackinac Island, Mich., one German cannon; and

A bill (S. 748) to remove the charge of desertion from the military record of Charles F. Getchell; to the Committee on Military Affairs.

By Mr. CAPPER:

A bill (S. 749) to regulate the practice of osteopathy in the District of Columbia; to the Committee on the District of Columbia.

By Mr. OWEN:

A bill (S. 750) for the relief of Frank Carpenter; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 751) for the relief of the estate of Lemuel Thomas, deceased;

A bill (S. 752) for the relief of the estate of J. P. Dieter; and

A bill (S. 753) for the relief of Oscar C. Guessaz; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 754) for the adjudication by the Court of Claims of the claims of George Chorpenning under contracts with the United States for carrying the mails; to the Committee on Claims.

A joint resolution (S. J. Res. 25) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War; to the Committee on Public Buildings and Grounds.

AMENDMENT TO IMMIGRATION BILL.

Mr. PHIPPS submitted an amendment intended to be proposed by him to the bill (S. 87) to limit the immigration of aliens, which was referred to the Committee on Immigration and ordered to be printed.

HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY.

Mr. McLEAN submitted the following resolution (S. Res. 44), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH submitted the following resolution (S. Res. 45), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

Mr. CUMMINS submitted the following resolution (S. Res. 46), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

CENTENNIAL OF THE INDEPENDENCE OF PERU (S. DOC. NO. 3).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State recommending the resubmission to the present Congress of the invitation from the Government of Peru for participation by the Government of the United States in the ceremonies incident to the celebration of the first centennial of the proclamation of the independence of Peru which are to take place at Lima in July next.

The matter was presented to the Sixty-sixth Congress by my predecessor, whose message on the subject and the accompanying report of the then Secretary of State are contained in Senate Document No. 370, Sixty-sixth Congress, third session, a copy of which I attach hereto.

As pointed out by the present Secretary of State in his accompanying recommendation, the cordial relations which have always existed between the United States and Peru and the equality of treatment which we desire to accord to all the American Republics alike, would seem to emphasize the importance of Congress making provision for a no less imposing participation by the United States in the Peruvian celebration than it had in similar celebrations of other Latin-American countries.

I have, therefore, no hesitation in adding my own commendation of the matter to that of my predecessor, and in recommending to the Congress the passage of the joint resolution he transmitted.

WARREN G. HARDING.

THE WHITE HOUSE,
April 14, 1921.

TREATY WITH COLOMBIA.

Mr. POMERENE. Mr. President, I feel in justice to myself as well as to other Senators who desire to speak upon the subject of the treaty with Colombia that I ought to proceed with my remarks at this time.

Mr. LODGE. Then I move that the Senate, in open executive session, proceed to the consideration of the treaty with Colombia.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. POMERENE. Mr. President, I think as a matter of economy of time as well as my desire not to have the thread of my argument broken, I would prefer not to be interrupted during the delivery of my remarks. After I shall have concluded, if any Senator desires to ask me any questions, I shall to the best of my ability attempt to answer them.

Mr. President, I was delighted the other day to see that the distinguished Senator from Massachusetts [Mr. LODGE], on his way from the minority report of the Foreign Relations Committee in 1917 to the present report on the pending treaty, like Saul of Tarsus on the road to Damascus, "had seen a new light." I am very sorry that my distinguished friend from Minnesota [Mr. KELLOGG] did not follow his example. As yet he seems "to see through a glass darkly."

In what I have to say to-day it is my purpose to quote pretty liberally from messages, from speeches, and other documentary evidence, in order that I may lay the foundation on which my faith is builded.

Mr. President, when, several years ago, I took up for investigation the controversy between the United States and the Republic of Colombia relative to Panama, I indulged the hope that it would result conclusively to my own mind, at least, that our Government was altogether right and the Colombian Government altogether wrong. But the more I have studied this question the more convinced I am that the United States was wrong, in part, and the Colombian Government right, in part.

I do not lose sight of the fact that the Panama Canal is the greatest engineering feat of this generation, and that its construction and maintenance is and will be for all time to come the greatest boon to the commerce of the world. It is not only a tremendous benefit to the United States but to Colombia herself. I think all must concede, even if all the claims of the Colombian Government were fully established, she is better off to-day with the canal completed and in operation than she would have been if she had retained control of the Isthmus and the canal had not been constructed. Aye, even with the loss of the Department of Panama, she is the gainer with the canal. In a word, Colombia without the Department of Panama and with the use of the canal is better off than Colombia with the Department of Panama and without the canal.

But, Senators, the United States can never justify itself by doing the right thing in the wrong way. All America accepts, and at most times applauds, the sentiment of Decatur: "Our country, in her intercourse with foreign nations, may she always be in the right; but our country, right or wrong."

May I be pardoned if I suggest that international morals have advanced since that day. Now, the majority of our more than 100,000,000 people prefer the sentiment, "Our country, may she always be right; but if her statesmen so far forget themselves as to commit a wrong, even to the least of the family of nations of the earth, let us set her right." I prefer that our country shall be the big brother to all of the American Republics.

In the examination of the history of the Panama controversy I have been struck by a thought which was presented by the United States Minister to Colombia, Hon. James T. Du Bois, in a letter which he wrote on September 30, 1912, to our distinguished colleague, Hon. P. C. KNOX, when he held the honored position of Secretary of State. I quote from page 33 of the Diplomatic Correspondence and Documents submitted to the Committee on Foreign Relations of the United States Senate, Sixty-third Congress, third session:

> From 1810 to 1903 Colombia was the best friend the United States had south of the Rio Grande. Her Government respected us and her people looked upon our country as a true friend. They modeled their federal and provincial governments after our National and State Governments. They called the great liberator, Simon Bolivar, the George Washington of South America, and Bolivar did all in his power to teach his people to respect and admire us as a Nation. Between 1810 and 1903 Colombia welcomed our capitalists and guaranteed to them the most liberal concessions. They sent their young men to our halls of learning, and considered the United States as a trustworthy and loyal Nation.
>
> Nine years ago this was changed suddenly and unexpectedly when President Roosevelt denied to Colombia the right to land her troops upon her own soil to suppress a threatened revolt and maintain the sovereignty guaranteed by treaty stipulations. The breach came, and it has been growing wider since that hour. By refusing to allow Colombia to uphold her sovereign rights over a territory where she had held dominion for 80 years, the friendship of nearly a century disappeared, the indignation of every Colombian, and millions of other Latin Americans, was aroused and is still most intensely alive.

Certainly this language does not overstate conditions, whatever may be the attempted justification of the course our Government pursued in October and November, 1903, as well as since.

OUR TREATY WITH NEW GRANADA.

In 1846 the United States and New Granada—now Colombia—entered into a treaty of peace, amity, navigation, and commerce. By article 35 of this treaty the Government of New Granada guaranteed—

> to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government and citizens of the United States and for the transportation of any articles of produce, manufacture, or merchandise, or lawful commerce belonging to the citizens of the United States.

No other tolls or charges could be levied or collected from the citizens of the United States or their merchandise in thus passing over any route or canal that may be made by the Government of New Granada or by the authority of same than is under like circumstances levied upon and collected from the Granadian citizens, and in consideration of this and other privileges the Government of the United States guarantee—

> positively and efficaciously to New Granada * * * the perfect neutrality of the before-mentioned Isthmus with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists, and in consequence the United States also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory.

That treaty was in full force and effect during the revolution in Panama in 1903, and it still, legally at least, controls the relations which now exist between Colombia and the United States. May I call your attention again to this language? The United States guarantee—

> the rights of sovereignty and property which New Granada has and possesses over the said territory.

And if we shall bear this language in mind during the consideration of the treaty before us we shall be the better able to understand the dependence of Colombia on the United States during the so-called revolution as well as our own obligations to a feeble sister Republic.

THE REVOLUTION.

The revolution which resulted in the independence of Panama occurred at 6 o'clock on November 3, 1903. It was a very peaceful revolution. It was bloodless except that when the Colombian guns from the harbor fired three shots into the City of Panama one Chinaman was killed. Students of the subject are led to wonder what the circumstances were surrounding this peaceful revolution which resulted in Colombia being despoiled of one of, perhaps, her choicest departments with an area of 31,500 square miles, and nearly 300,000 people.

What was it that gave birth to the new Republic of Panama? Let us examine the history of the events shortly preceding November 3, 1903.

The Hay-Herran treaty between the United States and Colombia, authorizing the construction of the Panama Canal by the United States, was signed on January 22, 1903. On January 23 it was sent to the Senate. It was only signed by Dr. Herran after he had been advised that no modification of its terms would be admitted. On January 24, 1903, and before he knew the treaty had been signed, President Marroquin wired the Colombian minister at Washington:

> Do not sign canal treaty. You will receive instructions in letter of to-day.

On January 22, 1903, Dr. Herran, who had negotiated the treaty, advised the minister of foreign affairs at Bogota:

> Treaty signed to-day, accepting ultimatum $10,000,000 and $250,000 annuity.

In his letter of January 29, 1903, to Dr. Felipe F. Paul, minister at Bogota, he gave his reasons for the signing of the treaty and said:

> It is now incumbent upon the Colombian Congress finally to resolve this important matter, for without its acceptance the treaty signed has no value and the Congress is entirely at liberty to approve or reject it. (The Story of Panama, p. 323, House Committee Hearings before Committee on Foreign Relations, 1911–1913, vol. 30.)

Of course this was true. The treaty when signed was not binding upon the United States until it was ratified by the Senate. Likewise it was not binding upon Colombia until ratified under her constitution by the Congress of Colombia. It must be borne in mind that the members of the Colombian Congress had the same right to suggest amendments, or to vote for or against the ratification of the treaty, that the United States Senate had to propose amendments or to vote for or against the ratification of the treaty.

In 1903 the President and the Department of State did not accord to the Colombian Government the right to do anything with respect to the Hay-Herran treaty except to ratify it, unconditionally.

The Hay-Herran treaty was approved by the United States Senate on March 17, 1903. The Senate of Colombia proposed nine amendments to this treaty.

THE NINE AMENDMENTS.

The more important of them provided that—

(A) The Panama Railroad Co. and the new Panama Canal Co. should make satisfactory arrangements with the Colombian Government as to the conditions under which the Government would consent to transfer their rights to the United States.

(B) To a clear definition of the sovereign rights of Colombia in the Canal Zone and territory adjacent thereto, and at the same time to state with precision the rights of the United States as being in the nature of a tenancy in perpetuity but excluding the idea of ownership.

(C) To deny the application of the laws of the United States to Colombian territory as being contrary to article 10 of the Colombian constitution. This article declares:

It is the duty of all citizens and foreigners in Colombia to live in submission to the constitution and the laws, and to respect and obey the authorities.

That right they wanted to preserve.

(D) To provide for forfeiture in the event that the work is not executed within certain limitations.

The claimed purpose of these amendments was to compel Mr. Cromwell's clients, the new Panama Canal Co., to pay to the Colombian Government part of the $40,000,000 which it was to get from the United States for permission to transfer its concession, and clearly to protect the sovereignty of Colombia in the Canal Zone. They do not indicate that they were seeking to increase the amount of consideration provided for in the treaty to be paid by the United States itself to the canal company or to Colombia. (Story of Panama, p. 353.)

I do not wish to be understood as saying that these amendments would have been accepted by the United States. I am contending that the Senate of Colombia had the right to propose and insist upon them.

Those who contend that the Department of Panama and not the Republic of Colombia was the sovereign owner of the Panama Zone show little respect for the facts; and I may say that Senator Root, in a speech which he delivered at Chicago on the ethics of the Panama proposition, made the statement that the sovereignty in the territory was in Panama. But the constitution of the Republic of Colombia adopted in August, 1886, provides, Title 1:

ARTICLE 1. The Colombian nation is hereby constituted a centralized republic.

ART. 2. Sovereignty is vested essentially and exclusively in the nation, from which shall proceed all public powers, to be exercised within the limits prescribed by this constitution.

ART. 201. The Department of Panama shall be subject to the direct authority of the Government, and it shall be administered by laws especially enacted therefor.

Article 77, paragraph 20, of the Constitution of the Republic of Colombia, gives to its Congress the power by law "to approve or disapprove the treaties entered into by the Government with foreign powers."

Article 120, paragraph 10, provides:

All treaties shall be submitted to Congress for its approval and all conventions in the recesses of Congress shall be approved by the President with the consent of the ministers and the council of State.

So that they were not obliged to have the consent of the Government of the United States in order to approve or disapprove the treaty.

Colombian sovereignty never was questioned by the United States until it became necessary to make some defense of our rights after the revolution. And even if there was at any time a dispute between Colombia and Panama in this behalf, I am at a loss to understand how we could then dispute Colombia's title in view of our solemn pledge contained in the treaty of 1846 to "guarantee" to Colombia her "rights of sovereignty and property" in the Isthmus.

PANAMA RAILROAD.

Senators will remember also that in December, 1848, the United States of Colombia ceded to the Panama Railroad Co. the railroad which it had constructed between Colon and Panama for a term of 99 years. In 1867 this contract was modified and extended. At its expiration the railroad, all its fixtures, dependencies, and products, and all of its property were to revert to the United States of Colombia, and while it had this reversionary interest in the road, the company paid the Colombian Government for this leasehold the sum of $1,000,000 in cash, and agreed to pay $250,000 annually for 99 years. In 1903 the payments under this concession ceased. It then had 64 years to run. (Story of Panama, pp. 126 and 127. Letter of James T. Du Bois to Secretary KNOX, Doc. No. 1, 65th Cong., special session, p. 43.)

PANAMA CANAL.

Senators will remember also that on March 20, 1878, the Republic of Colombia entered into the original contract for the construction of an interoceanic canal across the Isthmus of Panama with Lucian Bonaparte Wyse. This contract or concession is ordinarily known as the Salgar-Wyse contract. The old Panama Canal Co. later succeeded to these rights. For the purposes of this argument it is not necessary for me to go into details. Suffice it to say the French company did not complete the canal, and Colombia claimed that under the terms of its concessions the Panama Canal and all the rights of the Panama Canal Co. would be forfeited to Colombia if not completed within the time prescribed. Later the United States paid to the authorized agents of the new Panama Canal Co., the successor to the old Panama Canal Co., $40,000,000. The Panama Canal Co. and its successor failed to keep their contract, and the canal was not completed. The Colombian authorities believed that if the United States was to succeed to the title of the Panama Railroad and to the Panama Canal at least a portion of the consideration so to be paid ought to go to Colombia under the reversionary rights which it claimed under the contracts for the construction and operation of the railroad and the canal.

Mr. REED. Mr. President, when did we pay that $40,000,000?

Mr. POMERENE. I think some time in 1904.

Mr. REED. After the revolution?

Mr. POMERENE. Oh, yes; after the revolution. I am not clear as to the date.

The Colombian Senators proposed to protect its rights in that behalf. Who shall say that they had no right to consider their obligation to their constituencies?

The President and his advisers were, of course, very anxious to build the canal. They were not going to permit the Colombian Government to change in any respect the treaty which had been submitted to it for its approval. On January 22, 1903, the very day the treaty was signed here in Washington, the Secretary of State wrote the following letter:

DEAR MR. HERRAN: I am commanded by the President to say to you that the reasonable time that the statute accords for the conclusion of negotiations with Colombia for the excavation of a canal of the Isthmus has expired, and he has authorized me to sign with you the treaty of which I had the honor to give you a draft, with the modification that the sum of $100,000, fixed therein as the annual payment, be increased $250,000. I am not authorized to consider or discuss any other change.

With sentiments of high consideration, etc.

JOHN HAY.

(Story of Panama, p. 322.)

On April 7, 1903, Secretary Hay cabled the American minister at Bogota:

Referring to the requests of Colombia to the canal and railroad companies for appointment of agents to negotiate cancellation of present concessions, etc., if the subject arises, inform the Colombian Government that the treaty covers the entire matter, and any change would be in violation of the Spooner law and not permissible.

I do not think Senators who will read the Spooner law will agree with that statement.

It is instructive to remember also that while Dr. Herran was in Washington engaged in negotiating the Hay-Herran treaty with the State Department, on September 19, 1902, when he felt an ultimatum was about to be issued, he said:

Mr. Shelby M. Cullom, Senator from Illinois and chairman of the Committee on Foreign Relations, maintains that in case Colombia does not lend itself to a satisfactory agreement, the Government of the United States can come to an understanding with the canal company direct, passing over the head of Colombia, and expropriating part of our territory, justifying itself on the ground of universal public utility, and leaving the compensation due to Colombia to be decided upon later. (Story of Panama, p. 317.)

Need we be surprised if after the arbitrary way in which we dealt with Colombia in an attempt to define and limit her rights to find that public sentiment in Colombia was adverse to the ratification of this particular treaty much as Colombia recognized the necessity for the canal?

Mr. Beaupre, our minister at Bogota, on March 30, 1903, wrote to Secretary Hay that—

public opinion is strongly against its ratification—

and that—

it is apparent lately that the French Canal Co. is to take a decided interest in securing the ratification of the convention, and that its influence to that end will be of large importance.

On April 15, 1903, he again writes Secretary Hay:

From approbation to suspicion, and from suspicion to decided opposition have been the phases of change in sentiment in the last month, and that this fact is clear that if the proposed convention were to be submitted to the free opinion of the people it would not pass.

On May 4, 1903, Mr. Beaupre again advised Secretary Hay that Alexander Mancini, agent of the French Canal Co. at Bogota, was emphatically of the opinion—

that the Congress will refuse to ratify the convention, and that he (Mancini) has written to his company to that effect.

On May 7, 1903, Mr. Beaupre again notified the State Department that the Colombian Congress had been called to meet June 20, 1903. He says:

The probabilities are that when the measure is presented to Congress there will be a lengthy debate and an adverse report. Then the representatives of the coast Departments of the Cauca, Panama and Bolivar will ask for a reconsideration and urge a ratification of the convention as the only means of preventing the secession of those departments and the attempt to constitute of their territories an independent republic. The debate will be resumed, and in the end the friends of the Government and of confirmation will prevail.

On May 12, 1903, Mr. Beaupre transmitted to the State Department a translation of an extract of an article written by Dr. Juan B. Perez Sota, Senator from the Department of Panama. In this article the Panama Senator said in part:

The Herran treaty will be rejected, and rejected by a unanimous vote in both chambers. That is what I hope, since there will not be a single representative of the nation who will believe the voice of the people who have sold themselves; who have had the brazenness to recommend the shameful compact. The insult, however, which Herran has cast upon the Colombian name will never be wiped out. The gallows would be a small punishment for a criminal of this class. (S. Doc. No. 51, 58th Cong., 2d sess., p. 16.)

On June 9, 1903, Mr. Hay cabled Mr. Beaupre as follows:

The Colombian Government apparently does not appreciate the gravity of the situation. The canal negotiations were initiated by Colombia and were energetically pressed upon this Government for several years. The propositions presented by Colombia, with slight modifications, were finally accepted by us. In virtue of this agreement our Congress reversed its previous judgment and decided upon the Panama route. If Colombia should now reject the treaty or unduly delay its ratification, the friendly understanding between the two countries would be so seriously compromised that action might be taken by the Congress next winter, which every friend of Colombia would regret. Confidential. Communicate substance of this verbally to the minister of foreign affairs. If he desires it, give him a copy in form of a memorandum.

HAY.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 18.)

William Nelson Cromwell was the attorney representing the French company, the new Panama Canal Co. After the independence of Panama was declared and the transfer of the French canal rights to the United States Government completed, Cromwell had a controversy with his clients relative to his fees. In it he says:

We expressed to him (Minister Herran) our personal conviction of what would be the consequences to the Isthmus of a violation by Colombia of her solemn undertakings. He fully recognized the gravity of the situation and sent his Government a cable message in support of that of Secretary Hay, which we had communicated to him with the approval of the latter. It is significant that at that time, June, 1903, he inserted in his cable the declaration to his Government that he was convinced that if the treaty were not soon ratified Panama would secede and conclude the treaty itself.

It was this attitude, taken by the American Government under the circumstances we have just set forth, that furnished the basis of a justification for the subsequent events, the consequence of which were so transcendent.

Mr. Henry N. Hall, of the New York World, testifying before the Committee on Foreign Relations of the House on February 13, 1912, basing his testimony on the brief of Mr. Cromwell, says, in substance:

On June 13 Cromwell had a conference at the White House with President Roosevelt. He sent his press agent, Mr. Richard L. Farnham, formerly in the employ of the World, over to the Washington Bureau of the World. Mr. Farnham wanted the World to print a story, but not to quote him. He assured the World correspondent that there would be an uprising on the Isthmus—

Mark you, this interview took place on June 13, 1903—

and the article printed on June 14, 1903, declared the revolution would probably take place on election day, November 3—

The very day on which it did occur—

and that five or six citizens of Panama would soon arrive in Washington to consult with the Secretary and other State Department officials concerning the proposed uprising. (Story of Panama p. 344.)

I do not vouch for these facts, but it is significant that the issue of the New York World for June 14, 1903, contains an article under a Washington date line, which in part is as follows:

President Roosevelt is determined to have the Panama Canal route.

* * *

* * * Advices received here daily indicate great opposition to the canal treaty at Bogota. Its defeat seems probable for two reasons. First. The greed of the Colombian Government, which insists on a largely increased payment for the property and concession. Second. The fact that certain factions have worked themselves into a frenzy over the alleged relinquishment of sovereignty to lands necessary for building the canal.

Information also has reached this city that the State of Panama, which embraces all the proposed Canal Zone, stands ready to secede from Colombia and enter into a canal treaty with the United States.

The State of Panama, in the view of the citizens of this State, prepared a form of government and were ready to establish the Republic of Panama. The making of this plan operative at that time was considered inexpedient, but it is now ready for prompt execution. It is known that the following suggestion has been communicated to representatives of the administration:

The State of Panama will secede if the Colombian Congress fails to ratify the canal treaty. A republican form of government will be organized. This plan is said to be easy of execution, as not more than 100 Colombian soldiers are stationed in the State of Panama.

The citizens of Panama propose, after seceding, to make a treaty with the United States, giving this Government the equivalent of absolute sovereignty over the Canal Zone. The city of Panama alone will be excepted from this zone, and the United States will be given police and sanitary control there. The jurisdiction of this Government over the zone will be regarded as supreme. There will be no increase in price of yearly rental.

In return, the President of the United States would promptly recognize the new Government when established—

And it turns out that he did, within three days after the revolution—

and would at once appoint a minister to negotiate and sign a canal treaty. This can be done expeditiously, as all the data have already been supplied.

President Roosevelt is said to strongly favor this plan if the treaty is rejected. The treaty of 1846, by which the United States guarantees the sovereignty of Colombia over the Isthmus of Panama, is now construed as applicable only to foreign interference and not to the uprisings of her own people. The formal abrogation of the treaty of 1846 is, however, under consideration.

It is known that the Cabinet favors the President's idea of recognizing the Republic of Panama, if necessary, to secure the canal treaty. The President has been in consultation both personally and by wire with leading Senators and has received unanimous encouragement.

* * *

It is intended to wait a reasonable time for action by the Colombian Congress, which convenes June 20, and then if nothing is done to make the above plan operative.

William Nelson Cromwell, general counsel of the Panama Canal Co., had a long conference with the President to-day. Mr. Cromwell's advices are that much opposition to the treaty has developed, but he still expects ratification. (Story of Panama, p. 345.)

Mr. SMITH. From what is the Senator reading?

Mr. POMERENE. That is an article which appeared in the New York World of June 14, 1903, four months before the revolution.

On July 5, 1903, Mr. Beaupre cabled Mr. Hay as follows:

(Confidential.)

Have received information privately that a paraphrase of your cipher telegram June 9 was read in the Senate secret session. Created sensation. Construed by many as a threat of direct retaliation against Colombia in case the treaty is not ratified. This, and the statement of just arrived members of Congress from Panama that this department would revolt if the treaty is not ratified, caused alarm, and the effect is unfavorable. (Printed in the document favorable.) Unusual honors extended legation of the United States 4th of July.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 30.)

Mr. REED. Who was Beaupre?

Mr. POMERENE. Beaupre was our minister at Bogota at that time.

On July 9, 1903, Beaupre sent the following cable to Mr. Hay:

(Confidential.)

——— has requested me to say to you he does not think the treaty can be ratified without two amendments: To article 1, stipulating payment ten millions by the canal company for the right to transfer; to article 25, increasing payment to fifteen millions, and says that the treaty can be ratified at once with these amendments. He asks your views confidentially.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 35.)

On July 11, 1903, Mr. Beaupre again cabled Mr. Hay:

(Confidential.)

The majority in the Senate are opposed to treaty. Apparently the Government is not defending the treaty, although it may intend to later. It fears public opinion and the criticism of the Liberal Party very great. The danger is delay, which opposition fights for. I think strong intimation from you through the Colombian minister or this legation that unnecessary delay should be avoided would be effective. Otherwise debate may continue until September, necessitating instructions communicated by telegraph for exchange of ratifications.

BEAUPRE.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 35.)

On July 13, 1903, Mr. Hay cabled Mr. Beaupre:

Neither of the proposed amendments mentioned in your telegram received to-day would stand any chance of acceptance by the Senate of the United States, while any amendment whatever or unnecessary delay in the ratification of the treaty would greatly imperil its consummation.

HAY.

(S. Doc. No. 51, 58th Cong., 2d sess., p. 36.)

On July 21, 1903, again Mr. Beaupre wired Mr. Hay, in part, as follows:

The generality of the legislators here have thought that further and greater concessions could be obtained from the United States, and that in this particular the treaty could be amended with safety to the interests of Colombia. This has been and is the most stubborn stronghold of the enemy, at all times the most dangerous to us. (Senate Doc. No. 51, p. 38.)

On July 31, 1903, Mr. Hay wired Mr. Beaupre:

Instructions heretofore sent to you show the great danger of amending the treaty. This Government has no right or competence to covenant with Colombia to impose new financial obligations upon canal company, and the President would not submit to our Senate any amendment in that sense, but would treat it as voiding the negotiation and bringing about a failure to conclude a satisfactory treaty with Colombia. No additional payment by the United States can hope for approval by United States Senate, while any amendment whatever requiring reconsideration by that body would most certainly imperil its consummation. You are at liberty to make discreet unofficial use of your instructions in the proper quarters. The Colombian Government and Congress should realize the grave risk of ruining the negotiations by improvident amendment. (Senate Doc. No. 51, p. 40.)

On August 5, 1903, Mr. Beaupre again wired Mr. Hay:

I have addressed a note minister for foreign affairs concerning the report of the committee appointed to consider treaty to the effect that the proposed modification article 1 is tantamount rejection of treaty. * * * Closing with strong reminder of the dangerous consequences of further unnecessary delay, urging that if Colombia really desires to preserve friendly relations and to secure the advantages of canal, backed by so close an alliance of national interests, the treaty should be ratified without modification. (Senate Doc. No. 51, p. 46.)

On the same day, August 5, Mr. Beaupre sent a note to his excellency, Dr. Rico, the minister of foreign affairs, in which he said, among other things:

From them (former communications) it is clear that the committee's proposed modification of article 1 is alone tantamount to an absolute rejection of the treaty. I feel it my duty to reiterate the opinion I have before expressed to your excellency that my Government will not consider or discuss such an amendment at all. * * * For the moment disregarding the probable correctness, or otherwise, of my convictions, there is one point I would especially urge upon your excellency, and that is that the Senate should be reminded of the dangerous consequences to the whole negotiations that the undue delay hitherto experienced in arriving at conclusions will undoubtedly produce on the attitude of my Government.

And further adds:

I take this opportunity to respectfully reiterate what I have before expressed to your excellency, that if Colombia really desires to maintain the present friendly relations existing between the two countries and at the same time secure to herself the extraordinary advantages that the construction of the canal in her territory will undoubtedly produce, if backed by so close an alliance of national interests as would supervene with the United States, the pending treaty should be ratified exactly in its present form, without any modifications whatever. I say this from a deep conviction that my Government will not in any case accept amendments. (S. Doc. 51, p. 48.)

On the same day, August 5, he writes another letter to Dr. Rico, in which he, in part, says:

I may say that the antecedent circumstances of the whole negotiation of the canal treaty, from official information in the hands of my Government, are of such a nature as to fully warrant the United States in considering any modification whatever of the terms of the treaty as practically a breach of faith on the part of the Government of Colombia, such as may involve the very greatest complications in the friendly relations which have hitherto existed between the two countries. (S. Doc. 51, pp. 48, 49.)

From these somewhat lengthy recitals of the notes exchanged between our State Department and the United States legation at Bogota, and between the legation and Dr. Rico, minister for foreign affairs of the Republic of Colombia, it very clearly appears that the Hay-Herran treaty was wholly unsatisfactory, not only to the President and the Congress of Colombia, but to the people themselves, and that Colombia was seeking to secure important amendments to the treaty. Our Government had decided that no other modifications whatever should be made of the treaty as approved by the Senate of the United States, and it should be ratified by the Congress of the Republic of Colombia without any modifications whatever—without the dotting of an "i" or the crossing of a "t." In short, we told her that she must ratify, unconditionally, or be guilty of bad faith.

In view of the position that the Senate of the United States has taken upon the League of Nations during the past two years, it seems a little strange that our Government should attempt to deny to the Congress of the Republic of Colombia the right to amend the treaty in any form which her judgment might dictate.

So far as our present duty is concerned, it can make little difference that the authorities of Colombia did not see fit to ratify the treaty of Dr. Herran. To some it may be of no concern that Colombian Senators may have thought that duty to their fatherland required them to protect their sovereignty or to demand of the new Panama Canal Co. a part of the $40,000,000 we were to pay for its interest in the canal or its property, notwithstanding the fact that failure to complete the canal would work a forfeiture, and let us remember its contract specially provided that in no event should the new Panama Canal Co. dispose of its interests to another Government. To my mind, above every other consideration, stands the fact that the Canal Zone was Colombian territory, under Colombian sovereignty.

On October 22, 1903, Secretary Hay advised Mr. Beaupre:

If Colombia is disposed to ask terms more favorable than those heretofore negotiated you may indicate orally, but not in writing, that it will be useless to send a special envoy. (S. Doc. 51, p. 88.)

On October 30, 1903—bear in mind that this is four days before the revolution—Mr. Hay advised Mr. Beaupre, who was then at Bogota, the minister of this country:

You may avail yourself of leave of absence under authorization cabled to you July 9.

Naturally one wonders why the State Department should suggest at this critical time—just four days before the revolution—that Minister Beaupre should take a leave of absence authorized on July 9.

Mr. REED. Had he requested it in the meantime?

Mr. POMERENE. I am not advised as to that.

On October 31, 1903, Mr. Beaupre wired Mr. Hay:

Congress adjourned to-day. No action has been taken upon the last report concerning the canal. Therefore nothing more than the vote of August 12, rejecting treaty, done—

And then he adds significantly—

the people here in great anxiety over conflicting reports of secession movements in the Cauca and Panama. (Senate Document No. 51, p. 90.)

Bear in mind that this is just three days before the revolution.

On November 1, 1903, Mr. Beaupre wired Mr. Hay:

* * * With regard to canal states that the Colombian chargé d'affaires has been instructed to inform the Government of the United States that the Colombian Government would consider new negotiations which it is believed will be accepted by the next session of Congress. Therefore, if the Government of the United States still desires to open canal, which it is presumed that it does, as neither by act nor word has it showed any other intention, it is to be hoped that the great work will be carried out in the end through Colombia authority.

CONSPIRACY LEADING TO REVOLUTION.

I do not think it will be seriously contended that Dr. Amador, who later became President of the Republic of Panama; Bunau-Varilla, who represented the new Panama Canal Co. in New York, and who was later the envoy extraordinary and minister plenipotentiary of the Republic of Panama to this country; William Nelson Cromwell, who was the attorney for the new Panama Canal Co.; and others did not enter into a conspiracy or conspiracies during the summer and fall of 1903 to bring about a revolution in the Isthmus for the purpose of securing the independence of Panama and the subsequent concession to the United States by the new Republic to build and maintain the canal if Colombia should fail to ratify the Hay-Herran treaty.

On August 29, 1903, the Colombian minister of foreign affairs cabled Dr. Herran:

Please inform me by cable and in code what effect the rejection of the treaty has produced on the Government of the United States.

On September 5, Dr. Herran replied:

Disapproval of treaty has produced bad impression, but the Government of the United States awaits favorable action before September 22. Otherwise it is probable that the President of the United States will assume a hostile attitude. (Story of Panama, p. 361.)

On September 4, 1903, Dr. Herran, then representing Colombia in Washington, cabled his Government:

Revolutionary agents of Panama here. Yesterday the editor of the Estra de Panama had a long conference with the Secretary of State. If treaty is not approved by September 22 (date Hay-Herran treaty expired by limitation), it is probable that there will be a revolution with American support.

I refer to this dispatch because it clearly indicates what was an open secret here in the Capital, that if our Government did not get what it wanted in the way that it wanted it, it would come by revolution and with American support. And whether this course was contemplated at the time or not, the fact remains that the revolution became an accomplished fact by the aid of the American Navy.

On the same day Dr. Herran wrote to the Colombian consul general in New York, Dr. Arturo de Bigard:

Yesterday Mr. J. G. Duke, editor and proprietor of the Herald, had a long interview with the Secretary of State, and I understand that the plan for a revolution which he brought with him has been well received by the Government here, and it is most probable that in the event that the canal treaty is not approved before the 22d of this month there will be a revolutionary insurrection on the Isthmus with the powerful support of this country.

Dr. Rico, the minister of foreign affairs, inquired by cable of Dr. Herran:

Tell me in what hostile attitude will consist.

And on September 15 Dr. Herran replied:

Hostile attitude will consist in favoring indirectly a revolution in Panama.

Tell me, Senators, if this were not in contemplation at that time, how do you account for the correctness of the prophecy of Dr. Herran or of the New York World correspondent?

On September 11, 1903, Dr. Herran wired to the Colombian minister:

The warning that I gave relative to the probable future attitude of the President is founded on threatening statements which he has uttered in private conversations and which by indirect means have come to my knowledge. Special reference is made to the promptness with which the independence of our Department of Panama will be recognized. (Story of Panama, pp. 361, 362.)

On October 7, 1903, the New York Herald's Washington correspondent telegraphed his paper:

William Nelson Cromwell called on President Roosevelt to-day. Mr. Cromwell declared this afternoon, "The Panama Canal will be built, and by the United States Government." He would not say what new developments had made this possible. (Story of Panama, p. 366.)

Was there any risk during these troublous days of Colombia losing her sovereignty over Panama? Did we know about it? And if we did, did we notify Colombia to keep open our right of transit across the Isthmus, or did we expect to take advantage of our duty in that behalf to aid indirectly the revolutionists?

On October 10, 1903, he wrote to Dr. Albert Howard Shaw, editor American Review of Reviews, as follows:

I cast aside the proposition made at this time to foment the secession of Panama. * * * Privately I feel free to say to you that I should be delighted if Panama were an independent State, or if it made itself so at this moment, but for me to say so publicly would amount to an instigation of a revolt, and therefore I can not say it. (Story of Panama, p. 366.)

Mr. SIMMONS. Who wrote that?

Mr. POMERENE. That is said to be a letter written by Mr. Roosevelt to Dr. Shaw.

BUNAU-VARILLA AND DR. AMADOR.

Let us now turn for a moment to the activities of Bunau-Varilla and Dr. Amador.

Bunau-Varilla has written two books—one in 1914, under the title of "Panama, the Creation, Destruction, and Resurrection." The other in 1919, under the title "The Great Adventure of Panama." Both are monuments to his colossal egotism, and evidence the fact that when he is interested financially in a project, or seeks to further his own ambition, he has no respect for either the law of God or of man.

According to his story he landed in New York September 22, 1903 (The Great Adventure of Panama, p. 179). Dr. Amador, one of the Panama conspirators, was then in New York. Bunau-Varilla calls on a Mr. Linde, of Piza, Nephews & Co., who were bankers and commission merchants of Panama. He asks Mr. Linde, according to his story:

"Is the rumor true that the people of Panama are going to make a revolution?" Mr. Linde says, "They have no financial means." "What," replies Bunau-Varilla, "these people who are ever ready to make a revolution for insignificant causes are going to keep quiet when Colombia decrees that they must die of hunger?" Bunau-Varilla also learns from Mr. Linde that Dr. Amador is then in New York. He is advised that Dr. Amador came to New York to "obtain the wherewithal for bringing about a revolution, but he has failed and is sailing for Panama in a few days. * * * He is in despair." (The Great Adventure of Panama, p. 180.)

Bunau-Varilla and Dr. Amador had conferences at the Waldorf-Astoria. It is not necessary for my purpose to go into the details of what occurred at these conferences, except to say that it was arranged when Bunau-Varilla had occasion to phone to Dr. Amador, he was to call himself "Jones," and Dr. Amador was to take the name of "Smith."

Bunau-Varilla was now anxious to learn President Roosevelt's disposition with regard to Panama. On September 2, 1903, Le Matin published an article on the Panama question, suggesting a resort to force in the event that Colombia did not grant the right to construct the canal. He sent a copy of this article, so he says in his book on "Panama, the Creation, Destruction, and Resurrection," page 288, to President Roosevelt at Oyster Bay.

On page 186 of "The Great Adventure of Panama" Bunau-Varilla says:

An unexpected incident furnished me within seven days of my arrival in New York with the most positive knowledge of the intentions of the President. I am informed about this all-important and secret question as if I had been present at one of the Cabinet meetings at the White House and nobody betrayed any confidence and no improper question had passed from my lips.

Through a friend he met Dr. John Bassett Moore, professor of diplomacy at Columbia University. Bunau-Varilla had a copy of Le Matin of September 2 folded in his pocket. Mr. Moore recognized this paper before Bunau-Varilla had unfolded it. Bunau-Varilla claims to have been informed that Mr. Moore and President Roosevelt entertained substantially the same diplomatic views. He also claims to have learned that Mr. Roosevelt had shown this paper to Mr. Moore.

I do not personally attach any importance to these facts, as I have related them very briefly, except to draw the very necessary conclusion that statements of this kind must leave a very bad impression upon the Colombian mind as to what was in fact the course of the Government of the United States in this great crisis on the Isthmus.

Later Bunau-Varilla goes to Washington. He says, page 191 The Great Adventure of Panama:

One question remained to be cleared. Of the two ways open—coercion of Colombia by the United States or revolution of Panama by Amador—which was the practical one? All my inclinations were for the former, but without a single exception all my friends declared that the coercion of Colombia would never be carried out.

On October 9 Bunau-Varilla goes to Washington. He finds Mr. Frank B. Loomis, First Assistant Secretary of State, at his office. He had known him before. Mr. Loomis arranges a meeting with the President. (Page 192, The Great Adventure of Panama.) There is a conference about Panama.

Without going into this whole conversation as related by Bunau-Varilla, he records the President as asking:

"Well, what do you think is going to be the outcome of the present situation" (in Panama)? Bunau-Varilla answers, "Mr. President, a revolution." Bunau-Varilla then says the features of the President manifested profound surprise. "A revolution?" he repeated mechanically, and he turned instinctively toward Mr. Loomis, who had remained standing impassively, and said in a low tone, as if speaking to himself, "a revolution * * * Would it be possible? * * * But if it became a reality, what would become of the plan we had thought of?" * * * He (the President) quickly recovered himself, and asked, "What makes you think so?" There was no interest in going further. I answered, "General and special considerations, Mr. President. As you know, the revolutionary spirit is endemic on the Isthmus. There is almost a certainty of seeing an endemic disease spread violently when the circumstances favorable to its development have reached their maximum. Colombia has decreed the ruin of the people of the Isthmus. They will not let things go any further without protesting according to their fashion. Their fashion is revolution. I have, furthermore, certain special indications that corroborate these general considerations." The conversation ended there. Bunau-Varilla adds: "I had at last the direct confirmation of the deduction which thus far I had drawn solely from pure reasoning. The President of the United States is holding firm for Panama." (The Great Adventure of Panama, pp. 194, 195.)

Again, let me say to the Senate, I am not concerned about the details of these reputed conversations, except as indicating, first, the influence that declarations of this kind have on the Colombian, if not the entire South American, mind; and, secondly, as they tend to corroborate certain statements of the President himself, to which I shall hereafter refer.

After this incident, Bunau-Varilla claims to have planned the revolution. (The Great Adventure of Panama, p. 196, etc.)

There is another conference between him and Dr. Amador in New York on Tuesday, October 13. He agrees with Dr. Amador to raise $100,000 to pay arrears to the troops. A special private code is arranged between the two. Bunau-Varilla directs Dr. Amador to leave by the next boat, Tuesday, October 20, for the Isthmus. Meanwhile, Bunau-Varilla returns to Washington. Through Mr. Loomis he meets Secretary Hay. Let me give part of what occurred in the words of Bunau-Varilla:

Together we deplored the blindness of Colombia. I told him (Mr. Hay) what efforts I had made to show her the truth and how they had been baffled.

"When all the counsels of prudence and friendship have been made in vain," I said, "there comes a moment when one has to stand still and await events."

"These events," he asked, "what do you think they will be?"

"I expressed my sentiments on the subject some days ago to President Roosevelt," I replied; "the whole thing will end in a revolution. You must take your measures if you do not want to be taken yourself by surprise."

"Yes," said Mr. Hay, "that is unfortunately the most probable hypothesis. But we shall not be caught napping. Orders have been given to naval forces on the Pacific to sail toward the Isthmus."

Bunau-Varilla returns this same night to New York. As "Jones" he telegraphed to Amador as "Smith" to meet him.

On page 213 of his book, The Great Adventure of Panama, Bunau-Varilla writes:

"Dr. Amador," said I when he entered my room, "the moment has come to clear the deck for action. Be satisfied with my assertion. There is no more time for discussing their genesis.

"I can give you the assurance that you will be protected by the American forces 48 hours after you have proclaimed the new Republic in the whole Isthmus."

Bunau-Varilla insists that he shall be named as the diplomatic representative of the Republic of Panama at Washington. He arranges for the flag for the new Republic. His wife makes it. Dr. Amador sails from New York for the Isthmus October 20. He expects to arrive on October 27. The revolution is to occur on November 3. Dr. Amador wants two days longer time. This Bunau-Varilla refuses. He even prepares a cablegram to be sent by Amador to him, as follows:

The Government has just been formed by popular acclamation. Its authority extends from Colon, inclusive, to Panama, inclusive. I request you to accept the mission of minister plenipotentiary in order to obtain the recognition of the Republic and signature of canal treaty. You have full powers to appoint a banker for the Republic at New York and to open credit for immediate urgent expenses.

Bunau-Varilla further relates the following interesting circumstances:

On October 25—mark the date—the New York Sun had published a telegram from Philadelphia, which announced that the U. S. cruiser *Dixie* had sailed with sealed orders, taking with her 400 marines. That was nine days before the revolution.

Three days later a dispatch from Washington, printed in the New York Times on the 28th of October announced that the *Dixie* was to arrive at Guantanamo, Cuba. The dispatch added that in case of a revolution in the Isthmus the *Dixie* would be sent to Colon.

Another paper said that the marines would be landed on the Isthmus to maintain order along the line of interoceanic communication. The same dispatch announced that another cruiser, the *Nashville*, was at Kingston, Jamaica.

On page 232, The Great Adventure of Panama, Bunau-Varilla says:

The whole question of the life or death of the canal was condensed in the following words: "An American man-of-war must be sent to Colon." If I succeeded in this task, the canal was saved. If I failed, it was lost.

He goes to Washington, and now let me give his story briefly and in part in his own words (The Great Adventure of Panama, p. 234):

Everybody I met asked me the question, "What is going to happen at Panama?" I repeatedly answered: "Remember the date of November 3, 1903. That day will behold a repetition of what happened there on the 1st of April, 1885, the burning of Colon. The armed conflict, which will be the cause of the fire, is expected everywhere. It is spoken of publicly in the press. The only difference between 1885 and 1903 is that the blame will not be attributed to the captain of a man-of-war in the waters of Colon. It will rest on the Government of the United States itself. President Cleveland had sent a man-of-war, the *Galena*, which did not manage to interfere in time. To-morrow the disaster will be imputed to President Roosevelt for not having taken the slightest preventive measure. He will not have sent even a little cruiser."

This apparently was for public consumption. He then called on Mr. Loomis and had a conference with him. On the next day he meets him near the White House, and Bunau-Varilla relates: "I have thought over what you said to me yesterday," said he [Loomis]. "This situation is really fraught with peril for the town of Colon. It would be deplorable if the catastrophe of 1885 should be repeated to-day. If you have any news, please communicate it to me."

This request, says Bunau-Varilla, was to remain without results. * * * The words I had heard could have but one interpretation, "A cruiser has been sent to Colon."

On November 1, 1903, a dispatch in the New York Times read:

KINGSTON, JAMAICA, *October 31.*

The American cruiser *Nashville* left this morning with sealed orders. Her destination is believed to be Colon.

Under sealed orders, to protect the passageway from Colon to Panama! Why the secrecy?

On November 3, at about 10 o'clock, a telegram was handed to Bunau-Varilla at the Waldorf-Astoria:

Independence of Isthmus proclaimed without bloodshed.

AMADOR.

Naturally, it will occur to Senators that the evidence thus recited is largely taken from Bunau-Varilla and Dr. Amador, who were without doubt interested parties in the success of the conspiracy against Colombia; or from newspapers giving accounts of current events; and that we should not come to a hasty conclusion concerning the activities of the American Government based upon prejudiced or uncertain evidence of this character. I grant you this position is sound, and I would not permit myself to accept it if corroboration could not be found in the archives of the State and Navy Departments.

Let me now refer to some of the evidence bearing upon this subject as we shall find it recorded by the departments. I rely, in part, upon the testimony produced before the House Committee on Foreign Affairs as reported in volume 30 of the House committee hearings, but principally upon Senate Document No. 51, Fifty-eighth Congress, second session, for the accuracy of the messages which I am now about to quote.

On June 11, 1910, the Secretary of the Navy, Hon. George L. Von Meyer, gave permission to Mr. Henry N. Hall, of the New York World, to inspect his records and documents bearing on the Panama revolution of 1903, and to make such extracts from and copies of said papers as he might desire. These extracts and copies to be made in duplicate, and one of the duplicates to be initialed by Mr. Hall and placed on file in accordance with his suggestion.

On October 19, 1903—mark the date—which was the day before Dr. Amador sailed for Panama, Secretary of the Navy Moody sent to Admiral Glass, *Marblehead*, San Francisco, Calif., the following message:

Send *Boston* or other vessel ahead of squadron to Acapulco. (In cipher.) Send the *Boston* with all possible dispatch to San Juan del Sur, Nicaragua. She must arrive by November 1, with coal sufficient for returning to Acapulco. Secret and confidential. Her ostensible destination Acapulco only.

MOODY.

On the same day Secretary Moody sent a message to the navy yard, Brooklyn, N. Y.:

Desire *Dixie* sail for League Island in time embark battalion and be ready for sea 23d.

On the same day the following instructions were sent to Barker, *Kearsarge*, navy yard, Brooklyn, N. Y.:

Dixie must be ready to sail from League Island with battalion about 23d.

MOODY.

On October 29, 1903, Dr. Amador sent a cable to Bunau-Varilla:

This cable is for Bunau-Varilla. We have news of the arrival of the Colombian forces on the Atlantic side within five days. They are more than 200 strong. Urge warship Colon. (Story of Panama, p. 380.)

This cable was sent by "Smith," the name agreed upon for Dr. Amador with Bunau-Varilla.

Mr. Hall states in his Story of Panama that immediately upon receipt of this cable, Mr. Lindo took it in person to Bunau-Varilla at the Waldorf-Astoria Hotel, and Bunau-Varilla came to Washington at once. Bunau-Varilla says that he saw Secretary Hay, but he is not sure whether he saw President Roosevelt or not, but he says he went to the State Department and urged that the ships should be sent at once. As a result of his efforts an urgent cable was sent to Commander Hubbard, U. S. S. *Nashville*, to proceed at once to Colon with all possible speed. This cable was not submitted to Congress, says Mr. Hall. It is in the confidential files of the Navy Department, and reads as follows:

Nashville, Kingston, Jamaica: Hold vessel in readiness to return to Guantanamo.

That is in plain English, but the following is in cipher:

Secret and confidential. Proceed at once to Colon. Telegraph in cipher the situation after consulting with the United States consul. Your destination is a secret. Telegraph in cipher your departure from Kingston.

DARLING, *Acting.*

Again Mr. Hall testified that Bunau-Varilla on his way back to New York at Baltimore sent the following cable:

Smith, Panama, Thirty-six hours Atlantic. Forty-eight Pacific.

The following instructions by cable were sent to various warships. These are published in Senate Document No. 51, Fifty-eighth Congress, second session; and I may say, lest Senators may have some doubt about this proposition, that if they will turn to the messages of Roosevelt to the Congress of the United States in December, 1903, and January 4, 1904, they will find that he says he authorized messages to be sent out to these different vessels.

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

"NASHVILLE," *care American Consul, Colon:*

Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Have sent copy of instructions and have telegraphed *Dixie* to proceed with all possible dispatch from Kingston to Colon. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

The following message was sent also at the same time to *Dixie*, Kingston, Jamaica:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

"DIXIE," *Kingston, Jamaica:*

Secret and confidential. Proceed with all possible dispatch to Colon. Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other port. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

Now I want to read the message which was sent by Darling, Acting Secretary, to Admiral Glass, *Marblehead*, Acapulco:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, "Marblehead," *Acapulco:*

Proceed with all possible dispatch to Panama. Telegraph in cipher your departure. Maintain free and uninterrupted transit. If interruption is threatened by armed force occupy the line of railroad. Prevent landing of any armed force, either Government or insurgent, with hostile intent at any point within 50 miles of Panama.

All to protect the transit across the Isthmus.

If doubtful as to the intention of any armed force, occupy Ancon Hill strongly with artillery. If the *Wyoming* would delay *Concord* and *Marblehead*, her disposition must be left to your discretion. Government force reported approaching the isthmus in vessels. Prevent their landing if in your judgment landing would precipitate a conflict.

DARLING, *Acting.*

Also the following:

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

CRUISER "ATLANTA," *Kingston, Jamaica:*

Proceed with all possible dispatch to Colon. Acknowledge immediately. When will you sail?

DARLING, *Acting.*

(Senate Document No. 51, pp. 120–121. Story of Panama, pp. 382–383.)

Also the following:

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

"NASHVILLE," *Colon:*

In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

DARLING, *Acting.*

Also the following message:

NAVY DEPARTMENT,
Washington, D. C., November 4, 1903.

"NASHVILLE," *Colon:*

Gunboat of Colombia shelling Panama. Send immediately battery 3-inch field gun and 6-pounder with a force of men to Panama to compel cessation bombardment. Railroad must furnish transportation immediately.

DARLING, *Acting.*

Also:

WASHINGTON, D. C., *November 5, 1903.*

"BOSTON," *care American Consul, Panama:*

Prevent recurrence bombardment of Panama. Acknowledge.

MOODY.

Also:

WASHINGTON, D. C., *November 5, 1903.*

"NASHVILLE," *Colon:*

Prevent any armed force of either side from landing at Colon, Porto Bello, or vicinity.

MOODY.

WASHINGTON, D. C., *November 6, 1903.*

"MAINE," *Woods Hole, Mass.:*

Proceed at once to Colon, coaling wherever necessary to expedite your arrival. Acknowledge.

MOODY.

Also another:

WASHINGTON, D. C., *November 9, 1903.*

DIEHL, *Boston:*

Upon the arrival of the *Marblehead* sufficient force must be sent to watch movements closely of the British steamers seized at Buenaventura and to prevent the landing of men with hostile intent within limits of the State of Panama. Protect the British steamers if necessary.

MOODY.

Hubbard, commanding officer, U. S. S. *Nashville*, sent the following messages:

COLON, *November 3, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Receipt of your telegram of November 2 is acknowledged. Prior to receipt this morning about 400 men were landed here by the Government of Colombia from Cartagena. No revolution has been declared on the Isthmus and no disturbances. Railway company have declined to transport these troops except by request of the Governor of Panama. Request has not been made. It is possible that movement may be made to-night at Panama to declare independence, in which event I will * * * [message mutilated here] here. Situation is most critical if revolutionary leaders act.

HUBBARD.

—

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Provisional Government was established at Panama Tuesday evening; no organized opposition. Governor of Panama, Gen. Tobar, Gen. Amaya, Col. Morales, and three others of the Colombian Government troops who arrived Tuesday morning taken prisoners at Panama. I have prohibited transit of troops now here across the Isthmus.

HUBBARD.

I may say in passing that the statement was made yesterday by the distinguished Senator from Minnesota [Mr. KELLOGG] that there were only 42 marines down there at this particular time, and that certain threats had been made against American citizens; but he neglected to state the whole story, a part of which is this:

When the Colombian troops arrived at Colon the officers in command of those troops were invited over to Panama, and when they got to Panama the insurgents put them in prison, and it was given out that the American warships were going to aid the insurgents, and it was with this information that the general made some statement about "killing Americans." Let us have the whole truth when we come to deal with the

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

Government troops yet in Colon. Have prohibited transportation of troops either direction. No interruption of transit as yet. Will make every effort to preserve peace and order.

HUBBARD.

—

COLON, *November 4, 1903.*

SECRETARY OF NAVY,
Washington, D. C.:

I have landed force to protect the lives and property of American citizens here against threats Colombian soldiery. I am protecting water front with ship. I can not possibly send to Panama until affairs are settled at Colon.

HUBBARD.

A number of other messages are printed in this Senate Document No. 51, giving further details of the very great activities by our Navy upon the Isthmus. All of these dispatches from the Navy Department to the commanders of our warships, directing them to proceed to Colon and Panama, were by the direction of the President. (Messages, p. 6909.)

Now, let me call attention briefly to a few of the facts involved in these several messages which are worthy of our consideration. Remember it was our right, as well as our duty, to keep open the transit across the Isthmus. Presumably, whatever action our authorities were taking was in pursuance of this obligation. This being so, how can we explain the fact that these messages to our various commanders were sent secretly and for the most part in cipher?

Presumably, Colombia had the right to suppress a revolution which might arise anywhere within her boundaries. What danger was anticipated here? Why, first an uprising on the part of Panama, and secondly an attempt to suppress it. In the interest of free transit was it not just as much our duty to suppress the uprising as it was to prevent Colombia from landing her troops for that purpose?

Think of it, the *Nashville*, the *Dixie*, the *Marblehead*, the *Boston*, the *Concord*, the *Atlanta*, the *Wyoming*, all American ships of war, ordered to Panama and Colon for the purpose of keeping an open transit across the Isthmus. Why should the United States go to all of this expense, and at the same time prevent Colombia from landing her troops to do this very thing, which was primarily her obligation?

And then think of it, one of these messages was sent to our naval authorities as early as October 19, 1903, 15 days before the revolution, and other messages were sent almost daily from that time up until and on and after November 3, giving specific directions in this enterprise, whatever it was, and on October 29, 1903, Dr. Herran here in Washington cabled his Government:

The Government of the United States is unaware of the character of the invasion of the Isthmus. The Secretary of State declared to me to-day that the Government of the United States would only intervene to maintain traffic.

Up to the date of the revolution Panama did not have a warship. Colombia had. It was not to meet the uprising of the Panamans that these naval activities were taken. It was to prevent any military or naval operation by Colombia.

SOME ACTIVITIES OF THE STATE DEPARTMENT.

Bear in mind the newspapers, to whose dispatches I have heretofore referred, scheduled the revolution to take place on November 3. On October 29, Dr. Herran was advised by the State Department that the United States "would only intervene to maintain traffic." I have not been able to discover anything which would indicate that the traffic would be interfered with, and I have examined the records in this case, so far as they have been made public, with some care. Up to this time the United States was not thinking of the independence of Panama—I mean the people of the United States—much less of our taking part in its consummation. Of course not.

But I have often wondered why Acting Secretary Loomis became so nervous on this particular November 3, 1903. Note his inquiry. On November 3, 1903, at 3.40 p. m. he sent the following cablegram to the consulate at Panama and Colon:

DEPARTMENT OF STATE,
Washington November 3, 1903.
(Sent 3.40 p. m.)

Uprising on Isthmus reported. Keep department promptly and fully informed.

LOOMIS, *Acting.*

On the same day Mr. Felix Ehrman, our acting United States consul general at Panama, answered:

PANAMA, *November 3, 1903.*
(Received 8.15 p. m.)

I am not clear whether that means received here or received at the other end. Note this significant reply:

No uprising yet. Report will be in the night. Situation is critical.

EHRMAN.

And a little later the same night the following:

PANAMA, *November 3, 1903.*
(Received 9.50 p. m.)

Uprising occurred to-night six; no bloodshed. Army and Navy officers taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet. Soldiers changed. Supposed same movement will be effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

Then Mr. Loomis sends the following message:

STATE DEPARTMENT,
Washington, D. C., November 3, 1903.
(Sent 11.18 p. m.)

Message sent to *Nashville* to Colon may not have been delivered. Accordingly see that following message is sent to *Nashville* immediately:

"NASHVILLE," *Colon:*

In the interests of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

(Signed) DARLING, *Acting.*

Secure special train, if necessary. Act promptly.

LOOMIS, *Acting.*

On November 4, 1903, the following telegram was sent:

STATE DEPARTMENT,
Washington, D. C., November 4, 1903.
(Sent 12.02 p. m.)

Communicate with commander of gunboat *Bogota* and state plainly that this Government, being responsible for maintaining peace and keeping transit open across Isthmus, desires him to refrain from wantonly shelling the city. We shall have a naval force at Panama in two days, and are now ordering men from the *Nashville* to Panama in the interests of peace.

LOOMIS, *Acting.*

Now, bear in mind, Senators, that the record in this case shows the revolutionists bribed some of the Colombian soldiers, that the fire and police departments were called out by the insurgents, and some arms were distributed, but I have not seen anywhere an account of any activities on the part of the United States looking to the checking of the depredations which might be committed by the insurgents.

On November 4, 1903, Mr. Ehrman sends the following telegram to Mr. Hay:

PANAMA, *November 4, 1903.*
(Received 7.10 p. m.)

Mass meeting held. Independence publicly declared. Three consuls approved organize government, composed Federico Boyd, Jose Agustin Arango, Tomas Arias. *Bogota* in sight.

EHRMAN.

I shall not take the time to read further from the correspondence on this particular branch of the subject. Suffice it to say that there is an insurrection and the great Giant of the North, with its ships of war, their bristling guns, and our undaunted marines, prevent Colombia from landing her troops to protect her property and her sovereignty—the Republic of Colombia, the nation which Minister Du Bois declared to be the "best friend of the United States south of the Rio Grande from 1810 to 1903," and then remember our solemn pledge to protect "the sovereignty and property" of Colombia on the Isthmus.

RECOGNITION OF THE REPUBLIC OF PANAMA.

But our Government has not yet concluded its recognition of the Republic.

Note the following telegram to Mr. Ehrman authorizing recognition of the new Republic sent 12.51 p. m. November 6, 1903:

The people of Panama have, by an apparently unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence. When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all due action to protect the persons and property of citizens of the United States and to keep open the isthmian transit in accordance with the obligations of existing treaties governing the relation of the United States to that territory.

Communicate above to Malmros, who will be governed by these instructions in entering into relations with the local authorities.

HAY.

Malmros was in charge of our consulate at Colon.

Without stopping to recite more of the messages exchanged between our consular authorities at Colon and Mr. Loomis as Acting Secretary and Mr. Hay as Secretary, they were of substantially the same import as those which passed between Mr. Loomis and Mr. Ehrman. Colombian troops were not to be permitted to land, were not to cross the Isthmus to Panama.

The provisional government appointed Señor Phillipe Bunau-Varilla as the confidential agent of the Republic of Panama, and a telegram to that effect was sent to the Secretary of State at Washington on November 5, 1903.

On November 6, 1903, the provisional government advises the Secretary of State of the appointment of Bunau-Varilla as envoy extraordinary and minister plenipotentiary of the new Government with full powers to conduct diplomatic and financial negotiations. On November 7, Bunau-Varilla advises the Secretary of State of his appointment.

On November 6, 1903, within less than three days after the revolution, Mr. Hay sends the following message to Mr. Beaupre, our minister at Bogota:

NOVEMBER 6, 1903.

BEAUPRE, *Bogota:*

The people of Panama having by an apparently unanimous movement dissolved their political connection with the Republic of Colombia and resumed their independence, and having adopted a government of their own, republican in form, with which the Government of the United States of America has entered into relations, the President of the United States, in accordance with the ties of friendship which have so long and so happily existed between the respective nations, most earnestly commends to the Governments of Colombia and Panama the peaceful and equitable settlement of all questions at issue between them. He holds that he is bound not merely by treaty obligations, but by the interests of civilization, to see that the peaceable traffic of the world across the Isthmus of Panama shall not longer be disturbed by a constant succession of unnecessary and wasteful civil wars.

HAY.

(Senate Document No. 51, p. 117.)

On November 13, 1903, 10 days after the revolution, the President receives his excellency, the envoy extraordinary and minister plenipotentiary of the Republic of Panama.

On November 18, 1903, the treaty between the United States and the Republic of Panama is signed at Washington, just 15 days after the revolution. Remember, Panama was recognized on the 6th, within less than three days after the revolution. By its terms and the events leading up to its culmination, Colombia lost not only her reversionary interest in the canal and the railroad and the Panama Zone, but she lost the Department of Panama, containing an area of 31,500 square miles and a population of about 300,000.

And up to date, though she has appealed time and time again to arbitrate the differences between the United States and Colombia, we have refused to meet her before an impartial or any other kind of a tribunal. This is a sad commentary on our professions of faith in international arbitration.

Repeated efforts were made to negotiate a settlement. Finally they culminated in the treaty that is now before us. Does it not seem a little strange to Senators that the American Government should be so scrupulously anxious to keep an open transit across the Isthmus, and in our feverish attempts to meet our obligations in that behalf our efforts should result in the loss to Colombia of 31,500 square miles and a population of 300,000? Does the right to manicure a toenail include the right to amputate a leg? What explanation can we make to history for intervening to prevent Colombia from reclaiming that which was her own, and to permit the organization of a new Republic under the protection of our ships of war? There is no defense that can be made of this course of action either in the sight of God or of man. And we were so eager to protect this free transit that in less than 3 days we recognized the new Republic and in 15 days we signed the treaty with Panama, and agreed in the very first article of that treaty:

To guarantee and maintain the independence of the Republic of Panama.

When, before or since, did the United States ever so quickly recognize a new Government? Why did we deem it necessary to guarantee its independence?

Did we do all of this for free transit? Maybe we did, but as a result of it we got the Canal Zone, and all the reversionary interests of Colombia in the canal that the French had been building, and in the Panama Railroad.

When, in the language of the Declaration of Independence, did "a decent respect for the opinions of mankind" require the great United States of America to violate its solemn covenant with a sovereign friendly power, or to encourage insurrection among her people, or to prevent her authorities from defending her sovereign territory against internal rebellion, or to give aid and comfort to the dismemberment of a friendly Republic, and then to stand guard while a new Republic is organized—a Republic so weak that we were compelled to guarantee its independence from its very inception, and within 15 days after the revolution sign a treaty with a newly created power in order to secure the right to build a canal—and after all these things have been accomplished to refuse to arbitrate the grievances of that friendly power, thus dismembered and helpless, and even for a time to refuse to negotiate a settlement?

Of one thing I am quite certain. We would have pursued a different course if Colombia had been even a third-rate power.

There was a time in our history, Senators, when we sang a different song. We were not always in such a hurry. Surely, good faith ought to have given Colombia a reasonable time in which to suppress the revolution in order to retain her sovereignty over her territory. What a reasonable time is must depend upon the circumstances of each case.

When the Southern States attempted to secede, and organized a Confederacy, and this fair land of ours was in the throes of the great Civil War, and the South was seeking recognition by the foreign powers, the question as to the attitude of Great Britain toward the United States was discussed in the correspondence between the Secretary of State, Seward, and the Hon. Charles Francis Adams, United States minister in Great Britain. In his letter of instructions to Mr. Adams, under date of April 10, 1861, Mr. Seward said:

You will hardly be asked by responsible statesmen abroad "Why has not the new administration already suppressed the revolution?" Thirty-five days are a short period in which to repress, chiefly by moral means, a movement which is so active while disclosing itself throughout an empire.

Again, referring to the principle of secession:

The so-called Confederate States therefore * * * are attempting what will prove a physical impossibility. Necessarily they build the structure of their new government upon the same principle by which they seek to destroy the Union, namely, the right of each individual member of the Confederacy to withdraw from it at pleasure and in peace. A government thus constituted could neither attain the consolidation necessary for stability nor guarantee any engagements it might make with creditors or other nations.

If * * * you shall unhappily find Her Majesty's Government tolerating the application of the so-called seceding States, or wavering about it, you will not leave them to suppose for a moment that they can grant that application (for recognition) and remain the friends of the United States. You may even assure them promptly in that case that if they determine to recognize they may at the same time prepare to enter into an alliance with the enemies of this Republic.

Further he adds:

We freely admit that a nation may, and even ought, to recognize a new State which has absolutely and beyond question effected its independence and permanently established its sovereignty, and that a recognition in such a case affords no just cause of offense to the Government of the country from which the new State has so detached itself.

Was the independence of Panama effected and its sovereignty "permanently" established when we within three days recognized it as a Republic?

On the other hand, we insist that a nation that recognizes a revolutionary State, with a view to aid its effecting its sovereignty and independence, commits a great wrong against the nation whose integrity is thus invaded, and makes itself responsible for a just and ample redress.

On May 21, 1861, Mr. Seward again said, in instructions to Mr. Adams:

* * * You will say that by our laws and the laws of nature and the laws of nations this Government has a clear right to suppress insurrection.

Further on in the dispatch he says:

A concession of belligerent rights is liable to be construed as a recognition of them. No one of these proceedings will pass unquestioned by the United States in this case. Hitherto recognition has been moved only on the assumption that the so-called Confederate States are de facto a self-sustaining power. Now, after long forbearance, designed to soothe discontent and avert the need of civil war, the land and naval forces of the United States have been put in motion to repress insurrection. The true character of the pretended new State is at once revealed. It is seen to be a power existing in pronunciamento only. It has never won a field. It has obtained no forts that were not virtually betrayed into its hands or seized in breach of trust. It commands not a single port on the coast nor any highway out from its intended capital by land. Under these circumstances Great Britain is called upon to intervene and give it body and independence by resisting our measures of suppression. British recognition would be British intervention to create within our territory a hostile State by overthrowing this Republic itself. (Story of Panama, pp. 470–471.)

In what a humiliating position the United States would have been if the Panama incident had antedated the Civil War. Mr. Seward could hardly have said to Great Britain, as he did in his letter of instructions to Mr. Charles Francis Adams while the South was seeking recognition by Great Britain, in the face of the Panama precedent, "Thirty-five days is a short time in which to repress a revolution." He could hardly have said, as he did, Great Britain can not recognize the South until it has "effected its independence and permanently established its sovereignty." Neither could he have said to Mr. Adams, "You will say that by our laws and the laws of nature and the laws of nations this Government has a clear right to suppress insurrection."

This was the position of Lincoln and Seward during the Civil War. It was sound policy then. It was sound policy in 1903, and it ought to control our action in 1921 in the consideration of the pending treaty. And yet under the pretense of complying with our obligation to keep the transit open and free across the Isthmus we refused to allow Colombia to disembark her troops at any point within fifty miles of Panama, recognized the new Republic in 3 days, and made our treaty in 15. To keep the transit free and open was a mere pretense. Our real purpose was to let a new agency be created to take the property from its rightful owner in order that we might secure what we wanted upon our own terms.

I note that Bunau-Varilla says in his last book, on page 249:

Mr. Roosevelt during the first revolutionary attempts avoided anything which could resemble collusion. The abandonment of Amador by those who had promised him everything was the obvious demonstration that the American Government had refused to lend itself to anything of a compromising character. All action by President Roosevelt was as correct as it was active and resolute.

It is true that Amador came, hoping to get a direct pledge of aid from our Government, and it is likewise true that he got no pledge; but it is equally true, as I think I have clearly demonstrated from the authorities which I have quoted, that when Bunau-Varilla came on the stage of action he put new life into the conspiracy. The movements of the conspirators were known to our Government. A revolution in Panama was to be the initial step toward the creation of a new government, and our ships were on the scene, not as innocent observers of events in which we were not interested, but as eager and active participants in bringing about the result which we desired and by which we expected to profit. If we only desired to preserve the right of transit, would it not have been much easier for us to keep our obligation with Colombia by helping her quiet those who were the participants in the revolution? Surely, if we had kept them quiet or if we had permitted the superior force of Colombia to preserve the peace, there would have been little danger of blocking traffic. But that was not our purpose.

I realize when the newspapers spoke of revolution and predicted the day when it was to be pulled off, it is easy to assert they were merely guessing. That may be so, but the developments indicate that they guessed accurately, if it was a guess, and whether Mr. Roosevelt was actually engaged in aiding the revolutionists or not, at least he was thinking about it, because in his message to Congress on January 4, 1904, he said, in speaking of Colombia's refusal to enter into a proper arrangement with the United States, and I now quote his exact words:

My intention was to consult the Congress as to whether, under such circumstances, it would not be proper to announce that the canal was to be dug forthwith; that we give the terms that we had offered and no others, and that if such terms were not agreed to, we would enter into an arrangement with Panama direct or take whatever steps that were needful in order to begin the enterprise.

Of course, I have in mind the fact that between the years 1850 and 1903 there had been repeated riots, disturbances, and revolutions. Several times we landed marines to aid in keeping open the transit across the Isthmus. We were not strangers to the conditions in Colombia and South America when we entered into the treaty of 1846. We knew that it might be incumbent upon us at times to police the route or to suppress insurrection. We were willing to do that for the benefit we were to receive under the treaty, but it is a sufficient answer to Mr. Roosevelt to say that Colombia, either by her own efforts or by our efforts when we were aiding her as we agreed to aid her, was able to suppress all insurrection or revolution, and that the revolutionists only succeeded when we transferred our assistance from Colombia, whom we were solemnly pledged by treaty to help, to the insurgents to whom we owed nothing. Except for the course of our Government, the Republic of Panama would to-day be a Department of the Colombian Government.

Roosevelt was not making history, he was recording history, when on March 23, 1911, in his speech to the students of the University of California, at Berkeley, he said:

I am interested in the Panama Canal because I started it. If I had followed the precedent in such cases, I should have submitted a dignified state paper to the Congress and the debate would be going on yet. But I took the Canal Zone and let Congress debate, and while the debate goes on the canal does also.

LOSSES TO COLOMBIA INCIDENT TO THE REVOLUTION.

The United States agreed to pay under her treaty with Panama $10,000,000 for the Canal Zone and an annual rental of $250,000. Clearly this sum at least would have gone to Colombia had there been no revolution and the concession for the construction and operation of the canal had been made direct to Colombia instead of Panama. And in addition to this amount she has lost the Department of Panama.

The Spooner law directed the construction of an isthmian canal. By its terms the President was authorized to build it on the Panama route if the title could be secured within a reasonable time, at a reasonable rate—now note—from the Republic of Colombia. Otherwise he was to build it by the Nicaragua route. Surely Congress contemplated that Colombia and the United States should agree within a reasonable time, for a reasonable price, and if they failed to agree then the Nicaragua route was to be used. No other construction can be placed upon this language.

The President and Secretary of State contended both before and since the revolution that the title to the Canal Zone had to be acquired within a "reasonable time." When Colombia proposed modifications of the Hay-Herran treaty they opposed

them, claiming that the "reasonable time" within which the President was to get the title had expired, and any amendment meant delay and a corresponding violation of the Spooner law.

If any Senator takes that position and believes we had the right to exact the pound of flesh, let me remind him it was not "so nominated in the bond." Neither the President nor anyone else had any authority to get title to this property from Panama either by treaty or by force of arms, or in any other way. The President was authorized to secure title from Colombia alone, and not from Panama. The Spooner Act reads:

> The President is hereby authorized to acquire from the Republic of Colombia * * * perpetual control of a strip of land, the territory of the Republic of Colombia. * * *

Panama was not then in existence. Congress did not contemplate that there would be a revolution in the Department of Panama or that it would secede, or that a contract would be made with the new Republic to secure title to the Canal Zone. The people had not expressed themselves upon this subject. Neither had the Congress. If we could not secure a treaty with Colombia within a reasonable time, then President Roosevelt had the legal authority to do only one thing, namely, to provide for the construction of the canal along the Nicaragua route. Nowhere was he given even a semblance of authority to contract with any Government save Colombia for the Canal Zone.

Nowhere in the Constitution or under the Statutes of the United States, or under international law, or in the forum of good conscience or good morals, can we find authority which will justify our standing by in case of revolution, with our warships bristling with guns, and preventing a sovereign country from quelling an insurrection, and then, while a new government is organized under our protection, make a contract with the new possessor, the new sovereign, to get that which we want on terms that will suit us.

I can not understand how anyone can read the record of our proceedings in connection with Panama and say to the American people that Colombia has no cause for complaint.

Many of those who defend the course of our Government are prone to hold up their hands and say, as has been repeatedly said, "No nation will ever undertake to submit its political rights, or acts, to arbitration."

I recognize that principle of international law, of uncertain origin. It was conceived in iniquity and born in sin. It is a principle of law, no matter how well recognized, that was established by the power of might. Does anyone believe for a minute that those who were responsible for the course we pursued in Panama would refuse to submit to arbitration this controversy if he was certain that the award of the arbitrators would be in our favor? In my humble judgment they know the United States could not sustain its case before any arbitral court in the world.

But it may be asked, "Would you be willing, now, to submit the entire controversy to arbitration?" That is a purely academic question now, and it is not necessary to give direct answer because Colombia consented to negotiate our differences and has made a settlement. In my judgment, if the people of the United States had been consulted in advance, neither the people nor the Congress would have approved the course which was taken by our Government, and there would have been no occasion to arbitrate. Individuals ordinarily do not secure their contracts at the point of a gun, and nations can not with honor to themselves tie the hands of a sovereign nation while she is despoiled of her possessions, then share in those spoils with the new possessor, and go into court with clean hands.

Now, Senators, let us examine the question from the viewpoint of Colombia herself. We can not doubt that her people believe they were radically wronged, and that as the result of the revolution she has lost—the distinguished Senator from Massachusetts the other day referred to an estimate of the damages which were claimed by Colombia; I have substantially the same figures—

First. One of the most prized of her Departments, Panama, with an area of 31,500 square miles and a population of approximately 300,000, and this for all time.

Second. In 1867 Colombia ceded the Transisthmian Railroad to the Panama Railroad Co. for a period of 99 years, with the proviso that at the end of that time the railroad, with all of its improvements, would revert to Colombia. Colombia was to receive during this period an annual rental of $250,000.

Mr. REED. Was payment to be made during the remainder of the lease?

Mr. POMERENE. Yes; during the 99 years. In 1903, when the payments to Colombia ceased, the contract had 64 years to run, the total rentals during the term of the lease aggregating $16,000,000. In 1906 the Panama Railroad was valued by Mr. Bristow—who was a former colleague in the Senate—in a report to the Secretary of War, at $16,446,942.75.

Third. The French company had expended approximately $200,000,000 toward the building of the canal. We paid the new Panama Canal Co. of France for it $40,000,000. Colombia claimed that as the French Government could not complete this canal within a few years the company's rights would be forfeited to Colombia. If it was completed in accordance with the terms of the contract, then Colombia was to receive for the first 25 years 5 per cent of the gross receipts; for the second 25 years, 6 per cent; for the third 25 years, 7 per cent; and 8 per cent thereafter to the end of the concession; but the annual payment in no event was to be less than $250,000 a year. The canal concession would have expired in 1984. If the canal had been opened in 1914, Colombia would have been entitled to 70 annuities of at least $250,000 each, or $17,500,000.

I have stated this claim from the standpoint of Colombia. Whether rightly or wrongly, she has lost this valuable territory and 300,000 of her people, with her reversionary interests in the canal and the railroad, whatever may be their value. And, now, Senators, all this can be settled for all time to come by the ratification of this treaty, the payment of $25,000,000, and giving to Colombia the right to use the canal. More than all this, we will have proved to the world that we can be just, even to the least of the nations of the world.

I know that the claims which Colombia has been making since 1904 have been referred to as "blackmail." Harsh language this. If it is blackmail, I have not yet arrived at the point where I have so little confidence in the integrity of the world that I would not be willing to submit a blackmailing proposition to arbitration if it were necessary to get a proper adjustment.

Mr. REED. Generally, blackmail is only possible where a crime has been committed.

Mr. POMERENE. Absolutely so.

Let us not forget in dealing with this subject that whether right or wrong, the fact is that what we did in November and December, 1903, has so discredited the United States in the minds of the Republics south of the Rio Grande that they look with suspicion upon every move we make, and our delay in making settlement confirms that suspicion. I am glad of the opportunity to vote for the ratification of this treaty, whose terms we are advised will be acceptable to Colombia. But I shall always have one regret connected with this affair. It is this: While we have conferred upon the world a great boon by the construction of the canal for which the world gives and will continue to give us great credit, I regret it is not within my power to blot out of the memory of man, and for all time, the methods we pursued in securing title to the Canal Zone.

Now and forever hereafter let our shibboleth be: Our country can only work out her great destiny by doing unto other nations, great and small, as we would have them do unto us.

Our President, under the solemn obligation of his oath of office, has seen fit to rise above personal and party controversy, think only of his duty to our country and the world, and urge the ratification of the pending treaty, thereby doing tardy justice to the Republic of Colombia. I congratulate him and the American people with all my heart.

Mr. SHEPPARD. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER (Mr. KENYON in the chair). The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Hale	McCormick	Simmons
Broussard	Harreld	McCumber	Smith
Calder	Harris	McKellar	Smoot
Capper	Harrison	McNary	Stanfield
Caraway	Heflin	Moses	Stanley
Colt	Hitchcock	New	Sterling
Cummins	Johnson	Nicholson	Swanson
Curtis	Jones, N. Mex.	Norbeck	Townsend
Dial	Kellogg	Norris	Trammell
Dillingham	Kendrick	Overman	Underwood
Elkins	Kenyon	Penrose	Wadsworth
Ernst	Keyes	Phipps	Walsh, Mass.
Fletcher	Knox	Pomerene	Walsh, Mont.
Gerry	Ladd	Ransdell	Warren
Glass	La Follette	Sheppard	Watson, Ga.
Gooding	Lodge	Shortridge	Willis

The PRESIDING OFFICER. Sixty-four Senators have responded to the roll call. A quorum is present.

Mr. KNOX. Mr. President, I wish to make some observations in connection with the Colombian treaty; and I want to say to my associates in the Senate that I have taken particular care to verify every historical statement and every diplomatic exchange to which I refer, and for the convenience of those who wish to go through this case with the care that it deserves

I have had printed upon the margin of my notes the public documents and the diplomatic correspondence, with volume and page, that will sustain these assertions. I think, perhaps, those marginal notes will appear in the RECORD; but for the comfort of our older eyes I have had printed in pamphlet form a copy of my remarks, and will at once transmit a copy to each Member of the Senate, so that he will have in a legible form the statements of history and the matters of diplomacy to which I refer, and a reference to the volumes and documents to which they refer.

Almost from the beginning of this Government and certainly as early as 1825 the question of a transisthmian ship canal was officially considered by this Government. In 1835, pursuant to a resolution of the Senate of the United States, a special agent, sent to investigate the feasibility of a ship canal across the Isthmus of Darien, secured from the Legislature of Colombia a privilege to construct a road across the Isthmus. (See House Ex. Doc. No. 228, 25th Cong., 2d sess.)

From this time on the creation of some means of interoceanic communication either across the Isthmus of Tehuantepec or by way of the San Juan River and Lake Nicaragua or by way of the Isthmus of Panama—or Darien as it was earlier known—was made the subject of recurrent investigations, reports, and negotiations. By the year 1902 the sentiment of the people of the country had so far crystallized that Congress passed the Spooner Act, which authorized the President of the United States to enter into a treaty with Colombia for the building of a canal across the Isthmus of Panama; or if an arrangement with Colombia should prove unobtainable within a reasonable time and upon reasonable terms, that then a treaty should be made for the construction of a canal by way of the Nicaraguan route.

Acting under this statutory authorization to acquire foreign territory or interests therein, President Roosevelt directed John Hay, Secretary of State, to negotiate with the Colombian minister the treaty which has been since known as the Hay-Herran treaty—signed January 22, 1903—under which the United States was granted certain rights for the construction of a ship canal across the Isthmus. The essential provisions of this treaty will be discussed later.

This treaty was immediately submitted to the United States Senate, which gave its advice and consent thereto without amendment. The Colombian Congress being not then in session, the treaty was not submitted to it until its assembling in the following June, when it was taken up and discussed during the summer until August 12, 1903, when the Colombian Senate, acting unanimously, rejected it.

From that time until October 31, when the Colombian Congress adjourned, the treaty was subject to more or less discussion by the Congress, in the course of which on the 27th of October, the possibility of a revolution in Panama, which seemingly had been for some time known in Government circles, was openly discussed on the floor of the Colombian Senate, and the existing attitude of Colombia with reference to the happening of such an eventuality was criticized.

[For. Rel., 1903, pp. 134, 136, 143, 154, 184.]

On the evening of November 3, 1903, or eight days after the fact of an impending revolution in Panama had been thus discussed on the floor of the Colombian Congress, the revolution broke in Panama City. As a matter of fact, there had been much prior discussion of such an eventuality, the public press in the United States having since August 31 repeatedly reported the probable uprising. Indeed, in the course of the discussion in the Colombian Senate, as above noted (October 27), an extract had been read from the New York Herald containing an interview with the Colombian governor of the Department of Panama, in which the governor stated that "he was before all an isthmanian," and that should the Department of Panama rise in favor of the canal he would be with the Department.

[For. Rel., 1903, p. 220.]

The revolution did not come therefore unheralded, and there was ample time for Colombia to have shaped her course to meet the situation, but for some unexplained reason she refused to do so.

Thus forewarned of the possibilities of the situation, and knowing from the experiences of the two years immediately preceding, then freshly in mind, what would have to be met, the Navy Department on November 2 instructed the commander of its vessels in the vicinity that he should maintain free and uninterrupted transit; that if interruption was threatened by armed force, he should occupy the line of railroad; that he should prevent the landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other points; and that he should not allow a Government force reported approaching the Isthmus in vessels to land if, in the judgment of the officers, this would precipitate a conflict.

[H. Doc. No. 8, 58th, 1st, p. 19.]

On the 3d, 400 Colombian soldiers were landed at Colon, but the Departments of both State and Navy issued instructions that such troops should not be permitted to proceed to Panama City. Thereupon the Navy officers directed the railway company, in order to preserve the free and uninterrupted transit of the Isthmus, not to transport the troops of either party. This was adhered to notwithstanding the revolutionary leaders in Panama wished the Government troops sent over from Colon. The American troops were never actually employed to prevent the use of the railway for that purpose.

[H. Doc. No. 8, 58th, 1st, pp. 2, 8.]
[S. Doc. No. 53, 58th, 2d, p. 18.]

On November 4 the Colombian gunboat *Bogota* shelled Panama City, killing one Chinaman; the revolutionary leaders held a mass meeting in Panama, and publicly declared Panaman independence, a committee of three being appointed to organize the Government.

[H. Doc. No. 8, 58th, 1st, p. 3.]
[H. Doc. No. 8, 58th, 1st, p. 3.]

On November 5 the committee of three issued a circular letter announcing Panaman independence. The American consul at first refused to accept the letter, but later upon instructions from the Department of State he did merely accept it and acknowledge its receipt on the same day, November 5. The Navy Department directed the *Boston* to prevent a threatened recurrence of the bombardment of Panama.

[H. Doc. No. 8, 58th, 1st, pp. 3, 4.]
[H. Doc. No. 8, 58th, 1st, p. 20.]

Before the reembarkation of the Colombian troops, which took place on this day, the officer actually in command, Col. Torres, threatened to kill every American unless the colonel's superior officer, Gen. Tobar (who with five officers who had gone to Panama City the previous day and had been taken prisoners) was released by 2 p. m. of that day, whereupon the *Nashville*, acting by reason of the threat, landed 50 men, stationing them in and near the railroad office where the Americans had collected together, and had been armed. This threat was a real menace for several hours, and an attempt to massacre the civilian Americans in Colon seemed not improbable. This was the only purpose for which any troops were landed during the revolution.

[H. Doc. No. 8, 58th, 1st, p. 9.]
[S. Doc. No. 53, 58th, 2d, p. 16.]

By November 6 word was received both from Colon and Panama that everything was peaceful, that the Republic of Panama had been proclaimed, and its authority obeyed throughout its territory.

[H. Doc. No. 8, 58th, 1st, p. 9, 11.]

Concerning the attitude and actions of the naval forces of the United States in Panama during this revolution, Commander Hubbard, reporting to the Navy Department under date of November 8, 1903, stated:

> I beg to assure the department that I had no part whatever in the negotiations that were carried on between Col. Torres and the representatives of the provisional government; that I landed an armed force only when the lives of American citizens were threatened, and withdrew this force as soon as there seemed to be no grounds for further apprehension of injury to American lives or property; that I relanded an armed force because of the failure of Col. Torres to carry out his agreement to withdraw an announced intention of returning, and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the Isthmus.

[S. Doc. No. 53, 58th, 2d, p. 20.]

The entire account bears out the accuracy of Commander Hubbard's report as to the precise action which was taken.

On November 7, Bunau-Varilla announced to this Government in a telegram dated at New York that he had been appointed by the Government of Panama as its envoy extraordinary and minister plenipotentiary near the Government of the United States.

[H. Doc. No. 8, 58th, 1st, p. 11.]

On the 11th he requested an appointment with the President to present his letters of credence, and on the following day an appointment was made for him for the next following day, the 13th, when he presented his letters of credence to the President, and the Republic of Panama was recognized.

[H. Doc. No. 8, 58th, 1st, p. 16.]
[H. Doc. No. 8, 58th, 1st, p. 17.]

Secretary Hay tells us that by January 5 the independence of Panama had been recognized by the United States, France, Germany, Great Britain, Austria-Hungary, Russia, Italy, Japan, China, Denmark, Sweden and Norway, Belgium, Switzerland, Peru, Nicaragua, Costa Rica, and Cuba.

[For. Rels., 1903, p. 294.]

The Government of Colombia contends that the various acts above outlined, including our recognition of Panama as an independent State, were violative of the provisions of article 35 of the treaty between the United States and New Granada of 1846. The Government of the United States, on the other hand, has defended its course as against the Colombian charges, and has insisted that its actions were legal and in accord with its treaty obligations, with the practice of the two countries thereunder, and with its obligations under the principles of sound international morality.

The provisions of the treaty of 1846 applicable to the situation deserve the most careful analysis. They read as follows:

First. For the better understanding of the preceding articles it is and has been stipulated between the high contracting parties that the citizens, vessels, and merchandise of the United States shall enjoy in the ports of New Granada, including those of the part of the Granadian Territory generally denominated Isthmus of Panama, from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels, and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory from one sea to the other. The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States; that no other tolls or charges shall be levied or collected upon the citizens of the United States or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances levied upon and collected from the Granadian citizens; that any lawful produce, manufacture, or merchandise belonging to citizens of the United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said Isthmus. And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada by the present stipulation the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory.

[Malloy's Treaties, Vol. I, p. 312.]

It may not be amiss here to remark that this treaty was negotiated at a time when the question as to who would control, ourselves or Great Britain, transisthmian commerce and the means employed to effect it was looming large in our foreign policy. Already in 1846, Great Britain had taken steps to cement her influence over the Mosquito Protectorate, thus insuring her control over one end of the Nicaraguan route. We on our part, as one step in what developed to be a general plan to secure preeminent rights not only over the Isthmus of Panama but also over the Isthmus of Tehuantepec and the Nicaraguan route, negotiated this treaty with the Colombian Government.

It will be observed that the treaty after providing that the citizens, vessels, and merchandise of the United States shall enjoy in Colombian ports including those of the Isthmus of Panama "all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States, in their transit across the said territory, from one sea to the other," also stipulates mutual guarantees on the part of New Granada and the United States. On its side the Colombian Government guaranteed to the United States that the right of way or transit across the Isthmus "shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures or merchandise, of lawful commerce, belonging to the citizens of the United States"; that there should be an equality of tolls and other charges over any road or canal that might be built across the Isthmus; that there should be no import duties levied on goods merely crossing the Isthmus or if duties were paid there should be drawbacks thereon; and that no duties, tolls, or charges of any kind should be levied on American citizens which were not also levied on Colombian citizens.

The United States on its part, in order "to secure to themselves (the United States) the tranquil and constant enjoyment of these advantages" (that is the advantages specified in the guarantees given by and the undertakings of Colombia), guaranteed "positively and efficaciously * * * the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists." The United States also guaranteed "in the same manner, the rights of sovereignty and property which New Granada has and possesses over the same territory."

Thus, the two countries gave guaranties, the one to the other and the other to the one that the right of way and transit across the Isthmus should be open and free, and the United States to the end that it might have the tranquil and constant enjoyment of the advantages it stipulated for, further guarantees "the perfect neutrality" of the Isthmus to the end that "the free transit from the one to the other sea may not be interrupted or embarrassed."

It would thus appear that in case the free and open transit across the Isthmus were threatened or destroyed the United States might look to Colombia for its preservation or reestablishment, and that if, on the other hand, Colombia failed or was unable to keep the transit open and free, we guaranteed so to do, if we desired to enjoy the advantages as to the transisthmian traffic for which we had bargained. It may as well be added here as anywhere, that more than half a century of practical experience had shown in 1903, Colombia's entire inability to make good its guaranty in this respect.

But our guaranty goes further than this mutual guaranty, for we guarantee "positively and efficaciously, * * * the perfect neutrality" of the Isthmus. That is to say, and the language can mean nothing else than this when it is considered that we are stipulating with a State regarding a portion of its own territory, we are guaranteeing the absence of belligerent operations thereon, and we do so to the end "that the free transit from the one to the other sea may not be interrupted or embarrassed," a thing which Colombia has herself granted and guaranteed to us. Therefore any action we might take to secure "the perfect neutrality," would be in aid of Colombia's own guaranty to us.

There can be no question but that the Colombian Government in entering into these mutual guaranties and in accepting from the United States the guaranty set out, thereby consented that the United States should have in its discretion the right to take measures necessary to make that guaranty good, including the landing and operations of troops on the Isthmus during, as the treaty expresses it, "any future time while this treaty exists." Nor can it be doubted that the United States by its guaranty undertook to exercise that right and see that it enjoyed uninterrupted and unembarrassed free transit across the Isthmus so long as the treaty did exist and so long as we desired to have the benefit of the advantages stipulated for in the earlier part of the article. That is to say, we were given as a practical matter control over this route, so far as protection went.

And in this connection it is well to have in mind that all the difficulties which in the middle of the last century arose between the United States and Great Britain with reference to all these lines of interoceanic communication had their roots primarily in the question of the protection, and therefore control, of those routes and their preservation from interruption. By this treaty the United States in 1846 gained from the Colombian Government the absolute right to protect and defend this canal route or any other means of interoceanic communication, subject, nevertheless, to the principle that all measures should be taken with the view that the free transit from the one to the other sea might not be "interrupted or embarrassed," and this "in order to secure to (ourselves) the tranquil and constant enjoyment" of the advantages stipulated for. But—and to this I ask your particular attention—these were the only things we guaranteed and were the only purposes to secure which we might intervene in Isthmian affairs, with one exception, namely, the protection and sovereignty and property of Colombia, which, as I shall later show, is not involved in the present discussion.

Turning now to the events of 1903 and their character in the light of and their relationship to the treaty, it appears from the correspondence between the United States and Colombia that the meaning of this treaty and the obligations of the United States under it had, in so far as these events of 1903 were concerned, been in the main agreed to and put into practice by both Governments for nearly half a century.

In order to clear this ground let us in the first place dispose of the meaning of those final clauses of the treaty provision which contain our guaranty of the sovereignty and property of Colombia. The records show that in 1865 Attorney General Speed held that this guaranty was directed "against other and foreign Governments" and was not applicable to threatened disturbances of sovereignty as the result of revolutions. This

[11 Op. Atty. Gen., p. 392.]

interpretation was adopted by the Department of State and later by the Colombian Government itself, as is set forth in a communication from the Colombian secretary of interior and foreign relations in a communication addressed to the American minister at Bogota under date of September 14, 1866. The minister of foreign relations said:

[S. Doc. No. 143, 58th, 2d, p. 27.]

As to the interposition due from the Government of the United States by the treaty existing between the two nations in the event that an insurrection by armed force should take place on the Isthmus for the purpose of segregating it from the Union, the Government of Colombia understands that, if such a movement should be effected, with the view of making that section of the Republic independent and attaching it to any other foreign nation or power—that is to say, in order to transfer by any means whatever the sovereignty which Colombia justly possesses over that territory to any foreign nation or power whatever—the case will then have arisen when the United States of America, in fulfillment of their obligation contracted by the thirty-fifth article of the treaty existing between the two Republics, should come to the assistance of Colombia to maintain its sovereignty over the Isthmus, but not when the disturbances are confined to Colombian citizens.

[S. Doc. No. 143, 58th, 2d, p. 41.]

This view seems to have been unchallenged by either party down to the time of the revolution in Panama in 1903; it must therefore be accepted as the established interpretation of the clause guaranteeing sovereignty; therefore our failure to hold the Isthmus for Colombia as against the revolting Panamanians was not a violation of our treaty obligations.

But the other guarantees made by us and affecting free and open transit raise further questions which must be considered. It may at this point make for clearness if we recall precisely what our action was in 1903.

We took no part whatsoever either for or against either party involved in the revolution; we acted of our own motion and landed American troops to preserve free and open transit, and to protect the lives and property of American citizens; we forbade the bombardment of an unfortified town; we prepared to forbid the landing of belligerent troops near enough to the railroad to threaten uninterrupted and unembarrassed transit; and we forbade the railroad to transfer Government troops.

One of the questions involved in our action in 1903 had come up even before the determination of the meaning of the clause guaranteeing Colombian sovereignty; and out of it came the interpretation just set out regarding our duty under such guaranty.

This first question was, Should the United States interfere on behalf of either side in revolutionary activities occurring on the Isthmus? and the decision was reached and concurred in by both parties that the United States had no business or concern with Colombian revolutionary activities. As Mr. Seward said:

[S. Doc. No. 143, 58th, 2d, p. 27.]

It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party. As it may be presumed, however, that our object in entering into such a stipulation was to secure the freedom of transit across the Isthmus, if that freedom should be endangered or obstructed, the employment of force on our part to prevent this would be a question of grave expediency to be determined by circumstances.

We may therefore disregard as having no foundation in fact the contention that anything in the treaty bound us to participate in the revolution to make secure Colombian sovereignty over the Isthmus as against a local revolution.

A second question was whether we were under obligation to land troops and make good our guaranty of free transit during revolutions or disturbances. Among the early, if not the earliest, occasions when we landed troops at the request of the Colombian Government or its officials was in 1856, when our naval officer, in consultation with the American consular officer, acceded to Colombia's request and landed troops.

[S. Doc. No. 143, 58th, 2d, p. 4.]

In a memorandum transmitted by the Colombian representative with a note addressed to the Secretary of State—June 26, 1862—the Colombian minister, after calling attention to apprehended belligerent operations on the Isthmus as a result of revolutionary activities, set forth the Colombian view of the time in these words:

[S. Doc. No. 143, 58th, 2d, p. 14.]

The guaranty of neutrality stipulated for with the United States was "with the view that the free transit from the one to the other sea may not be interrupted or embarrassed," and hence it follows that a state of things such as exists on the Isthmus of Panama constitutes a violation of the neutrality established and contemplated by the treaty of 1846.

A year prior to this time the Colombian intendente general for the State of Panama addressed a note to the American representative on the Isthmus advising our representative—

[S. Doc. No. 143, 58th, 2d, pp. 7, 8.]

that a lawless expedition was fitting out in Cartagena with the avowed object of invading this Isthmus and requesting, in the event of its landing at Aspinwall (Colon) or any other of the Isthmian ports, the interposition of the United States naval forces stationed here and at the Atlantic terminus of the Panama Railroad to assist in maintaining the neutrality of this Isthmus in accordance with the thirty-fifth article of the existing treaty of peace, amity, etc., between the United States and the Republic of New Granada and the protection of the transit from violence of a lawless character, which he had every reason to apprehend in case a landing was effected by the expedition.

Frequent similar requests were made from time to time thereafter, but seemingly the chief concern of Colombia in making the requests was not the maintenance of free, open, and unobstructed transit but of supporting a tottering Colombian régime. We did land troops upon and after a request in 1861, in 1862, in 1885, and in 1901.

[S. Doc. No. 143, 58th, 2d, pp. 7, 8, 12 et seq., 53, 66, 72.]

Moreover, when disturbances occurred interrupting or threatening to interrupt transit or affect its security and Colombia neither made a request for the landing of our troops nor invoked the treaty stipulations, our Government determined that the United States might act independently and without such request from Colombia or Colombian officials. Accordingly, in 1860, in 1873, in 1885, in 1901, and in 1902, we made landings seemingly without a previous request in order to keep the transit open and to safeguard American life and property.

[S. Doc. No. 143, 58th, 2d, pp. 5, 45, 53, 70, 73.]

This course was acquiesced in by the Government of Colombia, and so far as has been observed no protest was ever made at any time against it.

A third question involved our right to direct that the Isthmanian ports should not be bombarded by the Colombian Navy. It seems unnecessary to labor this point; first, in view of the well-established right of a Government thus to protect the lives and property of its citizens resident in unfortified coastal cities of foreign countries, a right repeatedly exercised by the United States against the more unstable governments of the world; and secondly, in view of the like actions taken by us as against Colombia in 1901 and 1902, when also we refused to permit bombardment.

[S. Doc. No. 143, 58th, 2d, p. 203.]

[S. Doc. No. 143, 58th, 2d, p. 231.]

[S. Doc. No. 10, 58th, specl. sess., pp. 16, 21.]

A fourth point involved our right to forbid in times of local revolution the landing of Colombian troops within certain areas adjacent to the railroad or its terminals. But here again we have repeatedly exercised this right of limiting the operations of Colombian troops on the Isthmus, the more conspicuous examples being in 1885 and in 1901.

[S. Doc. No. 143, 58th, 2d, pp. 108, 116, 123, 206.]

The fifth question is whether the United States might, in order to keep the transit open, prevent Government troops from using the railroad for transportation from one point to another. As this point requires a little fuller consideration, attention is called to the fact that according to the treaty the guaranties of the United States were made, first, "in order to secure (to ourselves) tranquil and constant enjoyment of these advantages" which had been given, and second, "as an especial compensation for the said advantages and for the favors (we) acquired by the fourth, fifth, and sixth articles of this treaty"; and in return for these guaranties the United States, so ran the treaty, "guarantees positively and efficaciously the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists."

Thus we had not only a right but a duty; and it is clear that if the United States permitted a violation of the perfect neutrality of the Isthmus—that is to say, if it permitted fighting on the Isthmus, and certainly along the course of the transit route, so that the free transit was either interrupted or embarrassed—this guaranty would be violated and our duty would not be discharged.

It was manifest soon after the making of the treaty that Colombia was unable adequately to protect the transit, and that her efforts to do so instead of facilitating actually impeded and at times stopped transit.

Accordingly the American commanders charged with maintaining open transit on the Isthmus in times of local disturbance early found it necessary to impose restrictions upon the use of the railway and its facilities by Colombian troops. For example, in 1885 Colombian troops were carried from Colon toward Panama, but were compelled, in order to prevent a conflict within the limits of Colon, to detrain at some distance outside of that city. Later in the course of the same revolution the American forces occupied the railroad, the wharves, the passenger stations, and refused to allow the Colombian forces to land within the American lines.

[S. Doc. No. 143, 58th, 2d, p. 116.]

In 1901 Capt. Perry, commanding the American troops at the Isthmus, after reporting that fighting along the railway lines, with consequent endangering of lives and property, immediately followed the effort to carry Colombian troops across the Isthmus, reported further that he was forced to send forward an armed force to stop fighting and to clear the railway lines of both parties. Moreover, in order to preserve the neutrality of the Isthmus and to keep the transit free, open, uninterrupted, and unembarrassed, he refused for four days during these same disturbances to permit the railroad to carry the Colombian Government troops from one place to another. Although the commanding officer of the Colombian troops protested this action, no official record is available showing that the Government itself ever did so. Indeed, it is to be observed that this course was adopted after express notification to the Colombian authorities of the purpose so to do.

[S. Doc. No. 143, 58th, 2d, p. 211.]

The same course was followed in connection with the uprising of 1902. The American commander in September of that year notified the commanding officers of both the regular Colombian forces and the revolutionary forces—

that the United States naval forces are guarding the railway trains and the line of transit across the Isthmus of Panama from sea to sea, and that no persons whatever will be allowed to obstruct, embarrass, or interfere in any manner with the trains or the route of transit. No armed men except forces of the United States will be allowed to come on or use the line.

[S. Doc. No. 10, 58th, specl. sess., p. 46.]

On the following day the Navy Department instructed the American commander as follows:

United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed, United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of the United States and their property. Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you, nor should use of road be permitted which might convert the line of transit into theater of hostility. Transportation of Government troops not in violation of treaty and which will not endanger transit or provoke hostilities may not be objectionable. The department must rely on your judgment to decide such questions, as the conditions may change from day to day. Consult department freely when in doubt.

[S. Doc. No. 10, 58th, specl. sess., p. 45.]

Acting upon these instructions, and as a result of the original announcement which the commander made as above quoted, neither Government nor revolutionary troops were permitted to use the Panama Railway for a period of nearly a month and a half.

So far as the records at my disposal show, the Colombian Government made no protest against our exclusion of their troops from transit privileges on either of these occasions.

In the face of these principles the mutually conceded interpretation of the treaty obligations and rights and of the precedents accepted by all parties as legitimate exercises of the rights and duties of the United States in the premises, it seems idle to labor to establish that our action in 1903, paralleled as it is by repeated actions of the precise kind in former years, was other than legal. Moreover, as reports of the naval officer show, troops were landed in 1903 for the sole purpose of protecting American life and property. Troops were not used to keep open the transit nor to prevent the railroad being used for the transportation of either of the belligerent factions, although it appears from the reports from the officers that both factions desired it. Troops were not used to compel the embarkation of Government troops at Colon nor to prevent other troops landing at any place in the Isthmus.

[S. Doc. No. 53, 58th, 2d, pp. 15, 21.]

The United States simply took the same steps it frequently and uniformly has taken before to see to it that the transit across the Isthmus remained free and open and that the perfect neutrality of the Isthmus—that is, the complete absence of belligerent operations—was "positively and efficaciously" maintained. And in doing so we took no action that had not been theretofore approved or acquiesced in by the Colombian Government.

Thus, up to the point where the independent Republic of Panama was set up, our action had been in strict accord with our international obligations in fact and in spirit, as shown by the repeated acts of both parties.

Thereafter, Panama having declared herself to be an independent State, we were at liberty to deal with it as we would deal with any other people making a like declaration. Accordingly, when the new State applied for recognition the usual investigations showed that the authority of the new Government was not only recognized by all the inhabitants of the Isthmus, but actively and cordially supported by them. It gave promise of fulfilling its international obligations. In all other respects it appeared entitled to recognition. It was immaterial that its independence had not been recognized by the mother Government. The United States was recognized as free and independent by other powers before the mother country gave its recognition. Moreover, the length of time which is permitted to elapse between the establishment of the Republic and its recognition is a matter of no legal consequence or significance.

[Malloy's Treaties, see France and Great Britain.]

Having recognized the Republic we were, of course, entirely free to enter into negotiations with it upon any subject which we chose and which seemed to us important. Accordingly, on November 18 a treaty was concluded with the new Republic which provided for the construction of the Panama Canal. This treaty was submitted to the Senate of the United States on December 7; was approved by that body on February 23, 1904; and ratifications were exchanged on February 24, 1904.

Our attitude toward the new Republic was challenged almost immediately upon our assumption of diplomatic relations with it, and December 8 Gen. Reyes, accredited to this Government on special mission from Colombia, inquired:

what attitude would be assumed by the Government of the United States in the event which may take place of Colombian troops or forces under the Colombian flag making their appearance on the Isthmus, or attempting a landing on that territory, for the defense of the sovereignty and integrity of Colombia, and respecting the railroad line and the terminal points in accordance with the stipulation of the treaty of 1846, which my country is ever ready to observe.

[S. Doc. No. 53, 58th, 2d, p. 31.]

To this Secretary Hay replied under date of December 11, and under instructions from the President made the following declaration:

That the Republic of Panama proclaimed its independence on the 3d of last month; that in consequence of this movement the independence of Panama has been recognized by this Government and by many others; that a treaty has been signed between the United States and Panama, which has been ratified by the latter State and is now waiting ratification by the American Senate; that by the provisions of the said treaty the United States agrees to maintain the independence of the Republic of Panama; that although the treaty has not yet become law by the action of the Senate, there are already inchoate rights and duties created by it which place the responsibility of preserving peace and order on the Isthmus in the hands of the Government of the United States and of Panama, even if such responsibilities were not imposed by the historical events of the last 50 years.

In view of these facts, I am instructed to say to your excellency that the Government of the United States would regard with gravest concern any invasion of the territory of Panama by Colombian troops, for the reason that bloodshed and disorder would inevitably result throughout the whole extent of the Isthmus, and for the broader reason that, in the opinion of the President, the time has come, in the interest of universal commerce and civilization, to close the chapter of sanguinary and ruinous civil war in Panama.

[S. Doc. No. 53, 58th, 2d, pp. 31, 32.]

This may be regarded as the closing incident in the birth of the new State of Panama.

Our entire course from the beginning to the end of the whole transaction squared to our rights and duties and to the governing rules and principles of international law. Within two months and a half practically the whole of Europe, including all of the great powers, together with Japan, China, and four Latin American countries, including Nicaragua and Costa Rica, who were neighbors of Colombia, had recognized the new Republic.

As a matter of law therefore we are and have been under no obligation whatsoever to make amends to Colombia for the action which we took. If through her own acts she deprived herself of something which she would have obtained had her course been different, the resulting loss must as a matter of law lie where it falls.

But for reasons of state and looking to all the circumstances of the case it would appear that the people of the United States ought not to permit the loss to lie where it fell, and that on the contrary we ought to make to the Colombian Government and people some suitable compensation for the self-inflicted loss which they sustained, at least to the extent that we were direct gainers by that loss.

And at this point attention is directed to the fact that by reason of the disparity in strength of the two countries, too apparent to need comment, Colombia has not been able to invoke the principle of self-help to right her wrongs (as she conceives them) and has had available to her only peaceful means. Therefore, to secure an adjustment she has asked us to refer our differences to an international tribunal of arbitration. We on our part have declined, and properly so, so to submit the matter, for the reason that all such requests have upon analysis shown that the difference we were asked to arbitrate was in essence the policy involved in our recognition of Pan-

ama, and as Mr. Secretary Hay so well said in reply to a request for arbitration:

> Questions of foreign policy and of the recognition and nonrecognition of foreign States are of a purely political nature, and do not fall within the domain of judicial decision.
>
> [For. Rel., 1903, p. 306.]

We have thus declined to meet Colombia before an arbitral tribunal, the only forum she has open to her for a meeting on equal terms, and her final resort, from which she has no recourse, no matter what the decision, is to the American people themselves, as represented by the National Executive and by the Senate of the United States. In approaching us Colombia comes as a petitioner to the Nation she feels has gained much that she has lost and asks that Nation to do her justice. We, the beneficiaries of Colombia's mistakes become now the judges of the broad equities involved.

When Colombia presents herself before the bar of the Senate for a hearing and determination of her case that body sits in two capacities. In the one it is a political body, to judge and weigh political facts and considerations which involve and affect the questions of high foreign policy which are involved in this dispute. But it is not intended now to enter into a discussion of the political aspect of this controversy, which for present purposes is the least important aspect.

In its other capacity the Senate sits as a judicial body—as a court not so much of law as of equity, having in its keeping, even as it were a great chancellor of the Nation, the conscience of the sovereign people of the United States; and so sitting it must take as its compelling guide the principle that the sovereign can do no wrong, meaning thereby not that every act which the sovereign does is right, but that the sovereign will see that no one suffers by its act.

It is with the Senate, sitting in this latter capacity, that the following considerations should weigh:

No man can read fairly the record of our course during those literally fateful October days of 1903 and escape the conviction that at any rate we were not ill disposed toward the revolution; that our attitude was what it was because in part we realized the possibility that a successful revolution might be to our advantage in the matter of working out a plan whereby the great canal, as beneficial relatively to Colombia as to any nation on the earth, might be constructed; and that we wasted no time in seizing the real opportunity which the successful revolution presented to us of providing for the building of that canal. And by making these observations there is no intention of even hinting at a suggestion that "the United States took a collusive part in fomenting or inciting the uprising upon the Isthmus of Panama which ultimately resulted in the revolution." The public knowledge of those who were the chief actors in this great drama is convincing that we took no such part, and that charges to that effect having no real basis in fact are calumnious. But in spite of this, is there not here a situation which in equity and good conscience commands consideration at the hands of the Senate, the keepers of our national conscience, bearing in mind that in affairs of state as in dealing between man and man adjustment of differences to be useful and practical must be such as to leave no irritation or ill feeling, even if such an adjustment requires the doing by one of the parties of more than is his legal due.

> [For. Rel., 1906, p. 421.]

With a view to showing that there are in this situation fundamental facts with which the national conscience may be properly and legitimately concerned in considering its obligations ex aequo et bono, it is proposed to show roughly but essentially what the United States actually gained through the successful revolution of Panama and the establishment of a new State. In order to do this, argument will, after briefly summarizing the provisions of the treaty of 1846, list the essential provisions, first, of the Hay-Herran treaty, which Colombia refused to complete, and then the Hay-Bunau Varilla treaty, which we concluded with Panama.

Aside from the mutual guaranty in the treaty of 1846, already sufficiently discussed for my purposes, attention is again invited to certain rights given by the first paragraph of article 35 in any Isthmian means of communication. In the first place, citizens, vessels, and merchandise of the United States were to enjoy in the ports of New Granada, including those of the Isthmus of Panama, "all the exemptions, privileges, and immunities concerning commerce and navigation which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandise."

In the next place, it was stipulated that an "equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory from one sea to the other."

Again, in addition to the guaranties by Colombia that the right of way and transit across the Isthmus should "be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise, of lawful commerce belonging to the citizens of the United States," Colombia also guarantees "that no other tolls or charges shall be levied or collected upon the citizens of the United States, or their said merchandise, thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances levied upon and collected from the Granadian citizens."

Colombia also guaranteed that the lawful produce, manufactures, or merchandise belonging to citizens of the United States and "passing from one sea to the other in either direction for the purpose of exportation to any other foreign country shall not be liable to any import duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation."

And, finally, Colombia guaranteed that citizens of the United States should not "be liable to any duties, tolls, or charges of any kind, to which native citizens are not subjected for thus passing the said Isthmus."

These are the rights of which we stood in possession when we began negotiations for the Hay-Herran treaty, but which were insufficient to enable us to carry out our purposes on the Isthmus with reference to interoceanic communications.

The Hay-Herran treaty was to give us rights requisite for our purposes.

The theory of the Hay-Herran treaty as the instrument finally appeared from the hands of the negotiators was this: Colombia granted to the United States the equivalent of an easement of right of way, and all the rights and privileges which the United States was to enjoy by reason thereof were specifically set forth in the treaty, it being stipulated, however—and this I direct especial attention to—that "the rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised," and further, that "the United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way"; that is to say, the treaty constituted a grant by Colombia of named specific powers and rights, with all residual rights and powers left in Colombia the grantor.

Briefly, the rights so granted to the United States by this treaty were, first, the right "to excavate, construct, maintain, operate, control, and protect" a maritime canal and necessary similar rights for a railroad; the grant of a zone in which we might exercise such a right; a separate grant to construct ports of entrance to the canal; the specific authorization to use and occupy within the zone such part of the coast line and the lands and islands adjacent to the ports as were necessary to erect breakwaters, coaling stations, docks, and so forth, necessary for the construction of the maintenance of the works; special authority for the sanitation of the zone itself; and a specification of the things which we might do to the Chagres River and other water bodies, not alone when lying without the zone within certain definite limits, but actually within the zone as well.

The zone granted was only a little over 6 miles wide, and the islands in the Bay of Panama were excluded from the zone. Among the most defective provisions was that which stipulated—and squarely in the face of the provisions which gave us the right to "protect" the canal or the railroad—that any employment of armed forces for the protection of the canal must be furnished by the Republic of Colombia, which agreed "to provide the forces necessary for such purposes," according to the circumstances of the case, but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose; and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of

the Government of Colombia; "but the United States must give immediate advice of the measures adopted for the purpose stated; and as soon as sufficient Colombian forces shall arrive to attend to the indicated purposes, those of the United States shall retire." [See art. 23.]

It is unnecessary to point out that we could not in practice have complied with these particular provisions, or that they made impossible any permanent system of fortifications by which alone an effective defense of the canal would be possible.

Moreover, both civil and criminal jurisdiction in the zone was to be divided roughly in the way in which jurisdiction is divided in extra-territorial countries, but with the addition of a joint tribunal which should take cognizance of certain classes of acts specified. The United States, it is true, was given some measure of police control, but it was illy defined and does not appear to have been exclusive. Authority to establish tolls was specifically given, limited by the provisions of the Hay-Pauncefote treaty. Finally a time limit was set within which it was necessary that work should be begun on the canal, as also within which the work must be completed.

In compensation for these privileges and for the relinquishment of the rights which Colombia had in the existing Isthmian railroad and canal concessions, Colombia was to be given $10,000,000 in gold coin of the United States and an annual payment of $250,000 per year beginning nine years after the date of the convention during the life of the convention.

These are, for present purposes, the essential rights and privileges for which in 1903 we were negotiating in place of those which we possessed under the treaty of 1846 and which Colombia refused to give us by refusing to complete the treaty containing them, which refusal resulted, as I have pointed out, in the cession of Panama with all the results following therefrom.

Under this treaty, as already stated, the United States, whenever it wished to do anything, even as to the zone itself, must find the specific authority therefor in the treaty, and the specific authority failing, the right to do the thing contemplated failed. All the residuum of rights and powers was left in the Colombian Government.

Viewing the Hay-Herran treaty thus in retrospect, and looking particularly at this inherent and fatal defect of its fundamental theory, it seems perfectly clear that it never provided a workable scheme, and that attempts to proceed under it would have ended either in failure or in embroiling us in such continual difficulties with Colombia as must ultimately and inevitably have led to situations far more serious for us than exist to-day.

The treaty which we negotiated with Panama is based upon a theory fundamentally different from that underlying the Hay-Herran treaty. In the Panama treaty the United States is granted over the zone and over all the auxiliary lands and waters mentioned and described the full right of sovereignty, Panama retaining only a reversionary sovereign right in case the United States should abandon the enterprise. The United States may therefore govern the zone and deal with and in it, so far as the building, operation, maintenance, and protection of the canal is concerned, as if it were the sovereign thereof, save only in those things which are specifically denied to the United States in the treaty. All the residuum of power rests in the United States; the treaty is consulted not to determine what the United States may do in the zone or with reference thereto, but to determine what the United States may not do. The United States may do anything it is not forbidden to do. The reserved rights, not the granted rights, are specified.

The vital importance of the advantages possessed under this form of treaty need no elaboration or statement.

But this was not the only advantage we obtained. The width of the zone was extended from 6 miles to 10 miles; the islands in Panama Bay, which were specifically excluded from the zone in the Hay-Herran treaty, were by express words granted to the United States under the general grant. Moreover, there naturally flows from the nature of the grant an exclusive executive, judicial, and legislative power over all persons and things in the zone, in place of the divided powers under the Hay-Herran treaty. Further, the United States possessing the sovereign powers which it possesses is entitled to fortify the canal. Indeed, the right to fortify it—a right which the light of current history shows clearly indispensable to an effective use of the canal in war time—is expressly given. [See art. 23.]

Or, to put it another way, this entire treaty is and has proved to be a workable plan, whereas the other in every human probability would have proved unworkable and would have served merely and only as a caustic irritant of the relations between Colombia and the United States.

In exchange for these concessions and grants by Panama, we offered two matters of compensation. In the first place, we guaranteed and promised to maintain the independence of the Republic of Panama, a guarantee which is probably the vital essence of Panaman existence, and therefore to Panama inestimable. It has thus far cost us nothing, but, like all guarantees, we may be asked to make it good; and if so, none can now hazard a guess at the cost. It may be noted in passing that this guarantee to Panama is a derogation of the rights which we recognized in Colombia under the treaty of 1846.

In the second place, we agreed to give Panama $10,000,000 in cash and $250,000 annually beginning nine years after the date of the convention, so long as the convention shall be in force.

This, it will be observed, is the precise compensation which we originally offered to Colombia for the fatally defective rights and privileges which Colombia proposed to grant to us in the unworkable Hay-Herran treaty.

Recalling our relationship to the revolutionary situation in Panama in 1903, and recalling our acts and attitude toward the setting up of the new Republic and our denial to Colombia of the opportunity to attempt to reassert by force of arms her sovereignty over the Isthmus, the Senate must decide whether or not the advantages which we thus obtained are of a character to require from us ex aequo et bono some payment by way of compensation for the loss suffered by Colombia, albeit through her own act, and if so, what the amount of this compensation should be.

From the time the original Panama ship canal treaty was before the Senate for advice and consent to its ratification until the present time, those who were primarily responsible for the course of the United States at the time this difficulty arose have always felt and declared that Colombia should be compensated for what we gained as the result of Colombia's loss of Panama, and they have systematically, and more or less continuously, sought to reach an agreement with Colombia regarding the kind and the amount of the compensation to be made. The basis upon which they have proceeded will appear from the correspondence and unperfected adjustments to which I shall next invite your attention:

On December 23, 1903, Gen. Reyes, on a special mission from Colombia to the United States, submitted a "statement of grievances" setting forth Colombia's attitude toward the events which had just transpired. To this Secretary Hay made reply on January 5, and, after discussing in some detail the various points made in the "statement of grievances," he concluded his note with the following paragraphs:

> Under all the circumstances the department is unable to regard the complaints of Colombia against this Government, set forth in the "statement of grievances," as having any valid foundation. The responsibility lies at Colombia's own door rather than at that of the United States. This Government, however, recognizes the fact that Colombia has, as she affirms, suffered an appreciable loss. This Government has no desire to increase or accentuate her misfortunes, but is willing to do all that lies in its power to ameliorate her lot.

In 1906 discussions were renewed which merged into negotiations for some treaty adjustment, and these in turn culminated in the signing between the United States, Panama, and Colombia of the tripartite treaties of January 9, 1909, initiated by the Government of Colombia itself. It would be beside the mark to show, even were the necessary records available, the details of this negotiation, further than to say that in the course thereof one Colombian minister was recalled and another substituted supposedly more in harmony with his Government's policies. On the part of the United States all of this negotiation was conducted under the direction of President Roosevelt.

The provisions of those treaties, in so far as they are pertinent to our present discussions, were as follows:

The provisions of the Panama Ship Canal treaty were amended so that the annuity of $250,000 due thereunder became payable at the end of four years from the signing of that treaty instead of nine years. Panama then assigned to Colombia the first 10 annual installments falling due under the treaty as amended and the United States undertook to make the payment of such installments to Colombia. This obviously provided for the payment to Colombia of $2,500,000 in cash.

Moreover, the Republic of Panama recognized that it had no title of ownership of any sort to the 50,000 shares of the capital stock of the New Panama Canal Co. standing in the name of the Republic of Colombia on the books of said company at Paris, and the Republic of Panama confirmed the abandonment of all right and title which with respect to said shares it made in the courts of justice of France.

There is reason to believe that the above payment and this relinquishment were made in lieu of the assumption by Panama

of its share of the "mutual pecuniary liabilities" referred to by Mr. Hay in January, 1903, and to carry out this idea Colombia and Panama, respectively, released and discharged the other from all pecuniary claims and obligations of any nature whatever, including the external and internal debt of the Republic of Colombia, which either had against the other on the 3d of November, 1903.

Colombia and Panama agreed as to the boundary line from Cape Tiburon, on the Atlantic, to the Heights of Aspave, and agreed to submit to arbitration the boundary from the latter point to the Pacific. This provides for the adjustment of boundary likewise suggested by Mr. Hay.

Aside from temporary provisions granting to Colombia exceptional and preferential rights over the railroad and in the Canal Zone during the period of the construction of the canal—which, because of the fact that the canal is now completed, need not be here referred to—the United States agreed with Colombia to grant to Colombia the following exceptional rights in the canal, the railroad, and the zone.

Colombia was to have the right at all times to convey through the canal—

> The troops, materials for war, and ships of war of the Republic of Colombia without paying any duty to the United States, even in the case of an international war between Colombia and another country—

Save, however, that the preferential treatment should not apply in case of war between Colombia and Panama.

It was also and further provided that—

> The prodacts of the soil and industry of the Republic of Colombia, such as provisions, cattle, etc., shall be admitted to entry in the Canal Zone subject to such duty as will be payable on similar products of the United States of America under similar conditions; so far as the United States of America has any right or authority to fix the conditions of such importations.

Another article of the treaty with the United States stipulated that—

> Colombia mails shall have free passage through the Canal Zone and through the post office of Ancon and Cristobal in the Canal Zone, paying only such duties or charges as are paid by the mails of the United States.

Colombia on its part granted a right of refuge for vessels employed in the canal enterprise or passing, or bound to pass through the canal with an exemption from anchorage or tonnage dues; and further renounced—

> All rights and interests in connection with any contract or concession made between it and any corporation or person relating to the construction or operation of a canal or railroad across the Isthmus of Panama.

These provisions went beyond the suggestions made by Mr. Hay, but they had the approval of Mr. Roosevelt, then President, who has said to the Committee on Foreign Relations that—

> Every act of this Government in connection with these negotiations and with other proceedings for taking possession of the Canal Zone, and beginning the building of the canal, was taken by my express direction, or else in carrying out the course of conduct I, as President, had laid down. I had full knowledge of everything of any importance that was done in regard thereto by any agent of the Government, and I am solely responsible for what was done.

These treaties failed to take effect because Colombia, again repudiating the action of her representatives and executive in negotiating them, refused to ratify them.

Thereafter, after several feints at reopening negotiations, the Secretary of State under Mr. Taft instructed, under date of December 6, 1912, the American minister at Bogota, Mr. Du Bois, informally to sound out the Colombian Government as to the possibility of reaching an adjustment of the differences existing between the two countries. The results of that attempt are set forth in a letter dated February 20, 1913, from the Secretary to President Taft, who on March 1 transmitted it to Congress.

Does the treaty now before the Senate for approval square with our previous action with respect to this matter?

A mere glance at the treaty shows that it does.

The treaty contains in principle nothing whatsoever which has not heretofore been proposed to Colombia in the various attempts which have been made to adjust our differences.

It adjusts the boundaries between Colombia and Panama.

It undertakes to use our good offices to secure the reestablishment of diplomatic relations between Colombia and Panama.

It undertakes to use our good offices in the adjustment of questions of pecuniary liability as between Colombia and Panama.

It grants to Colombia exceptional treatment and advantages in the use of the Panama Railway and Canal.

It grants to Colombia exceptional privileges in the matter of certain importations.

It provides for the payment to Colombia of a sum of money.

On this latter point it is to be observed that the mere amount of money to be paid, so long as the sum is not really exorbitant, would seem to be of minor interest and importance.

As I have shown under the treaty of 1846 the duty of the United States was to be passive toward domestic revolutions in Panama and active in the maintenance of free transit across the Isthmus. But if in exercising the power conferred on the United States by Colombia to keep transit open and exercising it "in the protection of our own right" and for the benefit of a world enterprise for which it is claimed we were trustee, serious damage resulted to Colombia, the grantor of the power, and corresponding benefits accrued to us, the grantee, we are, in my judgment, morally bound to compensate Colombia, not for what she lost but for what we gained.

What we gained is the differences between the proposed Hay-Herran treaty with Colombia and the Hay-Bunau Varilla treaty with Panama, which I have heretofore summarized.

The value of these differences to us is the measure of our moral liability. We gained, primarily, sovereignty and jurisdiction over a 10-mile zone in a friendly and dependent country as against a qualified right to occupy a 6-mile zone in an arrogant, if not unfriendly, country.

The fact is under the Hay-Bunau Varilla treaty we practically took Panama. We did not take it from Colombia; we took it with their consent from the Panamans, and this is the only sense in which the statement that we took Panama is true.

It has been frequently asked what we are getting under this treaty. That is not the point; it is what we have already received that makes the treaty conscionable and just.

We are dealing in this matter with no ordinary international situation. The case in hand has no parallel in history. The pioneer whose eye first visioned at a glance that the hand that gave the seas and formed the land left it possible to divide the hemisphere that halted western progress, even as Moses had divided the Red Sea that the children of Israel might pass, made a discovery that he bequeathed to civilization.

The imagination of the early navigators grasped the possibility of its realization, but their hands were unskilled for its accomplishment.

Perhaps the most tragic of all the strange national and personal disappointments connected with the great idea is that coincident with Spain's loss of the last vestige of her sovereignty in the New World the final act of the realization of the dreams of her great navigators began.

After many vicissitudes and failures the completion of this stupendous work devolved upon the people of the United States, who are thus thrown into relations with the countries of the isthmian region which, with our geographical propinquity, make a broader understanding and a more sympathetic reciprocal interest between us an essential basis for the realization of the splendid possibilities which seem to have been decreed from the beginning of time.

Let the curtain fall on no just resentments. Let our generous justice indicate our entire fitness to have received from the ages the mandate to have done for man the greatest work of all time.

Mr. REED. Mr. President, before the Senator takes his seat, I would like to get his opinion in regard to one matter connected with the treaty. He has spoken of the sovereignty which we acquire over the canal strip. The first article of the treaty as it now stands, formerly the second article, recites that—

> The Republic of Colombia shall enjoy the following rights in respect to the interoceanic canal and the Panama Railway, the title to which is now vested entirely and absolutely in the United States of America without any encumbrances or indemnities whatever.

Should not the word "sovereignty" be added either before or after the word "title"?

Mr. KNOX. If it were a matter between the United States and Panama, I would say yes; but I do not see what Colombia has to do with the question of sovereignty over the canal.

Mr. REED. Have we any treaty with Panama by which we have been given the sovereignty?

Mr. KNOX. Oh, yes.

Mr. REED. In express terms?

Mr. KNOX. The Hay-Bunau Varilla treaty gives us all the essentials of sovereignty. The entire sovereignty is ceded over the strip, and when you come to analyze what sovereignty is, and read that treaty, and see what we get, I think you will have no difficulty in making up your mind that we have sovereignty for all practical purposes.

Mr. REED. I remember that in that treaty the word is not used. While there are many very broad rights granted, it seems to me that the word ought to be used for the sake of avoiding future disputes. I was in hopes that it might be asserted in

this instrument; but I simply wanted to get the Senator's opinion, and I have that, and I thank him.

Mr. KNOX. The Senator from Missouri sees the legal difficulty I suggested. Panama not being a party to this pact, I do not see how her sovereignty could be affected by stipulations between Colombia and the United States.

Mr. REED. Except that it might be hereafter claimed that in drawing this instrument we had not asserted sovereignty, but had contented ourselves with simply reciting that we had the title to this property. In view of the fact that there is no absolute assertion of sovereignty in the Panama Canal treaty, it seems to me only the part of wisdom to insert the word here. It would at least be an assertion in this instrument by the United States that it did possess sovereignty over the Canal Zone.

I do not desire to argue it. I wanted to get the Senator's opinion. It has seemed to me very unfortunate, when we are dealing with Panama or with Colombia, that the United States has not used the one word which expresses clearly the complete control by the United States. I shall not discuss it, however.

Mr. BORAH. Mr. President, Panama claims she still holds the sovereignty.

Mr. REED. I will add that I can not understand, in dealings between men, and especially in dealings between nations, why there should be any hesitancy in saying directly and positively the thing you mean. We have had enough experience with treaties, we have been having enough experience in regard to our treaties with Colombia, to teach us that we can not be too specific.

I would like to see this treaty employ the term "sovereignty." It has always seemed to me ridiculous, under the circumstances, that in dealing with such a country as Panama, which was our creature, which not only could not have been born without our assistance but could not live an hour except that we act as wet nurse for it, we should not have plainly written into our treaty the statement that the United States has forever complete sovereignty over the Canal Zone. I think we ought to have covered the islands adjacent to the termini of the canal, because I understand they are now in dispute.

Mr. CUMMINS. Mr. President, will the Senator from Pennsylvania permit me to ask him a question?

Mr. KNOX. Certainly.

Mr. CUMMINS. As I understand the position of the Senator from Pennsylvania, it is that Colombia has a moral claim against the United States, not for what Colombia has lost but for what the United States has gained. Does the Senator mean for what the United States has gained by the construction of the canal or does he mean what the United States has gained in comparing the terms of the treaty proposed with Colombia and the treaty actually consummated with Panama?

Mr. KNOX. I think I would prefer to state my proposition just the other way, not that Colombia has a moral claim against the United States for what she has lost but that the United States is under moral obligation to Colombia for what she has lost. In saying what she has lost I tried to make it perfectly plain that the measure of our obligation was the difference in value to us of a charter, as it were, and the foundation upon which the canal was built. In other words, I shall attempt to illustrate what I mean by a little incident that occurred in my life not many years ago.

I was coming from the Pacific coast with a very distinguished gentleman, a man well known in this country, a man of great wealth, who asked me to stop at one of the midway cities; he had a little business he wanted to attend to and wanted me to look after it. When we arrived there I discovered that the business was this: About 20 years before he had purchased from a gentleman who had adjacent property several hundred acres of coal land which afterwards turned out to be immensely valuable, worth twenty times what he had paid for it. He had heard that the widow of the gentleman who had sold him the coal land at a mere nominal price was residing in the city and that she was in distress. He looked up the status and found there was a $20,000 mortgage on her house, which he paid, not because he owed her a cent, but because he had made so much out of what the husband had sold him. I think that is a pretty respectable attitude for individuals and for nations to take toward each other. We received through the Hay-Bunau Varilla treaty all the great benefits that have made the Panama Canal a workable scheme, which we would not have had if it had not been for the revolution of which we took advantage.

Mr. CUMMINS. I wished to understand thoroughly the Senator from Pennsylvania. I know now what is the limitation that he places upon our moral liability, and I only wish to suggest that his reasoning seems to lead to the conclusion that the United States ought to pay Colombia a sum commensurate with all the advantages which the people of the United States enjoy by reason of the existence of the canal.

Mr. KNOX. I do not think the Senator can work that out of the language I used.

Mr. BORAH. Mr. President, whether we agree with the conclusions of the able Senator from Pennsylvania [Mr. KNOX] or not, we must all agree that he has presented his view of the matter with extraordinary power. If there can be any ground upon which to base the treaty, it has been stated by the Senator from Pennsylvania, to wit, a gracious gift for the injury Colombia inflicted upon herself! I observe, however, that there is a wide difference of opinion among the advocates of the treaty upon this side of the Chamber as to why it should be ratified. There is, I think, almost complete unanimity of opinion upon the opposite side of the Chamber as to why it should be ratified.

The Senator from Massachusetts [Mr. LODGE] stated day before yesterday that he felt that we should assuage the wounded feelings of Colombia; to state it another way, that we were really purchasing the friendship of Colombia. I can understand readily how we could compensate a country for injury done or a wrong inflicted or for property taken or for a material disadvantage suffered, but it is very difficult for me to understand how we can go into the market and purchase the friendship of a nation. In the first place to any self-respecting nation it would be an insult to offer to do so. Colombia, as we all know, has always assumed to treat any such suggestion as an insult. Colombia claims that she was greatly injured by reason of our aiding and abetting one of her States to secede from the Colombian union, and it is upon that ground that she rests her claim, and upon no other. If anyone desires to know whether Colombia will accept the construction placed upon the proposed treaty by either the Senator from Pennsylvania or the Senator from Massachusetts, let him write into the treaty even a suggestion that this treaty is to purchase Colombia's good will, or compensate her for her own folly.

That has in effect been attempted with Colombia, and Colombia has universally rejected it, disclosing thereby much greater self-respect than we disclosed upon our part in offering it.

On the other hand, differing with the Senator from Massachusetts, the Senator from Pennsylvania says that we are compensating Colombia for her self-inflicted injury to the extent at least which we have advantaged by reason of such self-inflicted injury. I shall discuss a little later in the debate the question of how much we have advantaged by her self-inflicted injury, but permit me to say now that that is not the basis upon which the treaty was negotiated, it is not the basis upon which it is accepted, and it is not the construction which the world at large will place upon it.

For 17 years this controversy has been going on. It was initiated in the claim upon the part of Colombia that the United States Government had violated international law, that its President usurping power had oppressed a helpless people or a weaker people, and that we had aided and abetted in the tearing asunder of the Colombian Republic. The discussion has gone on around that proposition from that time until the opening of this session. Never prior to the opening of this session has the controversy changed so far as the debates disclose. That, in my opinion, is the one thing concerning which we are treating in this treaty according to the terms of the treaty itself and according to the understanding of the parties. So the great fundamental underlying proposition in this controversy which we must first settle before we can get our proper direction as to our duty is whether we did a wrong to Colombia in 1903.

It is true the Senator from Pennsylvania says that we did not, but the able Senator from Ohio [Mr. POMERENE] in a very accomplished speech demonstrated to his satisfaction, and perhaps to many, that that is the sole basis of the treaty, and for that reason we should make it. We are forced therefore to come back to the fundamentals of the proposition or what we did to Colombia in 1903.

There is a great deal of feeling, of course, associated with the consideration of the treaty upon the part of many people by reason of the two distinguished Americans who took part in the affair, so called, of 1903, to wit, Col. Roosevelt and John Hay. In that feeling I share to a very great extent. But there is a broader, a deeper question, and that is the charge made against this Government and against this Nation of wrongdoing, which is much more important than the individual acts of any particular representative who represented the Government at that time. Some other time at a later date in the discussion it may be permissible to discuss the question of the acts of those two individuals, but this afternoon I am primarily concerned in the attitude in which this treaty will leave before the world the

Nation itself. How is it possible to escape the condemnation which has been placed upon us by Colombia and by all the advocates of the treaty prior to this time if we ratify the treaty, thereby in my judgment confessing the charges.

It is said, of course, that we can afford to be generous, and so we can, Mr. President, always afford to be generous. In all misunderstandings between this country and other countries we can afford to assume an attitude of compromise except when the attitude of compromise involves a confession of wrongdoing or of degradation upon the part of the country, of which we are not guilty. No concession is admissible, so far as I am concerned, which involves a confession of wrongdoing upon the part of the Government unless the facts support the charge of wrongdoing. I would not exercise my generosity to the loss of my self-respect or to the compromise of my Nation's honor before the people of the world. More important than the respect of Colombia or the friendship of Colombia is the regard in which the nations of the world will hold us as a nation if we confess before the world by ratifying this treaty that we were guilty of a violation of international law and of lawlessness toward a weaker nation. So we come back again to the underlying proposition whether or not this Government was guilty of wrongdoing in 1903.

Mr. President, I am not going to undertake, of course, to recount the entire history of the relationship between Colombia and Panama from 1821 to 1903. It is too long, too unhappy, and, in many respects, irrelevant. But there are a few salient features of the relationship of those two countries which we must necessarily go back into history to develop; and, with the exercise of your patience, I am going to undertake to do that for a few moments.

I am going to undertake to show, in the first place, that Panama never had any relationship with Colombia after 1861 which entitled Colombia to land a single soldier within the boundary lines of Panama for any purpose other than to keep open transit; that by reason of the relationship which had been established at that time, so far as Panama was concerned, Colombia had no more right to land soldiers in Panama for any other purpose than Germany had to land soldiers in Belgium; and that when she undertook to land soldiers there in 1903 she did so as a mere act or exertion of brute force and in violation of the understanding or arrangements which she had had with Panama as far back as 1861.

Secondly, while that would not justify us in improperly interfering, I am going to undertake to show that we did not in any respect aid Panama in achieving that which she was entitled to have, the independence which she enjoyed until it was taken away by brute force.

Panama declared her independence of Spain in 1821. The declaration of independence was promulgated about the time that most of the Spanish-American countries were seceding or separating themselves by revolutionary force from Spain. After Panama had declared her independence of Spain the question immediately arose as to whether she should undertake to go alone or, in view of the exigency which then existed, should associate herself with some other power. At about this time Gen. Bolivar came upon the scene in South America, and it was through his great influence and the compelling power of his great character that a number of these seceding States were drawn together. Panama finally concluded to associate herself with Colombia. It was a very loose association, something like the Colonies under the confederacy. But even in 1821, under the exigency which then existed, the majority of the people of Panama were opposed to associating Panama with Colombia. That sentiment remained among the people of Panama to the extent of the majority of the people from that time until the independence of Panama was finally acquired.

One of the reasons why Panama was opposed to joining with Colombia was because lying between inhabited Colombia and Panama was a vast region of country uninhabitable and untraversable, and therefore it was believed Panama was associating herself with a power which was far removed from her people and which she believed would not be able to govern her in sympathy with the people of Panama. In other words, the people of Panama felt that in a great measure they were subjecting themselves to the jurisdiction of an entirely foreign power. That sentiment remained among them, and nine years after Panama associated herself with Colombia the first revolution or effort at separation took place. It was led by Gen. Espinar, one of the veterans of the struggle for independence. But Panama was again brought back into association with Colombia, not as a result of war or the result of conflict but as the result of counsel and advice and, if I remember correctly, Gen. Bolivar, who was then near his death, took part in these negotiations.

In 1840 Panama again asserted her independence and acquired her complete independence, and remained an independent State for nearly two years. When she reassociated herself with Colombia she did not become in any sense in which we use the term a part of the Colombian Government or a member of the Colombian union. She was bound to Colombia by ties more loose than the ties which bound our Colonies together under the old confederation. In fact, she dealt with Colombia not through her representatives as members of a union, but she dealt with Colombia through her diplomats, through the channels of diplomatic negotiation. However, in 1842, or some two years after the separation, the two countries again assumed a closer relationship, with the distinct understanding and agreement that Colombia should at all times recognize the complete sovereignty and self-governing power of the Panamans with reference to all their affairs; that the Government of Colombia should decentralize, as it were, their Government and should organize a truly federal government, recognizing even to a larger extent than we do the self-governing powers of the respective States.

This condition of affairs continued, with a great deal of dissatisfaction upon the part of Panama by reason of the fact that Colombia did not carry out her agreement, until 1851. In 1851 Colombia inserted in her constitution a provision that any member of her confederacy should have the right to withdraw at any time that particular member desired. That was a part of the fundamental law of Colombia, growing out of this condition of affairs, to wit, that she was unable to exercise and maintain her control or government over those dissatisfied colonies. In 1851, I repeat, Colombia put in her constitution the provision to which I have alluded, and in 1857 Panama and other members of the Colombian union availed themselves of the provision and set up independent governments.

In 1861 Panama declared as a fundamental law these two provisions, which Panama herself has never, so far as I can ascertain, changed:

> First. That there shall not be in the State of Panama other public employees, with jurisdiction and command, than those created by the laws of the State [of Panama].

That was to exclude all authority, all exercise of power, all sovereignty of any kind upon the part of the supposed agents of Colombia, or of Colombia, and whatever relationship existed between Panama and Colombia after 1861 existed by reason of Colombia designating some particular officer of Panama to discharge some duty in which the two States had a common interest. After 1861 Panama refused to permit any Colombian authority to be represented in the State of Panama other than the authority which had been created by the people and laws of the State of Panama.

> Second. The Government of the United States—

That is, the United States of New Granada or Colombia—

> shall not be allowed the military occupation of any portion of this State without the express consent of the governor of the latter, so long as the State maintains the necessary force to insure the transit from one sea to the other.

That provision of law, so far as Panama was concerned, remained unchanged. As a confirmation of this I call your attention to a work written by a Colombian, which will be found in our public libraries, in which he makes this statement:

> In 1873 there occurred a matter creating great alarm for the Republic (of Colombia). There was a conflict in the city of Panama, and the Government of that State requested that the troops from a North American ship of war should be disembarked. Such disembarkation was effected, and on the city hall, or municipal buildings, of that settlement was seen flying the flag of the United States of America, and the soldiers of the same country with arms on their shoulders gave that protection and security which legally could not be extended by the General Government to Colombia.

It was recognized that after 1861 Colombia could not legally land troops in Panama or exercise military authority in Panama. I have been unable to find any exceptions to that. The Panamanians have claimed at all times that that rule remained unchanged.

In 1876 what was known as the Wyse concession concerning the Panama Canal was granted, and the politicians of Bogota looked upon Panama in a different light to what they had before. So in 1880 Gen. Nuñez declared a dictatorship over Colombia, and by proclamation suspended or annulled all laws. There was no law in Colombia other than his will and discretion. He established at this time a military government over Panama, resting entirely upon military authority or martial law, suspended all her powers of self-government, took away from her citizens their civil rights and where they contested them arrested them without warrant, incarcerated them, tried them by drumhead court-martial, and shot them. A reign of brutality and exploitation began which had its end November 3, 1903.

From 1880 until 1903 Panama was governed by Colombia, in so far as she was governed at all, under a dictatorship, by the uncontrolled, uncircumscribed will and discretion and power of ruthless despots, and in violation of the fundamental laws of Panama and in violation of the understanding and agreement which had existed between those countries since 1861.

It is not necessary to recount in full the sufferings and the hardships of the people of Panama from 1880 to 1903, and yet I think they have a bearing here. If we are going to settle this question on the question of equities, of what Colombia lost, let us see just what she lost—a territory which she was never able to govern by herself and which she never undertook to govern from 1880 except by military force.

Our minister at Bogota in 1886 says:

No generous mind can contemplate the disasters which have befallen this people or meditate on the ills that may flow from their reckless experiment of violent political change without feeling a deep sorrow for the pains endured by a weak and long-suffering race, who mourn the destruction of their chartered rights as the loss of a cherished freedom that must be recovered at the cost of every peril.

In 1886 the consul at Panama said:

The people of the Isthmus are ground down by excessive taxation, and they fear to acquire property lest they shall not only be robbed by the taxgatherers but also imprisoned to cloak the robbery under a false charge. At the present time the revenue derived from the cities of Panama and Colon and intermediary villages is at the rate of $1,000,000 a year. Not one-tenth of this revenue is spent for the benefit of the people. It is used to keep the forces to keep them in subjection.

Again, in December, 1886, the same consul wrote as follows:

Three-fourths of the people of this Isthmus desire separation and the independence of the extinguished State of Panama. They feel but little more affection for the governor of Panama than the Poles did 40 years ago for their masters at St. Petersburg. They would revolt if they could get arms and if they felt that the United States would not interfere.

From an article appearing in December, 1903, in a paper published in Bogota, I read as follows:

We have converted the lords and masters of that territory into pariahs of their native soils. We have cut off their rights and suppressed all their liberties unexpectedly. We have robbed them of the most precious faculty of a free people—that of electing their mandataries, their legislators, their judges. We have restricted for them the right of suffrage; we have falsified the count of votes; we have made prevalent over the popular will the will of a mercenary soldiery and that of a series of employees entirely strange to the interests of the department; we have taken away from them the right of lawmaking. In the face of the world we have punished with imprisonment, with expulsion, with fines, and whippings the writers for the innocent expression of their thought. Since December, 1884, to October, 1903, the presidents, governors, secretaries, prefects, mayors, chiefs of police, military chiefs, officials, and soldiers, inspectors of police, the police itself, captains and surgeons of harbors, magistrates, judges of all descriptions, state attorneys—everybody came from the high plains of the Andes and from other parts of the Republic to impose on the Isthmus the will, the law, or the whims of the more powerful; to sell justice or speculate with the treasury.

Senator Morgan, speaking in this Chamber in 1902, said:

The people of Panama can never forget that their State, once sovereign and independent, was the first State of this hemisphere, after the United States of North America, that achieved their independence and sovereignty. Neither can they forget that the church party has stripped that badge of honor and power from their national flag and has reduced Panama to a department of Colombia, ruled by a governor appointed at Bogota. * * * Our people will never aid Colombia in the infliction of wrong and injustice upon the people of Panama at the will and pleasure of that Government. * * * They will never extinguish or prevent the rekindling of the light of liberty, independence, and sovereignty in that once brilliant star that has been stricken from the galaxy of American Republics by the fratricidal hand of Colombia.

Permit me to give you an illustration of the way in which Colombia raised taxes in Panama during the military régime. We are hastening here to make a treaty with Colombia and we draw back from recognizing in any way the soviet government in Russia; yet I challenge any man upon either side of this Chamber to show me a practice of lawlessness and despotism in Russia during the last two years that can not be reduplicated in Panama over and over again from 1880 to 1903. There was no kind of punishment or persecution which was not inflicted upon these people by the military power exercised upon them from Bogota. Here is the method of collecting taxes as gathered from one of their decrees:

By decree issued by the dictator they would send out a gentleman with a list to the different people in the different towns and villages, which list stated the amount of property which they had, as understood by the Government, and called upon them to pay $1,000, $5,000, or $10,000, 15 per cent of which was to go to the gentleman who should collect it. If there was any hesitation about paying, the property was to be confiscated and the owner put in prison.

That is what Colombia lost in 1903. That is the condition of affairs which is to set in motion this generosity of ours at the expense of the American taxpayer.

One other thing before I come to the revolution of 1903.

Panama began a struggle for her independence again, or rather for her release from the military authority at Bogota, in 1898, and that contest was continued for three long years incessantly.

From 1898 to the latter part of 1902 Panama carried on a war for her independence against the State of Colombia, and do not permit this fact to pass unnoted, my friends, that to all practical purposes she had won her independence in 1902. She had reduced Colombia to such a condition that Colombia was conscripting her boys 9 to 15 years of age to send to Panama to fight her into subjection, and the revolution of 1903 was in reality but a continuation of the revolutionary fight which had gone on from 1898 until the latter part of 1902, and was then only composed by the interposition of the United States. Had the United States not interposed at the request of Colombia in 1902, instead of the revolution being a success in 1903 it would in all probability have been a success in 1902. I will show you in a few moments that Colombia confessed to the United States that she was wholly unable to reduce Panama to subjection, and asked the United States to interpose and compose the difficulties between the two countries.

Now, Mr. President, let us take up for a moment the revolution of 1903. Before I do that I want to call your attention to the Hay-Herran treaty and its rejection, because the rejection of this treaty was the event which started up again the revolution in Panama.

The Panamanians had notified Colombia many times that the only reconciliation which could possibly come about between the two countries would be by reason of Colombia ratifying the treaty and building this canal. As early as 1901 Colombia began negotiations, herself initiating them, with the United States, urging the abandonment of the Nicaragua route, the taking up of the Panama route, and the concluding of a treaty with the United States. This was at the instigation of Colombia. At that time, as you know, this country was almost entirely committed to the Nicaragua route. Had the Nicaragua canal been built instead of the Panama Canal, you can see what Colombia would have lost. So she was very active, and her friends were very active, in securing and directing the attention of the United States toward the Panama route, and these activities began as early as 1901.

Mr. Conchu came to the United States as a representative of Colombia in the latter part of 1901 to initiate these negotiations, and on April 22, 1902, a formal treaty or protocol was entered into between the United States and Colombia granting a right of way for the building of the canal, and the amount which was set in this protocol at Colombia's own suggestion was $7,000,000.

On June 28, 1902, after the protocol had been signed, the Spooner law was passed, which not wholly but practically committed us to the Panama route. At least it advised the President, if certain understandings and agreements could be had, he was to go ahead with the building of the canal over the Panama route. So on the 28th of June the Spooner law was passed, and in September of the same year Colombia requested the United States to assist in composing the difficulties to which I have referred between Colombia and Panama, and she stated in her communication that until those difficulties were composed—in other words, until Panama was reduced to subjection—she could not proceed to carry out her obligation, and it was through the interposition of the United States that the difficulties in 1902 were adjusted, awaiting action of Colombia on the treaty.

After these disturbances were composed, and after the passage of the Spooner law, Colombia immediately rejected the protocol and notified the United States she wanted, instead of seven million, ten million dollars and two hundred and fifty thousand annually. So they again took up negotiations, and after a great deal of discussion and much objection, because Mr. Hay thought it was exorbitant, they agreed to the Hay-Herran treaty, to pay $10,000,000 for the right of way and $250,000 a year.

On January 22 the Hay-Herran treaty was signed by the representatives of the different Governments, and on March 17, 1903, the Senate ratified it. At this particular time Marroquin was President of Colombia, or, rather, the dictator of Colombia. He had not called the congress in session for five years. The only law of Colombia was his will. It was through his acts that the treaties were negotiated. It was at his instigation that they were consummated, so far as the executives were concerned, and he was as complete a dictator of Colombia as any man who ever exercised authority over any South American country. He had been elected vice president. He had arrested and put in prison the President, and the President conveniently died while he was in prison, which left Marroquin the sole dictator of the Colombian Government.

On June 20, 1903, he called the first Colombian Congress which had been convened in five years, for the purpose of considering this treaty.

On June 10, 1903, this treaty having been negotiated at Marroquin's instigation, and the figure fixed by the Colombian Government, it was in effect rejected without the consideration of Congress, because the Colombian Government notified the Panama Canal Co. that it could not be ratified unless the Panama Canal Co. would pay them an additional $10,000,000.

On July 9, 1903, while the Congress was in session, Gen. Reyes, speaking for the Colombian Government, notified the American minister that the treaty could not be ratified unless the Panama Canal Co. would pay $10,000,000 additional, and unless the United States would pay an additional $15,000,000. We were committed now practically to the Panama route. The Spooner law had been passed. The difficulties had been composed in Panama, and the treaty which had been negotiated at their instance and at their figure, it was said, could not be ratified unless we would pay an additional $15,000,000 and unless the Panama Canal Co. would pay an additional $10,000,000.

On October 12 the Colombian Senate rejected the treaty by unanimous vote, and the motion for the rejection of the treaty, as we are informed, was made by the son of President Marroquin, who was a member of the senate.

After this treaty was sent from Washington to Marroquin his first act of rejection was to refuse himself to sign the treaty. He called his congress, and his son led the fight for its rejection. I think the question of good faith ought to have something to do with any decision by this court of equity in which the Senator from Pennsylvania says we are sitting. No one can get into a court of equity with unclean hands.

Mr. President, what bearing has this upon the revolution? Weeks before, and perhaps months before, the people of Panama had notified the Colombian Government that unless this treaty was ratified, and the Panama Canal should go forward, the people of Panama would again take up arms, which they had laid down at the instance of the United States in 1902.

The man who was appointed the governor of Panama by Marroquin, Baldia, notified Marroquin and the Colombian Government that in his opinion, if the treaty was not ratified, the Panama people would again take up the cause of secession, and it was just as well understood in Colombia that that was a matter which Colombia would have to deal with in case she did not ratify the treaty as it was understood upon the night of November 3, 1903, that she would have to deal with it; and the moving force behind the revolution in 1903 was not Col. Roosevelt or John Hay or the United States Government, but it was the Panamanian people, who had been fighting for their independence for three years, but were reconciled through the influence of the United States, who declared that unless the treaty was ratified and the canal built they would take up arms again, and they did so.

The evidence of this is upon every hand, not only in the press dispatches coming to the State Department; it was published in the Washington Post, in the New York Herald, in the New York Times, and published throughout the United States. For weeks and weeks the information had been carried to the people of this country that the revolution would go forward.

Therefore in considering the revolution of 1903 in Panama we should take into consideration that Panama was never a part of Colombia after 1861, except as she was made so by the military power of a dictator.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from North Carolina?

Mr. BORAH. I yield.

Mr. SIMMONS. The Senator has been telling us of the successive attempts at revolution in Panama. It seems that all of these attempts were resisted by Colombia and finally put down. I wanted to ask the Senator if Colombia made any attempt to resist and put down the revolution of November 3, 1903; and, if they did not, why?

Mr. BORAH. I shall come to that in just a moment. I will show the Senator why in just a little while. It is in the line of my argument.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I yield.

Mr. REED. The Senator has spoken of the last revolt prior to that of 1903 having been stopped by the intervention of the United States. Just what did the United States do in that matter, as the Senator understands?

Mr. BORAH. It seems that the part which the United States played in it was purely that of negotiator, expressing to the Panama people the belief that the canal would be built. That was the thing which the Panama people wanted, and that was what started the fight in 1898. At that time, if the Senator will remember, the people at Bogota had extended what is known as the concession to France, to which the Panama people objected. They were opposed to the extension, and when the extension was made they started their effort to get their freedom again.

Then the Hay-Herran treaty having been negotiated, the Spooner law having been passed, and the choice of the Nicaraguan route somewhat discouraged, there was that assurance to give Panama that the thing which she desired, the building of the canal, would go forward, and Panama was satisfied to test that out, and she so notified the Colombian people.

Mr. REED. I do not want to divert the Senator, but I wish to get this point clear in my own mind if I can. When the war did cease between Panama and Colombia, upon what conditions was the peace made with reference to the independence or integrity of Panama?

Mr. BORAH. There were no conditions attached to it at all. They simply ceased hostilities.

Mr. REED. That left her, then, in the same condition she had been in under the last treaty she had with Colombia, of which the Senator spoke?

Mr. BORAH. Precisely so. Panama never by her consent changed her relationship from that which she established in 1861. Actual hostilities ceased. The condition of war, I presume, really continued, but actual hostilities ceased upon the supposition that the canal would be built.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. Just a moment. One of the first statements which was sent to Colombia after the opening of the Colombian Congress, and announced publicly by people from Panama and agents whom the people had sent, was that the treaty must be ratified, otherwise Panama would not consider that she was under any obligation to cease her opposition to the jurisdiction of Colombia. That was made in the beginning of the consideration. It was discussed upon the floor.

Now I yield to the Senator from Florida.

Mr. FLETCHER. The Senator stated that the Vice President of Colombia, who was then acting as President and dictator, appointed the governor of Panama, and that this governor announced that Panama would secede.

Mr. BORAH. Yes.

Mr. FLETCHER. Did the Senator mean to infer that the President of Colombia was in any wise bringing on, or attempting to bring on, or appointing a governor who was favorable to bringing on, that revolution in Panama?

Mr. BORAH. There is a difference of opinion about that. My interpretation of it is this: That the governor, who was appointed by the President, expressed to the President what he believed would take place in Panama. He knew the situation, and he stated to the President that in his opinion if the treaty was not ratified Panama would secede. I do not know that that expressed the governor's sentiments with regard to the matter. He was expressing to the President a condition of affairs which he believed to exist in Panama. What the governor had said was also a matter of public discussion, and the Colombian Congress raised objection to this governor by reason of the fact that he had expressed that opinion. I take it, therefore, that in all probability he was simply stating that which he thought was a fact. There is another construction placed upon it by the late Senator Clarke, of Arkansas, in his exceedingly able speech of February, 1904. I refer the Senator to that speech for an exceedingly interesting discussion of the matter.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield.

Mr. NORRIS. Were there any representatives from Panama in the Congress at Bogota which rejected this Hay-Herran treaty?

Mr. BORAH. The people who purported to represent Panama, if there were any there at all—I have never been able to ascertain—and all officers in Panama at that time were either appointed from Bogota or their elections secured by the methods heretofore described in the article which I read.

Mr. NORRIS. That is, by the dictator?

Mr. BORAH. Yes.

Mr. NORRIS. Was the Congress which unanimously rejected the Hay-Herran treaty appointed? They were not elected?

Mr. BORAH. As to whether they were elected from other parts of Colombia I could not say, but not from Panama, because all officers in Panama at that time were appointed or their elections manipulated by Colombia.

Mr. NORRIS. So whatever members of Congress there were from Panama were appointed by the President?

Mr. BORAH. Exactly. For instance, when the constitution of 1886 was promulgated, which was merely the will and expression of the dictator at that time, they appointed two parties to represent Panama who lived in Bogota, and had never been in Panama—were not residents or representatives of Panama and never had been. I do not know who represented Panama at that particular time. I only know that whoever did was appointed by the same dictatorial power in Colombia.

Mr. LODGE. Let me ask the Senator a question in regard to a historical point. Was not the Hay-Herran treaty, as a matter of fact, rejected by the Congress at Bogota?

Mr. BORAH. Yes.

Mr. LODGE. That is what I thought.

Mr. BORAH. I have so stated.

Mr. LODGE. I was not in the Chamber when the Senator stated that.

Mr. FLETCHER. If that Congress was selected by the dictator, or the acting President of Colombia, and after Congress rejected the treaty and adjourned, why was it that the President gave notice to the American minister that he would like to enter into negotiations with this country with a view of having a new Congress called together and having that treaty ratified?

Mr. BORAH. I will tell the Senator why, in my opinion, although that involves the passing of a judgment upon them, which, perhaps, would require more evidence than I could submit upon the question.

There is no doubt that the President connived at the rejection of the treaty. For instance, he refused to sign it after it got to Bogota. The belief was that if he had signed it, his influence was such that it would have gone through. The second proposition is we are informed his son went into the Senate and led the fight for its rejection. Another proposition is that the Colombian Government, which was the President, notified the canal company that they would have to pay $10,000,000 before it would be ratified. That, in my opinion, represented the President and one of his reasons why he wanted it rejected. Another proposition was that he had demanded $15,000,000 in addition from the United States.

Here was the situation: It was the belief and so expressed in Bogota that the United States was now committed to the Panama route, that the Nicaraguan route had been rejected practically. They could not, as our representatives there telegraphed to Mr. Hay, be made to understand that there was any possibility now of our building over any route except that of Panama. Therefore, what they were doing, in my humble judgment, was seizing the situation for a larger demand upon the United States. That is confirmed by the fact that within five or six days after Panama had rebelled, the President notified the United States Government that he would ratify that treaty by military decree if they would restore the status quo in Panama.

Mr. KELLOGG. Or would call a new Congress which would ratify it.

Mr. BORAH. Yes; or call a new Congress which would ratify it. In other words, the reason for rejecting the treaty, as stated at the time they rejected it, was absolutely answered within six days thereafter by offering to ratify, a power which they had in October just as fully as they had it upon the 9th of November. I think it was venality from beginning to end.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Idaho yield to the Senator from Florida?

Mr. BORAH. I yield.

Mr. FLETCHER. Yet I understand the Senator to say that the President of Colombia fully expected that revolution in Panama and was warned in advance that it was going to take place.

Mr. BORAH. He was warned in advance. Of course I do not know what he thought he could do with it, but he evidently would rather speculate on getting $25,000,000 additional than upon taking the smaller amount and leaving Panama in peace. The wiles and guiles of Colombian politicians, I must say, are very difficult to unravel; but there is one golden thread running through the whole transaction, and that is more money.

I was going to say something about the revolution of 1903, and I desire to recall to your consideration the fact that there had been, as I said before, a revolution going on for three years, and the further fact that it really ceased for the consideration of the Colombian treaty, and the further fact that the Colombian people were notified that the treaty must be ratified or it would go forward. This was the condition which existed at the time the treaty was rejected—a state of revolution for years, a revolutionary mind, a threat to go forward, and the actual going forward of the secession movement.

The revolution was in progress as early as October, when the treaty was rejected. Immediately upon its rejection the civil authorities, in so far as they existed—that is, in their community organizations, the only method by which the people could express themselves—began to gather together and to prepare for the revolution, and from the 22d of October until the 3d of November this preparation had gone on. Upon the 2d of November under these conditions Col. Roosevelt ordered the *Nashville*, the *Boston*, and the *Dixie* to Panama. His instructions to the commanders of those ships were no different in substance and effect from the instructions which were issued in 1901 and 1902. If Senators will examine the telegram which was sent in 1901 to the commander of the *Iowa* with reference to the conditions in Panama at that time and the duty which he should perform with reference to the keeping open of transit, they will find that the telegram is almost exactly, in all its import, as the telegrams sent in 1903. By reason of the obligation that rested upon us under the 1846 treaty, those telegrams had been sent from time to time from 1846 until 1903, and the orders which were given to those commanders were no different in effect and scarcely different in language from those which had often been sent before.

What actually took place after they arrived there? On November 8, 1903, Commander Hubbard, the only American officer who was on the Isthmus prior to the declaration of the independence of Panama, made his report, and in this report he said this—I shall not read his language, but take the exact facts as he stated them:

The *Nashville* arrived at Colon at 5.30 p. m. on November 2. He heard talk of a proclamation of independence upon the evening of November 2. At daylight on the morning of the 3d it was found that a vessel, a Colombian gunboat, had come in, carrying about 400 troops. These troops, it was learned, were for garrison purposes at Panama.

Hubbard said in his report that he did not feel authorized to prevent the landing of these troops, and therefore at 8.30 in the morning these 400 Colombian troops disembarked without any interference upon the part of the authorities of the United States. At 5.30 p. m. on November 3 Commander Hubbard heard of the proclamation of independence and that the Colombian Generals Tobal and Amaya, who had gone over to Panama in the morning, were seized and were held in prison. This information was brought to him. The Panamans at this time, said Hubbard, had organized a force of 1,500 men. On the morning of November 4 Hubbard sent word to both forces, the Panamans and the Colombians, that no troops of either force could be transported across the Isthmus, and it is an interesting fact here that the Panamans were just as insistent upon having the Colombian troops transported as the Colombian troops were to be transported, and a good deal more so. In my opinion that was for this reason. Fully 600 of the troops at Panama had deserted the Colombians and had gone over to the Panamans, and the Panamans believed that if the troops at Colon were transported to Panama they would desert and go over to their columns also. Therefore the Panamans were asking that the troops be transported, but Commander Hubbard said that neither would be permitted to transport troops.

At 1 o'clock on November 4 Hubbard went ashore and met the vice consul and Col. Shaler, of the Panama Railroad Co. The consul informed Hubbard that Torres had sent word that if the Colombian Generals Tobal and Amaya, who had been captured by the Panamanians, were not released by 2 o'clock Torres would fire upon the town of Colon and kill every United States citizen in it.

Up to this time no American soldiers had been landed in Panama, and not until the threat to attack was made were any troops landed, and then only 42 against the 400 Colombians. The United States citizens were then congregated in a building, and that building was put in a state of defense and marines to the number of 42 were landed under the command of Commander Witzel. At 3.15 on the 4th Torres asked for an interview with Hubbard, and when he came he expressed himself as being friendly to the Americans, and stated that he would withdraw his (Torres') troops to Monkey Hill if Hubbard would withdraw the Nashville forces, and they would leave the town and the Isthmus in the control of the police. What followed? Hubbard accepted his proposition. Hubbard was perfectly willing to leave the situation in the control of the local police, provided Torres would withdraw his threat and withdraw his

forces, so that there would be no danger of American citizens being attacked, and he did reembark his 42 men and leave the situation entirely under the control of the police.

After this he discovered, on November 5, that the commander of the Colombian troops had not withdrawn his troops from the town as he had agreed. Upon inquiry Torres assigned a trivial reason, which was not satisfactory to Hubbard, and Torres stated furthermore that it was his intention to occupy Colon again upon the arrival of the alcalde. The situation became serious and, says Hubbard:

I immediately again landed an armed force and reoccupied the same building in which the American citizens were congregated, and informed Torres that I had done it because he had not kept his word in withdrawing his troops as he agreed.

Then the report says—and I am quoting his exact language:

I had no interest in the affairs of either party. My attitude was strictly neutral.

That is his report to the Secretary of the Navy. He continues:

That the troops of neither side should be transported. My sole purpose in landing was to protect the lives and property of American citizen and maintain free and uninterrupted transit of the isthmus.

He then asked Torres to carry out the agreement which he had made to withdraw his troops to Monkey Hill, which Torres declined at that time to do. In the afternoon several propositions were made to Col. Torres by the representatives of the new Panaman Government.

Senators, I ask you to pay particular attention to this; it is important and it answers the question of the Senator from North Carolina. He said that in the afternoon several propositions were made to Col. Torres by the representatives of the new Panaman Government and he was finally persuaded by the representatives of Panama to embark on the Royal Mail steamer *Orinoco* with his troops and return to Cartagena. The *Orinoco* left her dock with those troops at 7.35 p. m.

Then Mr. Hubbard concludes:

I beg to assure the department that I had no part whatever in the negotiations that were carried on between Col. Torres and the representatives of the provisional government, but I landed an armed force only when the lives of American citizens were threatened, and withdrew this force as soon as there seemed to be no ground for further apprehension of injury to American lives or property; that I relanded an armed force because of the failure of Col. Torres to carry out his agreement to withdraw, and announced intention of returning, and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the isthmus.

It seems to me that the very best evidence of what actually transpired would be the dispatch from the naval commander to the Secretary of the Navy, reporting precisely what he did. There is no dispute at all as to the fact that he only landed 42 marines, and that, too, after a threat against the lives of American citizens; and, also, as to the fact that Colombia finally withdrew her troops after an interview with the Panamans voluntarily, and left Panama.

Why did they leave? About 12 o'clock noon of the 4th Melendez, the alcalde of Colon, and Gen. Torres had a meeting, an interview in a restaurant in Panama—a rather public meeting. Immediately after the interview Torres went out and asked for a special train to carry Melendez to the city of Panama to interview the Panamans. The special train was given him, and Melendez went to Panama to have an interview with the representatives of the new Government. He returned the next morning at 10.45 o'clock. He carried with him $8,000; that $8,000 was paid over to Torres on the pier of the Royal Mail Line without apparently any attempt at concealment. In a few hours afterwards the boat was sailing away with the troops for Cartagena.

Mr. REED. And the money.

Mr. BORAH. And the money. Whether it was money that moved the departure or not, certainly the American troops did not compel them to go; they left after an interview with the Panaman Government, after the money was paid over to the general in charge of the Colombian troops.

Mr. REED rose.

Mr. BORAH. Just a moment. Take into consideration also the fact that 600 of the Colombian troops deserted Colombia and went over to Panama, and Panama always claimed that if she could have gotten the other troops from Colon there they would have done the same thing. It will be found that the entire public sentiment of Panama, even to those who were there representing Colombia and her military force, was in sympathy with Panama.

The Colombian troops did not propose to fight against Panaman independence any longer, especially if they could be compensated. [Laughter.] Now, I yield to the Senator from Missouri.

Mr. REED. I was going to ask the Senator if there is evidence as to where the $8,000 actually came from? The Senator told us of the trip and of the interview, but he did not tell us where the money came from. I wonder whether the record shows that.

Mr. BORAH. No; the record does not show; but if the Senator will study the record as industriously as I have done for the last six weeks he will come to a conclusion about it. I might be wrong; I do not want to say, but I think there has been a gentleman in this business from the beginning handling a vast amount of money, and I think I know where the money came from. But I really could not prove it.

Mr. NORRIS. Will there be any money left? [Laughter.]

Mr. BORAH. To recapitulate: It is my contention that Panama was never, after April, 1861, a part of Colombia except as she was dominated and controlled by military force, and that she was in practically a constant struggle from that time on to 1903 to secure her independence. This independence Panama had practically won in the long fight from 1898 to 1902. During that time she had reduced Colombia to such a state that her treasury was bankrupt and she was conscripting boys 9 years of age for the army. That as soon as Panama learned that the Colombian treaty had been rejected she renewed her effort to secure her independence. That this movement was not instigated, aided, or abetted by the United States or its representatives. Furthermore, she was entitled to her independence by every rule of international morality, justice, and every maxim of liberty and independence. That she acquired her independence, as she had a right to do, and when we treated with her we treated with her as an independent nation, the sole owner and possessor of the property which we purchased. That in no way and in no respect did this Government violate the treaty of 1846 or trespass upon the principles of international law in any matters connected with our presence upon the Isthmus in November, 1903. That if Colombia has suffered a loss she has suffered a loss by reason of her own acts and doings and not by reason of any wrongful acts of this Government. Our title is clear. Our record is unassailable.

Mr. President, I have presented one phase of this controversy in a somewhat hurried way. But these, Mr. President, are the salient facts touching the secession of Panama. Anyone who has the patience and the determination to go through the records will find them to be the facts. This Government did not foster revolution in Panama. The spirit of revolution in the ancient springs which fed it was nearly a century old. For decades, sometimes covertly and sometimes openly, the people of Panama had schemed and intrigued and fought for their independence. They never felt they were a part of Colombia, and Colombia never treated them as if they were really a part of her in any true and proper sense of the term. Not the slightest federal spirit ever pervaded Panama. The achievement of 1903 was but the fruition of this old struggle. In the passions and purposes of the final effort there was nothing new. Our Government did not sink to the level of a coconspirator of base and brutal intrigue. Roosevelt did not take on the part of a common adventurer. John Hay was not a liar. We owe Colombia nothing. Not the United States aided Panama, but the short-sighted, selfish, and deceptive policy of Colombia aided Panama. Colombia has no claim against this Government, legal or moral. The name of Roosevelt should not be dishonored. The brand of shame should not be put upon our country. The legend of fraud should not be inscribed upon this great achievement. We do ourselves dishonor and our country a disservice if we yield to these false charges and to this unjust demand. No one can ever justify connivance at his own country's unjust degradation. You can afford in misunderstandings between nations to be always in a yielding, compromising mood, except where compromise means the admission of a false charge of dishonor. To compromise under such a charge, to voluntarily take on the stain of dishonor, is to take your place among the weak and pusillanimous nations of the world. It makes no difference what your wealth may be, how vast the territory over which you exercise dominion, when you shall have lost all sense of honor as in confessing to wrongs of which you are innocent you will be regarded ever after as the easy victim of the unscrupulous, the avaricious, and the daring.

The VICE PRESIDENT. The treaty is before the Senate as in Committee of the Whole and open to amendment.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum being suggested, the Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Borah	Colt	Gooding	Kellogg
Brandegee	Cummins	Harrison	Kenyon
Broussard	Curtis	Heflin	Knox
Bursum	Fletcher	Jones, N. Mex.	Ladd
Capper	Gerry	Jones, Wash.	Lenroot

Lodge	Norris	Sheppard	Trammell
McNary	Overman	Simmons	Underwood
Moses	Pittman	Smoot	Warren
Nelson	Pomerene	Stanfield	Watson, Ga.
Nicholson	Reed	Stanley	Willis

The VICE PRESIDENT. Forty Senators having answered to their names, no quorum being present, the Secretary will call the names of the absent Senators.

The Assistant Secretary called the names of the absent Senators, and Mr. JOHNSON, Mr. KEYES, and Mr. LA FOLLETTE answered to their names when called.

The VICE PRESIDENT. Forty-three Senators having answered to their names, no quorum is present.

Mr. LODGE. I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. WELLER, Mr. STERLING, Mr. ERNST, Mr. CAMERON, Mr. SHORTRIDGE, Mr. NEW, and Mr. WALSH of Massachusetts entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators having answered to their names, a quorum is present.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business in secret session.

The motion was agreed to, and the Senate proceeded to deliberate with closed doors. After 10 minutes the doors were reopened, and (at 4 o'clock and 55 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Friday, April 15, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 14 (legislative day of April 13), 1921.

AMBASSADORS EXTRAORDINARY AND PLENIPOTENTIARY.

FRANCE.

Myron T. Herrick, of Ohio, to be ambassador extraordinary and plenipotentiary of the United States of America to France.

GREAT BRITAIN.

George Harvey, of New Jersey, to be ambassador extraordinary and plenipotentiary of the United States of America to Great Britain.

REPRESENTATIVE IN INTERNATIONAL CONFERENCE ON TELEGRAPH, TELEPHONE, ETC.

Henry P. Fletcher, of Pennsylvania, Undersecretary of State, to be a representative of the Government of the United States to participate in an international conference to be held in Washington to consider all international aspects of communication by telegraph, telephone, cable, wireless telephone, and wireless telegraphy, and to make recommendations with a view to providing the entire world with adequate facilities for international communication on a fair and equitable basis, to which office he was appointed during the last recess of the Senate.

ASSISTANT ATTORNEY GENERAL.

William D. Riter, of Utah, to be Assistant Attorney General, vice Leslie C. Garnett, appointed during recess.

DEPARTMENT OF JUSTICE.

UNITED STATES DISTRICT JUDGES.

William Eli Baker, of West Virginia, to be United States district judge for the northern district of West Virginia, vice Alston G. Dayton, deceased.

Claude Z. Luse, of Wisconsin, to be United States district judge for the western district of Wisconsin, vice A. L. Sanborn, deceased.

UNITED STATES ATTORNEYS.

William H. Dougherty, of Wisconsin, to be United States attorney for the western district of Wisconsin, vice Albert C. Wolfe, term expired.

A. D. Walton, of Wyoming, to be United States attorney, district of Wyoming, vice Charles L. Rigdon, resigned.

UNITED STATES MARSHAL, EASTERN DISTRICT OF TEXAS.

Phil. E. Baer, of Texas, to be United States marshal for the eastern district of Texas, vice W. B. Harper, appointed by court.

TREASURY DEPARTMENT.

COLLECTORS OF INTERNAL REVENUE.

Newton M. Miller, of Ohio, to be collector of internal revenue for the eleventh district of Ohio, in place of Boriah E. Williamson, resigned.

Mr. Miller is now serving under temporary commission issued during the recess of the Senate.

Louis A. Spellier, of Reno, Nev., to be collector of internal revenue for the district of Nevada, to fill an existing vacancy.

Mr. Spellier is now serving under temporary commission issued during the recess of the Senate.

Benigno C. Hernandez, of New Mexico, to be collector of internal revenue for the district of New Mexico, to fill an existing vacancy.

Mr. Hernandez is now serving under a temporary commission issued during the recess of the Senate.

John C. Noel, of Virginia, to be collector of internal revenue for the district of Virginia, in place of Richard C. L. Moncure, resigned.

Mr. Noel is now serving under temporary commission issued during the recess of the Senate.

COAST GUARD.

Cadet Norman Ryder Stiles to be ensign in the Coast Guard of the United States, to take effect from date of oath.

PUBLIC HEALTH SERVICE.

Following to be officers in the Public Health Service, to rank from dates indicated:

Surgeon to be senior surgeon.

George B. Young, March 12, 1920.

Passed assistant surgeons to be surgeons.

Paul Preble, August 29, 1920.
Randolph M. Grimm, August 29, 1920.
Joseph R. Ridlon, August 29, 1920.
Charles M. Fauntleroy, August 29, 1920.
Hermon E. Hasseltine, August 29, 1920.
James P. Leake, August 29, 1920.
Lawrence Kolb, August 29, 1920.
David C. Turnipseed, August 29, 1920.
Carlisle P. Knight, August 29, 1920.
Warren F. Draper, August 29, 1920.
George Parcher, August 29, 1920.
Louis Schwartz, August 29, 1920.
Robert H. Heterick, August 29, 1920.
Charles L. Williams, August 29, 1920.
Grover A. Kempf, August 29, 1920.
Louis R. Thompson, August 29, 1920.

Assistant surgeons to be passed assistant surgeons.

Clifford R. Eskey, August 19, 1920.
William D. Heaton, July 15, 1920.
Robert R. Ivey, July 20, 1920.
John D. Reichard, May 12, 1920.
James F. Worley, September 25, 1918.
Edwin O. Woods, September 6, 1920.
Walter T. Harrison, October 26, 1920.
Charles Armstrong, October 27, 1920.
Rolla E. Dyer, October 31, 1920.
Justin K. Fuller, October 27, 1920.
Robert W. Hart, January 30, 1921.

Doctors to be assistant surgeons.

Lynn A. Fullerton, October 4, 1920.
Marion R. King, October 4, 1920.
Lester C. Scully, October 4, 1920.
Floyd C. Turner, September 30, 1920.
Fortunat A. Troie, from date of oath.

DEPARTMENT OF THE INTERIOR.

REGISTERS OF THE LAND OFFICE.

James Frederick Drake, of Pueblo, Colo., to be register of the land office at Pueblo, Colo., vice George M. Dameron, deceased.

Charles D. Voris, of Monte Vista, Colo., to be register of the land office at Del Norte, Colo., vice Hubbard H. Abbott, deceased.

Joseph Montgomery, of Lewistown, Mont., to be register of the land office at Lewistown, Mont., vice Harry J. Kelly, resigned.

Albert Halen, of Vernal, Utah, to be register of the land office at Vernal, Utah, vice Albert F. Young, failed of confirmation.

RECEIVERS OF PUBLIC MONEYS.

William Ashley, of Sandpoint, Idaho, to be receiver of public moneys at Coeur d'Alene, Idaho, vice Arthur J. Ewing, term expired.

William Q. Ligon, of Gloster, Miss., to be receiver of public moneys at Jackson, Miss., vice H. Clay Sharkey, resigned.

Mrs. Caroline S. King, of Minnesota, who was appointed during the recess of the Senate, September 13, 1920, but failed of confirmation, to be receiver of public moneys at Cass Lake, Minn., to fill the unexpired term of Fred A. King, deceased, ending January 20, 1922.

Roy Henry Fuller, of Havre, Mont., to be receiver of public moneys at Havre, Mont., vice B. Frank Chestnut, term expired.

Harry R. Grier, of Tonopah, Nev., to be receiver of public moneys at Carson City, Nev., vice Adelbert B. Gray, resigned.

Mrs. Addie Longhurst, of Vernal, Utah, to be receiver of public moneys at Vernal, Utah, vice Miss Nellie E. Rodabaugh, failed of confirmation.

DEPARTMENT OF COMMERCE.

COAST AND GEODETIC SURVEY.

The following-named officers of the Department of Commerce to occupy the positions held by them under recess appointments in the United States Coast and Geodetic Survey:

Ralph Woglom Woodworth, of New Jersey, to be aid, with relative rank of ensign in the Navy.

Frederick Estill Joekel, of Texas, to be aid, with relative rank of ensign in the Navy.

The following were appointed during the recess of the Senate:

FIRST ASSISTANT SECRETARY OF THE INTERIOR.

Edward C. Finney, of Kansas, March 16, vice Alexander T. Vogelsang, resigned.

COMMISSIONER OF THE GENERAL LAND OFFICE.

William Spry, of Salt Lake City, Utah, March 17, vice Clay Tallman, resigned.

COMMISSIONER OF INDIAN AFFAIRS.

Charles H. Burke, of South Dakota, March 31, vice Cato Sells, resigned.

COMMISSIONER OF PENSIONS.

Washington Gardner, of Michigan, March 22, vice Frank D. Byington, resigned.

COMMISSIONER OF PATENTS.

Thomas E. Robertson, of Maryland, March 31, vice Melvin H. Coulston, resigned.

REGISTERS OF LAND OFFICES.

Spencer E. Burroughs, of California, March 29, at Susanville, Calif., vice James A. Nutting, resigned.

Alfred M. Bergere, of New Mexico, March 17, at Santa Fe, N. Mex., vice Francisco Delgado, resigned.

POST OFFICE DEPARTMENT.

FIRST ASSISTANT POSTMASTER GENERAL.

Hubert Work, of Colorado, vice John C. Koons, resigned.

SECOND ASSISTANT POSTMASTER GENERAL.

Edward H. Shaughnessy, of Illinois, vice Otto Praeger, resigned.

PUBLIC PRINTER.

George H. Carter, of Iowa, to be Public Printer, to which office he was appointed during the last recess of the Senate.

GOVERNOR OF THE PANAMA CANAL.

Col. Jay J. Morrow, Corps of Engineers, United States Army, for appointment as governor of the Panama Canal, provided for by the Panama Canal act, approved August 24, 1912, vice Brig. Gen. Chester Harding, United States Army (retired).

GOVERNOR OF THE VIRGIN ISLANDS.

Capt. Sumner E. W. Kittelle, United States Navy, to be governor of the Virgin Islands, ceded to the United States by Denmark, to which office he was appointed during the last recess of the Senate.

INTERSTATE COMMERCE COMMISSIONER.

John Jacob Esch, of Wisconsin, to be an Interstate Commerce Commissioner for the term expiring December 31, 1927, to which office he was appointed during the last recess of the Senate.

DIRECTOR OF THE WAR FINANCE CORPORATION.

Dwight Davis, of Missouri, to be a director of the War Finance Corporation for the unexpired term of four years from May 17, 1918, to which office he was appointed during the last recess of the Senate.

MEMBER OF FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Harry L. Fidler, of Indiana, to be a member of the Federal Board for Vocational Education, to which office he was appointed during the last recess of the Senate for a term of three years.

UNITED STATES ARMY.

OFFICERS' RESERVE CORPS.

To be brigadier general.

Charles Gates Dawes, late brigadier general, United States Army, from March 18, 1921. (For appointment in the Officers' Reserve Corps of the United States Army under the provisions of section 37 of an act of Congress approved June 4, 1920.)

UNITED STATES NAVY.

Judge Advocate General of the Navy.

Capt. Julian L. Latimer to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of four years.

Paymaster General.

Pay Director David Potter to be Paymaster General and Chief of the Bureau of Supplies and Accounts in the Department of the Navy, with the rank of rear admiral, for a term of four years.

MARINE CORPS.

To be captains with rank from June 4, 1920.

George W. Hamilton.
Leroy P. Hunt.
Clifton B. Cates.
John H. Fay.
Gaines Moseley.
Leo D. Hermle.
Lemuel C. Shepherd.
Frank Whitehead.
Roswell Winans.
Robert Blake.
Alfred H. Noble.
James F. Robertson.
Charles I. Murray.
Percy D. Cornell.
Jonas H. Platt.
Francis J. Kelly, jr.
Samuel C. Cumming.
Gilder D. Jackson, jr.
John P. Harvis.
Augustus B. Hale.
Thomas J. Curtis.
James F. Moriarity.
Peter Conachy.
Robert E. Williams.
Walter T. H. Galliford.
Fred G. Patchen.
Edwin P. McCaulley.
Graves B. Erskine.
James A. Holms.
Louis R. Jones.
William B. Croks.
Robert Yowell.
William W. Ashurst.
Francis P. Mulcahy.
Bailey M. Coffenberg.
Edward D. Kalbfleisch.
Robert M. Montague.
Francis S. Kieren.
William F. Beattie.
Oliver C. Hine.
William J. Crosson.
Daniel E. Campbell.
Maurice G. Holmes.
James E. Betts.
Wethered Woodworth.
James W. Webb.
John M. Tildsley.
Louis E. Woods.
William McN. Marshall.
George H. Scott.
Eugene F. C. Collier.
Evans O. Ames.
William H. Davis
Franklin A. Hart.
George Franklin Adams.
George W. Spotts.
Emmett W. Skinner.
Jesse J. Burks.
William L. Crabbe.
Thomas B. Gale.
Field Harris.
Charles M. Jones.
Lewis L. Gover.
Roy C. Swink.
Leon L. Dye.
Lee W. Wright.
Reuben B. Price.
George P. Doane.
Walter J. Green.
James E. Reich.
Carl S. Schmidt.
Charles Ubel.
Charles C. St. Clair.
John Waller.
Eugene L. Pelletier.
Otto Salzman.
Harry V. Shurtleff.
Francis E. Pierce.
Harry W. Gamble.
Roscoe Arnett.
Francis C. Cushing.
Charles L. Eickmann.
Frank E. Becker.
Nathan E. Landon.
Eugene L. Mallaly.
Walter E. McCaughtry.
John P. McCann.
Maurice A. Willard.
Harry A. Ellsworth.
Charles B. Hobbs.
Warren C. Barnaby.
Maurice C. Gregory.
Gustav F. Bloedel.
Thomas Dwight.
John J. Haley.
Walter Wooding.
Frank D. Creamer.
William Mills.
Robert W. Maxwell.
William F. Thalheimer.
Howell Cobb.
Thomas F. Joyce.
Charles Grimm.
William Frederick Brown.
Augustus T. Lewis.
Robert W. Williams.
Arthur J. Stout.
Andrew E. Cressy.
Arthur H. Page.
Donald Curtis.
Jesse L. Perkins.
Clarence N. McClure.
Michael Kearney.
Edward H. W. Holt.
Bror G. Brodstrom.
Angus Wilson.
Ery M. Spencer.
James P. Smith.
Frank E. Verner.
Norman M. Shaw.
John F. Duffy.
John A. McDonald.
Clarence H. Medairy.
Stephen F. Drew.
Edward G. Huefe.
James H. McGan.
James E. Snow.
Hans O. Martin.

Louis J. Hughes.
Augustus Aiken.
William Merrill.
Joseph Jackson.
Earl C. Nicholas.
Martin J. Kelleher.
Martin Canavan.
Joseph M. Swinnerton.
Leslie G. Wayt.
Archie Farquharson.
Robert W. Winter.
Glen C. Cole.
Max Cox.
Charles M. Lott.
Russell A. Presley.
Ernest L. Russell.
William F. Becker.
Charles H. Martin.
Charles F. Kienast.
Earl B. Hammond.
Timothy J. Holland.
Charles D. Sniffin.
Robert J. Archibald.
Franklin T. Steele.
Newton Best.
William A. Worton.
Glenn E. Hayes.
Stewart B. O'Neill.
John F. Talbot.
John W. Thomason.
George F. Hill.
Merritt B. Curtis.
Charles T. Brooks.
Herbert Hardy.
Richard B. Buchanan.
Charles E. Muldrow.
John T. Walker.
Oliver P. Smith.
Hugh Shippey.
Joseph G. Ward.
Robert C. Anthony.
James D. McLean.
Henry D. Linscott.
William T. Clement.
Ralph E. West.
Keith E. Kinyon.
Frank D. Strong.
Benjamin Goodman.
Lyman Passmore.
Clifford O. Henry.
Joseph T. Smith.
Raymond E. Knapp.
Hiram R. Mason.
Edward L. Burwell, jr.
Omar T. Pfeiffer.
John F. Blanton.
Campbell H. Brown.
Lewie G. Merritt.
George F. Smithson.
Ernest E. Eiler.
Harold D. Shannon.
Claude A. Larkin.
Wesley W. Walker.
Lucian W. Burnham.
Shaler Ladd.
John C. Wood.
Clyde P. Matteson.
Richard H. Jeschke.
Robert L. Nelson.
John H. Craige.
Louis S. Davis.
Horace W. Mitchell.
Joseph I. Nettekoven.
James Maguire.
Harry H. Shepherd.
Ralph G. Anderson.
William P. T. Hill.
William E. Riley.
Ray A. Robinson.
Robert L. Montague.
Ross L. Iams.
Richard B. Dwyer.
David R. Nimmer.

To be first lieutenants with rank from June 4, 1920.

Louis Cukela.
Jacob Lienhard.
Frederick Israel.
Victor F. Bleasdale.
Merwin H. Silverthorn.
George Bower.
Cecil J. Widdifield.
Walter Sweet.
Fred J. Zinner.
Prentice S. Geer.
John Groff.
William W. Rogers.
Curtis T. Beecher.
Vernon Bourdette.
George F. Stockes.
Tom E. Wicks.
Murl Corbett.
James P. Schwerin.
William M. Radcliffe.
John H. Parker.
Walter S. Gaspar.
Elton C. Hersman.
William K. MacNulty.
Alfred Dickerson.
Thomas R. Shearer.
Jacob M. Pearce.
Charles C. Gill.
Norman S. Hinman.
Donald R. Fox.
Bruce J. Millner.
William P. Richards.
Willett Elmore.
John F. McVey.
Harry E. Horner.
Francis Fisk.
Wilbur G. Gunn.
Julius T. Wright.
Samuel J. Bartlett.
Oliver A. Dow.
Louie W. Putnam.
Robert J. Woodrich.
Harry Paul.
Austin G. Rome.
Samuel F. Birthright.
Clate C. Snyder.
Edgar S. Tuttle.
Charles E. Rice.
Bert A. Bone.
Robert C. Thaxton.
Euvelle D. Howard.
Harlan Pefley.
Harold D. Campbell.
Samuel W. Freeny.
William H. Harrison.
John P. Adams.
Otto E. Bartoe.
Ramond J. Bartholomew.
Bruce B. MacArthur.
Erwin Mehlinger.
Gilbert D. Hatfield.
George H. Morse.
William K. Snyder.
William T. Evans.
Benjamin W. Gally.
Alfred W. Ogle.
Donald J. Kendall.
Alton A. Gladden.
Lewis B. Reagan.
Dudley S. Brown.
Robert H. Pepper.
John B. Wilson.
James D. Colomy.
Galen M. Sturgis.
Joseph W. Knighton.
James A. Mixson.
Lades R. Warriner.
Oakley K. Brown.
Gus L. Gloeckner.
Leo F. S. Horan.
John M. Popham.
Thomas A. Tighe.
Richard O. Sanderson.
Chaplain G. Hicks.
Frank R. Armstead.
Henry S. Hausmann.
Frederick M. Howard.
Edwin J. Mund.
Lee H. Brown.
Robert E. Mills.
Albert B. Sage.
John D. Lockburner.
Gustaf A. Brodstrom.
Richard Livingston.
Fred B. Hoyt.
Harold C. Major.
Jesse A. Nelson.
Fred S. Robillard.
Blythe G. Jones.
Herman R. Anderson.
Clarence M. Ruffner.
Hu H. Phipps.
Frederick C. Lusk.
Willis F. Ostrander.
James H. Williamson.
George T. Hall.
Willard P. Leutz.
Hal N. Potter.
Walter S. Hallenberg.
Jack H. Tandy.
Lewis R. Stickles.
Oliver T. Francis.
Carlos H. McCullough.
Edward A. Fellowes.
Robert C. Kilmartin, jr.
Edward A. Craig.
Julian P. Brown.
Andrew L. W. Gordon.
Bernard Dubel.
Earle M. Randall.
Leland S. Swindler.
Howard N. Stent.
Donald Spicer.
Ford O. Rogers.
Walter G. Farrell.
William L. Harding, jr.
John B. Neill, jr.
Henley M. Goode.
Ralph R. Robinson.
Walter E. Bilisoly.
John K. Martenstein.
Charles M. Portis.
St. Julian R. Childs.
Hamilton M. H. Fleming.
Frederick E. Stack.
Edward S. Shaw.
Merritt A. Edson.
Edward O. Bogert.
John A. Tebbs.
John C. Wemple.
Curtis W. LeGette.
Joseph H. Fellows.
Louis G. De Haven.
Lester A. Dessez.
Andrew R. Holderby.
Merton A. Richal.
John Kaluf.
George Nielsen.
Charles D. Baylis.
William G. Kilgore.
William F. McDonnell.
George W. Shearer.
Eli Savage.
Grover C. Wright.
Edward B. Moore.
David Kipness.
Earl W. Garvin.
Sherman L. Zea.
Harold W. Whitney.
Claude A. Phillips.
John W. Beckett.
Harold F. Swindler.
John Halla.
Edward E. Mann.
Kenneth A. Inman.
Lester N. Medaris.
Charles C. Cameron.
Albert W. Paul.
Frank X. Bleicher.
Frank B. Geottge.
Joseph C. Grayson.
Donald G. Oglesby.
Byron F. Johnson.
Nicholas E. Clauson.
Alfred C. Cottrell.
Wallace G. Gibson.
John T. Selden.
Elmer E. Hall.
Henry A. Carr.
Orrel A. Inman.
James E. Smith.
Frederick D. Harbaugh.
Albert E. Benson.
Frank S. Flack.
William J. Livingston.
Carl F. Merz.
Howard M. Peter.
Sydney J. Handsley.
Donald M. Taft.
Miller V. Parsons.
Basil G. Bradley.
Charles J. Lohmiller.
Henry F. Adams.
Charles W. Henkle.
Spencer N. Phillips.
Solon C. Kemon.
Harry B. Liversedge.
Merton J. Batchelder.
George E. Monson.
Arthur Challacombe.
Stewart P. Corning.
William J. Mosher.
Joseph F. Burke.
John F. Connaughton.
John W. McNamara.
Marvin Scott.
James W. Flett.
Harry W. Bacon.
William C. Hall.
Edward T. Bayman.
Fitzhugh L. Buchanan.
Arnold C. Larsen.
William J. Wallace.
William Floyd Brown.
James J. McClelland.
Harvey D. Alban.
Amor L. Sims.
Aubrey L. Johnson.
Moses J. Gould.
Basil H. Pollitt.
George W. Walker.
Marshall E. Simmons.
George R. Rowan.
James E. Stanners.
Theodore H. Cartwright.
Lucas I. Bruns.
Richard H. Schubert.
Herbert V. Hansen.
Grover C. Moore.
Kenneth R. Berkey.
William J. Whaling.

To be second lieutenants with rank from June 4, 1920.

William H. Faga.
Herman H. Hanneken.
Daniel R. Fox.
William Ulrich.
Ralph W. Culpepper.
Herbert C. Bluhm.
Thomas M. O'Sullivan.
Lloyd R. Pugh.
Henry A. Rickers.
Brownlo I. Byrd.
Paul F. Howard.
Lemuel A. Haslup.
Harry E. Leland.
Charles Gorkum.
Herbert C. Joerger.
John A. McShane.
Hans G. Hornbostel.
Brady L. Vogt.

Edward J. Keenan.	William L. Bales.
Thomas J. Kilcourse.	Ralph C. Battin.
Frank H. Fleer.	Frederick C. Biebush.
Romain B. Julian.	Edmund M. Callaway.
Irving E. Odgers.	Gale T. Cummings.
Joseph Ascheim.	Roy W. Conkey.
Harry P. Smith.	Terrell J. Crawford.
Harry E. Darr.	Howard B. Enyart.
William E. Quaster.	George Esau.
Elmer E. Liebensperger.	William S. Fellers.
Charles W. Lavlett.	Augustus H. Fricke.
Francis Kane.	Julian N. Frisbie.
James J. Brennan.	Carl Gardner.
Lester E. Power.	Gordon Hall.
Clinton W. McLeod.	Guy B. Hall.
Charles A. Ingram.	Frank W. Hanlen.
Paul A. Lesser.	James B. Hardie.
Edward Selby.	Allen S. Heaton.
Chauncey H. Applegate.	George L. Hollett.
Edward F. O'Day.	Herbert S. Keimling.
Jacob J. Kesel.	Herman Kingsnorth.
James D. Waller.	Ralph D. Leach.
Clifford Prichard.	George W. McHenry.
Cyril W. Martyr.	William L. McKittrick.
Frank S. Gilman.	Arthur A. Nelson.
Ogbourne A. Hill.	Otto B. Osmondson.
Melvin E. Fuller.	John M. Patton, jr.
Francis I. Fenton.	Charles W. Pohl.
John W. Cunningham.	Bernard W. Pravitz.
Charles H. Hassenmiller.	Stanley E. Ridderhof.
Ralph W. Luce.	Edward A. Robbins.
Marshall Y. Chapman.	David A. Stafford.
Harmon J. Norton.	William J. Stamper.
Stanley Klos.	Chesley G. Stevens.
Willard R. Enk.	Jay D. Swartwout.
Minter L. Lowther.	George H. Towner.
Gerald C. Thomas.	George S. Van Riper.
Stephen Skoda.	Leslie H. Wellman.
Wilbur Summerlin.	Walter W. Wensinger.
Joseph F. Driscoll.	Ervin R. Whitman.
Adolph Stahlberger.	Goodyear W. Kirkman.
William P. Kelly.	Walter V. Brown.
Bert Van Moss.	Lawson H. M. Sanderson.
Harry W. Miller.	Jacob F. Plachta.
Walter B. Casey.	Harold D. Rosecrans.
Eric W. Ojerholm.	Louis F. Knorr.
Monitor Watchman, jr.	Joseph L. Moody, jr.
Edgar G. Kirkpatrick.	Thomas M. Ryan.
Clarence H. Yost.	Leo Sullivan.
John T. Sheffield.	Horace D. Palmer.
John D. O'Leary.	Duncan W. Lewis.
Clyde H. Hartsel.	Hayne D. Boyden.
Grover C. Darnall.	Franklin G. Cowie.
Delmar Byfield.	Christian F. Schilt.
Charles Connette.	Cornelius McFadden, jr.
Arthur C. Small.	Robert D. Foote.
James Ackermann.	Arthur J. Burks.
Henning F. Adickes.	James S. Monahan.
Ralph C. Alburger.	John A. Bemis.
Benjamin W. Atkinson.	Raymond W. Hanson.

CONFIRMATION.

Executive nomination confirmed by the Senate April 14 (legislative day of April 13), 1921.

PUBLIC PRINTER.

George H. Carter, to be Public Printer.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 14, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Heavenly Father upon earth, Thy mercies elicit our new gratitude. We beseech Thee to give us this day honorable purpose that will enable us to do our work well. May nothing stand between our convictions and obedience, and be Thou our security of our best desires and our holiest loves; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. BENHAM appeared at the bar of the House and took the oath of office prescribed by law.

EMERGENCY TARIFF.

Mr. YOUNG. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes; and pending that, Mr. Speaker, I wish to ask the gentleman from Tennessee if we can agree upon the time for general debate.

Mr. GARRETT of Tennessee. Mr. Speaker, I have just sent for the gentleman from North Carolina. I understood there was some agreement in the committee as to time. I will ask the gentleman from Michigan if there was any agreement reached in the committee in regard to the time for general debate.

Mr. FORDNEY. No; it was generally understood that we were to run to-day on general debate, but I want to suggest that we have four and a half hours of general debate and that it shall not extend beyond 5 o'clock. I think that will be agreeable to the gentleman from Texas, because I had a conversation with him and the gentleman from North Carolina [Mr. KITCHIN] at the same time, and the gentleman from North Carolina said he would refer the matter to the gentleman from Texas [Mr. GARNER].

Mr. GARRETT of Tennessee. If the gentleman can state that that was the understanding, I have no objection.

Mr. FORDNEY. The exact time of four and a half hours was not agreed upon, but it was agreed that general debate should run to-day. I want to limit it to four hours and a half.

Mr. LONGWORTH. May I suggest that the gentleman ask that the general debate be continued until 5 o'clock.

Mr. SABATH. I would like to ask the gentleman if it is the intention to adjourn at 5 o'clock or take up the bill under the five-minute rule.

Mr. FORDNEY. Oh, no; we will not take it up under the 5-minute rule until to-morrow. We want to conclude general debate to-day.

Mr. YOUNG. And pass the bill before adjournment to-morrow.

Mr. MONDELL. If this request is agreed to, the gentleman expects to take the bill up under the 5-minute rule to-morrow morning?

Mr. FORDNEY. Yes.

Mr. CAREW. It was the understanding in committee that general debate should continue to-day and that it should be taken up under the 5-minute rule to-morrow.

Mr. YOUNG. The understanding is that we shall complete the consideration of the bill to-morrow.

Mr. CAREW. That was not a part of the agreement. If the gentleman makes that request, there will be no objection from this side.

Mr. GARNER. Will the gentleman from Michigan state his request again; I was out for the moment.

Mr. FORDNEY. My request is to have general debate to-day, to be concluded at 5 o'clock p. m.

Mr. GARNER. Why conclude it at 5 o'clock?

Mr. FORDNEY. Because we want to get away from here at that time.

Mr. GARNER. Are you going to have a conference or a caucus this afternoon?

Mr. FORDNEY. That is rather a personal question. No; there is no Republican caucus, but I might have a caucus myself with other gentlemen.

Mr. GARNER. If it is a matter only of general debate, we ought to have all the general debate that we can get.

Mr. FORDNEY. This will give us five hours, or nearly five hours, and it seems to me that is long enough. Nearly every man in the House has spoken on every item in the bill and expressed himself on it heretofore.

Mr. GARNER. Let me suggest to the gentleman from Michigan this thought: That there is no reason why Members should not speak after 5 o'clock, if they desire, even though there may not be more than 25 or 30 Members present. Since there is no vote to be taken and no contest, it seems to me that we ought to have all the general debate that we can possibly get, as long as gentlemen want to speak on the bill.

Mr. GREEN of Iowa. If the gentleman will permit me, some of us are working very early and late on the permanent tariff bill, and at the same time the members of the committee feel

that they should stay here during general debate, and we might want to have a little time outside. It seems to me that this matter has been discussed so much that there is scarcely anything new that can be said on the subject.

Mr. GARNER. I have a great many requests for time, and it occurred to me that the gentleman from North Dakota could remain here——

Mr. YOUNG. I have not had many requests for time on this side, and I do not think there is any great desire for general debate on the bill.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the time for general debate be equally divided between Mr. YOUNG and the gentleman from Texas [Mr. GARNER], and let us run along and see what we can do to-day; the gentleman from North Dakota to control the time on this side and the gentleman from Texas [Mr. GARNER] on the minority side.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time for general debate be equally divided between the two sides, one half to be controlled by the gentleman from North Dakota [Mr. YOUNG] and the other half by the gentleman from Texas [Mr. GARNER]. Is there objection?

Mr. MONDELL. Mr. Speaker, I think we ought to have an understanding as to when general debate is to close. The House is entitled to know when general debate is to close. The gentleman from Texas objects to general debate being closed at 5 o'clock, but that is about as late as Members care to stay in the House. If we attempt to carry general debate beyond that time, some one will be making the point of no quorum; and this request means five hours, practically, of general debate.

Mr. GARNER. Why not say not later than 5.30?

Mr. MONDELL. I think there would be no objection to that, that general debate shall not be continued beyond 5.30.

The SPEAKER. The gentleman from Michigan modifies his request that general debate shall not extend later than 5.30 o'clock this afternoon. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, the gentleman from Michigan stated that every Member in the House had spoken and voted upon every provision of this bill. I want to remind him that there are 121 new Members here who have never voted upon any bill.

Mr. FORDNEY. But they are real modest and do not care to talk about a matter so well settled and so thoroughly understood as that presented in this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the motion of the gentleman from North Dakota that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2435, the emergency tariff bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2435, with Mr. CAMPBELL of Kansas in the chair.

Mr. YOUNG. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, this is a short bill and none of us has seen a copy of it until this morning. I think the bill ought to be read.

Mr. GARNER. Mr. Chairman, may I suggest to the gentleman from Oklahoma that the bill must be read under the five-minute rule? Printed copies of the bill can be had. We want to have as much general debate as possible.

Mr. McCLINTIC. Very well.

The CHAIRMAN. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, of course, if gentlemen insist upon dispensing with the reading I shall not object, but I think the gentleman from Michigan [Mr. FORDNEY] is very much in error in saying that this is an identical bill with that which we passed in the last session. I have read it just once, but it is quite different from the other bill.

Mr. FORDNEY. How does it differ? It limits the operation to 6 months instead of to 10.

Mr. WINGO. Oh, no; there are other differences.

Mr. FORDNEY. That is all the difference there is in the tariff bill. The antidumping matter is something that was disposed of here without a record vote.

Mr. WINGO. Mr. Chairman, it is so apparent that the gentleman has not read the bill that I shall object to dispensing with the first reading of it. The bill is certainly different from that which was passed in the last session.

The CHAIRMAN. The gentleman from Arkansas objects.

Mr. WINGO. I want the RECORD to show what it is, because it is different.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I.

EMERGENCY TARIFF.

That on and after the day following the passage of this act, for the period of six months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

1. Wheat, 35 cents per bushel.
2. Wheat flour and semolina, 20 per cent ad valorem.
3. Flaxseed, 30 cents per bushel of 56 pounds.
4. Corn or maize, 15 cents per bushel of 56 pounds.
5. Beans, provided for in paragraph 197 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.
6. Peanuts or ground beans, 3 cents per pound.
7. Potatoes, 25 cents per bushel of 60 pounds.
8. Onions, 40 cents per bushel of 57 pounds.
9. Rice, cleaned, 2 cents per pound, except rice cleaned for use in the manufacture of canned foods, on which the rate of duty shall be 1 cent per pound; uncleaned rice, or rice free of the outer hull and still having the inner cuticle on, 1½ cents per pound; rice flour and rice meal, and rice broken which will pass through a No. 12 wire sieve of a kind prescribed by the Secretary of the Treasury, one-fourth of 1 cent per pound; paddy, or rice having the outer hull on, three-fourths of 1 cent per pound.
10. Lemons, 2 cents per pound.
11. Oils: Peanut, 26 cents per gallon; cottonseed, coconut, and soya bean, 20 cents per gallon; olive, 40 cents per gallon in bulk, 50 cents per gallon in containers of less than 5 gallons.
12. Cattle, 30 per cent ad valorem.
13. Sheep: One year old or over, $2 per head; less than 1 year old, $1 per head.
14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.
15. Cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.
16. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.
17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.
18. Wool commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.
19. Wool and hair of the kind provided for in paragraph 18, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 18 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.
20. Sugars, tank bottoms, sirups of cane juice, melada, concentrated melada, concrete and concentrated molasses, testing by the polariscope not above 75°, one and sixteen one-hundredths of 1 cent per pound, and for every additional degree shown by the polariscopic test, four one-hundredths of 1 cent per pound additional, and fractions of a degree in proportion; molasses testing not above 40°, 24 per cent ad valorem; testing above 40° and not above 56°, 3½ cents per gallon; testing above 56°, 7 cents per gallon; sugar drainings and sugar sweepings shall be subject to duty as molasses or sugar, as the case may be, according to polariscopic test.
21. Butter, and substitutes therefor, 6 cents per pound.
22. Cheese, and substitutes therefor, 23 per cent ad valorem.
23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.
24. Milk, preserved or condensed, or sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.
25. Wrapper tobacco and filler tobacco when mixed or packed with more than 15 per cent of wrapper tobacco, and all leaf tobacco the product of two or more countries or dependencies when mixed or packed together, if unstemmed, $2.35 per pound; if stemmed, $3 per pound; filler tobacco not specially provided for in this section, if unstemmed, 35 cents per pound; if stemmed, 50 cents per pound.

The term "wrapper tobacco" as used in this section means that quality of leaf tobacco which has the requisite color, texture, and burn, and is of sufficient size for cigar wrappers, and the term "filler tobacco" means all other leaf tobacco.

26. Apples, 30 cents per bushel.
27. Cherries in a raw state, preserved in brine or otherwise, 3 cents per pound.
28. Olives, in solutions, 25 cents per gallon; olives, not in solutions, 3 cents per pound.

SEC. 2. The rates of duty imposed by section 1 (except under paragraphs 17 and 19) in the case of articles on which a rate of duty is imposed by existing law shall be in lieu of such rate of duty during the six months' period referred to in section 1.

SEC. 3. After the expiration of the six months' period referred to in section 1, the rates of duty upon the articles therein enumerated shall be those, if any, imposed thereon by existing law.

SEC. 4. The duties imposed by this title shall be levied, collected, and paid on the same basis, in the same manner, and subject to the same provisions of law, including penalties, as the duties imposed by such act of 1913.

SEC. 5. That this title shall be cited as the "emergency tariff act."

TITLE II.

ANTIDUMPING.

SEC. 201. That the term "United States" wherever used in this title shall mean the United States and any Territory or place subject to the jurisdiction thereof, except the Philippine Islands, the islands of Guam and Tutuila, the Virgin Islands, and the Panama Canal Zone.

SEC. 202. That the term "person" wherever used in this title means and includes any individual, partnership, corporation, association, or other body.

SEC. 203. That the term "foreign home value" wherever used in this title means the value plus the cost, when not included in such value of packing and packing charges, at which such or similar merchandise comparable therewith in material, quality, and use is freely offered for sale in the principal market or markets of the country of exportation for consumption or use in said country in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this title is freely offered for sale in the United States, and shall not include any excise tax levied against such merchandise.

SEC. 204. That the words "the value to countries other than the United States" wherever used in this title mean the value plus the cost, when not included in such value of packing and packing charges at which such or similar merchandise comparable therewith in material, quality, and use is freely offered for exportation to countries other than the United States in the principal market or markets of the country of exportation in the ordinary course of trade and in the usual or fair average wholesale quantities that the same kind or class provided for in this title is sold in the United States: *Provided*, That any import duties rebated or not paid by reason of the exportation of such merchandise from the country of production or sale to the country other than the United States shall be added to the export price.

SEC. 205. That the term "cost of production" wherever used in this title means the cost of labor and material of the merchandise exported to the United States at the time of production plus the actual general expenses and a profit which is usually and ordinarily added to the cost of labor, material, packing charges, and general expenses by manufacturers in the country of production of merchandise similar in material and production or manufacture.

SEC. 206. That the term "sales price" wherever used in this title means—

(a) The price plus the cost, when not included in such price, of the package and the packing charges at which the person in the foreign country or his agent sells the merchandise to the person in the United States or his agent: *Provided*, That the person in the United States has no financial or other interest in the business of the person in the country of exportation shipping or selling the merchandise to the person in the United States.

(b) If it shall appear to the satisfaction of the appraiser, or the person acting as such, that the person in the United States, buying directly or through his agent in the United States or through a foreign agent, has any financial or other interest in the business of the person in the country of exportation shipping or selling the merchandise to the person in the United States, the appraiser, or the person acting as such, will secure from the person in the United States his sale price in the United States of the imported merchandise plus the cost, when not included in such price, of the package and the packing charges, and compare this price after due allowance has been made for all expenses included in said price incurred from the place of manufacture or purchase in the foreign country to the place of delivery in the United States with the sales price that the person importing the merchandise pays or has agreed to pay to the foreign shipper, manufacturer, or owner and report to the collector as the sales price the lower of the two.

(c) If the merchandise imported into the United States has been procured from the foreign owner, manufacturer, or shipper otherwise than by purchase, the sales price plus the cost, when not included in such price, of the package and the packing charges, will be the price at which the person importing the merchandise sells or agrees to sell the merchandise in the United States plus the cost, when not included in such price, of the package and the packing charges, packed ready for shipment, either prior or subsequent to the date of importation, less all expenses, included in said price incurred from the place of shipment or manufacture in the foreign country to the place of delivery in the United States.

SEC. 207. That whenever merchandise, whether dutiable or free, is exported to the United States, of a kind or class identical or comparable in material, quality, or use with a kind or class made or produced wholly or in part in the United States, or with a kind or class sold in competition with merchandise made or produced wholly or in part in the United States, and the sales price of any such is less than the foreign home value, or in the absence of such value is less than the value to countries other than the United States, or in the absence of both such values is less than the cost of production, there shall be levied, collected, and paid in addition to the duties on imported merchandise prescribed by law a special duty in an amount equal to the difference, at the time of exportation, between the said sales price and the foreign home value or the value in the countries other than the United States or the cost of production, whichever may be the highest, as the case may be: *Provided*, That whenever the sales price of merchandise imported into the United States, which has been procured from the foreign owner, manufacturer, shipper, or agent otherwise than by purchase, is not at the time of entry for consumption fixed or agreed to be fixed and determined, a bond shall be given under regulations to be prescribed by the Secretary of the Treasury, conditioned that upon and as soon as the sales price thereof shall be fixed and determined by bona fide sale or agreement for sale, notice shall be given and evidence thereof submitted that the additional duties herein provided will, as ascertained, fixed, and liquidated, be paid: *Provided further*, That no sale or pretended sale or sales shall be held to establish "value" as herein provided; and that to constitute any such, having regard to the customs and usages of trade, there must be a reasonably extended and continued course of sales in substantial wholesale quantities sold or offered for sale to all purchasers on equal terms under like conditions.

SEC. 208. That the appraiser, or the person acting as such, shall report and return to the collector his "decision" as to the foreign home value, or the value to countries other than the United States, or the cost of production, as the case may be, and the sales price. That the collector or person acting as such shall ascertain, fix, and liquidate the amount of additional duties herein provided, which action shall be deemed and held to be the "decision" of the collector.

SEC. 209. That the provisions of section 3 of an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, and of the Judicial Code, relating to the authority, duties, and decisions, of appraising officers, general appraisers, and appeals from the decisions thereof, and of the Board of General Appraisers, and to the duties and decisions of collectors, protests of the decisions thereof, and to appeals from the decisions of a board of general appraisers to the United States Court of Customs Appeals shall be, and the same are hereby, made applicable to the "decision" of the appraiser and collector by this title authorized and provided.

SEC. 210. That if any person engaged in the manufacture, production, or importation of merchandise into the United States or engaged in dealing in such imported merchandise, directly or indirectly, shall fail or refuse to submit for inspection of a duly accredited investigating officer of the United States upon request so to do from or by the collector, appraiser, general appraiser, Board of General Appraisers, or any person duly acting as or for such, or any other officer of the United States customs duly authorized by law, any or all of his books or records, accounts, documents, or other papers pertaining to the value or classification of any such imported merchandise, then the Secretary of the Treasury, while such failure or refusal continues, shall direct the collector of customs to withhold delivery of the particular importation the subject of investigation and also prohibit the future importation of any merchandise into the United States, directly or indirectly, by or for the individuals, partnerships, corporations, or associations, their agents or representatives, so refusing, and by or for the particular individuals, partnerships, corporations, or associations, their agents or representatives, importing the particular merchandise into or exporting the same to the United States, and if the importer or his agent shall continue to refuse to comply with the requirements of this title for a period of one year from the date of importation, the collector shall cause the imported merchandise to be sold at public auction as in the case of seized goods.

SEC. 211. That the statement accompanying the invoice, or statement in the form of an invoice, of merchandise described in section 207 of this title shall contain, in addition to the facts and details required by existing law, the foreign home value, or, in the absence of such value, the value to countries other than the United States, or, in the absence of both such value, the cost of production, as the case may be. That the declaration to be filed with and as a part of the entry shall set forth, in addition to the facts and details required by existing law, whether or not the merchandise has been sold or agreed to be sold; and if so, to whom, the place where, the time when, and price at which said merchandise was sold or agreed to be sold.

SEC. 212. That if any person engaged in the manufacture, production, or importation of merchandise into the United States shall give or receive a rebate or concession from the sales price whereby the United States shall be deprived of the lawful duties or any portion thereof accruing upon the merchandise, or any portion thereof, without notifying the collector of such rebate or concession from the sales price, either at time of entry or afterwards, he shall upon conviction be fined for each offense a sum not exceeding $5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court; and the collector of customs, or the person acting as such, at the port where such merchandise shall have been entered shall have the power, and is hereby authorized, to reliquidate such entry and assess duty, as provided by this title or by existing law, upon such merchandise, and any provision of existing law inconsistent with this provision is hereby accordingly amended.

SEC. 213. That the special duty herein provided for shall be treated in all respects as regular customs duties within the meaning of sections 2977 and 3015 of the Revised Statutes and paragraph O of section 4 of the tariff act of October 3, 1913, and all other statutes providing for drawback customs duties upon exportation of imported merchandise or articles manufactured or produced in the United States with the use of imported merchandise.

SEC. 214. That section 25 of an act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, be, and is hereby, amended by adding thereto a further proviso, so as to read, when so amended, as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury immediately after the passage of this act and thereafter quarterly on the 1st day of January, April, July, and October in each year. And the values so proclaimed shall be followed in estimating the value of all foreign merchandise exported to the United States during the quarter for which the value is proclaimed, and the date of the consular certification of any invoice shall, for the purposes of this section, be considered the date of exportation: *Provided*, That the Secretary of the Treasury may order the reliquidation of any entry at a different value, whenever satisfactory evidence shall be produced to him showing that the value in United States currency of the foreign money specified in the invoice was at the date of certification at least 10 per cent more or less than the value proclaimed during the quarter in which the consular certification occurred: *Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent."

SEC. 215. That this title shall be cited as the "antidumping act."

SEC. 216. That the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for the enforcement of this title.

Mr. YOUNG. Mr. Chairman and gentlemen of the committee, the gentleman from North Carolina [Mr. KITCHIN], who, I am very sorry to say, is not on the floor at this time, detained by illness, seems to think, from his report of the views of the minority, that there is some political significance in respect to the change of the name of this bill. I call the attention of the committee, first of all, to the fact that this is very largely a new bill. In addition to the emergency tariff, so called, covering agricultural products, we have added a very important provision in respect to the dumping of foreign merchandise on our markets, and also a still more important provision in respect

to the regulation of the value of foreign money. I regret that I was not able to read the views of the minority prepared by the gentleman from North Carolina, because they did not come to my attention until a few moments ago. I notice, however, by the morning paper Mr. KITCHIN was quoted as having said that the provision last referred to is a joker. A joker is supposed to be something hidden or concealed in a bill. If the Members will read the views of the majority, as contained in the report prepared by me and filed yesterday, they will find that special attention was called to that feature of the bill and attention was called to its probable operation and effect.

The bill is still emergent in character all the way through, every paragraph of it. It has simply been enlarged in scope.

Our friends across the main aisle have never seemed to quite make up their minds whether a tariff on wheat will raise the price and make living dearer or would have absolutely no effect at all. In every debate we have ever had on this subject we have always had representatives of both views on that side of the aisle. Those of us who come from the West would rather be considered selfish than foolish. We entertain the view that a tariff on wheat will be of distinct value to the wheat raisers of the country. If we did not believe so, we would not ask for this duty. It ought not to be considered selfish, however, to ask protective duties upon farm products when other industries, to which farmers pay tribute, are protected.

The consideration of a few outstanding facts in respect to wheat, it seems to me, will completely dissipate the idea that a duty on that commodity is of no value. Up to the time that wheat was put on the free list we seldom had a term of United States court in North Dakota when there was not some one there charged with smuggling wheat into the United States. Men do not take the risk of being arrested, tried, and sent to prison for nothing. That fact ought to have some significance.

There are three great transcontinental railroads in Canada—the Canadian Pacific, the Grand Trunk, and the Canadian Northern. Naturally those roads want to have the long hauls, and naturally the Government of Canada and the people of that country want to see the grain hauled on those lines east and west, particularly now since large portions of those roads are owned by the Government of Canada. In spite of the fact that it would be natural for them to stand for a long haul on the east and west Canadian railroads, the wheat has been coming straight south to the railroads of the United States, and there has been a constant flood of wheat importations. The great bulk of the western wheat in Canada has been coming south to and over the roads of the United States, instead of going east over their own transportation lines. If that means anything, it means that we have a better market for wheat here than Canada can find, either in Canada or abroad, when shipped direct from their country. From September 1, 1920, to December 31, 1920, 37,800,000 bushels of wheat were shipped into the United States for domestic consumption. We notice at times flippant remarks in the newspapers about how this wheat is simply going through the country in bond for a foreign destination. These figures were obtained from the Secretary of Agriculture and were prepared by the Bureau of Markets and declared to be all for consumption in the United States. In January and February 6,800,000 bushels of wheat came in, making a total importation up to the end of February from September 1, 1920, of over 44,000,000 bushels of wheat. Quite a little has come in since. Still more important is the fact that there are over 20,000,000 bushels of wheat at Port Williams and at Port Arthur awaiting shipment just as soon as navigation opens, also 13,000,000 bushels in storage west of there in Canada. Mr. Wylie Nielson, of Valley City, N. Dak., has sent me a large number of newspaper clippings indicating these market movements, and prints in large letters at the end these words, "Rush relief before it is too late."

Mr. J. E. Davis, of Goodrich, N. Dak., wired me recently, saying a large convention at Devils Lake had passed resolutions urging the passage of emergency tariff legislation with all possible speed.

A telegram has just been handed to me from H. N. Owen, editor of the Farm, Stock, and Home, Minneapolis. Mr. Owen has made a life-long study of marketing. He says:

> In January Minneapolis millers bought Canadian wheat for future delivery. They knew there was not enough millable spring wheat here to supply needs to new crop. Forty-three million bushels Canadian wheat has come in for United States consumption on this crop year. More than twice our present visible supply. Unless Canadian wheat is embargoed a drastic cut in wheat acreage certain. A 50-cent advance in wheat would cost a family of five $12.50 a year. Eight hundred million crop adds $400,000,000 to purchasing power of farmers. Steady employment at good wages offset increased bread price.

Now, just one other thought in respect to wheat. The statistics of the Department of Agriculture show that it cost one-third less to raise wheat in Canada than in the United States. That should be borne in mind as a justification for this duty. It is also important to bear in mind the matter of exchange which——

Mr. HARDY of Texas. Will the gentleman answer one question?

Mr. YOUNG. If it is very brief.

Mr. HARDY of Texas. How much wheat was exported by the United States at the time of these imports and during the same period?

Mr. YOUNG. Very much more than we imported, and that is why a great many people have fallen into the mistake of believing it is of no value for us to have a duty on wheat.

Mr. HARDY of Texas. Will the gentleman answer one other question?

Mr. YOUNG. Very well.

Mr. HARDY of Texas. This exported wheat may be taken out of the imported wheat and a rebate gotten for the duty paid on it, may it not? In other words, the exporter of the imported wheat will get a rebate of 99 per cent of the taxes he may pay.

Mr. YOUNG. That is possible from the legal standpoint under the drawback law but it is very little used in the United States. The amount of business done under the drawback is negligible.

Mr. KNUTSON. And there is a difference in the exchange.

Mr. YOUNG. Yes; I will come to that if I have time. The facts I have been giving you, I think, demonstrate beyond any doubt, in spite of the fact we export more wheat than we import, that our market in the United States is decidedly better than the Canadians can find, either in their own country or abroad.

I was going to speak of the price of bread. Notwithstanding the fact that the price of wheat has been cut in half, the price of bread remains the same in most of the cities, and it is highly improbable that the passage of this law will make bread dearer. The effect in respect to the cost of other items in the bill, to the consumers, will be similar.

Now, in respect to flax. That is a good deal easier to consider because even my friend from Texas can not say that we have exported any.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. YOUNG. I can not very well as I want to leave some time for others favoring the bill. The annual consumption of flax in the United States is 25,000,000 bushels. We imported 24,000,000 bushels in 1920. In other words, we imported all of our needs excepting 1,000,000 bushels. We raised in this country last year about 11,000,000 bushels. That leaves 10,000,000 bushels of flax to flood this market and depress the price.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. YOUNG. As the time is in my control, I shall proceed for five additional minutes. I will give you a few figures to just show how this works out to the man who raises flax. The total acreage of the United States was 1,785,000 acres in 1920. The total production was 10,990,000 bushels, giving an average yield per acre of 6.2 bushels. About one-third of that flax was grown in North Dakota. The average there was 5.3 bushels per acre. The last quotations, which reached me last night, in the Grand Forks Herald, gives the price at $1.22 for flax. That would mean $6.47 per acre as the gross return from flax; $6.47 per acre is scandalously below the cost of production. The average cost of raising flax in North Dakota was $15.70 per acre, according to the United States Bureau of Markets. The cost in Minnesota was $21.40 per acre. Think of that, you Members from Minnesota!

The situation in respect to live stock is of a highly emergency character. During the winter of 1918 and 1919 there was very little snow in the Northwest and in the Mountain States, and in the following summer there was a very severe drought which dried up the pastures and meadows, and during the winter of 1919–20 there was need for buying hay and other feed to winter the stock. It is true that during the war the growers of live stock had been able to do fairly well and to accumulate something, but during that winter they had to buy hay that used to cost $4 to $6 a ton and pay $20 to $25 a ton. So that in the spring of 1920 it was a very rare stock raiser of the West who did not owe more to the bank than his stock was worth after the slump came. In other words, after the price of live stock and meat had been deflated, the stock was mortgaged for more than it was worth, and it was impossible for the banks to secure liquidation. I want to call attention to the fact that we imported during 1920 over 101,000,000 pounds of lamb and mutton; also that the cost in the United States for raising lamb and mutton is 24 cents per carcass pound. In New Zealand the cost is 14 cents per carcass pound, or 10 cents per

pound less. The duty carried in this bill is only 2 cents per pound.

Attention is further called to the fact that we have now two full years' supply of wool in this country. We not only have this immense supply of wool in this country, which has practically made wool unsalable—a man can not sell wool to-day for anything even if it is supposed to have some nominal value, but there is nobody buying it—and on top of that there are 100,000,000 pounds of wool loaded on ships and headed for United States ports.

The CHAIRMAN. The gentleman has used 15 minutes.

Mr. YOUNG. I shall conclude in five minutes. These are some of the reasons why we are anxious to speed the passage of this bill. It would require hours to detail all of them.

Mr. JOHNSON of Mississippi. Will the gentleman yield for a question?

Mr. YOUNG. I can not yield very well. I must save time for gentlemen on this side. I do not desire to rob them.

Mr. JOHNSON of Mississippi. That is, the gentleman will yield to Republicans?

Mr. YOUNG. I have yielded to your side for questions and have tried to be courteous. The gentleman from Texas [Mr. GARNER] has control of one-half of all the time for general debate.

Here is an extract I cut out of the newspaper yesterday showing that five banks have closed in one day in Idaho and Washington. It goes on to give the names of the banks that have closed in those two States, one of them a national bank.

The reason given for closing these five banks is contained in the last three lines, where it says that the inability to realize on farm paper was the reason assigned for each closing. The fact is that farm products have been deflated to such an extent that mortgages taken upon them at the time they were given, presumably for only a proper portion, from the securities standpoint of the value have now reached the point where the banks do not foreclose because they could get practically nothing out of the stock if sold after paying the freight. One instance is given of a shipment from Idaho, where, after paying the freight and all other charges, they got 33 cents a head for lambs shipped to Chicago.

The Secretary of Agriculture, Mr. Wallace, has just sent up a telegram which he received from Chicago showing that May wheat dropped 4⅛ cents and corn 1¾ cents yesterday upon the receipt of news that navigation was to open at Port Williams and Port Arthur and further shipments of wheat were to come from Canada. Mr. Wallace in his letter to me says this:

> I inclose herewith our regular market telegram from Chicago to-day. I call your attention to the sentence marked showing that parties in Winnipeg, "Wired country holders liquidating wheat in effort to rush into United States in anticipation proposed tariff bill." I am told by our markets people that informal advice indicates that the first boats may leave from Port Williams and Port Arthur as early as April 21.

That is another reason why we will ask the House to sit to-morrow long enough to pass this bill before we adjourn. We want to set an example for the other end of the Capitol of speedy action in respect to this bill, which is of a very high emergency character. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I desire to speak on a subject which is closely connected with that which we are discussing to-day, and yet is not the emergency tariff bill. I would that others more capable could have undertaken it, but I do not believe I have any right to remain silent in view of conditions that should be disclosed to the House at this time.

A day or so ago the President of the United States said in his message that we will be obliged to raise $4,000,000,000 annually to carry on the affairs of government, and he gave the Treasury as authority for that statement, and we realize that to be the fact. If we raise $4,000,000,000, based upon the estimates of 1922, and cut down the Military and Naval Establishments, as was proposed in the last session of the Congress, we will have nearly nine hundred millions of excess that can be saved over expenditures out of that $4,000,000,000. But there is an effort being made—and possibly successfully made—to repeal the excess-profits tax and reduce the surtaxes on incomes. If that passes, it will wipe out the balance of $900,000,000. In 1921 the excess-profits tax and personal income tax will produce $3,050,000,000, and estimates in 1922 are $2,600,000,000, or two-thirds of our total income. Of this amount excess profits contribute nearly one-third.

A number of proposals have come from the Secretary of the Treasury to meet the loss we will suffer of $900,000,000 or more that will be taken out of excess-profit taxes and reduced surtaxes. One of these propositions, as you may understand, and as has been suggested in the bill of the gentleman from Ohio [Mr. LONGWORTH], seems to me can not be successfully attacked. It proposes to raise an additional amount of $400,000,000 or more by a 6 per cent annual tax upon the net incomes of corporations. Another proposal, which came from ex-Secretary Houston, is to raise in the neighborhood of $600,000,000 from a tax on undistributed profits at 20 per cent, as estimated by him.

I will not discuss the different proposals in detail, but I am showing herewith a number of different methods of raising this tax that can be adopted, amounting in all to $2,500,000,000, if the Congress sees fit to adopt them.

Additional annual revenue proposals before Congress.

Tariff increase	$350,000,000
Increase of corporation normal tax, 6 per cent	465,000,000
Undistributed profits tax, 20 per cent	190,000,000
Income released thereby for income tax	400,000,000
Automobile license, 50 cents per horsepower	100,000,000
Cigarette increased tax, $2 per 1,000	70,000,000
Admission to theaters increase, 10 per cent	70,000,000
Gasoline increase, 2 cents per gallon	90,000,000
Miscellaneous (p. 45, Treasury Report)	300,000,000
	2,035,000,000

These are proposals of Secretary Houston, contained in his 1920 report, to which may be added $1,000,000,000 balance in excess receipts over disbursements for 1922, if military and naval bills are cut to proposed reduction.

The increase of normal tax above could only be considered if the excess-profits tax is repealed.

Additional proposals are:

Increase normal income tax, estimated	$150,940,000
Abolishing corporation $2,000 exemption	58,000,000
Stamp taxes, National Tax Committee	130,000,000
Sugar, 2 cents per pound, National Tax Committee	200,000,000
Total	2,574,000,000

These estimates do not include interest on foreign loans or other items, like increased postage to 3 cents, reaching several hundred million dollars more annually, whereas no new tax law is needed unless we repeal existing laws.

These propositions are before the Congress to-day. But there is an element, not in the House particularly, but in the country, that is insisting on a tax on everything we eat, drink, or wear through a turnover sales tax, and effort is being made to put that through at this time. I want to discuss that proposal briefly.

Let me say, first, that the National Industrial Conference Board, which represents millions of dollars in capitalization and represents millions of men in its employ, has reported, through its committee, against this tax. The United States Chamber of Commerce Tax Committee, similarly constituted, representing all of the chambers of the United States, has reported against that tax, and so has the National Credit Men's Association. What do you suppose would be the verdict if it was submitted to the millions and millions of farmers and men working in the factories and shops to-day, as well as the clerks and others, if they were to decide upon paying the tax that is to be shifted from the excess profits? That is the proposition proposed at this time.

Now, I have to-day on my desk 145 letters received from candy makers alone demanding a sales tax. I have between 500 and 600 from jewelers, from druggists, from various classes of people who want to have the tax shifted from them over on the backs of the people of the country, and therefore demand a sales tax. We have newspapers and pamphlets galore for a sales tax. Let me read to you from some of them, so that you will understand the extent of the propaganda.

Here is a full-page advertisement headed "The bubble has burst." It is from the Wall Street Journal that editorially has criticized me severely for the position I have taken against a sales tax. I want to call your attention to the words of this full-page advertisement. And I understand it was carried in other papers throughout the country.

On page 7 of the Wall Street Journal of March 17, 1921, it says:

> M. Francois-Marsal, the banker finance minister, is credited with having discovered a veritable philosopher's stone in the new tax on turnover. The yield is already proving unexpectedly satisfactory, and there appears to be every reason that it will produce a much greater amount than had been anticipated in the budget estimates.

As a matter of fact every intelligent man familiar with the French sales tax—and the man who wrote that is intelligent—knows that only 37 per cent of sales-tax estimates is being collected in France.

If France is unsuccessful how can we hope for different results? In France the budget estimates of 487,000,000 and 413,000,000 francs for January and February fell down to 187,000,000 and 151,000,000 for those months as stated, or to 37 per

cent of estimates, and are dropping proportionately every month. In the April monthly letter, Hamilton Institute, I quote a French cable:

The yield of the French business turnover tax, which became effective July 1, 1920, has proved decidedly disappointing. * * * The measure has proved cumbersome and unpopular. * * * In each month so far the proceeds have been less than those of the preceding month.

The "letter" further says:

The Government can not cope with the present crises unless payments of the indemnity are soon forthcoming. * * * France has been less progressive in her tax legislation than England and the United States. She depends less upon the taxation of individual and corporation incomes and more upon sales taxes and other obsolete methods of collecting revenue.

In cable March 27 (Washington Post) it says of the French economic crisis:

This it is asserted here is not due to overproduction, but instead to willful underconsumption as a result of prevailing high prices which are likely to continue.

HIGH PRICES, UNDERCONSUMPTION, AND DISTRESS FOLLOW THE SALES TAX.

The above contains a clean-cut survey of the experience of the only large country which has adopted a turnover sales tax.

The Philippine sales tax offers no solution. Receipts in 1919 were $6,865,624 (₱13,731,248) and in 1920 $7,521,000 (₱15,042,000) collected from 10,500,000 people, or about 75 cents per capita. That rate is 1 per cent. (Sec. 1459 P. I.)

The Smoot rate of 1 per cent would bring 75 cents per capita, or about $75,000,000, in this country at same proportionate consumption. It is useless to speculate how much more we would consume. These are the figures. As well compare a skiff on a mill pond or on a large lake subject to heavy winds and waves as to compare the Philippines with a nominal budget and ours with $4,000,000,000 annually.

Canada's sales tax is not a sales tax and has proven a notorious revenue disappointment, filled with exemptions, administered by a body possessing practically legislative functions, to change or add further exemptions.

Mr. McCoy, the Treasury expert, I am informed, estimated $185,000,000 annually on our luxury taxes, whereas only about $50,000,000 has been collected, or less than one-third of the estimates. This is a final sales tax and speaks for itself.

Here is the San Francisco Chronicle; I have no criticism, but it publishes a full-page advertisement on the sales tax by the Fidelity & Deposit Co. of Baltimore. It was also published here in the city of Washington, and presumably published generally throughout the United States. Who pays the enormous amount of money to finance this one advertisement, and what was the purpose? The public is entitled to know. Who pays for the lobby that is to be established here in Washington? Who is paying for all this large expenditure of money, and who is instigating the work?

I have here an original letter from one of the men who appeared before the Committee on Ways and Means. His name is Jules S. Bache, of New York City. His letter is dated March 28, two weeks ago. It went all over the country. Thousands of copies, I understand, have been circulated among financial interests that, in the aggregate, have $1,000,000,000 annual excess-profits tax and income tax at stake that is to be shifted to a sales tax:

[President, Hazen J. Burten, Minneapolis, president Plymouth Clothing House; executive vice president, Henry G. Opdycke, New York; treasurer, Jules S. Bache, J. S. Bache & Co., members New York Stock Exchange.]

THE TAX LEAGUE OF AMERICA (INC.)
TO LIFT THE BURDEN OF UNWISE TAXATION,
NATIONAL HEADQUARTERS, 1270 BROADWAY,
New York City, March 28, 1921.

DEAR SIR: It is stated that business men in this country are paying out in fees for expert services in the preparation of their income-tax returns about $100,000,000 annually. * * *

The Government does not receive any part of this vast sum nor does it receive the hundreds of millions which for one reason or another are never collected under the present inadequate and bunglesome tax system.

To simplify and improve the present system a tax on all gross sales is proposed. Such a tax is easily collected, and this is a big thing in its favor. Clearly a sales tax would be inexpensive in its operation and no burden to anyone, and would fairly and equitably spread the obligation of Government expense to all in the fair and just proportion each should bear. Moreover, it will be simple in operation and will return a sufficient revenue.

I am writing to you because men like you and me may, as well as anyone else, take up the fight for an adequate taxing system. It is our job since it is our money which is now being taken inequitably from us under a system which constitutes undoubtedly the greatest blight upon legitimate business initiative now existing.

I ask your cooperation in a plan now organizing to conduct an educational campaign in favor of a general sales or turnover tax throughout the country.

For this purpose the Tax League of America has been created and has already done work which is showing results. Will you, therefore, please send your check for $50 payable to Jules S. Bache, treasurer, and mail same to the Tax League of America (Inc.), 1270 Broadway, New York City?

Yours, very truly, JULES S. BACHE.

(First vice president, John Williams, New York; vice president Irving National Bank.)

Mr. Bache, from his testimony before our committee, has presumably contributed twenty or fifty times $50. His taxes make the stake worth while.

How many thousands of these letters are being circulated throughout the country, and what is to be done with the enormous sum of money which will be raised? Mr. Bache was before our committee. He stated he is investing as fast as possible all his money in municipal bonds, in order to escape taxation. He stated to the industrial tax committee that the average man spends 11 months of the year trying to legally evade his taxes. He said at the same time the way to escape consumption taxation under his proposition is not to consume. This is the gentleman who is going to crack the whip over the Congress of the United States. His lobby will be working full force in a few days, and then we will be given the benefit of his many publicity agencies in earnest.

From the New York Times, several days ago, I quote:

Plans for uniting individuals and trade associations who favor a general sales tax in support of a measure now being drawn (the Smoot bill) for presentation before Congress have been made by the Tax League of American (Inc.) (Julius Bache), whose headquarters are at 1270 Broadway. The program includes a "campaign of education" in every congressional district in the country.

The article continues in an extended statement of what Mr. Bache and his aids proposes to do with the new organization.

Let me read you another statement. This comes from Mr. Meyer Rothschild, who was before our committee. This letter is signed by Mr. N. R. Fuller and pays a high compliment to Mr. Rothschild.

NATIONAL WHOLESALE JEWELERS' ASSOCIATION URGES MEMBERS TO SUPPORT JEWELERS' WAR REVENUE TAX COMMITTEE.

The following letter to members was sent out on March 2 by the National Wholesale Jewelers' Association, urging support of the fight on taxation being led by Mr. Rothschild's special committee:

"This letter is written to emphasize and call your attention to the necessity of actively supporting—morally, financially, and physically—the work of the jewelers' war revenue tax committee, which is being so capably guided by its chairman, Meyer D. Rothschild.

"As you already know, this committee and the entire jewelry industry are fighting not only to prevent an additional tax being placed on jewelry but to remove altogether the excise tax on our industry and work for the adoption of a turnover sales tax in lieu of our present inequitable tax system.

"The points regarding this proposition are too well known to need further discussion, but I do want to emphasize the necessity for ample finances for this committee to use in prosecuting their work effectively and without embarrassment.

"The present plan for financing the work of the jewelry war revenue tax committee is to select 28 of the leading cities and estimate on a percentage basis what was thought each city ought to raise.

"A letter has been addressed to you or some one in your city requesting that the quota for your city or district be promptly raised. Experience has shown that unless these matters are followed up and "put across" by some one of ability and initiative the work is never done.

"Trusting that each member of our association will take it upon himself to be a committee of one to see that Mr. Rothschild and his committee has the financial and active support this cause would justify and with kindest regards, I am,

"Yours, very truly,

"NOBLE R. FULLER, *President.*

"KEYSTONE, *April, 1921.*

"N. B.—The treasurer of the jewelers' war revenue committee is A. L. Brown, 68 Nassau Street, New York, to whom checks may be sent or communications directed."

From the same publication I quote:

Let all your friends and neighbors in these lines know what you are doing, and suggest that they also see their Congressman and Senators while they are at home and talk to them on this important subject.

If you can not see your Congressman, write to him, and again to your Senators, unless you have had replies to your last letter.

Please let us know the result of your interviews, and do what you can to get your friends outside of the jewelry trade, who are taxed under Title IX, to work along the same lines.

You must work quickly, as the special session of Congress will probably be called for April 4.

We are looking forward to your usual loyal cooperation, and hope to hear from you shortly.

JEWELERS' WAR REVENUE TAX COMMITTEE,
MEYER D. ROTHSCHILD, *Chairman.*

35,000 JEWELERS' LETTERS $27,000.

I quote from page 91 of the Jewelers' Circular, April 13, 1921, a public statement of Chairman Larter, of the "Jewelers' Vigilance Committee," known as "the governor of the jewelry industry." He said:

Do you know that the Jewelers' Vigilance Committee has paid the jewelry trade's share of the expenses of the business men's tax committee, and this amount up to date for tax matters is in excess of $27,000? About the 1st of January we sent over 35,000 letters to every jeweler in the United States, asking them to write their Congressmen and Senators in favor of the turnover sales tax and to send us contributions. Recently we selected 26 cities in the United States and prorated the amount we thought each city should contribute.

Candy men, jewelers, retailers, druggists, stock brokers, newspapers are all on the job.

Here they are dividing the United States up into 26 districts to get money in behalf of their organization to help put over the sales tax. I received yesterday a New York paper in which it says some New York man claiming to represent the traveling salesmen says of the sales tax opposition:

That a powerful group of large tax accountants and experts were banded together to defeat the sales tax, because it would wipe out the need of their services, for which $100,000,000 a year is now paid.

This sounds so much like Mr. Bache's letter that further comment as to its source is unnecessary. They are trying to find the $100,000,000 accountants, and we ought to have them testify where they exist. Let us have the facts.

Many editorials and news items are being received supporting a sales tax. What will the effect of the excess profits tax be on the newspapers, the great newspapers, the powerful newspapers of the country? I do not criticize them, but I am speaking of their interests in the subject, for the interest of every witness should be known to the jury. What is the effect of a profits tax on the great newspapers, what do they now pay, and what will be the effect of a sales tax and what difference will it make when advertising contracts go free? We understand the tremendous power they exercise to-day. They have a right to protect their interests, but what are those interests? Both of these gentlemen—Mr. Bache and Mr. Rothschild—speak of the educational campaigns they are now carrying on in all congressional districts. That same kind of education was carried on by a notorious body of New Yorkers known as the National Security League. We made an investigation of that organization in Congress. What was the result? A discovery of $600,000 or more for an educational fund which was used as a slush fund to aid in the defeat of Members of Congress.

What part of this Bache and Rothschild fund is a slush fund? I do not know, but I am asking for an investigation by Congress to ascertain what is being done back in our districts. Members of Congress have a right to know their methods, and I am asking for an investigation to-day. I read:

Resolution.

Whereas Jules S. Bache, stock broker of New York, organizer of the National Tax League, and Meyer D. Rothschild, wholesale jeweler, of New York, known as the wholesale jewelers' tax committee, have organized propaganda wherein large contributions have been made variously estimated at from several hundred thousand to a million dollars or over for pushing through Congress a $1,250,000,000 annual sales tax bill introduced during the present session; and

Whereas the Rothschild plan for financing the work is to select 28 of the leading cities and estimate on the percentage basis what each city ought to pay in pressing this bill through Congress and advising the proper course to be pursued toward Senators and Congressmen; and

Whereas the Bache circular demands $50 contributions from thousands of contributors, stating that a campaign is on in every congressional district in the country with an implied threat therein against Members who oppose a general sales tax during the present session of Congress; and

Whereas the amount at stake is upwards of a billion dollars annually in excess profits that these interests seek to shift to the backs of men, women, and children of the country under a turnover sales tax; and

Whereas a well-financed lobby is to be established with the proceeds in Washington to further such sales-tax legislation; and

Whereas an enormous amount of propaganda in pamphlets, advertisements, letters, and peremptory demands has been received by Members from various sources that invite public scrutiny; and

Whereas the country is entitled to know what amount of money, what methods, and what interests are engaged in pressing this tax upon the people of the congressional districts:

Resolved, That the Committee on Rules of the House be empowered and instructed to bring before it the officers of the two organizations, together with such other witnesses as may have knowledge of the activities of these and various other organizations and ascertain what efforts have been made to secure funds, the amount of such contributions and purposes for which contributed and expended, and the methods pursued in efforts to force this tax measure through Congress. That the committee is authorized and empowered to issue subpœnas, swear and examine witnesses, and to procure all documents bearing upon the matters referred to and to employ needed stenographers and clerks in the prosecution of such inquiry.

One of the leading men on the Democratic side, a man of high character, stated to me that the amount of the sales-tax contributions would be a million dollars. That was at the close of the last session, before he knew of the many agencies and funds and lobbies that are being organized.

The CHAIRMAN (Mr. REAVIS). The time of the gentleman from Wisconsin has expired.

Mr. FREAR. May I have 15 additional minutes?

Mr. KINDRED. Mr. Chairman, I hope the gentleman may have additional time.

Mr. YOUNG. I yield to the gentleman 15 minutes more.

Mr. FREAR. I am asking for an investigation in order to stop this tremendous propaganda, or in order to permit Members of Congress to decide these questions upon their own merits and not upon the representations of men who are demanding we shift a billion dollars in taxes from them over to the backs of the 100,000,000 who can not escape. I have received probably 600 letters demanding a sales tax. How many have you Members received? All the letters received from this propaganda are on one side, practically, with not 10 letters to the contrary, whereas the sentiment of the country is just the reverse. One million men want to escape excess-profits taxes and are trying to shift their taxes onto the remaining 105,000,000 through a sales tax. To pyramid the costs of living for every man with a family of five to from $100 to $200 or more annually. What will these people say if we pass a sales tax?

I have here a letter received last night from my home city, sent out by the Rothschild organization. It says that there is going to be raised $4,000,000,000 by the 1 per cent sales tax. What a dishonest and false statement to make. Every district is to be flooded with letters, my friends, and I ask for an investigation. I do not think Congress ought to sit mute when these matters are pressed upon the country by irresponsible "incorporated" concerns, and that is a reason why there should be an investigation.

I am not going to discuss the sales tax now. I did so in my speech of January 31. I want you to understand the propaganda on this revenue sales tax bill financed by the man who has the money, the excess profits, and who is trying to shove his taxes onto the poor people of the country. He should pay according to his ability to pay, a principle that has stood for generations and is supported by the organizations quoted against a sales tax. The best tax experts in the country insist on that principle. Why not? Why should every dollar's worth of necessities a poor man buys, his coffee and tea and sugar and clothes, be taxed to relieve the men who will pay nearly a billion dollars in excess-profits taxes in 1921 after deducting their $3,000 exemption and 8 per cent on their invested capital, which is now exempt? The United States Steel Corporation the other day reported that it made 43 per cent more in 1920 than it made in 1919, or $109,000,000 profit. Texas Oil the other day reported a profit of $85,000,000, and it made 56 per cent more in 1920 than in 1919. Are you going to relieve those people from that excess-profits tax? I can not believe it possible, unless some equally just tax is to be substituted.

I have here an editorial from the Wall Street Journal, of over a column, criticizing me because I made a speech here against the sales tax on January 31.

I delivered the speech and sent it out, because I am thoroughly opposed to a turnover sales tax to run the Government. I wish other Members who are better able to do so would undertake the task of presenting opposition, because it calls for action and because, as the gentleman from Iowa [Mr. GOOD] said on this floor, any party that undertakes to put a sales tax through will be defeated the next time at the polls. I fear he is right. The editorial was unjust, made many misstatements, and failed to mention facts that could not have escaped the attention of any fair-minded writer. My answer says:

APRIL 14, 1921.

EDITOR WALL STREET JOURNAL,
New York City, N. Y.

MY DEAR SIR: Your column editorial in the Wall Street Journal of April 5 is received, wherein I am chastised editorially by B. S. Orcutt because in my speech of January 31 I opposed a sales tax and because I recently stated: "All sales-tax people desire to force that tax on the people before it can fully be understood." That statement I repeat, while the Journal confesses its truth and avoids by saying an "educational" propaganda demanding a sales tax is now on. A strong tax propaganda has been on for months, although it misrepresents, misstates, and theorizes without basis or reason. Members have been deluged with sales-tax letters urging a discredited tax, generally abandoned centuries ago by civilized governments. I have received 500 letters, including 145 from candy makers alone, all demanding to be exempted from taxes they now pay and also demanding that Congress substitute a sales tax. This kind of "education" is admitted.

A powerful lobby with an enormous slush fund is planned in Washington to push the sales tax through Congress.

Is that the "educational" medium to which you refer? Highly paid publicity men and men who crack the whip in Wall Street are about to crack their whips over Congress, according to this propaganda, in an effort to shift $1,000,000,000 in taxes they now pay annually over to the backs of the hundred million men, women, and children of the country who consume. These millions have no lobby, but they are to be sales-taxed over a billion dollars on everything they eat, drink, and wear, so that Wall Street profits may go untaxed or may be undertaxed. This lobby includes scores of men now taxed who are expected to appear before the Senate committee to voice their woes, while the sales-tax lobby is as boastful and brutal as the National Security League of like membership and fame, that blew up when its $600,000 "educational" slush fund and Wall Street methods were exposed by Congress.

The Wall Street Journal is recognized as a leader in this present sales-tax propaganda, for apart from its editorials the Journal printed a full-page "advertisement" on March 17, page 7, demanding a sales tax—

I referred to a page advertisement in the Wall Street Journal that favored a sales tax—

Therein this advertisement said of the recently enacted French sales tax: "The yield is already proving unexpectedly satisfactory and there appears to be every reason that it will produce a much greater amount than had been anticipated in the budget estimates."

The Wall Street Journal carried that false statement throughout the country on March 17, although long prior to that date the New York press printed the fact that French budget estimates of January and February, 1921, were 487,000,000 francs and 413,000,000 francs, respectively, yet the actual receipts by the French Government for the same months had only been 187,000,000 francs and 151,000,000 francs, in round numbers, or a little over one-third of the estimates. At present values this reached only $11,000,000 monthly for France, or less than 10 per cent of what is predicted here. In other words, the Journal was 63 per cent wrong on the most important statement in its full-page advertisement of March 17.

No greater injustice could be done Congress than to send broadcast this glaring misstatement of the most important fact on which a sales tax law was to be based. Was it a mistake on your part?

Your Orcutt editorial of April 5 pretends to explain why a packed sales tax crowd led by Bache and Rothschild, tax leaders, failed to capture a meeting of the National Industrial Tax Conference which had previously denounced a sales tax.

The National Industrial Conference Tax Committee represented thousands of great industries, billions of dollars in the aggregate, and millions of laboring men employed, whereas Bache and Rothschild are New York stock brokers or jewelers. That committee squarely rejected the sales tax. Its authority was limited to its report, but you complain because a handful of Wall Street tax dodgers failed to capture the meeting That is the burden of your editorial. Three members there present state your editorial criticism is a misstatement of fact.

Three members of that committee in my office all said that I had stated the facts correctly in the speech of January 31, and that there was no correction they had to make. And let me say this, that all men of great means are not in favor of a sales tax. Mr. R. P. Hazzard, who is at the head of the Hazzard Shoe Co., said in my office two or three days ago, "Mr. FREAR, it would be $200,000 more a year interest to me to have the sales tax provision passed, and yet I have been opposing it at every place I could, speaking against it constantly." Mr. Hazzard realizes, as he says, not only the injustice of putting this enormous tax burden upon the shoulders of the people, but beyond that comes the question of destroying many small companies that compete with his big company and other integrated concerns where he and they would have a great advantage through a turnover sales tax.

I am continuing to read from my letter to the Wall Street Journal:

Your deliberate purpose to mislead and deceive is again emphasized. The contributor of your editorial, Mr. Orcutt, had an intimate knowledge of the tax meeting referred to and of my speech. That you admit. He knew that I quoted in my speech of January 31 at length from official reports of two important committees, the national industrial tax committee and the United States Chamber of Commerce tax committee. Both committees requdiated any sales tax. Why did you not state in your editorial that the tax committee of the United States Chamber of Commerce, represening hundreds of thousands of business men of the country, not only reported unqualifiedly against any sales tax, but on February 21 reported on a referendum to the chambers of America, which was widely published in the press? Why did you not state that in this referendum 1,221½ votes favored an excise tax but opposed its imposition on articles of first necessity, with only 504½ votes opposed, contrary to the Journal's position. On the referendum of Should a sales tax be substituted for an excess-profits tax and excise tax? the vote was 706½ for and 857½ against, or a majority of 151 unit votes against. On the referendum of Should a sales tax be levied in addition to excess profits and excise? the vote was 767½ for and 894½ against, or 127 majority unit votes against. Why did you not give the facts where hundreds of thousands of business men were represented, as by these organizations, distinguished from a handful of Wall Street sales-tax boosters, whose money and publicity is their capital in trade?

What more significant evidence of deliberate concealment of facts and of misstatement could be afforded than your unfair reference to one committee and concealment of the other? What effect does the excess-profits tax have on the advertising profits of your paper and of all the other large papers? Will you escape many thousands of dollars tax annually under a general sales tax law?

ONE HUNDRED MILLION PEOPLE AGAINST A SALES TAX.

What do you honestly believe, Mr. Editor, is the sentiment of the 10,000,000 farmers and an equal number of laborers on whose backs the Wall Street Journal and its bulls and bears are trying to shift a billion dollar tax burden now paid by the rich out of their profits? What is the sentiment of the millions upon millions of women and children who have no powerful lobby, no Wall Street Journal, no great slush fund, and no wide propaganda, but who confidently depend on Congress to protect them now and always? Is their opinion to be ignored?

What answer do you make, Mr. Editor, to the statement of Chairman GOOD, of the Appropriations Committee of the House, that "a sales tax is a tax on the backs and bellies of the people, and any party passing such a law is certain to go down to defeat"? Yet you approve that iniquitous tax.

The country knows those you represent are less than 5 per cent of the American people, men whose politics and principles are measured by personal interest or by the dollar mark, and many of them regard millions of jobless and of God's patient poor with unconcern or worse. Business interests such as you represent sent a great political party down to defeat eight years ago by use of money and the same tactics you now pursue.

Do you not believe men responsible for placing a sales-tax burden on the people will be remembered for their action, even as those who burdened the people with the 1909 tariff bill, and do you not believe this effort of greed and extortion on the part of those who have profiteered in the past and who now lead the sales-tax effort in putting screws on the people is unjust?

Do you believe it is fair for the Journal to open on a humble Member of Congress with over a column editorial of misstatement and concealment in a cuttle-fish effort to obscure the issue? If you do not—and I assume you have an element of fairness that the advertising pages affected by existing excess profits tax laws can not control—will you please give publicity to this needed correction of your editorial equal to that given your manifestly untrue editorial of April 5?

Very truly, yours.

JAMES A. FREAR.

Mr. Chairman, the other day I sent to the Members of the House my speech of January 31. I did it simply because you, like myself, have received some 600 letters with little to the contrary. All I wish to do is to bring this before your attention, and as long as I sit in Congress I shall try to bring to your attention propaganda presented only on the one side when the people back home have had no voice on the other side. No case as flagrant has occurred in years as this sales tax lobby and sales tax propaganda.

Mr. CONNALLY of Texas. If the excess-profits tax is to be repealed, what is the gentleman's idea as to how revenue shall be raised?

Mr. FREAR. One way in part is the bill of the gentleman from Ohio [Mr LONGWORTH], which is a good one, supported by Mr. Houston, of the Treasury Department, to put 6 per cent additional to the 10 per cent on the net profits of corporations, which will raise about $450,000.000 according to their estimates. Rather than have a sales tax I am willing to accept practically anything. Next we might put a tax on undistributed profits, if necessary, which will raise about $190,000,000 by the tax proper, according to Treasury estimates, and would realize about $400,000,000 more according to the statement of the Treasury experts at that time, or nearly $600,000,000 or over a billion dollars by those two items of revenue alone, in addition to nearly a billion dollars excess under present revenues for 1921, according to estimates.

Mr. CONNALLY of Texas. The gentleman recalls the statement in the President's message the other day that you gentlemen were committed to the repeal of the excess-profits tax.

Mr. FREAR. I heard the President's statement. I have no issue to join with him. I do not care to have any political issue raised about this. Let me say this, if you gentlemen are sincere and honest in this thing, regarding your opposition to a sales tax, come and help us now to let Congress and the country know what efforts are being made to put through a sales tax. Do not wait until we do something on this side of the aisle and then complain about it. Why did you not pass a resolution against a sales tax yesterday in your caucus? Then was the time to help those of us who feel the same way about it, for I know many of you are opposed to that kind of a tax.

Mr. GARNER. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Texas.

Mr. GARNER. Does the gentleman favor the taxes he has just suggested instead of the excess-profits tax?

Mr. FREAR. I would favor any of them by far in preference to a sales tax.

Mr. GARNER. I did not ask the gentleman that. I ask the gentleman personally whether he favors those taxes that he has enumerated instead of the excess-profits tax?

Mr. FREAR. I am glad the gentleman has asked me that, because the experts in the Treasury Department say there is no tax more fair than the excess-profits tax. I believe the men who are able to pay the taxes should pay them, and there is no one better able to pay than those who make excess profits.

Mr. BANKHEAD. Will the gentleman yield?

Mr. FREAR. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Does the gentleman think there is any serious danger of his party imposing a sales tax as a revenue scheme?

Mr. FREAR. Oh, I wish I could tell the gentleman some things that I believe but do not know and that I can not speak of here. [Laughter.] Let me say that they are not of a political character, but I do know the situation, and the serious menace of a sales tax, and you know what is being done as well as I do in regard to it, because I have laid before you some of the data in my possession.

Mr. LONGWORTH. Let me suggest that a very large portion of the amount that would be lost by the repeal of the excess-profits tax will be raised at the customhouse under a bill which I trust will be shortly reported to the House.

Mr. FREAR. A good suggestion coming from the gentleman from Ohio—three hundred millions is an item of additional income which will be received from the customhouse under the new tariff bill, according to Treasury estimates. We also have proposals that will raise about $2,500,000,000, so no possible excuse exists, in my judgment, for putting through a sales tax. I thank you. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message was received, in writing, from the President of the United States, by Mr. Latta, one of his secretaries.

EMERGENCY TARIFF BILL.

The committee resumed its session.

Mr. GARNER. Mr. Chairman and gentlemen of the committee, it is rather unusual in any consideration of a tariff bill

for a Democratic member of the Ways and Means Committee to follow a Republican of the Ways and Means Committee and agree with him in his argument. But I want to say that I am in hearty accord with the argument presented by the gentleman from Wisconsin [Mr. FREAR]. [Applause.]

I want to say to the gentleman from Wisconsin and those who agree with him on the Republican side that if he has enough votes on that side in accord with him to join with the minority, there will be no sales tax put on during this administration. [Applause.]

But I am like the gentleman from Wisconsin, very fearful as to what the result may be when these gentlemen who do not believe in a sales tax hear from their leaders, and especially the leader at the other end of the Avenue; their views will be changed, and they will say that they regret very much that they were compelled in order to get the revenue necessary to run the Government on account of the expenditures made necessary by the Democrats to put on this sales tax.

It is not only remarkable, gentlemen, that a Democrat following a Republican of the Ways and Means Committee should agree with him, but it is the usual thing that the first speaker on the tariff bill in a Republican administration should defend the bill against the charge of having a joker, as did the gentleman from North Dakota [Mr. YOUNG]. How natural that is with a Republican administration. [Laughter.] Have you heard of a tariff bill being passed by a Republican administration within 25 years that did not have a joker in it?

I never shall forget the scene should I live many scores of years when that magnificent man, a great orator and I think a great statesman, Senator Dolliver, from Iowa, stood on the floor of the Senate and called attention to the joker that was contained in the Payne-Aldrich bill.

Now, we have a popgun bill a temporary relief measure, and behold, what do we find? We find the identical measure, letter for letter, comma for comma, t for t, i for i, so far as the tariff feature is concerned, embodied in the proposed bill that was vetoed by President Wilson.

We also find embodied in that bill an antidumping provision which was passed by the last Congress without a record vote, except that we find provided further in that particular measure—and I want to call this "provided-further" clause to the attention of the new Members, because you might just as well get used to these jokers now as a little later on—for these gentlemen, Republican leaders, are going to put that on unless a few independent spirits like the gentleman from Wisconsin [Mr. FREAR], who will not take the party lash at all times, will adhere to candid and honest methods in passing tariff laws. There are some to be found even with the tremendous majority the Republicans have who will join an honest and conscientious minority that may compel you to at least call a halt in the effort to put through a Republican joker in a Republican Congress.

Now, what do we find in this bill? We have a bill before you, gentlemen, of 16 pages. It is the identical bill, as I understand it, because the gentleman from Michigan insists that it is, and I perfectly agree with him, of the bill that was passed upon by the Sixty-sixth Congress, except that on page 16, just before we closed the services, the gentleman from Michigan [Mr. FORDNEY], I imagine, and the gentleman from Connecticut [Mr. TILSON], and I would not be surprised if the gentleman from Massachusetts [Mr. TREADWAY] did not have something to do with preparing that "kick"—

Provided further, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent.

Now, that looks simple to the ordinary mind. To the farmer or the merchant whom you represent in the West it means nothing, but when you apply it to the conditions existing in the world to-day it is preposterous, wicked, and indefensible, and the gentlemen who drew it knew it. It means an absolute embargo on goods coming from central Europe. Not one dollar's worth of goods under that provision can come from Germany or Italy or any central part of Europe, and very little from France. Let me illustrate it to you. At the present time you go to Germany for the purpose of buying goods. You buy goods to the amount of a thousand marks in a German market where the present mark is worth 2 cents.

In ordinary times the thousand marks would amount to about $240 in American money. At the present time at a valuation of 2 cents, it will amount to less than $20. Therefore, in importing those goods into the United States at the present time you would pay a rate of duty under the present law on manufactured articles upon a valuation of $20—and that law has been on the statute books for nearly 20 years—but what will this bill do? It will compel you to pay on those identical goods imported from Germany a duty of $80 value, whereas I say you pay at the present time a duty on only $20 value; and think of it, this is put onto a "farmers' emergency bill." Remember, this is not a general tariff law, this is not a manufacturers' bill, but it is a bill introduced to grant temporary relief to you farming people of the West and South who need it.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield for a question?

Mr. GARNER. Yes.

Mr. LONGWORTH. Would it relieve the gentleman's apprehension if I should confide to him that in my judgment this provision will not be in force more than a month or so?

Mr. GARNER. That is some consolation.

Mr. LONGWORTH. Because we intend to change the method of valuation.

Mr. GARNER. Mr. Chairman, that is indeed consoling. They plead guilty to the indictment, but they say that they are not going to commit the wrong for more than about 30 days. [Laughter and applause.] I speak now to you farmers who come from the West, you people who came here believing that you ought to be granted relief, and that as their Representatives you gentlemen should relieve the farming and the stock breeding interests of this country. I believe so, too, and I voted for the Fordney bill in the face of criticism from my colleagues, because I knew the conditions were such that they ought to be relieved, and I thought that bill would grant that relief. But I ask you gentlemen, in your own conscience, this question: In coming here to pass a six months' relief bill for the farmer, do you believe that you can defend the putting of a stinger in it, or, worse yet, a joker, as it has been correctly described by the gentleman from North Dakota [Mr. YOUNG]? There are not 10 men in this House who would know what that language meant unless they would analyze conditions throughout the world. The gentleman from Ohio [Mr. LONGWORTH] says that this outrageous perpetration will last only for 30 days. The gentleman from Ohio really knows better than that. The gentleman from Ohio knows as well as he is sitting in his seat that the powers that be who compelled him and the chairman of his committee and forced them to put this provision in this bill will amend it in another body, and you will have your American valuation plan in the bill before it is signed by the President. The gentleman knows that.

Mr. LONGWORTH. But the point which the gentleman fails to observe is that with the American valuation plan in force this provision will be inoperative.

Mr. GARNER. I am not so certain about that.

Mr. LONGWORTH. The gentleman should be certain about that.

Mr. GARNER. Let me ask the gentleman this question: If you adopt the American valuation plan, then you will eliminate this from the law?

Mr. LONGWORTH. Yes.

Mr. GARNER. I am very glad to have that assurance. That is at least some relief.

Mr. LONGWORTH. Oh, we are dealing with you in a frank way.

Mr. GARNER. Oh, the gentleman from Ohio is always frank, and I want to say now that the gentleman from Ohio is not always in entire agreement with what the party lash compels him to submit to.

Mr. FORDNEY. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. FORDNEY. Will not the gentleman tell the membership, with the percentage of depreciated currency as compared with the moneys of other countries, what duty Germany now pays on her goods coming into this country?

Mr. GARNER. All I know is this, and I challenge the contradiction of it by the speakers who follow, that this provision in this bill will increase the duties now being paid on German imported goods over 400 per cent.

Mr. YOUNG. I would ask the gentleman——

Mr. GARNER. Oh, I decline to yield now. I am going to give these percentages, and I am talking now to Republicans, for we do not need to talk to our side of the House. I am appealing to the honest men who have come here, who are new, before they have been debauched by these fellows who have been here for some time. [Applause and laughter.] This "joker" increases the duty over 400 per cent on goods now coming from Germany and over 200 per cent on those coming from Italy, under the language in this bill which I have quoted to you. Mark you this, that we are constantly trading with these countries. This will amount to a duty of over 2,000 per cent on goods now coming from Austria. Can you gentlemen

go back to your constituents and tell them that you voted for a bill which was offered for their relief, for the relief of the farming districts, and at the same time permitted the machine of your party to put such an infamous matter over in their name? Can you do it? If you gentlemen go home and tell your constituents when challenged that in order to put over this emergency tariff bill you gave to the manufacturers of New England a duty of from 25 per cent to 2,500 per cent on goods coming from central Europe over what they now have under the law, what will your constituents say to you, and what will they do to you?

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes; but first I must yield to the gentleman from North Dakota.

Mr. YOUNG. I want to ask the gentleman this question, and I know that he will be frank——

Mr. GARNER. I always try to be.

Mr. YOUNG. And I am not meaning to admit that his statement is accurate in respect to the percentages, but admitting that there will be a substantial and a large increase in duties over those in the present law, will those countries to which he has referred pay any more for the privilege of putting their goods into our market than the other nations of the world, and should we make favorites of those countries and let them put their goods into our markets at a less rate than Cuba or South America or Canada?

Mr. GARNER. I want to say to the Republican membership of this House something which the leaders of your party now know and which the Democrats know, that I am not a free trader, and neither am I in favor of a protective wall around this country that will impede the freedom of commerce with the nations of the world. I am going to tell you what you are going to do, but before I do that I would say to my friends, FREAR and many others on the Republican side, that in my humble judgment the political contest in the near future for the next two, four, or six years, until we have established a positive economic policy, will not be a discussion in respect to the customhouse, unless you absolutely prohibit the importation of goods, but it will be on the question of the internal-revenue policy of the Government.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARNER. In a moment. Your party, in the very nature of things, if your leaders have their way, is going to insist that the masses shall pay the bills, while our party, as it has always done in the past, is going to insist that the taxes shall be laid where they are best able to pay.

And that is going to be the issue between the two parties, and let me say further to you Republican gentlemen that you are going to make in my judgment a very great mistake in drawing your tariff bill. We must do business with the world if we expect to sell the excess farm production produced in this country throughout the world. You have a lot of wheat to sell, we have a lot of cotton to sell. Now, I ask you how we are to sell those goods? What method can we pursue to dispose of our surplus? We must sell them to the peoples of the world. How can they pay us for those goods? They have no gold. We have more gold to-day than we ought to have under proper economic conditions throughout the world. So they have no gold to buy with. There are only three ways by which they can pay for our goods. One is with gold, the other service, the other is exchange of their goods for ours. We do not propose they shall pay us in service, because we expect to carry our own goods across the ocean in our own merchant marine, so there is but one other way, and only one, that they can pay us, and that is to send us their manufactured products.

Now, if you make it so that they can not send us that product by making an American valuation, by putting in this clause and estimating the value of their currency and then put in what you term a modest protective tariff, you will close all the customhouses and there will be no way by which we can sell our goods. That is my honest judgment about it. I tell you gentlemen on the Republican side, prefacing that by telling you that I am not in favor of free trade, the most economic blunder that can be made, in my judgment, in this country is to put a clause like this on this bill making an American valuation and pass what you term even a moderate tariff bill and stop all commercial relations with the peoples of the world. I will now yield to the gentleman from Illinois.

Mr. MADDEN. If the proviso on page 16 to which the gentleman has alluded results in an increase in the import duties to be paid by Germany and Austria, even though it only places them on an equality with England, France, and other nations of Europe, does not the gentleman think it would be worth while to adopt this scheme if, in addition to putting them on a basis of equality with other European nations, it will yield employment to the 5,000,000 idle men in this country, the result of the Underwood law?

The CHAIRMAN. The gentleman from Texas has consumed the additional time he allotted himself.

Mr. GARNER. Mr. Chairman, I will not take time to even answer that, because the question answers itself. [Applause on the Democratic side.]

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. FORDNEY]. [Applause.]

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I will say to my friend from Texas [Mr. GARNER] a thing that he well knows, that the Republican Party believes in the policy of protection, and that is not only true but a very large percentage of the people who live in the Southern States whose Representatives sit there now believe in protection, and 42 of your Members in December last voted for this bill, and you are going to vote for it again or you are going to run, because you have recently been in caucus with the full membership of the Democratic Party——

Mr. GARNER. Will the gentleman allow me to correct him? I know the gentleman from Michigan does not desire to make a statement that is not absolutely correct.

Mr. FORDNEY. I never desire to make an intentional misstatement to the gentleman from Texas or anyone else.

Mr. GARNER. I know that, and I wish to correct the gentleman. The bill passed in December is not this bill. Now, if the gentleman had said that 42 gentlemen voted for this bill in December and 23 voted in February he would have been absolutely correct.

Mr. FORDNEY. Now, let me correct the gentleman from Texas, please. This bill, so far as duties are concerned, is the bill identical, word for word, except that we have reduced the time from 10 months to 6 months as the life of this bill. The antidumping bill is practically word for word substantially and exactly the same as the bill which passed this House less than a year ago, except the alleged joker [laughter on the Democratic side] to which the gentleman referred relating to the payment of duties on goods coming, we will say, from Germany and from central European countries. The Democratic conception of a joker is any provision to afford protection against the products of cheap foreign labor. Let me explain to the gentlemen of the House the present system of collecting duties on imports from Germany and some of the central European States under the Executive order of Woodrow Wilson to the customs officials in November, 1919. The German mark, with its declared gold value of 23.8 cents, is worth in this country to-day less than 2 cents in gold in purchasing power, but in Germany it has a purchasing power of 8 cents; but when the goods purchased in Germany—and the mark in hiring labor is worth 8 cents—are landed in the United States and duty is collected thereon, the duty is collected on less than 2 cents. That is why this measure is in this bill, and it is there to stay, my friends. [Applause on the Republican side.]

Mr. GARNER. I guess the gentleman has got them lined up pretty well.

Mr. OLDFIELD. The gentleman means for 30 days?

Mr. FORDNEY. It will stay there until the new tariff bill takes effect, and we hope that can be in the next 30 or 60 days from this day. Now, no American valuation can be drafted, in our opinion, that can be equitably applied to the rates in the Underwood tariff law and at the same time be suited to rates that may be carried in a new tariff bill, and that is why this paragraph is in this bill, to prevent these people in central Europe from robbing Uncle Sam's Treasury, and we are going to stop it this week. Your President, our President, the retiring President, made that possible, and we are creating a remedy. You say the political machine on this side works admirably. It did work most admirably the 2d day of November last. [Laughter and applause on the Republican side.]

The antidumping provisions of this bill are in all essential particulars the same as paragraph R of section 4 of the Underwood bill as passed by the House in 1913. It likewise accords with the Canadian antidumping law of 1904, as amended in 1917, and the antidumping act of the South African Customs Union of 1914 now in effect. This bill follows closely, both in the prescribed method of calculating the special duty and methods of enforcement, House bill 10918, which passed the House December 9, 1919.

The principle underlying the adopted measure of additional duty to be added in prevention of dumping, particularly where the tariff valuations are upon foreign market values, is to add such an amount of duty as will equalize sales at less than the foreign home market value or foreign export value or cost of production with profit added, whichever may be the highest, thereby making it unprofitable to dump goods on the markets

of the United States at less prices. If the seller of the goods is compelled to add as duty the difference between the sales price and what he would receive by selling in the otherwise highest obtainable market, all reward or inducement to dumping is removed.

Several countries of the world in the presence of the experience now being undergone by this country have enacted such legislation. It protects our industries and labor against a now common species of commercial warfare of dumping goods on our markets at less than cost or home value, if necessary, until our markets are destroyed, whereupon the dumping ceases and prices are raised at above former levels to recoup dumping losses. By this process, while temporarily cheaper prices are had, our industries are being destroyed, after which we more than repay in higher prices. Moreover, the provisions as drafted will compel payment when the export price is less than the home-market sales price as now exists in many lines of industry of a corresponding equalizing duty.

This bill contains the additional and necessary safeguard that where the goods are consigned and not sold or agreed to be sold until after they pass out of customs custody, bond to pay any additional antidumping duty herein provided and subsequently determined shall be given. Without this provision the law would be of no possible effect. All goods intended to be dumped on American markets could be, and experience shows would be, consigned, cleared of customs duties, delivered from customs custody, and then sold or agreed to be sold, whereby lien thereupon for the additional duty would be lost and the duty probably never known to the customs officials. To meet this situation a bond is herein required, conditioned that so soon as bona fide sale of goods not sold or agreed to be sold at the time of entry for consumption—at which time they pass out of customs custody—report thereof shall be made to the customs officials and the duty herein provided be paid. Without this provision the law would be so easily avoided as to be a dead letter upon the statute books. This bond, it is herein provided, shall be as prescribed by the Secretary of the Treasury. It is probable that it will entail no new bond, but that one of the several presently required bonds can be made applicable, like the bond for return of packages. As presented, however, the bill secures in every way the stated objects, and, as the experience of other countries shows, is well calculated to and will discourage, if not entirely stop, the practice of dumping, so disastrous to our industries and trade.

Section 214 of the bill is calculated to equalize foreign exchange values for customs purposes. Under existing law all duties are liquidated on the basis of the currency of the invoice or appraised value. If that currency be found to be depreciated, the duties are assessed on the exchange value of such depreciated currency as found on the day of exportation. The exchange value of the currency of such foreign countries importing goods into the United States is in some instances so low that the amount of duty collected is very small. It is the practice of some foreign sellers to require our merchants to pay for their goods in American dollars, and to state in their invoices that the home value is of a lower unit price stated in the depreciated currency of that country. If the price paid by the American purchaser were converted into the currency of the exporting country on the basis of the standard coin value, the difference in the two figures would to a great extent disappear, and the values both for home and export in some instances would be alike. This, of course, does not apply to goods which are sought to be dumped upon our market.

To require the payment of duties on the basis herein provided for will to a great extent remedy the evil mentioned. It is at least possible by the bill presented to partially check the practice now in vogue in the underpayment of customs duties. By limiting currency depreciation to 66⅔ per cent we will be able to collect at least some portion of the duties which Congress intended to impose on imported merchandise. This method of checking the greatly reduced value of currency in the collection of duties has been adopted by at least one foreign country whose goods are largely imported into the United States.

To illustrate its application: The German mark is now worth, let us say, 2 cents in our money. As a matter of fact, its exchange value is less than 2 cents, while the gold value of the German mark is 23.8 cents. Two German marks will purchase in the home markets of Germany a quantity of goods which when exported to and delivered into this country are valued at and sold for a sum ten times greater. Under existing law, however, we collect duties only upon the exchange value of the mark, to wit, upon 2 cents. This would result on an invoice for 1,000 marks in the collection of only $5 in duty upon a 25 per cent ad valorem basis, whereas when the depreciated currency is limited as provided for in this act 1,000 marks would equal $80 and the duty collected would be $20. Under present conditions, while the importer pays duty only on the depreciated mark and the goods are so invoiced, he, in fact, frequently pays the foreign seller a much greater price because the export price is much greater than the foreign home market value. Where the invoice is in American currency and the importer enters in marks duty is collected upon the depreciated value of those marks. He thus pays duty upon a much less sum than actually paid for his goods.

The provision of this bill will result in a much more adequate duty.

Let me call your attention to an important matter. By the way, the lowest duties collected under any of our tariff laws for more than half a century—yes, for more than three-quarters of a century—are the ones provided for in the Underwood tariff law. The rates collected on imports last year were less than 6 per cent ad valorem, and there is not an important country in the world that does not have higher rates of duty. The amount of duty collected last year was $325,527,000 on imports, dutiable and free, with an average of ad valorem of less than 6 per cent, as I have said. More than $5,000,000,000 worth of foreign imports came into this country in the calendar year 1920. Seventy-two per cent of the duties collected last year were collected on nine items in that tariff bill. Twenty-five per cent of all duties collected were collected on sugar, gentlemen, and the ad valorem duty on sugar was 8.58 per cent.

Let me show you how you have taken care of the South in the Underwood tariff bill. The rate of duty on sugar was 8.58; on manufactures of cotton, 31.68 ad valorem. Pretty fair, was it not? It is a pretty fair difference between cotton and sugar. Cotton is the principal product of the South. I do not blame you. I would have only gone further and have protected every industry in the United States. I would not have stopped with the South. It has been stated by opponents of protection that if we pass measures to increase import duties, Canada and other countries will retaliate. I hold in my hand a report of a tariff commission of Canada, made on the 19th of July last. The Hon. E. J. Davis is chairman, and this is what he says in the headlines of his report, a photographic copy of which I have:

Tariff situation thoroughly discussed. Official records show that there is not one country in the world to-day making any pretension to industrial development that is without a protective tariff. Where Canada stands in tariff matters.

The report states further:

Every resident of the United Kingdom paid a customs tariff tax on the average of about $16 last year. In Canada last year the average per capita tariff tax, including the war tariff, now removed, was about $23, or, without the war tariff, about $19.50. Yet some people describe Great Britain as a free-trade country and Canada as a high-tariff country.

Further on the report of the committee states:

The total value of all free importations during the fiscal year ended March 31, 1920, was $370,872,966. The total value of all dutiable importations into Canada during the same period was $693,643,211. The total amount of duty collected during the said fiscal year was $187,520,613.

All dutiable imports paid a tariff of 27.03 per cent.

The report shows the imports and exports from Canada to the United States and from the United States to Canada for the period from 1907 to and including the year 1920 to be as follows:

Fiscal year.	Value of imports from United States.	Value of exports to United States.
1907 (9 months)	$155,943,029	$79,021,480
1908	210,652,825	113,520,500
1909	180,026,550	92,604,357
1910	223,501,809	113,150,778
1911	284,934,739	119,396,801
1912	356,354,478	120,534,634
1913	441,141,562	167,110,382
1914	410,786,091	200,459,373
1915	428,616,927	215,409,326
1916	398,693,720	320,225,080
1917	677,631,616	486,870,690
1918	791,906,125	441,390,920
1919	746,920,654	477,745,659
1920	802,096,817	464,029,273

This table shows that in the year 1920 the balance of trade in our favor with Canada was $336,000,000.

The committee further reports:

Last year each inhabitant of the United States bought $4.21 worth of Canadian goods, while each Canadian bought $102.62 worth of United States goods.

Commenting on the advisability of protection, the committee states:

It is the Canadian tariff which has caused large numbers of United States industries to establish branch factories in this country, and these branch factories now number over 600 and employ over 87,000 Canadian people.

My friends, these quotations are taken from the report of the Canadian tariff committee, only recently made, pointing out the advisability of protection. All through the report comments from various people, generally manufacturers who appeared before the committee at its hearings at different times, advocated protection to Canadian capital and labor. Some critics opposed to the measure have said that Canada and other foreign Governments are likely to retaliate if we impose increased duties on foreign imports. I have searched diligently through the various reports made by the Canadian tariff committee and statements made by people who appeared before that committee touching the matter of protection and have failed to find a single word uttered by any Canadian in the way of threats or otherwise in regard to retaliating against our Government should we increase our rates of duty on imports.

Canada will continue to protect her industries regardless of our tariff policy. Moreover, we are not questioning the right of Canada to protect her industries—Canada would not approve of such unwarranted interference—and Canada is not disputing our right to protect American industries.

Talk of retaliation originates on this side of the line. It is the smoke screen of American importers under the cover of which they hope to secure tariff legislation advantageous to themselves at the expense of American industries. Canadians are talking "Canada first." They are patriotic and loyal, and we admire them for it, and they in turn will admire us for being patriotic and loyal to American industries and American labor. When they adjust their tariff rates they do it with an eye single to Canada's welfare. The spirit of retaliation does not influence their legislation any more than it influences ours, and during the tariff discussions which are opening to-day we must not allow friends of free trade to cloud the issue.

Talk about Canada retaliating! Last year she collected on her imports $19.50 per capita. We collected $3.15 per capita. Great Britain collected $16.21 per capita on imports last year, and yet Great Britain is said to be the great free-trade nation of the world and we the great protective nation. We were the great protective nation before 1913 and we will be again within 30 days. [Applause on the Republican side.] Last year, my friends, Canada purchased from this country over $800,000,000 worth of our goods and sold to us 50 per cent of that amount. You talk about Canada retaliating because we increase our duties, when her rates of duty are more than three times greater than ours. Why, little Japan, lying over in the eastern seas, said by some people to be an uncivilized people, last year collected 17.64 per cent ad valorem on all of her imports, dutiable and free, while, I repeat, that we collected less than 6 per cent under the laws that you, my Democratic friends, forced upon our statute books against the wishes of protectionists. Now, we are determined, whether you are willing or not, to protect you and take care of you. [Laughter.]

My friends, we have a reciprocity treaty with Cuba, and I want to show you how we get along with countries that we are trying to deal with on more liberal terms than the most-favored clause in our law. For 17 years prior to the adoption of Cuban reciprocity our trade balance against us was $538,000,000. For 17 years, ever since we adopted that reciprocity treaty with Cuba, the balance of trade has been $1,250,000,000 against us. At the same time with Canada, where we have charged a rate of duty, full duty on goods coming from Canada, the same as from other countries where we have no commercial treaties, the balance of trade in our favor in the last 17 years has been $3,196,000,000. The American market is the best in the world, and every attempt to swap a portion of it for a market elsewhere has been to our detriment. We have always been the loser, gentlemen.

Now, it is a most difficult problem to arrange a rate of duty that is equitable and just to all of the countries of the world in the sending of their goods here. As to that let me say to you that Canada's cost of production is nearer our cost of production than that of any other country in the world; say 10 per cent, to be conservative. Her cost of production is not more than 10 per cent below our cost of production.

Mr. BLANTON. Mr. Chairman, will the gentleman yield there?

Mr. FORDNEY. Yes.

Mr. BLANTON. Would the gentleman mind placing in the RECORD in connection with his speech figures showing the trade balances of all the nations to which we send our products?

Mr. FORDNEY. I do not have them all here, but I have many of them, and I will put them in.

Mr. BLANTON. I wish the gentleman would.

Mr. FORDNEY. I would be glad to do that if I may be permitted to extend my remarks.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. Will the gentleman from North Dakota yield two minutes more to me?

Mr. YOUNG. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes more.

Mr. FORDNEY. An article that can be produced in Canada at 10 per cent below our cost can be produced in Europe at from 20, 30, 40, or 50 per cent below our cost, while in the Orient the same article can be produced, because of the cheap labor of that country, at from 75 to 80 per cent below our cost. There is no way under existing law by which we can apply a duty that will be equitable and just to all those countries. We must have one rate for all the world. We have a constitutional right, however, to impose a maximum and a minimum provision in our tariff laws and direct the President of the United States to find out the difference between the domestic and the foreign costs in every country in the world and apply an amount of duty to offset that difference in cost and bring the goods from every country in the world into the United States exactly on the same basis with ours. That we have a constitutional right to do, but it would be a very wide departure from existing law.

My friends, as far as rates are concerned, this is purely an agricultural relief bill, covering the article described in this bill. Last year, the calendar year of 1920, we imported $1,060,000,000 of those goods from foreign countries. Will any man within the sound of my voice study those figures and then say that those importations into this country have not been a most serious menace and interference with the producers of those articles in this country? Certainly he will not, because of the facts.

There is a duty on sugar here in this bill of 2 cents on 96-degree sugar. That is the highest grade of raw sugar imported and takes that low rate of duty when entering this country. The Cubans will be permitted to import that same grade of sugar into this country at 20 per cent below those rates, or at $1.60 per hundred pounds. We produced in the United States last year 1,060,000 tons of sugar from beets, my friends; 860,000 acres of land were planted in sugar beets in the United States last year; a wonderful field. Why, it would constitute a field a mile wide reaching clear across this continent. Will you say that that is not an important industry?

We produced from beets last year one-fourth of our total consumption of sugar, and the gentlemen on that side of the House that do not agree with us on the protective theory will say that any duty that is placed upon sugar will be added to the price paid by the consumer in this country. Let us see whether that is true or not. Let us furnish the proof. Ever since the time we established the beet industry in this country, while domestic beet sugar is on the market, then is the time when the consumers of sugar in this country buy sugar at the lowest possible price, and the very minute our domestic sugar is disposed of and we are at the mercy of the refiners of imported sugar, then up goes the price.

In 1920 I appealed to the President of the United States to purchase the Cuban sugar crop, that then could have been purchased at 6½ cents a pound, and thus insure to the consumers of this country cheap sugar. But no; the President, at the advice of Prof. Taussig, refused to follow the advice of the Sugar Equalization Board and declined to do so. What was the result? They fixed the price on domestic beet sugar at 12 cents a pound, and it was not sold at a price above that during the whole year. They fixed the price of domestic sugar from the South, sugar produced from cane, at 17 and 18 cents, depending on the grade. But, my friends, we paid as high as 30 cents a pound on imported sugar, and the difference between the price paid for imported sugar above the price, namely, 6½ cents, for which we could have contracted, amounted to $588,000,000 in six months, which the consumers of this country paid. Why? We have control of monopolies in this country by our laws—I mean domestic monopolies—but we have no control whatever over foreign monopolies, and because of the fact that we did not produce the amount of sugar that our people consumed in this country we were obliged to go abroad for it, and we paid the penalty; and that penalty, gentlemen, would have built more than 500 beet-sugar factories at a cost of a million dollars per factory.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. YOUNG. Mr. Chairman, I yield to the gentleman three minutes more.

Mr. FORDNEY. That would have built, I say, 500 factories, each of which would grind a thousand tons of beets per day, and would have furnished more sugar than all the people of the United States consume annually. We threw that money away because of unwise administration. We throw money away every year because we do not foster our home industries more than we do. If we were to have a great war such as Germany had, and were driven from the high seas in time of war, as Germany was, what would we do for sugar when we produce but 25 per cent of our consumption in this country? Why, we would go without it. Then, my friends, when it is true, and when you know it is true, that when our domestic sugar is upon the market the consumers buy sugar at the lowest price, why should we not foster that industry and encourage American capital and American labor and build up productive institutions at home, and not come here to legislate in the interest of the foreigner?

Let me say to you, my Democratic friends, without criticism and with all sincerity, every man on that side of the House who votes against this bill votes in the interest of the foreigner and to the detriment of your own people who sent you here. There is no question about that, gentlemen. Millions of men are out of employment to-day in the United States, and yet we are importing $300,000,000 worth of foreign goods every 30 days into this country to the detriment of our own people and our own institutions. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. McCLINTIC. I have no objection to the gentleman putting in statistical tables. Is that all the gentleman wants to put in?

Mr. FORDNEY. I imagine so, unless it would be an explanation of those tables.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. YOUNG. Will the gentleman from Texas use some of his time?

Mr. GARNER. I yield 30 minutes to the gentleman from New York [Mr. COCKRAN]. [Applause.]

Mr. COCKRAN. Mr. Chairman, this is an emergency tariff. That is the way in which it is described. It is a little difficult to say which is the emergency and which is the tariff. [Laughter.] If there be an emergency, as, indeed, there is—and a graver one than the framers of this bill, I think, conceive—I would be the last to oppose any measure that might tend to relieve the difficulties it has produced or threatens to produce. But I think this measure, far from relieving the emergency, will aggravate it enormously. In fact, I think it is difficult to calculate the evil results that may flow from its enactment.

Now, my friends, I ask you to believe that this is not any attempt at rhetoric. It is the sober statement of a conclusion which I think is inevitable from facts that are indisputable.

What is this emergency? There is a paralysis of production and of trade throughout the world; not, perhaps, a complete paralysis, but such a contraction of it as is seriously endangering the prospects of livelihood to countless millions abroad and which, I think, portends serious calamities to us here at home.

Now, let me describe to you what I think is the character of the emergency, and then I believe you will appreciate the force of the objections to this measure which I shall have the honor to submit to you. But I do want especially to declare in advance—and I ask you gentlemen to believe in the sincerity of the declaration—that I do not regard this as a time when Congress can afford to extend any consideration whatever to matters of party advantage. You have had protection for a great many years. You have rioted in it, and you have had a fine time. But protection as you enforced it formerly was a method of distributing the profits of industry so that many producers had to contribute some of their products to the enrichment of the favorites and beneficiaries of tariff legislation.

It was vicious then and it is vicious now; but this pending proposal would be absolutely fatal under the conditions now prevailing throughout the country and the world. The condition with which we are now compelled to deal is not a distribution of profits. The period of profits has gone by. The question which confronts us is how to meet losses growing every hour, and which, in my judgment, portend results that it is difficult now to forecast.

The emergency which confronts us is a condition of industrial paralysis, and the paralysis is due to causes that are without precedent or parallel in the history of the world. I do not believe even the fall of the Roman Empire precipitated a more desperate condition in human affairs than that which under present conditions threatens humanity. I ask you to remember that you are not now considering conditions on which we can get any light from the past. Even the very terminology that I am compelled to use here will be wholly inadequate to describe the desperate character of the crisis confronting us. Terminology is bankrupt when it comes to describing either the late war or the conditions that it has produced. We all know that the function of words is to convey thought. Now, thinking is largely recollecting. Philosophers call it classifying concepts. I am employing a homelier but I hope plainer definition. If I speak of a table you know precisely what I mean, because your recollection calls up before your minds tables that you have seen. If I speak of a glass, why, it may recall recollections of gayer and livelier times [laughter], but it certainly arouses in your minds recollections of a certain useful vessel. When we talked of a battle, formerly, it called up before the mind a conflict waged between a few hundred thousand men at the most, over an area 7 or 8 miles long, and lasting at the utmost perhaps three days. To-day a battle line extends over a thousand miles, the battle lasts for five years, it is conducted not by a separate part of some population trained to arms, but by whole populations. Formerly the ravages of a war were largely repaired by the harvest of a single year.

But in carrying on the conflict just closed the resources of the whole world have largely been destroyed, in fire and smoke and violence. Ten millions of human beings have been killed. Ten millions more were wounded, maimed, rendered incapable of effective industry. And these men were not old or decrepit or indifferent industrial forces. They were in the very flower of their industrial capacities. Three-fifths of all the capital of the world has been destroyed in that conflict. This world is now emerging from that desperate cataclysm and staggering and in danger of total collapse.

My friends, perhaps I may ask you to consider these conditions a little further, so that you may understand more clearly the unparalleled character of the task before the world. The peculiar feature of the progress which marked the last century was, as everybody knows, an enormous growth of population throughout the world. Now, that growth of population centered almost entirely in cities. Rural populations have been stagnant where they have not declined. The city of New York had about 30,000 inhabitants at the end of the last century. To-day 6,000,000 human beings are dwelling there, and must gain their subsistence there. Other cities show exactly parallel conditions. Perhaps no other city has shown such an enormous growth, but growth on a continuing scale has been the rule of cities everywhere. Now not one human being among all these vast aggregations of men and women in cities produce the means of his own subsistence.

For everything that enters into the conditions of his life, for the food that he eats, the clothes that he wears, the elements of the building that shelters him, the raw materials of his industry, he is dependent upon labor exercised in every part of the world. Not by the labor exercised here in this country alone can the millions of New York keep alive. Labor exercised wherever human hands are active, wherever a man is working; whether it be cultivating an agricultural field or tending flocks on the Australian plains, or delving in subterranean galleries for the mineral treasure which the earth contains, or gathering from bending boughs under tropical skies the fruits that constitute the luxuries of our breakfast tables is contributing to the life of cities. Every human being who toils on the earth, though conscious perhaps of no greater motive than to gain means for his own subsistence, is producing the commodities which constitute that upon which the existence of every city depends. I do not believe that anybody will dispute that assertion, although the fact may not have occurred to some.

Now, before the war, in every city of the world at least 90 per cent of the population even in New York—and there I think the conditions of urban life were at the highest—lived literally from hand to mouth; that is to say, they depended for subsistence on the wages they could gain from their daily toil. But if they lived from hand to mouth while the world was more than twice as rich, while every part of the world was engaged in active industry and sending here to our marts products of human labor, there to be exchanged for the products of our own

industry, how are these communities to live now; how are they to be supported?—not in affluence but in possession of the barest necessities.

My friends, there are a good many here I am sure—among them the chairman of the Ways and Means Committee—who can remember the panic of 1873. Many more can remember the panic of 1893, and a great many more the panic of 1897. Some of us even are familiar with the panic of 1857, not by personal recollection, but by what they gathered in their younger days from persons who had been observers or victims of it. Each of these panics was caused by what? By a slight derangement in the processes of exchange. The panic of 1873 was caused by the necessity of bringing a currency depreciated about 17 per cent to par under the operation of a resumption act which was very salutary and well worth the price that its enforcement cost. The panic of 1893 was caused by a slight doubt as to the value of the coinage that this country would emit. I mention these two cases because they are within the recollection of many of us. Is it not well before our minds that after each of these disturbances there followed a period of depression extending from four to six years—a period of dismal, dreadful recollections—a period when men in countless thousands were driven day by day out into the highway seeking a market for their labor, and driven back at night unsuccessful in the search, driven back to homes where the fires of plenty had long since died out on the hearthstones, where they were often compelled to confront the dismal spector of famine as the gaunt wolf that we call hunger tugged with ferocious fangs at the breast of the mother or breathed a pestilential breath on the cheek of the infant? And during all those dismal times the earth was just as full of treasure as ever it was, the fields were just as fertile as ever they had been. The farmers whose harvests were abundant burned corn for fuel because the people of the cities had produced nothing to exchange for agricultural products, or at least the products of urban industry were greatly reduced.

Thus we see how a slight disturbance in the machinery of exchange brought the farmer to the verge of ruin and at the same time brought destitution and desolation into countless homes that sheltered American labor.

Now, my friends, I ask you, if conditions such as those followed six years' industrial disturbances which were comparatively slight, what must be the conditions we are facing now, where industry has not only been disturbed but largely destroyed, where exchange has not simply been restricted but where three-fifths of the capital of the world has been sacrificed, and where the flower of industrial youth in a large part of the world has been destroyed? How long do you suppose the panic now upon us must last? Panic is not the proper word to describe it, because panic means exaggerated fear. But the gravest feature of present conditions is that disaster, which no amount of wisdom can entirely avert, is approaching inexorably and the world does not seem to realize it. I wish to assure the Republican side from the bottom of my heart that as I sat here in my seat and listened to the President of the United States describe the task that confronts him I extended to him a sympathy deeper than I ever before extended to a human being. I know the difficulties of his task. I think I appreciate them even more keenly than he. For I know that we are to-day facing conditions graver and darker than the world has ever known in its whole history. Teeming populations called into existence during the last century through abundance created by the march of invention and ever-improving organizations of industry are now confronted with a diminution of supplies absolutely essential to the support of human life. Unemployment projects over cities the black shadow of a distress so terrible that the mind recoils from contemplating it. What is the remedy that is proposed here? Why, we are told that there have been too many commodities received into this country. While the cost of existence has been mounting skywards, we are told that means of subsistence have been made too abundant by importation. The chairman of this committee absolutely complains that supplies embracing necessaries of life have come from abroad. Gentlemen, there are not many places in the world that can furnish us with supplies of food to-day. I wish there were. My apprehension is that you will see soup houses and long, dreary lines of famishing men and women driven again to ask from the hand of charity the bread they will no longer have an opportunity to produce by the labor of their own hands.

And how is this situation to be met? We have a bill here deliberately and avowedly designed to erect barriers between these multitudes threatened with dire distress and the supply of commodities essential to their existence. I repeat, Mr. Chairman, I am not now discussing an ordinary tariff proposal as a matter of politics. I am not speaking now of different plans to increase or diminish our prosperity. I am appealing for the very existence of vast multitudes dwelling in cities, and I am warning you of conditions more dreadful than we can even conceive. The gloomy periods that followed former panics which we recollect, when we saw men and women suffering in silent woe from the distress caused by a slight derangement of the industrial machine, were very different, I fear, from the conditions now looming dark and sinister on the horizon. My apprehension is now that when these bread lines reappear, as they will unless we can take effective measures to avoid the perils overhanging our cities, starving men and women may not stand in silent, submissive woe as they did in the past. We have been passing for five years through a period where men who work have been instructed and encouraged to believe that they are entitled to a comfortable means of livelihood. And so they are, if God Almighty supplies the means. But the difficulties about wages which to-day are agitating the world—threatening the very fabric of society in England at this moment as it has never been threatened before—we can not avoid by legislation, because the sources from which wages must be paid have run low by diminution of production. There is no source from which a laborer can be paid wages except the product of his own labor. If he is making tables, he must be paid from the sale of tables. If he is working on a railway, he must be paid from the earnings of that railway. Whatever his occupation may be, his wages and the profit of his employer must come from the same source; that is to say, the property produced by their cooperation. Whenever that product is diminished, then the source of wages as well as of profit is drying up. Then the world is face to face with the problem that now confronts it and which is pressing on us for solution.

I would not state this so clearly as I am doing now if there were not a way out, and there is. But it lies not through making things scarcer, but by making them more abundant. Here is a measure avowedly intended to make commodities scarcer by shutting out foreign supplies and thus put up the cost of living in cities. My friends, you come here with a bill for the relief of the farmer. No one is more anxious to relieve him than I. But when you offer him relief I want to ask you where did you get it? You are not magicians who can call anything from the earth by any other method than the labor which God Almighty declared was the condition of all production. You have no power by legislation to produce a single thing that a human being can use. All you can do is to divert from men who have produced commodities some of their products for the benefit of others. If you intend here to benefit the farmer by getting him higher prices, the people in the cities must pay what you purpose to give him. And people in the cities by millions, as the gentleman from Illinois declared a few moments age, are now unemployed. How, then, can they pay the farmer anything for his product? Surely it must be clear that if unemployment spreads the farmer will be without any market whatever, and you will have again exactly the condition you had before, no matter what tariff law you pass——

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. COCKRAN. In a moment. You will have the same condition that prevailed when the farmer was compelled to burn his corn for lack of a market. I yield to the gentleman from Illinois.

Mr. MADDEN. Does the gentleman think that the unlimited influx of commodities from abroad to the American markets will aid in giving new employment to the unemployed?

Mr. COCKRAN. That would be precisely the effect which it would produce. But I want to compose my friend from Illinois and possibly remove any apprehension he may have about such a flow of goods into these markets.

The things which you give the people who send goods here must be produced by our own laborers. They must be taken from the bosom of the earth; and in exchanging your products for theirs you furnish the means by which commerce and industry will be made active and human beings fed from the profits of both.

Now, my friends, I repeat that it is not an occasion for seeking partisan advantage. Believing, as I do, that the country and the world are face to face with a crisis such as never before confronted the human family, I know that the world would now be in sight of relief if there were an abundant flow of commodities amounting to millions, aye, to billions of dollars into our ports and there made available for the subsistence of human beings. For such goods could not be paid for otherwise than by the fruits of labor exercised by Americans on their own soil. The first essence of prosperity, aye, of subsistence—remember we are not talking of prosperity now, but of subsistence—and the condition of prosperous subsistence is to bring abundant supplies into our cities and send other supplies out,

thus quickening the movement of industrial life throughout the world. My friends, I feel that before sitting down I ought to say one word to show I am not preaching solely a gospel of despair. I do think, desperate as these conditions are, that they may be made the means of reaching prosperity in this world such as never before has been achieved—greater than we now can conceive. After every great war that has devastated the world one of two consequences always followed. Where the war was dynastic, waged for the gratification of political ambitions, a period of profound depression ensued, lasting through generations. Such was the result of the Thirty Years' War and the War of the Spanish Succession, that terminated with the peace of Utrecht in 1715. On the other hand, after the wars of the French Revolution, the most devastating that up to that time ever occurred, the world passed into a stage of prosperity such as it never had before known. The exhaustion caused by 25 years of practically continuous conflict caused men and women everywhere to turn from destructive military enterprises to productive industrial enterprises. And providence, as if pleased to encourage a disposition so wholesome, reinforced the productive power of human hands by a succession of extraordinary inventions, which in the course of little more than a generation produced the most profound revolution ever effected in conditions of human life.

A revolution so profound that anyone who contrasts conditions of life 30 years after the Battle of Waterloo with any the world had ever known before would seem to be considering a wholly different planet, inhabited by an entirely separate race of animated beings. It was said by some one, whose name I can not now recall, that it took William Pitt as long to make the journey from York to London as it did Julius Cæsar. When we realize the great care which the Roman rulers bestowed upon highways to their outlying Provinces I think it safe to say that the Roman conqueror made the journey in less time before the Christian era than it took the English statesman to make it at the close of the eighteenth century. Now, the significance of that remark is this: In the 18 centuries which elapsed between the death of Julius Cæsar and the death of William Pitt industrial conditions throughout the world had undergone practically no improvement whatever. Means of communication were no better. Implements of production were no more effective. The industrial capacity of men's hands was no greater. But just as soon as the world turned from destructive enterprises of war to productive enterprises of peace and absorbed itself in them those great inventions appeared by which darkness was dispelled and every hour of the 24 made available for the great task of production. Distances were annihilated and journeys were accomplished in a few hours which formerly took months to complete. The very atmosphere through which men had formerly hurled missles of destruction at each other became an effective agency for exchange of human thoughts, through which their cooperation was promoted. All these were the results of a war which had wiped out economic conditions which had long been outgrown and which therefore had become oppressive. The abolition of feudalism made possible effective cultivation of the soil. The economic effect of the French Revolution was to enable land to be freely alienated or sold. It became possible for a man to buy land and cultivate it, and the result was a greater advance in the nineteenth and the beginning of the twentieth century than all the centuries that had preceded them.

Now, to-day the world is face to face, I think, with an opportunity to achieve even greater advantages.

Let the world disarm—not partially or in the future, but completely and at once—let all human energies be turned into production, none diverted to war or preparation for war, and the ravages of the dreadful conflict just closed would be remedied in five years. With men everywhere employing for production all the inventions that have been produced by human ingenuity, a state of society would be produced where six hours of labor would be sufficient to give every man abundant support for himself and his family. There is only one way by which the world can reach prosperity, and that is by putting out of the hands of men all weapons of destruction and putting into them—into all of them—implements of production. It is not a question whether the world will disarm or continue to maintain huge military establishments by land and sea. It has become a question whether nations will disarm now, when something is left by which industrial conditions can be restored, or whether they will delay disarmament until the weapons are forced out of men's hands by collapse of the whole industrial structure.

The burdens of war and preparation for war are seriously menacing the very existence of civilized society. You see in England the whole social system rocking on its foundations and in imminent danger of total collapse. In a few hours it may be in actual desolation. It is assailed not by foreign faces or domestic rioters but by men on whose cooperation in production the life of the community depends. Those miners are not anarchists or socialists or soviets. They are Englishmen, I think, profoundly attached to the institutions of their country and eager to maintain the civilization from which they have derived great benefits in the past. But they are face to face with conditions under which they can not live. Their employers are unable to pay the wages necessary to support them in comfort or even in decency, because the industry is no longer profitable and there is no other source from which wages can be paid. The Government is not able to supplement from the Treasury the inadequate wages which the employers can offer. Remember that money can not be taken out of the Treasury by an appropriation until it is first put into the Treasury by taxation. And the English treasury is in difficulty because the power to produce increased revenue in England is exhausted, as it is being rapidly exhausted here. You can not obtain the revenue necessary to support this Government unless industry is maintained; nay, unless industry receives a stimulus. The decline of revenues already is very sinister. Let us beware how we depress any further the power of people in cities to support the Treasury by increasing the cost of subsistence to them through legislation such as this. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Mr. Chairman, I yield eight minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I am glad to follow the distinguished statesman and orator who, as I did, served in this body some years ago, and I want to get you friends of mine on this side of the Chamber to know him well and not judge him entirely by his remarks of to-day. [Laughter.] When you hear his silvery tones and witness his magnetic presence pleading for self-determination, you will get his real spirit and the breadth and depth of his heart and conscience. But he flounders some when he attempts to reestablish the doctrine that he used to maintain years ago, that the way to make people happy in this country and the way to give employment to the farmer and the laborer is to buy what they make and produce from some other country. [Applause on the Republican side.] We tried his policy. As he remembers, I voted for the McKinley bill, that gave prosperity. There were no farmers burning corn under the McKinley bill. The men in the towns were busy, and their stomachs were full, because they had a job and could buy what the farmer was producing. You can not help the man in the factory without helping the man on the farm, and you can not help the man on the farm without helping the man in the factory. [Applause.]

But they rejected the McKinley bill temporarily and put the Wilson bill in place of it. That was when Grover Cleveland, the great statesman, became the great smoke extinguisher of this country. All the fires went out. The farmers might as well have burned their corn in Illinois and Iowa, as they had no market for it. Why? Because the factories were idle. Men were hungry, because they did not have the price to pay for what the farmer raised. Those were days in which the farmer was not prosperous. Those were the days that my dear old friend and my honored colleague is pleading shall come back again, when you shall make the farmer happy by encouraging the shipment of farm products of other countries into this country and make the shoemaker happy by buying shoes somewhere else.

Now, Mr. Chairman, I was given this eight minutes in which to say a word to you in regard to the present peace proposition, because this is the only way I can get it before my colleagues. It is one of very deep importance to the people. We Republicans committed ourselves to a declaration of peace, and under this rule as to general debate I may be allowed to simply call your attention to the wishes of the President as expressed by his message here the other day. There is pending in this House a straight resolution, which I first introduced a year and a half ago, setting forth that this country is in a state of peace. Under the decisions of the Supreme Court of the United States, if that resolution is passed the President can either sign it as a joint resolution or he may let it go as a concurrent resolution and by his proclamation fix the date of peace.

The President in his message said:

> Such resolution should undertake to do no more than thus to declare the state of peace, which all America craves.

We are having called to our attention a resolution offered by one of the most distinguished statesmen, honored and beloved in his own State of Pennsylvania, as he is in Illinois, a resolution of peace, that in my humble judgment puts the President in leading strings and tells him under what condi-

tions he shall make terms of peace. If you will be kind enough to do yourselves the justice to read that resolution you will find it does not mean peace but that it means a continuation of war. The resolution itself provides for a repeal of the declaration of war; a simple declaration of peace does that without any special act of Congress. Second, after going on to say that that is repealed, the resolution says the war is declared to be at an end, "*Provided, however.*" Then are set out conditions which tend directly to instruct the President of the United States as to how he shall proceed and what shall be contained in the commercial treaty that he may negotiate between the United States and the German people.

A declaration of peace is one thing; a treaty—commercial, political, or a treaty of peace—is quite another thing. For the legislative branch to attempt to negotiate a treaty of peace, or for the Congress to attempt to instruct the President as to what must be in a treaty of peace, is a usurpation of Executive power by the legislature. We have had that usurpation by the Executive of legislative power, but that would not justify retaliation by the legislature on the present Executive. The Senate, being a part of the treaty-making power, might within its rights say what must or must not be in the treaty with Germany, though it would be almost without precedent and certainly without reason at the present time; but to ask the House to pass a joint resolution saying what shall be in the treaty with Germany is to ask us to assume a power we do not have under the Constitution.

The proposed Senate resolution is in fact an instruction and a declaration by Congress, saying to the President of the United States that all claims of Germany must be yielded, and that in certain things the claims of the German nationals must be yielded. There are no claims that can be presented under international law against this Government by Germany. War ends all treaties, and when Germany went into Belgium she threw into the wastebasket all the treaties she had with all the nations of the world that went to war against her. It is a mere imaginary thing that Germany may bring such claims.

Suppose we, as the legislative branch of Congress, should pass that resolution to-day. Do not, for Heaven's sake, my colleagues, get it into your minds that this body is not just as important in declaring war or declaring peace as the Senate of the United States.

We can not be simply hand washers here and leave it all to the President and the Senate. We must do our share. We are part of the war-making power and we are part of the peace-making power, but we are not a part of the power under the Constitution to negotiate treaties. Suppose we pass that resolution as it should come from the Senate, and the German Government, having three or four different factions in the Reichstag, should hold it for a year?

I only desire to set out in connection with these remarks the statement by the President.

If we should pass a resolution which opens negotiations and the German Government declines to accept it we are still left in the position of being in a technical state of war when, as the President of the United States said here the other day, that should be ended. It can be ended by a straight declaration of peace and a proclamation by the President of the United States, as Andrew Johnson did at the close of the Civil War. That makes peace. That does not assume to put the President in leading strings or attempt to tell him anything about what the foreign policy of this Government should be. That is in the power of the Senate and the President. If Germany should reply that they are not satisfied with the resolution, then we are usurping the power of the Executive in attempting to negotiate the provisions of a treaty, or that which amounts to a treaty of peace.

I have only a few minutes now, but at some other time I hope to discuss this matter, at the first opportunity I get, and I ask you, gentlemen, to realize that you are part of the peace-making power and not a part of the treaty-making power, and I ask you to consider the statement of the President as to the declaration of peace, without stating to him what shall be the conditions of the treaties that he makes. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GARNER. Mr. Chairman, I yield 20 minutes to the gentleman from Arkansas [Mr. OLDFIELD].

The CHAIRMAN. The gentleman from Arkansas is recognized for 20 minutes.

Mr. OLDFIELD. Mr. Chairman and gentlemen of the committee, of course there is no denying the proposition that serious conditions confront the country, not only in the farming sections but also in the manufacturing sections. The farmers can not sell their products because there is no market. In the industrial centers of the country 4,000,000 men are out of employment because their employers can not sell the products of their factories. Hence I say this is a serious proposition.

I have tried to study this question impartially and without any partisanship, and I concede frankly that that is somewhat difficult to do; but, gentlemen, I can not for the life of me understand how any gentleman on either side of this House can afford to tell his constituents or to tell the country that a duty of 35 cents a bushel on wheat will help the wheat farmer, because while we imported 35,000,000 bushels of wheat last year, we exported 218,000,000 bushels. And in addition to that, gentlemen, the imports of wheat are decreasing every day at this time. In other words, there was more wheat imported into this country during September, October, and November of last year than has been imported into this country during December, 1920, and January and February of this year, 1921.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Minnesota?

Mr. OLDFIELD. Yes.

Mr. KNUTSON. Is it not true that the imports are always greatest at the time the crop movements are at their heaviest?

Mr. OLDFIELD. Yes; and the exports are also greater at that time, I will say to the gentleman.

Mr. KNUTSON. Of course, that follows.

Mr. OLDFIELD. Yes; both exports and imports are probably greater. But on the whole we import 35,000,000 bushels of wheat in a year and we export 218,000,000 bushels of wheat in a year. Then why put a prohibitory tariff on wheat? I can not see the sense of it, gentlemen.

They have done that same thing all through this bill with respect to other agricultural products. You have placed 15 cents a bushel duty on corn, and every person who will stop and think will realize that 15 cents a bushel duty on corn is not going to help the farmer. It is silly and ridiculous, as I believe, and I do not think that you can make the farmers of this country believe in any such thing as that.

On beans and other food products, where exports and imports are practically the same, a duty is also imposed. You want the consumers of beans to pay an additional price of $1.17 a bushel for their beans, because in that case the tariff will be added to the price in this country, because, as I say, the exports and imports are about equally divided.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. KNUTSON. Has the gentleman differentiated between the different kinds of beans—navy beans, Lima beans, and soy beans, and so on?

Mr. OLDFIELD. If they are not the same kind of beans, there should be no duty at all.

Mr. KNUTSON. This is on Lima beans, not the navy beans.

Mr. OLDFIELD. They are beans that people eat, I presume. Take rice. I know the rice producers are in a bad way, because they produce rice in my district. There is a serious condition with them. Last year we imported 60,000,000 pounds of rice and we exported 392,612,000 pounds of rice.

And yet you put 2 cents a pound on rice, when we export more than six times as much rice as we import. How do you expect that to help the rice farmers of this country?

Last year we imported 2,295,000 pounds of pork. Yet we exported 900,000,000 pounds of pork. You put 2 cents a pound on fresh meat and pork in this bill. Gentlemen, why have you done that? You can not help the farmer on a proposition of that kind. It is impossible to do it. But I will tell you whom you will help in this bill. Since you have introduced this bill again and are seriously asking the Congress to pass it, I believe I understand now why in the last Congress you defeated the bill known as the packers' bill. You would not pass the packers' bill through the last Congress to regulate the Meat Trust of the country, but, on the contrary, you come here to-day and ask the people, the consumers of this country, to pay 2 cents a pound additional on every pound of pork and beef that the packers of this country control and sell to the people. That is not fair or square to the people who are the consuming masses of this country. [Applause.] The farmers can not add this tariff to their product, because they export more than they import, and the packers of the country furnish and sell to the consumers of this country 99 per cent of the meat products consumed in the country. They have a strangle hold on the farmers and stock growers on the one hand, because there is nobody for them to sell their live stock to except the Packing Trust. They control the farmers and stock raisers on the one hand, and on the other hand they have a grapple hold on the consumers of America, and you are helping the Meat Trust if you support this bill, because they are in a position to add the tax

to their price, and if you give them an excuse they are going to add the tax unless the people of this country quit eating meat. That is the situation. I do not think you ought to do it. I do not think you ought to try to mislead the American farmer in that sort of a way, because he can not possibly get anything out of it, and at the same time turn over not only the farmers but all the consumers of the country to the Packing Trust on this proposition of beef and pork, if you please.

What else? They have tried to fool the cotton farmer here by placing a duty on cottonseed oil. Yet last year, while we imported 9,422,000 pounds of cottonseed oil, we exported 184,753,000 pounds of cottonseed oil, and when they appeared before the committee we made them admit that they did not need a tariff duty on cottonseed oil, but they said they needed it on some other oils. Yet the committee insisted on putting it in the bill after they knew that the witnesses had testified that it was not necessary from any protective or other viewpoint.

What else have they done in this bill? Of course, you can not help the farmers in this way. It is impossible to do it. But I will tell you when the farmers will be helped. They will be helped when they have a market for their surplus products, and not before. When Europe, our great purchaser of surplus farm products, gets on her feet again, when the people of Europe become stabilized socially, politically, and economically, then we will find a market for our surplus farm products, and not before.

What else have you done? You have given the Beef Trust the best of it here, and every man in this House must know it. What else have you done? You have given the Sugar Trust the best of it. Why? Because you boost this tariff to 2 cents a pound on sugar. What does that mean to the consumers of America? I should like to ask you Republicans over here, especially those of you who live in the districts where there are three or four million men out of employment, where do you expect the laboring man who is out of employment to get money to pay this extra cent on sugar? You are placing a burden on the people who have to eat sugar and meat products. If they are not employed, how do you expect them to pay the price? Do you think it is fair and just to those people that you increase the cost of living to them, and at the same time do absolutely nothing for the farmers of America? Yet you have placed in this bill a provision which, in this duty of 2 cents a pound on sugar, will mean $190,000,000 to the American consumers of this country, and only half of that money will go into the Treasury of the United States. One-half of it will go into the pockets of the sugar producers and refiners of the country. It seems that you Republicans can always get together on propositions of this kind. I expect you all to vote for this bill, because I have always noticed that when Democrats and others attack the Sugar Trust, the Beef Trust, and these other trusts, it invariably lines up the Republican Party in their support.

Now, gentlemen, what else have you done in this bill? I want to say a word about wheat. The imports of wheat are decreasing right now, and in the last three months those imports decreased 983,462 bushels. Our exports of wheat have also decreased 26,899,066 bushels. Of course they decreased, because our former purchasers in Europe have nothing with which to buy. But the imports also decreased. Take peanuts. The imports decreased 3,000,000, but our exports also decreased 1,138,000 pounds. Our imports of rice decreased 3,786,000 pounds, but our exports also decreased 80,945,000 pounds.

My friend the gentleman from North Dakota [Mr. YOUNG], of whom I am personally very fond, talked about 100,000,000 pounds of wool being on ships now to be unloaded in our ports. Great God, who is going to buy that wool? Because every word of the testimony before the Ways and Means Committee showed absolutely, if you can believe anything they say—and I am inclined to believe what they said, because I know the conditions in Arkansas and Oklahoma and my part of the country in regard to cotton, and they are the same in regard to wool—every word of testimony before the Ways and Means Committee showed that you can not sell it at any price. They testified that they could not sell wool at any price. Then how is the gentleman from North Dakota going to unload the 100,000,000 pounds of wool from these ships when they can not sell the wool at any price?

Mr. YOUNG. Store it.

Mr. OLDFIELD. If they store it, who are they going to sell it to? You are going to help the wool speculator instead of the wool producer. [Applause.]

Mr. YOUNG. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. YOUNG. If we pass this bill when we ought to we will send that wool back on the ships that it came over on.

Mr. OLDFIELD. I very much doubt if you get it through the Senate in time to do that.

Mr. KNUTSON. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. KNUTSON. The gentleman will admit that if that hundred million pounds of wool is landed here it will be used to further depress the market on wool?

Mr. OLDFIELD. I doubt if it would have that effect, for the reason that it is shown that there are 700,000,000 pounds of wool now stored in Boston. They say that they have a two years' supply on hand. How could 100,000,000 pounds affect the wool market? Now, let me show what the United States Market Reporter said on April 2, 1921:

> The rush to get wool inside the customs district of the United States in anticipation of a tariff duty is largely responsible for the heavy imports of wool during the months of January and February, when the quantity received amounted to more than 63,000,000 pounds. The very interesting fact brought out by a study of the wool import trade of the United States during the past year, however, is that the actual imports for January and February were nearly 3,000,000 pounds less than for the same period of 1920.

What does that mean, gentlemen? It means that the people of this country will not buy the surplus product of other countries when they can not sell the surplus product of our own country. That is the trouble with the automobile business in your city to-day—the export trade is cut off. Gentlemen, we can never get back to the normal state of affairs until the world is settled. You can not do it by a tariff bill like this, or any sort of tariff legislation.

I think you are going to be the worst disappointed set of gentlemen in the country when you find out the result of this bill. You must know that 35 cents a bushel on wheat is not going to raise the price of wheat. It will enable the Sugar Trust to do it; it will enable the Beef Trust to add the tariff to the price of their products. It will enable the wool speculators of this country, who have stored up 700,000,000 pounds of wool, a two years' supply—it will help them and nobody else.

Now, I am getting tired of discussing this bill—it was discussed two or three times during the last session—but I do want to put this statement in the RECORD:

What the farmers of the country need is not a tariff on farm products but a market for products of the farm. They can not sell their products in many instances at any price. Anybody would be foolish to import farm products into this country when we have more now than we can sell. There is a provision in this bill which will automatically increase the tariff rates as against Germany 500 per cent; Austria, 2,000 per cent or 3,000 per cent; Italy 100 per cent; yet Italy is one of our allies in the World War and owes us a great deal of money. Why should we discriminate against her? Conditions have changed since the Payne-Aldrich high protective tariff bill was written. Then we were a debtor Nation; now we are a creditor Nation. Europe owes us some $15,000,000,000, and she can not pay us or her other debts if she is not permitted to sell her products in the markets of the world, and our country is a big part of the world. The South is greatly interested in this bill, because you are attempting to crush economically some of the purchasers of our great crop—cotton. In 1920 we exported more than a billion dollars worth of raw cotton. Great Britain took $489,000,000 worth; France, $114,500,000 worth; Germany, $110,000,000 worth; yet you by this bill would raise the tariff 500 per cent, which would cut off trade between our country and Germany. She can not buy our cotton unless she sells us something. Italy bought $103,000,000 worth of our cotton last year; yet you want to boost the tariff wall against Italy, one of our associates in the war, 100 per cent and make it impossible for her to buy our cotton, because she can not buy our cotton unless she sells us some of her products.

President Harding stated in his message on Tuesday last that we can not sell unless we buy. The result of this legislation is going to be retaliatory tariffs by the other nations against us. Canada, Argentina, Spain, Italy, and France—some of our greatest customers—are preparing to pass retaliatory tariff laws against this country, and will do it if this bill becomes a law. This means trade war, and trade war is only a step in advance of war with shot and shell. A fierce trade war preceded and led up to and caused the recent World War, in which 10,000,000 lives were lost and $300,000,000,000 worth of property destroyed. I appeal to all Democrats not to be a party to bringing on another such holocaust. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the minority views by Mr. KITCHIN. He has made one correction.

There was no objection.

The minority views are as follows:

VIEWS OF THE MINORITY.

"Mr. KITCHIN, on the part of the minority, submitted the following views of the minority:

"The policies and principles advocated by the Democratic Party and inspiring the continued maintenance of its organization for nearly 100 years forbid our approval of the pending bill and impel us to vigorously protest against its passage.

"Approval of this bill by the Democrats in Congress would be a complete surrender of such principles and abandonment of such policies, and a confession that for over a half century the Democratic Party has been wrong and the Republican Party right on the tariff. Further, it will be an admission that there is no need for the continued organization of the Democratic Party. Such approval would be an urgent invitation to the farmers of the country, especially of the West and South, to go bodily into the Republican Party—the party of tariff robbery—as the only means of their future salvation.

"The rates in this bill are higher than those of the Dingley Act or of the Payne-Aldrich Act, although the Republican platform of 1912 declared that its rates were too high and should be reduced, or of any tariff bill ever enacted by Congress since the beginning of the Government, and higher on similar articles than any tariff ever enacted by any civilized country in the world in the last 250 years.

"We appreciate the embarrassment of the Republican Party in the present situation. In the recent campaign it promised the farmers of the West, if elected, it would restore the high prices for wheat, corn, live stock, and other agricultural products, and to the people of the East it promised to reduce the high cost of living, especially with respect to food products. Finding in the present situation that it is impossible to restore wheat to $1.50 to $3 per bushel, corn to $1.50 to $1.90, and cattle and hogs to 10 to 20 cents per pound, and at the same time reduce the cost of bread and meat to the consumers, they have now decided to break faith with both the farmers of the West and the consuming masses of the East and to keep faith with the Sugar Trust, the Meat Trust, and the Woolen Trust, and the wool speculators, the direct beneficiaries of the pending bill.

"If the pending bill does what its authors and advocates claim to the farmers it will do, and operates according to the theory of Republican protection, the price of wheat will be increased after its passage 35 cents a bushel, wheat flour to 20 per cent ad valorem, corn 15 cents a bushel, meat and beef 2 cents a pound to 25 per cent ad valorem, sugar 1½ cents per pound, wool in the grease 15 cents per pound, scoured 45 cents per pound, rice a cent a pound, beans 2 cents a pound, all woolen goods and wearing apparel 20 to 30 per cent ad valorem, potatoes 25 cents per bushel, onions 40 cents per bushel, butter 6 cents per pound, cheese 23 per cent ad valorem, milk 2 cents per gallon, apples 30 cents per bushel, all of which except sugar, wool, and rice are largely export products, and all of which are absolute necessities. According to the Republican claims and protection theory, the pending bill will add to the present cost of living over $2,000,000,000—all of this amount will go to swell the fortunes of the profiteers and speculators.

"This bill, if passed, is worth to the Sugar Trust a year at least an additional $125,000,000; to the Meat and Beef Trust, the packers, over $550,000,000; to the Woolen Trust over $100,000,000, and the cost of living to the consumers will be increased on these articles alone, controlled by these trusts, over $775,000,000. Who but a trust-controlled Republican can afford to put these burdens on the people for the benefit of the trusts and speculators in farm products even if he does get a few cents protection on some article produced in his district?

"We take this opportunity to reassure the Democracy of the Nation that the Democrats in Congress will take no back track on the tariff. To us Republican protection is no better now than when the Tilden platform of 1876 denounced it 'as a masterpiece of injustice, inequality, and false pretense.' It is no better now than when the Cleveland platform of 1892 denounced it as 'a fraud—a robbery of the great majority of the American people for the benefit of a few.' It is no better now than when the Parker platform of 1904 denounced it 'as a robbery of the many to enrich the few.' It is no better now than when the Wilson platform of 1912 denounced it 'as a system of taxation which makes the rich richer and the poor poorer,' and when it further declared that 'under its operation the American farmer and the laboring man are the chief sufferers. It raises the cost of the necessaries of life to them, but does not protect their products and wages. The farmer sells in free markets, but buys almost entirely in protected markets.' We give unqualified approval to the clear and emphatic declaration of the Democratic platform of 1920: 'We reaffirm the traditional policy of the Democratic Party in favor of a tariff for revenue only.' It is a sorry time for Democrats now to repudiate all these party declarations of its policies and principles.

"*We remind our fellow Democrats in and out of Congress that while by the crushing defeat of last November the Democrats were compelled to surrender to the Republican Party the offices, that defeat, however disastrous, obligated no Democrat to surrender to the Republicans the principles of his party.* Let us ask, When did the principle of Republican protection become sound to the Democratic mind? When did these professions of principles and policies lose their virtue? This country is not big enough for two protective tariff parties. It needs but one party in this country to make the millions pay tribute to the favored few. The country already has a party that has made a triumphant success of legalized plunder for more than 50 years, and we are opposed to the Democratic Party entering the field of competition with it. If there is a Democrat in Congress or elsewhere who is fooling himself into the belief that by our party embracing the doctrine of protection, or his vote for protection, though it be on his home industry, he is going to keep within the folds of the Democratic Party or bring into its ranks the men who favor such protection, then he should at once undeceive himself. A sensible protectionist will go to the party that has taught and practiced protection for 50 years, and not to the party that has always opposed it. Every man who desires special legislation for his special interest knows that his place is in the Republican Party. He will join the party that has made a success of robbing all the people for the benefit of the few.

"While one may have been justified in voting for the original Fordney emergency bill in December of last session there can be no justification for one to vote for this bill on the plea that it is in the interest of the farmers. The original Fordney emergency bill, if there was any benefit at all in it, inured to the advantage of the farmer. The importations of several agricultural products for the three or four months preceding the passage of the Fordney bill in the House, to one who had not had the time to study or investigate the situation (and it was rushed through in such a hurry that no one had the time to do it) looked somewhat alarming. *The present bill is as unlike the original Fordney bill as night is day.* Conditions now are entirely different. Then the bulk of the crops of 1920 were in the hands of the farmers; the bulk of the crops are now in the hands of the speculators and trusts, and this bill will expire in six months, before the crops of 1921 are harvested. The original Fordney bill had no protection or gratuity in it to the Sugar Trust. The present bill has added at least $125,000,000 bounty to the Sugar Trust. The original bill had no gratuity to the Packers Trust. The pending bill has hundreds of millions of dollars protection or gratuity to the Packers Trust. For the last three months instead of imports of agricultural products increasing, as they did for the three months preceding the Fordney bill, they have been rapidly decreasing—from 50 to 75 per cent decrease from the imports in the three months preceding the passage of the Fordney bill. In fact, the former bill had the appearance of protecting or relieving the farmer. An analysis of the pending bill shows that it has not the appearance of protection or benefit to the farmer, and a purpose of protecting or relieving the farmer is absolutely absent from it. It has been converted into a trusts and speculators relief or profiteering bill.

"As an evidence of the insincerity of the Republican leaders in Congress in their pretended efforts to benefit the farmers, according to the Washington Post, an organ of the Republican administration and Congress, the leaders in the Senate and the leaders in the House, including the leading members of the Ways and Means Committee of the House and Finance Committee of the Senate, met and unanimously resolved not to reintroduce and pass the so-called farmers emergency tariff bill; in other words, if they were sincere in the last Congress, they had decided in this Congress, so far as they were concerned, the farmers of the country might be ruined and bankrupted and go to the 'bowwows.' This Republican organ further stated that a week thereafter the President called them together and urged that they reintroduce and pass the same bill which President Wilson had vetoed, and they agreed to do it, after, no doubt, they found what a benefit this bill would be to the trusts and speculators and how much it would actually increase the high cost of living by giving the profiteers a better chance, and excuse to gouge the people.

"The Republicans in the last national platform, on which Mr. Harding and the present Congress were elected, declared 'We pledge ourselves to an earnest and consistent attack upon the high cost of living.' With this pledge fresh upon their lips and upon the ears of the people of the country an extra session is called, and the very first step made to redeem that pledge is

the introduction and rushing through with the least possible delay the pending bill, which, according to the claims of its authors and the theory of Republican protection, will increase the cost of living, especially with respect to the necessities of life, at least $2,000,000,000, more than three-fourths of a billion going directly into the hands of three big trusts—the Packers Trust, the Sugar Trust, and the Woolen Trust. The Republicans can not wait a day, not an hour, before proceeding with the bill. They proceed with its passage in the House the day after it is reported out of the committee. They are unwilling to consider it long enough to investigate the facts, or give the opponents of the bill hardly an hour's time to study it—so fearful that these trusts may lose a day or an hour in beginning their exactions from the people provided for in this bill.

"An analysis of this bill will show that it is the most transparent fraud and deception ever attempted to be perpetrated upon the farmers and people of the country.

"We notice that the bill has been changed since the last session from the *Fordney farmers' emergency bill* to the *Young emergency tariff bill.* Why the Ways and Means Committee thought that the name of its chairman, Mr. FORDNEY, attached to the bill would discredit it, or believed that by attaching the name of YOUNG from the agricultural State of North Dakota, it would more easily fool our farmers, we can not undertake to say, but certainly there must be some political significance to it.

"The State of Michigan, from which the chairman hails, having many large beet-sugar corporations, probably is the reason that the shrewd political members of the Ways and Means Committee and the Republican leaders in Congress suggested that a Member from an agricultural State should father the bill in order to dissociate from the people's mind the thought that the sugar corporations and trust had a hand in the conception and preparation of this bill.

"Is this really, and was it intended to be, a farmers' emergency relief bill, and will it actually relieve the farmers of the West and the country?

"WHEAT.

"The rate in the bin on wheat is 35 cents a bushel—the highest ever carried in any bill since the beginning of the Government. Are importations of wheat really depressing the price of wheat?

"Ten days before the Republican leaders in the last session of Congress concocted the political scheme in the so-called Fordney farmers' emergency bill to embarrass the Democrats in Congress and fool the farmers in the country, no farmer or farmers' organization and no man in the United States ever suggested that a tariff would give relief and restore prices to the farmers' products, or that the absence of a tariff or that foreign importations caused the financial distress of the farmers in the country, especially of the West and South.

"As proof that the importations of 1920 did not cause the falling of prices in farm products our importations in 1919 of wool, cattle, hogs, sheep, corn, cottonseed oil, beans, and rice were considerably larger than in 1920, yet the prices for such products in 1919 and the first of 1920 were 100 per cent higher than now. Refusing to come to the direct relief of the farmers, as they did to the railroads, the Republican leaders in Congress then started the propaganda that what the farmers needed was a high protective or prohibitive tariff, and that the Fordney farmers' emergency bill was their salvation—that its passage would fully restore to them the former high level of prices. Does the wheat grower in this country really need protection against foreign wheat? Let us see. In 1920 our domestic production was 787,000,000 bushels. Our total imports from all the nations of the earth amounted only to 35,848,648. We consume in this country about 650,000,000 bushels of wheat a year. It will be seen, therefore, that for every 100 bushels of wheat used or consumed in the United States our domestic producers furnish 95 bushels, and all the foreign nations furnish only 5 bushels. In addition to this, of the crop of 1920 and of the crop left over of the year 1919 we exported for the year 1920 218,000,000 bushels in competition with all the nations of the world, shipping this wheat thousands of miles across the sea and there meeting the world in competition.

"In the face of these facts will blind partisan Republicans contend that American wheat is in any danger of competition at home with foreign wheat? These facts show conclusively that not a bushel of foreign wheat competes with a bushel of wheat raised in the United States, for we ship out in competition with all the world six times more than is shipped in.

"We call attention to the fact that for the months of December, 1920, and January and February, 1921, only 20,000,000 bushels of wheat were imported into this country in spite of the fact that the majority report of the Ways and Means Committee of the last session on the Fordney farmers' emergency bill stated that from December 3 to December 20, 1920, 17 days, 56,000,000 bushels of wheat landed at two Lake Superior ports. Of course this statement in the report was a misrepresentation, perhaps in order to intimidate many Members of the House into voting for the bill and frightening the farmers of the wheat-growing States of the West into a closer loyalty to Republican protection.

"It will be noticed for the three months, including the whole of December, there is a difference between the report of the Ways and Means Committee and the actual fact of 36,000,000 bushels.

"It seems difficult for Republican protectionists to get any nearer the facts than this. In addition to this we exported during those three months, in competition with the nations of the world, over 65,000,000 bushels of wheat. We may venture the opinion that perhaps this palpable misstatement of facts is one of the reasons why the shrewd political members of the Ways and Means Committee selected another Member at this session to make the report on the pending bill, which is in every respect identical in rates with the Fordney bill of last session as it passed the House and Senate and as vetoed by President Wilson.

"Since we have referred to this misstatement in the report of last session we wish to call attention to some other phenomenal statements as to revenue which would be raised and of the importations which it is claimed would be received for a year under the operation of the Fordney bill.

"Take peanuts, for instance: The existing rates on shelled peanuts is three-fourths of a cent per pound, and on unshelled peanuts three-eighths of a cent per pound. The rates under the Fordney and Young bills are increased to 3 cents a pound. For the calendar year 1920 there were imported of shelled peanuts, with a duty of only three-fourths cent per pound, 110,810,000 pounds, but the committee's report of last session, to be used in connection with the report of this session (no doubt in order to give some Democrats an excuse to vote for the bill on the grounds of a revenue tariff), states that under this bill, with a tariff duty raised from three-fourths of a cent per pound to 3 cents a pound, four times as high, there would be imported 146,847,000 pounds; that is, 36,000,000 pounds more would be imported under the Fordney and Young bills, with the high protective tariff of 3 cents per pound, than under existing law, with the three-fourths cent per pound.

"Of unshelled peanuts, with the low existing rate of three-eighths cent a pound, there were imported in 1920, 8,703,000 pounds, but this report would have the peanut growers and Members of Congress from peanut districts to believe that under the Fordney-Young bills, with a rate of 3 cents a pound—that is, for the large peanut 66 cents and for the small Spanish peanut 90 cents a bushel—there would be imported into this country in competition with our peanut growers 11,418,000; that is, there would be imported under the Fordney and Young bills, with the high 3-cent rate, 2,715,000 pounds more of unshelled peanuts than were imported in 1920 under the existing low rate of three-eighths cent a pound.

"Again, as to peanut oil: In 1920, with a 6-cent rate a gallon on peanut oil, there were imported into the United States 12,683,000 gallons, but according to this report of the committee, with the high rate of 26 cents a gallon, four times as high, there will be imported 16,667,000 gallons; that is, 4,984,000 gallons more under the Fordney-Young bills with the 300 per cent increase in the rate than in 1920 with the 6 cents per gallon rate.

"Again, as to cottonseed oil: In 1920, with cottonseed oil on the free list, we imported 9,437,000 pounds, yet the committee's report states that with the Fordney-Young bills' high rate of 20 cents a gallon, or 2½ cents a pound, 96,000,000 pounds would be imported; that is, there will be imported 86,000,000 pounds more, or ten times as much, of cottonseed oil under the high rate of 20 cents a gallon, or 2½ cents a pound, than when it was on the free list; but as said above, this is about as near the facts as Republican protectionists generally get. This was certainly an appeal with a vengeance to southern Democrats in peanut districts to support the Fordney bill on the ground that it was a tariff bill for revenue only. Such statements as these are enough to mislead any Democrat in peanut districts into supporting the Fordney bill.

"As to rice: With the existing rate of 1 cent a pound on rice there were imported in 1920, 111,694,000 pounds of rice, but according to the majority report at the last session with 2 cents a pound duty—100 per cent increase in the rate—145,330,000 pounds of rice will be imported; that is, 33,000,000 pounds more will be imported into this country with a 100 per cent higher rate than with a tariff of 1 cent a pound under existing law.

"As to corn: In 1920, with corn on the free list, we imported 7,744,000 bushels, but according to the majority report, with a duty of 15 cents a bushel, 9,175,000 bushels will be imported; that is, 1,750,000 bushels more with the high tariff of 15 cents a bushel will be imported than when corn was on the free list.

"*Now, take scoured wool: Perhaps the most phenomenal misstatement or misrepresentation in the report of the Fordney farmers' emergency bill was the so-called estimate of the actuary of the Treasury Department with respect to the importations and revenue to be derived from wool. In 1920, with wool on the free list, there was imported of washed wool less than 8,000,000 pounds, yet this report has it that under the Fordney bill, with a tariff of 30 cents a pound, there would be imported in 1921, 95,000,000 pounds; that is, there would be imported with the high duty of 30 cents a pound twelve times as much as when wool was on the free list.*

"*In 1920, with scoured wool on the free list, we imported only 14,000,000 pounds, and yet the majority report has it that under the Fordney-Young bill, with a tariff rate of 45 cents a pound, we would import 100,000,000 pounds; that is, with the high duty of 45 cents a pound, fourteen times as much would come in as when it was on the free list—another example of the nearness a Republican Ways and Means Committee is able to get to the facts on a tariff bill.*

"We now see the motive in rushing the bill in the last session of Congress through the committee and the House, without giving the Members an opportunity to investigate and ascertain the facts.

"On many items in the report, such as beans, potatoes, rice, etc., under the Fordney-Young bills, with over 100 per cent increase in the rates, this report shows a large increase of imports over the imports of 1920 with lower rates and on the free list.

"*It is not strange, with such misstatement of facts, that the report was able to state that we would receive over $130,000,000 revenue from the Fordney bill, and that the bill was not one for protection only, but a bill for revenue. The fact is that instead of getting, according to the committee's report, $130,000,000 under the Fordney emergency bill, according to the Treasury Department's estimates of March 1, 1921, the items in the Fordney bill as it passed the House would not produce revenue in excess of $30,000,000.*

"With these misleading statements no wonder some Members were under the impression that it was a revenue tariff.

"CORN.

"In the calendar year 1920 the importations of corn from all the foreign countries of the world amounted to 7,744,000 bushels. Our domestic production in 1920 was 3,322,367,000 bushels. For December, 1920, and January and February, 1921, our importations of corn were 127,000 bushels. Our importations for February, 1921, were 3,256 bushels. *The above figures show that out of every 100 bushels used and consumed in the United States our home producers furnish 99 bushels and 3 pecks, and all the nations of the world furnish a little less than 1 peck. It further shows that in 1920 we exported two and one-half times more than we imported, and that for the months of September, October, and November, 1920, we exported more than two and one-half times more than we imported, and for the months of December, 1920, and January and February, 1921, we exported one hundred and thirty times as much as we imported.*

"For the month of February, 1921, we exported two thousand five hundred times more than we imported. Yet, in the face of these facts, the Republicans have the audacity to look the corn grower in the face and tell him that the 'flood of importations' of foreign corn is depressing the home market and has driven the price of corn down from $1.85 a bushel in July, 1920, to 50 and 60 cents at the present time.

"They are attempting to fool the corn farmer by this bill into believing that this 1 bushel furnished by the foreigner out of every 400 bushels furnished by our domestic producers has forced the price down of the entire 3,000,000,000 bushels, and they expect the intelligent corn farmer of the West to be fully satisfied with this deception and to believe that the 15 cents tariff a bushel on corn provided for in the pending bill will send the price of corn back up to $1 and $1.85 a bushel. Basing the importations of corn in 1921 upon the three months of December, 1920, January and February, 1921, our total importations for this year will be 510,000 bushels. If our production this year equals the production for the year 1920, this 'flood of imports of corn by foreign competitors' which Republican leaders are 'hollering' about in order to deceive the farmer will stand thus: *Out of every 100 bushels of corn consumed in the United States the home producer will furnish 99 bushels and 63 pints, while all the foreign nations of the world, with their 'flood of imports,' will furnish only 1 pint,* and yet the Republican leaders in Congress would have the corn-growing farmers of the West believe that they are in distress because of this 'tremendous flood of imports' and unless the pending bill is passed with the 15 cents tariff on corn he will be ruined and bankrupted and the home corn grower will have to go out of business. If there is a man in the United States who believes such a humbug claim as Republican leaders in Congress are making, he ought to be in the insane asylum or in the Republican Party.

"CATTLE.

"In 1920 we imported 379,000 head of cattle. We exported in 1920, 85,000, showing net imports of 284,000 head. We have in this country about 70,000,000 head of cattle. We slaughter a year about 25,000,000 or 30,000,000 head. For the months of September, October, and November, 1920, we imported 151,000 and exported 19,506. For December, 1920, January and February, 1921, we imported 71,784 and exported 21,065. This shows a rapid falling off of importations—over 50 per cent over the three preceding months. During the month of February, 1920, we imported 24,509 and exported 2,689, while during the month of February, 1921, we imported 8,066 and exported 7,488 head of cattle, showing that imports are still decreasing and exports increasing. For every head of net imported cattle we produce in this country 250 head. Out of every 100 head of cattle in the United States our net imports of cattle amount to less than one-half of a head, and for every 100 head of cattle slaughtered and consumed in this country all the nations in the world furnish 1, while the home producers furnish 99.

"Basing net importations for 1921 upon the net imports for the three months of December, 1920, January and February, 1921, for every 100 head of cattle consumed in the United States the home producer furnishes 99⅛ head of cattle, and all the foreign nations of the world will furnish only five-sixths of a head of cattle. Yet, in the face of these facts, the Republican leaders in Congress have the audacity to tell the live-stock farmers of the country that foreign importations are the cause of their distress, and that a tariff, such as provided for in the pending bill, is their only relief to restore prices to their former level. In view of these facts it is impossible for an intelligent person to believe, if the pending bill is passed, that it will relieve the live-stock farmer of the country.

"SHEEP.

"In 1920 our imports of sheep amounted to 172,000 head. In 1919 they amounted to 224,000 head, showing a falling off of imports of 52,000 for the year, and for the months of September, October, and November, 1920, the imports amounted to 113,000 head of sheep.

"In December, 1920, January and February, 1921, they amounted to 25,000, showing a falling off in comparison with the three preceding months of 85,000—or about 75 per cent.

"In February, 1921, we imported only 261 head of sheep, and exported 8,486, showing that the imports of sheep are rapidly decreasing. We exported in 1920, 48,000, which leaves our net imports around 124,000. We exported in September, October, and November, 1920, 7,771, and in December, 1920, January and February, 1921, 19,482, showing that while the so-called Republican 'flood of foreign imports' are decreasing, our exports are increasing.

"According to the Statistical Abstract, we have in round numbers 50,000,000 head of sheep in this country. We slaughter, in round numbers, each year in the United States about 20,000,000. *These figures show that for every 100 head of sheep consumed in this country the home producer furnishes 99⅝, while the balance of the world furnishes five-eighths of a sheep, or out of every 160 consumed in this country our sheep growers furnish 159 and the foreigners 1 sheep.*

"Yet, in the face of these facts, the Republicans in Congress are trying to fool the sheep growers of this country that this 'flood of foreign imports' is about to put the sheep growers out of business and the domestic sheep out of the market.

"Let us suggest that, since according to the claim of the Republicans a tariff on wool is going to build up and foster the wool industry of this country, it might be wise for the United States to import for eating purposes the so-called cheap foreign mutton and lamb and keep our own domestic sheep for the growing of wool, and therefore would it not be better to permit mutton, lamb, and sheep to come in free?

"A tariff on mutton and lamb inures only to the benefit of the packers, since the sheep grower in this country does not sell mutton and lamb (sheep and lambs in the dressed state).

"The tariff in this bill on mutton and lamb can not be intended to help the sheep grower, and its only possible effect can be to help the packers and permit them to exact higher prices.

"BEEF PRODUCTS.

"In the calendar year of 1920 the imports of beef and veal amounted to 50,182,000 pounds. In the same year, in competition with the world, we exported 139,480,000 pounds. In the months of September, October, and November, 1920, our imports amounted to 16,496,000 pounds. In the months of December, 1920, January and February, 1921, our imports were 7,599,000 pounds, showing a decrease from the three preceding months of over 50 per cent.

"In December, 1920, January and February, 1921, our exports amounted to 17,843,000 pounds, which was an increase in exports over the three preceding months of over 6,000,000 pounds, or over 50 per cent. Our production of beef, veal, etc., in 1920 was 9,000,000,000 pounds. These figures show that out of every 100 pounds of beef products consumed in the United States the home producer, principally the packers, furnish *99⅘ pounds while all the nations of the world furnish only five-ninths of a pound*, while at the same time the Beef Trust exports from two and one-half to three times as much beef products in competition with all the world as our total importations.

"*In the face of these facts the Republican leaders in Congress would have the people believe that the Beef Trust needs a protection of 2 cents to 6 cents a pound to protect them against this five-ninths of a pound 'flood of foreign importations,' that this five-ninths of a pound is glutting our markets and forcing ruin and disaster upon the Beef Trust, and that in order to survive it must be given the privilege, as provided for in this bill, of exacting from our consumers of beef over $275,000,000 more.*

"HOG PRODUCTS.

"Of hog products our imports in the calendar year of 1920 amounted to 2,295,000 pounds. Our exports amounted to 900,757,000 pounds, about four hundred times as much exported as imported. In the months of September, October, and November, 1920, our imports amounted to 879,000 pounds while our exports for the same period amounted to 197,127,000 pounds, over two hundred times as much exported as imported. In the months of December, 1920, January and February, 1921, our importations amounted to only 284,000 pounds, a decrease from the three preceding months of 594,000 pounds, or approximately 70 per cent, while our exports in December, 1920, January and February, 1921, were 234,340,000 pounds—that is, eight hundred and twenty-two times as much as imports—an increase over the three preceding months of 38,000,000 pounds, or approximately 20 per cent.

"*Our domestic production of hog products in 1919, the last year for which statistics are compiled, was 13,000,000,000 pounds, and more perhaps for 1920. In other words, for every pound imported we produced 5,733 pounds, and for every pound imported we exported 400 pounds. Out of every 100 pounds of hog products used and consumed in the United States our home producers, principally the packers, furnished a little over 99 pounds 15¾ ounces and all the nations of the world furnished a little less than one-fourth of an ounce. What an enormous Republican 'flood of foreign meat.'*

"*In spite of these facts the Republican leaders in Congress have the audacity to look into the face of the American people and say, by this bill, that we are being flooded by foreign importation and our meat market is being glutted by foreigners by the importation of this little one-fourth of an ounce, and that the Meat Trust in order to be saved from ruin and disaster must be allowed, as provided in this bill, a tariff of from 2 to 6 cents a pound and must have the privilege, as provided in this bill, of exacting from the consuming millions of Americans of over $275,000,000 additional.*

"Who ever heard of the packers or Meat Trust being confronted with an emergency and must have relief or be ruined until the Senate amended the Fordney emergency tariff bill last session? Who knew that the packers were in such stringent financial distress, that to relieve them an extra session of Congress had to be called; that in the first three or four days of that extra session this bill had to be rushed through the committee and the House practically without consideration or discussion, and passed at the very first possible moment for the relief of the Meat and Beef Trust so that it should not lose a day or an hour to begin their exaction of over $550,000,000 additional from the American people? Why should the packers confide the secret of their distress and that it was about to be driven out of business by the 'flood of foreign importations' only to the Republican leaders in Congress and to no one else throughout the country?

"*An analysis of the bill will disclose the fact that although in 1919 there were 22,000 hogs imported into this country there is no tariff levied upon the importation of hogs for the benefit of the farmers. By this bill the packers are given a protection of from 2 cents (on fresh meats) to 25 per cent ad valorem (on other hog products). That is from 2 cents to over 6 cents a pound.*

"It seems from this that the Republican leaders have both eyes open and singled to the interests of the Packing Trust and both eyes shut to the interests of the farmers.

"*In view of the protection given by this bill on beef and meat products, by which the cost of living will be increased to the consumers by over $550,000,000 in beef and meat alone, a Republican has a right to conclude that the administration and Republican Congress are carrying out with promptness and with a vengeance the declaration in their platform of 1920 upon which they were elected, 'We pledge ourselves to earnest and consistent attack upon the high cost of living.'*

"They were also pledged in their platform 'to curb the profiteer,' but probably this is about as near to performance of their platform promises as a Republican Congress can get, and we refrain from undue criticism.

"SUGAR.

"Our consumption of sugar in the United States in 1920 was in round numbers 10,000,000,000 pounds. As every intelligent man knows, the Sugar Trust absolutely controls the sugar situation and that over one-half of the sugar we consume is imported and that the tariff duty is added to the price of all sugar consumed in the United States, both domestic production and imported. This bill increases the price to the consumer 100 per cent and over; that is, it gives to the Sugar Trust the right to exact 1 cent a pound additional from the people (by the time it reaches the consumers at least a cent and a half is added). This bill gives to the Sugar Trust at least $125,000,000. It gives the Sugar Trust the right and privilege to exact from the American consumers an additional $125,000,000. No one, it seems, except the Republican leaders in Congress, knew that the Sugar Trust was confronted with an emergency and was in such financial distress that the Republican leaders should hasten to its rescue with this bill.

"WHY DID NOT REPUBLICANS STOP FLOOD OF IMPORTATIONS IN 1919?

"In 1919 the importations of wool amounted to 440,290,279 pounds.

"In 1920 the importations of wool amounted to 259,617,000 pounds; that is, *in 1919 we imported 180,000,000 pound more than in 1920.* In the months of September, October, and November, 1919, we imported *over 75,000,000 pounds more than in the same months of 1920.*

"While the big importations of 1919 were coming in and, as claimed by the tariff advocates, constituting a portion of the more than 600,000,000 of pounds now on hand held in competition with the wool crop of 1920 and 1921, stored by the Woolen Trust and the speculators in wool, although Congress was in session practically all of the year after May, 1919, yet not a Republican voice was heard about a tariff on wool to protect the woolgrower. On the contrary, the Republican leaders in Congress whittled away practically the entire time of the six months' session trying to protect by tariff the little Magnesite Trust in Washington, the little Tungsten Trust in Colorado, the little Pearl Button Trust in Iowa, the little Chemical Glass Trust in New Jersey, and other little trusts here and there. Republican leaders then had the interest of these little trusts and the interest of the Woolen Trust and woolen speculators at heart.

"The woolgrowers then, when this tremendous 'flood of importations' was pouring in on us, did not have a look in with Republican leaders in Congress. Why did they not get busy then and try to fool or protect the woolgrower with a tariff? The same may be said of cattle. In 1919 the importations of cattle were 263,000 head more than in 1920; that is, we imported 70 per cent in 1919 more than in the year 1920. For the months of September, October, and November, 1919, we imported 128,000 head more than during the same months of 1920.

"We may ask the same question as to cattle: Why did not the Republicans, when this 'flood of importations' was inundating our cattle market, although a Republican Congress was in session, try then to help or fool the live-stock farmer with a tariff? Why should they now try to fool him, when the importations are considerably less and rapidly decreasing?

"We may make the same observations and ask the same question with respect to sheep.

"We imported in 1919, 224,000 head of sheep, while in 1920 we imported 172,000, 52,000 less. In September, October, and November, 1919, we imported 142,000, while for the same months in 1920 we imported only 123,000. For the three months of December, 1920, January and February, 1921, we imported only 25,000.

"Why did not the Republicans in 1919, while Congress was in session, when we were receiving larger importations, think to help or fool the sheep grower, and why now, when for the last three months the importations have fallen down to 25,000 and our exportations for the same months have increased to 19,000, are they so anxious to try to help or fool the sheep grower?

"We might ask the same question with respect to corn, beans, rice, and cottonseed oil, all of which show large decreases in importations for 1920 with the year of 1919. Let us call attention to the fact that this bill puts a duty of 15 cents a pound on wool in the grease and 45 cents on scoured wool. The report of the Taft Tariff Commission shows that if wool in grease has a duty of 15 cents per pound, scoured wool should have a rate of 25 cents, yet this bill gives the Woolen Trust the benefit of a gratuity of 20 cents per pound over and above a compensatory duty. According to the Commission's report, it takes only 1⅛ pounds in the grease to make 1 pound of scoured wool. We observe, too, that while the bill puts a tariff of 15 cents per pound on clothing wool that goes into the clothes the millions of the people must have, it keeps on the free list the carpet wool that goes into the fine carpets and rugs of the rich.

"A BILL IN THE INTEREST OF THE TRUSTS AND SPECULATORS.

"We submit that, in view of the foregoing, this bill is not in the interest of the farmers of the country, but is really in the interest of and for the purpose of swelling the already swollen fortunes of the trusts and speculators. It gives to the Packers' Trust, the Sugar Trust, and the Woolen Trust the right and privilege to take from the American people the enormous sum of over $775,000,000, increasing to that extent the present high cost of living. This huge bounty, forced from the pockets of the American people into the coffers of the trusts, is the first legislative act of the Republican administration and the Republican Congress. This should prepare the people for what kind of relief and reconstruction policy they may expect in the future. *It is most difficult for one not a Republican to understand why the Republicans feel so much under obligation to the Sugar Trust, the Packers' Trust, and the Woolen Trust that they must rush this bill through in the first three or four days of the Congress as the first act of the administration and the Congress.*

"Perhaps a thorough investigation of contributions in the last campaign and a lively anticipation of future contributions may reveal the cause of such an obligation. As a farmers' emergency or relief measure this bill is a transparent fraud and humbug. There is hardly a Republican in the House that does not know that a tariff on most of the agricultural products in the bill is purely bogus and a sham—that a tariff on such does not and can not affect their price while in the hands of the farmers, who are too numerous and too much scattered throughout the country to combine into a trust.

"In 1910 the Republican Party, through a special Senate committee of Republicans and through their campaign textbook, was forced to admit the fraud and deception they had been practicing upon the farmer since the Civil War by putting a tariff on agricultural products in order to make him believe he had a finger in the tariff pie and thereby induce him to vote for protection for the big manufacturers and trusts of the East. Both the report of this special committee and this campaign textbook expressly declared that '*the tariff on the farmers' products, such as wheat, corn, rye, barley, cattle, and other live stock, did not and could not in any way affect the prices of these products.*'

"On this special committee were Senators LODGE, chairman; Gallinger; Crawford, of South Dakota; MCCUMBER, of North Dakota; and SMOOT, of Utah. Their report on the effect of the tariff on agricultural products was unanimous.

"As further authority that the Republican Party had been practicing a deception on the farmers in all their tariff bills we wish to quote the declarations of many distinguished Republicans:

"On June 22, 1909 (CONGRESSIONAL RECORD, p. 3636), Mr. MCCUMBER, of North Dakota, said:

"The wheat acreage to-day is producing a surplus of wheat which must be thrown into the world's market, thereby keeping down the price of the home product, tariff or no tariff.

"On the 22d of June, 1909, in answer to the question whether he believed that the duty on wheat affected the price of wheat, Mr. CUMMINS, of Iowa, said:

"I do not.

"Further, he says:

"I want Senators to remember that I come from a State which probably puts more in value into the channels of trade every year than any State in the Union in agricultural products. We will this year supply the people of the United States and the people of the world with a product that will surpass the value of $700,000,000, and it is idle for even an enthusiast to assert that the price of these products is directly affected by the protective tariff.

"On the 10th of May, 1909, in the Senate, Mr. NELSON, of Minnesota, said:

"I do not recall the millions of bushels produced in the State of Minnesota, but I desire to tell the Senator that the tariff on wheat which is on the statute books has not done us a particle of good. It would be like a tariff on cotton, because up to this time we have been exporting from 150,000,000 to 250,000,000 bushels of wheat a year. The price of our wheat is fixed by the Liverpool price—the export price—and no duty up to this time has helped us.

"On the 2d of August, 1909, Mr. Bristow, of Kansas, had the following to say:

"Schedule G—relating to agricultural products—has been increased about 2 per cent. There should have been reductions in this schedule. They could have been made without the slightest injury to American agriculture. High duties are placed on semitropical fruits, such as lemons and raisins, and on pineapples and rice, and on flour biscuits made by the Cracker Trust, for the benefit of a few individuals in limited sections of the country; and *a high duty is placed on corn and wheat to make the great mass of farmers believe that they are being favored. But it is an insult to the intelligence of the American farmer to place a protective duty on corn when we are producing more corn than all the other nations combined. We sell our wheat and corn and the products thereof in the markets of the world, and no duty which might be imposed can affect the price which the farmer receives for them. We raise far more wheat, corn, cattle, and hogs than we consume, and the result is that the farmer can not be protected by a tariff, because the price of his produce is fixed by the world market.*

"On the 24th day of May, 1909, during the tariff debate, Mr. Clapp, from Minnesota, said:

"There is another thing to be considered. Along this Canadian border, with nothing but an imaginary line across, it is idle, in my judgment, and idle in my experience and observation, to talk about any great difference in wages on one side or the other.

"When a man by a day's walk can go from a mill on that side to a mill on this side, from a field on that side to a field on this side, that imaginary international boundary line will not maintain any very different scale of wages long upon one side or the other. And they are the same class of men. When we talk about a protective tariff and think of the overcrowded countries of Europe and of the cheap wage scale of Europe—when we realize that the wage earner in Europe must and oftentimes has to borrow and incur a great expense to come to this country—there may be wisdom in attempting to maintain an artificial wall between his country and ours; but when we look to sparsely settled Canada, when we look to a class of men enjoying a wage scale practically the equal of our own wage scale, it seems to me that sooner or later the American people have got to recognize the impossibility of forever maintaining an artificial wall where there is no natural reason for the establishment or maintenance of that wall. Sooner or later, Mr. President, we shall have to recognize on a broader plane this natural relation to Canada. I predict here in the Senate to-day that the time will come when, even with the protective policy as firmly implanted as it is to-day in our general policy, yet in our tariff relation to Canada we will recognize that it must be limited largely upon the basis of revenue as required by that country and this.

"This bill will become a law and the farmers of the country in whose behalf it is claimed to be written and enacted will find that the Republican leaders and politicians in Congress are playing the same old game of deception which they have practiced on the farmer of the West for nearly 50 years after the Civil War.

"The Republicans are trying to make the farmers believe that after the passage of this bill they will have nothing to do but sit on the fence and watch wheat increase in price 35 cents a bushel, corn 15 cents a bushel, potatoes 25 cents a bushel, peanuts 66 to 90 cents per bushel, cattle 3 to 6 cents per pound, hogs 2 to 5 cents per pound, wool 15 cents per pound, etc.

"We advise the farmers of the country to wait and watch. They will find that this bill is as transparent a fraud and deception as was ever attempted to be practiced upon the people. They will see such increases in their products while in their hands are as far off as ever, but they are sure to see sugar, of the Sugar Trust, which he has to buy, increase in price from 1 to 3 cents a pound; woolen goods, of the Wool Trust, 15 per cent ad valorem; meat, of the Packers Trust, from 2 to 5 cents a pound.

"If the farmer will keep his eyes open during the six months following the passage of this bill, he will be a wiser and perhaps a more undeceived but not a richer man.

"In conclusion, the public will find that the sum total of this bill is a deliberate invitation and excuse for the Sugar Trust, the Packers' Trust, and the Woolen Trust, and the speculators in the farmers' products, to increase their profiteering and gouging of the people.

"We discover in the last words of this bill—section 14—the most subtle and dangerous joker which was ever attempted to be perpetrated upon the House. The Secretary of the Treasury is authorized to fix the value of foreign money, in the following words:

"*Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or persons acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent.

"To-day the German mark is quoted in the foreign exchange of the daily press as being worth 1.62 cents. If this provision of the bill, submitted by the majority, becomes a law, the Secretary of the Treasury would be compelled to calculate the German mark as worth 8 cents, thereby increasing the duties imposed upon the imports from Germany 480 per cent, the duties upon imports from Italy 200 per cent, the duties upon imports from Austria 2,300 per cent, the duties upon imports from Czechoslovakia 44 per cent, the duties upon imports from Finland 27 per cent, the duties upon imports from Hungary 1,700 per cent, the duties upon imports from Jugoslovakia 95 per cent, the duties upon imports from Poland 6,100 per cent, the duties upon imports from Rumania 420 per cent, the duties upon imports from Serbia 270 per cent, and from Russia 4,300 per cent.

"If the House really appreciated the 'stinger' that is involved in this language and when the country ever discovers it, the consequences will not be very pleasing to the present majority, and they will have much explaining to do.

"All of the foregoing was substantially admitted by the experts who attended the hearings of the Ways and Means Committee on last Thursday morning.

"Judge Fisher, of the Customs Court of Appeals, in answer to the question as to the increases in the duties of imports from certain countries, stated that the increase in imports from Italy would be 200 per cent, from Germany 500 per cent, and from Russia 4,000 per cent.

"The fact is that this means, and it was probably intended, that we should have no trade with Germany, Italy, Russia, Serbia, Rumania, and the other countries mentioned above, particularly the States of the Central Empire, and yet this administration and Congress desire a separate peace with Germany."

Mr. COLLIER. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Mr. Chairman and gentlemen of the House, I voted for this farmers' emergency tariff bill during the last session believing it would give some relief to our people during the emergency. The same emergency that existed then exists now; therefore, I shall again vote for the bill, hoping that it will become a law soon. [Applause.]

I have always considered a tariff an economic and not a partisan question. I have always believed in reasonable protection to keep up our industries and our American standard of living. I have always advocated a nonsectional, nonpartisan, scientific tariff commission, committed to the principle of reasonable protection, to study new conditions as they arise, and report to Congress from time to time so that we could have a tariff law resting on a permanent foundation and avoid these radical changes that always take place in the tariff laws when changes in party control take place, which always disjoint our business.

When we go to the customshouse to collect a duty it makes no difference whether we call it a tariff for revenue with incidental protection or a tariff for protection, it is an advantage in favor of the American against his foreign competitor, and I for one want the producers of agricultural products to get the same protection in proportion to the protection that the manufacturers get. It was James Monroe who declared that—

Our manufacturers require the systematic and fostering care of the Government. Equally important is it to provide for our raw materials.

In other words, I do not want the people I represent, who sell rice, cottonseed products, long-staple cotton, sugar, corn, peanuts, cattle, hides, and wool, to sell their products on a free market and buy their agricultural implements, clothes, hats, and shoes on a protected market. I know from personal experience on my own farm that our people are sacrificing their agricultural products by selling them for less than half of what it cost to produce them, in order to pay their taxes. And my first duty in an emergency like this is to stand by them when my heart and conscience dictate that I should do so.

The last war has demonstrated to all the necessity of our country having its own vital industries at home and of not depending on foreign countries in a time of emergency. For instance, our cotton growers of the South lost millions of dollars in the beginning because we had no American merchant marine to carry our cotton to the markets of the world. The only way to have our industries going at home in time of emergency is to protect and develop them in time of peace. While we are always willing to do what we can to assist foreign countries, our first duty is to America. [Applause.]

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, during the last session of Congress I voted for the emergency tariff bill, and I shall vote for it again to-morrow, for the bill as now drawn is substantially the same as voted on in December. [Applause.] When I voted for it I specifically stated that I was not binding myself on any tariff policies, rates, or schedules, but that I was casting my vote for the bill because of a condition of emergency, due to the recent war, now facing the producers of this Nation, and I still think that such emergency exists.

When Congress convened in December, 1920, a most unusual condition confronted the farmers and producers of the country, and Congress promptly set about by speedy legislation to relieve these conditions. A twofold plan was devised, the one not necessarily connected with or related to the other, but to my mind the conditions demanded the immediate adoption of both plans. The first of these proposed relief measures was the reestablishment of the War Finance Corporation, for the purpose of stimulating and encouraging foreign trade, so that the surplus products now in this country could be marketed in foreign countries and the producers thus enabled to get a fair price for their commodities. By a very large majority of the votes of both Houses this plan was promptly written into the law.

The second plan, that of the emergency tariff, sought for a period of 10 months at least—now 6 months—to stop the coming in of imports from other countries, and thereby prevent the accumulated raw materials of other countries from being poured into this country in great and unprecedented quantities. This measure also passed both Houses of Congress by large majorities, but failed to become a law on account of the President's veto.

I have given very careful study to the emergency tariff bill, and it is my candid judgment that this bill ought to have become a law at once. I do not contend that the bill or its schedules could be justified under normal conditions or as a permanent policy; neither would I vote for a bill containing the rates and schedules proposed in this bill under any conditions except that of great emergency; but if I can read the figures clearly an unusual condition of emergency now confronts the farmers and producers of this Nation. Prior to the outbreak of the war a large per cent at least of the raw materials produced in Canada, Argentina, New Zealand, Egypt, Australia, Brazil, China, Manchuria, Japan, and other countries were sold in the markets of Europe; but when the war came on conditions became greatly unsettled, shipping facilities were diverted from their normal course to that of winning the war, and as a result raw materials accumulated in great quantities in the countries mentioned, and other countries as well, and when the armistice was signed ships were gradually made available for transportation of these commodities from such countries to the best possible cash market, until 1920 found ample shipping facilities available for the transportation of sufficient quantity of raw materials to break the markets of our own country.

As is well known to all, the markets of Europe were bankrupt, the exchange rates were such as to make the sale of farm products in appreciable quantities in the European markets impracticable, and our country was the only country in the world that offered a cash market with an undepreciated currency. What results would naturally follow from a condition like this? The student of government does not have far to go in order to see the answer. There were poured into this country war materials in abnormal quantities, and the markets for our own farmers and producers were broken, and thousands of our people were forced into bankruptcy, and many banking institutions failed, and when Congress convened in December these raw materials were still coming into the country in quantities never witnessed before.

To illustrate briefly, in the calendar year 1919 there came into this country 9,519,368 pounds of butter and substitutes, and in 1920, 37,454,172 pounds were delivered into our markets, and the farmers and producers could no longer find a market for their cream and butter products. During a 10-month period ending in October, 1919, 23,138,696 pounds of peanuts were imported, and yet during a like period of time in 1920, 110,788,209 pounds were shipped into this country, or, in other words, five times as much came in during 10 months in 1920 as came in during a similar period in 1919. During the first half of October there were imported, free of duty, approximately 5,000,000 bushels of wheat, or at the rate of 10,000,000 bushels per month, and during the year 1920, 35,848,648 bushels of wheat came into this country from foreign countries, and in January and February, 1921, 8,908,518 bushels of wheat were thrown in upon the already broken market. In 1920, 299,904,378 pounds of unmanufactured cotton were imported to this country, and in the months of January and February, 1921, 26,039,861 pounds were thrown into our market, notwithstanding the fact that

the farmers of the South held millions of pounds of cotton, which they could not sell on the market for one-third of its actual cost of production.

In 1920 there were imported 141,229,976 pounds of rice, cleaned and uncleaned, and in January and February of this year 12,726,890 pounds were imported from other countries and sold in our markets. In 1920 there were shipped into this country of class 1 and class 2 wool, 219,035,023 pounds, and in January and February, 1921, 55,448,981 pounds of wool of similar grades came in. This is an unprecedented quantity, and added to the oversupply of more than 600,000,000 pounds already in the country, it has destroyed the markets, and has practically bankrupted the producer of wool in the United States. In this connection it must be noted that in February of this year, 37,597,319 pounds were imported as against 17,851,683 pounds in January of the same year. In other words, practically twice as much came in in February as in January of this year.

In the month of October, 1919, 1,044,719 pounds of mutton were imported, whereas in the same month in 1920, 27,024,972 pounds were imported, or an increase in 1920 over 1919 for the month of October of almost 27 to 1, and during the entire year of 1920, 101,168,319 pounds of mutton were shipped into the markets of this country, and in January and February, 1921, 18,844,345 pounds of mutton and lamb were brought in. In 1920, 50,182,105 pounds of beef were imported, and in January and February, 1921, 5,440,934 pounds were brought into the country, and again in 1920 the countries of Argentina, Brazil, Australia, and New Zealand alone sold into this country 242,241,876 pounds of cattle hides. Figures of a strikingly similar character can be shown with respect to the importation of other farm and ranch products, but I shall not take time to mention them more in detail at the present, and from a detailed study of these figures I am deeply impressed that this bill should be passed as a protection against an extraordinary condition of emergency which has followed as a direct result of the great World War, and the fact that we are still technically at war. With the Canadians on the north, with Argentina, Brazil, Uruguay, and other countries on the south, with Japan, Australia, New Zealand, and Chinese Provinces on the west, all anxious to benefit from a cash market, and with revival of shipping facilities, these countries have been continuously unloading into this country raw materials of several years' accumulation, such as wheat, cattle, corn, wool, meats, live stock, rice, vegetable oils, and numerous other farm products, thereby greatly increasing our own surplus, and absorbing our own money, and making it necessary for us to extend credit to European countries to enable those people to handle and purchase not only our own surplus but also the surplus of the other countries, taking advantage of our markets, while our own farmers are driven into bankruptcy, and many of them from necessity and other reasons have abandoned and many more are threatening to abandon our farms and ranches.

When you shake the faith of the farmer in the future of his country, you have touched the very foundation of our Government. He is always the last to criticize or complain, and since the creation of the Government has received at the hands of his Government less in the way of special consideration or legislation than any other of our people. The time has at least partially passed when this bill would have accomplished the most good, yet I am deeply impressed with the feeling that the passage of this bill will at least still do something toward relieving the conditions now prevailing, and will have a tendency to inspire more confidence in our farmers and producers.

So far as I know, this is the first legislation ever passed by any Congress that sought to give recognition in this respect to the rights of the produce. , and it ought to be welcomed as the omen of a day that promises more from the Government to those who toil and struggle on the farm, and who produce the world's supply of the things that the nations of the earth must eat and wear.

In voting for this bill, however, I want it understood that I do not waive my convictions on a permanent tariff policy. All of my life I have believed in the Democratic principles of a tariff for revenue only, and still believe in those principles, but so long as there is to be a tariff of any kind, levied on the finished products, then I for one shall ask and insist that the producers of raw material be given the benefit of their proportionate share of such a tariff. The farmers and producers of this Nation represent one-third of its population, and they buy one-third of the finished or manufactured products as they come from the stores and shops, and it is manifestly unfair, unjust, and undemocratic to require them to sell their products in an open market, and compel them to buy the things they must use in a market that has the benefit of a tariff. All of the instincts of common justice compel me to say that so long as the policy of the Government under the rule of the Republican majority is a tariff in the interest of American industry, I shall demand that same privilege for American agriculture in the same just proportion. If we are going to have a tariff for revenue only, I can see no reason why the Government should not collect money from the importation of farm and ranch products in the way of raw materials along with the collection from manufactured articles, and I believe this is a sound principle of Government which will appeal to the sense of justice of the American people, and meet with their favorable approval. No tendency is so dangerous in Government as that which favors one class or section against another, and I believe that no policy would be so dissatisfying to the American farmer and producer as for him to know that he must buy his supplies in a market that is surrounded by a tariff wall, and that he must sell his own products in a market in which there is no such consideration given to the products of his toil.

It is of vital interest to the American consumer and the American people as a whole that the American farmers and producers survive, because if they should go down, and we thereby be forced to look to other markets for our food supplies, the net result in the long run would mean that we will have all suffered in the way of high prices far in excess of what would have been our fate had our own farmers and producers prospered.

Let us do common justice to all, and no matter what the disturbances of the moment may be, our country will survive the tests of time, and will realize the expectation of those who laid so well its foundation. [Applause.]

Mr. YOUNG. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, it appears to me that there are very excellent reasons why a man, a Republican particularly, who in the last Congress opposed this bill or a portion of this bill can to-day very consistently vote for it. I notice that that remark produces an appearance of hilarity among my Democratic colleagues, but if I may be indulged by them for a moment, I feel that so far as I am concerned I can justify my position. In the first place, and for the principal reason, I want to quote to you a few sentences that our leader gave utterance to on this platform on Tuesday last. I believe in leadership, and we as Republicans are to-day enrolled under his banner of leadership. Here is a part of President Harding's message to us on this subject:

> The urgency for an instant tariff enactment, emergency in character and understood by our people that it is for the emergency only, can not be too much emphasized. I believe in the protection of American industry, and it is our purpose to prosper America first. The privileges of the American market to the foreign producer are offered too cheaply to-day, and the effect on much of our own productivity is the destruction of our self-reliance, which is the foundation of the independence and the good fortunes of our people. Moreover, imports should pay their fair share of our cost of government.
>
> One who values American prosperity and maintaining American standards of wage and living can have no sympathy with the proposal that easy entry and the flood of imports will cheapen our costs of living. It is more likely to destroy our capacity to buy. To-day American agriculture is menaced, and its products are down to prewar normals, yet we are endangering our fundamental industry through the high cost of transportation from farm to market and through the influx of foreign farm producers, because we offer, essentially unprotected, the best market in the world. It would be better to err in protecting our basic food industry than paralyze our farm activities in the world struggle for restored exchanges.

That is a message which it seems to me we should follow implicitly and to the very letter of expression. This bill as it is before us to-day is a part of a fixed program, a constructive Republican program, which the Republican Party is presenting to Congress and to the country. This is but the first step in that program, and as time goes on we hope to fulfill the pledges the party has made to the American people for protection to our industries. The farming industry first appealed to us for this protection and asked that such legislation be enacted some months past. It was carried through both branches but vetoed by the President. That then stood by itself. To-day it is simply one of the steps in the program which we are asking Congress to take. There have been added to the bill as passed by the last Congress two features which seem to me to bring a great deal of merit to the measure to-day. They are the so-called antidumping clause, and to a certain extent a lifting of the depreciated exchange. If I may be pardoned for saying so, I think these two additions will be as valuable to American industry as the whole bill originally was in the minds of the agricultural interests. It seems to me now that we have something well worthy of our support and it is the support that this bill is about to receive.

The antidumping clause has been passed, I believe twice, in previous Congresses, and the bill as before you to-day, Title II, is practically the bill that was passed during the Democratic

administration, without a roll call. Whether we are protectionists or free traders, it is but fair that we should protect American interests to the extent of not allowing foreign competitors to dump into this market their overproduct at less than their own cost of production. That is what the antidumping clause in Title II is intended to do and what it will do. I do not think anyone, be he protectionist or free trader, especially a believer in fair play, will say that such a feature as that should be allowable in the competitive markets of the world. We do not want the refuse of foreign countries, their overstock, dumped in here in competition with our home products. Therefore, the antidumping clause is a constructive piece of legislation of great value to the American people.

I shall touch only briefly on the section known as section 214, amending former section 25, because one of my colleagues on the Ways and Means Committee will offer a much better explanation of that than I can. The idea of that is, to a certain extent, to take care of what we all know to be such a menace to-day, namely, depreciated currency. It will not take care of the depreciated German currency. Nothing can in the way of legislation, but instead of the mark being worth about 1.65 cents as it is to-day, this will raise the value of the mark, I believe, to about 8 cents, so that to a certain extent it does overcome the depreciated currency. This same sort of legislation is a law in other countries. It is nothing new; it is only that we are putting our people on a parity with other countries in the matter of assessing duty rates.

Mr. CAREW. Mr. Chairman, will the gentleman tell us the names of the other countries where they have this law?

Mr. TREADWAY. Great Britain and France have it, I think, and also Italy, but I did not intend to touch on that point. I think Mr. TILSON, of Connecticut, expects to refer to those measures. Is that correct?

Mr. TILSON. Yes.

Mr. TREADWAY. So that we are simply doing what our competitors in trade are doing in the way of levying duties assessed against products coming from foreign lands.

Therefore we have, to my mind, these very excellent reasons for the passage of this bill. It is a part of a fixed program and the sooner the whole program is adopted the better for the American people. Therefore I am to-day heartily in favor of the so-called Young emergency tariff legislation.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Chairman, just before I left my office I received a newspaper containing the following headlines:

Relief of the Cotton Situation in the South Expected Shortly—War Finance Corporation in Conference with Banking Interests, New Orleans, to Organize Company to Finance Cotton—Cotton Exporters of South Urged to Attend Conference at Atlanta, Ga.—

And so forth.

This convention is called as a result very largely of the legislation which we passed December last reviving the War Finance Corporation. The situation was this: For 12 months the cotton planters had had their cotton on the table offering it for sale, keeping the wires busy to every factory center in the Nation, yet no purchasers could be found. Europe needed cotton and we needed to sell it. We revived the War Finance Corporation hoping that that would facilitate the exportation of our cotton and other things, though I am speaking particularly of cotton. We had this anomalous situation: During those months when we could find no purchaser, no market for our cotton, 700,000 bales of cotton were imported into this country, paying no duty whatever, and paid for in real money by our own people. It came in at the rate of a million pounds a day during 1920. Therefore we accompanied this War Finance Corporation legislation with another bill, which undertook to say to these importers, "We are attempting to finance the export of our surplus crops. Do not increase our burden by importing cotton from abroad until we can make some disposition of our already embarrassing surplus." This was the so-called Fordney bill.

I voted for this emergency tariff bill believing that if it were passed it might avert a disaster which was then impending and which has since befallen the cotton producers of my district. The pending bill has a remarkable statement in it, or, rather, the report which accompanies the bill has. Men who favor a tariff favor it for one of two reasons. The Republicans favor it for protection and the Democrats favor it for revenue. This bill as it now stands neither furnishes protection for the great mass of the cotton producers nor will it produce any considerable revenue at the customhouse. It limits the tariff to cotton of an inch and three-eighths staple. Practically none of that is produced in this country and practically none is imported. Out of the 700,000 bales imported last year about one-fourth only was 1⅛ inches. Here is what the reports says, the report written by the gentlemen who wrote this bill:

The Young emergency tariff bill proposes a duty of 7 cents per pound on cotton the staple of which is 1⅛ inches and longer.

Now, listen—

We are of the opinion that the minimum length of staple on which the tariff is to be levied should be 1⅛ inches, and that the duty should be increased from 7 cents to not less than 10 cents per pound.

Well, then, in the name of all the gods at once, why did not you write it that way in the bill? [Laughter and applause on the Democratic side.]

Now, listen——

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HUMPHREYS. In just a second I will yield. You say, for instance, further on in this report—

The enactment of a tariff which will give protection to cotton of 1⅛ inches staple and longer would serve to encourage the production of superior varieties of cotton in the United States and would tend to improve the character of the American cotton crop.

Then, why did not you do it?

Mr. GREEN of Iowa. The gentleman is reading now not from the report of my colleague [Mr. YOUNG] but from some statement made by the Bureau of Markets.

Mr. HUMPHREYS. Well, that is embodied in this report for some purpose, and I assume you indorse it. You put it in the majority report. [Applause on the Democratic side.] Does not the gentleman indorse that?

Mr. GREEN of Iowa. I think the gentleman clearly understands I do not fully, speaking for myself personally.

Mr. HUMPHREYS. I am sorry to hear that, for I understood the gentleman did favor it, and I understood that the committee favored it. I thought I had been clearly assured of that fact in December, and that for reasons which the gentleman understands my amendment striking out 1⅛ and inserting 1½ could not go on that afternoon, the bill having been engrossed ahead of time, and for that reason only it was not agreed to. It went to the Senate, and the Senate made it 1½ at the suggestion of the chairman of this committee. You might just as well say cotton 3 inches long or a foot long, there is so little produced in the country and it will produce so little revenue.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HUMPHREYS. Just a second, and then the gentleman can answer this. As I understand it, this bill is for the purpose of protection; you want to protect the farmer; you put a tariff on wheat and a tariff on corn and a tariff on potatoes and a tariff on rice, and a tariff on sugar and a tariff on wool, a tariff on mutton, a tariff on cattle, and I do not know what else, but everything you can think of which the farmer produces except cotton, and yet there is as much cotton imported into this country in value, practically as much as there is wool imported, very much more than of most of the articles you have in this bill, and that cotton is to continue to be imported into this country free.

I submit that from a Republican standpoint that is indefensible and from the Democratic standpoint it is indefensible, because we want the revenue; we will admit that we need it. Here was a million pounds of cotton coming into this country daily and no revenue whatever, while all manufactures and nearly everything else that comes in is to be halted or is now halted at the customhouse and required to pay a duty. I submit that that can not be justified from the standpoint of the protectionists or from the standpoint of those who believe in a tariff for revenue. The only man who can justify it is a free trader or that school of protectionists who live in New England and want all raw materials admitted free and a high tariff put on all things that they manufacture.

Mr. GREEN of Iowa. The gentleman surely does not mean to say there is no long-staple cotton produced in this country. The gentleman is speaking——

Mr. HUMPHREYS. There is practically none 1⅛ inches long.

Mr. GREEN of Iowa. The gentleman will find it on page 22 of the report.

Mr. HUMPHREYS. I have the figures of what I believe to be the best authority in the United States—Secretary Hester of the New Orleans Cotton Exchange—which shows that 50,000 bales out of 10,000,000 plus were produced in 1919——

Mr. GREEN of Iowa. That is not imported——

Mr. HUMPHREYS. No; less than 200,000, about 150,000 out of 700,000 coming here last year was an inch and three-eighths. The rest was less than that.

Mr. GREEN of Iowa. I beg the gentleman's pardon, but the gentleman is not correct.

Mr. HUMPHREYS. I think I am correct, and if the gentleman from Oklahoma [Mr. MCCLINTIC] will permit me I will

put in the RECORD my authority for the statement. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The time of the gentleman has expired. Is there objection to the request of the gentleman?

Mr. McCLINTIC. Mr. Chairman, I object.

Mr. HUMPHREYS. I am sorry; but I will read it into the RECORD to-morrow.

Mr. YOUNG. Mr. Chairman, I now yield to one of the new Members of the House, the gentleman from California [Mr. LINEBERGER], five minutes. [Applause.]

Mr. LINEBERGER. Mr. Chairman and gentlemen of the committee, our friends from the Democratic side of the House, I believe the gentleman from Texas [Mr. GARRETT] and the gentleman from New York [Mr. COCKRAN], have spoken very pleadingly here to-day asking the new Members of the House to come over to "where the water was fine(?)." As one of the new Members, one who has not even yet sat in a Republican caucus, I come from the greatest caucus of all caucuses, the caucus of the great American people. The mandate of the people of California was spoken by several hundred thousand majority in favor of the support of the Republican Party platform. In our district we have some of these commodities which are produced in the southern portions of Europe, some of those articles to which the gentlemen have referred as being necessary for us to import in order to secure the liquidation of the debts of those nations who owe us money. Lemons, olives, and the like are produced in Italy, and, as you perhaps know, Italian exchange has depreciated 550 per cent since the war. It is true that the cost of labor in Italy has increased approximately 100 per cent, but converting the money which those nations receive for their products on the American market back into Italian currency, they still receive 2.75 per cent more, on the basis of home-production costs, than they received before the war, and it would be better, for the time being at least, to allow these debts to go unliquidated than to ruin one single American industry like that of the great lemon industry in southern California. [Applause on the Republican side.]

These new world conditions to which the gentleman from New York [Mr. COCKRAN] has referred are conditions which we all recognize, and none more than I. However, the great cities, in whose growth he is so greatly interested, could not continue to exist were it not for the development of the agricultural communities—and this is an agricultural bill which we are discussing—from which they derive their every nourishment and source of life. America must create a reserve and remove this doubt and insecurity, and she must look to her own house before she can give to the world the assistance for which humanity is crying. And I can say to the gentlemen on the Democratic side that I can offer them no assurance from the new Members from California for any support of their opposition to this measure. [Applause on the Republican side.]

The CHAIRMAN. The gentleman yields back one minute.

Mr. YOUNG. Will the gentleman from Mississippi [Mr. COLLIER] use some of his time now?

Mr. COLLIER. I yield seven minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. I believe the gentleman from South Dakota said that he also would yield to me five minutes.

Mr. YOUNG. I also yield five minutes to the gentleman.

Mr. BLANTON. Mr. Chairman, the last distinguished speaker stated that it had not yet been his privilege to sit in a Republican caucus. That but exemplifies the extremity to which our Republican brethren were put recently in finding material to bring to Congress, because in running out of the usual stamp of candidates they were forced to accept a distinguished ex-Texan and send him from California to Congress.

Mr. LINEBERGER. I would like to correct the gentleman. I am a native of Tennessee.

Mr. BLANTON. But the gentleman will not deny that he has been favored by a sojourn of at least a number of years in the great State of Texas.

Mr. LINEBERGER. I had that privilege.

Mr. BLANTON. And he probably received part of his education there.

Mr. Chairman, I am one Democrat, and a loyal Democrat, who is going to vote for this bill, and I am going to do it with my eyes open. I am not fooled at all by my Republican brethren as to this bill. I know what it contains and I am going to vote for its contents, and I am not violating a single rule of the great Democratic Party in doing it, because I am obeying rules of my party in exercising this right. I believe in party organization. For 48 years I have been a loyal Democrat, and I still am one, and I am still obeying the mandates of my party organization and living up to its rules, even though I am voting against an instruction which incidentally permits men to carry out the pledges to their constituents. There is a common ground, however, upon which all honest, loyal Republicans and Democrats can meet on this bill. My Republican brethren stand for protection; we Democrats stand for a tariff for revenue only, but incidentally connected with that plank in our platform there is another, which stands for equal rights to all and special privileges to none. Let us apply this to our farmers and producers. I am not a free trader, because to be a free trader places every loyal, intelligent American on a par with every peon in every foreign country. I do not believe in free raw material, because to believe in it places the intelligent farmers of my land on an equality with the peons of every country. There never has yet been a Democratic platform that has stood for free trade. There never has yet been a Democratic platform that has stood for free raw material.

The common ground upon which we can meet is, first, that we know, Democrats and Republicans alike, that we must go to the customhouse for a part of the revenue of this country. And if that is a fact, why not collect part of those duties upon the products of the farm as well as the products of the factory? Why can not farm products raise revenue?

I am always in favor of the under dog, the one who has not such a great advantage and opportunity to speak for himself. I was struck this morning with the statement of Brother FORDNEY when he said that every Member here had already voted on this bill and passed on it; and when I called his attention to the fact that there were 121 new Members here who had never voted on the bill he tried to pass it off with facetiousness. He had forgotten you new boys. That is what was the matter. He had not taken you into consideration. I do not know what kind of instruction you 121 new Members received from our distinguished Clerk of the House when he called that meeting the other night to tell you how to get about the Capitol. He said he was going to have Brother FORDNEY and other distinguished chairmen present to help him tell you. There is lots of advice that I get from him. Whenever I am in doubt I go to him, because he is able and has the information. I wonder if he told you distinguished new Members one thing which, by another, as a new Member, I was told—that "you had better sit back and quietly occupy a back seat for a year or so." That old idea caused Brother FORDNEY to forget you. You have to do that only if you are willing to do it.

Mr. ARENTZ. Will the gentleman yield just there?

Mr. BLANTON. I will gladly yield in a minute if I have time.

If you new Members want to take part in these proceedings, you do like I do. You stay here and take part, and you will find Brother FORDNEY remembering 121 of you when he speaks on measures hereafter. He will not forget you.

Now, let us see. Every product of the farmer, almost, is on the free list, practically—that is, every one down in my country except peanuts and a few other little matters. And everything the farmer wears and everything he uses on his farm is on the protected list. And it is going to be there because you fellows are going to put it there. He buys on a protected market and sells his products on a free one. He plays against a per cent and disadvantage that will ultimately ruin him. I have an opportunity by this bill to put on the tariff list, in order to get duty through the customhouse, the things that my farmers raise. Why should their competitive products not pay a part of the custom duties and help the exchequer out? I have a chance by this bill to do that. The farmers say to vote for it, inasmuch as they want it. Am I going to put myself up here and say that I know more about what is going to benefit them than they do themselves? Am I going to say to the 40,000,000 people who live on the farms that they do not know a thing about what they need?

I am not going to arrogate to myself the knowledge to speak for what they ought to have in this country when they are demanding a certain thing. Am I going to say, "I know what you need. Your representatives say to vote for this bill, but I am going to vote against it"? No; I am not going to say that. I pledged to my people when I came here that if they would send me to Congress every time you Republicans voted to put a 50 per cent ad valorem tax on the cotton that comes back to them in manufactured products, which they have to buy and wear, I would vote to put a tariff on the products that they raised on the farms by working from before daylight until after dark, and it would raise revenue.

I am going to do it. There are stockmen in my country who last year were millionaires, but who to-day are paupers. I called your attention last December, when we passed this bill

before, to the fact that already there had been brought into this country 40,000,000 pounds of foreign frozen mutton by the big packers and stored here in this country—mutton raised in foreign countries where cheap labor is employed, raised much cheaper than our stockmen can raise it; and I called your attention to the fact that at that very time ships had 10,000,000 pounds more in their holds on the way to this country, with still more to come, and I begged you to put a provision into that Fordney bill placing a tariff on frozen meat. But the distinguished leader of your steering committee, the genial gentleman from Ohio [Mr. LONGWORTH], when I offered those amendments, struck them out on points of order, and your steering committee said, "We can not put that into this bill because to do it would defeat its passage." Yet after you heard from the boys living out on the plains of the country, in the great southwest portion of the United States, when they came to you like a solid phalanx and said it was ruining them, that it was ruining their business, your steering committee changed its judgment on the proposition, and now we find frozen meats in this bill. Why could you not have put it in last December?

I will say this, that I am for a tariff for revenue only. It is a Democratic principle, and I am standing on that principle. But I am in favor of putting only such tariff on any article, farm article or otherwise, as not to form a subsidization, but only to be a difference in equalization of cost as between the cost of production in this country and in foreign countries. There is not an item in this bill that covers more than that difference in cost of production. I want to put you on notice now, as to every bill that you bring in here with a tariff provision in it that seeks to place a duty higher than the difference in the cost of production between this and foreign countries, that I am going to fight against it, and you have got to keep within that rule to get my vote. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. YOUNG. Mr. Chairman, will the gentleman from Texas [Mr. GARNER] use some of his time now?

Mr. CRISP. Mr. Chairman, I yield to the gentleman from Texas [Mr. BLACK] 10 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BLACK. Mr. Chairman, I did not vote for this emergency tariff bill at either of the times that it was before the House during the prior session. I think that I am as strongly in favor of a tariff for revenue as any other Democrat in the House, and if all the rates in this bill and if all the bill were based upon that principle, of course I would not hesitate to support it. But they are not. Confessedly, some of the schedules are intended to act as an embargo and not to raise revenue. This is notably true of the woolen schedule. Even if I had supported this bill during the prior session of Congress upon the theory that it was a tariff for revenue only and not built around the idea of protection and in the nature of an embargo, I would not support it now, because of that section in the bill which provides that in the collection of import duties no foreign currency shall be held to have depreciated greater than 66⅔ per cent. That changes existing law to a very marked and substantial extent.

Now, of course, any Member can see that such a change in existing law will have the effect of raising import duties from some countries as high as 300 per cent and even as high as 400 per cent. Let us take the present figures of exchange. The German mark in normal times is worth 23.82 cents in American money. By the last quotations which I have seen—and I think they now obtain—the German mark is worth less than 2 cents. Of course, that means that in the imposition of duties on goods from Germany the value of the German mark will be arbitrarily raised to a very much higher value than it actually has, and automatically the rates will be greatly increased. The Italian lira in normal times is worth 19.31 cents in American money. The last quotations were less than 6 cents; and of course the Italian duty will be increased the full extent provided in the bill. The Belgian franc in normal times is worth 19.31 cents in our money, and in the last quotation less than 8 cents in American money; and therefore the Belgian currency will be depreciated in a like manner.

Mr. YOUNG. I think the gentleman is mistaken about that.

Mr. BLACK. I have here the quotations contained in the bulletins issued by the National City Bank of New York.

Mr. YOUNG. Eight cents is more than one-third of 19. It will not apply to Belgium.

Mr. BLACK. It is substantially the quotation I gave. The Belgian franc is normally worth 19.30, and now it is worth 3 cents.

Mr. TILSON. The gentleman is mistaken. It can not be liquidated at less than one-third of its normal valuation. The Belgian franc is worth now more than 33⅓ per cent of normal. The provision will not apply to the Belgian and French franc, and of course it would not affect British money.

Mr. BLACK. I stand corrected as to Belgium, and of course as to Great Britain and France it would not apply, because their currencies have not depreciated to so large an extent. The Austrian krone has depreciated until it is even less than the German mark or the Italian lira; and as to all these countries I have pointed out, the Democrat who supports this bill upon the assumption that he is supporting a revenue tariff will find himself in the attitude of voting for a provision that automatically raises the rates of existing law from 200 to 300 per cent in the cases I have mentioned. That looks like a good long way for a Democrat to go on the theory that he is supporting a revenue measure.

Now, then, a prominent member of the Committee on Ways and Means some time ago expressed dissatisfaction with the unreasonable and outrageous rates to which certain manufacturing interests in this country were seeking to commit the Ways and Means Committee. Here is the language that the prominent Republican member of the Committee on Ways and Means used in speaking of the effort that was being made. He said:

> What has hurt a lot of these industries is the definite decision of the consuming public to submit no longer to war prices. It is time somebody put on the brakes.

He continued:

> Here and now I serve notice that I shall oppose any such duties as these witnesses are asking. They are pleading with crocodile tears in their eyes for import duties ranging from 100 per cent to 400 per cent above the Payne-Aldrich tariff rates. I am going to fight with all the power I have against such penalization of the consumer. The war is over, and the consuming public is asking why those prices are not also gone. If we grant the rates that most of these interests are seeking we will be simply licensing a continuation of profiteering, filling the pockets of the manufacturer who gets the protection with the involuntary contribution of the consumer.

Now, who made that statement? It was the gentleman from North Dakota [Mr. YOUNG], who is leading the fight in behalf of this bill; and here we find him, instead of raising these rates by express enactment of law 200 and 300 per cent—we find him, by bringing in this clause relating to arbitrarily fixing the depreciation of foreign currencies, doing identically the same thing by indirection which he denounced so vehemently in his interview published in the Washington Post some time ago.

Mr. YOUNG. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. YOUNG. If the gentleman will study this situation, I think he will find that by this bill we are simply trying to equalize the duties to correspond to the depreciation of the foreign currency.

Mr. BLACK. Will not the gentleman admit that the effect of the provision is to cause an importer of goods from Germany or Austria, or Italy, to pay anywhere from 200 to 300 per cent more than he would pay under existing law?

Mr. YOUNG. I will tell the gentleman that it will do about what Mr. UNDERWOOD expected when he secured the passage of the Underwood law, because that was not passed in contemplation of a depreciated currency in some of the countries which ship to us.

Mr. BLACK. Will not the gentleman admit that the effect of this provision is to do what I will say it will do, to wit, to raise the rates from 200 to 300 per cent over existing law, when the gentleman from North Dakota [Mr. YOUNG] was the one who stated some time ago that he would fight with all the power at his command to keep that from being done?

Mr. YOUNG. Will the gentleman yield?

Mr. BLACK. Yes; I yield.

Mr. YOUNG. I simply want to say that I can not agree with the gentleman in his method of figuring these rates of duty as applied to certain countries only and as applied to costs of production in those countries which are not now properly figured.

Mr. BLACK. Well, the gentleman does not deny it will have the effect to raise the rates over those now paid under existing law. How are we going to rehabilitate the exchange situation? Everyone knows that the most gigantic obstacle now in the path of American trade is the foreign exchange situation. How is it going to be rehabilitated? In two ways only. One is by floating loans in the United States, and the other is by exchange of commodities; and we all know that the latter course must of necessity be followed to a greater or less extent, and you gentlemen are endeavoring to stop up the channels of commerce instead of opening them up. You open up the damper by your

War Finance Corporation bill and now you come along and push in the damper by this tariff bill. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. I yield 10 minutes to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. The chairman of the Committee on Ways and Means [Mr. FORDNEY] asked me this morning if I would explain very briefly the 66⅔ per cent depreciation paragraph in this bill, and I shall attempt to do so.

The trouble which this provision seeks to remedy arises from the fact that there are at least two different values when there is depreciated money. One is the bankers' value or what we call the exchange, which is the price for which the depreciated currency will sell in gold in foreign markets. The other is the value of the currency in the home country, which means its purchasing power of service and useful things, its power to buy labor, to buy food, shelter, and articles to wear and use. The exchange value is easily determined. The exchange or bankers' value of the mark, for instance, is to-day about 1.6 cents. What is the home value of the mark in Germany? Even the home value is very greatly reduced below the normal. It is not approximately 24 cents, which is the normal rate, but from the best information that we are able to procure from German as well as from outside sources, the home purchasing value of the mark when measured in the things that the workingman has to use or consume is about 7 or 8 cents. When he comes to pay his house rent he does not pay fifteen times as many marks as he did when the mark was at par, which would be about the amount if measured at exchange rates of a mark depreciated from 24 cents to 1.6. True, his house rent is considerably higher in marks than it formerly was, but when measured in what he gets in the way of a rent the mark is actually worth about 7 or 8 cents. Likewise with his food and other necessities purchased locally. And so the articles that are produced there and exported to this country to compete with American-made articles are produced by workers who give 7 or 8 cents of value in labor for a mark worth less than 2 cents in foreign exchange. The worker can do this because what he must buy he buys at the home value of the mark; but see what an advantage it gives the German manufacturer in competition with the American manufacturer.

Mr. SABATH. Will the gentleman yield?

Mr. TILSON. Not just now. I have only a few minutes. What we are attempting to do here is to liquidate the duties when imports come into this country, not by the bankers' value of the mark or the lire but by the home value of the money, as nearly as we can determine it, for this is the value which really measures the difference in the cost of production between the foreign-made article and ours.

I wish to cite a few instances. The Foreign Banking Association, which is not an American but, rather, an international organization, made an investigation of this subject last December. Taking 11 of the skilled trades in Germany, it ascertained that the average weekly wage, as measured in the exchange value of the mark, was $3.47 per week, while in this country for similar work it is at least $30 per week. We know that those men were not working for $3.47 a week, as measured in the necessities of life which the marks buy. Now, if we figure the real value of the mark to them as between 7 and 8 cents, instead of 1.6 cents, we shall find that instead of these German workmen receiving $3.47 per week they receive about $17 per week, as measured in the buying power of their wages. In other words, if the actual difference in wages was what the disparity in exchange would now indicate, a duty of 200 or 300 per cent in many cases would be necessary to save American industries from being destroyed. By the adoption of this provision we say to the foreign manufacturer, "You must pay duty on something like the actual cost of your goods." As I have just shown, even measuring the difference in cost of production by the home value of the mark, instead of the exchange value, still there is an average advantage in labor cost in favor of the German manufacturer against the American manufacturer of $17 as compared to $30.

Mr. YOUNG. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman.

Mr. YOUNG. Will the gentleman illustrate what he has said, for instance, by reference to Belgium?

Mr. TILSON. This provision does not apply to Belgium at all. The Belgian franc is far above one-third its normal value, so that this will not apply to Belgium. The present value of the French franc is just above one-third of its normal value, so that this does not touch France. The only countries with which we have any substantial trade that this will affect at all are Germany and Italy, and Italy certainly can not complain, because that country has a law of substantially the same effect and the same figures, I believe—66⅔ per cent—against Germany, Austria, and her other neighbors. She had to do it in order to protect herself in her customs. Great Britain, as I am informed, has such a law, to the effect that in case of depreciation in the German mark, bringing it below 5 cents—stating it in our money, because I forget the exact British equivalent—all below this figure is to be taken as customs duties. If so, with the depreciation of the mark of about 3 cents below that figure in Great Britain now, that country takes about 3 cents as customs duties.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TILSON. I yield to the gentleman.

Mr. GARRETT of Tennessee. The gentleman from Michigan [Mr. FORDNEY] this morning made some reference to an Executive order. I did not understand what he meant by that. Does the gentleman know?

Mr. TILSON. Unfortunately, I was not in the Chamber at the time the gentleman from Michigan [Mr. FORDNEY] spoke and do not know to what he referred.

The instances which I have cited are cases where countries have been compelled to limit the amount of depreciation in order to protect themselves in their customs duties. We have already in section 25 a limitation that unless the depreciation in exchange is at least 10 per cent no notice is taken of it, so that there can be under existing law a depreciation of 10 per cent and the law requires that no notice whatsoever shall be taken of it.

In this proviso we simply place a limitation to the effect that if the depreciation of foreign money is greater than 66⅔ per cent we will disregard the further depreciation in liquidating duties.

Mr. WINGO. Will the gentleman yield?

Mr. SABATH. Will the gentleman yield now?

Mr. TILSON. The gentleman from Arkansas rose first.

Mr. WINGO. Do I understand the gentleman correctly to say that the differential in exchange between two countries represents the differential in the cost of production in the two countries?

Mr. TILSON. Not at all. If I said anything it was quite the opposite. The difference in cost of production is measured rather by comparing our own cost with the actual cost of our competitor, which in case of depreciated money is more accurately measured by the purchasing power of the money than by the exchange value.

Mr. WINGO. The gentleman used just the reverse of that.

Mr. TILSON. I did not mean to do so. My contention is that the real cost of production is measured rather by the home value of the money than by the exchange or bankers' value.

Mr. WINGO. Here is the point: In the judgment of the gentleman, does the difference in the cost of production affect the rate of exchange between countries?

Mr. TILSON. I made no contention to that effect.

Mr. WINGO. The gentleman has given a great deal of study to this matter. What in his judgment will be the effect of this exchange provision on the volume of imports from those countries?

Mr. TILSON. Not very great, and yet we shall get considerable revenue from it. It will stop to a considerable extent the stream of certain goods from Germany which are now flooding this country to the utter ruin of those particular lines of industry. It will, to a certain extent, affect a considerable volume of imports, because it will enable us to collect a much larger portion of the duty which was intended to be collected under the tariff act of 1913 and which we are not getting to-day.

Mr. WINGO. Can the gentleman tell us what the goods consist of? Are there any agricultural products being brought in from Germany?

Mr. TILSON. No; they consist largely of manufactured goods of long-established industries, especially the metal industries, such as cutlery, clocks, jewelry, and things of that sort which are to-day produced by low-priced labor in Germany.

Mr. WINGO. Will this apply to the importation of potash?

Mr. TILSON. Yes; if it is measured in depreciated currency.

Now, gentlemen, I have tried to fairly state the conditions. I do not believe that any country is going to pay 200 or 300 per cent increase of duty over what it was intended by existing law it should pay. We shall in many instances collect perhaps twice the amount of duty, possibly three times in some cases, that we have been collecting under the present exchange situation. The exchange situation is what has put many of our industries almost down and out, thus taking away the buying power from the industrial part of this country, which buying power would be used to purchase food and other goods

from the rest of the country. Do not forget that when the buying power is taken away from the men who produce things other than what they eat you thereby affect adversely the producer of agricultural products. You can not get away from it. I believe that this provision will give us a measure of present relief and that it will help more in certain great industries than any other provision contained in this bill. I believe that it will afford a measure of relief to the agricultural producer because it will give hope and opportunity to earn to his best customer, who is now in imminent danger of losing his job entirely by reason of what now amounts to unfair competition of foreign-made goods. In a number of industries this provision will help materially. It will afford temporary relief and relief that is absolutely needed. All that the provision does is to say that no currency shall be considered to be depreciated more than two-thirds. In other words, that all currency must be considered worth at least one-third of its normal value. There is no country with which we have an important trade whose currency to-day is worth less than one-third of its normal value in its purchasing power at home. This provision merely places for customs purposes a value on this currency of at least one-third of normal and applies to invoiced values from certain countries a figure that more nearly represents the purchasing power of that currency at home than does the foreign exchange value. [Applause.]

Mr. YOUNG. Mr. Chairman, what is the condition of the time consumed on each side up to the present?

The CHAIRMAN. The gentleman from North Dakota has used 113 minutes and the gentleman from Mississippi has used 114 minutes.

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I can not characterize this emergency protective tariff measure better than to quote the remarks of one of the high priests of the Republican Party, the Senator from New Hampshire [Mr. MOSES], who said of it in the last session:

> I resent the imputation, Mr. President, that this is a Republican measure. It is neither a Republican measure nor a Democratic measure; it is class legislation of the most vicious kind, as I regard it. If it is to have any party appellation at all, Mr. President, it is to be described as soviet legislation.

No Member of this House can seriously debate the fairness or the justness of such legislation. It is class legislation pure and simple. It discriminates between the producers of the land. It proposes to take from the pockets of the great consuming classes and put into the pockets of a select class and of those trusts, monopolies, and magnates who have managed to corral the greater portion of those things nominated to be protected. It is hypocritical legislation destined to fool the American farmer and planter, and to procure his vote. I predict that he will not be cajoled into any such action, and when he awakens to the true import of this measure, when he discovers that as he cried for bread you gave him a stone, it will be his time for action against those who attempt to fool him. Whatever benefits come out of this measure will not fall to the lot of the farmers, but the great trusts of the country, such as the Packers' Trust, Sugar Refining Trust, Woolen Trust, and kindred organizations.

I would be derelict in my duty if I should not oppose this iniquitous measure, which is a fraud upon the farmers in that it will not help them, but leave them to such prices as are dictated by supply and demand. It will increase the living cost of the consumers upon their food and clothing worse than did the Payne-Aldrich tariff. Let me demonstrate the burden to the people of Maryland, which I have the honor to partly represent, as shown by these figures:

Estimated cost to the people of Maryland.

Fresh meats	$13,000,000
Wheat	8,000,000
Rice	330,000
Corn	9,750,000
Potatoes	1,950,000
Beans	1,300,000
Peanuts	1,300,000
Butter and cheese	2,600,000
Preserved milk	1,300,000
Sugar	9,100,000
Total	48,630,000

Take, for instance, meat. It provides a duty of 2 cents per pound upon fresh or frozen beef, veal, mutton, lamb, and pork. Meats of all kinds, prepared or preserved, not specially provided for therein, 25 per cent ad valorem.

The Federal Trade Commission says that the five big packers control 73 per cent of the fresh meats; that they control 62,535,507 pounds, or 95 per cent, of all the fresh and frozen beef. Those who will benefit by this tariff on meats will be those who put it upon the domestic market. The annual consumption of meat thus taxed is 25,000,000,000 pounds. Increase the price to the consumer by this 2 cents per pound duty and you have increased the cost of living by this alone to the American consumers by $500,000,000, 73 per cent of which goes into the pockets of the Meat Trust to be shared, if they please, with the growers of the live stock. How much of this great subsidy do you imagine the growers will receive? Shall we tax the stomachs of the American meat consumers upon such a hazardous and fraudulent proposition as this? Shall we say to the great unemployed of our people, "Bear this additional burden, it may help bring about prosperity."

Take wool. A tariff of 15 cents per pound is provided for raw wool; washed, 30 cents; and scoured, 45 cents. The manufacturer is given 45 cents per pound on any garment in which wool is the chief component part. Why should he have 45 cents per pound on the entire garment? No matter if 90 per cent of the garment is made of rags and other material he has gathered together and only 10 per cent is of wool used as a building material to hold it together until he can dispose of it. The hair goes with the hide, and he collects his 45 cents per pound upon the combination from the unsophisticated and trusting customer. The manufacturer is the man who gets the swag. He it is who is competing with foreign markets. The woolgrower will not benefit. We are told that there is more wool in the country than we can use for years. The inexorable law of supply and demand will control its price, not the duty provided by this measure. The American public will pay this vast subsidy to the manufacturer, but the grower for whom they have vast sympathy will not share in the rich spoils.

Consider wheat, that great staff of life of the American people. The reason for placing a duty of 35 cents per bushel on wheat is for the alleged purpose of helping the American farmer by increasing the price of his wheat to that extent. The average consumption of wheat during the last eight years was 591,392,000 bushels. If you increase the price of this to the consumer by a duty of 35 cents per bushel, he will have to pay an additional for his food supply from wheat the enormous sum of over $200,000,000. We imported last year only 10,989,000 bushels of wheat. If we assume that the same amount will enter the country with a tariff of 35 cents per bushel as entered free of tariff, which is not likely, then the Government will receive an income of $3,800,000; in other words, we tax the American consumer for his wheat supply over $200,000,000, from which the Government receives only $3,800,000 as revenue. When you realize that every time you place a tax upon an article the dealers in this particular article add not only their profits to the price of the commodity but likewise a profit to the money they must invest to pay the duty thereon, the result will be that instead of the consuming public paying a tax of over $200,000,000 it is likely to run $100,000,000 beyond, for all of which the Government receives no part, but the whole is saddled upon the consuming public. Nor is anything to be gained from this duty. It is not likely that wheat will be largely enhanced in price in the hands of the producer, but more likely in the hands of the holder. When you realize that the average production during the past eight years was 794,485,000 bushels, and we consumed only 591,392,000 bushels, it will be seen that we exported 214,000,000 bushels of wheat while we imported only 10,989,000 bushels. Is it not a ridiculous proposition to tell the farmers that you can give them prosperity by such legislation, when the fact is you are producing and exporting over 200,000,000 bushels more than you consume, and are using this great overproduction in your trade with foreign nations?—the very trade which will be injured by a protective tariff.

The obvious intention of this emergency tariff is to prevent the western farmers from taking their losses by shifting the burden upon the people throughout the land who have already been compelled to take their losses either in individual pursuits or perhaps in decrease of wages.

Upon rice it is proposed to place a duty of 1 cent upon the 1,000,000,000 pounds consumed in the United States, or a tax to the purchaser of $10,000,000, which when passed on to the consumer will aggregate not less than $15,000,000, and yet it is a well-known fact that rice can in these days be produced cheaper in the United States by reason of improved methods of planting and harvesting by machinery than anywhere else in the world. It is planted much like wheat and harvested with as little expense. Labor performs a very small part, machinery doing the work which originally was performed by hand labor, while in the Orient rice is planted and produced in the most laborious and original methods, costing vast labor and expense in its planting, cultivation, and harvesting, and yet it is the object of this bill to pass to the consuming public an additional ex-

pense upon their cost of living of $15,000,000, under the pretense of protection of this full-grown American industry.

I shall not take up more articles in detail, but I should like to refer casually to the consumption of butter and substitutes, which, plus the duty contemplated, will increase the cost to the public of more than $80,000,000. Our consumption of condensed and evaporated milk, some 1,300,000,000 pounds, with duty of 2 cents per pound, will again increase the cost $26,000,000, and in addition to the cost upon dairy products it is proposed to increase cost on fresh milk, cream, and sugar of milk.

I might continue with a long array of such increases, which, when traced to their final analysis, will be found not to benefit the producer, but the middleman, the manufacturer, the trust, and the rich magnates of the country. I will content myself by inserting here a table taken from the CONGRESSIONAL RECORD, which shows more in detail the cost to the ultimate consumer, the revenue derived by the Government, and the cost per capita to our people under the proposed bill.

Article.	Annual cost to the ultimate consumer.	Annual revenue to the Government.	Per capita cost (per capita of consumers).
Fresh meats	$1,000,000,000	$2,000,000	$10.00
Wheat	500,000,000	4,000,000	5.00
Rice	15,000,000	2,000,000	.15
Corn	750,000,000	755,000	7.50
Potatoes	150,000,000	500,000	1.50
Beans	50,000,000	4,786,000	.50
Peanuts	50,000,000	1,500,000	.50
Peanut oil	15,000,000	5,725,000	.....
Cottonseed, coconut, and soya-bean oil	150,000,000	16,000,000	.....
Butter and cheese	150,000,000	1,500,000	1.50
Preserved milk	50,000,000	433,000	.50
Sugar	500,000,000	137,000,000	5.00
Tota o. above	3,380,000,000	276,199,000	[1]31.65
Reduced to 6 months basis	1,690,000,000	138,099,500	15.82½

[1] Food products only.

Mr. Chairman, this is a remarkable piece of legislation. It is even more remarkable when you realize that during the recent campaign both political parties tried to impress upon the public that it was their intention immediately upon election to reduce the cost of living to the American public, to reduce taxation wherever it was possible to do so, and to inaugurate economies which would decrease the expenditures of the various departments, and yet upon the assembling of Congress after that election the Republican Party introduced and passed a bill like this, which, but for the timely veto of President Wilson, would have immediately saddled upon the backs of the American people an additional cost of living by the imposition of duties upon almost every article that the human system requires to the extent of $1,690,000,000. Mr. Wilson is no longer President to save us, and the Republicans now propose to pass again that bill and impose upon the people this immense increase.

It is even more strange that advocates of the bill have had the effrontery to say they are doing it to raise the prices of the commodities upon which the duties are placed. I for one have steadfastly opposed such legislation, and will continue to adhere to the time-honored doctrine of the Democratic Party—of equal rights to all and special privileges to none; of tariff for revenue only and not a protective tariff in the interest of certain classes which blights and destroys our foreign trade and drives the American flag from the sea.

It was my special delight to vote for a merchant marine. Contrary to the votes of many of my colleagues, I voted to reestablish the War Finance Board in order to finance corporations doing business in foreign lands with the intent and purpose that we might build a great foreign trade with the peoples of other nations. I note chiseled upon the front of the Union Station in this city the following: "He that would bring home the wealth of the Indies must carry the wealth of the Indies with him"; in other words, if we would bring home the wealth of other lands, we must be prepared and willing to exchange commodities and thereby encourage them in their operations so that they may become enabled to pay the great credit we have allowed them. We must sell them the wealth of our fields and factories; this must be done largely through the vast farming production of the country—that which keeps body and soul together. We must exchange the outputs of mills and factories that the wheels of industry may hum. We must become a world power in business as well as in might.

It is a peculiar situation, indeed, that we, the great creditor Nation of the world, the Nation whose wealth and resources almost equal that of the balance of the world—a people whose inventions and discoveries and whose adaptation thereof have been the marvel of the modern age—should to-day be enacting legislation against a world of impoverished nations, whose burdens of war have driven them to the verge of bankruptcy and despair. It would be ludicrous, indeed, but for its seriousness that a Republican Congress should to-day be enacting legislation to increase the cost of living of 110,000,000 of our people for the ostensible purpose of helping certain privileged classes, while vast factories and mills of the country are closed or working on short hours, railroads and other business are cutting wages, and thousands of workmen idly walk the streets.

Mr. YOUNG. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. LONGWORTH].

Mr. LONGWORTH. Mr. Chairman, in the years that I have served in this body I have heard the crack of the Democratic whip reverberate loudly through these halls, but never in such thunderous sounds as it has this morning. The Democratic caucus has met and its relentless machine has run over the bodies of some 40 Democrats, including, I fear, that of my learned and distinguished friend, the gentleman from Texas [Mr. GARNER], coauthor with the gentleman from Michigan [Mr. FORDNEY] of this bill in the last session of Congress. [Laughter and applause.]

I listened with care and great interest to the speech of my friend from Texas [Mr. GARNER], but I do not know up to this time how he is going to vote on this measure. I fear, however, that he will show the effects of the grinding of that caucus machine. He seeks to make as his excuse for his vote against this measure, which he has hitherto so vigorously supported, a little proviso added at the end of what has been the law of this country since 1894, a proviso relating to the difference that may be exacted in the collection of customs duty due to the depreciation of foreign exchange.

Let us see exactly what that provision does. So far as I am personally concerned, I do not care 2 cents whether it stays in the bill or not. I regard it as of negligible importance, in view of the fact that it is only a question of weeks, I hope, before it is superseded by the proposed provision for home valuation. It simply provides that where goods are invoiced from a foreign country for importation into this country the customs values may not assume that that exchange has depreciated more than 66⅔ per cent. There are only two countries with whom we do business of any moment where the exchange has in fact depreciated more than 66⅔ per cent. One of them is Italy and the other is Germany. It should be remembered, however, that this provision applies only to articles that bear an ad valorem duty, and it has no relation whatever to articles bearing a specific duty and, of course, no relation to the very many articles that come in on the free list from those countries. It would apply in any event to a very relatively small proportion of those importations. Here is the way it would work:

The gentleman from Texas says that it will increase Germany's duties by 400 per cent. It would make Germany pay 400 per cent more than they would have to pay if they could invoice their goods in marks at a valuation of 2 cents per mark, but even then the total ad valorem duty would not be anywhere near what is provided even in the Underwood law. Let me illustrate. Suppose an article imported here from Germany bears under the Underwood law a 40 per cent ad valorem duty. Suppose Germany were permitted to value it at the exact valuation of a mark in foreign exchange. That would mean a depreciation of 90 per cent. In other words, instead of paying 40 per cent duty, it would pay only 5 per cent duty. That is the trouble with this foreign-exchange situation, and that is what makes necessary our provision in relation to American valuation, which I hope will shortly be reported to the House. All this does is to say that Germany can not value quite as low as her actual value of the mark is, so that instead of paying a duty of only 5 per cent they will pay a duty of about 15 per cent, while the duty fixed in the law is 40 per cent. That is the long and short of this proposition. The gentleman from Texas [Mr. GARNER] has gone out gunning for a lion and he has shot at a gnat. It is upon that flimsy excuse that he proposes to vote against the bill, than whom no other man in the last Congress had more to do in its framing.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. With great pleasure.

Mr. GARNER. Let us see if we can come to an agreement in respect to the facts regarding the effect of this provision. The gentleman from Ohio does agree that the enactment of this provision in this bill will increase the duties from Germany 400 per cent.

Mr. LONGWORTH. Approximately.

Mr. GARNER. That is sufficient.

Mr. LONGWORTH. It will simply increase the duties they would pay if they were permitted to pay in the present valuation of the mark, and even then they would not go up anywhere near the duty provided in the Underwood law.

Mr. GARNER. But the gentleman does agree that the enactment of this provision into law will increase the present duties on goods coming from Germany 400 per cent.

Mr. LONGWORTH. Provided they are valued at the present depreciated currency.

Mr. GARNER. They are now valued on a basis of 2 cents, which is above their present market value.

Mr. LONGWORTH. And the gentleman will agree with me, I am sure, that as a supporter of the Underwood law, which placed a duty of 40 per cent on an article, he is not willing to see that country escape with a duty of only 15 per cent, which it would do under this provision, when the law provides for 40 per cent. Really, of course, the reason for the change of attitude on the part of 30 or 40 men on the Democratic side—and 30 or 40 men on that side constitutes quite a proportion of your membership at the present time—is because of the ukase issued in the minority report which I hold in my hand.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Certainly, because I want to have a little conversation with the gentleman from Texas about this minority report. I notice that it bears the signature of only one man—Mr. KITCHIN, of North Carolina—and I find myself confronted with two horns of a dilemma. Either these views represent only the views of Mr. KITCHIN or it was not thought worth while to attach the views of the other statesmen who served on that committee, and their cooperation was assumed.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Certainly.

Mr. BYRNES of South Carolina. While the gentleman is giving us information along that line will he please tell us how to account for the change in heart of the distinguished gentleman from Massachusetts [Mr. TREADWAY] and other gentlemen on that side?

Mr. LONGWORTH. Oh, the gentleman from Massachusetts [Mr. TREADWAY] explained most lucidly and convincingly the reason for his change of attitude. [Laughter and applause.] I find in this document signed by Mr. KITCHIN a few apparently authoritative statements of Democratic principles:

> The policies and principles advocated by the Democratic Party and inspiring the continued maintenance of its organization for nearly 100 years forbid our approval of the pending bill and impel us to vigorously protest against its passage. Approval of this bill by the Democrats in Congress would be a complete surrender of such principles and abandonment of such policies, and a confession that for over half a century the Democratic Party has been wrong and the Republican right on the tariff.

Further on—but I have not time to read further. Of course, in the face of that ukase no gentleman upon that side can resist except a very few brave men who have stood up here to-day—two gentlemen from Texas, who said that they would not be bound by the party whip, for they voted according to their conscience and the direction of their constituents. Now, the gentleman from Massachusetts [Mr. TREADWAY], in explanation of why he can now perfectly consistently vote for this bill, quoted the President of the United States. I will read only one sentence:

> The urgency for an instant tariff enactment, emergency in character, and understood by our people that it is for the emergency only, can not be too much emphasized.

That is a doctrine that every Republican here and most of the Democrats can subscribe to, and it is a doctrine that exactly fits this case. Practically all of the arguments we have heard from the other side to-day have been based upon the theory that this is a permanent legislative enactment to put in force certain principles which are to continue to exist indefinitely. Now, the justification for this bill is the emergency which exists, and it is the only justification. This is emergency legislation and not permanent legislation. It is to last but for six months, and it is on that theory I voted for it, for I say very frankly——

Mr. BLANTON. Will the gentleman yield right there?

Mr. LONGWORTH. I can not yield; I beg the gentleman's pardon. It is emergency legislation. In advocating this bill at the time of the adoption of the conference report I said specifically that I did not propose to be bound by any one of the rates of duties fixed in the bill, and that no gentleman in voting for it would be bound by those rates of duty. I repeat that now, and I want further to say that the truth of that proposition will be illustrated when the Committee on Ways and Means reports the permanent tariff law. You will find then that we are not considering ourselves bound by these duties, particularly where they exceed the duties fixed in the Payne law. You will find very few duties, indeed, and only those demanded in peculiar instances, higher than those in the Payne law in the forthcoming tariff act and many much lower. I say that the emergency facing us to-day absolutely justifies the passage of this legislation. I am prepared also to say frankly that I do not think this bill will do for the industries so lamentably depressed to-day what its most enthusiastic friends say for it, and I am equally convinced that it will not do any of the bad things that those who oppose have predicted. It will have, though, without doubt, a beneficial effect, particularly upon the depressed agricultural industries of the West. It will have at least a great moral effect in encouraging those people to continue the production of the things which they are greatly discouraged from producing now. On that theory alone its passage is justified, and now that we have the machinery to pass it, now that we have a President who will sign it, we propose to make it the law of the land. [Applause on the Republican side.]

While I support this legislation, I admit my conviction that the present situation demands other remedies than merely the enactment of tariff legislation. To my mind the greatest trouble in this country to-day is the lack of capital invested in productive channels. [Applause.] And it comes largely from the fact that the very rich men of this country have diverted their capital from productive channels to channels where it may lie idle and not be subject to taxation. Now, my friends, we might just as well confess, because we have got to face it, that the situation can not be remedied until we have the courage to reduce some of the high surtaxes on the high incomes. It may sound unpopular when such a measure is proposed, but the fact has been proven beyond all questionable doubt that rich men are not willing to pay 70 per cent of their profits or incomes derived from their investment in taxes.

You can not keep them from transferring their capital into municipal bonds and other nontaxable securities. I was informed this morning that very nearly $16,000,000,000 is now invested in municipal securities in this country, not one cent of the income of which is taxable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have about three minutes additional?

Mr. YOUNG. I will be glad to extend the gentleman's time three minutes.

Mr. LONGWORTH. I hope we will have courage to meet this situation. If we do, while there will be a slight loss in revenue for the first year, in my judgment the money now untaxed will be diverted back and invested in productive enterprises which will give employment for labor and furnish the means for buying those products which are not now marketable. I think we have got to meet that situation, gentlemen, and ought to meet it courageously. The gentleman from Texas this morning expressed opposition to a sales tax. His opposition to a sales tax at this time is no stronger than mine. I stand for the proposition that we ought not now to shift the burden from wealth and put it on the consuming public.

The gentleman from Texas [Mr. GARNER], while he agreed that perhaps the majority on this side of this House were opposed to turnover sales tax at this time, intimated that in some other quarter—down the Avenue, perhaps—methods would be used to force us to swallow the sales tax. There was not one thing that the President said more forcibly here in this House on the day before yesterday than that stated in this sentence:

> We are committed to the repeal of the excess-profits tax and the abolition of the inequities and unjustifiable exasperations in the present system. The country does not expect and will not approve a shifting of burdens.

There could not be a more clear, definite statement of the inadvisability at this time of shifting the tax burden to other shoulders than those now bearing it. The gentleman from Texas need have no concern as to this question at this time.

Mr. GARNER. I want to congratulate the country on the gentleman's statement, because I know he speaks with some authority.

May I revert to the question under consideration—of the tariff and the problems you have? I see it reported in the papers that the chairman of the Finance Committee and the leader of the Senate have decided that it will put on, as an amendment to this bill when it reaches the Senate, the valuation scheme. Is the gentleman informed in reference to the purposes in that particular?

Mr. LONGWORTH. I think I can state authoritatively to the gentleman that there is no draft of any such measure finally prepared in either House.

Mr. GARNER. Does the gentleman anticipate that this bill will be encumbered with the additional provision of valuation?

Mr. LONGWORTH. I should be surprised, I will say to the gentleman, if it were, because I hope that the Senate will pass this bill within a very reasonable time. I am not sure how soon a draft of an American valuation system can be agreed upon. It is a highly complicated subject.

Mr. GARNER. It is a complicated scheme, undoubtedly.

Mr. LONGWORTH. Our program, so far as I can speak for it, is as soon as possible to bring into this House a provision for American valuation, and I trust before it reaches the Senate the Senate will have passed this bill exactly as it is. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. YOUNG. Mr. Chairman, I yield 10 minutes to the leader of the majority, the gentleman from Wyoming [Mr. MONDELL]. [Applause.]

Mr. MONDELL. Mr. Chairman, for the second time within a few months we are called upon to vote upon an emergency tariff measure calculated to afford relief to the producers of certain important staple products of agriculture. To the measure as agreed upon in the last session of the Sixty-sixth Congress has been added provisions of general application intended to prevent the dumping on our market foreign goods at prices below the cost of their production or below the value of such articles in the markets of the country where produced. The measure before us therefore is not only calculated to afford relief to the producers of those of our more important agricultural products which have been particularly affected by the threat or fact of enormous importation, but in its antidumping provisions it will afford relief to a wide range of American products now threatened—in fact, already seriously affected—by importations of goods dumped upon our shores at rates at which they would not be offered in normal times and under ordinary conditions.

It was urged against this emergency tariff when it was before the last Congress, even by some of those who believed in the protective principle, that it was subject to criticism because it afforded relief and protection to only one class of products—the products of agriculture—and that there was a wide variety of other products equally menaced and equally entitled to consideration. The answer to that criticism was that while a protective tariff law covering the entire range of competitive products was urgently needed, it was practically impossible in an emergency measure, in any measure that could be passed promptly, to cover the entire range of products or even a very considerable portion of the products of the labor and industry of America entitled to consideration. While manufactured products have suffered severely, in no line of production has there been such a tremendous drop in prices as in certain important agricultural products. These have not only decreased in market value, but in some instances—notably in the case of wool—the bottom seems to have fallen entirely out of the market, and unless relief is speedily afforded it is believed that bankruptcy will overtake many of those engaged in these industries and a permanent loss to the Nation will occur in the permanent curtailment of essential production. While the protection of American products generally is urgent and essential, immediate relief and protection to certain agricultural interests is imperative.

While many lines of endeavor and enterprise are important, agriculture may properly be termed the basic industry. The failure and the embarrassment of other lines of industry are most lamentable and regrettable; an agricultural failure resulting in a permanent reduction of the volume of production would be well-nigh fatal. If agriculture fails, all fails; hence the importance, the necessity, of this legislation.

In a general way this was the defense, this was the unanswerable argument in favor of the bill when presented in the last Congress. As presented to us now, its antidumping features make it of general application, of general interest, and of general benefit. We can not, of course, be absolutely certain in advance to what extent the antidumping feature will operate to protect our industries, but wisely administered it should wholly prevent that class of importation, which is the most harmful and destructive, that which occurs under pressure of unsatisfactory market conditions abroad and at any price which will find a market here.

Mr. Chairman, I have read with some care the minority views of Mr. CLAUDE KITCHIN. I would prefer to refer to these views with Mr. KITCHIN on the floor, but as he is unable to be here I must make some reference to them in his absence. Perhaps the most striking feature of these minority views lies in the fact that they were signed only by the ranking Democratic member of the Ways and Means Committee. They do not carry the names of the other seven minority members. We may therefore perhaps properly assume that they did not express their views. At any rate these minority views come to us as a curious reminder of a period long passed probably never to return. Practically everyone except Mr. KITCHIN realizes that the Democratic Party is no longer adhering either to its ancient free-trade doctrines or even wholly to the later slogan of "Tariff for revenue only." The Democratic vote on this measure when it passed the House in the last Congress was sufficient evidence of this fact, and, while the influence of some of the old standpatters and reactionaries on that side may temporarily defeat the expression of the real opinion of the minority in connection with this bill the suppression of the newer, the better, and the more enlightened view of the Democrats of the country and of their Representatives in the Congress can not be permanent. The country has lost patience with Bourbon sentiment, whether it be applied to tariff or other public questions, and while certain gentlemen may attempt to stand in the way of progress and enlightenment their attempts will fail.

Another feature of the one-man expression of minority views is curiously and rather offensively reminiscent of a frame of mind and a line of argument which no longer has its old-time appeal. Gentlemen may denounce protection as a scheme of the robber barons as beneficial only to the trusts and monopolies, may indulge in all of the extravagances and excess of denunciation in reference to the protection of American labor and industries, which was popular and somewhat effective in the past. But their words no longer either strike terror to the timid or stir the blood of the captious and critical, or of the little and constantly decreasing band which still adheres to outworn and discarded views. Those things have all been long since discounted.

The American people, without regard in many cases to the political faith they claim to possess, can be no longer fooled into believing that protection is in the interest of a favored few and harmful to the interest of the many. On the contrary, there never was a time in America when there was so general a view and opinion favorable to the protective policy as to-day. There never was a time when the need of protection to American labor and American industry was so clear and apparent, so generally recognized.

I am not surprised that the minority views have but one signature. They come as a curious, belated echo of views and opinions no longer held by any considerable number of people and of extravagances of expression that no longer stir the public pulse.

We shall pass this bill, not with the expectation of restoring agricultural products to war-time prices. It may not result in advancing prices to a considerable extent, but we shall at least steady the market and to some extent relieve the situation. We hope to restore prices where they have fallen below the cost of production and hearten those engaged in agricultural industries—in fact, those engaged in all industries—to continue their effort in the assurance that they shall not remain indefinitely the prey of conditions which threaten destruction of industries.

With this bill on its legislative way we shall then proceed to the further careful and painstaking consideration of a permanent tariff measure, and before this session closes we hope to have upon the statute books a measure which shall meet the needs of the time—the protection of American labor and industry; the protection of American standards of living; the protection of American opportunity in the period of returning and stable prosperity which we hopefully look forward to. [Applause on the Republican side.]

Mr. COLLIER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, if there were not an element of tragedy in this bill or if a bill along its lines were presented in normal times it would be full of comedy. We have the last gentleman on the Republican side [Mr. MONDELL] appealing to his confreres and talking to us about the Bourbonism on our side of the aisle, while insisting on a very monstrosity of their old robber tariff, because this bill makes the Payne-Aldrich bill blush for its modesty. And we have the gentleman who has just preceded him [Mr. LONGWORTH] acknowledging that this bill will accomplish practically none of the good which is promised for it by its advocates, and, he thinks, none of the evil prophesied by its opponents. Then what is this tempest in a teapot about, except that we are holding out to the great struggling, toiling, and suffering multitudes and masses of farmers of this land a promise to do something for them, when the truth is the gentleman from Ohio [Mr. LONGWORTH] is right in saying that it will do nothing for them. It will do nothing for us except perhaps to help debauch some good man who feels tremblingly in the presence of our disaster and may have

a faint hope that it will help his people and that it is his duty, even though it submerges his lifetime principles, to try to help them. I sympathize with that view, but it is a tragedy when men abandon their honest faith for a foolish hope. And I wish it had no ulterior or sinister purpose of using the extremity of the farmer in order to help the manufacturer impose heavier burdens on the consumer.

Mr. Chairman, we are all human. If the majority of the people of my district became convinced that their better interest, regardless of the better interest of the whole country, lay in protective tariff, they would become protectionists. That is human nature. The truth about the business is simply that protection is a great appeal to the man who thinks he is going to receive a benefit from it. And after all, it must be determined in the ultimate mill of the gods upon the basis of whether it benefits more people than it burdens. Men will vote the way they think their own interests lie. If a high protective tariff benefits the great majority it is going to be the prevalent doctrine in this country.

I shall discuss this particular bill therefore from the standpoints of its benefits and burdens. Whom will it benefit and who will be burdened? Let us see what is in this bill. Gentlemen, the manufacturer knows how to protect himself against protection, and he does it magnificently in this bill.

What is in the bill? A duty on wheat, to prevent imports, and thereby protect the wheat farmer against competition. Yet the evidence shows that while 35,000,000 bushels of wheat were imported last year, 218,000,000 bushels were exported and sold by us in the world market.

Mr. FORDNEY. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. FORDNEY. Very briefly: If you will take the record you will find that that wheat was imported at $2.42 per bushel, while we exported at $2.83 a bushel.

Mr. HARDY of Texas. It is hard for me to believe that Canadians sold us their wheat at $2.42 per bushel when they could get $2.83 per bushel, as we did in the open world market, but I do not care how or why or at what price it was imported or exported. It simply shows that we export nearly ten times as much as we import, and the Canadian did not sell us his wheat for less than he could have sold it for elsewhere, allowing for cost of freight and marketing. Very possibly we exported the very same wheat we imported and made a small profit on it. It is the same way about corn. We imported 7,744,000 bushels of corn in 1920, and we exported about 20,000,000 bushels in the same length of time, and during the last month, I believe, the official statement is that we exported thirty times as much as we imported.

That is not all. Who imports wheat? Why, the millman, the flour manufacturer. The manufacturer is guarded against the duty put on imported wheat. Why or how? I will not at this time tell you why, but I will tell you how he is protected against the duty. He is protected by an old provision in the law, that if he takes that wheat and grinds it into flour and exports it, he gets back 99 per cent of his duty. This is a law already on the statute, and is known as the manufacturers' drawback law. Under that law and after the passage of this bill he can import all the wheat he wants to without enriching the Treasury of the United States one cent. If he imports 100 bushels of wheat under this bill he pays $35 duty, and then, if he makes it into flour and exports it, he gets back $34.65. The Government keeps 35 cents to pay the expense of collecting and refunding the tax. I rather think the Government loses money by the transaction. Every millman in the district and State of our genial chairman of the Committee on Ways and Means can import his millions of bushels of wheat and grind it into flour and send it out, and then draw back 99 per cent of all he pays in duty.

Mr. FORDNEY. He gets a drawback on the flour only, but he must pay a duty on the by-products, the bran and middlings, which constitute 25 per cent of the duty on wheat.

Mr. HARDY of Texas. Oh, no, Mr. Chairman. Under the law he can get back the whole duty on the wheat except 1 per cent of what he paid.

Mr. FORDNEY. Under the existing law there is no duty on wheat.

Mr. HARDY of Texas. I am talking about the existing law that will come into force and apply to this law as soon as you put a duty on wheat.

Mr. FORDNEY. There is no provision to make him pay a duty on the bran and middlings in this bill, but I promise you there will be in the next law.

Mr. HARDY of Texas. Oh, the gentleman promises what he will do in the next law, but I am talking about the drawback which the miller can get when he grinds the imported wheat and sends out the flour. Let me read you the law. On page 98 of the copy of the tariff act issued by the Treasury Department we find:

O. That upon the exportation of articles manufactured or produced in the United States by the use of imported merchandise or materials upon which customs duties have been paid, the full amount of such duties paid upon the quantity of materials used in the manufacture or production of the exported product shall be refunded as drawback, less 1 per cent of such duties: *Provided*, That where a principal product and a by-product result from the manipulation of imported material and only the by-product is exported, the proportion of the drawback distributed to such by-product shall not exceed the duty assessable under this act on a similar by-product of foreign origin if imported into the United States. Where no duty is assessable upon the importation of a corresponding by-product, no drawback shall be payable on such by-product produced from the imported material; if, however, the principal product is exported, then on the exportation thereof there shall be refunded as drawback the whole of the duty paid on the imported material used in the production of both the principal and the by-product, less 1 per cent, as hereinbefore provided.

The same thing is true as to corn. And what about the beef that the great export packers import and then export? Why, they get all that duty back. But when my friends, the stockmen, import cattle to graze or for breeding they pay the duty and get nothing back.

Mr. HUDSPETH. There is nothing here, as I understand, about that.

Mr. HARDY of Texas. Maybe I am mistaken about breeding cattle. In fact, I believe they are exempted from this tax, but grazing cattle are not. The cattleman never gets a drawback. On beef that comes in and is slaughtered by small, independent packers for home consumption they must pay the duty and get no drawback, but the great export packers will not pay it without getting it back again. I want the farmers, if ever they become protectionists, to learn how to protect themselves against protection, a lesson which the manufacturers have learned perfectly, as they luminously show in this bill.

Mr. FORDNEY. You had eight years in which to do it. Why did you not do it then?

Mr. HARDY of Texas. Because the manufacturers have had the wool pulled over the eyes of some farmers and wool men for 20 years, and they have not noticed it, and there is, in fact, I fear, no way to protect the farmer against protection except by defeating protection. When the Underwood bill was passed here facts were brought in to show that the prices of wool in Boston and in Liverpool were just about the same.

Mr. FORDNEY. Do not accuse me of voting for the Underwood bill. [Laughter.]

Mr. HARDY of Texas. As I was saying, Mr. Chairman, the market price of wool in Boston and in Liverpool, when there was 11 cents duty, was substantially the same. Why was it? It was because when the wool manufacturer or buyer came to my State of Texas to buy, or the grower went to Boston to sell, the woolgrower said, "I want the world market price, plus the tax, for my wool," and the millman said, "We will give you the world market price, but we will not add the 11 cents tax for raw wool or 33 cents for scoured wool. If you do not want to take what we offer, take your wool to Liverpool." Of course, the woolgrower could not do that, because after he had paid the freight he would only get what he was offered in Boston, and so the prices current of those years when we had 11 cents duty on raw wool showed Liverpool and Boston prices substantially the same.

Mr. FORDNEY. Who paid the freight at that rate?

Mr. HARDY of Texas. The man who had the wool would have had to pay the freight to get it to Liverpool and take the market price there. Rather than do that he sold it in our protected market at Boston for the Liverpool price. That is what he did. That is what your statistics show, and that is what the unorganized producers of raw materials will do again. No man pays more for an article than he is compelled to pay.

Mr. MONDELL. Will the gentleman from Texas yield?

Mr. HARDY of Texas. If I have the time.

Mr. MONDELL. Do I understand the gentleman to say that the import duty on wool did not, as a matter of fact, raise the price in our markets?

Mr. HARDY of Texas. Only a very little, not to exceed 1 cent; that is, the price to our woolgrowers.

Mr. MONDELL. Then who was hurt? The Government certainly got the duty on all wool imported, and yet the gentleman says the price was not raised.

Mr. HARDY of Texas. The manufacturer of woolen goods put up the price of his finished product and made the ultimate consumer pay for it just as though he had paid the added price for home-grown wool, because he was protected by an exorbitant so-called compensatory duty; and you do the same thing now under this bill. [Applause.]

Mr. MONDELL. I will say to the gentleman from Texas that that is the merest nonsense.

Mr. HARDY of Texas. That is the last answer when you have no answer. You have got the same thing now. The opening speech on this subject stated that there was a two-year supply of wool on hand to-day. Mainly in Boston, I presume. Do you think the merchants and millmen who bought that wool are going back and pay an additional price to the sheep grower and wool producer after this bill passes, or that if the growers still own some of it that they will pay above world market for it? No; but they will pile up the price on the finished product to the consumer in proportion to their privilege under this bill. And their privilege under this bill is to put upon every pound of woolen goods they make the present rate of taxes plus practically twice the tax on wool under this bill. That is their compensatory duty under this bill, whether it raises the price of wool to them or not. If the chief ingredient of a piece of cloth is wool, even though it be only 51 per cent wool, they are given an added duty of 45 cents per pound on their cloth and so get an added duty of practically 90 cents per pound on the woolen contents of the cloth. It must be understood that duty under this bill is 15 cents per pound on raw unwashed wool and 45 cents on scoured wool. Only scoured wool goes into cloth. You put this added burden on the people who wear the woolen goods, and you do it in the name of protection to the farmer and the woolgrower and the sheepman. For 20 years manufacturers have pulled the wool over the eyes of the woolgrower, and now they see, forsooth, an opportunity to pull it over the eyes of the corn grower and the wheat grower. Do you know, there was an angel of darkness who was driven from heaven when Satan fell. He perverted the truth, he disguised facts. He sat at the portals of earth to pervert and tempt mankind. He sat there, clad in white, when Gabriel visited the earth; but Gabriel penetrated his disguise and pierced it with the sword of truth. Then the white robe fell off and exposed the figure of this universal deceiver in all its hideousness and deformity. I have forgotten what his name was, but I think he was the ancestor of the Republican Party. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Will the gentleman from Texas use some of his time?

Mr. GARNER. I yield five minutes to my colleague [Mr. HUDSPETH]. [Applause.]

The CHAIRMAN. The Chair is informed that on an equal division of time the gentleman from Texas [Mr. GARNER] would have eight minutes remaining.

Mr. YOUNG. I will give the gentleman five minutes, and that will perhaps run us a few minutes beyond 5.30.

Mr. HUDSPETH. Mr. Chairman and gentlemen of the House, if an emergency existed for the passage of this measure last December, then there is not the slightest question but that emergency exists to-day to a greater extent than it did when the bill passed at the last session, and will continue to exist until remedial legislation is had.

Let me remind my Democratic colleagues on this side who are so harshly criticizing this emergency measure that this is not the first time an emergency tariff measure has been passed by the United States Congress. In 1812, following the war between this country and England, when prices of the commodities of this country had gone far below the cost of production and our country was passing through a perilous financial crisis, as our country is facing to-day, an emergency tariff bill, immediately following the treaty of peace, was passed, and not by a Republican Congress. I say to you, my friends, that following the war, with conditions confronting the country, forecasting financial disaster to a major portion of its industries, as our people are facing to-day, an overwhelming Democratic Congress passed an emergency tariff, levying duties of 100 per cent on the raw products of this country, the tenure of said law being for the period of one and one-half years.

This Young emergency tariff bill has the same general purpose as had the emergency tariff bill passed by the Democrats following the War of 1812—reconstruction and recovery on a basis of fairness to all industries.

Again, the Democratic platform of 1872 contained this declaration: "Recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts, and to the decision of the Congress thereof, free from Executive interference and dictation."

This declaration left every Democratic member of Congress free on matters of tariff, and shows that there was an honest difference of opinion within the Democratic ranks on this great question. Yet, in the face of these incidents in the political history of our country and my party, I am to be criticized by some of my Democratic colleagues, and my attitude as a party man brought into question, because I am obeying the wishes of the Democracy of the sixteenth congressional district of Texas. Sir, they have honored me with their confidence and their respect from the time I went among them as a barefooted boy. Gentlemen, I may forfeit my office in time to come, but I will never betray the confidence of my people. There are many things dearer in this life than holding office, and one, especially, is to live in the esteem and confidence of your constituents and the people who grant you authority to speak for them.

And let me say here in reply to the speech delivered by my friend and colleague, Judge HARDY, of my State, who has just preceded me, with reference to his statement that under the Payne-Aldrich bill, with an 11-cent duty on wool, the producer of wool did not get the benefit of it. I want to say to my friend that the history of our grand old party refers us to the fact that it has never stood for the doctrine of free raw materials but for one time, and that was when it passed the Wilson-Gorman tariff bill, in 1894, and it went down to a humiliating defeat the following November, from which it did not recover for 16 long years. In 1887 was the first time that wool was ever put upon the free list or attempted to be in a tariff bill. Let me remind my colleague from Texas again that at that time the House was Democratic. Upon the Ways and Means Committee, which framed the measure, there were eight Democrats and five Republicans. Four Democrats voted for a duty on wool, and on that committee were such Democrats and leaders as the Hon. William R. Morrison, of Illinois, and the Hon. Roger Q. Mills, of Texas. Four Democrats upon that committee voted to place wool upon the free list and four Democrats voted against it. In order to break the tie the Speaker, the Hon. John G. Carlisle, a Democrat, was called into the committee from his chair in the House of Representatives, and he voted with those who favored placing wool on the free list. Twice was this incorporated in a bill by a Democratic committee prior to the enactment of the Wilson-Gorman bill in 1894; these tariff measures failed of enactment until wool on the free list and free raw materials were finally incorporated in the bill aforementioned, which brought about, in my judgment, the disastrous overthrough of the Democratic Party, which had stood for the doctrine of free raw materials, and went off under the delusion of Clevelandism. And let me remind my Democratic colleagues again that following the election in 1894 there were fewer Democrats in this House than there are to-day, and fewer than any preceding Congress, not excepting the period immediately following the Civil War. And let me remind you again that in 1840 the Whigs, which was the party from whose loins sprung the Republican Party, were swept into power by a tremendous majority.

They followed their triumphant election with the passage of a tariff bill in 1842, in which the thread of free raw materials ran through its entire fabric, and the dissatisfaction of the people with said measure was so complete and overwhelming that in 1844 the Whigs were swept out of office from cellar to garret, and the Democrats succeeding them passed what was known as the Walker Tariff Act, placing a duty upon the raw materials of this country.

Our learned and beloved leader, and my friend, Mr. KITCHIN, stated the other day that the tariff was not an issue in the last campaign. I humbly ask to differ from the judgment of our leader and state that I think that it was a material issue, and that the overwhelming defeat of the Democratic Party was occasioned largely by the failure to declare equal rights to the producer, and that the production of his hand and brain should not be discriminated against in favor of the manufacturer of New England and to emphatically declare against the monstrous doctrine of free raw materials. I know, gentlemen, that it was an issue in my State, and I believe that the slump in the great and usual Democratic majority in that State was occasioned by the farmers and the ranchmen believing that they had been discriminated against by Democratic Congresses of the past.

Go back to the Democracy of my State. Let me state to you that three times has the question of a tariff for revenue and a duty on the raw materials occasioned by a tariff for revenue been submitted to my people, and in every instance an overwhelming verdict has been recorded in favor of a duty on the raw materials, commonly known as a tariff for revenue. I mean by this, sir, that the people of my State have said by their verdict on three different occasions that I recall now: First, when Gov. Culberson defeated Senator Mills for the Senate, Mills having reversed himself on his former policy, and Culberson standing out for a tariff for revenue and placing of equal duties on the raw materials as well as the manufactured article; in 1896 when the Democracy of Texas in convention assem-

bled at Austin declared through its delegates and representatives in said convention, and I quote you its exact language:

We believe that the present tariff law, which lets into the country raw materials free of duty and levies heavy duties on manufactured products, thus subjecting our agricultural and pastoral classes to competition with the world, while it enables the rich manufacturer, by means of combinations and trusts, to extort their own prices for their product from the people, violates the Federal Constitution as well as the fundamental principles of the Democratic Party—

And the national platform at Chicago following the Texas Democratic convention copied almost word for word the Democrats from Texas on this fight; and again the issue was made in unmistakable terms before the people of my State, and Senator Joseph W. Bailey, then a Member of Congress, in 1900 defeated Senator Horace Chilton, then a Member of the Senate, for that high office, upon this very issue, Chilton taking the same position as was taken by Senator Mills in the contest with Senator CULBERSON. Then, gentlemen, am I warranted as a Democrat in supporting this measure, every item and schedule in this bill, upon which a duty is placed, being a raw material of this country? If I am wrong, then the greatest Democrats of my State are wrong. Not only that, but the greatest Democrats and the most profound thinkers on economic and political lines of this Nation are wrong.

Now, again referring to the statement of my colleague, Judge HARDY, that under the Payne-Aldrich tariff the wool producer did not receive any benefit, let me say in reply, that under the Wilson-Gorman bill in 1894 wool was sold in my State as low as 4 cents per pound, and I saw a bunch of 3 and 4 year old mutton sheep sell on the plaza of Osona, Crockett County, at 55 cents per head. During the latter part of Cleveland's administration sheep decreased in Texas from 2,400,000 to 1,600,000. Upon the passage of the Dingley bill the placing of a duty on wool, wool immediately began to advance, the influx of foreign wools being curtailed to a certain extent. Now, can you gentlemen who are opposing this bill on my side justify your action before the farmers of your country in opposing a duty upon wool when you voted for a 35 per cent ad valorem duty upon the manufactured articles under the Underwood tariff and a 45 per cent ad valorem duty under the Wilson-Gorman tariff? Can you go back and look the farmer in the face in your district and say to him that you voted for a duty of 35 and 45 per cent ad valorem upon the clothing that he has on his back and refused to vote for a duty on cotton and wool that he produces that goes into the manufacture of said article? If there is a Democrat in this House that can justify his action, let him rise at this time and I will grant him part of my time to justify his action. No one rises, and no one dares to rise.

Judge HARDY says that under the Payne-Aldrich tariff the wool producers are not benefited; that the prices in Liverpool and Boston were the same. It is a remarkable statement, and the facts to me are astounding, that a wool producer in the West—say from my State of Texas—would ship his wool across the States and over the sea to Liverpool and sell it for the same price that he would get in Boston, with a greater charge of freight for its shipment. It is not fair to the wool producer to compare the price of wool under the Underwood bill, which went into effect December 1, 1913, with that of the Payne-Aldrich tariff, which went into effect October 1, 1909. Everyone knows that the great World War broke out in August, 1914, about eight months after the Underwood tariff bill went into effect, which immediately stimulated and increased the demand for wool all over the world. Everyone knows that the war was the immediate cause of all advances of wool, and soon after the war ceased and all our soldiers went back into civil life the prices of wool began to decline, until to-day it is as low as 10 cents per pound, and no stable market at that price. Following the passage of every tariff measure in the history of this country, placing a duty on wool, wool has immediately advanced, and no one can successfully contradict this statement. [Applause.]

Mr. HARDY of Texas. Will the gentleman yield?

Mr. HUDSPETH. I yield to my colleague from Texas.

Mr. HARDY of Texas. In 1887 we passed the Republican bill, and cotton went down to 4 cents a pound.

Mr. HUDSPETH. Probably because the Democratic Party was standing for free raw materials.

Mr. HARDY of Texas. And the Republican Party was in power.

Mr. HUDSPETH. It was a Democratic Congress. The Ways and Means Committee consisted of eight Democrats and five Republicans, and that is the first time that wool was ever put on the free list, and it was done by the vote of Speaker Carlisle called from the chair.

Mr. HARDY of Texas. I am talking about after the McKinley tariff bill was put into effect, when cotton went down lower than it ever had been.

Mr. HUDSPETH. Not lower than wool; wool was 4 cents a pound under the Wilson-Gorman bill.

Mr. HARDY of Texas. Did it go any lower under the Underwood bill?

Mr. HUDSPETH. God knows it could not go any lower. [Laughter.]

Mr. HARDY of Texas. What was the result under the Underwood bill?

Mr. HUDSPETH. Wool declined some immediately after its passage, and the World War broke out, increasing the demand for wool all over the world soon after the passage of the Underwood bill. Some of my friends declare that I am not an orthodox Democrat because I ask for a tariff upon the products of my district and my section, when a strong duty is now and has been for eight years on the manufactured article. I want to say to you that I have been all of my life an advocate, and expect to live and die one, for a tariff for revenue, but I want that equitably distributed. It is stated by my Democratic friends that the emergency tariff bill will not raise any revenue. Now, let me address my remarks to my colleagues on the Democratic side who oppose this bill but say they are for a measure that will raise the most revenue. Can any man on my side state that this Young emergency bill will not raise revenue? The rates are very little higher, and in some instances lower, than they were under the Payne-Aldrich bill, and I am by no means defending every schedule of that Republican bill, but as a comparison only as to raising revenue. Wool is 15 cents under this. Frozen meats, about the same. Onions are 40 cents under this bill, and they were 20 cents under the Underwood bill. Now, let me give you the absolute figures gathered from the Treasury Department, if it is revenue you are after, and God knows we need revenue at this time, with the war debt of something like thirty billions hanging over the heads of the producers of this country. During the four years that the Payne-Aldrich bill was in effect there was collected in revenue through the customhouses of this country, $1,278,393,584.35. During the seven years that the Underwood bill has been upon the statute books the revenue produced is $1,030,979,098.47. A difference of $322,000,000 in favor of the Underwood bill, with a tenure of three years longer than the Payne-Aldrich, and the rates in this measure are very little higher, and in some instances about the same and in many others lower, than that of the Payne-Aldrich, and yet you say that this bill will not raise revenue.

Mr. YOUNG. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. YOUNG. According to the statement of the gentleman from Maryland [Mr. LINTHICUM], if the revenue raised in the whole United States is in proportion to that raised in Maryland, it would make a revenue of $3,168,000,000.

Mr. HUDSPETH. Yes; according to his statement. I say that a few rates are very little higher under this bill than they were under the Payne-Aldrich bill. My friend from Maryland [Mr. LINTHICUM] stated that the wool was in the hands of the trust. In my State of Texas there are 6,000 Democrats producing wool to-day, but there will not be that many two years from now if you do not give them some relief and you continue to discriminate against them when you frame tariff measures, bestowing your bounties on the manufacturers of New England. They are not going to stand for this discrimination much longer by their own party, and you may just as well recognize it now as be confronted with it a little while later. I want to serve notice on you here and now that the Democrats of my district, which includes the cotton and grain farmers and the cattle and wool producers, are not going to stand for the man in his steam-heated house in New England to have a tax on the materials that he manufactures and give him protection against his foreign competitor while the farmer and ranchman who toil in the heat of the summer and cold of the winter are discriminated against. The man who toils in the coal mines underneath the earth to produce the wealth of this country receives no tax duties upon the articles of commerce that they produce. We may just as well understand each other now as at any other time. My State is not going to stand for it. As an evidence of this fact, I hold in my hand here not only hundreds but thousands of letters and telegrams that, if I had the time, I could read you, letter after letter, from men, like myself, who never scratched a Democratic ticket in all the days of their life. I never have and never expect to, although at times it has sorely tried my party loyalty to vote for certain men upon the Democratic ticket, but I did it without blinking an eye. If you do

not want me to vote for a man, do not put him on the Democratic ticket. If you knew the men from whom I have received these letters as I know them you would not question their loyalty to the party in the past. They say they are not going to stand for this discrimination longer; but I have an abiding faith in the soundness and judgment of my party in the future. I know that in the future it will not, as it has not in the past, adopt the false doctrine of free raw materials. I do not ask that it bestow special privileges upon any class, but I do ask at your hands equal and exact justice to every citizen under that flag, and that the humblest citizen in his unpretentious and humble home be accorded the same rights as the millionaire manufacturer of New England in his luxurious mansion of marble has enjoyed in the past.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HUDSPETH. May I have two or three minutes more?

Mr. YOUNG. I hope the gentleman may be permitted to conclude his remarks, and I ask that he may do so.

Mr. HUDSPETH. Let me in the brief space allotted to me reply to my friend from Maryland [Mr. LINTHICUM] in his remarkable statement. He states, upon what authority I do not know, that the trusts are in possession of the entire wool production of the United States. I state upon good authority, namely, the Bureau of Markets, that we have two years' supply of wool in this country, and foreign wools coming in at the rate of 30,000,000 pounds a month. This does not include the 300,000,000 pounds just being shorn from the backs of the sheep known as the spring clip. I hold in my hand a telegram which I received to-day, which I think is good authority, from one of the largest wool firms in Boston—Studley & Emery—men who are recognized in Texas as being honest. They purchased wool there when I was a boy. This telegram states that there are 5,000,000 pounds of Texas wool to-day in Boston unsold, owned by the producer. That now, mind you, includes only the last fall clip and the clips previous thereto. They say that to-day there are in Boston 150,000,000 pounds, and in a subsequent telegram they state they are mistaken in this and that there are 200,000,000 pounds of wool owned by the men, the producers, from Mr. MONDELL's State, the State of Wyoming, Idaho, and the great Northwest unsold; and you talk about the trusts getting all the benefit under this bill—the so-called robber trusts. No, my friends, the producer will get some of the benefit. The speculator gets his part. You can not help it and I can not. This measure and the passage thereof means the survival of an industry particularly fitted to certain portions of the great West and South. When I say the South I include the cotton farmer and the grain producer, as this bill carries a duty upon the importation of foreign cotton and grain. The peanut grower is included, the vegetable-oil producer and a number of other products of the farm. Unless some relief is given to these people that will benefit the live-stock and the wool producer and the farmer those great industries can not survive. When the wool business is destroyed do you believe the wool producer of Australia and New Zealand and the other foreign countries will send his wool to Boston when he has no competitor in this country and sell at the price that he is selling for to-day? No, my friends, unfortunately human greed controls largely the acts of many men; and immediately when his competition in this country is destroyed the foreign producer will raise his wool and sell at 500 per cent higher if he is permitted to do so. You do not want to destroy, as was suggested by a certain Senator—thank God he is not one now—when this measure was before the Senate last session, the great wool-producing industry of this country.

Pin your faith solely to the domestic producer and rely upon him to clothe you and your family from the chilly blasts of winter. In my State there are thousands of acres of land unfitted for any other industry except that of growing sheep and goats. I know it and many of you know it. What was intended by the great Supreme Ruler of this earth when he created the waters of the sea, the valleys, and the mountains of the earth, solely for pastoral purposes and grazing of herds? Let me remind you again of another, to my mind, important fact that I want to impress deeply into the minds and consciences of this Congress. The woolgrowers of this country were called to Washington during the war by the Counsel of National Defense to fix the price of wool. The Government took over our wools, not at the price that was obtained at that time, 1918, but at the price prevailing on July 30, 1917, a reduction of from 18 to 25 per cent of the price prevailing when the wool was taken over. The sheepmen as patriots acquiesced and estopped themselves from taking the profits that other producers got. In addition to this, in my district they were cheated out of hundreds of thousands of dollars on false valuations placed on their wools by a designing and autocratic committee appointed by our Government and its agents. But he met the demands of his Government in its peril and now he only asks that his Government treat him fairly hereafter and accord him the same rights as it has accorded his New England neighbor lo these many years.

Not only that, sir, agents were sent through the country to induce the ranchmen to grow more wool and produce more sheep, and they did it. At that time we were asked to increase our flocks. We went to the great Northwest and purchased breeding ewes at $10, $12, and $15 per head. These sheep to-day could not be sold for one-third nor one-fourth of that amount. One county in my district, the county of Val Verde, yes, two counties, I will say—Val Verde and Crockett—purchased 200,000 sheep in the State of Wyoming and other Northwestern States. Our country called upon us to do it was our chief reason. We are now asked by some of the very men who induced us to do it—some of them in this House to-day—to stand here and let that industry die. Why? Because the Republican Party has introduced an emergency tariff bill. Let me say with all the emphasis at my command, not for me, sirs, not for me. [Applause.]

Let me say again to you when the Republicans introduce a measure that I believe to be just, that I believe will extend adequate and exact justice to the industries of my section and of the Nation, I shall support it. I say to you that every drop of blood that courses through my veins is Democratic blood. The democracy of my district and my State has honored me far beyond my deserts in the past.

The Democrats of my State have reposed confidence in me for over 20 years. They elected me to the high office of justice of the peace when I was 18 years old [laughter], and I have held office ever since. They honored me with the position of Representative, State senator, and district judge—a short time—for 16 years. I was chosen chairman of the great Democracy of my State in 1911 and presided over the Democratic convention of my State which declared for a tariff on the raw products of this country. I know that my people believe that I am true to Democratic principles, and I have repeatedly for the past 15 years indicated from every stump in my district that I would vote for a tariff on the importation of raw materials as long as Congress placed a tariff on the manufactured article. [Applause.]

My friend from Texas, Judge HARDY, says the Beef Trust will get the benefits from this legislation. I want to say to you that the main objection that I have to this bill is, I will say to my friend from Michigan, Mr. FORDNEY, that he did not include hides in the measure. Hides ought to be included. No man living or dead can justify the placing of hides upon the free list and levying a duty upon the importation of leather. When hides were taken from the dutiable and placed on the free list every Democrat in the Texas delegation agreed with me at that time with the exception of one; this includes both Senators. Hides were discriminated against and placed upon the free list. I recall now we raised $2,000,000 in revenue annually when hides were on the dutiable list. From the duty on goods manufactured from hides we received the small sum of $30,000. Now, will my Democratic colleagues claim that I am not a Democrat when I vote for a duty on hides that raised $2,000,000 and that they are tariff-for-revenue Democrats when they vote for a duty on boots and shoes and leather goods, that bring into the Public Treasury only $30,000? No party caucus can ever bind me to vote for free hides and leave a duty on the articles out of which hides are manufactured. The Democracy of the sixteenth congressional district can bind me, and I will at all times obey that command. When it fails to instruct and I am not fully cognizant of its wishes, then I will yield to party instruction here. Immediately after the import tax on hides was removed, the shoes upon your feet immediately advanced 100, 200, and 300 per cent. The consumer, the wearer of shoes, the farmer's boy, and the farmer's girl got no benefit from this discrimination. No; it was the Leather Trust. It was the New England boot and shoe manufacturer who got the benefit, for he immediately raised the price of his product. He was enabled to buy hides cheaper, but he did not give the consumer and the producer the benefit of it, but he raised the price of shoes and leather goods in proportion to the tariff levied upon the importation of leather, so that his price was fixed to meet the foreign competitor, who had to pay a duty upon the leather he imported into this country. There is no reason on God's earth why the Republicans should not have included a reasonable duty in this bill upon the importation of all hides, unless the Leather Trust and the manufacturing interests of New England have too strong a hold on that party. Of course, you should not say, and I will not say,

to the shoemaker and the boot manufacturer that you shall have a duty upon what you produce and the material out of which your goods are produced should be left free of duty.

I come now to the Beef Trust. Do you know what is the matter with live stock to-day—with beef and mutton? I see that our leader, Mr. KITCHIN, in his minority views claims that during last year we imported something like 146,000 cattle and exported something like 80,000.

I have not the report before me at this time and these figures may not be absolutely correct, but something in that neighborhood. Anyway the importation of cattle on the hoof has not for several years affected the price of beef in this country materially. Why, we have in Texas something like seven or eight million cattle to-day and 70,000,000 in the United States. The duty on the importation of cattle on the hoof is not going to materially affect the price of beef in this country. Mexico, from which country we formerly imported a great many cattle, on account of the constant revolutions for the past 12 years has been stripped of her cattle. Millions of acres to-day do not contain one single hoof of cattle in that country. Canada is the other country from which cattle on the hoof is imported, and we have only gotten about 100,000 head of cattle from there in the past year. The importation of cattle does not affect the market except to the slightest degree. I will tell you what has affected the market and has caused cattle to slump in value from $50 and $65 per head down to $30, and no sale on the range for steers at any price, is that the big packers of this country went down to their abattoirs and refrigerating plants in Brazil and the Argentine, shipped in shipload after shipload of the frozen beef free of duty last year. Also they had brought up from New Zealand and Australia, where they can produce beef and wool for about one-third the cost of production in this country, two and one-half million carcasses of frozen mutton and lamb. When you place a duty as is placed in this bill of 2 cents a pound on the importation of frozen meats, then you are bound to raise the price of mutton and beef of domestic production. If this frozen meat from these countries that can produce beef and mutton that, we will say for one-fourth or one-third of the cost of production in this country, is permitted to come in here free of duty, it takes no prophet or political seer to forecast what will be the ultimate end of the cattle business. It will eventually be destroyed. The banks all over the country have made heavy loans to the cattlemen when cattle prices were up, and they have stood nobly by them up to date. How long they can continue to finance them is problematical, and I can not and dare not state. The cattle industry is second to the farming industry. Are you going to permit it to perish? From what you say and especially the attitude of a great many on my side it would seem you are, whether you will it or not. If this should occur do you believe that the producer in South America and other foreign countries will sell his beef in this country at the price he is selling it to-day? I do not think any sound-thinking man other than a fanatic believes that.

Again I say human greed would control and that the producer in the foreign country would demand "all the traffic would bear." The price of mutton has dropped from 14 to 4 cents a pound, the price of lambs has dropped from 14 and 16 cents a pound to 5 and 8 cents a pound.

The mohair industry is becoming a great industry in this country. Mohair is useful for many purposes. This bill carries the same duty on mohair that it does on wool. Probably none of you Members have ever eaten a juicy goat chop. Some day if I can get the money to ship them up; if my banker will continue as he has done to renew my note and add in the interest, and a little freight money; my goats are practically worth nothing down there now, I am going to ship up a sufficient number and give you a goat barbecue—and some of you will attest that I know how to barbecue meats—and when I do so some of you will testify that you never had a more juicy piece of meat in your life than a nice, fat goat chop or a side of goat ribs. Do you believe that the sheep industry and the goat industry can survive under present prices? I have here in my hand countless telegrams from responsible sheepmen all over the country showing that it costs from 30 to 50 cents per pound to produce wool and mohair; that it is now a drug upon the market, and when it sells it sells from 10 to 20 cents per pound. Tell me that this business can exist under these conditions? No. But you will drive out of business countless thousands that have made it the business of their life and know no other character of business. Tell me that the price of mutton to-day is a guaranty that the business of raising sheep can survive, when I hold in my hand an account sales which I want to read to you? Sheep were shipped from Donaldsonville, La., 103 head, to Fort Worth, Tex., a distance of something like 200 miles and that shipment netted 5.43 cents per head. It took 25 sheep to pay the war tax, and it took 50 of them to pay the feed for the sheep one time. They netted 5.43 cents, a fraction over 5 cents per head. I will insert for your information the exact copy of account sales:

Rhome-Farmer Live Stock Commission Co.; B. C. Rhome, jr., president and general manager; Tom Frazier, vice president; Walter N. Hanney, secretary-treasurer; Cattle salesmen: Jas. D. Farmer, Joe P. Farmer, J. W. Perryman, C. F. Plaxco. Hog and sheep salesmen: Tom Frazier, Jno. W. Joyce. Order buyer: W. A. Shirley.]

FORT WORTH STOCK YARDS, *December 24, 1920.*

Sold for account of Belle Terre (Inc.). Shipped from Donaldsonville, La. P. O., Same.

Purchaser.	Sheep.	Weight.	Price.	Amount.
Scott	102	5,940	$2.00	$118.80
	[1] 2			
	[2] 1			

Number of cars.	Weight.	Rate.	Amount.
1	12,000	$0.63	$75.60
War tax			2.27
Switching			.88
Feed, Addis, La			3.00
Feed, Boyce, La			2.50
Feed, Marshall, Tex			3.00
War tax			.26

Railway charges	87.51	
Stock Yards Co.:		
Yardage	8.13	
Bales hay	2.40	
Insurance	.30	
Inspection	98.37	
Commission	15.00	
Total charges		113.87
Net proceeds		5.43

[1] Cripples. [2] Dead.

You think that under sales of this kind this business can continue? Oh, you say that the sheepmen got rich during the war. No; the Government took about 66⅔ per cent of his profits for the carrying on of the war. I have a letter from Bassell Halbert, a reputable ranchman of Sutton County, showing that in 1919 he made $13.850 as income from his ranch. In 1920, since the decline in price of wool, cattle, and mohair, he has sustained a net loss on the same property of $1,379.64. How long can Mr. Halbert and other ranchmen of similar experience continue in the business at that rate?

Who are these people, my friends? Who are asking this relief? They are the men and women of dauntless courage and determined purpose. They are the frontiersmen who passed from your agricultural lands of Ohio, Illinois, and the Middle States in the old prairie schooner and joined forces out where the West begins, out where the handclasp is stronger, out where the smile dwells a little longer—out where the West begins. They are the men and women who have braved the hardships of a frontier life, who have met the clod and stubble of adversity, who have built up the great institutions of the West with their strong right hand and courageous heart, and their never-faltering and fertile minds. Many of them, as I said, know no other business except the live-stock business, and I am not pleading for the ranchman of my section alone, but I am pleading for the man who toils in the cotton and the grain fields as well. Who are they? They are the people who have met every demand of their Government in time of peace and who gave their offspring as patriotic Americans, if necessary, to die for their country in time of war. They ask no special privilege. They do ask equal and adequate justice at your hands, the same that is accorded to every other citizen of this country. Many of them are out there now with their faces turned toward Washington looking to Congress to grant them relief. It is not a condition, gentlemen, brought about by their own acts, but you urged them to continue and increase their flocks, and they did so, responding as true Americans and patriots should respond to the request of their Government.

No bolshevik sentiment, my friends, ever reached the brensts or found lodgment in the minds of these people. They believe in the flag of this country. They believe in the institutions of this country as founded by Washington and Jefferson, and they still believe in the doctrines of equal rights to all, that these great men taught.

As I said, many of them sent their sons to battle for equal rights of men and women throughout the world, and some of those sons did not return; and the aged father and mother were left to continue the battle of life alone. In the little huts and little ranch houses they have erected there they have got the sunshine of love for their Government in their brick and mortar, and they have built therein not a single sentiment adverse to the fundamental principles upon which our fathers founded this Government.

Sirs, they are the fathers and mothers of many of the boys who now sleep under the poppies in Flanders fields. If this relief, as is provided in this emergency tariff, is not given, this great industry must perish, and the men who only know that kind of business must go, and I will say that their like and

their kind will not be easy to replace in this or any other country on this earth. [Great applause.]

Mr. YOUNG. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 2435 had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROOKS of Illinois, for one week, on account of important business.

To Mr. BURTON, for three days, on account of important business.

CELEBRATION OF THE FIRST CENTENNIAL OF THE PROCLAMATION OF THE INDEPENDENCE OF PERU (S. DOC. NO. 3).

The SPEAKER. The Chair lays before the House the following message from the President.

The Clerk read as follows:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State recommending the resubmission to the present Congress of the invitation from the Government of Peru for participation by the Government of the United States in the ceremonies incident to the celebration of the first centennial of the proclamation of the independence of Peru, which are to take place at Lima in July next.

The matter was presented to the Sixty-sixth Congress by my predecessor, whose message on the subject and the accompanying report of the then Secretary of State are contained in Senate Document No. 370, Sixty-sixth Congress, third session, a copy of which I attach hereto.

As pointed out by the present Secretary of State in his accompanying recommendation, the cordial relations which have always existed between the United States and Peru and the equality of treatment which we desire to accord to all the American Republics alike would seem to emphasize the importance of Congress making provision for a no less imposing participation by the United States in the Peruvian celebration than it had in similar celebrations of other Latin-American countries. I have, therefore, no hesitation in adding my own commendation of the matter to that of my predecessor, and in recommending to the Congress the passage of the joint resolution to be transmitted.

WARREN G. HARDING.

THE WHITE HOUSE,
April 14, 1921.

The SPEAKER. Referred to the Committee on Foreign Affairs.

SELECT COMMITTEE ON THE BUDGET.

The SPEAKER. The Chair appoints the following Select Committee on the Budget, as authorized by the House.

The Clerk read as follows:

Mr. GOOD, Mr. CAMPBELL of Kansas, Mr. MADDEN, Mr. HAWLEY, Mr. TEMPLE, Mr. TINKHAM, Mr. PURNELL, Mr. BYRNS of Tennessee, Mr. KITCHIN, Mr. GARNER, Mr. TAYLOR of Colorado, and Mr. BANKHEAD.

EXTENSION OF REMARKS.

Mr. OLDFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the minority views by Mr. KITCHIN. He has made one correction.

The SPEAKER. Is there objection to the request of the gentleman to extend his remarks for the purpose indicated?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, is not the minority and majority report at the present time a public document and subject to be franked out?

Mr. YOUNG. There is no objection on this side.

Mr. OLDFIELD. I do not know whether it is a public document or not; but a limited number would be printed——

Mr. LONGWORTH. I understand it is to be corrected?

Mr. OLDFIELD. There is a correction in reference to Mr. FORDNEY which Mr. KITCHIN desired to make.

Mr. BLANTON. Mr. Speaker, reserving the right to object, if the gentleman from North Carolina were here to make those remarks in person he would smile at the same time, which would take the sting out of some of them, and there would be no objection; but without the smile accompanying them there might be objection.

Mr. COLLIER. What is the matter with the smile of the gentleman from Arkansas [Mr. OLDFIELD]?

Mr. BLANTON. Since the gentleman has smiled, I do not object.

Mr. MONDELL. Mr. Speaker, in view of the fact that everybody will smile who reads them, I have no objection, and there is no objection on this side.

The SPEAKER. The Chair hears no objection.

ADJOURNMENT.

Mr. YOUNG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned, to meet to-morrow, Friday, April 15, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

11. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Treasury Department to cover the purchase of file holders and cases for use of the Coast Guard, fiscal year 1921 (H. Doc. No. 8); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of the Treasury, transmitting proposed paragraph of legislation submitted by the chairman of the Federal Power Commission to provide for printing and binding (H. Doc. No. 9); to the Committee on Appropriations and ordered to be printed.

13. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Library of Congress for distribution of card indexes, fiscal year 1921 (H. Doc. No. 10); to the Committee on Appropriations and ordered to be printed.

14. A letter from the Secretary of the Navy, transmitting draft of proposed bill to establish United States coinage and currency as the legal standard of values in the Virgin Islands; to the Committee on Coinage, Weights, and Measures.

15. A letter from the Secretary of the Navy, transmitting draft of proposed bill for the relief of Pay Director Livingston Hunt, United States Navy; to the Committee on Naval Affairs.

16. A letter from the Secretary of War, transmitting redraft of a bill to amend the penal code of the Canal Zone and the navigation rules of the Panama Canal; to the Committee on Interstate and Foreign Commerce.

17. A letter from the president of the United States Civil Service Commission, transmitting report for the first four months of the fiscal year 1921, showing the average number of employees receiving increased compensation; to the Committee on Appropriations.

18. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary survey of Pass Palacios on Matagorda Peninsula, with a view to securing a channel 18 feet deep; to the Committee on Rivers and Harbors.

19. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Rockland Harbor, Me.; to the Committee on Rivers and Harbors.

20. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Navy Department for the fiscal year 1921 (H. Doc. No. 11); to the Committee on Appropriations.

21. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the Navy Department for the fiscal year 1922 (H. Doc. No. 12); to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIEGEL, from the Committee on Immigration and Naturalization, to which was referred the joint resolution (H. J. Res. 34) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, reported the same without amendment, accompanied by a report (No. 3), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 3146) for the purchase of a site and the erection of a public building at Superior, Nebr.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3147) for the purchase of a site and the erection of a public building at Red Cloud, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. BRITTEN: A bill (H. R. 3148) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

Also, a bill (H. R. 3149) for the relief of contractors and subcontractors, including material men, for work under the Navy Department, and for other purposes; to the Committee on Naval Affairs.

By Mr. BUTLER: A bill (H. R. 3150) providing for sundry matters affecting the Naval Establishment; to the Committee on Naval Affairs.

Also, a bill (H. R. 3151) to establish United States coinage and currency as the legal standard of value in the Virgin Islands, etc.; to the Committee on Coinage, Weights, and Measures.

By Mr. FOSTER: A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River near Ironton, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: A bill (H. R. 3153) to provide for the construction of a military road from Rock Island, Ill., to the artillery proving grounds in Carroll and Jo Daviess Counties, Ill.; to the Committee on Military Affairs.

By Mr. JACOWAY: A bill (H. R. 3154) to establish marketing departments in agricultural colleges in the several States of the United States; to the Committee on Agriculture.

Also, a bill (H. R. 3155) for the erection of a public building at Conway, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3156) for the purchase of a site and the erection thereon of a public building at Morrillton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3157) for the purchase of a site and the erection thereon of a public building at Clarksville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3158) for the purchase of a site and the erection of a public building at Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3159) for the erection of a public building at North Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. KAHN: A bill (H. R. 3160) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 3161) granting the rank and pay of second lieutenant, United States Army, retired, to certain noncommissioned officers, United States Army, retired; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3162) to increase the limit of cost of the United States post office at Montclair, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3163) to amend the act of Congress approved August 11, 1913 (38 Stat., 109), in so far as it applies to the Federal building at Newark, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3164) supplemental to an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes" (Public, No. 215, 66th Cong.), approved May 22, 1920; to the Committee on Reform in the Civil Service.

By Mr. LITTLE: A bill (H. R. 3165) to provide for the erection of a Federal building at Olathe, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3166) to provide for the erection of a Federal building at Paola, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. LYON: A bill (H. R. 3167) to provide for a site and public building at Dunn, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. McARTHUR: A bill (H. R. 3168) to change the name of the Bureau of Steam Engineering to the Bureau of Engineering and the Bureau of Navigation to the Bureau of Personnel; to the Committee on Naval Affairs.

Also, a bill (H. R. 3169) to establish the allowance to be made in lieu of subsistence to clerks of the United States district courts, their deputies and assistants; to the Committee on the Judiciary.

By Mr. MURPHY: A bill (H. R. 3170) providing for the monthly payment of pensions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3171) providing for the purchase of a site and the erection thereon of a public building at Wellsville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3172) providing for the purchase of a site and the erection thereon of a public building at Barnesville, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3173) providing for the purchase of a site and the erection thereon of a public building at East Palestine, in the State of Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3174) to increase the limit of cost of public building at Steubenville, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. RHODES: A bill (H. R. 3175) to establish a national military park to commemorate the Battle of Pilot Knob, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 3176) granting additional pay to all enlisted men of the military and naval forces of the United States who served during the war against Germany; to the Committee on Ways and Means.

By Mr. SCHALL: A bill (H. R. 3177) to provide for the nomination and selection of candidates for the offices of President, Vice President, Senators, and Representatives in Congress, for the election of such candidates to office, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, a bill (H. R. 3178) to provide for a modification of the time calendar now in general use in the United States, the modified form to be known as the liberty calendar; to the Committee on the Judiciary.

By Mr. SPROUL: A bill (H. R. 3179) to provide for the purchase of a site and the erection of a public building at Harvey, in the State of Illinois; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 3180) to provide for the purchase of a post-office site at Ozark, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3181) to provide for the erection of a public building at Union Springs, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. TEN EYCK: A bill (H. R. 3182) directing the Tariff Commission to adjust rates of duties on imported articles for revenue; to the Committee on Ways and Means.

By Mr. WALSH: A bill (H. R. 3183) to further amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898; to the Committee on the Judiciary.

By Mr. WOODRUFF: A bill (H. R. 3184) to amend an act entitled "An act for the relief of the Saginaw, Swan Creek, and Black River Band of Chippewa Indians in the State of Michigan, and for other purposes," approved June 25, 1910; to the Committee on Indian Affairs.

By Mr. WURZBACH: A bill (H. R. 3185) to divide the northern judicial district of the State of Texas into two judicial districts, which shall be called the northern judicial district and the northwestern judicial district of Texas, and to divide the western district into two districts, which shall be called the western judicial district and the middle judicial district of Texas; to the Committee on the Judiciary.

By Mr. RHODES: A bill (H. R. 3186) providing pensions for needy mothers having custody of dependent children under the age of 16 years; to the Committee on Labor.

Also, a bill (H. R. 3187) providing pensions for the aged poor, the needy blind, and other permanently disabled persons whose annual income does not exceed $500; to the Committee on Labor.

By Mr. SINCLAIR: A bill (H. R. 3188) to establish the Kildeer Mountain National Park in the State of North Dakota, and for other purposes; to the Committee on the Public Lands.

By Mr. ACKERMAN: A bill (H. R. 3189) authorizing the accounting officers of the Treasury to adjust certain accounts of certain diplomatic and consular officers; to the Committee on Foreign Affairs.

By Mr. BRAND: A bill (H. R. 3190) authorizing the President of the United States to appoint a judge or judges to preside in the Supreme Court of the United States when any member or members thereof are disqualified; to the Committee on the Judiciary.

By Mr. GREEN of Iowa: A bill (H. R. 3191) to repeal section 500 of the act to increase revenue, approved October 3, 1917, as amended by section 500 of the act to provide revenue, approved February 24, 1919; to the Committee on Ways and Means.

By Mr. IRELAND: A bill (H. R. 3192) extending the benefits of the $60 bonus provided under title 14, section 1406, of an act entitled "An act to provide revenue, and for other purposes,"

approved February 24, 1919, to certain soldiers, sailors, and marines; to the Committee on Ways and Means.

By Mr. JOHNSON of Kentucky: A bill (H. R. 3193) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870; to the Committee on the District of Columbia.

By Mr. LARSEN of Georgia: A bill (H. R. 3194) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Eastman, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3195) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Fort Valley, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3196) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Hawkinsville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3197) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Vidalia, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 3198) for the allowance of certain claims for difference in pay growing out of service in the Navy, as reported by the Court of Claims; to the Committee on Claims.

Also, a bill (H. R. 3199) for the payment of certain soldiers' claims for back pay growing out of service in the Army of the United States, as reported by the Court of Claims; to the Committee on War Claims.

By Mr. MAGEE: A bill (H. R. 3200) to amend an act providing for the erection of a public building at Syracuse, N. Y., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. WASON: A bill (H. R. 3201) to provide for the purchase of a site and the erection of a public building thereon at Peterboro, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3202) to provide for the purchase of a site and for the erection of a public building thereon at Claremont, in the State of New Hampshire; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Indiana: A bill (H. R. 3203) to provide for the health and safety of employees of carriers by railroad subject to the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. PETERS: A bill (H. R. 3204) regulating the rank, pay, and allowances of retired officers of the Navy and Marine Corps assigned to active duty; to the Committee on Naval Affairs.

By Mr. VOLSTEAD: A bill (H. R. 3205) to amend an act entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1021; to the Committee on the Judiciary.

Also, a bill (H. R. 3206) providing for the purchase of a site and the erection of a public building at Marshall, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3207) providing for the purchase of a site and the erection of a public building at Litchfield, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. HILL: A bill (H. R. 3208) to repeal the national prohibition act; to the Committee on the Judiciary.

By Mr. MOORES of Indiana: A bill (H. R. 3209) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein; also to give to retired employees a limited status for reinstatement in certain cases, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. LEHLBACH: A bill (H. R. 3210) to make Newark, N. J., a port through which merchandise may be imported for transportation without appraisement; to the Committee on Ways and Means.

Also, a bill (H. R. 3211) to provide for the improvement of navigable rivers and harbors; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3212) to amend an act entitled "An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China," approved July 16, 1918; to the Committee on Pensions.

By Mr. SCHALL: Joint resolution (H. J. Res. 50) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, joint resolution (H. J. Res. 51) providing for a recommendation of pardon and amnesty for all military offenders whose military offenses do not involve moral turpitude and were committed between April 6, 1917, and January 1, 1920; to the Committee on the Judiciary.

By Mr. KINKAID: Joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior in his discretion to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914; to the Committee on Irrigation of Arid Lands.

By Mr. GRAHAM of Pennsylvania: Concurrent resolution (H. Con. Res. 10) for the appointment of a committee composed of five Senators and seven Members of the House to consider legislation relative to the courts of the United States; to the Committee on Rules.

By Mr. DYER: Resolution (H. Res. 44) authorizing the doorkeeper to appoint an attendant for the ladies' reception room; to the Committee on Accounts.

By Mr. IRELAND: Resolution (H. Res. 45) authorizing additional messengers in the House post office; to the Committee on Accounts.

By Mr. WOODRUFF: Resolution (H. Res. 46) authorizing the Committee on Interstate and Foreign Commerce to investigate an alleged discrimination of the United States Railroad Administration between American and foreign shippers; to the Committee on Rules.

By Mr. MURPHY: Resolution (H. Res. 47) for the appointment of a clerk to the Committee on Expenditures in the Department of Commerce; to the Committee on Accounts.

By Mr. KENDALL: Resolution (H. Res. 48) appointing a committee to investigate the management and operation of Markleton Hospital by the United States Public Health Service; to the Committee on Rules.

By Mr. LEHLBACH: Resolution (H. Res. 49) to provide for additional clerical help for the Committee on Reform in the Civil Service; to the Committee on Accounts.

Also, resolution (H. Res. 50) to provide for a janitor to the Committee on Reform in the Civil Service; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the State of Minnesota in connection with nullifying intrastate railroad rates; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Minnesota in connection with emergency tariff legislation; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Minnesota in connection with the suspension of immigration; to the Committee on Immigration and Naturalization.

By Mr. BRIGGS: Memorial of the Legislature of Texas urging the reimbursement of the so-called cotton tax; to the Committee on Ways and Means.

By Mr. CHRISTOPHERSON: Memorial of the Legislature of the State of South Dakota in connection with investigation of the coal industry; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with establishment of a bureau of veteran rehabilitation in the Department of the Interior; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with the designation of Fort Meade as a military hospital; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of South Dakota in connection with amendment of the transportation act; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota in connection with Government censorship of moving pictures; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: Memorial of the Minnesota Legislature memorializing the Congress of the United States to suspend immigration until a selective system of immigration be established; to the Committee on Immigration and Naturalization.

By Mr. SNELL: Memorial of the Legislature of the State of New York indorsing the passage of Snell forestry bill (H. R. 15327); to the Committee on Agriculture.

Also, memorial of the Legislature of the State of New York petitioning to have the treaty between the United States and

Great Britain limiting the diversion of Niagara River waters amended to the end that 40,000 cubic second-feet of water can be diverted for power purposes on the Canadian side of the Niagara River and an equal amount on the American side of the Niagara River; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALMON: A bill (H. R. 3213) granting a pension to Alcey Thompson; to the Committee on Invalid Pensions.

By Mr. ANSORGE: A bill (H. R. 3214) for the relief of Mrs. Washington T. Potter-Romaine; to the Committee on Claims.

Also, a bill (H. R. 3215) for the relief of Charles W. Anderson; to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 3216) for the relief of George T. Larkin; to the Committee on Claims.

By Mr. BIRD: A bill (H. R. 3217) for the relief of Frank Frederick Reasler; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 3218) for the relief of Paul J. Spillane; to the Committee on Military Affairs.

Also, a bill (H. R. 3219) granting a pension to Lillie M. Peairs; to the Committee on Invalid Pensions.

By Mr. BLAND of Indiana: A bill (H. R. 3220) granting an increase of pension to William Homer Edwards; to the Committee on Pensions.

Also, a bill (H. R. 3221) granting a pension to Louisa Watson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3222) authorizing the Secretary of War to donate to the city of Bicknell, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3223) authorizing the Secretary of War to donate to the city of Worthington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3224) authorizing the Secretary of War to donate to the city of Carlisle, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3225) authorizing the Secretary of War to donate to the city of Sullivan, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3226) authorizing the Secretary of War to donate to the city of Loogootee, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3227) authorizing the Secretary of War to donate to the city of Spencer, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3228) authorizing the Secretary of War to donate to the city of Bloomington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3229) authorizing the Secretary of War to donate to the city of Martinsville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3230) authorizing the Secretary of War to donate to the city of Linton, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3231) authorizing the Secretary of War to donate to the city of Bloomfield, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3232) authorizing the Secretary of War to donate to the city of Washington, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3233) authorizing the Secretary of War to donate to the city of Vincennes, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3234) authorizing the Secretary of War to donate to the city of Shoals, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BOIES: A bill (H. R. 3235) authorizing the Secretary of War to donate to the city of Storm Lake, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3236) authorizing the Secretary of War to donate to the city of Cherokee, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3237) authorizing the Secretary of War to donate to the city of Spencer, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3238) authorizing the Secretary of War to donate to the city of Spirit Lake, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3239) authorizing the Secretary of War to donate to the city of Orange City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3240) authorizing the Secretary of War to donate to the city of Sac City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3241) authorizing the Secretary of War to donate to the city of Le Mars, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3242) authorizing the Secretary of War to donate to the city of Sibley, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3243) authorizing the Secretary of War to donate to the city of Primghar, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3244) authorizing the Secretary of War to donate to the city of Onawa, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3245) authorizing the Secretary of War to donate to the city of Rock Rapids, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3246) authorizing the Secretary of War to donate to the city of Ida Grove, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3247) authorizing the Secretary of War to donate to the city of Sioux City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3248) granting a pension to Sarah M. Youngs; to the Committee on Invalid Pensions.

By Mr. BRIGGS: A bill (H. R. 3249) for the relief of certain employees of the Bureau of Lighthouses; to the Committee on Claims.

Also, a bill (H. R. 3250) to authorize the Secretary of Commerce to convey to Augustus S. Peabody certain land in Galveston County, Tex.; to the Committee on the Public Lands.

Also, a bill (H. R. 3251) authorizing and directing the Secretary of War to donate to the town of Coldspring, Tex., one captured German cannon or fieldpiece, with carriage, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 3252) authorizing and directing the Secretary of War to donate to the town of Groveton, Tex., one captured German cannon or fieldpiece, with carriage, for decorative and patriotic purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 3253) authorizing the Secretary of War to donate to the town of Anahuac, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3254) authorizing the Secretary of War to donate to the city of Livingston, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3255) authorizing the Secretary of War to donate to the town of Liberty, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3256) authorizing the Secretary of War to donate to the city of Galveston, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3257) authorizing the Secretary of War to donate to the town of Huntsville, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3258) authorizing the Secretary of War to donate to the city of Palestine, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3259) authorizing the Secretary of War to donate to the town of Conroe, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3260) authorizing the Secretary of War to donate to the town of Crockett, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BURTON: A bill (H. R. 3261) for the relief of Frederick E. Luff; to the Committee on Claims.

Also, a bill (H. R. 3262) for the relief of Silas McElroy; to the Committee on Claims.

By Mr. BUTLER: A bill (H. R. 3263) for the relief of Jabez Burchard; to the Committee on Naval Affairs.

By Mr. CANTRILL: A bill (H. R. 3264) granting an increase of pension to Sallie M. Cohen; to the Committee on Pensions.

Also, a bill (H. R. 3265) to carry out the findings of the Court of Claims in the case of Andrew S. Bloom, deceased; to the Committee on Claims.

Also, a bill (H. R. 3266) to carry out the findings of Court of Claims in the case of Hubbard K. Milward; to the Committee on Claims.

Also, a bill (H. R. 3267) granting a pension to Charles W. Vogler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3268) for the relief of the legal representatives of James M. Holladay, deceased; to the Committee on War Claims.

By Mr. CARTER: A bill (H. R. 3269) for the relief of the heirs of Israel Folsom, deceased; to the Committee on Claims.

By Mr. CHALMERS: A bill (H. R. 3270) for the relief of Estella Barnett; to the Committee on Claims.

Also, a bill (H. R. 3271) granting an increase of pension to Virginia Saum; to the Committee on Invalid Pensions.

By Mr. CODD: A bill (H. R. 3272) for the relief of Robert June; to the Committee on Claims.

By Mr. CONNOLLY of Pennsylvania: A bill (H. R. 3273) for the relief of Joseph W. Skill; to the Committee on Claims.

Also, a bill (H. R. 3274) for the relief of Annie McColgan; to the Committee on Claims.

Also, a bill (H. R. 3275) authorizing the Secretary of War to donate to Oxley Post No. 133, American Legion, of Philadelphia, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3276) authorizing the Secretary of War to donate to the fifth congressional district of the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 3277) granting a pension to Julia A. Atkinson; to the Committee on Pensions.

Also, a bill (H. R. 3278) granting an increase of pension to Helen L. Greene; to the Committee on Pensions.

Also, a bill (H. R. 3279) to refund certain duties paid by the Nash Motors Co.; to the Committee on Claims.

By Mr. DALE: A bill (H. R. 3280) granting a pension to George A. Willey; to the Committee on Pensions.

Also, a bill (H. R. 3281) granting an increase of pension to Sadie J. Waldo; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 3282) granting a pension to Lola E. Hutsonpillar; to the Committee on Invalid Pensions.

By Mr. FREAR: A bill (H. R. 3283) to carry out the findings of the Court of Claims in the case of James Deery; to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 3284) authorizing the Secretary of War to donate to the village of Durand, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3285) authorizing the Secretary of War to donate to the village of Capron, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 3286) granting an increase of pension to Frances Wilson; to the Committee on Invalid Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 3287) granting a pension to Elias J. Quick; to the Committee on Pensions.

Also, a bill (H. R. 3288) granting a pension to Lucy M. Tilson; to the Committee on Invalid Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 3289) granting a pension to Mamie Van Tuyl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3290) granting a pension to Mary E. Kirk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3291) granting a pension to Mary E. Kerr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3292) granting a pension to Lillie A. Foster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3293) granting a pension to Willard D. Brittell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3294) granting a pension to Elena M. Medina; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3295) granting an increase of pension to Maria Manuela Lobato; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3296) granting an increase of pension to Charles B. Ross; to the Committee on Pensions.

By Mr. HAWES: A bill (H. R. 3297) granting an increase of pension to Catharine Fitzgerald; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 3298) to increase the cost of the public building at Globe, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3299) for the erection of a public building at the city of Tucson, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3300) to provide for the erection of a public building at Prescott, in the State of Arizona; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3301) to provide for the erection of a public building at Grand Canyon, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3302) to provide for the purchase of a site and the erection of a public building at Yuma, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3303) for the purchase of a site and the erection of a public building at Kingman, Ariz.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3304) for the purchase of a site and the erection of a public building at Winslow, Ariz.; to the Committee on Public Buildings and Grounds.

By Mr. HUDSPETH: A bill (H. R. 3305) for the relief of Anna M. Tobin; to the Committee on Claims.

By Mr. IRELAND: A bill (H. R. 3306) granting a pension to Mary K. Ward; to the Committee on Pensions.

Also, a bill (H. R. 3307) granting a pension to Emma J. Pemble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3308) for the relief of Ira M. Buckingham; to the Committee on Claims.

Also, a bill (H. R. 3309) granting an increase of pension to Martha A. Anderson; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 3310) granting an increase of pension to Susan Penn; to the Committee on Pensions.

Also, a bill (H. R. 3311) for the relief of Dora Jane Smiley; to the Committee on Indian Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 3312) authorizing the Secretary of War to donate to the borough of Glassport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3313) authorizing the Secretary of War to donate to the borough of Port Vue, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3314) authorizing the Secretary of War to donate to the borough of Wilkinsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3315) authorizing the Secretary of War to donate to the city of McKeesport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3316) authorizing the Secretary of War to donate to the borough of East Pittsburgh, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3317) authorizing the Secretary of War to donate to the borough of Liberty, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3318) authorizing the Secretary of War to donate to the borough of Braddock, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3319) authorizing the Secretary of War to donate to the township of Elizabeth, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3320) authorizing the Secretary of War to donate to the borough of Pitcairn, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3321) authorizing the Secretary of War to donate to the borough of Verona, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3322) authorizing the Secretary of War to donate to the borough of Turtle Creek, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KENDALL: A bill (H. R. 3323) granting a pension to Jacob Shultz; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 3324) granting a pension to Alonzo Tomlinson; to the Committee on Pensions.

By Mr. KINCHELOE: A bill (H. R. 3325) authorizing the Secretary of War to donate to the Jefferson Davis Home Association two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3326) authorizing the Secretary of War to donate to the city of Morganfield, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3327) authorizing the Secretary of War to donate to the city of Owensboro, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3328) authorizing the Secretary of War to donate to the city of Hopkinsville, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3329) authorizing the Secretary of War to donate to the city of Madisonville, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3330) authorizing the Secretary of War to donate to the city of Henderson, State of Kentucky, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3331) authorizing the Secretary of War to donate to the city of Uniontown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3332) authorizing the Secretary of War to donate to the city of Dixon, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3333) authorizing the Secretary of War to donate to the town of Sturgis, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3334) authorizing the Secretary of War to donate to the city of Hawesville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3335) authorizing the Secretary of War to donate to the city of Calhoun, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 3336) granting a pension to Parthenia Robinson; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 3337) granting a pension to Mary J. Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3338) granting a pension to Fedilia Avery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3339) granting a pension to James Pace; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3340) granting a pension to Hattie E. Boyd; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 3341) authorizing the Secretary of War to donate to the city of Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3342) authorizing the Secretary of War to donate to the city of Cudahy, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3343) authorizing the Secretary of War to donate to the city of Wauwatosa, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3344) authorizing the Secretary of War to donate to the city of South Milwaukee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3345) authorizing the Secretary of War to donate to the city of West Allis, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3346) for the relief of the heirs of Oscar Chrysler; to the Committee on Claims.

Also, a bill (H. R. 3347) granting a pension to Albert Beiro; to the Committee on Pensions.

Also, a bill (H. R. 3348) granting a pension to Julius Jensen; to the Committee on Pensions.

Also, a bill (H. R. 3349) granting a pension to Charles W. Brush; to the Committee on Pensions.

Also, a bill (H. R. 3350) granting an increase of pension to John Swift; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3351) granting a pension to Philip Stokes; to the Committee on Pensions.

Also, a bill (H. R. 3352) for the relief of Bill Vassel; to the Committee on Claims.

Also, a bill (H. R. 3353) granting an increase of pension to W. Y. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3354) granting a pension to Eliza Burns; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 3355) authorizing the Secretary of War to donate to the city of Washington, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LAWRENCE: A bill (H. R. 3356) authorizing the Secretary of War to donate to the city of Gallatin, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3357) authorizing the Secretary of War to donate to the city of Bethany, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3358) authorizing the Secretary of War to donate to the city of Princeton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3359) authorizing the Secretary of War to donate to the town of Liberty, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3360) authorizing the Secretary of War to donate to the city of Grant City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3361) authorizing the Secretary of War to donate to the city of Albany, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3362) authorizing the Secretary of War to donate to the city of Cameron, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3363) authorizing the Secretary of War to donate to the city of Richmond, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3364) authorizing the Secretary of War to donate to the city of Kingston, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3365) authorizing the Secretary of War to donate to the city of Maysville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3366) authorizing the Secretary of War to donate to the city of Plattsburg, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3367) authorizing the Secretary of War to donate to the city of Excelsior Springs, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LINEBERGER: A bill (H. R. 3368) authorizing the Secretary of War to donate to the city of Claremont, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3369) authorizing the Secretary of War to donate to the city of Monrovia, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3370) authorizing the Secretary of War to donate to the city of Long Beach, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3371) authorizing the Secretary of War to donate to the city of Van Nuys, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3372) authorizing the Secretary of War to donate to the city of Covina, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 3373) granting a pension to John H. Stewart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3374) granting a pension to Usley Akers; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 3375) for the relief of the estate of Henry Ware, deceased; to the Committee on War Claims.

Also, a bill (H. R. 3376) authorizing the Secretary of War to donate to the city of Oberlin, La., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3377) authorizing the Secretary of War to donate to the city of Opelousas, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3378) authorizing the Secretary of War to donate to the city of Jennings, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3379) authorizing the Secretary of War to donate to the city of Ville Platte, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3380) authorizing the Secretary of War to donate to the city of Cameron, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3381) authorizing the Secretary of War to donate to the city of Lake Charles, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3382) authorizing the Secretary of War to donate to the city of Crowley, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3383) authorizing the Secretary of War to donate to the city of De Ridder, State of Louisiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3384) granting an increase of pension to Clayton E. Blackwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3385) for the relief of the Stevens Institute of Technology, of Hoboken, N. J.; to the Committee on Claims.

Also, a bill (H. R. 3386) authorizing the Secretary of War to donate to the town of Irvington, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3387) authorizing the Secretary of War to donate to the city of Newark, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3388) authorizing the Secretary of War to donate to the village of South Orange, State of New Jersey, one German war tank; to the Committee on Military Affairs.

By Mr. McARTHUR: A bill (H. R. 3389) for the relief of the Portland Iron Works; to the Committee on Claims.

By Mr. McKENZIE: A bill (H. R. 3390) granting a pension to Henry A. Rowley; to the Committee on Pensions.

By Mr. MAGEE: A bill (H. R. 3391) granting a pension to Elizabeth Sanborn; to the Committee on Pensions.

By Mr. MANN: A bill (H. R. 3392) authorizing the Secretary of War to donate to the city of Chicago, State of Illinois, two German cannons or fieldpieces, to be placed in West Pullman Park; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 3393) granting a pension to Abigail Snay; to the Committee on Pensions.

By Mr. MANSFIELD: A bill (H. R. 3394) authorizing the Secretary of War to donate to the city of Gonzales, Tex., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 3395) granting a pension to Mary Rafferty; to the Committee on Pensions.

By Mr. MICHENER: A bill (H. R. 3396) granting a pension to Rebecca Welker; to the Committee on Invalid Pensions.

By Mr. MILLSPAUGH: A bill (H. R. 3397) authorizing the Secretary of War to donate to the city of Kirksville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3398) authorizing the Secretary of War to donate to the city of Kahoka, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3399) authorizing the Secretary of War to donate to the city of Edina, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3400) authorizing the Secretary of War to donate to the city of Monticello, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3401) authorizing the Secretary of War to donate to the city of Canton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3402) authorizing the Secretary of War to donate to the city of Macon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3403) authorizing the Secretary of War to donate to the city of Palmyra, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3404) authorizing the Secretary of War to donate to the city of Hannibal, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3405) authorizing the Secretary of War to donate to the city of Unionville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3406) authorizing the Secretary of War to donate to the city of Lancaster, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3407) authorizing the Secretary of War to donate to the city of Glenwood, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3408) authorizing the Secretary of War to donate to the city of Memphis, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3409) authorizing the Secretary of War to donate to the city of Shelbyville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONTAGUE: A bill (H. R. 3410) for the relief of the owners of the British steamship *Clearpool;* to the Committee on Claims.

By Mr. MOORE of Illinois: A bill (H. R. 3411) granting an increase of pension to Sarah A. Judson; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 3412) granting a pension to Amanda Pearch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3413) granting a pension to Clara Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3414) granting a pension to Sadie Wesley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3415) granting a pension to Mary Orr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3416) granting a pension to Winfield H. Handley; to the Committee on Pensions.

Also, A bill (H. R. 3417) granting a pension to Mary A. Coulter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3418) granting a pension to Rose Anne Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3419) granting a pension to Ettie McPeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3420) granting a pension to Elmer E. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3421) granting a pension to Lois A. Bentz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3422) granting a pension to Sarah J. Vanfossan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3423) for the relief of Rudolph W. Archer; to the Committee on Claims.

Also, a bill (H. R. 3424) to correct the military record of George Duncan; to the Committee on Military Affairs.

Also, a bill (H. R. 3425) for the relief of Benjamin R. Buffington; to the Committee on Military Affairs.

By Mr. O'CONNOR: A bill (H. R. 3426) for the relief of Harold Kernan; to the Committee on Claims.

By Mr. OGDEN: A bill (H. R. 3427) granting a pension to Isaac E. McClure; to the Committee on Pensions.

Also, a bill (H. R. 3428) granting a pension to George Byrne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3429) for the relief of Pirtle Handley; to the Committee on Claims.

Also, a bill (H. R. 3430) for the relief of William Koop; to the Committee on Claims.

Also, a bill (H. R. 3431) for the relief of Christine Brenzinger; to the Committee on Claims.

Also, a bill (H. R. 3432) granting a permanent disability allowance to Capt. Wallace M. Coulson; to the Committee on Military Affairs.

Also, a bill (H. R. 3433) granting a pension to Katherine Schone; to the Committee on Pensions.

Also, a bill (H. R. 3434) granting a pension to Ellen McComb; to the Committee on Pensions.

Also, a bill (H. R. 3435) for the relief of the legal heirs of Mildred Eberlein, deceased; to the Committee on Claims.

Also, a bill (H. R. 3436) granting an increase of pension to Mary O. Horton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3437) granting an increase of pension to Annie E. Gore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3438) for the relief of John J. Tully; to the Committee on Claims.

Also, a bill (H. R. 3439) granting a pension to Beulah Hopkins; to the Committee on Pensions.

Also, a bill (H. R. 3440) for the relief of the National Laundry Co.; to the Committee on Claims.

Also, a bill (H. R. 3441) authorizing the Secretary of War to donate to the city of Louisville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3442) authorizing the Secretary of War to donate to the city of Anchorage, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLPP: A bill (H. R. 3443) authorizing the Secretary of War to donate to the town of Guttenberg, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3444) authorizing the Secretary of War to donate to the town of Secaucus, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3445) authorizing the Secretary of War to donate to the township of Weehawken, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3446) authorizing the Secretary of War to donate to the city of Jersey City, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3447) authorizing the Secretary of War to donate to the town of West Hoboken, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3448) authorizing the Secretary of War to donate to the town of West New York, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3449) authorizing the Secretary of War to donate to the town of Union, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3450) authorizing the Secretary of War to donate to the city of Hoboken, State of New Jersey, one German cannon or fieldpiece, to the Committee on Military Affairs.

Also, a bill (H. R. 3451) authorizing the Secretary of War to donate to the township of North Bergen, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON of New Jersey: A bill (H. R. 3452) authorizing the Secretary of War to donate to the village of Chews, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3453) authorizing the Secretary of War to donate to the town of Williamstown, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3454) authorizing the Secretary of War to donate to the borough of Elmer, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3455) authorizing the Secretary of War to donate to the borough of Merchantville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3456) authorizing the Secretary of War to donate to the borough of Glassboro, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3457) authorizing the Secretary of War to donate to the borough of Pitman, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3458) authorizing the Secretary of War to donate to the borough of Paulsboro, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3459) authorizing the Secretary of War to donate to the borough of National Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3460) to complete the military record of Jacob W. Starr; to the Committee on Military Affairs.

Also, a bill (H. R. 3461) for the relief of Eugene Fazzi; to the Committee on Claims.

By Mr. PERKINS: A bill (H. R. 3462) granting a pension to Lillian S. Dodds; to the Committee on Invalid Pensions.

By Mr. RANSLEY: A bill (H. R. 3463) for the relief of James B. Conner; to the Committee on Claims.

Also, a bill (H. R. 3464) awarding a medal of honor to Albert S. Denning; to the Committee on Military Affairs.

By Mr. REBER: A bill (H. R. 3465) granting a pension to Susanna Thomas; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 3466) granting a pension to Guss Hughes; to the Committee on Pensions.

Also, a bill (H. R. 3467) granting a pension to David A. Patton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3468) granting a pension to Lelia Stuart; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 3469) authorizing the Secretary of War to donate to the town of Falconer, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3470) authorizing the Secretary of War to donate to the town of Little Valley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3471) authorizing the Secretary of War to donate to the village of West Valley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3472) authorizing the Secretary of War to donate to the village of Sheridan, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3473) authorizing the Secretary of War to donate to the city of Dunkirk, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3474) authorizing the Secretary of War to donate to the city of Olean, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3475) authorizing the Secretary of War to donate to the city of Jamestown, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3476) authorizing the Secretary of War to donate to the city of Salamanca, State of New York, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3477) authorizing the Secretary of War to donate to the town of Sherman, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3478) authorizing the Secretary of War to donate to the town of Cattaraugus, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3479) authorizing the Secretary of War to donate to the town of Cherry Creek, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3480) authorizing the Secretary of War to donate to the town of Franklinville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3481) authorizing the Secretary of War to donate to the town of Silver Creek, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3482) authorizing the Secretary of War to donate to the town of Ripley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3483) authorizing the Secretary of War to donate to the town of Forestville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 3484) authorizing the Secretary of War to donate to the town of Brocton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3485) authorizing the Secretary of War to donate to the town of Randolph, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3486) authorizing the Secretary of War to donate to the town of Stockton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3487) authorizing the Secretary of War to donate to the town of Cuba, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3488) authorizing the Secretary of War to donate to the town of Wellsville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3489) authorizing the Secretary of War to donate to the town of Belmont, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3490) authorizing the Secretary of War to donate to the town of Westfield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3491) authorizing the Secretary of War to donate to the town of Bolivar, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3492) authorizing the Secretary of War to donate to the town of Fredonia, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 3493) granting an increase of pension to Della A. Cooter; to the Committee on Pensions.

Also, a bill (H. R. 3494) granting an increase of pension to George W. Burleson; to the Committee on Pensions.

By Mr. RHODES: A bill (H. R. 3495) granting a pension to John L. Ware; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3496) for the relief of William H. Price, alias William Sweeney, alias John Sweeney; to the Committee on Military Affairs.

By Mr. ROUSE: A bill (H. R. 3497) granting an increase of pension to Bridget Maloney; to the Committee on Invalid Pensions.

By Mr. STINESS: A bill (H. R. 3498) granting a pension to Mary E. Burdick; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 3499) for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota; to the Committee on Claims.

By Mr. STOLL: A bill (H. R. 3500) for the relief of Robert J. Kirk; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 3501) granting a pension to Emma J. Mason; to the Committee on Pensions.

By Mr. STOLL: A bill (H. R. 3502) for the relief of J. M. Holladay; to the Committee on Claims.

By Mr. SNYDER: A bill (H. R. 3503) authorizing the Secretary of War to donate to the city of New Hartford, N. Y., one

German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SIEGEL: A bill (H. R. 3504) for the relief of Lewis W. Flaunlacher; to the Committee on Claims.

By Mr. STEPHENS: A bill (H. R. 3505) granting an increase of pension to Ellen S. Mussey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3506) granting a pension to Mark T. Smith; to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 3507) for the relief of Mary E. Jolly; to the Committee on Claims.

By Mr. STEPHENS: A bill (H. R. 3508) for the relief of Capt. J. S. Carpenter, Pay Corps, United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3509) for the relief of Capt. D. H. Tribou, chaplain, United States Navy; to the Committee on Naval Affairs.

By Mr. THOMAS: A bill (H. R. 3510) granting a pension to Isa Ann Boyd; to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 3511) granting a pension to John E. Evans; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 3512) authorizing the Secretary of War to donate to the city of Englewood, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3513) granting an increase of pension to Nancy E. Spilman; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 3514) to place Albert Hamilton on the retired list of the United States Navy; to the Committee on Naval Affairs.

Also, a bill (H. R. 3515) authorizing the President to reinstate William Lloyd Wright as a lieutenant commander in the United States Navy; to the Committee on Naval Affairs.

By Mr. WASON: A bill (H. R. 3516) authorizing the Secretary of War to donate to the town of Claremont, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3517) authorizing the Secretary of War to donate to the town of Plymouth, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3518) authorizing the Secretary of War to donate to the town of Littleton, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 3519) granting a pension to Cornelia A. Deal; to the Committee on Pensions.

By Mr. WOODRUFF: A bill (H. R. 3520) granting a pension to Sarah E. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3521) granting a pension to Emma L. Williams; to the Committee on Pensions.

Also, a bill (H. R. 3522) granting a pension to Andrew J. Shepherd; to the Committee on Pensions.

Also, a bill (H. R. 3523) granting a pension to Lizzie M. Iott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3524) granting a pension to John Halpen; to the Committee on Pensions.

Also, a bill (H. R. 3525) granting a pension to Sarah Blakely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3526) granting a pension to Esther Adele Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3527) granting an increase of pension to Samantha Sedore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) granting an increase of pension to Frank Haight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3529) granting an increase of pension to David Sedore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3530) granting an increase of pension to Jay Cobb; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3531) granting a pension to Emeline Burley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3532) for the relief of Frank Alger; to the Committee on Claims.

Also, a bill (H. R. 3533) granting an increase of pension to Anna Duplanta; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3534) granting a pension to Charlotte I. Mallory; to the Committee on Pensions.

Also, a bill (H. R. 3535) granting a pension to William Buckwheat, jr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3536) granting an increase of pension to Samuel D. Might; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3537) granting a pension to Adell J. Squires; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3538) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3539) granting a pension to Martha Thornton; to the Committee on Pensions.

Also, a bill (H. R. 3540) granting a pension to Linda Whetsel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3541) granting an increase of pension to Lucinda Wilson; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 3542) granting an increase of pension to Lydia Humes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3543) granting an increase of pension to Phoebe Miller; to the Committee on Invalid Pensions.

By Mr. WOODRUFF: A bill (H. R. 3544) authorizing the Secretary of War to donate to the village of Mecosta, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3545) authorizing the Secretary of War to donate to the city of West Branch, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3546) authorizing the Secretary of War to donate to the city of Harrisville, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3547) authorizing the Secretary of War to donate to the city of Standish, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3548) authorizing the Secretary of War to donate to the city of Big Rapids, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3549) authorizing the Secretary of War to donate to the city of Gladwin, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3550) authorizing the Secretary of War to donate to the city of Mount Pleasant, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3551) authorizing the Secretary of War to donate to the city of Midland, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3552) authorizing the Secretary of War to donate to the city of Bay City, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3553) authorizing the Secretary of War to donate to the city of Grayling, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3554) authorizing the Secretary of War to donate to the city of Clare, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3555) authorizing the Secretary of War to donate to the village of Roscommon, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3556) authorizing the Secretary of War to donate to the county of Iosco, State of Michigan, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEEDY: A bill (H. R. 3557) authorizing the Secretary of War to donate to the city of Biddeford, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3558) authorizing the Secretary of War to donate to the town of Freeport, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3559) authorizing the Secretary of War to donate to the town of Sanford, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3560) authorizing the Secretary of War to donate to the city of Portland, State of Maine, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANTRILL: A bill (H. R. 3561) authorizing the Secretary of War to donate to the city of Stanton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3562) authorizing the Secretary of War to donate to the city of Lexington, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3563) authorizing the Secretary of War to donate to the city of Versailles, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3564) authorizing the Secretary of War to donate to the city of Owenton, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3565) authorizing the Secretary of War to donate to the city of Frankfort, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3566) authorizing the Secretary of War to donate to the city of New Castle, State of Kentucky, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3567) authorizing the Secretary of War to donate to the city of La Grange, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3568) authorizing the Secretary of War to donate to the city of Winchester, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3569) authorizing the Secretary of War to donate to the city of Paris, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3570) authorizing the Secretary of War to donate to the University of Kentucky, Lexington, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3571) authorizing the Secretary of War to donate to the city of Georgetown, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3572) authorizing the Secretary of War to donate to the city of Irvine, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3573) authorizing the Secretary of War to donate to the city of Beattyville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 3574) authorizing the Secretary of War to donate to the county of Nance, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3575) authorizing the Secretary of War to donate to the city of Norfolk, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3576) authorizing the Secretary of War to donate to the city of Fremont, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3577) authorizing the Secretary of War to donate to the city of Columbus, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3578) authorizing the Secretary of War to donate to the county of Wayne, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3579) authorizing the Secretary of War to donate to the county of Thurston, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3580) authorizing the Secretary of War to donate to the county of Stanton, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3581) authorizing the Secretary of War to donate to the county of Platte, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3582) authorizing the Secretary of War to donate to the county of Pierce, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3583) authorizing the Secretary of War to donate to the county of Merrick, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3584) authorizing the Secretary of War to donate to the county of Madison, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3585) authorizing the Secretary of War to donate to the county of Knox, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3586) authorizing the Secretary of War to donate to the county of Dakota, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3587) authorizing the Secretary of War to donate to the county of Cuming, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3588) authorizing the Secretary of War to donate to the county of Dodge, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3589) authorizing the Secretary of War to donate to the county of Dixon, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3590) authorizing the Secretary of War to donate to the county of Colfax, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3591) authorizing the Secretary of War to donate to the county of Cedar, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3592) authorizing the Secretary of War to donate to the county of Burt, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3593) authorizing the Secretary of War to donate to the county of Boone, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3594) authorizing the Secretary of War to donate to Antelope County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also a bill (H. R. 3595) authorizing the Secretary of War to donate to the city of Albion, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 3596) for the relief of the High Clothing Co. (Inc.); to the Committee on Claims.

Also, a bill (H. R. 3597) to remove the charge of desertion on the first enlistment of Daniel B. Stone, alias Nelson Davis; to the Committee on Military Affairs.

Also, a bill (H. R. 3598) for the relief of Nunzio Viola; to the Committee on Claims.

Also, a bill (H. R. 3599) authorizing the Secretary of War to donate to the borough of Glen Ridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3600) authorizing the Secretary of War to donate to the town of West Orange, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3601) for the relief of Margaret A. Twyman; to the Committee on Claims.

By Mr. LINEBERGER: A bill (H. R. 3602) authorizing the Secretary of War to donate to the city of Whittier, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3603) authorizing the Secretary of War to donate to the city of Pomona, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3604) authorizing the Secretary of War to donate to the city of Pasadena, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3605) authorizing the Secretary of War to donate to the city of Glendale, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RANKIN: A bill (H. R. 3606) authorizing the Secretary of War to donate to the city of Macon, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3607) authorizing the Secretary of War to donate to the city of Starkville, State of Mississippi, one German cannon or fieldpiece, to the Committee on Military Affairs.

Also, a bill (H. R. 3608) authorizing the Secretary of War to donate to the city of Columbus, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3609) authorizing the Secretary of War to donate to the city of Aberdeen, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3610) authorizing the Secretary of War to donate to the city of Amory, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3611) authorizing the Secretary of War to donate to the city of Fulton, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3612) authorizing the Secretary of War to donate to the city of Booneville, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3613) authorizing the Secretary of War to donate to the city of Corinth, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3614) authorizing the Secretary of War to donate to the city of Iuka, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3615) authorizing the Secretary of War to donate to the city of Tupelo, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 3616) authorizing the Secretary of War to donate to the city of Mountain City, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3617) authorizing the Secretary of War to donate to the city of Elizabethton, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3618) authorizing the Secretary of War to donate to the city of Kingsport, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3619) authorizing the Secretary of War to donate to the city of Johnson City, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3620) authorizing the Secretary of War to donate to the city of Greeneville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3621) authorizing the Secretary of War to donate to the city of Sevierville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3622) authorizing the Secretary of War to donate to the city of Tazewell, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3623) authorizing the Secretary of War to donate to the city of Erwin, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3624) authorizing the Secretary of War to donate to the city of Rogersville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3625) authorizing the Secretary of War to donate to the city of Newport, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3626) authorizing the Secretary of War to donate to the city of Rutledge, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 3627) authorizing the Secretary of War to donate to the town of Centralia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3628) authorizing the Secretary of War to donate to the city of Columbia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3629) authorizing the Secretary of War to donate to the town of Climax Springs, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3630) authorizing the Secretary of War to donate to the town of Macks Creek, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3631) authorizing the Secretary of War to donate to the town of Barnett, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3632) authorizing the Secretary of War to donate to the town of Brumley, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3633) authorizing the Secretary of War to donate to the town of Syracuse, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3634) authorizing the Secretary of War to donate to the town of Versailles, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3635) authorizing the Secretary of War to donate to the town of Ulman, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3636) authorizing the Secretary of War to donate to the town of Sturgeon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3637) authorizing the Secretary of War to donate to the town of Florence, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3638) authorizing the Secretary of War to donate to the town of Stoutland, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3639) authorizing the Secretary of War to donate to the town of Linn Creek, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3640) authorizing the Secretary of War to donate to the town of Jefferson City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3641) authorizing the Secretary of War to donate to the town of Russellville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3642) authorizing the Secretary of War to donate to the town of Blackwater, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3643) authorizing the Secretary of War to donate to the town of Prairie Home, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3644) authorizing the Secretary of War to donate to the town of Pilot Grove, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3645) authorizing the Secretary of War to donate to the town of Bunceton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3646) authorizing the Secretary of War to donate to the town of Boonville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3647) authorizing the Secretary of War to donate to the town of Jamestown, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3648) authorizing the Secretary of War to donate to the town of Latham, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3649) authorizing the Secretary of War to donate to the town of Tipton, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3650) authorizing the Secretary of War to donate to the town of California, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3651) authorizing the Secretary of War to donate to the town of Chamois, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3652) authorizing the Secretary of War to donate to the town of Linn, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3653) authorizing the Secretary of War to donate to the town of Iberia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3654) authorizing the Secretary of War to donate to the town of Eldon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3655) authorizing the Secretary of War to donate to the town of Tuscumbia, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3656) authorizing the Secretary of War to donate to the town of Rocheport, State of Missouri; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3657) authorizing the Secretary of War to donate to the town of Ashland, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 3658) authorizing the Secretary of War to donate to the city of Barnesville, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3659) authorizing the Secretary of War to donate to the city of Bagley, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3660) authorizing the Secretary of War to donate to the city of Mahnomen, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3661) authorizing the Secretary of War to donate to the city of Fergus Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3662) authorizing the Secretary of War to donate to the city of Ada, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3663) authorizing the Secretary of War to donate to the city of Moorhead, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3664) authorizing the Secretary of War to donate to the city of Hallock, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3665) authorizing the Secretary of War to donate to the city of Warren, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3666) authorizing the Secretary of War to donate to the city of Thief River Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3667) authorizing the Secretary of War to donate to the city of Detroit, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3668) authorizing the Secretary of War to donate to the city of Crookston, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3669) authorizing the Secretary of War to donate to the city of Red Lake Falls, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3670) authorizing the Secretary of War to donate to the city of Roseau, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3671) authorizing the Secretary of War to donate to the village of Donaldson, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3672) authorizing the Secretary of War to donate to the city of Breckenridge, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3673) authorizing the Secretary of War to donate to the village of Winger, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SPROUL: A bill (H. R. 3674) authorizing the Secretary of War to donate to the city of Blue Island, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3675) authorizing the Secretary of War to donate to the city of Lemont, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3676) authorizing the Secretary of War to donate to the city of Stager, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3677) authorizing the Secretary of War to donate to the city of Chicago Heights, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3678) authorizing the Secretary of War to donate to the city of Glenwood, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3679) authorizing the Secretary of War to donate to the city of Thornton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3680) authorizing the Secretary of War to donate to the city of Harvey, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3681) authorizing the Secretary of War to donate to the city of Beverly Hills (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3682) authorizing the Secretary of War to donate to the city of Englewood (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3683) authorizing the Secretary of War to donate to Morgan Park (Chicago), State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 3684) granting an increase of pension to Mary F. Kinser; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 3685) authorizing the Secretary of War to donate to the county of Logan, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3686) authorizing the Secretary of War to donate to the county of Cheyenne, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3687) authorizing the Secretary of War to donate to the park board of Longmont Park, of Longmont, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3688), authorizing the Secretary of War to donate to the county of Washington, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3689) authorizing the Secretary of War to donate to the county of El Paso, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3690) authorizing the Secretary of War to donate to the county of Morgan, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3691) authorizing the Secretary of War to donate to the county of Lincoln, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3692) authorizing the Secretary of War to donate to the county of Larimer, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3693) authorizing the Secretary of War to donate to the county of Phillips, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3694) authorizing the Secretary of War to donate to the county of Boulder, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3695) authorizing the Secretary of War to donate to the county of Elbert, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3696) authorizing the Secretary of War to donate to the county of Weld, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3697) authorizing the Secretary of War to donate to the county of Kit Carson, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3698) authorizing the Secretary of War to donate to the county of Arapahoe, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3699) authorizing the Secretary of War to donate to the county of Adams, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3700) authorizing the Secretary of War to donate to the town of Eaton, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3701) authorizing the Secretary of War to donate to the county of Sedgwick, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3702) authorizing the Secretary of War to donate to the county of Douglas, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3703) authorizing the Secretary of War to donate to the city of Manitou, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3704) authorizing the Secretary of War to donate to the county of Yuma, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3705) authorizing the Secretary of War to donate to the town of Limon, State of Colorado, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 3706) granting an increase of pension to William Stall; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

92. By the SPEAKER (by request): Memorial of delegates to the American amnesty convention for the release of political prisoners; to the Committee on the Judiciary.

93. Also, 136 petitions of 4,080 residents of Louisiana asking recognition of Ireland; to the Committee on Foreign Affairs.

94. By Mr. ARENTZ: Resolution passed by Nevada Council, No. 978, of the Knights of Columbus, February 10, 1921, protesting against the passage of the so-called Smith-Towner bill; to the Committee on Education.

95. Also, Nevada Assembly joint resolution 16, memoralizing the Congress of the United States to grant the State of Nevada 1,500,000 acres of land for the permanent school fund of the United States; to the Committee on the Public Lands.

96. Also, resolution by the Nevada State Veterinary Association regarding Lehlbach reclassification bill (H. R. 15225); to the Committee on Reform in the Civil Service.

97. Also, petition from optometrists, opticians, jewelers, and druggists of Reno, Nev., protesting against the special excise tax under Title IX of the war revenue tax law; to the Committee on Ways and Means.

98. Also, resolution adopted by the Nevada State Farm Bureau at Reno, Nev., January 22, 1921, favoring the passage of the Lehlbach reclassification bill; to the Committee on Reform in the Civil Service.

99. Also, petition of the officers and delegates of the American Association for the Recognition of the Irish Republic, of Nevada, for recognition of Ireland; to the Committee on Foreign Affairs.

100. By Mr. BRIGGS: Petition of council of the diocese of Texas asking for immediate steps looking to an international agreement for reduction of armaments; to the Committee on Foreign Affairs.

101. Also, petition of rural carriers for adjusted scale of compensation; to the Committee on the Post Office and Post Roads.

102. By Mr. CHALMERS: Petition of Put-in-Bay Yacht Club members to have 10 per cent tax on yachts repealed; to the Committee on Ways and Means.

103. By Mr. CULLEN: Petition of Victory Hall Association, of New York, urging justice for wounded men; to the Committee on Interstate and Foreign Commerce.

104. By Mr. DARROW: Petition of 363 residents of Philadelphia, Pa., protesting against the passage of the Capper-Fess physical education bill; to the Committee on Education.

105. By Mr. FITZGERALD: Petition of 1,519 citizens of Dayton, Ohio, urging the Congress of the United States to use their best efforts to open up the factories of the country by a full and free resumption of trade with the soviet government of Russia, and thereby place at work under fair conditions those who are now suffering from the present industrial depression; to the Committee on Interstate and Foreign Commerce.

106. By Mr. GALLIVAN: Petition of Workingmen's Cooperative Bank, Boston, Mass., favoring the enactment by Congress of an amendment to the income-tax law which will specifically exempt annual income to the extent of $500 when derived from investments in a domestic building and loan association or cooperative bank; also petition from C. A. Browning Co., Boston, Mass., protesting against passage of a sales tax; also petition of Samuel Noyes & Co., Boston, in connection with assessment of duty upon imported merchandise; to the Committee on Ways and Means.

107. By Mr. LINEBERGER: Petition of Fanny S. Bissell and 14 others, relative to the conditions at Ellis Island; to the Committee on Immigration.

108. By Mr. McARTHUR: Petition of Portland Chapter No. 2, American War Mothers re Grover C. Bergdoll; to the Committee on Military Affairs.

109. By Mr. MAGEE: Petition of Rev. Herman G. Dattan and other citizens of Syracuse, N. Y., protesting against alleged conditions in the occupied zone on the Rhine; to the Committee on Foreign Affairs.

110. By Mr. MANN: Petition of James F. Rowley and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

111. Also, petition of Theodore Zelinka and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

112. Also, petition of G. W. Kane and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

113. Also, petition of Charles Crawford and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

114. Also, petition of John O'Leary and other citizens of Chicago, Ill., favoring amendment to the Volstead enforcement law; to the Committee on the Judiciary.

115. Also, petition of Chauncey S. Curtis and other citizens of Chicago, Ill., favoring suspension of immigration for a period of three years to the United States, etc.; to the Committee on Immigration and Naturalization.

116. By Mr. MICHENER: Petition of Kleis Beverage Co., Ann Arbor, Mich., and Diekman Bottling Works, Monroe, Mich., referring to 10 per cent tax on bottled carbonated beverages; to the Committee on Ways and Means.

117. Also, petition of Packard Motor Car Co., Detroit, Mich., in reference to tariff on aluminum; to the Committee on Ways and Means.

118. Also, petition of Peter Scholler, president State board of examiners in optometry of Michigan; Kirk Optical Co., Adrian, Mich.; and Charles A. Blair, M. D., Morenci, Mich., in reference to excise tax on spectacles and eyeglasses; to the Committee on Ways and Means.

119. Also, petition of Jaxon Steel Products Division, Jackson, Mich., and secretary Wyandotte Board of Commerce, Wyandotte, Mich., referring to excess-profits tax, etc.; to the Committee on Ways and Means.

120. Also, petition of Austin Church, Trenton, Mich., and others asking for repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

121. Also, petition of Daisy Manufacturing Co., Plymouth, Mich., in reference to tariff on toy guns; to the Committee on Ways and Means.

122. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, petitioning the Congress to take the necessary action to bring about the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

123. By Mr. SANDERS of New York: Petition of Mary E. Bond and 80 other residents of Bliss, N. Y., and vicinity, favoring a duty of $5 on every imported canary; to the Committee on Ways and Means.

124. Also, petition of John G. Elbs, of Rochester, N. Y., seeking a tariff on macaroni products ranging from 3½ cents to 8 cents per pound; to the Committee on Ways and Means.

125. Also, petition of the Old Guard of Rochester, N. Y., urging the introduction and passage of legislation to remedy the present conditions in the treatment of disabled soldiers; to the Committee on Interstate and Foreign Commerce.

126. By Mr. SNELL: Petition of citizens of Gale, St. Lawrence County, N. Y., protesting against any revisions of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants; to the Committee on Ways and Means.

127. Also, petition of L'Union St. Jean Baptiste d'Amerique, Council St. Alphonse, No. 51, of Tupper Lake, N. Y., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

128. By Mr. STEENERSON: Petition of Minnesota Potato Exchange, favoring duty on potato flour and potato starch; to the Committee on Ways and Means.

129. By Mr. THOMPSON: Petition of Farmers' Institute of Ottoville, Ohio, protesting against the passage of the Smith-Towner bill; to the Committee on Education.

130. Also, petition of the Farmers' Institute of Ottoville, Ohio, February 12, 1921, urging legislation helpful to the proposed barge canal connecting Toledo, Cincinnati, and Detroit; to the Committee on Interstate and Foreign Commerce.

131. By Mr. WATSON: Petition of residents of Norristown, Pa., in opposition to the Capper-Fess physical education bill; to the Committee on Education.

132. Also, petition of representatives of the Hill School, Pottstown, Pa., in opposition to the Capper-Fess physical education bill; to the Committee on Education.

133. By Mr. YATES: Petition of Herbert A. Fife, ex-captain, Adjutant General's Department, Chicago, Ill., urging passage of McKellar amendment providing proper promotion of captains selected by competitive examination; to the Committee on Military Affairs.

SENATE.

FRIDAY, *April 15, 1921.*

(Legislative day of Wednesday, April 13, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McCumber	Sheppard
Ball	Gooding	McKellar	Shortridge
Borah	Hale	McKinley	Simmons
Brandegee	Harreld	McLean	Smith
Broussard	Harris	McNary	Smoot
Bursum	Harrison	Moses	Spencer
Calder	Heflin	Myers	Stanfield
Cameron	Hitchcock	Nelson	Sterling
Capper	Johnson	New	Swanson
Caraway	Jones, N. Mex.	Nicholson	Townsend
Colt	Jones, Wash.	Norbeck	Trammell
Culberson	Kellogg	Norris	Underwood
Cummins	Kendrick	Overman	Wadsworth
Curtis	Kenyon	Penrose	Walsh, Mont.
Dial	Keyes	Phipps	Warren
Dillingham	Knox	Pittman	Watson, Ga.
Ernst	Ladd	Poindexter	Willis
Fletcher	La Follette	Pomerene	
Frelinghuysen	Lenroot	Ransdell	
Gerry	Lodge	Reed	

Mr. CURTIS. I wish to announce the absence of the Senator from Nevada [Mr. ODDIE] on account of illness.

The PRESIDENT pro tempore. Seventy-seven Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. HITCHCOCK. Mr. President, I ask permission to present out of order two telegrams received from my State setting forth an abnormal condition in the grain market under which wheat is being sold in this country 16 cents a bushel less than in the Argentine Republic. I ask that the telegrams may be referred to the Committee on Agriculture and Forestry with the suggestion that an investigation should be made as to what effect high freight rates have had in producing this condition.

The telegrams were referred to the Committee on Agriculture and Forestry, as follows:

A telegram from G. H. Payne, of Omaha, Nebr.; and a telegram from Charles Cameron, Herman, Nebr.

Mr. GOODING presented a joint memorial of the Legislature of Idaho, which was referred to the Committee on Public Lands, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed sheets constitute a full, true, and correct copy of Senate joint memorial No. 7, the original enrolled copy of which is on file in this department, the said memorial having passed the sixteenth session of the Idaho State Legislature March 5, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise, the capital of Idaho, this 21st day of March, 1921.

[SEAL.]

ROBERT O. JONES,
Secretary of State.

IN THE LEGISLATURE OF THE STATE OF IDAHO,
SIXTEENTH SESSION,
IN THE SENATE.

Senate joint memorial 7.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislature of the State of Idaho, respectfully represent:

That the watersheds at Moores and Grimes Creeks are being irreparably damaged by uncontrolled and unrestricted grazing;

That said streams are tributary to the Boise River the waters of which are intensively used for irrigation purposes;

That the valuable agricultural lands now irrigated with water diverted from said river will be seriously damaged and impaired in value because of the decreased water supply and erosion which would inevitably result from the overgrazing of the watersheds of the streams named;

That there are many acres of public lands intermingled with and adjoining private timberland holdings that are subject to unrestricted and unregulated grazing;

That these public lands are subject to grazing by transient live stock free of all charge and that such free grazing on said public lands makes it practically impossible adequately to regulate the grazing upon the privately owned timberlands of said watersheds;

That the said public lands on said watersheds can be better controlled, the grazing of live stock thereon and on the said privately owned timberlands better regulated, and damage and injury to the said irrigated lands successfully prevented if the said public lands be administered by the National Forest Service:

Wherefore your memorialists pray that such national legislation be enacted by the Congress as may be necessary to include within a national forest the watersheds of Moores and Grimes Creeks embracing specifically the lands as described in United States Senate bill 4129, introduced March 25, 1920.

This senate joint memorial passed the senate on the 24th day of February, 1921.

C. C. MOORE,
President of the Senate.

This senate joint memorial passed the house of representatives on the 5th day of March, 1921.

PETER G. JOHNSTON,
Speaker of the House of Representatives.

I hereby certify that the within joint memorial No. 7 originated in the senate during the sixteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

Mr. NELSON presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Interstate Commerce, as follows:

A concurrent resolution memorializing Congress of the United States to nullify certain orders of the Interstate Commerce Commission affecting intrastate railroad rates, and to amend the act to regulate commerce so as to render such orders in the future impossible.

Whereas in the so-called Esch-Pomerene bill to amend the act to regulate commerce it was provided that the Interstate Commerce Commission should have authority to make such orders as might in its judgment tend to remove any undue burden upon interstate or foreign commerce;

Whereas there was widespread apprehension both in Congress and with the public generally that the inclusion of such a provision would almost, if not entirely, eliminate State control of intrastate railroad rates, for the reason that the commission might decide that any intrastate rates upon a lower basis than corresponding interstate rates would constitute such undue burden;

Whereas after much debate upon the question, both in committee and upon the floor of the House of Representatives, it was decided that such objectionable provision should be, and the same was, stricken out of the bill;

Whereas the Interstate Commerce Commission has, since the passage of the transportation act, 1920, interpreted section 13(4) of the act to regulate commerce, to confer upon it the same power over intrastate rates which it was feared would result had said undue burden clause been included; and, purporting to act under the authority of said section, the commission has already made orders purporting to change entire systems of intrastate rates in the States of New York, Illinois, Minnesota, and Wisconsin, and has many similar proceedings now pending before it;

Whereas the reasons given by the commission for the orders in question would apply wherever intrastate rates are upon a lower basis than the corresponding interstate rates, so that, under its interpretation of said section 13(4), the legislatures of the several States have been deprived of substantially all power to regulate intrastate rates;

Whereas the construction placed upon said section is not only in contravention of the tenth amendment to the Constitution of the United States, but is directly contrary to the will of Congress, as evidenced by its action when it removed said undue burden clause from the Esch-Pomerence bill: Wherefore it is

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States be, and it is hereby, respectfully and earnestly petitioned to take such action as will nullify the orders of the Interstate Commerce Commission hereinabove mentioned, and to so amend the act to regulate commerce as to render such orders impossible in the future.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives January 20, 1921.
OSCAR ARNESON,
Chief Clerk House of Representatives.

Passed the senate April 6, 1921.
GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 8, 1921.
J. A. O. PREUS, *Governor.*

Filed April 8, 1921.
MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 154, as shown by the records in my office.

[SEAL.]
MIKE HOLM,
Secretary of State.

Mr. NELSON also presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Immigration, as follows:

A resolution memoralizing the Congress of the United States to suspend immigration until a selective system of immigration be established.

Whereas the extreme and unusual conditions brought about by the World War have caused millions of aliens to seek admission to the United States in the hope that they may be able here to improve economic conditions; and

Whereas, under the present property and literacy qualifications, many undesirable persons are admitted to our shores who have no object in view other than to take advantage of the many opportunities offered by our institutions, without any intention of assuming any of the duties and responsibilities of American citizenship: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Senate and House of Representatives of the United States be, and they hereby are, urged to pass a measure by the terms of which all immigration shall cease for a period of one year or until such a time as national legislation can be adopted that will bring about a selective system of immigration and cause this selection to be made before taking passage to a port of entry in the United States; and be it further

Resolved, That a copy of these resolutions be sent to each Member of the United States Senate and House of Representatives from Minnesota.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives January 27, 1921.
OSCAR ARNESON,
Chief Clerk House of Representatives.

Passed the senate April 6, 1921.
GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 8, 1921.
J. A. O. PREUS, *Governor.*

Filed April 8, 1921.
MIKE HOLM, *Secretary of State.*

I, Mike Holm, secretary of state of the State of Minnesota and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 244 as shown by the records in my office.

[SEAL.]
MIKE HOLM, *Secretary of State.*

Mr. NELSON also presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

Joint resolution by the Senate and House of Representatives of the State of Minnesota requesting the President, by an embargo order, or Congress, by emergency tariff legislation, to prohibit the importation of agricultural products in such volume as will injure the agricultural industry of this country.

Whereas agriculture is the largest single industry in the United States; and

Whereas foreign countries are taking advantage of economic conditions resulting from the war and the lack of proper tariff legislation and are exporting agricultural products to this country in such unusual and unprecedented volume as to seriously injure, if not ruin, the agricultural industry of this country; and

Whereas said importations are being stored, hoarded, and held for high prices in anticipation of tariff legislation by this country, so that the consumers of this country will not at any time benefit by said importations: Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the house of representatives concurring), That the President and Congress be requested, by an embargo order, or emergency tariff legislation, to immediately prohibit the importation of any and all agricultural products which injure the agricultural industry of this country; and be it

Resolved further, That copies of this resolution be sent to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

LOUIS L. COLLINS,
President of the Senate.
W. I. NOLAN,
Speaker of the House of Representatives.

Passed the senate the 29th day of March, 1921.
GEO. W. PEACHEY,
Secretary of the Senate.

Passed the house of representatives the 1st day of April, 1921.
OSCAR ARNESON,
Chief Clerk of the House of Representatives.

Approved April 7, 1921.
J. A. O. PREUS, *Governor.*

Filed April 8, 1921.
MIKE HOLM, *Secretary of State.*

I, Mike Holm, secretary of state of the State of Minnesota and keeper of the great seal, do hereby certify that the above is a true and correct copy of S. F. No. 914, as shown by the records in my office.

[SEAL.]
MIKE HOLM, *Secretary of State.*

Mr. KEYES presented a memorial of sundry citizens of the State of New Hampshire, remonstrating against the enactment of legislation revising the tariff on certain classes of coal-tar products, which was referred to the Committee on Finance.

He also presented a petition of the New Hampshire Annual Conference of the Methodist Episcopal Church, of Claremont, N. H., praying for the enactment of legislation creating a department of education, which was referred to the Committee on Education and Labor.

Mr. FLETCHER presented a memorial of sundry citizens of Avon Park, Fla., remonstrating against the enactment of legislation revising the tariff on certain classes of coal-tar products, which was referred to the Committee on Finance.

Mr. MOSES presented a memorial of sundry citizens of Coos County, N. H., remonstrating against the enactment of legislation revising the tariff on certain classes of coal-tar products, which was referred to the Committee on Finance.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MYERS:

A bill (S. 755) to amend the Federal reserve act and to enlarge the powers of Federal reserve banks and member banks; to the Committee on Banking and Currency.

A bill (S. 756) relating to the naturalization of aliens and providing for notice by publication of hearings of applications for issuance of final naturalization certificates;

A bill (S. 757) to validate certain declarations of intention to become citizens of the United States;

A bill (S. 758) to prohibit experiments upon living dogs in the District of Columbia or in any of the Territorial or insular possessions of the United States, and providing a penalty for violation thereof; and

A bill (S. 759) providing for the admission of foreign-language papers to the second-class mail privileges, and for other purposes; to the Committee on the Judiciary.

A bill (S. 760) granting an increase of pension to Izora B. McGill;

A bill (S. 761) granting a pension to James Duffy;

A bill (S. 762) granting a pension to Kizziah Morris;

A bill (S. 763) granting a pension to David W. Beaver;

A bill (S. 764) granting a pension to Daniel H. Anker;

A bill (S. 765) granting a pension to William A. Walsh;

A bill (S. 766) granting an increase of pension to Hettie Fletcher;

A bill (S. 767) granting pensions to the surviving members of Capt. J. L. Humble's company of Indian fighters who took part in the battle of Big Hole, Mont., in the Nez Perce War of 1877, and to the widows of members;

A bill (S. 768) granting a pension to Augusta Costello;

A bill (S. 769) granting a pension to Charles B. Wemple;

A bill (S. 770) granting an increase of pension to John Fitzgerald;

A bill (S. 771) granting a pension to Willis McAfee;

A bill (S. 772) granting a pension to Peter L. Jaquett; and

A bill (S. 773) granting an increase of pension to Edward Love; to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 774) granting to the State of Florida the United States Government lands in said State for the use and benefit of the public schools of Florida; to the Committee on Public Lands.

By Mr. UNDERWOOD:

A bill (S. 775) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; to the Committee on Claims.

A bill (S. 776) for the relief of the Greenwood Bros. Café; and

A bill (S. 777) for the relief of John M. Green; to the Committee on Military Affairs.

A bill (S. 778) granting a pension to Marie Doughty Gorgas; to the Committee on Pensions.

By Mr. PHIPPS:

A bill (S. 779) to provide for the erection of a public building at Delta, Delta County, Colo.; and

A bill (S. 780) to provide for the erection of a public building at Monte Vista, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. KEYES:

A bill (S. 781) for the appropriation of additional funds for the erection and completion of a Federal building at Franklin, N. H.; to the Committee on Public Buildings and Grounds.

A bill (S. 782) making an appropriation to be expended under the provisions of the act of March 1, 1911 (36th Stats., p. 961), entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," as amended; and

A bill (S. 783) for the establishment and maintenance of a forest experiment station on the White Mountain National Forest in the State of New Hampshire; to the Committee on Agriculture and Forestry.

A bill (S. 784) granting a pension to Stella M. Jewett; and

A bill (S. 785) granting an increase of pension to Mary E. Ryan; to the Committee on Pensions.

A bill (S. 786) authorizing the Secretary of War to donate to the town of Haverhill, N. H., one German cannon or fieldpiece;

A bill (S. 787) authorizing the Secretary of War to donate to the town of Claremont, N. H., one German cannon or fieldpiece;

A bill (S. 788) authorizing the Secretary of War to donate to the town of Lebanon, N. H., one German cannon or fieldpiece;

A bill (S. 789) authorizing the Secretary of War to donate to the city of Berlin, N. H., one German cannon or fieldpiece;

A bill (S. 790) authorizing the Secretary of War to donate to the town of Meredith, N. H., one German cannon or fieldpiece;

A bill (S. 791) authorizing the Secretary of War to donate to the town of Wolfeboro, N. H., one German cannon or fieldpiece;

A bill (S. 792) authorizing the Secretary of War to donate to the town of Warner, N. H., one German cannon or fieldpiece;

A bill (S. 793) authorizing the Secretary of War to donate to the town of Lancaster, N. H., one German cannon or fieldpiece;

A bill (S. 794) authorizing the Secretary of War to donate to the town of Plymouth, N. H., one German cannon or fieldpiece; and

A bill (S. 795) authorizing the Secretary of War to donate to the town of Littleton, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 796) to provide for payments to ex-Presidents of the United States; to the Committee on Appropriations.

A bill (S. 797) to encourage home ownership and to stimulate the buying and building of homes; to create a standard form of investment based on building association mortgages; to create Government depositories and financial agents for the United States; to furnish a market for Government bonds; and for other purposes; to the Committee on Banking and Currency.

By Mr. WALSH of Montana:

A bill (S. 798) granting a pension to Dora Flynn (with accompanying papers); to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 799) to prevent deceit and unfair prices that result from the unrevealed presence of substitutes for virgin wool in woven fabrics purporting to contain wool and in garments of articles of apparel made therefrom, manufactured in any Territory of the United States or the District of Columbia or transported or intended to be transported in interstate or foreign commerce, and providing penalties for the violation of the provisions of this act, and for other purposes; to the Committee on Interstate Commerce.

By Mr. SMOOT:

A bill (S. 800) granting an increase of pension to George S. Rust (with accompanying papers); and

A bill (S. 801) granting a pension to Mrs. Eliza Naomi Kimball (with an accompanying paper); to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 802) to incorporate the American Society for the Control of Cancer; to the Committee on the Judiciary.

By Mr. MOSES:

A bill (S. 803) for the relief of Charles H. Willey (with accompanying papers); to the Committee on Naval Affairs.

By Mr. HALE:

A bill (S. 804) granting a pension to Charles F. Smith; and

A bill (S. 805) granting an increase of pension to James S. Pendergast; to the Committee on Pensions.

By Mr. GOODING:

A bill (S. 806) providing for the investigation of the feasibility of reclaiming by irrigation certain lands in the State of Idaho for agricultural purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 807) to authorize the addition of certain lands to the Cache National Forest;

A bill (S. 808) to add certain lands to Minidoka National Forest; and

A bill (S. 809) to give preference right of employment on construction work on United States reclamation projects and preference right of entry on public lands to honorably discharged soldiers, sailors, and marines; to the Committee on Public Lands.

By Mr. CUMMINS:

A bill (S. 810) to amend "An act to regulate the practice of medicine and surgery, to license physicians and surgeons, and to punish persons violating the provisions thereof in the District of Columbia," approved June 3, 1896; to the Committee on the District of Columbia.

By Mr. FRELINGHUYSEN:

A bill (S. 811) for the relief of Bertha N. Rich; to the Committee on Claims; and

A bill (S. 812) to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods, to regulate shipments of cold-storage foods in interstate commerce, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BALL:

A bill (S. 813) to authorize the Commissioners of the District of Columbia to close upper Water Street, between Twenty-first and Twenty-second Streets NW.;

A bill (S. 814) to authorize the opening of a minor street from Georgia Avenue to Ninth Street NW. through squares 2875 and 2877, and for other purposes; and

A bill (S. 815) to amend section 833a of the Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. FLETCHER:

A bill (S. 816) to carry out the findings of the Court of Claims in the case of heirs of William W. Loring (with an accompanying paper); to the Committee on Claims.

A bill (S. 817) granting a pension to Charles Phillips (with accompanying papers); and

A bill (S. 818) granting a pension to Martha A. Gould (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 819) authorizing and directing the Interstate Commerce Commission to establish a system of mileage books to be issued to commercial travelers at a reduced rate by all railroad companies carrying passengers; to the Committee on Interstate Commerce.

A bill (S. 820) for the relief of the Hunter-Brown Co.; to the Committee on Claims.

By Mr. SPENCER:

A bill (S. 821) to carry into effect the findings of the Court of Claims in the case of William W. Danenhower; to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 822) providing for the relief of the Old National Bank of Martinsburg, Martinsburg, W. Va.; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 823) for the relief of John Vernon Bouvier; to the Committee on Claims.

By Mr. FRELINGHUYSEN:

A bill (S. 824) to provide for the appointment of a Federal coal commissioner, to define the powers and duties of such commissioner, and directing the Director of the Geological Survey to act as such commissioner, and for other purposes; to the Committee on Interstate Commerce.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, in which it requested the concurrence of the Senate.

HEARINGS BEFORE COMMITTEE ON IRRIGATION AND RECLAMATION.

Mr. McNARY submitted the following resolution (S. Res. 48), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Irrigation and Reclamation of Arid Lands, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

INVESTIGATION BY THE JUDICIARY COMMITTEE.

Mr. REED submitted the following resolution (S. Res. 49), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be authorized to continue the investigations previously conducted under Senate resolution 471 of the Sixty-sixth Congress into credits established, commitments, advancements, and payments made or claimed to have been made by authority of the four Liberty loan acts, the Victory loan act, and any other acts of Congress granting the Secretary of the Treasury authority to accept the obligations of foreign Governments for moneys, munitions, or supplies furnished them by the United States Government, and the reasons for making said credits, commitments, advancements, or payments during the Sixty-seventh Congress or any recesses thereof.

That the committee or any subcommittee thereof be authorized to send for persons and papers, to administer oaths, and to employ a stenographer, at a cost of not to exceed $1.25 per printed page, to report such hearings as may be had in connection with this investigation; and

That the expenses contracted thereunder shall be paid out of the contingent fund of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

DIVERSION DAM ON BIG HORN RIVER, MONT.

Mr. SMOOT. Mr. President, I understand that the Senator from California [Mr. JOHNSON] desires to proceed this morning with his remarks upon the Colombian treaty. Last night the Senate took a recess as in legislative session. Therefore I move that the Senate proceed now to the consideration of executive business——

Mr. WALSH of Montana. Mr. President, before that motion is made I should like to present a report from a committee.

Mr. SMOOT. The Senate took a recess yesterday and there is no morning hour to-day.

Mr. WALSH of Montana. I ask unanimous consent for leave to present this report from the committee.

The PRESIDENT pro tempore. Is there objection?

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. What is the regular order?

The PRESIDENT pro tempore. The regular order in legislative session is the appeal pending by the Senator from Nebraska [Mr. HITCHCOCK] from the ruling of the Chair upon the point of order.

Mr. SMOOT. And in the meantime I have moved that the Senate proceed to the consideration of the treaty with Colombia in open executive session.

Mr. WALSH of Montana. I trust the Senator from Utah will withhold the motion for a moment.

The PRESIDENT pro tempore. The Senator from Montana asks unanimous consent to submit a report from a committee.

Mr. POINDEXTER. I shall not object. I merely wished to find out whether we are now in open executive session or in legislative session.

The PRESIDENT pro tempore. The Senate is in legislative session.

Mr. POINDEXTER. I understand, then, that the regular order is the transaction of morning business.

The PRESIDENT pro tempore. There is no call for morning business, as the Senate met after a recess. Without objection, the report by the Senator from Montana will be received.

Mr. WALSH of Montana. It is a report from the Committee on Indian Affairs on a matter of very great interest, and I ask unanimous consent for its immediate consideration. It is to make immediately available an appropriation made at the last session of Congress for the construction of a dam on the Big Horn River in Montana.

Mr. SMOOT. Is it a unanimous report from the committee?

Mr. WALSH of Montana. It is. I report back favorably from the Committee on Indian Affairs without amendment the joint resolution (S. J. Res. 20) making the appropriation of $150,000 for the construction of a diversion dam on the Big Horn River, Crow Indian Reservation, Mont., immediately available, and I ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. PENROSE. I must object until the committees are authorized and confirmed.

Mr. WALSH of Montana. I hope the Senator from Pennsylvania will not insist upon his objection.

Mr. PENROSE. I must object to the transaction of any business.

The PRESIDENT pro tempore. The Senator from Pennsylvania objects.

Mr. SMOOT. I move that the Senate proceed to the consideration of the treaty with Colombia in open executive session.

The motion was agreed to.

Mr. JOHNSON obtained the floor.

Mr. PENROSE. Will the Senator from California permit me to say that I do not intend any discourtesy to the Senator from Montana, but the minority are taking a course of action which is resulting in holding up the committees. The Senator from Montana belongs to the minority, and as long as they are

delinquent in this respect I do not think I ought to permit business to be transacted.

Mr. UNDERWOOD. Mr. President——

The PRESIDENT pro tempore. The Senator from California has the floor.

Mr. UNDERWOOD. Will the Senator from California yield to me for just a moment?

Mr. JOHNSON. I will yield for a moment, but not for any extended discussion.

Mr. UNDERWOOD. I merely wish to state that I do not desire to have go in the RECORD uncontradicted the statement just made by the Senator from Pennsylvania. The committees of the Senate have already been provided by the rules of the Senate. They can be appointed in accordance with the rules. A change of the rules is proposed by the Senate. It is very proper under that change of the rules for the minority to have a reasonable discussion of those rules. I insist that the statement of the Senator from Pennsylvania that we are deliberately holding up the business of the Senate is not justified, because under a resolution adopted last January the present committees of the Senate, appointed in the old Congress, can function, and they are functioning now.

HEARINGS BEFORE COMMITTEE ON NAVAL AFFAIRS.

Mr. POINDEXTER. If the Senator from California will kindly yield, I ask unanimous consent to present the ordinary routine resolution authorizing the Committee on Naval Affairs to hold hearings, summon witnesses, and so forth.

Mr. JOHNSON. I yield for that purpose.

The resolution (S. Res. 47) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee or any subcommittee thereof to be paid from the contingent fund of the Senate.

TREATY WITH COLOMBIA.

The Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. JOHNSON. Mr. President, it is with some degree of diffidence that I assume to discuss even very briefly a matter of this character and to state my views, only 3 years old, in opposition to those of older Senators, whose views, 17 years old, they have seen very good reason to change at the present time. There has come a wondrous change over the spirit of the dreams of some of those on this side of the Chamber. I confess my diffidence in seeking to maintain the views that have been mine for the brief period of three years during which I have been a member of the Committee on Foreign Relations.

We are to be congratulated, Mr. President, upon the debate thus far upon this question. We are to be congratulated because of the care and ability manifested and the forceful eloquence presented to us in this debate. We are to be congratulated because the ablest exponents of the treaty on the one hand and its ablest opponents upon the other have advanced, doubtless, every conceivable reason for the particular opinions that they hold and have presented in masterly fashion those opinions.

Interesting, instructive, and illuminating as this debate has been from the standpoint to which I refer, it has been from another aspect equally interesting, equally illuminating, and equally instructive.

It has shown the easy transition of opinion among Senators of the United States. It has proven that our views never are cemented into hardened conclusions. It has demonstrated, Mr. President, that those appellations which sometimes scornfully have been applied to this body of "hard-boiled" or "irreconcilable" are wholly undeserved, for, in the circumstances surrounding this discussion, and in the marvelous mutations which time has brought in the opinions of Senators upon this floor, we have demonstrated that we on this side believe that "consistency is the vice of fools." Upon this treaty we demonstrate how flexible and elastic are our opinions. Seventeen years' enthusiastic opposition to the treaty and to the payment of money to Colombia; overnight, equally enthusiastic advocacy of that treaty and of the payment of that money! It is a marvelous change, Mr. President, upon which, doubtless, the Senate is to be congratulated. Those who mark the change are to be congratulated as pointing us the way never to be obstinate in the views that we hold; never from day to day to be certain of the conclusions that are ours; never from year to year even to be adamant to arguments that may be advanced; but ever to hold ourselves open, as we have done in this instance, to that which may be presented to us and may bring to us an entire change of heart!

So to-day, Mr. President, a singular situation is presented. This treaty never would have been ratified during the life of Theodore Roosevelt. Last year a poll was taken on this side of the Senate—I violate no confidence in saying that—which showed an overwhelming majority against this treaty. Tell me what good reason has been advanced here, what good reason has any Senator upon this side heard in this argument, for changing now, in the month of April, 1921, the set opinion of 17 years?

You may sugar coat this dose as you will; you may cover it with every specious plea that you desire; you may see to-day reasons for the ratification of this treaty which lay concealed for 17 long years and never were thought of; you may understand all of those peculiar considerations which have been advanced upon this floor and otherwise; and yet finally the question that comes to us upon the Colombian treaty is very simple and very easily understood. There is just one problem.

I eliminate now the argument that was made by the distinguished Senator from Pennsylvania [Mr. KNOX] yesterday upon an entirely different theory. I eliminate it from the discussion at this time, because consistently he has held the view that yesterday so forcibly and so ably he presented to the Senate; but I insist that, eliminating the benevolence that he would extend to the State of Colombia, there is just one problem here presented to the Senate, a question upon which there should be neither perplexity nor confusion.

Did we wrong Colombia in 1903; and if we wronged Colombia in 1903, ought we to pay to-day, in reparation of that wrong, $25,000,000? That is the only question in this treaty; that is the only question that there ever has been in respect to this treaty during the 17 years that have elapsed from 1903 until the newly discovered but supposititious facts which have been presented here by the leader on the Republican side.

Now, remember we are no eleemosynary institution. Every Senator, I assume, has exactly the same view respecting his fellows, and the like view respecting nations, too. None would fail in his duty to do what he could in charity or in benevolence or in kindliness or in generosity to suffering humanity or to suffering nations; we have never been laggards individually or as a Nation in that regard; but upon the facts which are presented here we can not be asked to exercise that benevolence, that generosity, and that charity.

Mr. President, our brethren say $25,000,000 is a very small sum; that may be so. In contemplating the great amounts that we have during the past few years devoted to different purposes $25,000,000 is a mere bagatelle; but in this Nation to-day there are farmers standing stunned as they face the dread specter of poverty after a life of toil; there are soldiers of ours, broken in body in fighting our battles across the sea; there is unemployment all over the land; and if we have $25,000,000 to squander in the first act that a Republican administration does, let us squander it upon the farmers of this Nation in relieving their distress; let us give it to the soldiers of the land who upheld the flag; or let us devote it to ameliorating rampant unemployment in this land. For remember, Mr. President, this is the first act of the new administration; this is our first act in dealing with the Treasury of the United States. The distinguished leader upon the Republican side and my distinguished friend from Pennsylvania both spoke of $25,000,000 as a very small amount and one of little concern; but $25,000,000 devoted to one of the purposes to which I have referred may render a great benefit. Twenty-five million dollars under this treaty paid is $25,000,000 thrown away and squandered, and not only thrown away and squandered but paid for the very purpose of writing our own infamy and our own dishonor. It is for these reasons that I can not support this treaty.

I wish, indeed, that I had opinions so flexible and so elastic that overnight they could change. It would be easier sailing for me. The hard course is to pursue your way as you see it. It would be pleasanter for many of us on this side to go with those of you who have changed overnight; but some of us can not do that thing when our country is at stake and when there is a great policy to be determined. So, however hard may be the road, we have got to travel it and travel it to the end, no matter where it may lead or what may happen on the way.

Three great arguments have been made here; three entirely different positions have been presented. The first has been

presented by the Senator from Massachusetts [Mr. LODGE], and has been presented with his usual acumen and ability. The second has been presented by the very able Senator from Ohio [Mr. POMERENE], and presented with his usual industry, assiduity, and eloquence. The third is that presented by the distinguished Senator from Pennsylvania [Mr. KNOX], a viewpoint he has ever held and which yesterday again he amplified.

First, let us look for a moment at the argument presented by the leader of the majority. He said we admit no wrong; we did no wrong to Colombia. He says that if there were an apology contained in this treaty—and upon this point he was most emphatic, as the Senators will recall—he never could and never would vote for it. I say in response that the payment of the money is a recognition of the wrong and of itself is an apology; and, if the distinguished Senator from Massachusetts could not vote for the treaty with an expression of regret in it, he can not vote for it at all.

The idea that has been expressed concerning that apology and expression of regret has little persuasive force with me, sir. I believe that when an honest, decent man does a wrong to another he not only should repair the wrong but, if he is honest and decent and right minded, he will not object to expressing his regret; and I believe if a high-minded nation has robbed a little nation, has taken from it its property, that there is nothing in derogation of the dignity or the honor of that nation, when its conscience has been quickened after 17 years of debate, in acknowledging the wrong, paying the money, and expressing regret for the wrong that has been committed. I see, therefore, no great force in the argument that has been advanced here concerning the striking out in this treaty of the expression of regret. The treaty was made—oh, remember it, my friends—upon the theory, not alone of those who represented Colombia but of those who represented the United States of America, that we had committed a wrong, that we would express regret for it, and that we would pay for it; and the very language of the treaty is of that character.

Both sides agreed. Subsequently, in the Foreign Relations Committee, when the treaty was reported out for hearing the expression of regret was omitted and stricken out. I do not need to refer to that, for I take it that everyone is familiar with just what is before us now. But both parties, remember—the United States and Colombia—negotiated this treaty—that is, when I say "both parties" I mean Mr. Wilson and Mr. Bryan on the one hand and the Colombians upon the other—upon the theory that there was a wrong to be redressed, and upon the theory, as the face of the treaty says, of an expression of regret for the wrong that had been committed; both parties, mind you. Now, we on this side, convinced by arguments presented very recently, say: "Ah, we will save our faces by omitting the expression of regret, but we will pay the money, thus admit the wrong, and make reparation for it."

What sort of a position is that for United States Senators to wish to put this country in? If we did the wrong, if we pay for it, so far as I am concerned, if I believed it, I would be perfectly willing to express regret for the wrong; but, having done no wrong, I would make no payment at all, and of course would indulge in no expression of regret; and yet the majority on this side now, instead of taking the position that we have done no wrong, the position it took for 17 years, that we owe no money therefore to Colombia, and that we could not therefore apologize, says that it will go forth to the world and save its face by refusing to apologize, while paying the money and thus conceding the wrong!

Now, let us follow—you are familiar with it, I take it—but let us follow just a moment what our distinguished leader has said upon this subject. He says to you now, in asking ratification: "We have done nothing that is reprehensible; we have not been morally delinquent in any regard"; but, for reasons that before he never understood or knew during the 17 years of the pendency of the controversy, he would pay this remarkable sum.

Now, let us read certain statements on this subject:

> What does the United States receive for this vast sum? Absolutely nothing, either corporeal or incorporeal. Colombia grants nothing, parts with nothing which she possesses.
>
> This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally.

Whose words are these? Ye upon the Republican side, they are the words, I take it, of our distinguished leader; for his name heads the list of those who made this report to the Senate of the United States, or if he did not pen the report, by signing it at any rate he has made these words his own. This is the report of the Republican members of the Foreign Relations Committee upon this treaty. Now we must pay this money upon some theory that I am wholly unable to understand; but then, only a brief period ago, this payment, our leader and his associates said, could be predicated only on the assumption that we are indebted to Colombia, either morally or legally; and then follow these words:

> And no combination of words, no niceties of diplomatic language can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia.

Oh, when were our distinguished brethren right—during the 17 years when these were their views, or during the 17 months, possibly, that they now present the case from the other aspect? If our leader was right when these views were presented to us but a short time ago—and he was eternally right in the expression of those views—"no combination of words, no niceties of diplomatic language, can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia"—then he was wrong in the views he expressed here the other day.

I ask you upon this side, Are you ready to say what our leader and our brethren upon the Foreign Relations Committee insisted you must say in order to favor this treaty?

What was said by the leader upon the Republican side in his report to the Senate only a brief period ago is the fact. It was the fact then. It is the fact to-day. I ask the Republican Senate, Are you going to say, by ratifying this treaty, that we committed a wrong and a robbery upon the Isthmus of Panama in 1903 when the Panama Canal was built? That is the question, and that is the question that must ultimately be answered.

Oh, you may answer it with vagaries or sophistries; you may answer it in one fashion or another about changed conditions; but you know and I know there is not a man upon this side of the Chamber but knows, that you are deciding to-day whether we robbed Colombia in 1903.

Now follow again what was said in the report of the Republican members of the Foreign Relations Committee, with the exception of Mr. KNOX:

> On no other hypothesis could Colombia ask for this indemnity of $25,000,000, and on no other could we acquiesce in that demand.
>
> While there is an attempt in the beginning of the report by careful wording to veil this disagreeable aspect of the case, it is nevertheless forced into relief as the moving consideration for this great outlay in another sentence of that report, which reads as follows—

I read this out of fairness, because this particular provision has been stricken out of the treaty now—

> "In all of these treaties the United States, out of the desire to settle the controversy, has offered to make recompense to Colombia by way of satisfaction for her claim for damages."
>
> There is a clear admission that we are paying this sum to settle a claim for damages.

But follow this sentence:

> By making the payment we admit the claim.

And of course we do. There is no more doubt about it than that night follows day. By making the payment we admit the claim, unless it be put specifically in the instrument making the payment that it is a pure benefaction, as the Senator from Pennsylvania [Mr. KNOX] probably would have it made; but by making this payment under the treaty as negotiated, remembering what was in the minds of the negotiators at the time of the execution of the treaty, it is unanswerable that the making of the payment is an admission of the claim.

We learned the other day that this treaty is a beneficent instrument, designed to promote amity with a State far south of us and far weaker than we. It is not, it was asserted, an admission of any wrong; we never committed any wrong; but it is a mere agreement with a friendly neighbor by which we will give that friendly neighbor $25,000,000 of the money of our taxpayers in the hope that we shall have for all time the friendship of that neighbor. But here is what was said but a short time ago:

> The minority declare that our conduct in securing an agreement from Panama was just and proper in every respect and that the Colombian Government has no just or equitable claim against this Nation for any act on our part in connection therewith.

O tempora! O mores! Think of the mutations time may work! How men's opinions change! The position of our leaders was that there was neither equitable nor just nor moral claim upon us; vociferously this opinion was voiced to the world year after year and year after year. We did not owe a cent. We would not pay a cent. To-day, with the strange change that has come over the spirit of our dreams, we will pay the money, and we will take the consequences in the good opinion of the world by the circumstances under which we pay that money.

Now, follow the report again:

> The treaty is, in effect, not only a plea of guilty to the charge made against us by Colombia, but an agreement that in addition to the payment of $10,000,000—the price for which the Government of Colombia had agreed to convey to us the right of way over the Isthmus while she

claimed sovereign rights over that territory—we shall also pay $15,000,000 to Colombia as exemplary damages. No other construction can or will be placed by the world upon our action.

To you who are now in the Senate I present this solemn declaration, signed by H. C. LODGE, P. J. MCCUMBER, W. E. BORAH, F. B. BRANDEGEE, and A. B. Fall; this solemn declaration that this treaty is not only a plea of guilty to the charge made against us by Colombia, but that it is, in addition, the payment to Colombia of $15,000,000 as exemplary damages for the wrong that we did. When this construction has been placed upon this treaty—and you know it is the accurate construction—will you by ratifying it put your seal of approval upon the iniquity thus so eloquently and well described?

Then, follow again the report:

Nor can we avoid this conclusion by declaring to the world that we are paying this vast sum, two and a half times greater than we paid Panama for our right of way, to establish cordial relations of amity.

This reads like a traverse of the speech of the Senator from Massachusetts [Mr. LODGE] delivered a few days ago. I do not know whether this report was intended to traverse those views or whether the views he then expressed were intended to traverse this report. But they are so absolutely contrary fundamentally that they can not consistently stand together.

Again I read from the report:

Nor can we avoid this conclusion by declaring to the world that we are paying this vast sum, two and a half times greater than we paid Panama for our right of way, to establish cordial relations of amity. We can not afford to purchase cordial relations with any country. We can not afford to answer a blackmail demand.

If this was a blackmail demand when presented first, if it was a blackmail demand when William Jennings Bryan negotiated that treaty, when did it become a public benefaction under which, without authority, we should dip into the Treasury of the United States and deliver $25,000,000 of the taxpayers' money?

If this was a blackmail demand in 1913, if it was a blackmail demand in 1917, I ask any man who has changed his opinion upon this subject to show me when it became a virtuous request. If it was a blackmail demand for 17 years, tell me, some of you gentlemen whose views have undergone a remarkable metamorphosis, tell me when the blackmail demand shed its awful outer garment and became a rosy-hued request with which we were bound to comply? When did this change occur, Mr. President? I take it that there will be nobody upon this side of the Chamber, none upon the other side, who can tell how the blackmail demand of 1903, 1904, 1913, and 1917 became in April, 1921, a moral, just, equitable claim which must be liquidated. Blackmail for 17 years ripened now into an honest obligation! Answer me, When did the marvelous transformation occur?

I commend to my Republican brethren, I commend to my Democratic brethren, the minority report rendered, with Mr. LODGE's name at the head, upon the Colombian treaty when it was reported favorably by a Democratic majority.

Mr. President, I can not subscribe to the idea that an act of wickedness under a Democratic administration becomes an act of virtue, without change in the interim at all, under some other administration. If I believed an act to be wrong done by William Jennings Bryan and by Woodrow Wilson or by others in the years that passed, unless my judgment and conscience are convinced, I view the act when Mr. Bryan and Mr. Wilson have passed exactly as I viewed it in its inception. I can not, as I said, change my view overnight; or I might put it in a way in which it was put to me, not by a Senator, but by one outside, who said, "I have not changed my view at all, but if I were in the Senate I would change my vote." I can not do that, and I know that there are many men here who can not do that.

So much, Mr. President, for the argument presented by the distinguished Senator from Massachusetts [Mr. LODGE].

Let us look for an instant now at what is presented by the distinguished Senator from Ohio [Mr. POMERENE], who takes the only logical position that can be taken. It is a position that he takes a bit more gently, perhaps, than that which has been taken in the past, and that which was enunciated before adjournment by the Senator from Colorado [Mr. THOMAS]. But, after all, his position is simply this, that Theodore Roosevelt fomented revolution in Panama, and by virtue of that revolution wrongfully seized upon territory there to the detriment of Colombia, and that this wrong thus done to Colombia ought to be expiated now, and Colombia should be compensated for the injury done. I do not think I deduce from the eloquent Senator's remarks a conclusion to which he will not subscribe.

If I believed that there had been a wrong done, if I believed that we had wronged and robbed Colombia, I would unite with him, notwithstanding all that memory brings to me regarding him who was the chief actor in that great drama. If I felt that my country had held up this little Colombia, and had taken from Colombia what was rightfully Colombia's, I would unite with him in asking the ratification of this treaty. I would go further; I would present our regrets; beyond that, too, I would increase the amount that we give to Colombia, and I would be perfectly willing to do whatever else might be done in the endeavor to repair the wrong thus committed.

But, Mr. President, we committed no wrong to Colombia in 1903. The evidence is not only corroborative and cumulative, the evidence is overwhelming, without contradiction, indeed. We did nothing that was in the least, either from a national or an international aspect, unethical, but we pursued our course as we had the right to pursue it, and pursuing it thus I insist that no payment should be made to the nation which makes an unjust demand upon us.

The witnesses, Mr. President, intimately associated and intimately knowing the facts, are few in number. Their words have all been preserved, and they are before the Senate to-day. I do not propose to read at any great length what has been said by any of those familiar with the subject, but I am going to call to the attention of Republican Senators the words, first of Theodore Roosevelt, then briefly a sentence from John Hay, then the testimony of Elihu Root, and lastly the testimony of Varilla, who was the one most intimately connected with the Panama revolution.

There was a time in 1915, Mr. President, when we were holding a great exposition in the State of California. The exposition was designated "The Panama-Pacific International Exposition." It was in commemoration of the building and the opening of the Panama Canal. In that wondrous exposition not only were there the usual exhibits that accompany that sort of thing, but there were held, too, various commemorative literary exercises. Historical and geographical treatises were read and were preserved, and I well remember in 1915, when Theodore Roosevelt came as a guest of that exposition, and before the historical part of the association, spoke about the Panama Canal. He spoke in that inimitable way that was his, perhaps not wholly as he has spoken in the papers he has intended for preservation ultimately historically, and I believe that he presented his case that evening in a fashion so convincing and so entertaining that I may, without boring Senators, read a passage or two therefrom.

He was speaking of the events of 1903, which Mr. Taussig had set forth, and he said:

Congress provided that we should build the Panama Canal, if we could purchase the French rights for $40,000,000; that otherwise we should build the Nicaragua Canal. Now, it was immensely in the interest of Nicaragua and of the power owning the Isthmus of Panama—it was in the interest of all—that the canal should be built in its territory, and each was very anxious that we should go through its territory. Colombia negotiated, on its own initiative, with us a treaty in which it set the price that we should give for the canal rights at $10,000,000, negotiating that treaty so as to persuade us not to negotiate a treaty with Nicaragua. When we concluded that treaty with Colombia it must be remembered that the treaty had been entered into for a valuable consideration given Colombia, namely, the consideration of our abandoning the Nicaragua route. It was because of Colombia's willingness to give the canal rights to us for $10,000,000, and with the explicit understanding that no more than that amount would be permitted, that we abandoned the Nicaragua route, conducted our negotiations in their final stages with the French company, and took up the Panama route.

Now, here, if you will pardon me, is presented a picture of the opéra bouffe nation with which we are dealing that I think presents more graphically than has been presented here just the situation in Colombia then. He continued:

At that time Colombia was under a dictatorship and it is essential that you should remember just what the Government of Colombia was, and what it did, in forming an estimate of what I did in connection with building the canal. The President of Colombia was a gentleman named Marroquin. He had not been elected president; he was elected vice president. He inherited the presidency by putting the president in jail. He executed a coup d'etat and took possession of the president; he first put him in a wooden cage on an ox wagon and shipped him to jail. He was a strict constitutionalist! He issued a proclamation calling attention to the provision of the Colombian constitution which decreed that in the absence of the president the vice president should perform all the executive functions. He pointed out that the president was absent, and he began to perform all the executive functions.

About a year or so later the president opportunely died in prison. His absence thereby became permanent and the vice president, Mr. Marroquin, continued to exercise all of the executive functions. Meanwhile he had prorogued congress. He did not let congress come together for five years, and in a proclamation he called attention to that provision of the constitution of Colombia which stated that in the absence of congress the acting president performed all legislative functions, and in consequence he in his own person embodied all the legislative and all the executive functions of the State.

That is what we were dealing with in 1903, and it is that kind of government over which so many tears are being shed now. Another point Mr. Roosevelt made, to which I wish to call your attention:

The French company had something of value to sell. We drove, as was our duty, a hard bargain with them. I did not feel at liberty to pay, on behalf of the United States, any more than they insisted upon

receiving for their property, and I could not have paid any more in any event, because Congress set the limit beyond which I could not go. They gave us for that $40,000,000 an equivalent, so that the French company gave us something for what we paid. But, as regards Colombia, the entire value of what they had was created by our action. If we had gone to Nicaragua the Canal Zone would not have been worth $10, let alone $10,000,000. We acquired from Colombia the right to spend $300,000,000 in digging the canal. We acquired nothing but the right to spend that $300,000,000. From the French company we acquired for $40,000,000, I think I may safely say, fifty, sixty, or seventy million dollars worth of improvements, of work done, and also a little machinery. From Colombia we acquired only the right to spend our own money and do our own labor and not a particle of value inhered in the Zone, except the value that we were to give it by spending our money and our labor upon it. It was of vital importance to Panama that the canal should be built. It quadrupled, quintupled, multiplied many times over the value of the Isthmus to the people as a whole and to each individual thereof.

He states, in reference to the claims of Colombia, as follows:

Mr. Beaupre notified the State Department—the file is in the State Department now—that the agent of the French company at Bogota had come to him, the American minister, Beaupre, and told him that the Colombian authorities had notified him that their constitutional scruples about the passage of the treaty could only be overcome by the payment of $10,000,000 from the French company to them—the dispatches are on file in the State Department, and have been; that they notified the agent of the French company that unless ten million of the forty million that the United States were to pay the French company were paid over to the Government at Bogota the treaty would not be ratified; the extension of time of the French company would be canceled, and the Colombian Government would next year, in 1904, take possession of the belongings of the French company on the Isthmus.

So you see at that time there was a double attempt at extortion on the part of Colombia, the attempt to extort from us and the endeavor to extort as well from the French company. That they failed was only the good fortune both of the French company and of us, but to recognize the extortion now by this treaty would be to give dignity to and to honor a wholly indefensible claim that by the lapse of years has become no less indefensible.

Now, I have done my best—

Said Mr. Roosevelt.

I will not read this, but, with the permission of the Senate, I should like to insert pages 144 and 145 of the record that I have in my hand of Mr. Roosevelt's utterances at the times to which I have alluded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

Now, I have done my best to make an agreement with Colombia. I might anticipate a little, just to show you the real worth of these constitutional scruples of Mr. Marroquin. Remember, he had announced that it was his devotion to the constitution that made him determine he would have to go back on his word to the French company and take possession of the company's property, and go back on his word to us and refuse to ratify the treaty. The minute that Panama declared itself independent and I acted as I shall tell you in a few minutes I did act, he sent Gen. Reyes to John Hay—Reyes afterwards became President of Colombia—to tell him, so that he could lay it before me, that if I would give back Panama to them—that is, betray the people of the Isthmus, who had stood by us and confided in our faith—that if I would do that, he would at once provide for the ratification of the treaty, either by summoning congress, which he would guarantee me in advance would ratify the treaty, or, if that was not satisfactory to me, by ratifying the treaty in accordance with his constitutional powers, as exercising all executive and legislative functions when congress was not present. (Mr. Loomis, I think you will remember that communication. It is down in writing; it is on file in the State Department.)

Now, I had to decide whether that "hold-up" scheme should be successful, or whether it should not be successful; I had to decide whether the honor and interest of the United States did or did not require me to permit the Government of my country to be "held up" and the French company to be blackmailed; and I decided that it did not. As I say, I had exhausted every honorable expedient in trying to get Colombia to come to an agreement with me, an agreement with my Government, which could be carried out. I could not do it, for the simple reason that you can not nail currant jelly to a wall. The trouble is not in the nail; it is in the currant jelly. All of the time the Isthmus was seething with revolution. On the "consent of the governed" theory, Panama was entitled to govern itself. The people of the Isthmus, the people of the Republic of Panama, were being oppressed by an alien people, who misgoverned them, for the interest of outsiders, and who were now jeopardizing their entire future for corrupt purposes. It has been said that I raised my hand and caused revolution. The simile is inexact. There were a dozen fuses always burning and leading up to revolutionary explosions in Panama. I came to the conclusion that I was absolved from all further duty to stamp out those fuses. The Government of the United States—and here, again, Mr. Loomis is on the stage with me, and he knows it more intimately than any other man, living or dead, except myself—the Government of the United States never took the smallest part, directly or indirectly, in fomenting or encouraging any revolutionary movement in Panama. Any statement to the contrary is a wicked and slanderous falsehood, to support which there is not merely no proof, but not a particle of just suspicion can be adduced in support of any such thing. I knew that there were revolutionary movements on the Isthmus. My knowledge was gained, in the first place, by reading the daily press.

Mr. JOHNSON. On page 147 Mr. Roosevelt said:

Every now and then during the past six years I have had some well meaning but timid friend come to me, with his hair standing up, to tell me that some political opponent or some newspaper—I think the New York World was one that was mentioned—that some newspaper correspondent, or some political opponent, had found evidence of damning facts about the "complicity" of the United States, and the "misconduct" of the United States in connection with the Panama revolution, and asked me what I was going to do about it; and I would answer that I was going to do nothing about it, for the excellent reason that they could not find out anything, because there was not anything to find out. When, during my term of service, Congress asked me for the documents in the case, all of the documents, I sent them down. I think they filled about a cart; I forget the precise amount, but it was about a half a ton, I think, of documents that we sent down, and I could wish my worst enemy no more evil fate than to be obliged to read them.

On page 148, he said:

I could have met that situation in two ways. Ever since Balboa had discovered the Isthmus, nearly four centuries before, people had talked about building a canal across it. There had been four centuries of conversation on the subject. I could have inaugurated another half century of conversation; I could have sent a "masterly message" to Congress, and Congress could then have held a series of able debates on the "masterly message," in which case those debates would now be intermittently continuing, and the canal would be in the dim future without a spadeful of earth having been dug, and you would not have had your exposition here at this moment. If the United States was right in its action, then it is an infamy to pay $25,000,000, or any other sum, to Colombia; and if the United States was not right in its action, it is an infamy to be on the canal or to hold this exposition here, because the canal has been filched.

Now, we have those two alternatives; either we did wrong or we did right. If we did wrong, then it is an infamy to hold an exposition to celebrate the acquisition of stolen goods, and the payment of $25,000,000 is wholly inadequate. If we did wrong we have no business on the Isthmus, and you have no business to hold an exposition; but, as we did right—not if, but as we did right—it is an infamy to be blackmailed by the demands of bandits who failed to hold up "Uncle Sam."

Ah, how soon have we forgotten his words. If it were an infamy then to pay Colombia $25,000,000, if Colombia was a bandit then blackmailing Uncle Sam, what, I ask again, has transpired to render Colombia different in character in respect to this claim, or to transmute the blackmail into a just obligation?

Not only do we have, of course, Mr. Roosevelt's word expressed again and again and under varying circumstances, but we have the words of John Hay, the then Secretary of State. I read simply one sentence of Mr. Hay:

The action of the President in the Panama matter is not only in the strictest accordance with the principles of justice and equity, and in line with all the best precedents of our public policy, but it was the only course he could have taken in compliance with our treaty rights and obligations.

Then, without reading, I should like to insert in the RECORD two short paragraphs of the reply of Secretary Hay to Minister Reyes, made January 5, 1904, bearing upon the same subject:

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

JANUARY 5, 1904.

At the present moment the questions which you submit can be viewed only in the light of accomplished facts. The Republic of Panama has become a member of the family of nations. Its independence has been recognized by the Governments of the United States, France, China, Austria-Hungary, Germany, Denmark, Russia, Sweden and Norway, Belgium, Nicaragua, Peru, Cuba, Great Britain, Italy, Japan, Costa Rica, and Switzerland.

Any charge that this Government or any responsible member of it held intercourse, whether official or unofficial, with agents of revolution in Colombia is utterly without justification.

Equally so is the insinuation that any action of this Government prior to the revolution in Panama was the result of complicity with the plans of the revolutionists. The department sees fit to make these denials, and it makes them finally.

By the declaration of independence of the Republic of Panama a new situation was created. On the one hand stood the Government of Colombia, invoking in the name of the treaty of 1846 the aid of this Government in its efforts to suppress the revolution; on the other hand stood the Republic of Panama, that had come into being in order that the great design of that treaty might not be forever frustrated, but might be fulfilled. The Isthmus was threatened with desolation by another civil war; nor were the rights and interests of the United States alone at stake—the interests of the whole civilized world were involved. The Republic of Panama stood for those interests; the Government of Colombia opposed them. Compelled to choose between these two alternatives, the Government of the United States, in no wise responsible for the situation that had arisen, did not hesitate. It recognized the independence of the Republic of Panama, and upon its judgment and action in the emergency the powers of the world has set the seal of its approval.

Mr. JOHNSON. In this connection let me call to the attention of those who insist that a wrong was done that within the briefest period after our recognition of Panama the other nations of the world recognized Panama, too; and on the 1st of January, 1904, less than two months after the revolution there, not only had the United States recognized Panama, but France, China, Austria-Hungary, Germany, Denmark, Russia, Sweden and Norway, Belgium, Nicaragua, Cuba, Great Britain, Italy, Japan, Costa Rica, and Switzerland had recognized the Republic of Panama, too. The recognitions, coming as they did, but fortified and corroborated what was done by our own people.

Hastening, and desiring to take but little time, I wish to call to the attention of the Senate next the words of Elihu

Root, delivered by him in Chicago February 22, 1904, upon this subject. He said:

By all the principles of justice among men and among nations that we have learned from our fathers and all peoples and all governments should maintain, the revolutionists in Panama were right; the people of Panama were entitled to be free again; the Isthmus was theirs, and they were entitled to govern it; and it would have been a shameful thing for the Government of the United States to return them again to servitude.

In the course of this speech in 1904 Mr. Root quoted President Roosevelt as follows:

I hesitate to refer to the injurious insinuations which have been made of complicity by this Government in the revolutionary movement in Panama. They are as destitute of foundation as of propriety. The only excuse for my mentioning them is the fear lest unthinking persons might mistake for acquiescence the silence of mere self-respect. I think proper to say, therefore, that no one connected with this Government had any part in preparing, inciting, or encouraging the late revolution on the Isthmus of Panama, and that save from the reports of our naval and military officers, given above, no one connected with this Government had any previous knowledge of the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a current acquaintance with public affairs.

Mr. Root proceeded:

It was not the neutral force of 42 marines and bluejackets, or anything that the American Government or American officers said or did, that led the 450 Colombians to retire from Colon; it was the fact that they found themselves alone among a hostile and unanimous people with an overwhelming insurgent force in arms against them, which left no alternative but capture or retreat. The recognition of independence and the treaty with Panama are the real grounds of Colombia's complaint, and upon the justice of those acts America stands fairly, openly, with full disclosure of every step taken and every object sought.

Just a word I wish to read with reference to Varilla. He has been sarcastically referred to by the distinguished Senator from Ohio [Mr. POMERENE], and apparently, as I gather from what the Senator from Ohio said, he is quite unworthy of belief. I do not know at all the gentleman in question. I know just one or two things in connection with his life. I know that as a lad he became enthusiastically enamored of the Panama Canal scheme. I know he spent his life down there in the hope of realizing what was his dream and the dream of his fellows in France. I know, too, that in his old age—60 or more—when his country faced destruction in the late World War, Varilla entered again the service of his own land and came out of that service permanently crippled. These things I know. They may not affect his credibility as referred to by the Senator from Ohio, but, at any rate, he was the most intimate witness to what transpired in Panama and among those who hatched the conspiracy there, the most intimate witness that lived then or lives now, and he in his most recent work, "Panama: The Creation, Destruction, and Resurrection," states that he knows that the United States did nothing that was unethical, nothing that was wrong, did not foment the revolution of which he was a part, and had naught whatsoever to do with that revolution.

Without reading, because of the lack of time, permit me to place in the RECORD as a part of my remarks pages 336 and 337 of this work, with the title "The Revolution Was Not Fomented by the United States," and also that portion of pages 340 and 341 entitled "Shylock Disappointed by the Irreproachable Attitude of the United States."

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THE REVOLUTION WAS NOT FOMENTED BY THE UNITED STATES.

Colombia can say to-day that the Republic of Panama was born owing to American protection. This is true if the world protection is understood as expressing solidarity between the mighty and the weak in the defense of common and legitimate interests. It was not born from a conspiracy fomented by the American authorities. It developed out of the simultaneous and parallel, but distinct, movement in two separate spheres of the same aspiration, the completion of the Panama Canal. Everyone remained in his proper place and acted his legitimate part.

Mr. Roosevelt avoided, during the first revolutionary attempts, anything which could resemble collusion. The abandonment of Amador by those who had promised him everything is the obvious demonstration that the American Government had refused to lend itself to anything of a compromising character.

The action of President Roosevelt was as correct as it was active and resolute.

Colombia can brandish her titles of property over the Isthmus. Her claim is that of Shylock asking for the pound of flesh. The title of Shylock was also perfectly well established, but his claim was untenable.

The claim of Colombia is, and will remain, untenable, because she herself forfeited her right by her policy.

Her rights challenged superior rights—the right of a nation to exist; the right of humanity to circulate.

She violated the very basis of her sovereign rights, namely, the duty of the sovereign to protect his subjects.

With a stroke of the pen she condemned the whole of the population of one of her provinces to destruction.

With a stroke of the pen she challenged the whole of humanity which had a preeminent right of way across the Isthmus.

With a stroke of the pen she cynically announced her will to confiscate from the French share and bond holders all that still remained from the wreck of the great enterprise.

With a stroke of the pen she disavowed her contract for the extension of the term of the French concession, on the pretext that certain formalities had not been fulfilled, whereas through her own fault, it was a physical impossibility to fulfill them.

These are the violations of superior rights which made the revolution of Panama the most legitimate of protests against tyranny.

These are the violations of superior rights which vitiate the protests of Colombia, as the very object of the contract of Shylock vitiated his claim for its judicial execution.

SHYLOCK DISAPPOINTED BY THE IRREPROACHABLE ATTITUDE OF THE UNITED STATES.

The politicians of the high Andine table-lands had quietly prepared these measures without even thinking of the people of Panama. The latter had the right to protect themselves against the annihilation to which, passionately impelled by avarice, their natural protectors had light-heartedly condemned them.

To-day Colombia is still trying to move the sentiments of the world as to an alleged violation of her rights.

The apparently logical demonstrations on her behalf, affecting a mathematical shape which are issued from time to time in some secret political interest, by those who even now are enraged at the construction of the canal, are mere sophistries.

They belong to the same class as the juridical lamentations of the defenders of Shylock's contract. Their authors ignore the fact that there is no right that justifies blackmail; that there is no right that justifies the destruction of a whole province; that there is no right that justifies the voluntary obstruction of the peaceful progress of humanity. Such partisans of Colombia are just like the defenders of Shylock, who forgot that there is no right which justifies a creditor in demanding the pound of flesh of his debtor as a compensation for the unpaid loan.

The government of Mr. Roosevelt would have had the moral right publicly to tear up its agreements with Colombia, owing to the intolerable abuse she was making of them.

It had the good fortune to escape this necessity, which the domestic policy of the United States would have most probably prevented it from realizing. It was able to dispense justice, while keeping rigorously within the limits of its international obligations, thanks to the courageous determination of the people of Panama.

On the evening of the 3d of November, when the dispatch from Amador reached me announcing the explosion of the long-expected revolution, President Roosevelt was free to act and his action was untrammelled. He was hampered by no secret intrigues with the confederates.

He took Panama, as he said later, because Panama offered herself and because he was at liberty morally to accept the offer.

The liberty of which Mr. Roosevelt was to make such fruitful and brilliant use was as complete as possible.

The entire flood of prejudiced falsehoods which tried to give credence to the story of a revolution engineered secretly by the money and intrigues of the American Government has beaten in vain against the walls of truth. For nine years not a stone has fallen from that wall and not one single stone will ever fall from it.

Mr. JOHNSON. In both these subheads Varilla said in a word that we had naught to do with the revolution in Panama. He drew his inferences of what might happen, just as Washington drew its inferences during those days of what might transpire down there, but there was no act of any sort, no act, overt or otherwise, of any character by the President of the United States or by any of those acting in aid or in assistance of him by which we rendered aid or assistance to the revolution or did a wrong at all against Colombia.

Passing for the instant very quickly to the proposition set forth by the distinguished Senator from Pennsylvania [Mr. KNOX]. He said in so many words that we should pay not for what Colombia lost but for what we gained. Those are his very words, I think. In answer to the inquiry from the distinguished Senator from Iowa [Mr. CUMMINS], he mentioned a moving instance of beneficence and charity on the part of a friend of his who discovered, in dire distress, the widow of one who had sold to him coal lands and paid the mortgage upon her house. The Senator instanced that as showing what should be our attitude toward Colombia.

Oh, you from Louisiana, you who come from Missouri, from Kansas, from Nebraska, and the Dakotas, which were acquired by the Louisiana Purchase, unite to-day, for the benefits that we have derived and the loss that France suffered, in paying to France whatever sum may be essential! You from Texas, how dare you sit in this Chamber without fear of being denounced for failure to compensate Mexico for all that she lost and all that we gained by the annexation of Texas? We in the West, out at the Golden Gate, should, all of us, unite in asking that a sum be given—it could not be commensurate with the benefit that has been received by this Nation of course, but that some sum adequate may be awarded to Mexico for the land we acquired in 1848.

Oh, of course, the learned Senator from the State of Pennsylvania does not upon any such theory, I am sure, expect us to make any such extraordinary payment. He never attempted it when he was Secretary of State. The negotiations of his time provided how payments were to be made to Colombia, but, as I recall it, these payments were to be made by Panama. Panama was to take out of payments she received from us and give to Colombia some of that money she thus received. If a benefaction were to be given Colombia, if we were to act upon what we had received and what she had lost, which had been through no fault of ours, and only through her own, the time was here some years ago, in the full and marvelous statesmanlike career

of my friend from Pennsylvania when he could have indulged in the largess that he might think appropriate to be given to the State of Colombia. He could have negotiated perhaps a treaty upon the terms set out in this treaty. The fact that he did not do so, the fact that then he acted in a totally different way, will not, of course, militate against his argument of to-day, but might militate against the payment of so much money upon such a theory.

I can understand men who are charitably inclined reaching into their pockets and giving as best they can; but we are here as trustees for the people. We have no more right to indulge in benefactions to Colombia than we would have to indulge in benefactions to private individuals or to private corporations. Sometimes I wonder, as I think of this case, if in the very last suggestion I may not have hit upon something that may have a little to do with this treaty and the payment of this money. I have no objection, Mr. President; of course, no man who is worthy of the title of American ever could object, to the protection of Americans abroad and of every legitimate American enterprise wherever it may be found. If we are paying, as is whispered about here, $25,000,000 for the protection of oil interests that are owned by Americans in Colombia, there is not a single Senator on this floor that ought not to give his dissent in most emphatic terms. If our oil concessions in Colombia, legitimately acquired and owned, require protection from the United States Government, give them all the protection that may be required and to which they are entitled; but to give Colombia—if somebody has that in his mind—$25,000,000 for the benefit or for the protection of oil interests there, this protection to be afforded no one knows how, but in some undisclosed mystic fashion, is something obnoxious to every tenet that ought to be held by Senators of the United States, and is something, indeed, against which all of us instinctively rebel.

Protect our interests; yes. Pay Colombia upon the theory that we may be protected in the future; no. If you should do it upon that theory, upon what a slender reed do you lean, Mr. President. Oh, if I am to be blackmailed by anybody in order that he thereafter may treat me well, and I pay, how long will he treat me well? Nations are too like human beings. If you purchase here the good will of Colombia for $25,000,000, you simply issue the invitation to every crooked nation on earth to begin blackmailing us, and give notice that their blackmail will be met and their terms will be complied with if they can point to a single American enterprise that may be situated within the border of such nation.

To-day, Mr. President, I have observed with the utmost pleasure and approval the present State Department initiating finally an American foreign policy. A foreign policy whereby American rights will be protected is one that commends itself to every man living within the borders of this Nation; but to found a foreign policy upon the payment of blackmail is ridiculous and repugnant to every sense of decency.

Twenty-five million dollars! Oh, it is such a little sum, say my friends. Remember the keynote in the speech that was made to us by the President of the United States. The keynote was economy. That sentiment found an answering echo in the heart of every man who listened to the eloquent views of the President; none dissented when the President insisted upon the strictest economy; but now the first act that we are going to perform under the banner of economy is the squandering of $25,000,000 that we do not owe and that under no circumstances ought we to pay. That is not the kind of economy that I desire to practice. I follow the President when he wants economy. I decline to follow the Senate when the Senate insists that we shall take $25,000,000 and pitch it the Lord knows where and for what particular purposes are undisclosed.

Pay for friendship, as the Senator from Idaho [Mr. BORAH] yesterday said! Of course, you can not pay for friendship. Whenever you yield to a thug, whenever you bow down before a scoundrel, whenever you permit a man to make you walk upon the other side of the street, just that instant have you emboldened him to do twice over the same thing to you. When you yield to this opera-bouffe Government that Col. Roosevelt so aptly described, when you pay what he says is infamous, when we pay what the Senator from Massachusetts [Mr. LODGE] said in his former report was blackmail, you issue to the nations of the earth that are indecent, that are not bound by international law or ethical practices, an invitation to hold us up again and to demand that we pay them whatever they may seek to extort.

Mr. President, I do not base my opposition to this treaty upon that which so popularly is expressed in reference to Theodore Roosevelt. I yield to no man in the affection that I held for him while living; I yield to no man in reverence for Theodore Roosevelt dead. I followed Theodore Roosevelt in fair weather and in foul; I stood behind Theodore Roosevelt when he was Republican; I stood at his side when he was Progressive; and I am equally proud of both. I followed Theodore Roosevelt when it was popular to follow him; I stood with him when it was unpopular to be with him; I was always glad to follow him; but it is not alone concerning him or his memory that I speak to-day or upon which I base my opposition to this treaty. This treaty does more than do a wrong to him; it wrongs a great nation; it wrongs a great people. Down there at the Panama Canal is a world monument to the greatest man of this generation and to American genius, American enterprise, and American statesmanship. Down there on that great monument there is no stain; there is no sully of any sort that has come from its construction or during the years the United States has had jurisdiction over it. For one, Mr. President, I decline to write upon that great monument the dishonor of my country and the infamy of my people.

Mr. LENROOT. Mr. President, there are many questions involved in the consideration of this treaty; but, as the Senator from California has so clearly and so eloquently shown, there is one which overshadows all others in importance, because it involves the honor of this Nation. That question is, Did we commit a wrong against Colombia that resulted in the independence of Panama and the construction of the Panama Canal? If we did, then not only should we pay Colombia the $25,000,000 but we should restore Panama to her. If we committed a crime, we should make full restitution to Colombia, and honor demands nothing less.

The story of the independence of Panama has been told and retold, from the public platform, in the press, and in this debate. I shall not weary the Senate with its repetition. There is little if any dispute as to the facts. The entire controversy hinges upon the conclusion to be drawn from these facts.

The particular ground of complaint against the United States was and is that, by order of President Roosevelt, Colombian troops were prevented from landing at Colon, and it is claimed that but for such act the Panama revolution would not have been successful. That such order was given and executed is an admitted fact. Was President Roosevelt acting within his lawful authority in giving that order? That is the crucial question here. If the answer is yes, then Colombia has not the slightest claim against the United States, and to ratify this treaty would, as Roosevelt so often said, be submitting to blackmail. If the answer is no, then, as I have already said, we should not only pay her $25,000,000 provided for here, but we should go further and do complete justice to Colombia. The United States is great and powerful, and if it has done wrong, even to the weakest of nations, it should make full restitution.

For an answer to this question we must turn to the treaty of 1846 between the United States and New Granada, the thirty-fifth article of which provides that the Government of New Granada "guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any mode of communication that now exists, or that may hereafter be constructed, shall be open and free to the Government and citizens of the United States," and the United States, in turn, "guarantees positively and efficaciously to New Granada by the present stipulation the perfect neutrality of the before-mentioned Isthmus with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists, and in consequence the United States also guarantees in the same manner the rights of sovereignty and property which New Granada has and preserves over the said territory."

This is a reciprocal guaranty. Colombia guaranteed to us the open and free transit across the Isthmus, against any act of hers—and we on the other hand guaranteed the free transit and neutrality against the act of any other power.

We were vitally concerned in the securing of peaceful passage across the Isthmus for American citizens and Colombia was vitally concerned that the Isthmus should not be wrested from her by some foreign power.

There is no obligation in this article or any other article of that treaty to aid Colombia to prevent a revolt by her own citizens. This has been held from the very beginning. In one of the revolutions upon the Isthmus in 1865 Colombia demanded that the United States send its forces to put down the insurrection. Secretary Seward replied as follows:

> The United States has taken and will take no interest in any question of internal revolution in the State of Panama, or any State of the United States of Colombia, but will maintain a perfect neutrality in connection with such domestic altercations. The United States will nevertheless hold themselves ready to protect the transit trade across the Isthmus against invasion of either domestic or foreign disturbers of the peace of the State of Panama. Neither the text nor the spirit of the stipulation in that article, by which the United States engages

to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with the requisition. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power.

Mr. President, the doctrine thus laid down by Secretary Seward in 1865, more than 50 years ago, has been constantly maintained ever since, and has been accepted by Colombia.

In the same year the Attorney General of the United States advised Secretary Seward as follows:

From the treaty it can not be supposed that New Granada invited the United States to become a party to the internal troubles of that Government, nor did the United States become bound to take sides in the domestic broils of New Granada.

Who will say that was not the proper construction of the treaty? We guaranteed nothing against the acts of the people of New Granada, later the United States of Colombia. We were not bound to interfere upon either side in internal disturbances, but we had a right to so interfere whenever necessary to preserve free and open communication across the Isthmus. We have so interfered a number of times, and up to 1903 our interference was always for the benefit of Colombia. Indeed, in 1885 but for our interference Panama would have gained her independence then. We landed our soldiers there to preserve free communication and thus enabled Colombia to put down the revolution then so near to success.

It may be admitted that we might have put down the last revolution, resulting in the independence of Panama, under the theory of keeping open transit across the Isthmus, but we were under no obligation to do so. Colombia was acting the part of a Shylock. We had made her a most generous offer, first accepted and then refused by the same party who accepted it. That meant either submit to extortions or abandon the Panama Canal and take the Nicaraguan route.

Under these circumstances why should we send American forces to put down the revolution in Panama? We had the right to interfere only to preserve free communication across the Isthmus. That right was exercised by preventing the landing of Colombian troops at Colon. We could have preserved free communication only by saying to one or the other of the parties: "Keep off; you shall not fight here and destroy the communication which has been guaranteed to us." We said it to Colombia. We had the right to say so. If we had not said it to one or the other of the parties, transit across the Isthmus would have been suspended, perhaps destroyed. President Roosevelt was wholly within his rights when he preserved the freedom of transit across the Isthmus as he did.

Mr. President, there is nothing more in this case. In addition to preventing the landing of Colombian troops at Colon, we landed 42 American marines to protect American lives—men, women, and children—nothing more. It is not pretended that these marines had any part in the revolution or did anything more than it was their lawful right and duty to do.

Ex-President Roosevelt repeatedly defended his course—insisted that no wrong was done Colombia, and his action has been commended by a Republican National Convention.

There are those now supporting this treaty who still insist that Roosevelt did right and that no wrong was committed. They even would have us believe that if Roosevelt were alive he would affirm the pending treaty in its amended form.

I can understand Senators who believe Roosevelt did wrong supporting this treaty; but I can not understand how any Senator who believes he did right can support it.

We know he condemned in most emphatic language the treaty negotiated by the Wilson administration. We know that his condemnation was not limited to the portions of the treaty which it is now proposed to strike out. Indeed, we know that nearly all of his attack upon the treaty was confined to those portions of the treaty which it is now proposed to ratify.

In February, 1915, in a letter to Senator Stone, chairman of the Foreign Relations Committee, he said, speaking of the $25,000,000 which the treaty now pending proposes to pay to Colombia:

The payment can only be justified upon the ground that this Nation has played the part of a thief, or of a receiver of stolen goods. In such a case it would be a crime to remain upon the Isthmus, and it is much worse than an absurdity for the President, who wishes to pay the $25,000,000, to take part in opening the canal, for if the President and the Secretary of State are justified in paying the $25,000,000, it is proof positive that in opening the canal they are, in their opinion, engaged in the dedication of stolen goods.

Many extracts from letters of Roosevelt have been read in this debate, but not one of them has shown the slightest evidence that he would change one single word of the statement I have just quoted.

Now, Mr. President, I wish to briefly examine the pending treaty and see what consideration the United States receives for the $25,000,000.

Under it Colombia declares the title to the Panama Canal and the Panama Railway is vested entirely and absolutely in the United States. If we have no title, or if there was even a cloud upon our title, this would be a valuable consideration; but to those Senators who believe that Roosevelt was right and that our title is perfect this is no consideration at all. We are in quiet and peaceable possession. Our title has been recognized by every other nation except Colombia, so that unless this be compensation for a wrong the recognition of title by Colombia is not a valuable consideration.

Every other paragraph in the treaty is a grant to Colombia, except article 3, which is a recognition by Colombia of the independence of Panama and fixes their boundary lines. But if this be any consideration it is one which should flow from Panama to Colombia, as was proposed in the Root-Cortes treaty, and not from the United States.

The amendments now proposed do not change in any particular the essential character of the treaty, except that one amendment proposes to omit the apology to Colombia.

Of this apology and the effect of striking it out, I can not do better than to quote from Mr. Bonaparte, Attorney General under President Roosevelt. In Roosevelt's letter to Senator Stone, which I have referred to, he quoted with approval the following from Mr. Bonaparte:

By this treaty we promise to pay Colombia as compensation for an alleged injury a much larger sum of money than we paid France for Louisiana, or Mexico for California, or Spain for the Philippines, or Panama for the Canal Zone, or that Great Britain paid us in settlement of the *Alabama* claims. If we acknowledge that we have so wronged her as to make it proper for us to buy her forgiveness, it is consistent and appropriate to add to the acknowledgment of wrong an apology, or, in other words, an expression of sorrow. If we have nothing to apologize for, because we have done her no wrong, then it is utterly unworthy of a great nation and a forfeiture of our rights to self-respect for us to pay her a cent.

Mr. President, if we are going to pay Colombia $25,000,000, we ought at least, in addition, to apologize to her. If we have nothing to apologize for, then we ought not to pay her a penny unless we shall gain some rights in return. And here is where the distinction should be made as to Roosevelt's position. I challenge any Senator to show where Roosevelt even advocated paying Colombia one penny, except in consideration of some rights granted to us.

It is said he was willing to pay $2,500,000, and hence only the question of the amount is involved. In the Root-Cortes treaty $2,500,000 was provided to be paid not by us but by Panama, for by its terms for 10 years the payment of $250,000 per year that we are making to Panama should be paid to Colombia with the consent of Panama. That treaty Roosevelt approved; but it did not take one penny out of the United States Treasury, but was simply, for the period of 10 years, subrogating Colombia to the rights of Panama in those payments, with the consent of Panama.

In addition, by article 6 of that treaty special privileges were given to vessels of the United States in the ports of Colombia.

Mr. President, none of the amendments pending change the essential character of this treaty. We are now asked to ratify the very provisions which Roosevelt so often and so vigorously denounced and which nearly all of the Republican members of the Committee on Foreign Relations denounced in 1917.

Others may change their views with the passing years—the great Roosevelt can no longer speak to us—weighty considerations may arise for harmonious relations with Colombia, but I shall never vote a confession of the commission of an international crime which we never committed, and therefore can not support this treaty.

I believe, in the words of Roosevelt—

The proposed treaty is a crime against the United States. It is an attack upon the honor of the United States, which, if justified, would convict the United States of infamy.

I now wish to briefly consider the able speech of the distinguished chairman of the Committee on Foreign Relations made on Tuesday last. In that speech he said:

Nothing would induce me to take part in any measure which it seemed to me could be under existing conditions construed as a reflection upon anything he (Roosevelt) did in regard to the Panama Canal, one of the greatest services, as I have said and now repeat, ever rendered to his country and mankind by any President of the United States.

Of course, Senators will accept this statement of the distinguished Senator as made. He believes the payment of $25,000,000 now involves no confession of wrong done by Roosevelt, but in 1917 the Senator took another view. In the minority report which he signed I find this language:

This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally, and no combination of words, no niceties of diplomatic language can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Pan-

ama was a wrong committed against Colombia. On no other hypothesis could Colombia ask for this indemnity of $25,000,000, and on no other could we acquiesce in that demand.

I believe that the Senator from Massachusetts was right then, and that he is mistaken now. While I do not see how he can reconcile his position then with his position now, he has given his reasons for his present position, and I only wish to say in this connection that I doubt whether many Senators have been convinced that the treaty which would have been dishonorable for us to ratify in 1917 can now be ratified without any reflection upon our honor. I further quote from the minority report signed by the Senator from Massachusetts:

> This treaty is in effect not only a plea of guilty to the charge made against us by Colombia, but an agreement that in addition to the payment of $10,000,000, the price for which the Government of Colombia had agreed to convey to us the right of way over the Isthmus while she claimed sovereign rights over that territory, we shall also pay $15,000,000 to Colombia as exemplary damages. No other construction can or will be placed by the world upon our action. Nor can we avoid this conclusion by declaring to the world that we are paying this vast sum, two and a half times greater than we paid Panama for our right of way, "to establish cordial relations of amity." We can not afford to purchase cordial relations of amity with any country. We can not afford to answer a blackmail demand. Once respond to such a demand and we shall be held up for every fancied wrong by other countries.

And again:

> It seems to the minority that such a treaty, giving a large sum of money to a country which has, strictly speaking, forfeited all claims upon the United States by its own conduct is not to be defended and should not be ratified.

It will be noted that all the quotations I have made related to the payment of this $25,000,000. This is the same $25,000,000 concerning which this very vigorous language was used. There have been no new negotiations with Colombia. The consideration for the payment of the $25,000,000 is the same to-day as when this minority report was made in 1917. Then the Senator from Massachusetts termed the $25,000,000 a blackmail demand. If it was a blackmail demand then, it is a blackmail demand to-day. None of the amendments now proposed change the character of this treaty. If it was originally founded upon an illegal and unjust consideration, it is so founded to-day.

The Senator from Minnesota has pointed out that this minority report also objected to the treaty because of discrimination in favor of Colombia in violation of the Hay-Pauncefote treaty. That discrimination still exists. If it was a valid objection in 1917 it is a valid objection now.

Again I quote from the minority report referred to:

> All the articles confer rights and privileges upon Colombia and the United States gets nothing, neither the control of the Atrato route nor the important islands provided for in the Knox treaty; not even a formal recognition of the title of the United States to the canal and the Canal Zone.

This is still true except that by a proposed amendment that formal recognition of title is made which was clearly implied without the amendment.

The Senator from Massachusetts said in his speech on Tuesday:

> He (Roosevelt) never took the position that there should never be any further relations with Colombia, and I laid before him, as I have already said, the amendments which were proposed.

Of course, Roosevelt never took any such position nor do I know of any American who has ever taken such a position. Roosevelt was anxious for a treaty of amity and commerce, as every American is, but never in his life has he indicated anything but opposition to this treaty, either in its original form or with the amendments now proposed. I have already referred to his position regarding the apology, that if we do not apologize we should not pay and if we do pay we should apologize.

Neither can any stretch of the imagination find approval of this treaty in Roosevelt's correspondence with Senator Fall. It is clearly shown that Senator Fall was speaking of a new treaty by which we should secure valuable rights, and for these rights Roosevelt was willing to pay a reasonable sum. Reference has been made to Roosevelt's approval of the Root-Cortes treaty by which Colombia was to receive $2,500,000. But that $2,500,000 was not a charge upon the United States, but upon the Republic of Panama, and it was explicitly stated in the diplomatic correspondence that that sum was to be considered as Panama's just share of the national debt of Colombia.

Our only relation to the payment of that money was that with Panama's consent we were for 10 years to make our annual payments of $250,000 each, due from us to Panama, to Colombia instead.

Mr. President, I have nearly always followed the distinguished chairman of the Committee on Foreign Relations upon questions relating to our foreign affairs. He is a great statesman. He has great influence both here in the Senate and in the country. I am sorry that I can not follow him now, but believing as I do, and as I am firmly convinced that Roosevelt believed, that to ratify this treaty would place the badge of dishonor upon the United States, I can not do otherwise than adhere to the position that the Senator from Massachusetts took in 1917 as I construe his views then, and adhere to the view that I believe Roosevelt held until he died.

Mr. President, it is unfortunate that we do not have a treaty of amity and commerce with Colombia. Everyone desires it. I think it could have been had, except for the unfortunate representation the United States had at Colombia in 1912. James I. Du Bois was our minister there. I do not know him; I never met him, and I do not know where he is now. He had had long experience in the diplomatic service. I never knew of any special activity of his before he became minister to Colombia, but it is due to him more than any man that we are not to-day upon most harmonious relations with Colombia. His attitude in the controversy between Colombia and his Government was astounding. He seemed to be representing Colombia rather than the United States. It was his duty to represent the American viewpoint in that controversy. Instead he represented the Colombian viewpoint. In his correspondence with Senator KNOX, then Secretary of State, he boldly took the position that in the Panama affair we were wrong and Colombia was right. I quote from his letter of September 30, 1912:

> President Roosevelt denied to Colombia the right to land her own troops upon her own soil to suppress a threatened revolt and maintain a sovereignty guaranteed by treaty stipulations.

In reply Secretary Knox, always kindly, never desiring to hurt the feelings of another, in politest language reminded him of his duty to the country he was supposed to represent. He said:

> During your sojourn at Bogota you have naturally become imbued with the Colombian view of the situation. You will readily understand that in the process of actual negotiation it is at least as important that you should be equally thoroughly imbued with those very different views of the subject which are so fully justified on the part of the United States. In order that you may be assured of the additional equipment for the important task to be intrusted to you, you are *instructed*—

Mark the word—

> to make a thorough study of the records of the department and to draw up a memorandum setting forth in the most convincing manner what might be termed the case of the United States, if an agreement were to proceed upon the basis of the Colombian view, as reported in your dispatch and elsewhere.

Secretary Knox then refers him to specific documents for him to study.

Minister Du Bois apparently knew nothing about the American side of that controversy, apparently did not care to know anything about it, and as minister of the United States to Colombia, as I said, in effect represented Colombia and not the United States; and it was he and his representation that inflamed the mind of the people of Colombia, that made them believe that they could secure what it is now proposed in this treaty to give them, $25,000,000, which Senator LODGE in the minority report termed "blackmail."

Minister Du Bois apparently never changed his views, for he afterwards reiterated them in a letter to Mr. Bryan when he was Secretary of State.

I have referred to this to show why it has been so difficult to secure a proper treaty. Our own minister inflamed the minds of the Colombian people and no doubt led them to believe that the United States would indemnify them for their alleged injury.

If this treaty shall be rejected and Colombia be given to understand once for all that the United States will never pay for a crime which she never committed, but is at all times willing to be just and generous to Colombia in all proper ways that do not involve the admission of dishonorable conduct upon our part, it will not be long before we shall have a treaty with her that we can all subscribe to.

There is one member of the Foreign Relations Committee on the Republican side who has been entirely consistent throughout this controversy, and that is Senator KNOX, one of the greatest statesmen, one of the greatest international lawyers, this country has or ever has had. Yet I am sure every Senator must have been very greatly surprised yesterday to hear the Senator from Pennsylvania declare a doctrine which I am sure has never before been declared in the Senate of the United States or elsewhere. This is what he said:

> But for reasons of state and looking to all the circumstances of the case it would appear that the people of the United States ought not to permit the loss to lie where it fell, and that on the contrary we ought to make to the Colombian Government and people some suitable compensation for the self-inflicted loss which they sustained, at least to the extent that we were direct gainers by that loss.

Mr. President, that to me is an astounding thing, and I venture to suggest that if the Government of the United States shall in the ratification of this treaty base it upon the ground here stated by the distinguished Senator from Pennsylvania,

we have invited trouble with other countries, for if that is to be the policy of our Government, what will follow? Why, every time there is a proposition in the Central American countries, that have revolutions every six months, for a treaty with regard to the development of their resources by American capital and they, believing that they can hold us up as Colombia will have held us up, refuse to enter into such a treaty, and then afterwards some portion of that State secedes and sets up an independent government of their own, they can point to the doctrine enunciated by the Senator from Pennsylvania. "Get all you can from the United States; but if they will not do it that way, and then we lose part of our territory, under the doctrine enunciated by the Senator from Pennsylvania the United States will pay us for all they gain by them getting a better treaty than that which we refused."

Mr. BORAH. We would not have to wait long, because San Domingo is asking that now.

Mr. LENROOT. Of course. If this doctrine had been enunciated by some Senators, we might have accepted that statement without surprise, but I am very sure that every Senator must have been astonished at it being enunciated by the distinguished Senator from Pennsylvania.

Now, a word to our Democratic friends who are supporting this treaty.

Most of you across the aisle followed President Wilson upon the tolls question. You, with him, took the position that under the Hay-Pauncefote treaty we could not give special privileges to any nation in the canal—not even to our own vessels—yet you now propose to give such special privileges to Colombia, when you deny them to vessels flying our own flag.

Also, during the last two years we have heard much about the right of self-determination. Some of you have gone to the very extreme of that doctrine. Many of you have insisted upon the right of self-determination for Ireland, with whose aspirations I sympathize, and have insisted upon an action in the United States Senate far beyond the rights of the Senate, in my opinion, to go with any proper policy.

Senators, do you know there is a very close parallel between Panama and Ireland? Both have been held in subjection against their will. Neither one voluntarily surrendered their sovereignty to the Government which controlled them. The Senator from Idaho [Mr. BORAH] clearly showed that yesterday in his eloquent address. But in November, 1903, the people of Panama rose as one man in revolt. Even the Colombian soldiers sympathized with them and joined them. They set up a government of their own, and declared their independence without the loss of a single life. They became as free as the people of Ireland aspire to become.

But some of you who have loudly declaimed for the freedom of Ireland now propose to vote for this treaty, thereby declaring they had no right to be free, that in preventing the landing of Colombian troops we deprived Colombia of the opportunity to crush their free government and that we committed a crime in permitting a subject people to gain their freedom; not only that, but you propose to vote $25,000 000 compensation to Colombia for not permitting her to destroy the freedom of the people of Panama.

When Ireland gains her freedom I wonder if these Senators would be willing to compensate England out of the United States Treasury for the loss of Ireland because of the encouragement Irish freedom has received here.

Mr. President, I shall not pursue this subject further. The memory of Roosevelt is dear to me, as it is to millions of our fellow citizens. If he were living to-day I firmly believe this treaty would not be ratified. Aye, were he living to-day, I do not believe the treaty would be before us for ratification. Were he living to-day, I believe the Senator from Massachusetts and our late distinguished colleague, now our distinguished Secretary of the Interior, would be of the same opinion to-day as they were in 1917, for they were his close friends and loyal supporters.

As for others, they will follow such course as their consciences dictate, and I must follow the dictates of mine.

Because I want our relations with Colombia and every other nation to be founded upon justice and right, because I believe that this treaty if ratified will be but the beginning of unjust demands from others, with the threat of exclusion of American participation in the development of their resources unless granted, and because I want the honor of our country to go down through the ages without a single stain, I can not support this treaty.

Mr. WATSON of Georgia obtained the floor.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Mississippi?

Mr. WATSON of Georgia. Certainly.

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Borah	Hale	McKellar	Simmons
Brandegee	Harreld	McKinley	Smith
Broussard	Harris	McLean	Smoot
Cameron	Harrison	McNary	Spencer
Capper	Heflin	Moses	Stanfield
Caraway	Hitchcock	Nelson	Sterling
Colt	Johnson	New	Swanson
Curtis	Jones, Wash.	Norbeck	Trammell
Dial	Kellogg	Norris	Underwood
Dillingham	Kendrick	Overman	Wadsworth
Ernst	Kenyon	Phipps	Walsh, Mass.
Fletcher	Ladd	Pittman	Warren
France	La Follette	Poindexter	Watson, Ga.
Frelinghuysen	Lenroot	Pomerene	Watson, Ind.
Gerry	Lodge	Reed	Weller
Glass	McCormick	Sheppard	Willis
Gooding	McCumber	Shortridge	

The VICE PRESIDENT. Sixty-seven Senators having answered to their names, there is a quorum present.

Mr. WATSON of Georgia. Mr. President, some years ago, when this very question became acute and a matter of interest to every public citizen of our country, I very carefully investigated it, as an independent journalist, writing my honest opinions as arrived at by an independent investigation and published without regard to result, having no fear of loss of advertisement and no fear of loss of subscribers, but expressing my opinion according to the facts as disclosed by the record. That opinion, Mr. President, I have seen no reason to change; and I have listened to every speech which has been made in favor of this treaty with at least as much attention as has any other Member of this body.

The Senator from Idaho [Mr. BORAH] simply refreshed my recollection as to dates, because an unfortunate physical accident has made it difficult for me myself to make research as to dates and facts; but the main controlling fact that impressed itself upon me when I made my investigation into the matter years ago was that Panama was absolutely independent of Colombia at the time that she made this treaty, and that she had a perfect right to do that which she did.

My friend, the Senator from Missouri [Mr. REED], said the other afternoon, in the discussion of another subject, that the opinion of the minority was often worth listening to. His statement might be made much stronger. It may be said almost without contradiction that every jewel in our crown of American liberty was once upon a time the voice of a despised minority. As yet we have heard nobody from the Southern States protesting against this treaty. My protest may be worth nothing, but I will certainly call to the attention of our people the pretext upon which those who once opposed this treaty as a crowning infamy upon American honor are now supporting it with the same zeal that they formerly exhibited in opposition.

I am almost inclined to wonder whether Senators upon the other side of the aisle are residuary legatees of the political will of Woodrow Wilson. I thought they whipped him upon the idea that he was wrong. Have they no fear that they will whip themselves, by adopting Wilsonism at the very beginning of the session?

The voice of the minority went unheeded in 1918 and the cables were so closed that Europe never knew that the American people, to the extent that they obtained the opportunity, condemned the policies of Woodrow Wilson. Last year they did obtain a full opportunity, and had it not been for the most powerful pressure that could have been brought in some of the Southern States, notably in my own, those States would have gone for the Republican ticket in opposition to Wilsonism. Now the very first thing that I encounter here is an effort of the Republican party to carry out Wilsonism in its strongest manifestation; and apparently they are not afraid of the by-election that may come this year, or the general congressional election that will come next year.

Much has been said about the fact—and I am willing to treat it for the purpose of argument as a fact—that we Americans encouraged the revolution in Panama. Why should we not have done so? We are hereditary revolutionists. We are so from instinct, history, and tradition. We are so by sentiment. Our monuments, our history, our poetry, our literature, are revolutionary. I do not look in the face of a single Senator who is not proud of the fact that he can allege that his ancestors were extremely revolutionary some years ago. I mean, of course, as far back as 1776.

Is there a historian on this floor who can cite me to a single instance where a successful revolution was accomplished by any people of modern Europe without assistance from outside—foreign, if you please? I invite any Senator to name such an

instance. Sometimes that assistance has been given officially, sometimes unofficially, but always that assistance has been given, and always that assistance was necessary to the success of the revolution.

. It was so in our own case. If there is any obligation which is indelibly stamped upon the history of our country it is our debt to Lafayette, our debt to France. Why, forgetting the others who came here to help our ancestors in our revolution against Great Britain, we have been pleased especially to remember France is a question of taste about which there is no disputing; but as to the independence of Colombia, Venezuela, and Panama, I beg to mention a fact which has not yet been mentioned in the debate, so far as I know, and that is, that without the assistance of the British legion organized in London openly as a military force, and shipped to countries of Central America as a military force, Gen. Simon Bolivar could not possibly have won the early victories which led to the final success and the independence of Colombia, as well as other countries in Central America.

The Senator from Ohio, in front of me [Mr. POMERENE], spoke at length and powerfully yesterday. His remarks were prepared evidently with great care; and yet one sentence of a few words could have expressed everything that he said, and those words are: "We stole this property and ought to pay for it." Did we steal it? Are we a Nation of thieves? To a theft it is necessary that there should be a thief. Name your thief! If there was wrongdoing, name your wrongdoer; nail him to the cross and let American indignation wither his memory forever. Who stole this property? Who held in his Jovian hand at that time the irresistible power of the United States Government when we robbed the little country of Colombia? If I should ever make such a charge as this, even in a justice court, much less in the greatest legislative Chamber now known to the representative Governments of the earth, I would be man enough to name my thief. The Senator from Ohio can do as he likes about that. He will not name his thief; he will not incur that odium. If we are going to be brave enough to rob the American people of $25,000,000 of their money, to pay for the misdeeds of this thief, give us the name of the thief. That is the way we used to plead law in justice courts down in Georgia. Up here in these high courts of equity, where we find that Pennsylvania widows are given fabulous sums of money by Pennsylvanian philanthropists who happen to find coal—not oil, but coal—on the land of the widows, and probably marry them to keep the money in the family, I am not so sure of my ground, my pleading, or my practice.

The Senator from Ohio made a powerful argument, and I heard him congratulated upon it by his colleagues for having convicted somebody of having been guilty of grand larceny. Who was that man, if not a President of the United States, and how could a President do it by himself? How could a Chief Magistrate of our Republic steal from a neighboring country a slice of territory without accomplices of some sort in high place and power? Name the accomplices, at least.

Mr. President, we did not steal anything. Colombia had nothing on the Isthmus to steal. Panama had some malarial lakes; she had some mosquito, fever-infested swamps; she had an uncontrollable torrent of a river; and Colombia, astraddle of the narrow Isthmus, could not get one leg in contact with the other. She could not even do what Florida can do; she could not carry any product of one coast to the other; and they were just as much separated from each other commercially as we are separated from Yucatan.

I heard the speech of the Senator from Massachusetts [Mr. LODGE], whom it was my honor and my pleasure to know 30 years ago when he and I were both Members of the Lower House. I learned to respect him then, and I respect him now. With more than usual attention I listened to his argument; and, after having repeated that he would never consent, as he did a few years ago, he consented, and he did it because of an oil proposition that Secretary Fall had pipe-lined into this treaty.

Mr. President, are we the agents for the Standard Oil Co.—that and nothing more? When did that infant, protected in all of its roots and branches, need our assistance in securing access to foreign oil fields? Yet, after reading the long letter of Secretary Fall, which followed a repetition by the Senator from Massachusetts of what he had said so forcibly 10 years ago about blackmail, marauders, bandits—unusually violent language to be used by so literary a person as my friend from Massachusetts—after calling these Colombians by every possible name of reproach, he virtually says:

"Secretary Fall has discovered a great deal of oil down there that the Standard Oil Co. and other companies want."

Well, if we are here to buy property for the Standard Oil Co., let us go on and do it and let us not make any concealment about it. Let us just confess what we are doing—that we are here to buy property for the Standard Oil Co. They are short of oil, seemingly; they have exhausted the oil fields of Tampico, apparently; and my recollection is—and, of course, it is fallible—that Secretary Fall was very indignant indeed because of our oil interests—yours and mine—at Tampico. There was a revolution in Mexico. Poor old Carranza went up the road followed by every victim who ever went before the revolutionary tribunal of France, was sentenced to death, and was tumbrilled to the guillotine. Obregon is in his place. Evidently, Obregon was open to propositions. Something has been settled in Mexico. The oil question has evaporated.

Have they forgotten that we have voluntarily shut ourselves off from the richest oil fields the world ever knew—oil fields that were running and blazing at the time David slew Goliath, burning and blazing night and day when Alexander the Great went through there on his march toward India? Why have we not got access to the oil fields of Baku? Because we will not trade with the Russian government, because we do not like their form of government. Do we like the form of government of Colombia? What is it, by the way? "Despotism tempered by assassination." But seriously, to ask the sworn Members of this body to go back to their constituents and confess to them that they took $25,000,000 of their money in order to open up the oil fields of Colombia to the oil companies of this country—which, we all know, means Standard Oil or its subsidiaries—is putting upon us a heavy responsibility, which may be the heavier the closer we get to our people.

We were going to have economy. We were going to have retrenchment. We were going to have reform, and it starts by taking $25,000,000 as an indirect subsidy to the oil interests of this country. By what constitutional authority do we do that? We ought to have some reason for it. There ought to be some legal reason for it. There ought to be some constitutional ground for it. Upon what authority, Mr. President, do we do it?

I do not find fault with my friend, the Senator from Massachusetts, for changing his opinion. That is his right. Perhaps he was wrong a few years ago. He was unusually emphatic in saying he was right, and at that time he did not put any oil in his speech, either. Nevertheless, if he has changed his opinion honestly—as I would not for a moment doubt—that is his privilege, but he should not ask us to turn around with the wheel whenever he does. If we want to "stay put," let us stay there, and we will have a firmer foundation than that which was, some years ago, constructed by the masterly intellect of the Senator from Massachusetts.

Again, we heard one of the great lawyers—not one of these pin-hook fishermen, but one of the great lawyers—the Senator from Pennsylvania [Mr. KNOX]; and I listened to him with unusual attention. It is nothing new for lawyers to weave and spin and ball up attenuated threads; but the smallest legal thread that ever I saw come out of a big lawyer's head was the one that came out of the head of the great lawyer from Pennsylvania yesterday. It was not big enough to be wire; it was almost invisible; it was gossamer; it swung away just as he was spinning it. Before you knew it, it swung from one side of the Chamber to the other, to the infinite satisfaction of the great lawyer who was spinning the web; and he did not leave it where it stuck, or where it tried to stick, and where no doubt the votes will make it stick, but he had to illustrate it by the widow of Pennsylvania—the great State in which William Penn bought the whole thing, coal, oil, and all, for 75 cents worth of striped calico, and $1.25 worth of blue and red beads!

Evidently the Senator from Pennsylvania had not thought of this happy illustration until he was prodded into it by an inquiry just as he was about to take his seat. After he had been questioned by one or two of his colleagues, this happy inspiration came to him, just as happy inspirations come to all of us, some time or other. He said this treaty reminded him of a transaction of a friend of his in Pennsylvania—a fellow-Pennsylvanian, no doubt—who had bought some land from a widow, and the buyer did not know of the coal that was on the land, and the widow did not know it; but because the man found the coal there, and got immensely rich from it, he gave the widow her mite, after he had safely cashed in his own fortune.

What has that to do with this Colombian treaty? He said, and he apparently convinced himself—I have no doubt he is convinced right now that his illustration was conclusive—that, because we had obtained such immense benefits from the suicidal conduct of Colombia, we ought to compensate Colombia for

having done that suicidal act. That is surely something new to lawyers and to laymen. Does not Colombia participate in every benefit that flows to mankind from that canal? It is the most stupendous work of modern times.

Every Member of the Senate will remember, of course, that for a long, long while there had been the dream of opening up a passage from ocean to ocean across this Isthmus—formerly the Isthmus of Darien, of course, now of Panama. It had not gone so far as the Suez Canal had gone, which Alexander the Great had dug, which the drifting sands had filled in, and which the Frenchmen went there and reopened, not exactly on the same line, but practically on the same plan.

Those Frenchmen went to this isthmus south of us and made Herculean attempts to repeat in Central America what they had so gloriously done in Egypt. Their failure was colossal. The amount of money sunk was stupendous. Disease swept off their workmen by the thousands. The climatic conditions destroyed their houses, their machinery, their hopes, and they abandoned the whole thing.

It was the energy, the never-give-up spirit of America, and the great resources of our country that enabled us to go there and dig the canal, which had been the dream of Spanish adventurers, in a place that had been the favorite home of Spanish pirates, across a piece of country that was not worth a pair of shoes until that canal was built. We spent $375,000,000, as I remember, in doing that. We made the climate salubrious by the efforts of that noble southern gentleman, Dr. Gorgas. The canal itself was made a success, possibly. There seems to be some doubt, even now, as to whether the great old Senator from Alabama [Mr. MORGAN] was not right when he preferred the Nicaraguan to the Panama route. We are told that our largest battleships can not pass through the canal. We are told that we never can be certain that there is not as much danger from the volcanic nature of the soil beneath as from the slides from the heights above. Engineers are in doubt, I am told, as to whether, after all, we shall not have to abandon the Panama route and take the certainty of the Nicaraguan route.

Be that as it may, Colombia had on her hands a possession that was totally worthless to her and to the world. She had tried to dispose of it, Mr. President, and could not do it. The question was whether or not, on the failure of the French company and the refusal of Great Britain and Germany to meet the approaches of the Colombian Government, we should enter into arrangements with Panama and dig the canal.

Suppose, Mr. President, we were exercising our powers in this high court of equity under proceedings of eminent domain, for the condemnation of private property for public good, a right inherent in every sovereignty, a right which is given to nearly every canal company and railroad company, a right which the State itself is constantly exercising for her own benefit. Suppose we were put in the legal position of having exercised the right of eminent domain, and condemned that unused portion of malarial swamp for public purposes. By what test of value would we be held, Senators? Would we be held to the values which we ourselves developed there, by the loss of life and the investment of money; or would we be required, under the strictest rules of equity, to account to the owner, supposing Colombia to have been the owner, for the value of the property as it stood at the time we took it?

Has Colombia the right to say, "I am little, I am weak, and I am helpless. You are big, and you are strong, and you came down there and you spent your money and you spent your lives and you made a vast passageway where we could not make it, and when no other nation would undertake the task. You made it, and now, after you have made it, we want you to pay for it in proportion to its present value"? In what manner does that principle appeal to any lawyer in this body? In what manner will it appeal to any layman of ordinary intelligence?

I will say, in passing, that there is a minor feature of this treaty which has not yet, so far as I remember, been discussed, but which is fuller of future trouble than any treaty I know of, with one single exception, which I will not mention. We give to Colombia, under this treaty, special privileges, not given to our own vessels, and we give to her the most tempting offer, the most tempting bribe, that ever was offered to human cupidity, to use her flag, illegitimately, to cover the canal-toll-escaping tonnage of other nations. If there were no other features of this treaty except that, I would say reject it. It is bound to cause trouble.

When you buy property, quiet the title when you buy it. As surely as you leave an easement to the person from whom you buy, that easement will ripen into a claim of right which will perhaps defeat your enjoyment of the property. Every lawyer knows how that is, and every business man knows how it is.

Mr. President, the Senator from Pennsylvania [Mr. KNOX], whose argument will recur to me in spite of myself, said that we ought to pay Colombia because of the good we had gotten out of the wrong committed by Colombia. By what principle? What is your standard of value? How do you measure it? We were not responsible for any wrong committed by Colombia. We can not be held responsible for mistakes committed by Colombia.

We can not compensate Colombia for any good we have gotten out of the canal. Who knows how much good we have gotten out of the canal? Who knows what will be the condition of the canal 10 years from now? Let earthquakes happen down there as often as revolutions do and you will not have any canal, any more than the revolutions will leave governments. When you say, "Give her $25,000,000 because of the benefit we have derived," why stop at $25,000,000? We are supposed to have gotten value received for what we spent, and we have spent, in round numbers, $400,000,000. Why not give her $400,000,000? An irresponsible private speculator, who has been charged on the floor of Congress with having been a profiteer to the extent of millions of dollars during the recent great war, says we ought to make a present to Europe of fifteen thousand million dollars. Of his money? No; not a cent of his money. He might make a commission on getting the European debts remitted. Somebody may get a commission on getting this one collected; I do not know.

But I say this, Mr. President, with all seriousness, if we ratify this treaty, we leave open the question, the eternal question, vexatious and interfering with our title—the right of Colombia to use this canal as if she had built it. You can not think of a provision more apt to becloud your title, interfere with the enjoyment of your property, and bring about a collision of interests, than allowing somebody else to be common owner and common user of property which you have improved at your own expense. That is in this treaty, a world of worry and trouble for this country hereafter.

Again, I do not know what the condition of the people in the East is; I do not know what the condition of the people in California is, nor in the rest of the West, but I do know what the condition of the people in the South is, and that condition has become almost one of despair and desperation. We are to-day paying from $6 to $10 for a pair of shoes and selling the hide of a whole cow for 50 cents, when we can market it at all. Our lumber mills are being closed. Our banks are being closed. Our stores are being closed. Our farms are being abandoned, and every Senator here from every Southern State knows that what I say applies more or less to his own State. Men who started out to make another crop have already quit, because the banks are unable to extend credit. Our own bonds, issued to support the war across the ocean, have been virtually repudiated by the Government itself. The Government which sold those bonds at par, through its own instrumentalities, pledged its honor to the people who sent their boys to shed their blood for the flag, the men wounded, or crippled, or blind, whom you will see on every avenue and park in this great city, the men whose cry of distress goes up now from one part of this Union to another. When our people are in that condition, their bonds repudiated, unable to sell them except at 85 cents on the dollar, because Federal banks will not lend money on them at all, we are repudiating our own debt and yet talking about national honor in the case of Colombia and buying her good will. When did any nation ever purchase an indefeasible title to the good will of another?

Who saved France from absolute desolation, and prevented the Kaiser from dining in Paris in August, 1914, as he is said to have boasted he would do? The Russians did it; and almost before the 4,000,000 Russians who had laid down their lives to save France had molded into the sod, there was France sending armies to make war upon Russia. There was Italy, bound by a treaty to Germany and to Austria, hanging in suspense, a very sword of Damocles over the head of the Entente for more than a year, with the whole world looking to see which way that sword would drop. Finally, when it fell and flashed on the side of France and of England, who were the first to desert Italy at the peace conference, afterwards, while our Government was still too proud to fight and too right to get into affairs which our President stated were no concern of ours?

Talk about national gratitude! No such thing exists. Individual gratitude may. South America will trade with us as long as it is to her interest to do it. We will trade with South America as long as it is to our interest to do it. We may buy at the expense of the common people to-day the good will of Colombia, and she will despise us for it, as long as the fact is remembered.

This treaty once had an apology in it. Great glory is claimed for those who have stricken out the apology. There are several ways of making apologies. I would very much rather forgive

the man who came to me with outstretched hand and says, "I was wrong in what I said; I beg your pardon; forget it and let us be friends," than to have him come to me and say, "I wantonly injured you to the extent of $500 and here is your money." In the one case I would feel like opening my arms to him. In the other, I would feel like taking my foot to him and kicking him.

You will not buy friendship so as to hold it, and no one expects to do so. The only way out is to maintain our self-respect. If we owe Colombia this money, let us pay it; but the Senator from Pennsylvania [Mr. KNOX] says we do not owe it, so then we should not pay it. The Senator from Ohio [Mr. POMERENE] said we do owe it because we stole the property. Then the only thing to do is to restore the property, pay damages for having taken it, and make Colombia an apology.

Escape these dilemmas if you can. It is simply a commonsense view of the situation. There is no use splitting hairs or drawing nice distinctions. We have either used our power to rob a neighboring State, or we have not. If we robbed that State, we owe her restitution, atonement, apology. If we have not, we do not owe her a thing. If her friendship is in the market for sale, let her take it to a market that buys friendship. We have never bought friendship, and we ought always to be too proud to offer to buy it. We have had friendships when we have deserved them. We shall continue to have them as long as we shall continue to deserve them, and no longer.

We have sworn to abide by the Constitution, and we are now administering trust funds in a high court of equity. We are asked to restore to a wrongdoer the amount of damage that he did to himself when he was not at himself. If that is the kind of logic that addresses itself to your reason, Senators, then follow it. I have not the slightest inclination to dictate to any man or to change any man's opinion. I claim only the right to stand by my own; but I will say this in conclusion, that if we set this example, if we adopt this precedent—and every lawyer knows that a precedent is as strong as a statute and less subject to repeal—then our future is full of peril, our National Treasury will be leaky forever, and our own people in their desperation will turn elsewhere for the relief which they will have failed to receive as a result of the change in government last year.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gerry	Lodge	Reed
Borah	Glass	McCormick	Sheppard
Brandegee	Gooding	McCumber	Shortridge
Broussard	Hale	McKellar	Simmons
Bursum	Harreld	McKinley	Smith
Calder	Harris	McLean	Smoot
Cameron	Harrison	McNary	Spencer
Capper	Heflin	Moses	Stanfield
Caraway	Hitchcock	Nelson	Stanley
Colt	Johnson	New	Sterling
Cummins	Kellogg	Nicholson	Swanson
Curtis	Kendrick	Norbeck	Trammell
Dial	Kenyon	Overman	Underwood
Dillingham	Knox	Phipps	Warren
Ernst	Ladd	Pittman	Watson, Ga.
Fletcher	La Follette	Poindexter	Watson, Ind.
Frelinghuysen	Lenroot	Pomerene	Willis

The VICE PRESIDENT. Sixty-eight Senators having answered to their names, a quorum is present.

Mr. LODGE. Mr. President, unless some Senator desires to speak on the Colombian treaty, I wish to move that the Senate proceed to the consideration of legislative business.

Mr. HARRISON. Will the Senator withhold that one moment? Is it the intention to go on with the appeal proposition now pending?

Mr. LODGE. It is the intention to return to legislative business and take that up. I move that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed legislative business.

STANDING COMMITTEES OF THE SENATE.

The VICE PRESIDENT. The pending question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. UNDERWOOD. I ask the Chair to state the exact question, not shall the decision of the Chair stand, but the issue that is before the Senate.

The VICE PRESIDENT. The Senator from Connecticut [Mr. BRANDEGEE] offered a resolution, which was objected to on the point of order that it could not be brought up because one day's notice had not been given and the resolution was not properly before the Senate. That point of order the then occupant of the chair ruled was not well taken. The question now before the Senate is, Shall the ruling of the Chair stand as the judgment of the Senate?

Mr. HITCHCOCK. Mr. President, the immediate point of order before the Senate, as I now recall, was one that I made, that the Senator from Connecticut was undertaking to offer to the Senate a resolution which had been referred to the Committee on Rules and which was not then within the jurisdiction of the Senate, the Committee on Rules never having reported the resolution which he then offered.

Mr. BRANDEGEE. Mr. President, of course the RECORD will disclose exactly what the point of order was and what the situation was. I had made a motion calling for the adoption of a certain resolution which I sent to the desk. It was a motion. The day previously I had given a notice and had sent a resolution to the Committee on Rules. Entirely independent of that, the day following, in accordance with the notice which I had given the day previously, I made a motion that the rules be changed in accordance with the resolution which I sent to the desk. The Chair will find the ruling of the Presiding Officer on page 127 of the RECORD.

Mr. UNDERWOOD. Mr. President——

Mr. HITCHCOCK. If the Senator from Alabama will permit me a moment, I desire to say that the resolution which the Senator from Connecticut presented was the identical resolution, with the number 19, I think, which had been referred to the Committee on Rules and which was not any longer in the jurisdiction of the Senate. It could only have been offered and the motion could only have been made for the adoption of the resolution amending the rules upon the theory that one day's previous notice had been given. So it was the identical resolution to which the notice referred; it was the identical resolution which, upon the request of the Senator from Connecticut, had been referred to the Committee on Rules, where it still remains.

Mr. BRANDEGEE. Mr. President, whatever the merits of the discussion of the appeal from the ruling of the Chair may be, the fact is that the Chair overruled the point of order and an appeal was taken. The question now is, as the Chair has stated, whether the ruling of the Chair shall stand as the judgment of the Senate.

The VICE PRESIDENT. The Chair has stated the question——

Mr. UNDERWOOD. If the Chair will allow me, I desire to say that, of course, we all know that the direct issue before the Senate is the question whether the ruling of the Chair shall stand as the judgment of the Senate. I was not present when the ruling was made, but I attempted to follow the debate in the RECORD this morning. In reading the debate there seems to have been some confusion in the minds of Senators who carried on the debate as to what the real issue was. I think the Senate should vote directly on the issue. If we are going to establish a precedent in the Senate, we should know what it is. Therefore I rose to ask the Chair to define what the issue is, so that we may know from the ruling of the Chair exactly what is the issue which confronts the Senate, so that we may decide not only the question as to whether the ruling shall stand but may understand what that ruling carries with it.

Mr. SMOOT. Mr. President, I think the decision of the Chair covers the point just as distinctly as the Senator from Alabama has suggested. I think it would be well to read the decision of the Chair, and then Senators may themselves know just what the question is.

Mr. UNDERWOOD. I understand that. I have read the ruling of the Chair, if the Senator from Utah will allow me, but one Senator may think he is voting on one question and another Senator may think he is voting on another. I think we are entitled to have the Chair define what the question is. That is what I am asking.

Mr. SMOOT. A reading of the decision of the Chair will disclose the fact that the Chair specifically stated the question.

Mr. UNDERWOOD. I have great respect for the opinion of the Senator from Utah, but the Senator from Utah is not the Presiding Officer of this body. We are going to make a precedent based on the decision of the Presiding Officer of the body; and I should like the matter cleared up by the Chair, so that we may know exactly what the Chair construes is the issue before the Senate.

Mr. SMOOT. The Senator from Utah did not expect to make a decision for the Chair, he will say to the Senator from Alabama. All he had in mind was to call attention to the wording of the ruling from which an appeal has been taken. I now read from the RECORD:

> The PRESIDING OFFICER (Mr. CURTIS). The object of Rule XL is to put the Senate on notice. This notice was given yesterday, printed in the RECORD, and stated from the floor. The Senator who gave the notice can do either one of two things, or he can make his election, if

he wants to, on the second day. He can either offer the resolution specified in the notice and call it up immediately, or he can offer the resolution on the second day and have it referred.

The practice of the Senate has been, by some of the Senators, to give the notice and offer the resolution on the second day and ask its reference. Others have given the notice and called up the resolution or motion on some day following.

The last time this question was before the Senate the Senator from Missouri [Mr. REED] proposed the following order of the Senate.

Then the order is quoted.

Mr. HARRISON. May I ask the Senator from Utah a question before he takes his seat?

Mr. SMOOT. Certainly.

Mr. HARRISON. Did the Chair not hold, however, that the notice must be on the same resolution as that whose adoption is moved?

Mr. SMOOT. As I understand, the motion was on the same resolution concerning which notice had been given.

Mr. HARRISON. May I ask the Senator if it is not a fact that the notice was first on the resolution that is numbered 19, but that the resolution now proposed by the Senator from Connecticut is numbered 43—two separate and distinct resolutions?

Mr. SMOOT. But they are exactly the same in language, I will say to the Senator from Mississippi, and it makes no difference.

Mr. HARRISON. They are not, however, the same resolution.

Mr. SMOOT. And the notice is the same; the notice that was given upon the first day is exactly the same as the notice that was given upon the second; but the Senator from Connecticut decided that he would have the Senate act upon the notice and not have it referred to the committee. That has been the universal practice of the Senate.

Mr. UNDERWOOD. Mr. President, if I may make myself a little more clear, I think the importance of this matter is not primarily because of the vote itself, but because it will establish a precedent by which the Senate may be governed in the future; and I am only anxious to have the Chair define what is the issue before we join in battle upon it. I find on page 123 of the RECORD that after the Senator from Connecticut presented his resolution the Senator from Nebraska [Mr. HITCHCOCK] rose and said:

Mr. President, I make a point of order that this resolution was presented to the Senate yesterday, and upon the request of the Senator from Connecticut it was referred to the Committee on Rules, in which committee it still remains, and that until that committee reports it is not in the possession of the Senate.

I find on page 127 the ruling of the Chair, which has just been read by the Senator from Utah [Mr. SMOOT]. The point of order that seems to have been made by the Senator from Nebraska was as to whether the resolution was in the committee; therefore, whether it could properly come before the Senate. Certainly it did not relate to the question of notice. The decision of the Chair seems to ignore the direct issue made by the point of order—and it was the only point of order that has been made, so far as the RECORD discloses—and turns on the issue as to whether proper notice has been given.

I am not saying this in criticism of the temporary occupant of the chair, because I have followed the debate, and I see that the debate seemed to turn on the question of notice and not on the question of reference. I do not know that the temporary occupant of the chair was in the chair when the original point of order was made, and therefore he may have followed in his decision the line of debate rather than the direct wording of the point of order.

It seems to me that the issue before the Senate must be based on the question of the point of order made by the Senator from Nebraska; that that must be taken by the four corners, and that that is the issue rather than the question of notice as defined by the decision of the Chair. I am willing to accept the horn of the dilemma; that is not so material, but if we are going to make a precedent that may govern the Senate in the future, I think it should be clearly defined so that there will be no doubt about it in the future. Therefore I merely rose to ask the Chair to define the issue before the Senate and to state what is the point of order that has been overruled by the temporary occupant of the chair. No matter what his opinion concerning the immediate issue involved, his action overruled the point of order. I think that should be the issue before the Senate; but I am prepared to accept whatever construction the Chair puts on the issue, and I will ask the Chair to define what the issue is.

Mr. BRANDEGEE. Mr. President, I heartily concur with the conclusion of the Senator from Alabama that the point of order as read by him was made by the Senator from Nebraska and was overruled by the then occupant of the chair. The question therefore is, Shall the decision of the Chair stand as the judgment of the Senate? Whether the Chair when overruling the point of order gave such reasons for so doing as the Senator from Alabama would have given or as I would have given is perfectly immaterial to this case. The question is, Shall the decision stand; is it correct, irrespective of the language used by the Presiding Officer? The debate can proceed upon that; it can proceed upon the appeal from the ruling of the Chair, and Senators can comment as much as they please as to whether the reasons given by the Presiding Officer for his position suit them or in their opinion were correct. I repeat the question: Was the ruling correct; was the judgment correct? That is all there is to it.

Mr. UNDERWOOD. I agree with the Senator thoroughly; there is no dispute between us except I was not here and the RECORD is in a nebulous state as to the issue. I think it is one of the duties of the Chair to define what the issue is, and I am merely asking the Chair to define the issue in this case.

Mr. BRANDEGEE. I agree with the Senator entirely; but I do not see how the Chair can define the issue more clearly than he has already done in his lucid argument, and the statement that the issue and the question before the Senate is, Shall the ruling of the Chair stand as the judgment of the Senate? That is the pending question.

Mr. SMITH. Will the Senator from Connecticut allow me to interrupt him?

Mr. BRANDEGEE. Certainly.

Mr. SMITH. On what was the ruling of the Chair based? What was the question upon which the Chair ruled?

Mr. BRANDEGEE. The Chair ruled on the point of order raised by the Senator from Nebraska.

Mr. SMITH. The point of order raised by the Senator from Nebraska was whether the resolution was in order.

Mr. BRANDEGEE. If the Senator from South Carolina, when he comes to exercise his franchise upon this great constitutional question, thinks that the intellectual wheels of the Senator from Kansas, who was then presiding over the Senate, did not whir to his satisfaction, he can vote against the decision of the Chair being recorded as the judgment of the Senate; but the Chair is powerless, as it seems to me, to state the question before the Senate in any clearer manner than he has already done.

Senators can debate to their hearts' content about the ruling of the Chair and whether his mind was logical in arriving at his conclusion. I shall vote to sustain the decision of the Chair, for I think it correct.

Mr. SMITH. Mr. President, I wish to vote intelligently. I have taken no part in this discussion, but I must confess that I should like to have the request of the Senator from Alabama complied with; I should like to know what was the real issue upon which the ruling of the Chair was based, so that we may vote intelligently as to whether the Chair was right or wrong in his ruling.

Mr. BRANDEGEE. I can not guarantee that the Senator will vote intelligently, but I do not object to his debating the question.

Mr. FLETCHER. Mr. President, I think it proper to call the attention of the Senate to the fact that taking the ruling of the Chair made at that time, in all that the Presiding Officer said, in all that he held, he absolutely ignored the point, and that was whether or not, when a motion or a notice or a resolution is actually referred to a standing committee the Senate can deal with that motion or that notice or that resoiution while it is in the hands of the committee and before the committee has ever reported.

That is the question, and that was ignored in the ruling of the Chair so far as any expression of the Chair is concerned. I think it proper, therefore, to ask if the Chair at present understands that the real point is whether or not this notice or this motion, which had been referred by the action of the Senate to a standing committee and was still in the hands of that committee, could be taken up and acted on here in the Senate while it was still before the committee?

That is the real point in the case, and that point is ignored utterly, so far as any expression of the Chair was concerned, in the ruling.

Mr. CUMMINS. Mr. President, I desire to say a very few words with regard to the ruling of the Chair, for I understand that the question we are about to decide is whether the decision of the Chair which overruled the point of order made by the Senator from Nebraska [Mr. HITCHCOCK] should be sustained by the Senate.

On Tuesday, as I remember, the Senator from Connecticut [Mr. BRANDEGEE] gave notice that on the following day he would move to amend a certain rule of the Senate in certain par-

ticulars. On Wednesday, or upon the following day, the Senator from Connecticut moved the adoption of a resolution which, if adopted, would change the rule precisely as he had indicated upon the previous day; and the Senator from Nebraska made the point of order that the notice and the resolution—probably the notice is not material—that the resolution itself or the motion of the Senator from Connecticut had been referred to the Committee on Rules, and that until that committee had acted upon the matter and had made report to the Senate, or until the committee had been discharged from the consideration of the subject by the Senate, it was not in order for the Senator from Connecticut to bring forward his motion or his resolution to amend the rule.

I took a little part in the discussion of that particular subject, and I want to remind Senators who are here now of the suggestions which occurred to me as the material ones for the decision of that question.

I grant that in so far as the Senate could accomplish the purpose, both the notice and the proposed resolution were referred to the Committee on Rules. I grant that if the reference is a valid reference the Senate is without jurisdiction to consider it until it has received a report from the Committee on Rules or until the committee is discharged from further consideration of the matter. My position is, as expressed the other day, that the attempt to refer the notice with its accompanying resolution to the Committee on Rules was an absolute nullity; that there was nothing to refer to the Committee on Rules, and that the committee is now without any jurisdiction whatever to act upon the subject matter that we are now discussing.

If my view with regard to that phase of the subject is correct, obviously the ruling of the Chair, no matter what reason he gave for his ruling, in determining that the point of order made by the Senator from Nebraska was not well taken, is correct and should be sustained by the Senate. The rule of the Senate—and I am quite as much interested in maintaining the integrity of the rules as any Member can be, for I have occasion from time to time to administer them—provides that a motion—and in that respect a motion and a resolution are synonymous; there is no difference whatever between them—to amend the rules shall not be in order—now, mark you, shall not be in order, or, in other words, the Senate can not receive a motion to amend the rules—until a Senator has given at least one day's notice of his intention to bring forward that subject before the Senate.

If the Senator from Connecticut had attempted it—and he did not—it would have been impossible for the Senator from Connecticut to have moved an amendment to the rules until he had given the notice which the rule requires. In fact, the Senator from Connecticut gave his notice in perfect form. Rule XL requires that the Senator shall specify particularly the respects in which he desires to amend the rule; and the Senator from Connecticut accomplished that object by attaching to his notice a so-called resolution, which did point out specifically the respects in which it was desired to modify the rule.

The resolution was not before the Senate for any other purpose, and could have been before the Senate for no other purpose, than to conform to that part of Rule XL which requires that the particulars in which the rule is to be amended shall be pointed out. The resolution could not have been referred to the Committee on Rules, no matter what we said in the record of our proceedings; the Committee on Rules could not have reported on it, for non constat the Senator from Connecticut might never have moved under his notice to amend the rule; he might never have brought forward his resolution for that purpose; and until the Senator from Connecticut did bring forward his motion or his resolution to amend the rule there was nothing upon which the Committee on Rules could by any possibility act.

This is equally true of the notice. I suppose, physically speaking, a notice could be referred to the Committee on Rules, but it could have no effect, and the Committee on Rules could take no action whatever upon it. When the Senator from Connecticut gave his notice it was functus officio. It had accomplished its object.

The Committee on Rules was powerless to make any recommendation with regard to it or suggest any action of the Senate upon it. That matter is wholly within the power of the Senator from Connecticut. He has given the notice that is required, and he could follow that by his attempt to modify the rule, which he did on the following day.

So, Mr. President, it is perfectly clear to me that, notwithstanding the occurrences upon the day upon which the Senator from Connecticut gave his notice—and I grant you that if it had been legally possible to refer that subject to the Committee on Rules there is abundance in the RECORD to show that it was so referred——

Mr. HITCHCOCK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Nebraska?

Mr. CUMMINS. I do.

Mr. HITCHCOCK. If this had been a mere perfunctory reference to the Committee on Rules, I can see that the Senator might now be justified in raising the question whether it might be properly referred; but the reference to the committee was debated. The Senator from Connecticut himself explained that he desired it referred, and that the committee could report on the following day. The Senator from Iowa, who now has the floor, participated in the discussion, and not a voice was raised in this body in question of the propriety or legality of referring it to the committee. It was done, then, by unanimous consent of the Senate; and even if it is in violation of the rules, it was done by unanimous consent. The Senator cites no rule to show that such a reference is not proper. Indeed, the Senator from Alabama [Mr. UNDERWOOD] calls my attention to the fact that any rule may be suspended without notice by the unanimous consent of the Senate, except as otherwise provided in clause 1 of Rule XII.

Now, this was an act of the Senate. It was a unanimous act of the Senate. It was an act of the Senate after a discussion in which the Senator from Iowa himself participated; so that it was not a perfunctory reference.

Mr. CUMMINS. I do not recall that I participated in the discussion on the day on which the Senator from Connecticut brought forward his notice, although I do not say that I did not. I do not remember.

Mr. HITCHCOCK. The discussion was limited, but the Senator from Iowa said, "Mr. President, I ask for the regular order." The Senator from Iowa objected to further discussion, and when the Senator asked for the regular order the reference was made. So the Senator was present, he was advised of what was done, and it was done unanimously.

Mr. CUMMINS. Mr. President, I do not question that, but I do question the conclusion of the Senator from Nebraska that because I asked for the regular order therefore I participated in the discussion, after which the reference was made.

But I have said that, so far as the Senate had the power to do it, the matter was referred. But it had no power to do it. Suppose, as I am standing here now, I should give notice that 10 days hence I intended to introduce a bill, and for information should ask to have it printed. Is there any Senator here who would insist that the bill which I desired to bring the attention of the Senate to should be or would be referred to a committee for its action upon it?

Certainly no one will so contend. That is precisely the condition in which we find ourselves now. An attempt was made to refer this subject to the Committee on Rules, without the possibility of the Committee on Rules taking any action whatsoever upon it. It was beyond the power of the Senate to do it. You can not overcome, by any sort of reason, the fundamental laws of the Senate and the procedure under which it acts.

Mr. FLETCHER. The Senator will admit that the notice required by the rule, and given in this instance, was wholly inadequate and incomplete, except by making the resolution a part of it. The Senator will agree to that?

Mr. CUMMINS. No; I do not agree to that. I agree that in substance the Senator from Connecticut [Mr. BRANDEGEE] complied with the rule by attaching a copy of the resolution which he proposed thereafter to offer; but he could have pointed it out in his notice just as well without attaching any resolution.

Mr. FLETCHER. Precisely; he could have done it, but he did not.

Mr. CUMMINS. No; he did not do it.

Mr. FLETCHER. This notice is wholly inadequate and incomplete without the resolution. The resolution sets forth the particulars and specifies the respects in which he proposes to amend the rules. The purpose is set forth in the resolution. The notice being completed by the resolution, and being inadequate without the resolution, the motion was made to refer the resolution and the notice to the committee.

Mr. CUMMINS. Allow me to ask the Senator from Florida a question. Suppose, on the day on which the Senator from Connecticut did actually offer his resolution and did make his motion, the committee had reported that the notice was not sufficient. Would that have been within the jurisdiction of the committee? That is not a question for a committee of the Senate to determine. It is a question for the Presiding Officer to determine, whether the notice that has been given is adequate under the rule.

Mr. FLETCHER. We might get the judgment of the committee on it, too, if we wanted.

Mr. CUMMINS. Suppose the Senator from Connecticut had changed his mind as to his desire to modify the rule, and had abandoned his effort entirely. Will the Senator from Florida tell me what the Committee on Rules could have done?

Mr. FLETCHER. The committee could have reported upon this notice and the resolution, recommending, for reasons, that it would advise against any such change as proposed, if they saw fit. Of course, I will concede that the committee very likely in that case would have postponed action upon the whole matter and would not have made any report at all; but it could have done so.

Mr. CUMMINS. I disagree with the conclusion of the Senator from Florida. The committee could have done nothing. There must first be a resolution offered to amend the rules or a motion made to amend the rules. That is a proper subject for reference to the committee. But until that motion is made there can be no reference of the subject to the committee, because it is not only beyond the power of the Senate to commit such a subject to the committee, but the report of the committee must necessarily be entirely futile. It could not report anything whatever.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. I yield.

Mr. OVERMAN. Does the Senator from Iowa contend that whenever there is an effort to amend the rules and a Senator gives a notice accompanied by the specifications it must lie over one day before it is referred to the committee?

Mr. CUMMINS. I do.

Mr. OVERMAN. And that the committee can not get jurisdiction until it is sent to it?

Mr. CUMMINS. I do. I say there is nothing whatever to refer. You can not refer a subject to a committee until that subject has been presented to the Senate, and it was under the rule of the Senate impossible for the Senator from Connecticut to move to amend the rules or introduce a resolution to amend the rules until he had given one day's notice of his intention to do that thing.

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Alabama?

Mr. CUMMINS. I yield.

Mr. UNDERWOOD. I was just going to say to the Senator, as I happen to be on the Rules Committee, I have seen many resolutions introduced to change the rules and many referred. It is usual to refer them to the committee and then give notice afterwards. I think Rule XL refers to notice to the Senate, not to the committee. But the last part of Rule XL says you can do anything by unanimous consent with reference to this reference, and while I was not here the black and white record says it was referred without opposition. The Chair said he would refer it.

Mr. CUMMINS. Mr. President, there are a great many things which the Senate can not do by unanimous consent.

Mr. UNDERWOOD. But Rule XI expressly authorizes this to be done by unanimous consent.

Mr. CUMMINS. I do not agree with the Senator from Alabama about that.

Mr. UNDERWOOD. There can not be any question about it.

Mr. CUMMINS. There are certain fundamental principles which must control the action of the Senate. It can refer anything to a committee of which it has jurisdiction. It can not refer to a committee a resolution or a motion that has not yet been made and that could not have been made at the time the notice was presented and at the time the reference was made.

But I look upon all this as making a mountain out of a molehill. So far as I am concerned, I think this is a proper subject to be referred to the Committee on Rules, and personally shall vote, if the motion is made, to refer the resolution to the Committee on Rules. But if I can help it I am not going to stand by and see a ruling of the Chair impeached for a reason which, in my judgment, is not sound. It was charged openly upon the floor of the Senate a day or two ago that the ruling of the Chair was prompted by a desire upon the part of the then occupant of the chair to forward an unjust and an unfair conspiracy among the Members of the majority in the Senate to accomplish an unworthy purpose. I think that unless, viewed from a proper standpoint and looked upon in the light of the rules, technically construed the ruling of the Chair should be condemned, it is our duty to sustain the ruling, because it was sound and a proper interpretation of the rules.

Mr. SMITH. Mr. President, the speech of the Senator from Iowa resolves itself into this: When the notice was given the error that was committed was in the proponent of the proposed modification of the rules asking its reference on that day. Had he foreborne to do that and allowed his notice and resolution to lie on the table until the day following it would have been then in order to have referred it to the committee. Now, the question for us to decide is whether the Senate was within the rules in acting upon his motion to refer it on the same day, which seems to be in contravention of the spirit of the rule, which provides that the notice shall be given and one day shall elapse, and on the expiration of that day the Senate can either refer it or act on it directly, as it sees fit or as the proponent sees fit to ask that the Senate shall act directly or that the reference shall be made.

Neither one of those courses was taken. The proponent, as well as all the Members of the Senate, seeming to have forgotten the rule, asked, on the same day that the notice was given, that it, together with the specifications which were required under the rule to accompany the notice, be referred to the committee. The Senator from Iowa contends that that was in contravention of the rule. On a reading of the rule, it seems to be clearly against the spirit of the rule. But it was referred unanimously, the Chair saying it was referred upon the request of the Senator from Connecticut. But having been referred, and the incident for that day closed, on the next day the Senator from Connecticut moved to take up and to finally dispose of the notice and the resolution, but with an entirely new resolution.

There are two things we have to decide. Shall we ignore the unanimous action of the Senate in referring it, which perhaps was in contravention of the rule, or shall we consider that that action of the Senate was a precedent, and that it may be done hereafter, but on a subsequent day? When the matter was called up, another resolution was offered in its stead, the proponent claiming that they were similar in character, but not identical.

Mr. CUMMINS. Of course, if the resolution which the Senator from Connecticut offered on the following day is substantially different from the notice which he gave on the previous day, I take it the Chair would hold that the Senator from Connecticut had not given the notice required by the rule in order to entitle him to bring forward such a proposed amendment. There was no resolution offered on the previous day.

Mr. SMITH. No.

Mr. CUMMINS. The resolution was simply for the purpose of pointing out the respects in which the rule was sought to be amended.

Mr. SMITH. I do not claim that there was any resolution offered. I claim that the Senator from Connecticut was strictly in accord with the rule when he submitted his notice and the specifications required by the rule under the notice. But he did err and the Senate erred, in my opinion, in referring it that same day to the committee. However, that was done, and the Senate did it by unanimous consent. Now the question for the Chair to decide is, having so referred it by the unanimous consent of the Senate, did we have jurisdiction the next day without having taken some action upon the incorrect action we had taken on the day previous?

Mr. CUMMINS. I agree with the statement of the Senator from South Carolina with one exception, which is that it is now for the Chair to determine. The Chair has already ruled upon that question. It is for the Senate to determine.

Mr. SMITH. I accept that statement of the Senator. It is now for the Senate to determine whether or not by referring it it did err, and therefore whether on the day the Senator from Connecticut called it up he had the right to call it up after reference had been made by unanimous consent. That is the situation now.

Mr. UNDERWOOD. Mr. President, I merely wish to say, with reference to the statement made by the Senator from Iowa and the one by the Senator from South Carolina, that I am not entering into that controversy now. I was not here. The RECORD does not clearly, to my mind, define what the issue is. I am not asking the Chair to decide the question again. The occupant of the chair at that time decided it when the question was raised. I am merely asking the Chair to define to the Senate what is the issue. The Chair knows what the issue is. Some one must know in the Senate. It is not merely, Shall the ruling of the Chair stand? If that were all, we would be voting in the dark all the time. There is a real issue behind the motion, and I am merely asking for information. It is one of the duties of the Chair to define the legislative situation. I do not wish to embarrass the Chair by asking the question, and I did not ask the question for that purpose; but there is confusion in the debate and there is confusion in the decision, to

my mind, as to what issue was presented to the Senate. I am merely asking the Chair to clarify the situation, not to decide it, and to tell us what the issue is.

Mr. FRELINGHUYSEN. Mr. President, I think this is a waste of time, and I therefore move that the appeal from the decision of the Chair be laid on the table.

Mr. UNDERWOOD. Mr. President, I make a point of order against that motion. Of course, I waive the discourtesy on the part of the Senator from New Jersey. I was not making a motion or carrying on debate. I rose to propound a question in the nature of a parliamentary inquiry to have a legislative situation defined, and although the Senator has the privilege and the right, when the proper time comes, to move to lay the appeal on the table, I think a Senator has the right to find out what the issue is before the Senate. I therefore make the point of order that the Senator's motion is not in order until the Chair has either answered my question by refusing to define the issue or by defining it.

The VICE PRESIDENT. The Chair is of the opinion that the motion of the Senator from New Jersey is in order.

Mr. REED. Mr. President, I ask the Senator from New Jersey to withdraw his motion, because I was on my feet before the Senator rose, and I do not like to be taken off my feet. I know the Senator did not mean to do that.

Mr. FRELINGHUYSEN. I do not wish to be discourteous, but there is other business before the Senate. This question has been debated for two days. The Senator from Missouri has spoken upon the question. I think the time has come for the Senate to proceed with its regular business. Nothing new can be said upon the subject, and I do not withdraw my motion.

Mr. SWANSON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McCormick	Reed
Brandegee	Hale	McCumber	Sheppard
Broussard	Harreld	McKellar	Shortridge
Bursum	Harris	McKinley	Simmons
Calder	Harrison	McLean	Smith
Capper	Heflin	McNary	Smoot
Caraway	Hitchcock	Moses	Spencer
Colt	Johnson	Nelson	Stanfield
Cummins	Kellogg	New	Stanley
Curtis	Kendrick	Nicholson	Sterling
Dial	Kenyon	Norbeck	Swanson
Dillingham	Keyes	Norris	Trammell
Ernst	Knox	Overman	Underwood
Fletcher	Ladd	Phipps	Warren
Frelinghuysen	La Follette	Poindexter	Watson, Ind.
Gerry	Lenroot	Pomerene	Willis
Glass	Lodge	Ransdell	

Mr. HARRIS. My colleague [Mr. WATSON of Georgia] is absent from the Senate on account of a severe pain in his arm.

The VICE PRESIDENT. Sixty-seven Senators having answered to their names, a quorum is present. The question is on the motion of the Senator from New Jersey to lay the appeal on the table.

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HARRISON. Before we vote on that proposition I wish to propound the inquiry whether it will require a two-thirds vote or a majority vote to carry the motion made by the Senator from Connecticut [Mr. BRANDEGEE]. That will influence the vote on this question.

Mr. LODGE. I make the point of order that no debate is in order on the motion to lay the appeal on the table.

Mr. HARRISON. I am propounding a parliamentary inquiry that may have an influence on the pending motion.

Mr. LODGE. The Senator has disguised a speech in the form of an inquiry.

Mr. HARRISON. It is not a speech; it is a statement of fact. I am asking whether it will take a two-thirds vote, in the opinion of the Chair, to adopt the motion presented by the Senator from Connecticut or whether it will take only a majority vote.

Mr. LODGE. I make the point of order that that is clearly argument on another point, and one not involved in the pending question.

Mr. HARRISON. But it may influence votes on the pending motion.

Mr. LODGE. I do not think it will.

Mr. HARRISON. It might.

Mr. STERLING and others. Regular order!

The VICE PRESIDENT. The Chair does not understand that any parliamentary inquiry has been made relative to anything which is now before the Senate. The question is on the motion of the Senator from New Jersey to lay the appeal on the table.

Mr. FLETCHER. On that I ask for the yeas and nays.

Mr. UNDERWOOD. I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. CURTIS (when his name was called). As this vote is upon a question decided by me while an occupant of the chair, I ask to be excused from voting and to be marked "present."

The VICE PRESIDENT. Shall the Senator from Kansas be excused from voting for the reason given? [Putting the question.] The ayes have it, and he is excused.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Nevada [Mr. ODDIE] and vote "yea."

Mr. HARRISON (when his name was called). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Utah [Mr. KING]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. WATSON of Indiana (when his name was called). I transfer my general pair with the senior Senator from Delaware [Mr. WOLCOTT] to the senior Senator from Michigan [Mr. TOWNSEND] and vote "yea."

The roll call was concluded.

Mr. HALE. I have a general pair with the senior Senator from Tennessee [Mr. SHIELDS], which I transfer to my colleague [Mr. FERNALD] and vote "yea."

Mr. SWANSON (after having voted in the negative). I am paired with the senior Senator from Washington [Mr. JONES]. I transfer that pair to the Senator from New Mexico [Mr. JONES] and allow my vote to stand.

Mr. McLEAN (after having voted in the affirmative). I transfer my pair with the Senator from Montana [Mr. MYERS] to the junior Senator from Arizona [Mr. CAMERON] and let my vote stand.

Mr. CURTIS. I desire to announce the following pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 42, nays 26, as follows:

YEAS—42.

Ball	Hale	McCumber	Shortridge
Brandegee	Harreld	McKinley	Smoot
Bursum	Johnson	McLean	Spencer
Calder	Kellogg	McNary	Stanfield
Capper	Kenyon	Moses	Sterling
Colt	Keyes	Nelson	Wadsworth
Cummins	Knox	New	Warren
Dillingham	Ladd	Nicholson	Watson, Ind.
Ernst	Lenroot	Norbeck	Willis
Frelinghuysen	Lodge	Phipps	
Gooding	McCormick	Poindexter	

NAYS—26.

Ashurst	Harris	Norris	Smith
Broussard	Harrison	Overman	Stanley
Caraway	Heflin	Pomerene	Swanson
Dial	Hitchcock	Ransdell	Trammell
Fletcher	Kendrick	Reed	Underwood
Gerry	La Follette	Sheppard	
Glass	McKellar	Simmons	

NOT VOTING—28.

Borah	France	Owen	Townsend
Cameron	Jones, N. Mex.	Page	Walsh, Mass.
Culberson	Jones, Wash.	Penrose	Walsh, Mont.
Curtis	King	Pittman	Watson, Ga.
Edge	Myers	Robinson	Weller
Elkins	Newberry	Shields	Williams
Fernald	Oddie	Sutherland	Wolcott

So Mr. HITCHCOCK's appeal from the decision of the Chair was laid on the table.

The VICE PRESIDENT. The question recurs on agreeing to the resolution of the Senator from Connecticut [Mr. BRANDEGEE].

Mr. UNDERWOOD. I move to refer the pending resolution to the Committee on Rules.

The VICE PRESIDENT. The Senator from Alabama moves to refer the pending resolution to the Committee on Rules. The question is on that motion.

Mr. UNDERWOOD. Mr. President, when the Senator from New Jersey [Mr. FRELINGHUYSEN] in his haste took me from the floor by making a motion to lay the appeal on the table, I am sure in good part that he thought he was approaching his objective, but the Senator is new in his acquaintance with the rules of the Senate and in the ways of the Senate. I do not

believe in undue delay, but so long as the present rules of the Senate prevail those who have been here long enough to learn their lesson have discovered the fact that there is no short road to the final point of accomplishment if a material number of the Members of the Senate object. I do not say that as a threat or to indicate my attitude in reference to this resolution, for I recognize that in the end if the majority intend to be obdurate about a procedure which involves only the personal equation of the Senate, the minority must in the end accept their decision, whether they like it or not. However, I think it is very proper that a reasonable consideration of the matter should be given.

I intend, Mr. President, to speak on the question of reference, but before I do so, I should like to say a few words that I intended to say before my kind friend from New Jersey interrupted me.

Mr. FRELINGHUYSEN. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from New Jersey?

Mr. UNDERWOOD. I yield.

Mr. FRELINGHUYSEN. I am perfectly willing to accord to the Senator from Alabama superior knowledge of the rules of the Senate to that which I have, but I know that the people of the country are sick and tired of the delay in this Chamber in getting down to practical business. I further know that this debate could have been shortened days ago by interposing the motion which I have made; but being desirous that full argument should be had upon the question of the rules, I withheld the motion. I am not going now to be discourteous to the Senator from Alabama by moving to lay his motion on the table.

Mr. UNDERWOOD. The Senator could not do that.

Mr. FRELINGHUYSEN. I do not intend and I did not intend when I made the motion to be discourteous; but I shall always hold that I have the privilege to make the motion to lay on the table at any time if I believe that debate is unnecessarily delaying the business of the Senate.

Mr. UNDERWOOD. The Senator from New Jersey is absolutely right as to it being his privilege to make the motion, and personally I do not object to his procedure, because if I thought I desired to approach an objective in a hurry, even against my best friend if he happened to be on the other side, I should not hesitate to move to lay his motion on the table if I desired. I was merely commenting on the haste of the Senator from New Jersey, which I do not think gets him anywhere. Of course, as the Senator from New Jersey has said, when I yield the floor, except as a matter of courtesy for an interruption, he or any other Senator can move to lay my motion to refer on the table. That is a very proper motion to bring the Senate to a decision on the particular question immediately. It will not, however, stop debate, because each line of the resolution, and the name of each committee that is proposed to be established by the resolution is open to a legitimate amendment and open to consideration. Therefore, an undue effort to stop debate by making a motion to lay on the table is not going to accomplish anything. I can assure the Senator from New Jersey that the debate may run a while, but after a while it will come to a decision; the majority will have an opportunity to express their will, if they want to do so; but in the meantime the minority will exercise its only two privileges: One is to propose amendments and to make proposals, and the other is to debate them. Those are rights in the Senate that unless the other side of the Chamber can command a two-thirds vote can not be taken away.

Mr. President, what I intended to say in reference to the ruling of the Chair was—and that is the reason I asked the Chair to state the question, in all good faith; I was not combative in the suggestion I made to the Chair—that in relation to the point of order, the direct issue raised by the Senator from Nebraska [Mr. HITCHCOCK], the decision of the Senator from Kansas [Mr. CURTIS] the then Presiding Officer, to my mind seemed to leave a doubt as to whether the issue before the Senate was on the question of reference, whether the resolution had been properly referred, or whether it was on the question as to whether the proper notice had been given. I take it that when the time comes that a disinterested parliamentarian compiles the precedents of the Senate in the future, and attempts to determine what the Senate's conclusion was, he will hold that the governing point in the Senate's conclusion as to what the Senate decided is based on the point of order made by the Senator from Nebraska, and that the decision of the Chair overruling that point related to the point of order, not to the debate, not to the explanatory remarks of the Chair. I will state candidly to the Chair that my purpose in asking the Chair to state the question was that if the Chair held that that was the issue before the Senate I intended to debate it. If, however, the Chair held that the issue before the Senate was whether a proper notice had been given, I should not have joined in the debate but waited until the final decision, and then made the point of order that the resolution, having been referred, was not before the Senate. I do not consider there is any question about that. I listened to the statement of the able Senator from Iowa, but I think all the precedents of the Senate heretofore, the rulings of the Chair and the action of the Senate itself, are against the position that he takes.

On Tuesday last the Senator from Connecticut gave notice of a proposed amendment of the rules. In my judgment, it was a proper notice and covered the question. At the same time he introduced a Senate resolution, numbered 19, amending the rules of the Senate and asked that his resolution and his notice both be referred to the Committee on Rules. I recognize the fact that the Senator from Connecticut is a good parliamentarian—one of the best in the Senate—but we all when we are not in combat, when we are not closely considering procedure, get careless in our manner of doing things. In that attitude it was perfectly natural that he should ask for the reference of the resolution and the notice both to the Committee on Rules.

I take it that the Senator from Connecticut, or anybody else, would not contend that it was necessary to refer the notice to the Committee on Rules, because the notice was given for the information of the Senate, and not for that of the committee; but it did not make any difference about his referring it—the Senate had it and he could refer it—it did not hurt to refer it; but he did move—because when he asked it that amounted to a motion—to refer the resolution to the Committee on Rules; and the Vice President ruled that the resolution was referred, and he added:

> The notice also will be referred as requested by the Senator—

A separate procedure. In the conduct of the business of the Senate that is the usual way to proceed by unanimous consent. Being a Senate resolution, of course it could not, in the face of objection, have been acted upon, regardless entirely of the notice the Senator gave, until it had gone over one day. All Senate resolutions must lie over one day where objection is made; but, there being no objection from any Senator, the resolution was referred by the action of the Senate to the Committee on Rules, and the Senate has taken no action to bring it back to this body.

I know that in the debate it has been said that the resolution now under discussion is not the same resolution as that which was referred to the Committee on Rules. Of course, I recognize that it is not the same piece of paper, but it is the resolution which with the notice was referred to the committee, because the Senator from Connecticut said so. When he gave the notice and brought in the resolution he said he gave the notice to comply with the rules in reference to the resolution that he offered and that he asked be referred to the Committee on Rules.

It may be said that that means nothing; that it matters not; that the Senator gave notice as to one resolution and offered a similar resolution the next day in the Senate that was not before the committee. Ah, Mr. President, that is not within the spirit of the rule.

The Senator from Connecticut and I when we were younger served in another body under a great parliamentarian, a man who knew how to conduct the legislative affairs of the Government. He knew how to accomplish legislative results. We often objected. I refer to the distinguished Speaker from the State of Maine.

Mr. BRANDEGEE. The Senator is mistaken about the Senator from Connecticut. The Senator from Alabama was in the House long before I was.

Mr. UNDERWOOD. I thought the Senator was with me at that time; but the distinguished Speaker from Maine changed the rules of the House in order that he might bring about conclusions without delay, and I want to say that in many respects he was right. The country is entitled to action. The responsible majority should act. But I want to call to the attention of the other side of the Chamber the fact that those with less wisdom and less ability came along subsequently to administer the rules of the great Speaker from Maine, and they forgot the spirit of the rules, tied themselves down to the power they gave, and exercised that power so arbitrarily that they finally brought the condemnation of the American people on their party, and they were driven from power for doing so.

What I desire to call to your attention is what Speaker Reed so often said in the administration of the rules of the House: That the parliamentary rules of any legislative body are intended for the protection of the minority and not for the abuse of the majority; that majorities, untrammeled and unrestricted, may always have their way; but in order that parliamentary procedure may be carried on in an orderly way, and that the viewpoint of the minority may be reflected in the legislative halls, if not in the final legislative decision, the minority should always have the opportunity to be heard and to propose amendments.

I say that when you contend that the second resolution offered by the Senator from Connecticut was supported by the notice that he gave the day before, you are taking an entirely technical stand and you have abandoned entirely the spirit of the rule. Rule XL has been often read, but I will read it again. It provides that—

> No motion to suspend, modify, or amend any rule, or part thereof, shall be in order, except on one day's notice in writing—

And so forth.

Why has the Senate adopted that rule, Mr. President? Is it an idle thing? Is it merely so that we may have rules? The Senate ran for some years without this rule, and then the Senate adopted it for its own protection. The rules of legislative bodies, as I said a while ago, are not written merely for the purpose of carrying on orderly procedure but to protect the minority. By that I do not mean the minority in the sense of a political party, but to protect the rights of men who represent great constituencies upon the floor of the Senate; and the rules are the procedure in this great court.

If you had a case in the Supreme Court of the United States governed by certain rules in reference to evidence, and after you had prepared your case the court should suddenly change its rules and exclude your evidence because of a change of the rules or the making of a new one, you would be deprived of justice. It is the same way in the Senate. Members of the Senate are taught that they may rely upon the integrity of the rules of the Senate, the orderly procedure of the Senate in conformity to the rules of the Senate; and the purpose of this rule is to give everybody notice, whether present in the Senate or absent on that day, that if a change is to be made in the vital procedure of the Senate every Senator shall have an opportunity to be here and participate in the Senate's action.

When the Senator from Connecticut gave his notice and then had his resolution referred to the Committee on Rules, he notified the Senate that they not only would have one day but they would have two days before this matter could come up, if they desired it; because if the Committee on Rules had reported this resolution back the next morning, on objection under the rules of the Senate it would have had to lie over one day, and every Member of the Senate was entitled to that notice. When the Members saw that the Senator from Connecticut asked to have this resolution referred to the Committee on Rules and that the Senate unanimously referred it to the Committee on Rules, they had a right to indulge the presumption that this matter could not be taken up, except by unanimous consent, until the day following the report of the committee. I think there can be no doubt about that proposition.

Of course, this is merely a question of reference. I recognize that the Senate has decided the matter the other way. I am not critical of the Senate's decision. When partisan issues are involved and the storm of party debate is on all of us are human, and we often let our impulses and desires drive us to a point that our sober judgment would never reach.

The Senator from Iowa [Mr. CUMMINS] contended that no matter what the Senate wanted to do the resolution never went to the Committee on Rules. Rule XL says in its concluding paragraph:

> Any rule may be suspended without notice by the unanimous consent of the Senate.

And when this resolution was referred to the Committee on Rules by unanimous consent, certainly the provision as to giving a day's notice before it was referred was also suspended by unanimous consent. More than that, it is the precedent of the Senate. Really, as a matter of fact, the custom is—and I think the custom is right—where it is desired to amend the rules of the Senate to refer the proposed amendment to the committee and to give the notice in the Senate before it is brought up for consideration; and I think that is the real intent of the rule.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. UNDERWOOD. I do.

Mr. CUMMINS. Like the Senator from Alabama, I have been a member of the Committee on Rules for a good many years. I do not remember a single instance in which the Committee on Rules ever attempted to consider a proposed amendment unless the notice had been given and the resolution introduced a due time—one day—after the notice and referred to the Committee on Rules.

Mr. UNDERWOOD. I am not sure about it. I know I have introduced some amendments to the rules myself since I have been a Member of the Senate, without the notice being given until afterwards. If I remember correctly—I am not sure, but my recollection is pretty certain in regard to it—the resolution adopted in the last session of the last Congress, and which amended the rule that the Senator from Connecticut now desires to amend, was referred to the Committee on Rules without the notice being given.

Mr. CUMMINS. I can not say as to that, for I was not here at that time and can not speak advisedly about it.

Mr. UNDERWOOD. That is my recollection.

Mr. CUMMINS. There is one other correction that I should like to make of the Senator's statement with regard to my position. My position is that the resolution proposing to amend the rules was not in existence, and could not have been in existence, at the time the reference was made or attempted.

Mr. UNDERWOOD. I understood the Senator's position; but of course I do not agree with the Senator about that at all, even if he were right, that it could not be acted upon. I take it that he means that the reference would be the first consideration, when I think it means the last consideration. When it says "consider," I think it means considered by the Senate, and not a mere reference to the committee. Even if that were so, however, the Senator could have offered his resolution and had it pending here without any difficulty until he gave the notice, even if the point of order had been made.

Mr. BRANDEGEE. What does the Senator mean about being "considered"? I do not understand the application of the word.

Mr. UNDERWOOD. The rule says:

> No motion to suspend, modify, or amend any rule, or part thereof, shall be in order—

That is what I mean by being considered—that the motion shall be in order. A motion is not required to introduce a bill. A bill is proposed. If you come back to the procedure of the Senate, you offer your bill without the action of the Senate. It takes no action of the Senate for you to offer your bill or resolution. The first action of the Senate comes when it is either referred or otherwise acted upon.

Now, if the Senator from Iowa is correct about his proposition, it may be that the notice would have to be given before a reference could be made. I do not think the Senator is right. Certainly the resolution was here, and became a part of the Senate files as soon as the Senator from Connecticut sent it to the desk. He might have withdrawn it by unanimous consent; the Senate might have rejected it; but until some action was taken, it was before the Senate and a part of the Senate procedure.

I am not making this statement in any way in criticism of the action of the Senate. I think if we had considered all the angles of this matter, the Senate would have probably referred the resolution. This is not a life and death question, but it is an important question. All questions that involve the personnel of the Senate are important to the Senate, because that is the life we live and the business we carry on.

That is all I care to say on the question of the point of order. Possibly I might still be able to make a point of order that the resolution is in the committee, or some other point of order, and raise the question again. But the Senate, I think, has decided the question and has made up its mind that it is going to hold this resolution before the Senate without further action. However, I have made a motion to commit the resolution to the Committee on Rules. I think it is a wise thing to do. I think it is the orderly way to proceed in this matter. I think instead of delaying it will probably expedite the business of the Senate.

Our side of the Chamber is not primarily responsible for the proposed rule which fixes the number of members of the committees, except in so far as we agreed to it and consented to it; in other words, the proposal to strike from the rules of the Senate some forty-odd committees and then reduce the membership of all the other committees of the Senate, came from the other side of the Chamber. If I recollect correctly, the proposal was made by the Senator from Pennsylvania [Mr. KNOX], the chairman of the Rules Committee. The proposal then went

to the Rules Committee, was considered by the Rules Committee, and, if I am not mistaken, the committee unanimously agreed on the proposition, Democrats and Republicans alike.

But the proposal to cut down the size of the committees is not a Democratic rule. It came from your side of the Chamber, and you are responsible for it. I thought you were right, and I still think you are right. I think it was in the interest of good legislation and of the country that your amendment to the old rule was proposed. There were some forty little committees which possibly at some time in the history of the Senate functioned and reported legislation, but in recent years most, if not all, of them were dead. They were merely ornaments which attached themselves to a Senator who had not been here long enough to acquire membership on a big committee. It was an expense to the country and a barnacle on the legislative ship. I think you were right in scraping the ship's bottom and throwing the barnacles overboard.

Then came the question of the reorganization of the active working committees of the Senate. Some of them had as many as 20 members, others 19. Most of the important committees had as many as 17 members. The result was that you had to find Senators to go on them. Men started out with small assignments of committees and acquired them as they went along, until often it happened that the ablest, most experienced, and useful Members of the Senate found themselves members of three or four important committees, and sometimes more, committees which were dealing with the real legislation of the country, committees which held in their hands the peace and the welfare of the people of the United States, committees which made this great Government function.

Then, as the rush of the legislative work came on these experienced and valuable Senators, whose ability and brains the people of the country should have had the benefit of, found themselves on important committees, considering most important legislation, the several committees they belonged to meeting at the same hour on the same day, and as they could not divide themselves, it was necessary for them to neglect their work on one or the other of the committees, and sometimes on two or three at a time. In other words, it often happened that the most important committees of the Senate found themselves continually without a quorum, without a sufficient number of members under the rules to legitimately transact the business of the Senate.

Then what happened? It was customary and usual for a Senator to phone from one committee to the chairman of another asking that he might be counted as present. Of course, that could not be done without unanimous consent, but as there were important bills up for consideration, bills in which the country was vitally interested, with the welfare of the Nation at stake, it was some responsibility for an individual Senator to object to a quorum being counted as present when the physical presence of the members themselves was impossible.

What was the result? Bill after bill has been reported to the Senate with only a minority of the committee present, and then, sometimes, when the issue was pressed and the legislative battle was warm, after the minority of the committee who were present had sat, it may be for hours, and sometimes for days or weeks, and had heard testimony and had given consideration to the bill or legislative proposal before them, somebody in the committee or outside, as often as not a member of the lobby, instead of Members of the Senate, would go around and beg the absentees to appear in the committee on the day when the vote was coming on the proposal, and you would find on the day when some of the most important measures were to be voted upon that 6, 7, 8, 9, or 10 Members of the Senate came in to decide the question who had never been in attendance on the committee one hour hearing the testimony and discussing the details or taking part in the real consideration of the bill, and their verdict naturally would be often rendered on conclusions that they reached outside of the Chamber and not based on testimony and arguments that were presented before the committee.

I do not say that this was done to the extreme limit I am indicating, but it often happened to that extreme limit, and in a minor way it was continually happening. It was useless to criticize the Members of the Senate for not being present in all the committees and functioning on all the committees they belonged to, when two or three committees of which they were members were holding sessions and carrying on their labors on the same day and at the same hour. They either had to stay away and not furnish a quorum at all or, when coming in to furnish a quorum or solicited by friends or opponents of a measure to come and vote, they were compelled to vote largely in the dark, with their eyes blinded, and they would often override the judgment of men who had really given study and consideration to the case.

So, when our friends on the other side of the Chamber proposed a change that had often been talked over in the Senate by both sides, but not made or considered until the last Congress, and when the chairman of the Committee on Rules, with his party's sanction, attempted to work out a legislative reform in the reorganization of the committees of the Senate, cutting down their numbers so that they could be divided and yet not force one Senator on four or five of the great leading committees of the Senate, but to so divide them that the membership of this body could, if they would, give consideration to the real committee work of the Senate, I heartily approved of the reform, and although it was proposed by the other side of the Chamber, it met the unanimous approval of the Democratic side of the Chamber.

I do not think there is a man in the Senate to-day on either side who would be willing to say that the action of the last Congress in cutting down the size of the committees and in reorganizing the committees on a sane and sensible basis, where a man could legitimately attend to the business referred to the committee by the Senate, should be criticized. It met with your approval, and it meets with your approval now.

But the heart is often willing while the flesh is weak. These great committees—I mean great in number—did not grow up in the Senate overnight. They gradually grew to their large unwieldy numbers because of the urgent demand of individual Senators, the desire of Members of the Senate to wear the decoration of committee appointments, possibly the desire of their constituents at home to know that their Senator was on an important committee of the Senate. I do not think it is of such importance as other men do.

Under the rules of the Senate, when a piece of legislation is reported there is always an opportunity for every Member of the Senate to have a part, but that is not true of all, and I realize that when a man first comes to this Congress he feels that the most important thing before him is to get committee assignments and that his people will not think he has taken the right position in the Senate or the House unless he is given an important committee assignment. That may be true as to the attitude of his people at home, but it is not true as to his ability to do the work in either branch of the Congress.

I shall detain the Senate but a moment longer. I know that in making up the committees of the Senate the Senator from Connecticut had one of the most difficult jobs as chairman of the Committee on Committees that any man ever falls heir to. I myself know that from experience. When the situation was entirely worked out naturally he fell short of enough committees to assign the men who felt that their life's work depended upon getting on particular committees, and it was entirely within the range of human nature that the question was settled by proposing to go back on what they did at the last Congress and enlarge the committees. That is what is proposed to be done now. I think it is unfortunate that Senators should take that attitude, but I am not critical at all of the men who have done it, because I know the stress of the circumstances that forced them to recognize the wishes of their colleagues and yield to them.

However, I wish to say that in the division of the committee assignments it has always heretofore been the custom of the Senate, when the party in power changed, for the leader of the majority to indicate to the leader of the minority what would be done and for the Senate to carry out and sustain the agreement as made.

The leader of the Republican side of the Chamber stated to me that the division of the big committees would be nine and six and other committees accordingly. I acted on that. I made up our committee assignments. Some able Senators on this side of the Chamber had to lose their committee assignments because of the reduction of the number to six. One particular Senator lost all his important committee assignments because of the reduction in number and the abolishment of small committees.

However, we accepted your verdict, adjusted ourselves to the conditions, made up our committee assignments, and were prepared to go along and continue to accept your verdict. Now, without consultation with myself and, so far as I know, without consultation with our side, you changed your position. You concluded to have a new procedure. I think it would have been wise if you had stood on your own rule, but if you are not going to do it and if you are going to increase the number of your committees, not because you need them for the legitimate work of the Senate, because your verdict of the last Congress was otherwise, then I think the minority is entitled to some consideration at your hands. I think it is but just and right.

I am not talking about the relative size of the committees. In the original apportionment we had less than we gave you in

former Congresses, we had less than you gave in former Congresses, but you had reached a choice and we had a right to rely on it and you had no right to make a change without notice. I am not complaining of that. I should like to see the Senate proceed in an orderly way and attend to its business, but you, under this decision of yours to cut down the committees, made us throw off of our committees certain valuable members who had worked on the committees for years. We had to readjust our membership to meet the situation. If you are going to take care of the individual equation by increasing those committees, then it does not in any way endanger the majority that you are entitled to have, by giving us the reasonable consideration in the matter that we are entitled to have, and I think we ought to have it.

I think it is for the benefit of the Senate.

I wish to say to Senators on the other side of the Chamber that although on certain great fundamental principles of government we have always differed with you in the past and naturally we shall differ with you in the future; yet on the question of bringing the country out of war conditions and reestablishing peace conditions we are as earnestly desirous of accomplishing that result as you are, and where conflict can be avoided and where we can reach a legitimate conclusion it is the desire of this side of the Chamber to be helpful and constructive, winding up the work of this session at as early a date as possible for the benefit of the country. But we can not do that in a Senate that has no cloture rule unless we are willing to give and take, unless we are willing to do not only what we think is the fair thing, but to try to do what the other fellow thinks is the fair thing, of course within the limitation that you are not surrendering your rights or jeopardizing your interests.

Now, I propose to the other side of the Chamber a very small compromise to settle this matter, which would not injure you in the least. I hope that you will agree to refer the resolution to the Committee on Rules and let us see if we can not make a unanimous report that will take care of your situation and at the same time not make us for no reason punish Senators in the minority.

I wish to say to the Senator from Iowa before I sit down that the Senator from North Carolina [Mr. OVERMAN] looked up the matter of the reference of the original resolution relating to the committees, and it was referred without any notice being given.

Mr. BRANDEGEE. Mr. President, it is always a pleasure to discuss a matter with the senior Senator from Alabama because he is a very able statesman; he has a very level head; he knows what is in it, and he knows how in a very short time to get out what is in it. He speaks very lucidly, and during the last few minutes of his address he has made very plain to everybody of what this great constitutional question consists which has held the Senate here for several days.

It appears that it is not a question of the tyranny of a bloodthirsty majority endeavoring to wipe out the rights of the minority; it is not, as some of the Senator's colleagues have said, a question of the unfair disposition of the Republican Party to grab everything in sight, and so forth; but it is, under the rule which the Senate adopted in the last Congress reducing the membership of major committees to 15, that some very estimable Democrats have had to be dropped off the committees. Mr. President, that is no national issue. The people will not be stampeded by any such question as that.

This is a matter than concerns the make-up of the committees of the Senate. The Republican Party wants to be absolutely fair in the assignment of Senators to their committees. We want to give the Democratic Party everything to which they are entitled in the committees, based upon the representation that they have upon this floor; and we have done so.

Mr. President, the Senator from Alabama [Mr. UNDERWOOD] might have gone further than he did when he said that he and the Republican leader had consulted just before the adjournment of the last Congress, and that he supposed that the major committees of the Senate, at least, would be made upon the basis of 15 members. If that basis had been adopted, the understanding was that the Republicans would take 9 and the Democrats were to have 6. When our committee on committees—which had a much more difficult task to perform than the Senator had, for he had the whole thing in his own hands and his side were not entitled to additional membership on the major committees—undertook their task, we having 14 new Republican Senators, and desiring to give each one of them at least membership on one of the major committees, found that we could only give 5 of those new Senators out of 14 membership on one major committee if we held to the rule of 15 Senators on each committee. I say the Senator from Alabama might have gone further than he did, because he came to me also, and when he left we understood that the apportionment was to be 9 to 6; but certainly the Senator knew that that was based upon the assumption that the committees were to be composed of 15 members.

Mr. UNDERWOOD. I suggest to the Senator that so long as the rule provides for a membership of 15 for the committees, that was a very natural assumption.

Mr. BRANDEGEE. Certainly; it was my assumption also; and I say we understood it in that way. I tell the Senator frankly and fairly that it was only when our committee on committees began its sessions that we found that if that rule were applied, 9 of the 14 new Republican Senators would be deprived of membership on any major committee; and, of course, if we selected 5 of them and gave them membership on a major committee and left out the other 9, that would be inequitable as between the new Republican Senators.

The only other remedy was to take an old Republican Senator off a major committee and give his place to a new Republican Senator. The rule which was adopted at the last session of Congress was adopted when the Senate was very closely divided politically. We had a majority of only two, I think, at the time. Nobody supposed, even I, being an optimist and a man of vision and forward looking and uplifting, in my wildest flights of imagination did not dream that we should have 22 majority in this honorable body; but we have. As suggested, about 40 committees having been abolished and almost all the major committees—some of them heretofore consisting of 18 or 20 members, and I believe one of 21—having been cut down to 15, it presented a situation where we could not do justice to new Republican Senators without depriving old Republican Senators of their positions. We called in our leader and told him the situation, and it was our unanimous opinion that the membership of the 10 major committees should be increased from 15 to 16 and that the Republicans should take 10 and the Democrats 6. That may be tyranny.

I tried to communicate with the Senator from Alabama as soon as we saw that situation, but the Senator from Alabama had gone to Bermuda for a much-needed rest and I could not get in touch with him. As soon as I found that his mantle and crown had descended upon the Senator from Nebraska [Mr. HITCHCOCK], I went to him and stated to him the whole situation. I told every Senator who asked me what we were doing, what we had done. There was no attempt to take any advantage of anybody or to perpetrate any surprise or to play any trick.

Now, let us see how much unfairness there is in these assignments. The Republicans have 59 Senators here; the Democrats have 37. For the purpose of easy figuring, and inasmuch as it does not take 9 Senators to make a man, suppose in place of 59 the Republicans had 60 Senators and suppose instead of 37 the Democrats had 36. Let us state it in a mathematical proportion and see how much unfairness is done. The proportion is, as 60 is to 36, so is 10 to 6. Multiply your extremes together and means together, and you get exactly the same result; you will have exactly the same algebraic proportion on every committee that you have on the floor of the Senate.

Mr. SWANSON. Mr. President, will the Senator permit me to interrupt him?

Mr. BRANDEGEE. I will.

Mr. SWANSON. The Senator has obtained that result by adding one to the number allotted to the Republicans and subtracting one from those allotted to us, which makes a difference of two.

Mr. BRANDEGEE. The result is obtained simply by supposing that you have 36 Senators instead of 37.

Mr. SWANSON. In supposing that your side has one more.

Mr. BRANDEGEE. In other words, much talent as I have as a Connecticut Yankee, with a great capacity for invention, I did not know how to take one Democratic Senator and split him into 96 parts.

Mr. SWANSON. But you knew how to arrange the numbers very much to your advantage, as usual. Now, let me make a suggestion to the Senator.

Mr. BRANDEGEE. Will the Senator be brief?

Mr. SWANSON. I will be brief.

Mr. BRANDEGEE. Very well.

Mr. SWANSON. We protest against the proposed arrangement because it is not fair; it is not in accordance with what the Democrats did when they had control of the Senate, and it is not just, in that it is not according to the Democratic side the same treatment which has been accorded to them heretofore and which they have accorded to the Republican side when they had been in control. Now, let us take the Judiciary Committee, on which the Senator has served——

Mr. BRANDEGEE. I do not think it is necessary to go into that now.

Mr. SWANSON. The Senator has served on that committee, as he knows.

Mr. BRANDEGEE. Yes; and I am still serving on it.

Mr. SWANSON. When there were 56 Democrats and 40 Republicans in the Senate, there were 10 Democrats on that committee and 8 Republicans. If it had been 10 to 6, as now proposed, the Senator from Iowa [Mr. CUMMINS] would have gone off the committee, and the then Senator Works would also have gone off. I remember well that when Senator Works was here if we had maintained the old ratio of 7 to 10 he would have gone off that committee. He, however, had been on the supreme court of his State, and in order——

Mr. BRANDEGEE. I can not yield any further.

Mr. SWANSON. Will not the Senator permit me to complete the statement?

Mr. BRANDEGEE. I decline to yield any further.

Mr. SWANSON. There were other Senators similarly situated.

Mr. BRANDEGEE. I repeat that I decline to yield any further. I can not discuss Senator Works and what a great judge he was, and so forth. All that amounts to nothing. I am willing to admit that in previous Senates the Republican Party has acted with various degrees of generosity. Sometimes we have given a ratio of 10 to 7; and sometimes the Democrats have been generous. I am not talking about generosity; I am talking about mathematical justice and fairness; and I say that simply because the Democrats can not get four more of their very distinguished and loveable colleagues placed upon some good committees is no reason for setting up before the country a great hullabaloo that the foundations of our Government are at stake and trying to make a national issue out of four committee places in the Senate.

Mr. UNDERWOOD. Mr. President, if the Senator desires to make the argument on that basis, why does he not apply it to himself? If the only reason why the rules should be changed is to take care of certain Republican Senators, why should you seek to change the rules so as to give 10 new Republican Senators places on major committees? If it is a good argument on one side, it is a good argument on the other. Now, just one word further.

Mr. BRANDEGEE. Very well.

Mr. UNDERWOOD. I gave the Senator my estimate as to committee assignments after I had worked it out. As I made the original estimate, taking each committee, adding up all the committee places that the Republicans were to have, and dividing that number by the Republican membership, it gave each Republican Senator three and eighty-one one-hundredths committee assignments, and taking all of the Democrats and all the committee places which were assigned to the Democrats and dividing that number by the Democratic membership it gave three and eighty-one one-hundredths committee places for each Democratic Senator. So the division as originally proposed was exactly in proportion to the numbers.

Mr. BRANDEGEE. Mr. President, the Senator acts as though some injury had been done him. He was perfectly satisfied to have six members on each committee. He has them still. He seems to think that if we conclude to take a slightly larger percentage in order to accommodate, as I have said, 14 new Republican Senators some damage has been done to him. He has six Democratic Senators on every committee, just as he had when the basis was 9 and 6 under the old rule, and absolute justice has been done in proportion to the numerical membership of the two parties on the floor.

It may be that the other side would like better terms; it may be that they would like more committee assignments, but the situation is—and the result was reached without any malice or vindictiveness or desire to persecute anybody—that our conference met and unanimously indorsed the work of the committee on committees and directed me to have the rules changed in order to bring about what has been proposed.

That brings me to the rule. I will take only a few moments concerning that. I drew a notice according to Rule XL and sent it to the desk and had it read to the Senate by the Secretary. Every Senator present heard it; every Senator who was absent could have read it in the CONGRESSIONAL RECORD, if he ever looks at it when he is not here. The notice was in proper form; nobody criticizes it. The notice recited that on the following calendar day I would make a motion before the Senate to amend Rule XXV in the respects indicated in the notice. At the same time I described the changes to be made by affixing to the notice a proposed draft of a resolution which had been prepared by the printing clerk to carry out the suggestion of the Committee on Rules and of our conference. There were nothing but verbal changes, such as striking out the word "fifteen" and inserting "sixteen" in the case of 10 different committees, and there were one or two other little phrases changed, including the names of two or three committees. Instead of writing all that out laboriously in the notice I attached a draft of the resolution, which showed the rule as it existed, and showed by striking out certain portions of the text and by insertion in italics all of the new matter in the way Senators are accustomed to see changes indicated in proposed legislation. That was attached to the notice. Then I said, "Let it be referred to the Committee on Rules," and it was so referred.

Let me draw the attention of the Senate to the fact that this is not legislation. The rules as to the introduction and reference of joint resolutions and bills contemplate a reference to committees, because the public is interested in them and witnesses may desire to appear before certain committees and be heard, but this notice and this procedure affect nobody but the Senate and its organization and the make-up of its rules, and the rule does not contemplate really any reference to any committee at all.

Of course, such a matter can be referred if it is so desired, and if it is a complicated proposal the reference should be made; but here was a perfectly simple thing which no Senator could read without understanding. So I said, "Let it be referred to the Committee on Rules," and, in order that the Committee on Rules might see that the proper notice had been given if they took it up I attached the notice to it; but that did not take it out of the RECORD, because the notice had been given to the Senate and read by the Secretary and printed in the RECORD, and there it is to-day.

Whether or not the Senator from Iowa is correct in his theory that the resolution could not have been referred to the Committee on Rules on that day, according to my point of view, is immaterial to this case, because, having given notice that the next day I would make a motion here on the floor to amend the rules, I regard the reference of the proposed resolution and notice to the Committee on Rules as not only a work of supererogation but as utterly impotent to impair the notice which was duly given and which can not be erased or undone by any legal or illegal reference of a resolution to the Committee on Rules.

I am not proceeding at all in this matter on the basis of any resolution, whether it is before the Committee on Rules or not. I am standing upon the notice that I gave that I would make a motion on the floor here the next day, and I made the motion. The fact that in my motion to amend the rules I used the same language that was in the resolution that was referred or was not referred to the Committee on Rules is of no consequence whatever. The fact that that resolution reposes in the pigeonholes of the Committee on Rules, or that it does not, is of no concern to me. Under Rule XL I gave the proper notice. The next day I carried out the declaration made in my notice, and made my motion verbally here on the floor. The point of order was raised against it that it was not legally here. The Chair has overruled the point of order. It is legally here. The merits of it, of course, are open to discussion.

As to any attempt to crowd the minority in any way in the consideration of the matter, let no such intimation be made. This side has no intention of attempting to expedite the consideration of this resolution, although I know, from the statements made by the Senator from Alabama [Mr. UNDERWOOD] heretofore that the majority has the right to lay out its program and conduct the business of the Senate, that he is not going to obstruct unduly this or any other matter that the majority thinks it is necessary to carry through. We take the responsibility of it; but whatever time he and his friends on the other side want for the adequate consideration of this matter, be it a week or a month, let them take it. We know perfectly well that we can not compel a vote on this matter until Senators on the other side get ready to vote on it. We do not propose to sit here and tire you or ourselves out by holding night sessions to jam this thing through. It is of no more concern to us when it gets through than it is to you. We want a fair consideration of it; but I am free to say, as far as I am concerned, that no length of time taken to consider the resolution would induce me to accept amendments to it, and I could not if I wanted to, because the conference instructed me to report the resolution as it stands.

Before I finish I want to indicate, in case I may not be on the floor when the resolution comes to a vote, if it ever does, inasmuch as I introduced here a copy of the resolution which is in the Committee on Rules, that there are two errors in it, and I want to indicate the ways in which I think it ought to be amended.

In the first place, on page 2, line 2, where it speaks of the Committee on Banking and Currency, the resolution now provides that that committee shall consist of 13 Senators, and our conference amended that to make it 15. That was done at the request of the opposite side of the Chamber.

On page 4, in lines 19 and 20 of the print that I have, the gentleman who drafted this resolution put in, as one of the standing committees of the Senate, a Committee on Revision of the Laws, to consist of three Senators. That ought to be stricken out, because that is a select committee and only a temporary committee, and is not a standing committee of the Senate.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, there are some nominations that have been sent in, and some reports to be made from committees. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate, as in legislative session, took a recess until to-morrow, Saturday, April 16, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 15 (legislative day of April 13), 1921.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Peter Augustus Jay, of Rhode Island, now envoy extraordinary and minister plenipotentiary to Salvador, to be envoy extraordinary and minister plenipotentiary to Rumania.

TREASURER OF THE UNITED STATES.

Frank White, of Valley City, N. Dak., to be Treasurer of the United States, to fill an existing vacancy.

ASSISTANT TO ATTORNEY GENERAL.

Guy D. Goff, of Wisconsin, to be assistant to the Attorney General. (Mr. Goff is now serving under a recess appointment.)

BOARD OF CHARITIES, DISTRICT OF COLUMBIA.

The following-named persons to be members of the Board of Charities for the District of Columbia:

William J. Kirby, for the term expiring June 30, 1922;

Mrs. Virginia Cross, for the term expiring June 30, 1923; and

William T. Galliher, for the term expiring June 30, 1923.

COLLECTOR OF INTERNAL REVENUE.

M. Bert Thurman, of New Albany, Ind., to be collector of internal revenue for the district of Indiana, in place of William L. Elder, resigned.

UNITED STATES ATTORNEYS.

Robert O. Harris, of Massachusetts, to be United States attorney, district of Massachusetts, vice Daniel J. Gallagher, appointed by court.

Henry Zweifel, of Texas, to be United States attorney, northern district of Texas, vice R. E. Taylor, resigned.

UNITED STATES MARSHALS.

William R. Chellis, of Wisconsin, to be United States marshal, western district of Wisconsin, vice Frank O'Connor, whose term has expired.

Walter S. Money, of Delaware, to be United States marshal, district of Delaware, vice Martin F. Farry, term expired.

Victor Loisel, of Louisiana, to be United States marshal, eastern district of Louisiana, vice Frank M. Miller, term expired.

R. A. Harvin, of Texas, to be United States marshal, southern district of Texas, vice O. F. Wolff, appointed by court.

MARINE CORPS.

To be majors.

Capt. Richard H. Tebbs, jr., to be a major in the Marine Corps from the 26th day of November, 1920.

Capt. George W. Van Hoose to be a major in the Marine Corps from the 22d day of January, 1921.

Capt. Samuel P. Budd to be a major in the Marine Corps from the 12th day of March, 1921.

Capt. Charles D. Barrett to be a major in the Marine Corps from the 6th day of April, 1921.

To be captains.

Benjamin F. Fogg to be a captain in the Marine Corps from the 4th day of June, 1920.

Leslie G. Melville to be a captain in the Marine Corps from the 4th day of June, 1920.

To be second lieutenants.

John T. Thornton to be a second lieutenant in the Marine Corps from the 4th day of June, 1920.

Guy B. Beatty to be a second lieutenant in the Marine Corps from the 4th day of June, 1920.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 15, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Our Father in Heaven, we acknowledge Thee to be our staff and our stay. Thou art mindful of us with an infinite care. Thou hast given us hopes not born of time. Keep us this day in the gracious folds of Thy benediction, which is truth, righteousness, and peace. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE—H. R. 174.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 174 from the Committee on Interstate and Foreign Commerce to the Committee on Appropriations. The bill makes an appropriation for construction and equipment of a lighthouse depot in the eighth lighthouse district, appropriating $88,500 therefor. The necessary authority for that construction in the exact amount mentioned in this bill was made by the act of June 20, 1918. The bill, therefore, belongs to the Committee on Appropriations. The parliamentary clerk is in accord with me on this.

The SPEAKER. The gentleman asks unanimous consent that the reference of the bill H. R. 174 be changed from the Committee on Interstate and Foreign Commerce to the Committee on Appropriations. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO SIT DURING SESSION AND RECESS.

Mr. JOHNSON of Washington. Mr. Speaker, I desire to ask unanimous consent that the Committee on Immigration and Naturalization may sit during the session of the House and during recess.

The SPEAKER. The gentleman from Washington asks unanimous consent that the Committee on Immigration and Naturalization may sit during the session of the House and recess. Is there objection? [After a pause.] The Chair hears none.

DEFICIENCY AND CONTINGENT APPROPRIATIONS.

Mr. GOOD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, namely:

LEGISLATIVE.

SENATE.

For mileage of Senators, $51,000.

HOUSE OF REPRESENTATIVES.

For mileage of Representatives and Delegates and expenses of Resident Commissioners, $175,000.

For stationery for Members and Delegates and Resident Commissioners, at $125 each, $55,000.

For 42 pages, including 2 riding pages, 1 press gallery page, and 10 pages for duty at the entrances to the Hall of the House, at $2.50 per day each, and 3 telephone operators, at the rate of $75 per month each, during the first session of the Sixty-seventh Congress, so much as may be necessary is appropriated.

For the amount required to increase the compensation of 2 telephone pages from $2.50 per day each to the rate of $1,200 per annum each from March 4 to March 31, 1921, inclusive, in accordance with House resolution No. 615 of the Sixty-sixth Congress, and for the compensation of such pages at the rate of $1,200 each per annum from April 1, 1921, to June 30, 1922, inclusive, in lieu of the 2 telephone pages at $2.50 per day each provided in the legislative, executive, and judicial appropriation act for the fiscal year 1922, $3,040.

For the amount required from March 4, 1921, to June 30, 1922, inclusive, to carry out House resolutions Nos. 395 and 686 of the Sixty-sixth Congress, $2,517.50.

For the amount required from March 4 to June 30, 1921, inclusive, to carry out House resolutions Nos. 487, 492, 508, and 514 of the Sixty-sixth Congress, $1,118.

For payment to James Wickersham for expenses incurred as contestant in the contested-election case of James Wickersham v. Charles A. Sulzer, deceased, and George B. Grigsby, audited and recommended by the Committee on Elections No. 3, Sixty-sixth Congress, $2,000.

DISTRICT OF COLUMBIA.

WATER DEPARTMENT.

Washington Aqueduct: For operation, including salaries of all necessary employees, maintenance and repair of Washington Aqueduct and its accessories, McMillan Park Reservoir, Washington Aqueduct Tunnel, the filtration plant, the plant for the preliminary treatment of the

water supply, authorized water meters on Federal services, vehicles, and for each and every purpose connected therewith, fiscal year 1921, $35,000, to be paid from the revenues of the water department.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCLINTIC. Will the gentleman from Iowa yield for a question?

Mr. GOOD. I will.

Mr. McCLINTIC. I notice there is an item in there to pay one George W. Wickersham. Is that relative to the contest in the last Congress?

Mr. GOOD. Yes. The certification came too late to include it in the last deficiency bill, and the Senate felt that inasmuch as it was a House matter it could go over until this session.

Mr. McCLINTIC. Does the gentleman know whether or not the same person will bring another contest in this session?

Mr. GOOD. I really do not know about that.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Speaker, the bill simply provides for the mileage of Senators, Representatives, and Delegates, and for stationery of Members, and then makes additional appropriations to carry out the provisions of existing law. This bill carries the pay for certain session clerks and pages. I think in the last Congress we had 44 pages, but 2 of them were transferred as telephone pages, and the additional pay is carried in the bill. The appropriation of $2,000 for the expenses incurred in the contested-election case of Wickersham against Sulzer that came up in the last Congress, but the certificate came the day after the House had passed the deficiency bill, and while the amount, as I recall, was considerably more than $2,000, we have placed here just the amount that is usually carried for such contests. One item of $35,000, with regard to the Washington Aqueduct, is for funds absolutely necessary to purchase coal and alum for the rest of the year. The price of coal increased from $6.85 last year to $9.30 this year, and the price of alum increased from $34.00 a ton in 1920 to $62.90 in 1921. This increase in the price of these materials has made it necessary to carry this appropriation. It is placed in this bill because the coal will be entirely exhausted by the 20th of this month, and all the funds will be used.

The SPEAKER. The Clerk will read the bill for amendment.

The Clerk read as follows:

For the amount required from March 4 to June 30, 1921, inclusive, to carry out House resolutions Nos. 487, 492, 508, and 514 of the Sixty-sixth Congress, $1,118.

Mr. GOOD. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GOOD: On page 2, after line 22, insert as a separate paragraph the following:

"For amount required for a special messenger, at $1,800 per annum, from April 11, 1921, to June 30, 1922, inclusive, in accordance with House resolution No. 7, of the Sixty-seventh Congress, $2,200; such special messenger to be in lieu of an assistant messenger in charge of telephones for the minority, at the rate of $1,500 per annum."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. GARRETT of Tennessee. I did not get a copy of the bill, and there was some confusion when it was being read, and therefore I do not know just exactly what it contains. I want to ask the gentleman a question. As I caught the reading there is nothing in here to provide for the continuation of the work at Muscle Shoals, Ala.? [Laughter.]

Mr. GOOD. No; not yet. The amendment which was read, and in which the gentleman is interested, is one providing for a special messenger, a minority employee. [Laughter.]

Mr. GARRETT of Tennessee. That amendment has been adopted?

Mr. GOOD. Yes.

Mr. GARRETT of Tennessee. May I ask the gentleman if he would object to giving the House an indication of how he might feel touching an amendment to provide for the continuation of the work at Muscle Shoals?

Mr. GOOD. I do not believe I would feel kindly disposed to such an amendment this morning. At least, I could not vote for it.

Mr. GARRETT of Tennessee. I suppose, under those circumstances, Mr. Speaker, it would be useless to offer an amendment.

The Clerk resumed and concluded the reading of the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. GOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE TO A COMMITTEE TO SIT DURING RECESS.

Mr. GOOD. Mr. Speaker, I offer the following resolution.

The SPEAKER. The gentleman from Iowa offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 51.

Resolved, That the Committee on Appropriations, or such subcommittees as it may designate, shall have leave to sit during the sessions of the House during the Sixty-seventh Congress and during the recess of that Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EMERGENCY TARIFF.

Mr. YOUNG. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

The SPEAKER. The gentleman from North Dakota moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the emergency tariff bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Kansas [Mr. CAMPBELL] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the emergency tariff bill, with Mr. CAMPBELL of Kansas in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the emergency tariff bill. The Clerk will report the bill for amendment.

The Clerk read as follows:

EMERGENCY TARIFF.

That on and after the day following the passage of this act, for the period of six months, there shall be levied, collected, and paid upon the following articles, when imported from any foreign country into the United States or into any of its possessions (except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila), the rates of duty which are prescribed by this section, namely:

Mr. GREEN of Iowa and Mr. OLDFIELD rose.

The CHAIRMAN. The gentleman from Iowa will be recognized.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GREEN of Iowa. Mr. Chairman, this is a bill the main purpose of which is to preserve the American market for the American farmer and to prevent the ruinous decline in the value of farm products which has been and still is going on.

At the time this bill was first discussed in the House careful statisticians had stated that the decline in the value of American farm products from the year 1920 to the year 1921, amounted to the staggering sum of $5,000,000,000. Between the time when the Senate had the bill up for consideration and the time it was next before the House after the Senate amendments had been passed a further decline had taken place in the amount of $1,000,000,000, making the total at least $6,000,000,000. Since that time there has been a further decline, which I have not seen estimated, but which I know to be at least half a billion dollars more.

This decline which has taken place in the value of agricultural products has been unprecedented elsewhere. No other line of production, no line of manufactures, with the exception of some comparatively unimportant items, has suffered to the same extent.

This bill in its essential features is an antidumping bill. The original farm emergency tariff act, upon which this bill is based, was in effect an antidumping bill. To this bill we have added an antidumping provision which applies to manufactured products as well as agricultural products, and any gentleman who is informed on the subject is aware of the fact that you can not apply the ordinary provisions of an antidumping bill which is based on the cost of the product to agricultural products, because there is no way of exactly determining the cost of agricultural products for that purpose when imported from a foreign country. Consequently this bill now embraces in its essential features an antidumping act, both for the benefit of the farmer and for the benefit of the manufacturer.

Some may ask how this comes to be an antidumping act with regard to the farmers. The fact is that during the World War enormous quantities of farm products accumulated in various countries and were not shipped abroad for want of transportation. There was an immense amount of wheat accumulated in Australia. Wool also accumulated. Other products accumulated in the same manner, and in the time that has intervened even between the last time this bill was before the House and now, they have continued to come in in enormous quantities to take away the American market from the American farmer.

Mr. BLANTON. Mr. Chairman, will the gentleman yield? I want to ask the gentleman a question.

Mr. GREEN of Iowa. Yes. What is it?

Mr. BLANTON. The gentleman from Ohio [Mr. LONGWORTH] stated yesterday very distinctly that this was really an emergency measure and we could not expect it to be reenacted into general tariff law. I am sure the gentleman from Iowa does not agree with the gentleman from Ohio as to that, because if this bill is not reenacted into general law it will do the farmers no good, because the products will not, all of them, be out of the ground.

Mr. GREEN of Iowa. The gentleman asked permission to propound a question, not to make a speech.

Mr. BLANTON. What does the gentleman think about it?

Mr. GREEN of Iowa. I think these provisions ought not to be enacted into general law. If the gentleman, however, thinks that there should not be protection given to the farmer in the general law, he will find that the Republican Members of this Congress are ready to give the same measure of protection to the American farmer as to the American manufacturer. [Applause on the Republican side.]

As I was about to state, these enormous accumulations of farm products from abroad had been dumped upon the American market. Wool has come in upon the American market not merely by the millions of pounds, but by the hundreds of millions of pounds. Mutton has come into the American market from abroad not merely by the millions of pounds, but by hundreds of millions of pounds. So all along the line. These products have been dumped upon the market of the American farmer until he has lost control of it. He has the use of it to a certain extent, but it no longer belongs to him, as it ought to belong. The result is, as the gentleman from Texas [Mr. HUDSPETH] stated yesterday, that sheep have been sold upon the market, and the net returns have only been sufficient in some cases, as I understand him, to bring 5 cents a head, after all charges have been paid.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five minutes further.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. GREEN of Iowa. All over the agricultural regions we see the same conditions, perhaps a little worse where the chief product is sheep or wool, where practically no market exists for either the sheep or the wool, and the woolgrowers hold to-day some 60,000,000 pounds stored in the Boston market and elsewhere, which they are unable to sell at a price anything like the cost of production.

Mr. HUDSPETH. There are 200,000,000 pounds of wool now in the hands of the producer who produced it.

Mr. GREEN of Iowa. The same condition exists as to cotton. I may say to gentlemen on both sides of the House that go where you will, you will see the same thing—cotton in the fields to-day that was raised last year and not picked and never will be for the want of a market. Out in western Nebraska corn burned for fuel, because it is cheaper than coal; potatoes in Maine left in the ground, not worth digging; lemons rotting under the trees because they were not even worth picking up and sending to market. I can not see where this condition has obtained in any manufactured products, whatever they may be.

Now, our friends upon the other side, in what they had to say yesterday, with their usual inconsistency, in one breath stated that the price to the consumer would be enormously increased, and in the next breath they asserted that the farmer would get no benefit whatever; that the prices to the farmer would not increase, but that the prices to the consumer would be enormously increased.

The American farmer can go into no trust. He can create no monopoly. He must take the prices that are offered to him. He has in his hands to-day all over America a surplus which he must dispose of at the best price he can obtain. There is no possible theory upon which he can get an unreasonable price for his product. He can get only what the American consumer, knowing that he has a surplus in his hands, is willing to pay. Monopolies and trusts may exist elsewhere, but with the American farmer they do not and can not exist.

Under these circumstances are gentlemen upon the other side willing to say to the American farmer that they do not propose to give him this fair and reasonable price, which is all that he can possibly obtain, that they are willing to say to him, "You can not have the American market, but the foreigner may dump his goods in any quantity upon it and take away even your home market"? If gentlemen are willing to take that responsibility, they can do so. Gentlemen who represent Southern States have seen their governors recently in a conference asking for the duties contained in this bill. They have received from their constituents petitions for the duties contained in this bill. They may deny to the American farmer this relief, but we upon the Republican side will give him this opportunity to preserve for him the American market, which of right belongs to him.

Mr. Chairman, this bill ought to pass as soon as possible. The delays which we have already experienced are costing the American farmer immense sums every moment that goes by. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. YOUNG. I ask that all debate on this paragraph and amendments thereto close in 20 minutes.

Mr. OLDFIELD. I have an amendment which I want reported, and there are several requests from gentlemen who want to speak.

Mr. WINGO. I do not yield for requests.

The CHAIRMAN. The gentleman from Arkansas has not been recognized.

Mr. WINGO. Oh, well, if a member of the committee [Mr. FORDNEY] is going to come up here and take 10 minutes by unanimous consent, and then cut off debate——

The CHAIRMAN. The chairman of the committee was on his feet and preferred the request.

Mr. YOUNG. I withdraw the request.

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. WINGO. I have no objection to the gentleman expediting his bill, but a member of his committee has just stood up here and by the indulgence of the House made a political speech for 10 minutes, and then as soon as a Democrat takes the floor he undertakes to put on the brakes. You have your majority, gentlemen, and you can pass your bill at any time you want to.

Mr. YOUNG. I hope my friend will not believe there was any disposition on my part to take him off the floor.

Mr. WINGO. Oh, certainly, I know it was just force of habit; that is all.

Mr. YOUNG. My request was that the debate on this paragraph close in 20 minutes.

Mr. WINGO. It was just force of habit. I do not want this taken out of my time, Mr. Chairman.

Mr. FORDNEY. As soon as the gentleman from Iowa concluded the Chair recognized a Democrat.

Mr. GREEN of Iowa. I will say to the gentleman from Arkansas that we will extend to him and his side all the courtesies that they ever extended to us, and then some.

Mr. WINGO. The trouble with the gentleman is that he could not appreciate the obvious answer if I made it to him, so I will not make it.

Now, Mr. Chairman, if I may be recognized for five minutes——

The CHAIRMAN. The gentleman has already been recognized.

Mr. WINGO. Gentlemen proceeded to interrupt me.

Mr. Chairman, the last speech that we have just heard is typical of an attitude of the Republican Party, which I regret

exceedingly, and I say that sincerely. I think no one can accuse me of being a blind partisan. During the recess I went up and down this land and made many speeches, and in every speech I appealed to Democrats to get in behind the President of the United States, saying to Democrats that he was our President; that in my candid judgment he was an honest, sincere man, deeply impressed with the responsibility of the position, and that we owed it to him to give him every opportunity to work out the very pressing problems that confront him and his party, and I stated to my constituents that I would not be guilty of any carping criticisms, and I am not going to be. I regret that the gentlemen on the Republican side have not recognized not only that the war is over but that the election is over. You have the offices. You have carried the country. You have the power. Why not quit talking politics and go to work and give us some constructive legislation?

I was deeply impressed yesterday with the remarks of the gentleman from Ohio [Mr. LONGWORTH], as I always am. You will see the day that you will regret that you did not follow his advice. Every man on this side who is at all familiar with business conditions in this country knows that the most pressing problem that confronts us is a complete revision of the domestic taxing system of this country, and you ought to have addressed yourselves to that with all the expedition possible, instead of bringing in this moonshine tariff bill. The genial, pleasing gentleman who last addressed you [Mr. GREEN of Iowa] made a political speech, and said, "You Democrats are going to deny the farmer this much-needed relief." Now, the gentleman is sincere in that. He knows, of course, a great deal about cotton, as was illustrated by his statement yesterday and heretofore! The truth of the business is that the gentleman really believes that the Mexican boll weevil is a first cousin to a humming bird. [Laughter.] He believes that, and I am not criticizing him. But the man who knows anything about cotton knows that this bill and the report which accompanies it are a huge joke. It is the same old shibboleth of going to protect the American farmer and American labor, and I have heard some Democrats talk about the same thing. My genial, energetic, sometimes meticulous, but always interesting, friend from Texas [Mr. BLANTON] says that the poor cotton farmer has got to sell in an open, free, and unprotected market and buy everything he buys in a protected market. I will ask any statesman on either side to tell me how the American Congress by any act it can pass can ever guarantee to the cotton farmer a protected market, when he has got to sell 65 out of every 100 bales he raises in some other market than the American market? Men who make that kind of statement illustrate either their lack of information on the subject or else their reckless disregard of obvious economic facts. But, gentlemen, what is the matter with the American agriculture? You may be right; I hope that this bill will relieve the farmer, but the great economic basic branches of the American agriculture—the wool grower, the wheat grower, and the cotton grower—what is the matter with them? It is not the tariff. Is that going to cure the evil?

Mr. FORDNEY. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. FORDNEY. Is it not true that there is not a pound of long-staple cotton raised in this country which is exported; that all the exports is short-staple cotton, which is not provided for in this bill?

Mr. WINGO. The gentleman believes that statement?

Mr. FORDNEY. Is it not true?

Mr. WINGO. No, sir; it is not true. The gentleman by asking the question shows how little he knows about cotton. We raise long-staple cotton in my own county. You have not got anything in the report that shows the exports of cotton of this class, because you confess that you do not know anything about it. I can tell you where the Hope cotton is grown, and I can tell you who bought it and where it went to.

Mr. FORDNEY. I would like to ask the gentleman another question. Do you export long-staple cotton or import it?

Mr. WINGO. We do both.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FORDNEY. The gentleman does not know, and he had better go up North——

Mr. WINGO. That is the trouble. The gentleman goes North for his information on cotton. He ought to come down South, where we raise it. [Applause.] Why, gentlemen, I know something about long-staple cotton. I can tell you something about the shipment of Hope cotton. The gentleman probably has never heard of Hope cotton, but in passing I may say that it gets its name from the town of Hope. Much of that cotton is grown in my district and the best part of it in my county. I know where it is grown, and I know who has bought some of the crop before it is grown. The gentleman had better get the statistics of what has been done with the long-staple cotton crop in Arizona, in Texas, Louisiana, and in southwestern Arkansas before he undertakes to bring in a tariff bill for it.

But, gentlemen, I want to talk about something else—something more serious than this political buncombe about a tariff on cotton. A tariff on cotton when 65 out of every 100 bales has got to be sold elsewhere! What is the trouble with the cotton grower? It is the same as with the wheat farmer and the wool grower—my heart goes out to all of them. What is the matter? For five years 50,000,000 men destroyed commodities and destroyed each other. Ten million of these men, who were consumers of cotton, surplus wheat, and the manufactures, and the surplus wool, were left dead on the field of battle. Six million of wounded and maimed men have their productive capacity destroyed. One trouble with wheat, cotton, and wool, and other surplus commodities in this country is that there is an underconsumption the world over.

But, gentlemen, you talk about paternalism, and yet for political purposes you go up and down the land trying to make the people believe that the prosperity of the cotton farmer, the wheat grower, and the New England manufacturer can be relieved overnight by a tariff resolution of Congress. I thank God I do not live under any such system of government, because if by a simple resolution of Congress we can bring prosperity to the wheat grower, to the wool grower, to the cotton grower overnight by the same token we can destroy them, and we would have the most vicious kind of government on earth, except that of Lenin and Trotsky.

Oh, gentlemen, you may be able to do as one gentleman did, make an argument in favor of the War Finance Corporation, and then in the next breath say that you ought to cut off imports.

There are just two ways by which you can settle a debt. One is with gold and the other is with commodities. Has Europe got the gold? She has not. We have more gold here than is good for us, and I pray that God may hasten the day when the normal flow of gold will be resumed throughout the earth. That will aid the solution of our economic and financial situation more than anything else. They have not got the gold, and how are they going to pay you? Here is a question of barter and trade, whether you like it or not. You are up against the fact that the reverse of what was formerly true now is the fact. Instead of being a debtor Nation, we are a creditor Nation. Are you going to maintain a merchant marine and say that you will permit those ships to bring nothing back from Europe? Are you going to run them empty one way? If so, it will take more subsidy than the Republican Party ever dreamed of to maintain a merchant marine under that condition.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. YOUNG. Mr. Chairman, I desire to prefer a request that debate upon this paragraph and all amendments thereto be closed. How much time is required on the other side?

Mr. GARRETT of Tennessee. Mr. Chairman, the gentleman from Arkansas [Mr. OLDFIELD] has an amendment which he desires to offer, and I suggest that he be recognized so that we may know what that amendment is.

Mr. LAZARO. Mr. Chairman, I desire five minutes.

Mr. YOUNG. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 18 minutes.

The CHAIRMAN (Mr. BEGG). Is there objection?

Mr. HUMPHREYS. Mr. Chairman, reserving the right to object, I do not know what the amendment of the gentleman from Arkansas is, and I could not now tell whether I want to talk on it or not.

Mr. OLDFIELD. Mr. Chairman, the amendment has not yet been reported.

Mr. YOUNG. Mr. Chairman, I suggest that it be reported at this time.

The CHAIRMAN. Without objection, the amendment will be reported.

There was no objection.

The Clerk read as follows:

Mr. OLDFIELD moves to strike out, on page 1, line 6, the words "for the period of six months."

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota that debate on this paragraph and all amendments thereto close in 18 minutes?

There was no objection.

Mr. OLDFIELD. Mr. Chairman, if this bill is a good thing, it ought to be made permanent and not be limited in its operation to six months. My friend the gentleman from Iowa [Mr. GREEN] stated yesterday, as did the gentleman from Ohio [Mr. LONGWORTH], that they expected the general tariff bill to be enacted in short order. No Member of this House knows, no human being knows, how long it will take Congress to pass a general tariff law, and under this provision in this bill most of the farm products, all of the farm products, I believe, of the South, will not be harvested within 6 months from now or within 6 months from 10 days or 2 weeks from now. In other words, cotton will not be harvested until October and November and December next. The same is true of peanuts. Therefore, if you want to be fair, if you believe in your bill, it seems to me that you should accept this amendment, and then when you pass your general tariff law you can place in it such limitations as you desire. Of course, we take the position—and in that we believe we are right—that this bill can not, if it becomes a law, as it will, help the American farmer, because the trouble is not with the matter of imports. The imports of wheat, in fact of everything that is coming into this country to-day, are decreasing. It is, therefore, not the matter of imports that is hurting the market. The trouble is that our exports are also decreasing, leaving us a surplus on our hands. What we need is markets. Imports of wheat are decreasing. We imported only 35,000,000 bushels last year and we exported 218,000,000 bushels. During the month of February we imported only 4,000,000 bushels and our exports fell off 29,000,000 bushels.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. LONGWORTH. I do not know that I correctly understand just the trend of the gentleman's remarks. May I ask the gentleman if he is going to vote for his amendment?

Mr. OLDFIELD. No; I am not going to vote for the amendment, because I do not want this bill passed either permanently or for only six months, but if you gentlemen are honest in this proposition, if you believe what you say about this proposition, if you honestly believe that this is a good proposition, then I can not understand why you want to have its operation limited to six months. That is the greatest piece of buncombe in the whole thing.

Mr. LITTLE. If the gentleman thinks that this is not a good thing for six months, then why under Heaven's name does he want it to continue longer?

Mr. LONGWORTH. Oh, he is not going to vote for his amendment.

Mr. OLDFIELD. You gentlemen have the responsibility. You say that you are going to enact this bill into law because it is a good thing. If it is, why do you not make it permanent? As far as I am concerned, we realize that all we can do is to protest, but we do protest. We say that you ought to be fair and honest with the American farmer. The fact of the business is that you ought to be fair enough and honest enough to tell the American farmer that this thing is pure "bunk" and that you do not expect it to help the American farmer at all.

Mr. KINCHELOE. Mr. Chairman, will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. KINCHELOE. May I ask the gentleman if it is not a fact that two-thirds of the crop grown last year is already out of the hands of the farmer and this law will expire under the six months' proposition before the next crop?

Mr. OLDFIELD. Why, certainly; the gentleman knows that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAZARO. Mr. Chairman and gentlemen of the committee, a good deal has been said about the cotton farmer not having any protection by this bill. It is true that short-staple cotton is not protected by this bill, but cotton seed is protected. I want to read an extract from a brief submitted to the Committee on Ways and Means some time back by the Cotton Seed Crushers' Association of the Southern States, an organization which includes all the Southern States.

If ever an industry vitally needed protection for its bare existence, it is the cottonseed-oil industry in its present extremity. Upon the issue of whether these oils and oil products are to be placed upon the dutiable list depends the continued existence of the business of the cottonseed crushers. With us it is a case of "to be or not to be." We say with a sincere belief in the literal verity of the statement that the cottonseed-oil industry is doomed if cottonseed oil must be sold in a market fixed by prices prevailing on coconut, soya bean, and similar oils. The passing of this business would withdraw an enormous available food supply. It would ruinously affect the producer of cotton seed. It would adversely touch the American producers of any kind of vegetable oils. It would handicap the great dairying interests. It would affect adversely the labor which now goes into the production of the seed and of the oil. If cotton seeds are to be acquired by the crude-oil mills for crushing, the farmer must be paid the equivalent of the fertilizer value of the seed plus a reasonable amount to induce him to put the seed on the market. The truth of this statement is established by the present situation. Cottonseed crushers to-day are paying to the farmer a price for seed which renders the production of crude oil unprofitable, and yet the farmer regards a sale at such price as unprofitable to him, as in fact it is. In other words, the farmer is actually receiving for his seed less than his production cost. The consequence is that at least 1,000,000 tons of seed which would otherwise be available for crushing purposes is now being put into the ground for fertilizer purposes. It is manifest that this means an enormous economic loss to the country, there being no fertilizer value in the oil and in the lint. The oil and lint value of the 1919 crop amounted to in excess of $200,000,000.

Mr. STEVENSON. Will the gentleman yield?

Mr. LAZARO. Not now.

Mr. STEVENSON. I just want to ask a question.

Mr. LAZARO. Not now; my time is limited. I want to read a resolution which was passed by the National Board of Farm Organizations, which is a council of representatives of the farm unions of the country.

We urge the immediate investigation by Congress of the unusually large importations of oriental vegetable oils, and ask that an embargo be laid on the further importation of such oils until such time as that remedial legislation may be enacted in the form of a duty or tariff tax.

We urge this action in order that the dairying interests, the live-stock interests, and the vegetable oil interests of the United States may be protected against the cheap labor and low standard of living of the oriental countries.

Mr. STEVENSON. I want to ask the gentleman if it is not a fact that the seed crops of 1920 are either already in the hands of the crushers or in the ground as fertilizer practically all over the cotton belt to-day?

Mr. LAZARO. I will say to the gentleman that I have not been home in quite a while, but I know on my farm that right now I have seed I can not sell to anybody at any price.

Mr. STEVENSON. And the gentleman proposes to use that as fertilizer?

Mr. LAZARO. Well, it is a waste to do so.

Mr. STEVENSON. As a matter of fact, the seed which is now in existence is practically all in the hands of the crushers, is it not?

Mr. LAZARO. Oh, well, of course a great deal of it is.

Mr. STEVENSON. Let us have another question. This bill goes into effect for six months, and the seed for the next crop will not be protected in so far as the oil is concerned one particle, will it?

Mr. LAZARO. I will say I want to protect those who have seed left right now. I wanted to do so before when the bill was voted upon. I take it that the permanent bill will protect these same oils from the competition of foreign oils.

Mr. BLANTON. Will the gentleman yield?

Mr. LAZARO. I will.

Mr. BLANTON. The gentleman intimated this bill would not benefit short staple cotton. I want to remind him of the fact that this million bales of long staple cotton that comes into our market every year does indirectly affect the market of short staple cotton.

Mr. LAZARO. I was talking of the direct duty. We are starting in my district in Cameron Parish now to plant long staple cotton; that is, we can not just at the moment on account of the pink bollworm, but we will after the worm is exterminated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYDEN. Mr. Chairman, it was understood that I was to be allowed three minutes to secure some information. It will be observed that under Title I of the bill the tariff duties imposed apply to certain articles imported into the United States and any of its possessions, except the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila. Title II, beginning on page 6, makes the antidumping legislation likewise applicable to the United States and to any Territory or place subject to the jurisdiction thereof, except the possessions that I have named, but in addition thereto the Panama Canal Zone is specifically mentioned. I want to find out from the gentleman in charge of the bill why the Panama Canal Zone is mentioned in the antidumping legislation and ignored in the title referring to tariff legislaton. Is not the Panama Canal Zone a possession of the United States? In his judgment, will the tariff duties provided for in this bill apply to the zone? Certainly these conflicting provisions raise some doubt as to whether or not the Canal Zone is a possession of the United States.

Mr. YOUNG. Mr. Chairman, I will say to the gentleman the first paragraph contains the ordinary form used in all tariff bills in the past, including the Underwood law. We have simply followed the rule.

Mr. HAYDEN. I want to know whether goods imported into the Canal Zone will pay the duties imposed by this bill when

it becomes a law. If such is the case, I think that a very serious mistake is being made.

Mr. YOUNG. This provision only applies to the tariff law, Title I of the bill.

Mr. HAYDEN. I am well aware of that.

Mr. YOUNG. And we are satisfied if this bill can be passed to-day speedily in such a way as to apply to those portions covered by the American flag that are mentioned under this paragraph.

Mr. HAYDEN. But will the gentleman from North Dakota please answer my question. Will the tariff duties provided in this bill, when enacted, apply to the Panama Canal Zone?

Mr. YOUNG. It may or it may not. The courts can say. We do not think it is particularly important it should. It only applies to Title I of this bill.

Mr. HAYDEN. There is but one fact which I would like to ascertain. As the author of the bill, does the gentleman know whether or not the tariff rates proposed by Title I will apply to the Panama Canal Zone?

Mr. YOUNG. It is for the Supreme Court to say that. But so far as the practical operation of this bill is concerned, it is unimportant whether it does or not. It should be remembered, too, that this is an emergency bill, and we are trying to get the House to pass it without change.

Mr. HAYDEN. There are 60,000 people on the Canal Zone who will be greatly burdened if they are compelled to pay more for all of the articles mentioned in Title I. Heretofore no duty of any kind has been imposed on merchandise shipped to the Canal Zone from any part of the world. Cristobal and Balboa are free ports, and the employees of the Panama Canal have enjoyed the privilege of purchasing in an absolutely free market. The legislation providing for free trade on the Canal Zone was passed by a Republican Congress in order to keep down the cost of living of the American citizens who went to Panama to dig and operate the Panama Canal, and I want to know whether the enactment of this bill will change that situation.

Mr. LITTLE. If you will look at that paragraph closely, you will see that it only applies to Title II and not to the first title.

Mr. HAYDEN. I have always understood that none of the tariff laws of the United States applied to the Panama Canal Zone. But will that be true if this bill is passed?

Mr. LITTLE. The antidumping clause, as to the Panama Canal, applies only to Title II and not to Title I at all.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. HAYDEN. Mr. Chairman, I offer an amendment.

Mr. WALSH. I move to strike out the last four words, in order to ask the gentleman in charge of the bill a question.

Is the Ways and Means Committee considering the question of continuing these schedules in this bill in the permanent revision which the committee is now at work upon?

Mr. YOUNG. The committees are now at work very industriously looking up all possible information with the idea of making the rates in the permanent bill as nearly correct as they can be made, humanly speaking, and those rates may not be as they are in this bill. This is an emergency bill, as the gentleman understands.

Mr. WALSH. Well, my question was, Is the Ways and Means Committee considering carrying these schedules in this bill on these articles in the permanent revision of the law?

Mr. LONGWORTH. Perhaps I can answer the gentleman by saying that this bill is not under consideration in any respect in our deliberations on the permanent tariff bill.

Mr. WALSH. Then I would like to further ask the gentleman from North Dakota what information he has upon which the committee has fixed the termination of the emergency at a date six months after the passage of this bill?

Mr. YOUNG. Well, that would make it about the same as if the law had been passed which was introduced at last session, at which time the limit was 10 months We thought about 4 months had passed, and therefore we cut 4 months out of the 10. And I will say also that we thought we could pass the permanent tariff law before the expiration of six months.

Mr. WALSH. But the permanent tariff law does not take care of the articles in this bill?

Mr. YOUNG. It may or it may not. That can not be determined until the committee completes its labors.

Mr. WALSH. Are they holding any hearings on the matter of a tariff on lemons, corn, or potatoes?

Mr. YOUNG. The committee has already had hearings covering those items.

Mr. WALSH. For the purpose of this bill only?

Mr. YOUNG. No; for the purpose of the permanent bill.

Mr. WALSH. So there are schedules that are required to be continued in the permanent revision?

Mr. YOUNG. Not necessarily.

Mr. WALSH. What is the idea of having the hearings?

Mr. YOUNG. Well, the entire information on these different items did not come out at the hearings. The committee has other sources of information, outside of the hearings, and all the information coming to the committee up to the time they fix these schedules should be utilized.

Mr. LONGWORTH. And might I also add for the information of the gentleman——

Mr. WALSH. If it is an answer, I will yield to the gentleman from Ohio.

Mr. LONGWORTH. A very large number of these provisions were put in on the floor of the Senate, and have received no consideration by the Ways and Means Committee whatever. They only received consideration in the conference committee, where we eliminated a very large number of the Senate amendments and reduced the duties on others.

Mr. WALSH. I would like to ask a further question. With reference to the antidumping provision, is this in the identical form in which that bill passed the House?

Mr. YOUNG. No; it is very much different.

Mr. WALSH. Did you have hearings on that before you made the changes?

Mr. YOUNG. Yes; the committee had a number of hearings.

The CHAIRMAN (Mr. CAMPBELL of Kansas). The question is on the amendment offered by the gentleman from Arkansas [Mr. OLDFIELD].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. HAYDEN. Mr. Chairman, I have an amendment pending.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HAYDEN: Page 1, line 10, after the word "Islands" where it first occurs, insert the words "the Panama Canal Zone."

Mr. LONGWORTH. Mr. Chairman, I make the point of order the amendment is not germane. That is adding a new substantitive proposition of legislation.

The CHAIRMAN. Does the gentleman from Arizona [Mr. HAYDEN] desire to be heard on the point of order?

Mr. HAYDEN. Mr. Chairman, Title I of this bill provides for levying certain tariff duties on goods entering the United States and any of its possessions, but exceptions are made in the case of the Philippine Islands, the Virgin Islands, and the islands of Guam and Tutuila. I have offered this amendment to make Title I conform to Title II of the bill, by adding the Panama Canal Zone. My amendment merely names another possession of the United States wherein the import duties levied by this bill shall not apply.

Mr. MANN. Will the gentleman yield for a question?

Mr. HAYDEN. With pleasure.

Mr. MANN. The present tariff laws do not apply to the Panama Canal Zone the way they apply to the continental United States.

Mr. HAYDEN. The gentleman from Illinois is correct, as usual.

Mr. MANN. And this is the exact language of the Underwood tariff law and now in the bill.

Mr. HAYDEN. What disturbed me was that the antidumping provisions in this bill specifically exempt the Panama Canal Zone, yet nothing is said about the Zone in the tariff title. Both titles have to do with rates of duty on imports which are to be imposed when this bill becomes a law. I would not have suggested this amendment to Title I if the Committee on Ways and Means had not mentioned the Canal Zone in Title II.

Mr. MANN. That will be reached when it is reached. This is now reached and before the House. The gentleman now proposes to insert language here which is not in the Underwood law and which was not put into the Payne-Aldrich law and has never been put in any tariff law passed by the United States Congress, and intimating thereby that the present tariff law ought to apply to the Canal Zone.

Mr. HAYDEN. As I have said, my curiosity was aroused by the fact that in Title II of this bill the Panama Canal Zone is exempted. If it is necessary to except the Canal Zone there is it not also necessary to make the same exception here?

Mr. MANN. I think the curiosity of the gentleman was natural, but it is not necessary to insert it here. That is perfectly plain, and inserting it here would be an intimation that Congress thought the present tariff law applied to the Canal Zone.

Mr. HAYDEN. I am frank to say that the gentleman from Illinois has given me the information that I could not secure from the gentleman in charge of the bill. If that gentleman had given me the same facts, I would not have offered my amendment. [Laughter.]

Mr. MANN. Withdraw it, then.

The CHAIRMAN. Does the gentleman withdraw his amendment?

Mr. HAYDEN. With the assurance given by the gentleman from Illinois, that the Panama Canal Zone will not be affected by this legislation, I shall be glad to withdraw it.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. OLDFIELD. Mr. Chairman, I offer an amendment, but I believe it is not in order until the first line on the next page is read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Wheat, 35 cents per bushel.

Mr. OLDFIELD. Now, Mr. Chairman, I offer my amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLDFIELD: Page 2, line 1, strike out "35" and insert "25."

Mr. OLDFIELD. Mr. Chairman, 35 cents a bushel on wheat is prohibitory. Mr. McCoy, of the Treasury Department, assures me that this rate is prohibitory, and I know of no better authority in this country than Mr. McCoy. Twenty-five cents a bushel is the rate carried in the Payne-Aldrich Act. I do not believe the majority of this House ought to place a prohibitory tariff on any product, and especially upon a product where it can not possibly be of any benefit.

As I said a moment ago, the trouble now is not tariff, or lack of tariff, but the trouble is markets. A great deal more wheat is being exported than imported. It has always been so, and no doubt for many years it will continue to be so. Therefore I want to appeal to the Republican side of the House that they do not place a prohibitory tariff on wheat or any other product in this bill.

I believe that is all I have to say on the proposition.

Mr. LUCE. Mr. Chairman, a study of the debate of yesterday led me to think that the gentleman from North Dakota [Mr. YOUNG], in charge of the bill, had come more nearly confronting my own perplexities than anyone else, and I rise to ask him if he will elucidate further his statement that it is highly improbable that the passage of this law will make bread dearer? If it is the fact that this law is not going to increase the cost of living in this country, I might waive some of my previous objections. Will the gentleman kindly explain to the House how he proposes to have his cake and eat it?

Mr. YOUNG. The answer is very simple, and that is that the prices of these commodities have not come down at retail, have not been deflated, and therefore they are not likely to go up at retail.

Mr. LUCE. Does the gentleman mean to say that the price of bread has not dropped anywhere in this country in the last few months?

Mr. YOUNG. I do not think the gentleman quotes me correctly. I never said that. I say that in most cities the price of bread is something near the same price it was. There has not been any deflation, to speak of, in bread prices.

Mr. LUCE. Well, if the farmer is to get more money, where is it to come from? [Applause on the Democratic side.]

Mr. YOUNG. The price of bread in most of the cities now presumably was fixed at the time when wheat was selling for twice what it is selling for now. I presume that the bakers in most of the cities are not going to raise the price of bread if the price of wheat goes up only part way toward the level it formerly had.

Mr. LUCE. But, Mr. Chairman, if the price of wheat is going up by one-quarter, who is to pay it?

Mr. YOUNG. The price of wheat has gone down about 50 per cent and bread remains at close to the same level of price as when wheat was high.

Mr. LUCE. Mr. Chairman, I am very anxious for information. May I ask the gentleman once more who pays the freight? [Applause on the Democratic side.]

Mr. YOUNG. I will say this: That if the gentleman and his friends in the great city of Boston are not willing to pay some of the freight in the United States they are not good citizens. I will say to the gentleman if he wants his neighbors, his manufacturing friends to have duties and protection on their manufactured articles and is unwilling to grant them to others in other industries I do not believe he is a good Republican. [Applause on the Republican side.]

Mr. LUCE. Mr. Chairman, I wish the gentleman would answer my question. Who pays?

Mr. YOUNG. Who pays what?

Mr. LUCE. The farmer, as the result of this bill?

Mr. YOUNG. The man who buys his stuff in the first instance. It is not a direct sale to the consumers. It is a problem of distribution. I imagine that some of the troubles of my friend are caused by profiteering, as you may call it, on the part of those who are distributing this food. I will say that I think that the chief offender now, at least in the large cities, is the retailer. He has refused to bring down his prices, no matter what he has to pay to replace his stocks.

And farmers must pay these unjust prices in spite of the fact that their products have been reduced in price far below the actual cost of production. I have just received a telegram from H. B. Fuller, secretary Farm Bureau Federation of North Dakota, in which he says:

President U. L. Burdick, of the State Farm Bureau Federation, has compiled carefully the records as to the cost of production from 619 North Dakota farms for the year 1920, and from those records average costs of production were found to be:

	Cost production.	Fargo price Apr. 13.
Wheat.....per bushel..	$2.44	$1.21
Oats.....do....	.85	.39
Barley.....do....	1.08	.40
Rye.....do....	1.87	1.04
Flax.....do....	3.75	1.15

Mr. LUCE. Then we get a square, definite issue.

Mr. LITTLE. Will the gentleman yield?

Mr. LUCE. I believe the floor is mine.

The CHAIRMAN. The gentleman from Massachusetts has the floor.

Mr. LITTLE. Will the gentleman yield to me to throw in a question which may help to bring out what he has to say?

Mr. LUCE. I will.

Mr. LITTLE. Is it not a fact that the price of wheat has gone down, as you remarked, 50 cents a bushel, while the price of bread stays where it was?

Mr. YOUNG. Much more than that—50 per cent.

Mr. LITTLE. Is it not a fact that the price of wheat has gone down and the price of bread has not, and that the gentleman from North Dakota wants to get a better and fairer relative price between the two?

Mr. LUCE. Now, may I ask the gentleman from North Dakota another question?

Mr. MANN. It is idle to say that the price of bread has not been reduced, because it has been.

Mr. LITTLE. It has not been reduced proportionately.

Mr. MANN. The gentleman said it had not been reduced at all.

Mr. LITTLE. Of course, I meant proportionately.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. The gentleman from Massachusetts [Mr. LUCE] greatly surprises me when he gets up on the floor here and uses a Democratic argument that has been worn threadbare. [Applause and laughter.] I want to ask the gentleman this question: Does the gentleman believe in protection; and if so, why does he use this Democratic argument? [Laughter.] If the gentleman does not believe in protection, he belongs on the other side of the House.

Mr. BLANTON. Mr. Chairman, a point of order.

Mr. FORDNEY. The gentleman from Massachusetts [Mr. LUCE] sits on the Republican side of the House, but he does not belong there when he makes the speech that he has just made, because he is using a free-trade argument.

Mr. BLANTON. I rise to a point of order.

Mr. FORDNEY. The gentleman from Texas is a noisy fellow, and I will yield to get him quiet.

Mr. BLANTON. I make the point of order that Republican chastisement of Republican Members should take place off the floor of the House. [Laughter.]

Mr. FORDNEY. No; here is the place to settle it. The gentleman from Texas [Mr. BLANTON] is going to vote with the Republicans on this bill; and let us settle this question right here.

Mr. BLANTON. No; the Republicans are going to vote with me. [Laughter.]

Mr. LUCE. Will the gentleman yield?

Mr. FORDNEY. I yield for a question.

Mr. LUCE. I presume I should answer the gentleman's question. I do believe in protection and I do hope to vote for the tariff bill that the gentleman will present. My question to

the gentleman from North Dakota was preliminary to another question which I hope to present at some early opportunity, and that will explain my purpose in asking the question, which is not what the gentleman from Michigan apprehends.

Mr. FORDNEY. Let me say to the gentleman that we placed in this bill a duty of 35 cents a bushel on wheat. The Payne bill carried a duty of 25 cents per bushel. When the Payne bill was passed wheat was selling in the Northwest for 70 cents a bushel, and 25 cents a bushel was 35 per cent protection on the price that wheat was selling for at that time, while 35 cents a bushel now is but 17½ per cent ad valorem duty. [Applause.]

Mr. BUTLER. Did it increase the price of bread when the duty was fixed at 25 cents in the Payne law?

Mr. FORDNEY. It increases the price of bread when we let the foreigner control our markets, because then we have to pay the bill; but if you will take the records of the Department of Commerce of last year you will find that we imported 37,000,000 bushels of wheat at $2.02 a bushel and exported 191,000,000 bushels at $2.68 a bushel. You can see why our friends to the left here want Canadian wheat to come in, so that the mills of the Northwest can run upon Canadian wheat instead of upon American wheat. Did you pay any less for your bread this last year because it was made of imported wheat?

Mr. BUTLER. That is the point I wanted to bring out.

Mr. FORDNEY. No. Was the price of bread at Duluth and Minneapolis any lower than it was in Indianapolis or in Little Rock, Ark.? No. But while you pay the price of bread made from American flour, the Minnesota miller paid the foreign price for Canadian wheat and took the difference out of the bread eaters of this country. [Applause.] It did not lower the price of bread a penny, although the Minnesota millers purchased wheat at 66 cents a bushel less than our farmers sold wheat for abroad. How much difference does that mean on a barrel of flour? Four bushels and 40 pounds of wheat make a barrel of flour of 196 pounds. There are 84 pounds of offal, bran, and middlings. Fifty cents a bushel on 4 bushels and 40 pounds is more than $2 per barrel to those profiteers at Duluth and Minneapolis, who grind Canadian wheat into flour and sell it to our consumers and make them pay the price that they would pay if it were made of American wheat purchased at a higher price; and then, not satisfied with that, they are here by their lobbyists now asking us when we put the duty upon wheat to permit them to market in this country their bran and middlings without paying any duty on the bran and middlings.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. I ask for two minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. FORDNEY. Gentlemen, 35 cents a bushel on wheat now is not as much protection to the wheat growers of this country as 25 cents a bushel was under the Payne law, and we know that was not too high. All that is wanted right now by our friends on the Democratic side who did not agree with us as to protection is that the bars shall be thrown down and our markets flooded with the products of the cheapest labor of every country on the earth, the result of which will be to depress American products. Do you believe that we can lift up to our standard of life and living and wages the labor of Europe and the Orient? No! Do you believe that it is proper to bring down American labor to the standard of life and living of Japan and China? No. Are we ready for that? No; we will save you from destruction; we will protect you in spite of your opposition. We will protect every industry of the South the same as of the North. We will cause the rice fields in Louisiana and Texas and Arkansas to bloom and your rice farmers to prosper by giving you protection against oriental rice. We will protect your cane fields of Louisiana whether you gentlemen join with us or not. We will cause your sugar industry down there to prosper instead of being forced out of business, as 42 per cent of it was under the Underwood tariff law. They are slowly coming back under the protection which they received by the high prices during the war, but to-day they have got to go out of business unless the Republicans protect them. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, when the Fordney emergency tariff bill was presented in December, most of the Democrats then perceived that it was merely a strategic feint, and that behind its plausible promises there lay a well-prepared Republican drive, which would be launched at an opportune moment, for high prohibitive rates on manufactured articles which all of the people must buy. Our fears have been realized. The Young bill now before us reveals that purpose. It is proven by the fact that the gentleman from Massachusetts [Mr. TREADWAY] and perhaps the gentleman from Massachusetts [Mr. LUCE], when thoroughly informed that the real purpose of the present bill is to prohibit the importation absolutely from certain countries of foreign products which might compete with New England factories, and that the pretentions about aiding the farmer were merely a farce, have responded to their master's voice and will return to their master's stalls. [Laughter.]

Mr. LUCE. Mr. Chairman——

Mr. CONNALLY of Texas. I can not yield now.

Mr. LUCE. I merely wanted to ask the gentleman where my stall is located. [Laughter.]

Mr. CONNALLY of Texas. We shall find out when the vote comes where the gentleman's stall is located. [Laughter.] Now, gentlemen, by the clause in this bill which relates to depreciated currency this measure will levy a tariff duty of 400 per cent on goods from Germany and Austria over that which now exists, and a heavy increased duty on goods from Italy.

Gentlemen, what is the country suffering from to-day? It is the stagnation of business. You hear no complaint that there is too much business, too many sales. The trouble is that there is not enough business. The great section from which I come, the South, is to-day in the throes of commercial disaster and distress. The farmer has on his hands the products of his fields that he can not sell. He has no money to purchase the goods that he desires to purchase. He can not pay the merchant, the merchant can not pay the banker, and so through an endless chain every industry is paralyzed. What is the trouble? Does its remedy lie in a tariff? No. While products are stagnating in our hands, Germany and Austria and Italy, among our best customers for cotton prior to the war, need cotton to-day as they have never needed it before in all history. They can not buy because they have not the gold. They can only buy our cotton by exchanging their goods. The Republican Party proposes to put a tariff wall of 400 per cent between us and the products of Germany, Austria, and Italy, which absolutely condemns the southern farmer to misery and want. We ask for a better market; they answer by taking away even the poor market we now have. All we ask is, gentlemen of the Republican side of this aisle, to give us a chance to sell our products where we have sold them in the times of peace. [Applause.] How are they to pay us for our products if they do not pay in goods? They have no other method.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. CONNALLY of Texas. Not just yet. They have no other method. A gentleman on the floor said that there were 5,000,000,000 pounds of wool in Boston that could not be sold. I suggest that the trouble with selling the wool is that it is in Boston, where there is neither a present demand nor a present want for the article. But I will tell the woolgrower that if he will take a portion of that wool and send it to Germany, where there are factories that are idle and where people are naked, and secure goods in return the woolgrower might get an increase in price for this wool. [Applause.] I believe in a tariff for revenue and do not oppose a revenue duty on wool whenever a tariff is levied on manufactured wool, but I can not vote for this bill that destroys our foreign markets for cotton and other products.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

Mr. YOUNG. Reserving the right to object, the gentleman is not speaking to this particular item of the bill.

Mr. CONNALLY of Texas. Oh, yes; the gentleman from Michigan [Mr. FORDNEY] did not speak to this paragraph in the bill, and I am opposing the amendment of the gentleman from Michigan.

Mr. YOUNG. I am not going to object to the gentleman's request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Now I will refer to wheat. I will say to the gentleman from North Dakota that largely the same trouble pertains to wheat as it does to cotton. There are people in Europe to-day starving. We are taking up collections all over the United States to buy wheat to send to Europe to feed the starving millions. If you will permit those people to send over their goods to pay us for the wheat so that the wheat grower can send his wheat to a foreign market, he will get more than he is getting now. [Applause.] Now I will yield to the gentleman from Indiana.

Mr. SANDERS of Indiana. As I understand it, the gentleman from Texas thinks that if we do not have protection the factories in Germany will start up and the factories in Austria

will start up, and they will produce goods which they will send to the American market for which they will get gold and with which they can buy the cotton from the South.

Mr. CONNALLY of Texas. I say that if in your effort to protect the home market you impoverish the farmer and the stockman and the ranchman so that he can not buy your own manufactures you are going to both ruin the farmer and stockman and dry up your own home market. [Applause.]

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield further?

Mr. CONNALLY of Texas. I can not yield further. Gentlemen, this is the chief trouble with wool and with wheat and with cotton. The customers who bought these articles before the war can not buy them now, and the Republican Party thinks that that condition can be relieved by putting a wall between the seller in the United States and the buyer in Europe, and they want to put that wall so high that the buyer and the seller can never get together. I want to warn you Republicans and the beneficiaries of your tariff that if you discriminate against and impoverish the people of this country who are not engaged in the manufacturing business they will not be able to buy your manufactured products. Are you willing that financial ruin and disaster shall be visited upon the woolgrowers and the farmers in order that your favorites may fatten upon the profits which they will receive? Another trouble with wool is that most wool is sent to Boston, where the market is dominated by the American Woolen Co., which during the war was reported to have made profits of 1,000 per cent. How much of that 1,000 per cent went to the woolgrower? None. That market is dominated by those interests, but if you let some of that wool go to Europe and let Europe send their goods in return, the market in wool will be considerably improved. Why not trade with Austria and Germany and Italy? The President has said that peace is soon to be made with the two former countries. If we are to be at peace with Germany and Austria, why not trade with them, as we did in days of yore? Why prohibit absolutely commerce or trade with Germany?

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. HUDSPETH. What has been preventing this wool going to Europe for the past two years?

Mr. CONNALLY of Texas. Oh, the gentleman ought to know that Europe has not had any more gold in years past during the war than she has now.

Mr. HUDSPETH. Does the gentleman contend that we raise more wool in this country than we consume?

Mr. CONNALLY of Texas. One reason we have so much wool here is that at the present time the United States is the only place where there is any gold, and they have dumped a great deal of wool here; but that wool is already here, two years' supply, more than can be used, and if you want an outlet for it you must send it where it is needed and can be used, you must send it to Europe.

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Not at present. We have heard a great deal about proposed loans to Germany. Instead of loaning Germany money, if we will sell it goods and take its goods in return, it will both pay us and soon rehabilitate itself. Neither the Fordney bill nor the Young bill will deceive the farmer whose fancy it was designed to catch. Each wears the fair raiment of the farmers' friend, and with flattery and with practiced phrase seeks to first beguile and then betray, but the coat stolen from the farmer poorly conceals the figure of the tariff master—beneath the cloak of Esau the treacherous Jacob hides. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. YOUNG. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 30 minutes.

Mr. MacGREGOR. Mr. Chairman, I have an amendment pending, and I do not want to be cut off.

The CHAIRMAN. This would not cut off the amendment.

Mr. LONGWORTH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONGWORTH. Do I understand that another amendment than the one offered by the gentleman from Arkansas has been offered?

The CHAIRMAN. The amendment has been sent to the Clerk's desk, but it has not yet been reported. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. TINCHER. Mr. Chairman and gentlemen, I take this occasion to deny the insinuation that comes from practically every opponent of this bill on the Democratic side of the House that it has not been introduced and advocated by its proponents in good faith, and that it is a snare to catch the farmers. I have worked with some of the gentlemen on the Democratic side of the House, and I say it is unbecoming and unfair and without foundation for the distinguished gentleman who has just left the floor to charge his distinguished colleague [Mr. HUDSPETH] with insincerity when he knows that the latter has been an advocate of this from the day he came to this Congress last December. I do not think he should be charged by the gentleman with an effort to deceive the American farmer.

I want to congratulate this Congress upon the fact that the very first work it undertakes is an effort to relieve a class of people that everyone admits, even the distinguished gentleman from Arkansas [Mr. OLDFIELD], is suffering more from the administration of the American Government than any other class of people ever suffered in this country, and that is the American farmer. I was amused at the question of the gentleman from Arkansas [Mr. WINGO] when he said, "What is wrong with the American farmer?" It is easy to answer that. The same thing is wrong with the American farmer to-day that was about to happen when the European war broke out under a Democratic free-trade administration. At that time you got stimulation, you obtained some help by reason of the flow of blood of your fellow man, killed in war. But the day was merely postponed. The same thing is wrong with the American farmer to-day that has inevitably happened to him after a free-trade administration by the Democratic Party. [Applause on the Republican side.]

Personally I am for protection, and I am proud to come from a section of the country where the air is such that I can be for protection for all American industries. I am for protection especially on raw materials, because they are produced in my country. But I am not unwilling to protect the industries of Massachusetts. I am willing to vote for a bill to-day that will open the factories in Massachusetts, and I am sorry that every time this bill comes up we have LUCE talk, which amuses and elicits applause from the Democratic side. [Laughter.] I can understand the attitude of my friends on the Democratic side who do not want to vote for this bill, and I can especially understand it now since the minority report was filed as a result of your conference, which tells you that you are no longer in the Democratic Party if you vote for protection. I can not but admire the men, the sturdy pioneers of some of the Southwestern States, who sit on the Democratic side, who have the nerve to say in the face of this report that they will go ahead and vote for the folks at home regardless of what Mr. KITCHIN or anyone else says constitutes a Democrat. It is time that we began to be Americans. Do not worry your heads about opening the German factories. Let us open the factories in the United States, and when they open you will find that they will buy the products of the farmer. For that reason I have always been in favor of this bill. There is not much to the amendment of this bill. The bill is practically in the same form that it was before. There has been a whole lot said amounting to nothing about this antidumping proposition. We all voted for that. It was over in the Senate when we passed the emergency bill in the last Congress. The only good it does in attaching it to this bill is that it furnishes an excuse for some New Englanders who made a mistake and voted against the emergency tariff bill in the last Congress for lining up in favor of it now, and it also furnishes an excuse to the gentleman from Texas [Mr. GARNER] to oppose the bill.

Well, they had before them the minority report telling them what the caucus told them, and the caucus said, "We are for a tariff for revenue only and the Democratic Party has continued to be that; if it does not, you are in the Republican Party," and this report says that they have got enough in the Republican Party without them and advises them to stay where they are. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TINCHER. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The time has been limited by action of the committee.

Mr. YOUNG. Mr. Chairman, there are five minutes reserved to me and I am perfectly willing to give that five minutes to the gentleman from Kansas.

Mr. STEVENSON. Mr. Chairman, reserving the right to object, the gentleman from North Dakota will remember he promised me 10 minutes.

Mr. KNUTSON. Is the gentleman for the bill?

Mr. STEVENSON. I am against it.

Mr. TINCHER. Mr. Chairman, I want to call attention to this minority report for the benefit of some of the new Members. There is a quotation in this report signed by Mr. KITCHIN

citing no less a person than a distinguished ex-Senator from my State. He cites a speech made by Senator Bristow in 1909, in which he said that he thought the tariff on raw materials at that time was probably too high, and he was willing to reduce the tariff. I remember that speech. And at the same time the Senator said that we ought to have some meatless days. The Senator will always remember that speech, because it resulted in transferring that distinguished gentleman from the United States Senate to a Virginia farm at the next election. [Laughter.] He was succeeded in this Congress by a man who is still a Member and who never did agree with the Senator on that tariff. I want to say this for Kansas. The Senator after farming awhile in Virginia became enlightened, and last fall he made some of the best protective-tariff speeches I ever heard in the United States for the Republican Party. [Applause on the Republican side.] I believe he would be willing to vote for a high protective tariff bill. Gentlemen, do not be led off by flies of this kind in a minority report submitted by a distinguished gentleman who has never made a speech on this floor but that disclosed that he believed that the success of the Democratic Party depended entirely upon their standing for free trade.

I want to say this while I am here, and maybe we will have some trouble over this later. There has been a good deal said about the schedules in the new tariff law. I want the schedules in the permanent tariff law to protect raw materials in the United States, where it is right they should be protected. [Applause on the Republican side.] And if the committee does not protect them when they bring the bill out here you will find us just as willing to try to amend your bill on this side of the House as on that side of the House. I think the time has come when the eastern manufacturer who has been the beneficiary of protection had just as well wake up to the fact that conditions have changed and that the western producer deserves protection as it is that he wake up to the fact that the factories in his home town should open. There is not any more excuse for asking the Kansas farmer to produce wheat for less than the cost of production than it is to ask the Massachusetts mills to continue to operate when the product can not be sold for the cost of manufacturing. [Applause on the Republican side.] A good deal has been said here about this bill being a farce; that six months would not do any good, because some men say the cotton will not be marketed in six months. Do not be fooled by that. The wheat crop of the United States will be marketed within six months. But more important than that, the industry that has suffered worse than the wheat industry is the meat industry of the United States, the meat crop, if you may term it so, that in these United States will change hands within the next six months; and let me tell you that if some relief is not brought to the men who are producing the meat for this country by some legislation or by some change of condition in this country there will not be any meat production to speak of within two years.

I want again to congratulate this Congress on the fact that we are getting right down on this main vital proposition that is before the American public to-day and within three days after Congress convened are about to pass this important measure that should have become a law and which the majority of the American people wanted to become a law more than four months ago. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. STEVENSON. Mr. Chairman, just referring a minute to my friend from Kansas opening remarks that he is tired of having accusations made over here that this is a palpable fraud on the part of the proponents, I will not make such a charge; I never do. I will say that I think that the gentleman from Kansas is just simply laboring under a delusion. He does not know any better, and I do not accuse him of bad faith at all. Now the gentleman from Illinois [Mr. MASON] yesterday made one remark to which I wish to refer for a moment. The gentleman said it was under Cleveland and a low tariff that we had bad times and then they passed the McKinley bill which made the factories run and industries hum. The gentleman's memory is at fault. Even then I was somewhat in politics, and I remember that on account of the depression following the McKinley bill it was not two years old until 1892 when Mr. Cleveland swept this country and carried even the State of Illinois itself as a protest against the McKinley bill. That is the kind of prosperity it gave to the country and to the Republican Party. Now, the gentleman from Michigan this morning made the statement there was no long staple cotton exported from this country. That is an instance of the want of information under which the gentlemen over there labor. There has been no sea-island cotton made practically for the last year or two. The greater part of the last crop of the sea-island cotton that has been made has been exported. For instance, in 1919, of 5,020 bales made there were 3,895 of those bales exported, practically all of it. And I hear people say that this law will cover sea-island cotton and Egyptian cotton. Let us look at it for a minute.

In 1916 there were produced 117,000 bales of sea-island cotton, and there was a lot of it that was exported. They got about 20 cents a pound for it. In 1919 it was bringing 75 cents to $1, and they made only 5,000 bales, a drop of from 117,000 to 5,000 bales in four years. Why? Not because of Egyptian cotton and because the price had soared to unmentionable dimensions. It was because the boll weevil had destroyed it, and the reports of the Department of Agriculture will show it.

They say they want to help the long-staple cotton man. Whom does this bill help? All cotton over 1⅛ inches has a tariff put on it. How much is made in the United States of 1⅛ inches and over? Forty-seven thousand bales out of 13,000,000 bales. How much protection are you giving to the southern cotton farmer when you are putting a tariff of 7 cents a pound on the 5,000 sea-island cotton bales and 42,000 bales in Arizona and not a cent on the balance of the crop? There were 1,008,000 long-staple cotton bales made in 1919 that came up to an inch and one-eighth.

There were only 169,000 bales made that came up to an inch and one-quarter. Now you add another eighth of an inch to it. You see the decrease of 839,000 bales in round numbers by raising it one-eighth of an inch. Raise it another eighth of an inch and where are the 169,000 bales that reached 1⅛ inches? There is none of consequence. I raise cotton. Long-staple cotton, too. There is none of it reaches that, and yet you say you are protecting the cotton farmer of the South.

Mr. LAZARO. Will the gentleman yield?

Mr. STEVENSON. Not just now.

There are some other things about that proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. LAZARO. I would like to ask one question for information.

The CHAIRMAN. The time has been limited.

Mr. STEVENSON. I will say to the Chair that I had an arrangement with the gentleman from North Dakota [Mr. YOUNG] that I was to have 10 minutes. Still, if it has been disposed of——

Mr. LAZARO. I would like to ask the gentleman a question for information.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. I ask unanimous consent. I failed to object because I had this arrangement with the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG. I regret very much that I did not understand the gentleman. The next subject is flour, and closely related to wheat.

Mr. STEVENSON. What I wanted to speak on now is wheat. I will not take over three minutes; certainly will not go to five. I ask unanimous consent to be allowed to proceed for five minutes, not to be taken out of the time which has been arranged.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to proceed for 5 minutes, it not to be taken from the 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. STEVENSON. Yes, sir; I will yield.

Mr. LAZARO. I know the gentleman has studied the cotton and the cottonseed industry. What is the opinion of the gentleman as to these oils coming in competition with cottonseed oil?

Mr. STEVENSON. I will discuss the cottonseed oil schedule when we get to it.

They talk about the wheat proposition. The gentleman from North Dakota [Mr. YOUNG] has a great institution in his State known as the Bank of North Dakota. It is an institution fostered by the great Nonpartisan League, which indorses him and, I understand, votes for him to come here. He is here by its good will and its sufferance.

Mr. YOUNG. In spite of it.

Mr. STEVENSON. That great institution while the Fordney bill was pending issued this bulletin on the subject. It says:

CAUSES OF PRICE DECLINE.

Among the causes that have been assigned for the decline in wheat prices, importations of Canadian wheat and flour and the lack of foreign demand have been given the most prominence. But the total im-

portations from Canada during the month of October, including the wheat equivalent of flour, according to a report of the Department of Commerce, amount to only 10,157,708 bushels." It is estimated that the total of 1920 importations from Canada may reach 50,000,000 bushels, which it is assumed will be added to our surplus, estimated as being from 100,000,000 to 220,000,000 bushels. But it is explained that the Canadian wheat sold here is taken from Canada's surplus for export to European countries; so that their deficit would naturally be made up by increased buying from us; that is, the effect of Canadian importations upon our alleged excess supply is exactly nothing.

Now, they reached their own conclusions:

FARMERS INFORMED.

The obvious conclusion from the foregoing figures is that none of the reasons for the decline in farm prices offered by those who have exhorted the farmers to be sure of their position will hold. Most farmers have been familiar with the central facts of the situation as here enumerated. They have known that production is not in excess of world needs; though perhaps somewhat confused at times, they have been aware that Canadian importations have been practically negligible; and since the middle of September they have known that European buying has been active, and that European countries have bought or engaged for future delivery all, or more than all, of our surplus wheat.

They go on to reach the conclusion that importation which would be stopped by the Fordney tariff bill would have absolutely no effect on prices in this country. Now, those are the farmers of North Dakota. I wondered when I saw that the name of this bill had been switched, and that it was now called the "Young bill," if the attitude of the farmers of North Dakota through its great financial institution and its bulletins was in any way responsible for the fact that they now hung this onto North Dakota and wanted to give North Dakota the credit for the bill in order to allay any alarm or opposition that appears to be in that quarter as to that particular measure.

Mr. Chairman, I yield back the balance of my time. [Applause.]

Mr. HUDSPETH. I would like to ask the gentleman a question before he sits down. How much short-staple cotton do we import into this country?

Mr. STEVENSON. We imported in 1919, all told, 700,214 bales of all kinds.

Mr. HUDSPETH. A year?

Mr. STEVENSON. A year; and 485,000 of that last year was Egyptian cotton, and at the very time that was coming in we were selling our 1⅛-inch staple at $1 a pound and were not affected a particle by the Egyptian product, which goes into mercerizing.

Mr. HUDSPETH. I wanted to ask the gentleman how the short-staple cotton got into this bill?

Mr. STEVENSON. The short staple and the long staple run together.

Mr. HUDSPETH. How about the short staple?

Mr. STEVENSON. There are around 215,210 bales of short staple imported, 65,000 bales from Mexico being let into the gentleman's district, and this tariff will not keep out a single pound of it when it comes here in competition with the 12,500,000 bales this country makes.

Mr. SABATH. How much of that is exported?

Mr. STEVENSON. Six million five hundred and ninety-eight thousand three hundred and forty-seven bales.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIN. Mr. Chairman, I am sorry that the American Congress is whiling away its time on a measure that is nothing, in my judgment, except a delusion, a snare, and a farce, intended to deceive the backbone of the United States. This measure proposes a limitation of six months to protect the men who dig in the soil and produce the farm products of this country. Why, the very articles they are pretending to protect, or some of them, are not planted in the ground yet. They can not be harvested by the time this bill shall have expired.

The gentleman from Kansas [Mr. TINCHER] ought to know what is the matter with the American farmer. Thousands of them were unable to buy shoes for their children during this past winter. Others were unable to buy decent raiment for their children to wear to the public schools of this country. That iniquitous railroad bill which you gentlemen put across in the last Congress last year added 35 per cent cost on all of the stuff that the farmer raises, because they have to pay that to transport it to the consumer.

I will say to the gentleman from Kansas that is one thing that is the matter with the American farmer. Another thing that is the matter with him is that the markets across the waters, where his products go, have been broken.

Nine million bales of cotton in the United States are awaiting sale in the markets of the world, and the Republican Party through this measure is endeavoring to put up a barrier, a tariff wall, between the producers of the United States and the people of Europe who would buy that cotton, the people in China and Japan, who must buy in order to manufacture it into fabricated products and send them to the marts of the world.

Further, you have placed in this very bill a provision that makes it operative as a prohibition for Germany, Italy, or Austria, or Russia to buy a pound of our cotton, tobacco, lumber, or any other product of the farms of the United States; 4,000 per cent is added to the goods as a duty to be collected at the ports of this country on wares coming from Russia, 400 per cent on wares coming from Germany and Austria, and 200 per cent on wares coming from Italy. Do you not know that it is intended to be a prohibition to prevent and to preclude trade between those countries and the United States?

And yet the gentleman from Ohio [Mr. LONGWORTH] said Congress must take off the excess profits tax. You are proposing a scheme here that will enable the big business of the United States, through transportation and manufacture, to plunder and exploit the farmers of this country. Yet you are going to propose to take the tax off of "big business" and put it on to those same poor farmers whom you are endeavoring to defraud here. The gentleman said $17,000,000,000 had been taken out of big business and put into municipal and local bonds of States and counties and subdivisions. He is going to take it out of those bonds and put it into factories in order further to rob the people. Who is going to buy these school bonds and county bonds and other types of bonds that the people have been reckless enough to put on themselves? Those bonds have all been sold. Now, the gentleman proposes to take off the excess-profits tax, which amounts to $800,000,000 or $1,000,000,000 a year. Where is he going to land it? He is going to put it on the backs of these farmers, because ultimately they and the laboring people of this country have always paid the Federal taxes to run the Government prior to the time we put on the income and excess profit taxes. He proposes to take it off the men who enjoy the special privileges of this proposed legislation of protective tariff and put it on those people that the gentleman from Kansas inquires about when he asks what is the matter with the farmer. Put it on the backs of those people that the gentleman from Kansas want to know what is the matter with. [Laughter.] They will understand what is the matter with them when you put through this iniquitous legislation and put on top of them the sales tax and transfer it from big business to the ultimate consumers of this Republic. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MACGREGOR. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: Page 2, line 1, after the word "bushel," insert: "*Provided*, That wheat in transit upon the Great Lakes shall not be subject to the duty hereby imposed."

Mr. LONGWORTH. Mr. Chairman, I make the point of order on that, that the amendment is violative of paragraph 3 of Rule XXI.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. MACGREGOR. I would like to ask the gentleman from Ohio to state what his objections are. He refers to some rule or a paragraph, but I fear it is like quoting from some case.

Mr. LONGWORTH. Mr. Chairman, it would be rather wise for the gentleman from New York to familiarize himself with paragraph 3 of Rule XXI when he undertakes to amend a revenue bill.

Mr. GARRETT of Tennessee. Mr. Chairman, may I ask the gentleman from Ohio, Is not this germane to the item in the bill?

Mr. LONGWORTH. I think it is not germane. It introduces an entirely new element into the paragraph.

Mr. GARRETT of Tennessee. What? Wheat is the element.

Mr. LONGWORTH. This segregates certain kinds of wheat, providing that some sorts of wheat shall pay a duty and others not, a provision for a different rate of duty on wheat in transit. It brings in a new element and is not germane to the paragraph putting a specific duty on all wheat. If the gentleman thinks the strict construction of paragraph 3 of Rule XXI prevents freedom of amendment he is more to blame than I, because he is the draftsman of that paragraph the evident purpose of which is to make it impossible to amend revenue bills. [Laughter.]

Mr. GARRETT of Tennessee. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The gentleman may proceed.

Mr. GARRETT of Tennessee. Mr. Chairman, it is true that I had something to do with the form of paragraph 3 of Rule XXI, but the construction which the gentleman from Ohio [Mr.

LONGWORTH] now asks of the rule goes beyond, if I remember, any construction that has yet been made. In other words, it places a narrower limitation than was made even by the Anderson ruling when this bill was last before the Committee of the Whole.

When this bill was last before the Committee of the Whole the gentleman from Minnesota [Mr. NEWTON] offered an amendment to except certain wheat and added to it an administrative provision. The gentleman from Ohio [Mr. LONGWORTH] promptly made the point of order that it was in violation of paragraph 3 of Rule XXI. The Chair [Mr. ANDERSON] sustained that point of order, on the ground that the administrative provision provided in the Newton amendment introduced a new element which was not germane. Thereupon the gentleman from Minnesota offered his amendment with the administrative provision left out. While I do not now remember the exact wording of the amendment, it referred to specific wheat, and the Chairman of the Committee of the Whole, the gentleman from Minnesota [Mr. ANDERSON] at that time, overruled the point of order made against it.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. NEWTON of Minnesota. It is my recollection that my amendment, as it was finally drafted and as it secured the approval of the Chair, provided that wheat in transit on or after the date of the bill—the date when the bill was introduced—should be admitted free and clear of the duty.

Mr. GARRETT of Tennessee. That is my recollection.

Mr. NEWTON of Minnesota. I can not see any difference between the two.

Mr. GARRETT of Tennessee. And I insist that that precedent is precisely in point. The fact is, I disagreed with the Chairman of the Committee of the Whole at that time about sustaining the point of order against the administrative feature, because I thought it was merely an incidental part of the amendment; but the Chairman of the Committee of the Whole at that time did hold an amendment substantially, as I recall it, as stated by the gentleman from Minnesota [Mr. NEWTON] to be in order and not violative of paragraph 3, Rule XXI.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. LONGWORTH. Would the gentleman think it was germane to this paragraph to offer an amendment subdividing wheat into various classes and imposing separate rates of duty upon it?

Mr. GARRETT of Tennessee. I certainly think it would be.

Mr. LONGWORTH. So long as the word "wheat" was in the amendment——

Mr. GARRETT of Tennessee. It has never been contended that you could not change a rate in the bill. Now, if you are dealing with wheat, which is the substance involved in this line, if you confine the amendment to classifying wheat and fixing different rates of duty upon different classes of wheat, undoubtedly it would be germane.

Mr. LONGWORTH. If I understand the gentleman correctly, his proposition is that so long as the word "wheat" is used you may subdivide wheat into any classes you see fit and impose any rates of duty, and that that is in order under this paragraph. May I ask the gentleman this question: Would he think that a provision exempting wheat from duty if it was produced by a trust would be in order?

Mr. GARRETT of Tennessee. I doubt that, under the Anderson precedent, which held an administrative feature not germane.

Mr. LONGWORTH. The gentleman, in this amendment, undertakes to classify wheat and provides that certain kinds of wheat shall be dutiable and certain other kinds not.

Mr. GARRETT of Tennessee. If the gentleman from Ohio will permit me, that is precisely what the Newton amendment did, which the Chairman of the Committee of the Whole, after mature consideration and argument, held was not violative of the point of order.

Mr. NEWTON of Minnesota. My amendment provided that wheat purchased prior to the 20th day of December, 1920, should go in free of duty. The word "transit" was not used, although, of course, it was meant to take that in.

Mr. GARRETT of Tennessee. That would make no difference in the principle.

Mr. NEWTON of Minnesota. No.

The CHAIRMAN. The Chair is informed that no point of order was made to the amended amendment offered by the gentleman from Minnesota [Mr. NEWTON] to which the gentleman from Tennessee [Mr. GARRETT] refers.

Mr. GARRETT of Tennessee. Perhaps I am in error in my recollection.

The CHAIRMAN. A dictum of the Chair during the decision intimated that if the amendment were stripped of the administrative feature it might be germane and not within the inhibition of the rule. The amendment was stripped of that administrative feature, and no point of order was made against the amendment as reoffered, so that there has been no decision except the mere dictum of the Chair.

Mr. GARRETT of Tennessee. I thank the Chair for refreshing my recollection. I know we had the matter up in the argument here, and I was under the impression that the point of order was, in fact, made. Now, Mr. Chairman, independent of the precedent that might be drawn from the dictum of the Chair, let me say this: The gentleman from Ohio [Mr. LONGWORTH] has referred to my part in the drafting of this rule. I have stated on the floor of the House heretofore that I did not look with favor upon the policy involved in that rule, even at the time it was adopted by my party, and even though I aided in the drawing of it; but under the series of constructions that have been made I say unhesitatingly that the rule has been given a meaning which I did not, at the time that it was drafted and adopted by the House, believe would be given to it. I realized, of course, that it would greatly restrict the power of amendment upon revenue bills. I realized that that was the purpose of it; but I have never supposed that it would reach the point where, when a particular subject matter was before the committee in the text of the bill, the Chair would be called upon to hold that an amendment dealing with that same subject matter, whether in part or in whole, and fixing a rate, could by any possible line of reasoning be held to be not germane to the main proposition.

The CHAIRMAN. Will the gentleman from Tennessee permit the Chair to ask a question?

Mr. GARRETT of Tennessee. Yes.

The CHAIRMAN. The gentleman from Tennessee will no doubt recall the Dockery amendment to the Dingley bill, in which the gentleman from Missouri, Mr. Dockery, offered an amendment providing that items in the bill that were found to be made by a trust should be transferred to the free list. Does the gentleman from Tennessee see any analogy between that amendment and the one now pending?

Mr. GARRETT of Tennessee. Not the slightest. Was the Dingley bill considered under a special rule or under the general rules of the House?

The CHAIRMAN. The Chair thinks it was considered under the general rules of the House.

Mr. GARRETT of Tennessee. I, of course, was not here, and I do not know how that was. It has been my impression in some way that it was considered under a special rule which defined the right of amendment. But at any rate, whatever may have been the fact in that case, there is no analogy between that situation and this.

Mr. LONGWORTH. Why not?

The CHAIRMAN. Under clause 7 of Rule XVI.

Mr. GARRETT of Tennessee. The gentleman has made his point of order under clause 3 of Rule XXI. I do not recall what clause 7 of Rule XVI is.

Mr. FORDNEY. Mr. Chairman, I would like one minute on the point of order.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. FORDNEY. Yes. If it is in order to exempt from the rates of duty provided in this bill wheat in transit either by rail or by water, the bill should be amended so as to exempt 100,000,000 pounds of wool now on its way here from Australia on the high seas. If it is proper and according to the rules of the House to exempt from duty wheat which is now on its way here from Canada, or which has been purchased and is likely to be on the way before this bill can become a law, then it is possible to class every kind of wheat that is grown in any country of the world and fix a different rate of duty or different conditions under which it may enter the United States.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FORDNEY. I do.

Mr. GARRETT of Tennessee. Of course, the gentleman is addressing himself to the merits of the proposition now and not to the point of order.

Mr. FORDNEY. I am trying to do so. Perhaps I might encroach a little, so that the boys may understand. [Laughter.]

Mr. LONGWORTH. Mr. Chairman, I think the question the Chair addressed to the gentleman from Tennessee [Mr. GARRETT] was entirely apt, as to whether he would distinguish between wheat that was produced by a trust and wheat that was in

transit. The gentleman from Tennessee says there is no analogy; to my mind there is a complete and perfect analogy. In most cases the distinction is made between wheat under two different circumstances—all other wheat and wheat in transit, just as in the case mentioned by the Chair, all other wheat and wheat made by a trust. It is clearly the duty of the Chair to rule that this amendment is out of order.

Mr. BARKLEY. Mr. Chairman, I do not desire to take up the time of the House unnecessarily, but I do desire to point out one phase of the question which I think the Chair should consider. If this provision on page 2 applied to any particular character of wheat, the amendment affecting any other character of wheat not included within the word would not be germane. But the word "wheat," as used in the provision on page 2, includes all wheat of every kind and character, wherever it may be located anywhere in the world. That means that any amendment affecting any part of the whole is germane. If it affected northern wheat or a certain kind of spring wheat or winter wheat or wheat located anywhere in the world, an amendment including a different kind of wheat might not be in order, but the amendment offered affects wheat included in the language of this bill, and therefore it must be germane to the bill and to this item in it. If the bill had provided that wheat grown in certain sections of the world could not be admitted except on the payment of 35 cents a bushel, an amendment affecting wheat grown in other sections of the world would not be germane. But the language in this bill includes all wheat, and therefore an amendment of this kind must be germane.

The CHAIRMAN. Will the gentleman allow the Chair to ask him a question?

Mr. BARKLEY. Certainly.

The CHAIRMAN. Suppose the amendment provided that wheat produced on a ranch containing more than a thousand acres or less than a thousand acres could not be the subject of duty?

Mr. BARKLEY. If the bill provided that wheat grown on a ranch of a thousand acres should be subject to a tax, and no other wheat, then any amendment excepting wheat in transit grown on a ranch of a thousand acres would be germane.

The CHAIRMAN. Does the gentleman from Kentucky contend that it would be in order to offer an amendment to provide that wheat raised on a ranch of a thousand acres or less should be exempt from duty?

Mr. BARKLEY. I think the Chair has reduced the matter to perhaps an extremely improbable posture by suggesting that an amendment of that sort could be offered; but if that sort of wheat was included in an item in the bill, it would be in order to offer an amendment excluding such wheat that might at this time be in transit.

The CHAIRMAN. Would it be in order to provide that soft wheat should be exempt?

Mr. BARKLEY. I think it would; it would directly relate to the item in the bill which includes all wheat, and of course includes soft wheat.

Mr. NEWTON of Minnesota. Mr. Chairman, it seems to me that the reading of the second sentence of clause 3, Rule XXI, will throw some light on the question: "Nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed." The item is wheat, including all kinds of wheat. There is a duty placed on wheat. Now, the amendment of the gentleman from New York seeks to take away certain wheat—wheat in transit—from the dutiable list. It seems to be that it is perfectly apparent that the gentleman's amendment relates directly to the item wheat, which includes all wheat. He seeks to exempt wheat in transit. Wheat in transit is included in the general term "wheat" from the operation of a duty. It is perfectly clear that it relates directly to the item and the subject matter of the item.

Mr. COCKRAN. Mr. Chairman, may I suggest that the point of order goes very far. If it be sustained, it practically ousts the Committee of the Whole from authority to propose or consider any amendment whatever to a revenue bill. It limits us to passing or rejecting proposals of the Committee on Ways and Means. That would be an abdication of power which I think would be nothing short of a serious misfortune for the House. It is difficult for me to conceive anything more germane to the paragraph than this amendment, unless perhaps a motion for total rejection. The Chair's suggestion that it would be a manifest violation of the rule to propose an amendment that wheat raised by a trust or upon a ranch of 1,000 acres be exempted from operation of the paragraph is perfectly clear. Such an amendment proposes a penalty on certain producers of wheat application of which involves a judicial proceeding, superimposed upon an act of taxation. But here the proposal simply is that the tax levied on wheat shall not apply to all wheat. Could anything be more germane than that? The only thing that could be more germane would be a proposal that the paragraph should not apply to any wheat. That would be proposing total rejection of the recommendations of the committee. If the Committee of the Whole has not the power to consider an amendment limiting application of recommendation of the committee to impose taxes, then it abdicates the most important of its powers and limits itself to passing or rejecting the proposition.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. COCKRAN. Certainly.

Mr. GRAHAM of Illinois. Would it be in order to move to take the 35 cents a bushel off wheat and put it on the free list?

Mr. COCKRAN. I should most assuredly think so. If that would not be germane, what proposal would be?

Mr. GRAHAM of Illinois. If that is so, then why can you not put a part of this on the free list?

Mr. COCKRAN. That is precisely what this amendment seeks to do. This amendment proposes to exempt certain wheat from the operation of this clause. If there could be anything more germane than that, short of moving its total rejection, as the gentleman suggests, it is not within the range of my intellectuals to conceive it.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from New York [Mr. MACGREGOR] provides that wheat in transit on the Great Lakes shall not be subject to the duty proposed. The amendment is offered to the item in the bill which reads:

1. Wheat, 35 cents per bushel.

Objection is made by the gentleman from Ohio [Mr. LONGWORTH] that the proposed amendment is in violation of clause 3 of Rule XXI, which reads:

No amendment shall be in order to any bill affecting revenue which is not germane to the subject matter in the bill; nor shall any amendment to any item of such bill be in order which does not directly relate to the item to which the amendment is proposed.

Clearly the amendment is germane to the item of the bill to which it is offered. It relates to wheat in transit, and wheat is the subject matter under consideration. It relates directly to the subject matter of the item. If the amendment had been offered at the conclusion of the first paragraph, it would have sustained the same relation to this bill and to this item in the bill that an amendment offered by the gentleman from Missouri, Mr. Dockery, bore to the Dingley tariff bill, which amendment provided that articles produced by a trust should, upon the finding of that fact, be transferred to the free list. Mr. Dingley made the point of order, and the Chair sustained the point of order, that it was not germane to the bill. The Chair at first blush was inclined to believe that this amendment might have come within that ruling, and he endeavored to get a discussion on the floor upon the question. It is not for the Chair to decide whether or not it is a wise thing for this committee to exempt wheat in transit from the provisions of this bill. That is a question for the committee to decide, and the Chair is within the dictum of a former chairman in deciding an analogous proposition offered to this same bill some weeks ago. The Chair regrets that the objection was not made to the amended amendment offered by the gentleman from Minnesota [Mr. NEWTON] after a point of order had been sustained, so that the Chair could now have the benefit of a decision of the then occupant of the chair; but no one seemed willing to make the point of order after the amendment had been stripped of the objection to which the Chair referred when he sustained the point of order to the amendment offered in its former condition.

The Chair believes that the dictum of the Chair on the former occasion is sound reason and leaves the matter to the discretion of the committee as to whether or not wheat in transit on the Great Lakes shall be included within the provisions of this bill. The Chair, therefore, overrules the point of order.

Mr. MACGREGOR. Mr. Chairman, the proposition is a simple one, and it need not take very much time. The question goes to the matter of fairness to those who have purchased grain in Canada at Fort William, for instance, for the mills in the United States, as to whether they shall be put in the position of being compelled to pay this duty which they had not anticipated at the time of purchase. That will affect very many millers throughout the United States, and I think that at this time where they have purchased the wheat and it is in transit the duty should not be imposed.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GREEN of Iowa. The gentleman, of course, would say that if this is to be done with reference to wheat it also ought to be done with reference to wool, some of which will not arrive for six months, and also with reference to lemons.

Mr. MACGREGOR. That is simply argument.

Mr. GREEN of Iowa. And that the same thing ought to be done with practically everything in the bill.

Mr. MACGREGOR. This wheat is in close proximity, and it is only a matter of several hours as to whether they shall pay the duty or not.

Mr. MADDEN. Mr. Chairman, the amendment ought not to be adopted, in my judgment. There is a provision in this bill later on intended to prevent dumping of European goods into American markets, and if the amendment should be adopted it will in a measure nullify that provision. We all remember that in 1913 the Democrats came into power with Mr. Wilson as President. We remember that when they came into power the country was in a state of prosperity, that we turned over under the beneficent rule of a protective tariff some $237,000,000 to the Democrats, without a dollar of obligation against it. We built the Panama Canal out of the revenues of the Government. We borrowed no money. The Democrats upon coming into power immediately proceeded to pass the Underwood tariff law, and within less than a year after they passed it 5,000,000 men were idle in America. They then proceeded to pass what they called the war revenue law, although we were at peace with all the world. That law raised $120,000,000 a year. That was intended to supply the extravagant expenditures of the Democratic Party. It did not find employment for anyone. Millions of men were thrown into idleness, mills were closed because they allowed European goods to be dumped into the American markets without the payment of any duty. America could not compete with Europe under such circumstances. This bill provides against that condition. It provides that Europe can not dump her goods into American ports without the payment of duties provided for in the bill. To-day as a result of Democratic management of the country we have nearly 5,000,000 men idle again, and the people of the country in their business and in their homes are on the border of starvation. We are endeavoring now to rehabilitate the situation, and to the extent that it can be rehabilitated by this bill we have done the thing that ought to be done. Who knows how much wheat will be in transit on board ships or on trains when this law becomes effective? It is because of the fact that other countries have been shipping their wheat and their products into America in competition with American agricultural products that this bill is proposed. This amendment if adopted would nullify the bill to the extent of the amount of wheat in transit, and the amendment ought not to be given serious consideration except to the extent of defeating it. If we are going to pass a law to prevent dumping, do not adopt this amendment. If we believe that the influx of foreign-made goods, whether they are from the farms of foreign nations or from the factories, be detrimental to American welfare, do not adopt the amendment offered by the gentleman from New York. I believe personally that the time has come when every peddler who comes into America from a foreign country entering the customshouse should pay the peddler's license.

I am a protectionist. I believe in maintaining the American market for the American, and the way to maintain the American market for the American is to prevent the dumping of foreign commodities into American ports free of duty, and if they come in in any way whatever compel them to pay the equivalent to the difference between the cost of raising or making the material and the commodity here and abroad. Then you put America on a basis of equality with Europe and the world. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARRETT of Tennessee. What is the parliamentary situation? How many amendments are pending?

The CHAIRMAN. Just this one amendment.

Mr. GARRETT of Tennessee. I understood the gentleman from Arkansas had an amendment pending.

The CHAIRMAN. There are two amendments pending, but the time for debate has now been exhausted.

Mr. GARRETT of Tennessee. Upon what does the vote first come?

The CHAIRMAN. The vote will first come upon the amendment offered by the gentleman from Arkansas. The question is on the amendment offered by the gentleman from Arkansas.

Mr. GRAHAM of Illinois. May we have that amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The amendment was again reported.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. OLDFIELD) there were—ayes 47, noes 137.

So the amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from New York.

Mr. NEWTON of Minnesota. Mr. Chairman, may we have the amendment reported.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The amendment was again reported.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to amend by striking out the words "upon the Great Lakes."

Mr. FORDNEY. Mr. Chairman, I object. It is too late to amend now.

The CHAIRMAN. The amendment is in order, but debate is not.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question is now upon the amendment of the gentleman from New York.

The question was taken, and the Chair announced the noes appeared to have it.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee divided; and the tellers [Mr. YOUNG and Mr. MACGREGOR] reported that there were—ayes 60, noes 127.

So the amendment was rejected.

The Clerk read as follows:

2. Wheat flour and semolina, 20 per cent ad valorem.

Mr. OLDFIELD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. OLDFIELD: Page 2, line 2, strike out the paragraph.

Mr. OLDFIELD. Mr. Chairman, I do not care to take up very much time in discussing this amendment, but I can not see the reason for placing a protective duty upon flour. The farmers of this country do not produce flour. The farmers of the country produce wheat and the millers of the country produce flour, and I dare say there has been no more profitable business in America during the last four years than that of producing flour. They have made enormous profits. Flour up to six or eight months ago sold at from $12 to $14 and $15 per barrel. Flour is now down to about $7.50 per barrel. Under your bill, if this tariff is adopted of 20 per cent ad valorem, it will mean $1.50 per barrel on flour, and the millers of the country are in a position to take advantage of that, while the farmers are not in a position to take advantage on wheat, because there are too many wheat farmers in the country. They can not organize to control the market.

But, gentlemen, the flour millers of the country, who have one of the best organizations of any producers in the country—and this was developed at the hearing—are well organized, and they can take advantage of this excuse to make the consumers of America pay an additional $1.50 per barrel on flour. I say it is unjust to the consumers not only in the cities of the country, not only in those industrial centers where there are four or five million laborers out of employment to-day, but throughout the country in every city, in every town, every village, every hamlet, and almost every farm in America, because the big millers of the country have a monopoly on the milling business, and even the farmers of the country themselves must buy flour from these great millers, and so I say to you, gentlemen, you ought not to press this bitter cup on the farmers of America. You ought to let flour remain on the free list. How do you expect the people of America to-day who are broke, if you please, when you have 4,000,000 laboring men out of employment to-day, how do you expect them to pay more for bread? You can not help anybody, if you please, except the millers of the country who have been making enormous profits for the last four years up to within six months ago. I plead with you gentlemen, for once in your lives, you ought to be honest with the people of America and the great consuming mass of America and let flour remain or be on the free list.

Mr. Chairman, that is all I care to say.

Mr. LUCE. Mr. Chairman, a previous interrogatory addressed to the gentleman of the committee having this matter in charge elicited from my friend from Michigan an eloquent exposition of protectionist doctrines, and for that reason I am not wholly regretful of his misapprehension. As a matter of fact, I did not have in mind the question of whether the payment to which I referred was made by the foreigner or a citizen, but I was trying to learn from the gentleman from North Dakota if he believed that the payment is not passed on from the middleman to the consumer. And if the colloquy reached a point where we agreed, he admits that this benefit to the farmer is to be paid by the middleman.

Now, the figures that he presents on page 6 of his report indicate that there are in the hands of the country mills and elevators a visible supply of something more than 100,000,000 bushels of wheat. Therefore, this 35 cents a bushel, if it accrues to their benefit, will to that extent accrue to the benefit of a class of which he does not ordinarily speak with great admiration. There remains a possibility, according to his own figures, of benefiting the farmers of the country to the extent, perhaps, of 100,000,000 bushels sold between now and the 1st of July, and perhaps 200,000,000 bushels in all, for which he expects the farmers of the country to receive 35 cents a bushel additional. In other words, he expects this will bring to the benefit of the farmers of the country about $70,000,000. Will he now inform me whether he expects this $70,000,000 will be paid by the middleman or whether any of it will be passed on to the consumer?

Mr. YOUNG. I would like to ask the gentleman a question before I answer that. It is this: Who is going to pay the duty on woolen cloth?

Mr. LUCE. Mr. Chairman, I am a Member who represents a part of the country where it is the characteristic of the Yankee to answer one question with another. [Laughter.] The gentleman from North Dakota has no such perquisite. Let him answer my question first.

Mr. YOUNG. I undertook to give the gentleman an answer a little while ago, to the effect that we do not sell our products direct to the consumer. Sometimes they pass through one, two, three, or more hands before getting to the consumer. I ventured to remark that while farm products had been greatly deflated at the farm, that the others who are handling these products had not deflated their prices. And it seemed to me reasonable that, inasmuch as they had not done so, possibly even if our products were now advanced moderately, and not up to the point where they were previously, it would not be expressed in a higher price than the consumers are now paying to the retailers. I think that is a fair presumption. But I want to say this to my friend from Massachusetts, that somebody has got to pay the farmers the cost of producing their commodities or they will cease to produce them. They will be forced out of business. Somebody is going to pay it, and the purpose of this bill is to see, so far as we can by the passage of a tariff law, that the farmers shall have something, at least, approximating the cost of production.

A telegram has just been handed me from Gen. Amasa P. Peake, of Valley City, N. Dak. After calling attention to the fact that farmers are now paid less than half the cost of production for cereal crops, he says:

Farm buying power must be restored to start idle factories.

Is it unreasonable, then, for me to insist that some one must pay farmers their cost of production? This duty on wheat is proposed to help in that direction.

Mr. LUCE. Mr. Chairman, that is the idea on which the gentleman's mind and my own mind part company. I would like to point out that gentlemen on the other side of the House are quite unwarranted in drawing from what I have said the inference that I take the ground they have taken in their minority report. I have observed in the course of my life many political blunders. I never saw a blunder more needless, according to my judgment, more stupid, than that which injected into the discussion of this matter the question of free trade. We are all protectionists now. No sensible man could have watched the story of the late war and not come out of it without the belief that the chief economic lesson taught was the absolute necessity that our Nation shall suffice unto itself.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LUCE. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for five additional minutes. Is there objection?

Mr. YOUNG. Mr. Chairman, I am not going to object to this particular request, but it seems to me that hereafter we ought to confine ourselves, if we can possibly do it, to speeches not exceeding five minutes and expedite the passage of this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. LUCE. Mr. Chairman, I trust that this will be the last word I shall have to say on this measure, and I shall try to compress into five minutes enough to show the attitude of one Member of this House.

This is not an issue between protection and free trade or tariff for revenue only. We are all, or ought to be, protectionists, and without regard to party ought now to try to frame a tariff bill that will make the United States of America able to live by itself. That was a great lesson of the war, but that does not prevent me from taking issue with gentlemen on this side as to what is or what is not protection.

My objection to this bill is that it is not protection; that this bill is gratuity, and that this bill is a levy on two-thirds of the people of this country in order that the other one-third may suffer less than their fair share of the damage brought by the Great War. [Applause on the Democratic side.] Applaud me not, as you may think I am sympathizing with the attitude you are taking. Yours has been the error to inject into the discussion here something wholly foreign. I am talking about a proposal now which does not seem to me protection. By the very figures you present, you demonstrate that 80,000,000 bushels of this wheat will have been exported by the 1st of July. You demonstrate that the price for that wheat will be fixed abroad. You demonstrate that the only benefit which can come to the farmer is the immediate gift to meet his hardships out of the pockets of the rest of the people. And in your report you set this forth. You point out and maintain that one-third of the people of this country have suffered disastrously. Why, sir, every farmer in your district has a roof over his head, every farmer has food in his granary. There are thousands and thousands of men in my neighborhood who live under a roof only by the permission of a landlord, and whose kitchens and pantries are empty, and whose wages have stopped.

Do you tell me that the farmer, at ease and comfort, with his food and shelter supplied—will you tell me that he is worse off than the man in my neighborhood whose whole means of livelihood has been taken away? More than 4,000,000 laboring men in this country, unless their savings have not been exhausted, to-day are without the means of subsistence. I say that this bill is political folly. I say that this bill endangers the safety of the party whose interests you and I have at heart. I say that this bill is incarnated selfishness. I say that this is a bill to encourage class and group legislation—the greatest menace to-day not only of this country but of the whole world. [Applause.] Ah, when you foster the interests of a group that comes here and demands relief by special privilege, you are adding fuel to the flames; you are inviting into this country the same division between classes and groups that you may see at this moment endangering the civilization of England, the same division that in Russia has enabled one group to crush out the best classes of the country, the same war between the classes and the groups that bids fair to sweep through Poland and Czechoslovakia and then Germany, on until it reaches the Bay of Biscay, and then perchance it will cross the ocean and threaten the very existence of our own Nation. [Applause.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GREEN of Iowa. Mr. Chairman, the gentleman from Massachusetts [Mr. LUCE] by his somewhat impassioned address has simply demonstrated how little he knows about the farming regions. Does he suppose that the tenant farmer, who has exhausted everything he has and has been compelled to leave the farm because he can not get enough out of his crops to possibly pay the rent, is any better off than the man in his district who has lost his job? Why, the tenant is infinitely worse off than the man he talks about. He has not only lost his job but all the work that he put in last year, and he can not pay what is owing on his rent. As to the manufacturers, their factories can stop; they can at least stop running, whereas the farmer, even the farmer who owns his land, can not stop, but has got to go on, whether it pays or does not pay. That is the situation in the farming districts, and among the tenants there is scarcely a man there to-day who is not a bankrupt, with debt hanging over him, so that unless he takes advantage of the bankruptcy law he will never be able to pay up as long as he lives.

The gentleman from Massachusetts talks about men being worse off in the manufacturing regions, and says this act is class legislation. Class legislation! What is a tariff for, anyway? It always benefits certain classes. A tariff for protection is based on the theory that when you help the farmer you help

the manufacturer also. That is what I have talked for years out in my district. Some of the farmers can not see why they should pay more for manufactured goods, just the same as the gentleman from Massachusetts can not see why his people should have to pay more, a little more, for wheat or for flour.

Yet we have voted for protection for the constituents of the gentleman from Massachusetts year after year on the theory that what benefited his constituents benefited us also, and that what benefits us benefits also the constituents of the gentleman from Massachusetts. Why, gentlemen, this bill, with its anti-dumping provisions, gives more protection to the interests of Massachusetts than it does to the interests of the farming regions.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. GRAHAM of Illinois. How does the gentleman from Iowa know, or how does anybody else here know if an additional duty is imposed that thereupon the consumer will pay more? Does not the gentleman from Iowa agree with me that to-day there is no relationship at all between the price that the farmer gets for his products and the price that we pay in the store?

Mr. GREEN of Iowa. I tried to state in opening the discussion this afternoon that the farmer sold in the open market and that he had a surplus of all his products; that he could not fix his price, nor could he enter into any combination with others, and he could only get the market price fixed by others, and as matters stood to-day he could not get anything like the high cost of production.

Mr. Chairman, the gentleman from Massachusetts, in talking about class privilege and class legislation, has forgotten what has been done for the manufacturers of his district year after year [applause on the Republican side] in the hope also of helping the farmer. Class legislation! This is no more class legislation than any other provision in our tariff law. What is for the benefit of the farmers of this country is for the benefit of all of us. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen, I am delighted to know that at last we are about to learn the truth. The gentleman from Iowa [Mr. GREEN] who has just spoken informed the House that this bill really gave more protection to the industries of Massachusetts than it did to the farmers of this country, and yet his committee has had the nerve to style this an emergency relief bill for the farmers. The gentleman from Illinois [Mr. GRAHAM] joins in presenting the truth to the House by stating that the price paid to the retailers bears no relation at all to the price that the farmer receives for his products. And the gentleman from North Dakota [Mr. YOUNG] in his report makes that statement, when he says:

> From the standpoint of the public it is believed the costs of retail will not be materially affected by reasonable duties on farm products. Under our present very faulty distribution system, which is badly in need of reformation, the prices paid to farmers seems to bear little relation to the final sales price.

So we are informed by the gentlemen in charge of this bill that when we levy a duty upon products coming into this country, such as meats, of 2 cents per pound—which the consumer will have to pay, because the packers will be able to increase the price of their commodities to that extent—that that increase in price bears no relation to the price that will be paid to the farmer, and he will continue to receive only such amount as the packers may deem it wise to give him.

And yet this is a farmers' relief bill. Even if what you say is true, that it will afford relief, that it will enable the farmer to receive an increased price for the products he has on hand, you have stated time and again that more than 60 per cent of last year's crops have passed from the hands of the farmer, and now you propose to tell him, as he is placing his crops in the ground in the spring, that for six months you will protect him, and then when he gathers his crops in the fall, six months from now, you will remove the protection.

In the meantime, through the operation of the exchange provision in this bill, you will cause him to pay upon agricultural implements imported from Germany an increased tax amounting to as much as 300 per cent, in the opinion of the gentleman from Ohio [Mr. LONGWORTH]. For six months your farmer in Oklahoma or Kansas must buy products upon which the tariff duty is increased 300 per cent to enable him to cultivate a crop, and then in the fall he must sell that crop after the six months have expired and the tariff has been removed from all of his products.

The gentleman from Ohio [Mr. LONGWORTH] stated yesterday that he did not understand how the relentless machine on our side of the House had induced some gentlemen to vote against this bill who had formerly voted for it. He said that the gentleman from Massachusetts [Mr. TREADWAY] had very lucidly explained his change of attitude. I notice, my friends, that the gentleman from Massachusetts [Mr. TREADWAY] gave as the only reason for this change of attitude was that the President in addressing this Congress on last Tuesday announced that we should vote for this bill. Therefore we have Executive dictation early in the session, causing the gentleman from Massachusetts [Mr. TREADWAY] to change his position. But we are left in some doubt as to his ultimate position, because he voted first for the bill, then on the conference report against the bill, then on the veto against the bill, and now he is going to vote for the bill. It is like the old story of "buy a button, steal a button, buy a button," and the Lord only knows how he is going to vote when this bill comes back from conference. The gentleman from Ohio might interest himself as to the change of attitude of Members on his side of the House without inquiring about this side.

There is absolutely no argument presented here to show the relief that will be offered to the farmer, and there is no argument offered yet to show anything that would justify us in calling it an emergency. Where is the emergency? All statistics show that there is now a reduction of 50 to 60 per cent in the amount of imports from the figures of last spring. If an emergency ever existed, it existed in the spring of 1920, when our imports of the agricultural products covered in this bill reached the pinnacle, and yet in the face of those imports you adjourned this Congress on June 5 and went to your homes and did nothing for the agricultural interests. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. I ask unanimous consent that all debate on this section and all amendments thereto close in 25 minutes.

Mr. JOHNSON of Mississippi. Reserving the right to object, I should like two minutes.

Mr. YOUNG. Then make it 27 minutes.

The CHAIRMAN. The gentleman from North Dakota asks unanimous consent that debate on this amendment and all amendments thereto close in 27 minutes. Is there objection?

Mr. MANN. Reserving the right to object, I should like to ask the gentleman whether it is expected that the House will adjourn this afternoon at about the usual time?

Mr. YOUNG. If gentleman on this side of the House will cooperate with us and not ask for unnecessary time, we will be able to pass the bill this afternoon and still adjourn at a fair time.

Mr. MANN. It is perfectly apparent that this bill will not be finished to-day unless we stay here this evening.

Mr. FORDNEY. Mr. Chairman, let me say to the House that if we can finish the bill to-day, it is the purpose that the House shall adjourn until Monday. If not, we must remain in session to-morrow.

Mr. MANN. You can not finish the bill to-day at the rate you are going.

Mr. FORDNEY. If the gentlemen wish to stay here and run to-morrow, I have no objection. I am here every day.

Mr. OLDFIELD. Mr. Chairman, gentlemen of the minority have no disposition in the world to take up any unnecessary time. We have been conferring among ourselves, and I do not think we will offer very many more amendments. What we want to do is to keep our record straight. Of course, we do not expect to defeat this bill, and we are all anxious to conclude its consideration at as early an hour as possible.

Mr. MANN. We have not commenced on the bill yet. Here it is proposed to have 27 minutes debate, not one word of which debate will be directed to the item.

Mr. OLDFIELD. Has the gentleman any objection to 27 minutes' debate?

Mr. MANN. I have no objection.

Mr. GARNER. Here is an amendment which proposes to strike out this paragraph. Of course, if there was no duty on wheat this paragraph ought to be stricken out, but with a duty on wheat probably there ought to be a duty on flour. If you are going to use up half an hour in the discussion of an amendment of this kind, it will be impossible to pass this bill to-day.

Mr. YOUNG. My thought was simply this: That yesterday there were quite a number of Members who were not able to get in on the general debate. We have cleared up most of that now, and I think that after the proposed limit we can speed up.

Mr. MANN. I think it wise myself to have liberal debate under the five-minute rule, but it is now nearly half past 3 o'clock, and we have not read any controverted item in the bill yet.

Mr. FORDNEY. Let me repeat, that if gentlemen wish to stay here and talk all to-day and all to-morrow, well and good;

but if gentlemen want to offer their amendments and have them voted on, we can adjourn over until Monday; otherwise not. It is immaterial to me.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

Mr. COCKRAN. What is the request?

The CHAIRMAN. That debate on this paragraph and all amendments thereto be limited to 27 minutes.

Mr. COCKRAN. On the paragraph?

The CHAIRMAN. Yes. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. OLDFIELD] to strike out the paragraph.

The question being taken, the amendment was rejected.

The Clerk read as follows:

Flaxseed, 30 cents per bushel of 56 pounds.

Mr. NEWTON of Minnesota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. NEWTON of Minnesota: Page 2, line 4, strike out the entire paragraph.

Mr. NEWTON of Minnesota. Mr. Chairman, the motion is to strike out the paragraph—

Flaxseed, 30 cents per bushel of 56 pounds.

When the emergency bill passed the House during the month of December it contained no reference at all to this item. It went over to another legislative body and was reported out of committee in that body without this item in it. Upon the floor of that body this item of 30 cents per bushel was inserted.

The product of flaxseed is linseed oil, and it is not going to be of any benefit to the producers of the country to put a duty of 30 cents per bushel upon flaxseed if we do not put a compensatory duty upon its product, linseed oil. During 1919 our linseed oil imports were little over 16,000,000 gallons. In 1920 they numbered over 35,000,000 gallons. This, it will be noted, is more than double. Under the rules of the House it is impossible to amend this tariff bill by the insertion of an item placing a duty upon linseed oil. I refer to the rule that we discussed a few moments ago. By placing a duty upon flaxseed only, we restrict the importation of flaxseed, but we do nothing to prevent the importation of its product, linseed oil. This sort of legislation can not possibly benefit the farmer. It only injures the American manufacturer and the American workingman. I have a telegram here from a large manufacturer of linseed oil in my district which sets forth the situation exactly. It is as follows:

MINNEAPOLIS, MINN., *April 15, 1921.*

Hon. WALTER H. NEWTON,
House of Representatives, Washington, D. C.:

European linseed oil is offered at 52 cents per gallon in carload lots f. o. b. New York. This is less than we can manufacture linseed oil for, either from domestic or Argentine flaxseed, under present tariff rates on flaxseed. The increasing of the duty on flaxseed to 30 cents per bushel without increasing the duty on linseed oil at the same time will make a bad situation still worse and compel the linseed-oil mills in this country to shut down and buy their oil from Europe, throwing their men out of employment. We are running our mills at a loss to-day and can not afford to continue operating with 10 cents per bushel additional handicap. If the Members of Congress wish to shut down our factories, throw our men out of employment, and give the business to Europe, the increasing of the duty on flaxseed to 30 cents per bushel without a commensurate increase in the duty on linseed oil will accomplish their purpose. This, however, will also either destroy the market for domestic flaxseed or reduce the price to compete with foreign oil, thus injuring the farmers who raise flaxseed. If the duty on flaxseed is increased to 30 cents per bushel, the duty on linseed oil should be increased at the same time to 20 cents per gallon.

MIDLAND LINSEED PRODUCTS CO.,
By E. C. BISBEE, *Vice President.*

Mr. FORDNEY. Will the gentleman allow me to interrupt him?

Mr. NEWTON of Minnesota. Yes.

Mr. FORDNEY. Let me say to the gentleman that the item of the duty on flax was put on in the Senate, and when the bill went to conference our hands were tied. Now, we are told by the Finance Committee of the Senate that if we send the bill back just as it was vetoed by President Wilson they will pass it, but we must make no change in it at all. That is the only reason we oppose your amendment.

Mr. NEWTON of Minnesota. Will the gentleman answer this: What objection has the Finance Committee of the Senate to a compensatory duty on linseed oil?

Mr. FORDNEY. We have been told that the bill passed the Senate with this amendment in it, and if we will send it back just as we passed it and as it was vetoed by the President they will again pass it, but if we add anything or take anything out they will not give it consideration. That was the instruction. [Laughter.]

Mr. NEWTON of Minnesota. This bill is designed to protect the manufacturer as well as the farmer.

Mr. PADGETT. Do we have to obey the mandate of the Senate?

Mr. NEWTON of Minnesota. I do not think that question needs an answer; certainly not from this side of the House.

Mr. FORDNEY. Will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. FORDNEY. The members of the Ways and Means Committee agreed to send it over, if possible, without any amendment, and we are going to do it, and for that reason we opposed your amendment.

Mr. NEWTON of Minnesota. Does the gentleman think that if linseed oil was put in at 20 cents a gallon or this item stricken out it would jeopardize the success of the bill or mean its defeat?

Mr. GREEN of Iowa. It would, absolutely. The gentleman must take this bill as it is or leave it.

Mr. NEWTON of Minnesota. If that is the situation, let me say this: That I for one feel that where another body of this Congress passes a measure which we know to be wrong, that is wholly unscientific, which does not accomplish the result for which the legislation was designed, this House should not surrender to the dictates of the other body.

Mr. FORDNEY. I want to say to the gentleman that I want the bill passed to enable the farmer to have some relief, and I shall oppose his amendment with all my might and main. I will vote against any amendment in order to pass this measure.

Mr. NEWTON of Minnesota. I am sorry that the gentleman from Michigan has arrived at a stage where he will oppose any amendment that is offered to the measure, no matter what merit it may have. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Will the gentleman yield?

Mr. NEWTON of Minnesota. I yield to the gentleman from Illinois.

Mr. MANN. In view of the statement that has been made, what is the object in reading the bill for amendment under the five-minute rule? [Laughter and applause.]

Mr. NEWTON of Minnesota. I agree with the gentleman from Illinois.

Mr. MANN. Why did not the committee frankly come to the House and state the situation, propose to pass the bill under a rule, without reading it at all? [Applause.]

Mr. FORDNEY. Will the gentleman from Minnesota permit me to answer?

Mr. NEWTON of Minnesota. Yes.

Mr. FORDNEY. The bill passed the House as it is now with the exception of the Senate amendments. We did not ask for a rule because the Republicans understood that this was a relief measure for the farmers. We are going to put this through, no matter what you say; we are going to pass it just as it is.

Mr. NEWTON of Minnesota. Regardless of the statement of my good friend from Michigan, I do not claim to have any great amount of influence either on this side of the aisle or the other side of the aisle, but I am going to have my say just the same. [Applause.] This is the opening session of a new Congress. We meet here as the direct representatives of the people. We come here charged as Members of this House with the duty of initiating all revenue legislation. We who represent the people must answer to them every two years. The House of Representatives is a great legislative body. Its Members have this special duty and other duties. They should discharge them in accordance with their own judgment. They should not surrender their prerogatives. It is high time that this House should cease to play second fiddle to another legislative body. [Applause.]

I want to say further—I do not know what they have said—but I have had a little experience as some of the rest of you have had in playing a game of bluff, and the statements made over there that this bill will meet defeat if we do not give them everything they want will not be carried out. They will not stand by it. What this House needs is to stand up and act according to its own judgment, maintain its one-time independence, dignity, and traditions, and let the other legislative body know that this House will always stand up for its rights. [Applause.]

Mr. Chairman, I do not think that there is a Member in this House that will not agree that, with a duty on flax, there should be a compensatory duty on its product. Now, are we going to surrender our judgment to the dictates of another body? That is the only question. I yield to the gentleman from Iowa.

Mr. TOWNER. Let me suggest what seems to be entirely overlooked. That is, that this is an emergency measure; it only lasts six months. The matter to which the gentleman calls attention—the duty on linseed oil—will be contained in the tariff bill to be reported soon. Now, we have this dilemma placed before the committee, either to pass this bill as it was passed through the last Congress or not at all. Are we not, if we believe in the necessity of emergency legislation, justified in doing this rather than to see the entire emergency legislation fail? That is the proposition.

We will look after the linseed-oil proposition before the six months have passed. Gentlemen on the other side who are so exceedingly anxious to see the Republican Party embarrassed will have an opportunity of embarrassing them with regard to linseed oil at that time.

Mr. NEWTON of Minnesota. Mr. Chairman, I regret that I can not yield further. I hope this House will not be led astray by arguments such as have been made and probably will be made, but that it will adhere strictly to the line, and see to it that from the very beginning of the session this House asserts its own rights in this kind of legislation. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. GARNER. Mr. Chairman, the Constitution provides that revenue measures shall originate in the House of Representatives, and as far as the formal introduction and report upon this bill to this body is concerned, the bill has originated in the House of Representatives, but as a matter of fact this bill, as it now appears from the statement of the chairman of the Committee on Ways and Means, seems actually to have originated in the Senate of the United States. In the 18 years' service that I have had here, I do not think I ever heard an admission upon the floor of the House which reflected so much upon this body as does the admission of the gentleman from Michigan [Mr. FORDNEY]. You gentlemen from the West who have been elected to this Congress and who were not present in the last Congress may not understand what the gentleman from Michigan [Mr. FORDNEY] meant when he said "We have agreed that this bill shall be passed without any change." If you had been here and heard from the well of the House statements from the gentleman from Illinois [Mr. MADDEN] that the result of the November election had placed in the hands of the American people east of the Mississippi and north of the Ohio the destiny of the taxation of the Nation, you western gentlemen would understand thoroughly what the gentleman from Michigan meant when he said "We." [Applause.]

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. MADDEN. I hope the gentleman will quote me correctly. The gentleman never heard me make that statement from the well of the House, nor did anyone else, and nobody else ever heard me say it anywhere.

Mr. GARNER. It was referred to a number of times in the last Congress, and we always had the gentleman from Illinois smiling when we read the interview that appeared in the newspapers of the country. Here is a bill, a revenue bill, that is up for reading for amendment. A Republican Member from Minnesota offers an amendment. The gentleman in charge of the bill, the chairman of the Committee on Ways and Means, rises in his place and says, "Yes; that amendment ought to be adopted, but this provision in respect to flaxseed was inserted in the Senate; a mistake was made, but under the rules of the conference we could not correct it, and now under our agreement the condition is such, although the amendment ought to be adopted, although the mistake ought to be corrected, that with one hundred and odd majority in this House, we have sufficient votes to say that we can not adopt this admittedly meritorious amendment to this bill." What kind of a position is the House of Representatives in? By your majority are you going to say to the country that when the leaders have decided that this shall be done, that although their attention may be called to the fact that they have made a mistake, yet having made an agreement, you will say to the Republicans of the House, "It makes no difference how many of you revolt; we have enough votes to put this bill through, although we know that it is an error and that it is wrong and that a mistake has been made, and we decline to correct it?"

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. GREEN of Iowa. Does the gentleman think there was ever a tariff bill passed in the House of Representatives that did not have a mistake in it?

Mr. GARNER. Mr. Chairman, no tariff bill ever passed this House when the chairman of the Ways and Means Committee, having charge of the bill, rose in his place on the floor and admitted that an amendment ought to be adopted and then said that under an agreement which had been made we could not adopt it. [Applause on Democratic side.] Let me say to the gentleman from Iowa that this bill is in a formative state. We are now framing it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARNER. We are in Committee of the Whole, and what for? I suggest the same answer that the gentleman from Illinois [Mr. MANN] made a few moments ago. What are we in the Committee of the Whole for? What are we reading this bill for? It is to ascertain whether or not any gentleman on the floor desires to offer an amendment and to appeal to the conscience and good judgment of the committee to adopt it. If you are going to admit that the amendment is meritorious and then deny a man the right to put it into the bill, then surely the House of Representatives has gotten in an indefensible position.

Mr. GREEN of Iowa. The gentleman does not want this bill to pass, I assume.

Mr. GARNER. The gentleman from Iowa can have his own assumption; I do not.

Mr. GREEN of Iowa. That is what I thought.

Mr. GARNER. Mr. Chairman, I will ask the gentleman this question. I ask the Republican majority the question. You have 170 majority, and you have a big majority in the Senate. If you put linseed oil into this bill, will it defeat it?

Mr. GREEN of Iowa. I answer the gentleman——

Mr. GARNER. Oh, will it defeat it?

Mr. GREEN of Iowa. Yes; and nobody knows it better than the gentleman from Texas.

Mr. GARNER. My God, what kind of a party have you got? In what condition is your organization when you will admit on the floor of the House that the putting in of one little amendment which you say ought to be in there will defeat the bill?

Mr. GREEN of Iowa. The gentleman knows that every word that he is saying is fallacious as a practical matter, and he knows that if we commence to amend this bill right through, the Senate will assert the same prerogative, and before we get through with it we will be in the consideration of a permanent tariff law.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FORDNEY. Mr. Chairman, I wish to make a frank statement. When this bill passed the House and went to the Senate it did not contain a provision for a duty on flaxseed. The gentleman from Minnesota [Mr. NEWTON], who offers this amendment, voted against the bill then not because flaxseed was in the bill and there was no duty on linseed oil provided for but he is opposed to the bill on general principles. If not, he would not have voted against it then, when it passed the House some weeks ago. This bill was passed then, and we are trying to pass it now as a relief emergency measure to help the farmers of the United States. The gentleman from Minnesota is opposed to the bill and offers as a flimsy excuse——

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Oh, I yield to the gentleman. I will be courteous to the gentleman.

Mr. NEWTON of Minnesota. The gentleman from Minnesota voted against the bill and has no apologies to make to anyone for it, but he did not vote against this particular bill, and the gentleman from Minnesota would like to vote for this bill.

Mr. FORDNEY. I hope you do, and I believe you will.

Mr. NEWTON of Minnesota. But apparently the gentleman from Michigan is not very much concerned as to whether the gentleman from Minnesota votes for the bill or not; apparently he does not care whether he does or not.

Mr. FORDNEY. Oh, yes; I would like to see the gentleman vote for it, and I hope he will.

Mr. NEWTON of Minnesota. Otherwise I think the gentleman would adopt a little different attitude from that he has expressed in reference to the item in question.

LIBRARY OF THE UNIVERSITY OF MINNESOTA

Mr. FORDNEY. The gentleman was very severe in answering me, and I never was sarcastic in my life except to answer a sarcasm, and would not now. This bill passed the House. Then it was vetoed by President Wilson just as we have presented it to the House, except we have reduced the time from 10 months to 6 months. Now, why? I have been frank with you, and I will be frank with the House, because that is the only way to succeed. We had difficulty in getting our own committee, as well as Members of the Senate, to agree to take up and consider this bill in the face of preparing a general tariff bill—a general revision of the tariff on everything in the tariff law.

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. FORDNEY. Just a minute and I will. The Republican members of the Ways and Means Committee conferred with the Republican members of the Finance Committee of the Senate to see whether or not we could reach an agreement by which both Houses would agree to pass this bill. We did have that conference, and the Senate brought forward all the objections they could think of to passing an emergency bill independent of a general tariff revision, and finally said: "If you will send it back to us"—this is the language used by one of the Senators—"without the crossing of a 't' or the dotting of an 'i,' except to reduce the time from 10 months to 6 months, we will pass it. To avoid a long general debate in the Senate, if you will send it that way, we can get a cloture rule and pass it in an hour's time in the Senate, and we will do so if you will send it back that way. But if you change it we offer you no promise whatever that the bill will ever become the law."

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. FORDNEY. I will yield; but let me conclude this: What I am deeply concerned is in trying to aid the American farmer, if possible, now in the time of his great need. He can not get anywhere near the cost for the production of his wool or of his wheat or of his cattle or any other of his agricultural products mentioned in this bill. Our earnest desire is, gentlemen, to carry out that suggestion offered by the Senators, that if we send it over just as it is they will pass it, but they can not promise success if changed, and I hope the House will accept the statement as sincere and send this bill back without amendment. The gentleman from Illinois says, "Why bring the bill in the House, except under a rule?"

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Just one minute, if you please.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. We thought it was not necessary to have any real general debate on this bill for the reason it passed the House before, and everybody, except the new Members, who are largely Republican Members and know a good thing when they see it, would vote for it without any further discussion, but when we brought it on the floor of the House and before we brought it up our Democratic friends pleaded for a long time in general debate.

Mr. NEWTON of Minnesota. Was there any specific objection raised in the other body to a compensatory duty upon linseed oil?

Mr. FORDNEY. My dear friend, I do not know, but I want to say I am in favor of protecting every industry—North, South, East, and West—to the fullest measure that is needed. [Applause on the Republican side.] But I am trying to pass this bill now as an emergency measure to help out our farmers. There are many things I would like to see go in this bill and there are some things I would like to see go out. It does not please me more than it does you, but I am standing up here against my own judgment and my own wishes to vote for something I think we can pass if we pass it in this way.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MANN. Mr. Chairman, I can not find fault with the genial gentleman from Texas [Mr. GARNER] in seeking to push in an entering wedge on the Republican side of the House. The gentleman from Texas voted for the emergency tariff bill when it passed the House. He voted for the antidumping bill when it passed the House, but when they are combined he is violently opposed to it. [Applause on the Republican side.] I have been able at times myself to make flops, but I never was able to make one so instantaneously and so completely as the gentleman from Texas on this bill. [Applause on the Republican side.] I thought this bill ought to have been passed under a rule without the pretense of giving the privilege of amendment. It is an emergency measure. The Republicans of the last House voted for the tariff features of it. The Senate passed it. It was agreed to after a conference and sent to the President, who vetoed it. I think it is the proper thing for the Republicans of this House to pass it without the dotting of an "i" or the crossing of a "t." [Applause on the Republican side.] I would have done it directly by a rule, but my distinguished friend from Michigan, who has more faith in the lack of the talking ability of the House than I have, thought that he could pass this bill through the House in one day, in about one hour's time, without discussion. Well I knew that that could not be done. Now, he has practically told the House the situation. It is not the House yielding to the Senate. The House prepared this bill in almost all its features. It is a proposition practically that the Senate will yield to the House [applause on the Republican side]; that they will take a bill which we passed before, if we pass it again in the same way we agreed to in the conference report before, and they will attempt to hurry the thing along, and in this case time is of the very essence of this business. Now, for myself I do not think the amendment of the gentleman from Minnesota is important. I am one of those who believe that putting 30 cents a bushel duty on flaxseed will not add very materially to the cost of flaxseed in the United States during the next six months, and the flaxseed is not now owned by the farmer. The flaxseed is now owned in the main by the manufacturer of linseed oil. There will be no more linseed shipped into the United States with this provision in the tariff law than there will be if it is stricken out. There will not be a cent of increase in the price of linseed oil or a decrease in the price whether this amendment is adopted or not. Our duty now to the country is to pass the bill in the form in which it was reported to the House by the Ways and Means Committee. [Applause on the Republican side and cries of "Vote!" "Vote!"]

Mr. GARRETT of Tennessee. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Tennessee desire to be heard on this amendment?

Mr. GARRETT of Tennessee. I do.

Mr. Chairman, I think gentlemen upon that side of the House have overlooked one very important condition which existed when this bill was considered before and when they now urge that it should be passed precisely as it was then prepared, namely, they have overlooked the fact that not one of them, either here or in the other body, at that time had the slightest expectation that this bill would ever become a law. Therefore, the bill was permitted to be loosely drawn. I shall have occasion in a little while to point out some other mistakes in this measure, as I view it, and that ought to be corrected. It was permitted to be loosely drawn. Why? Because, in the first instance, it was never believed it would go further than this House. The attitude of a gentleman who was in a fine strategic position, as it was then thought, and as it was announced in the newspapers, led the country to believe that it would not be permitted to go to a vote in the Senate, but that it would go to sleep along with the magnesite bill and other bills passed by that Congress at a former session. But after that view was abandoned, after it was found the political pressure was too strong for that gentleman, and the measure was passed, there was still no expectation it would become a law, because it was known upon that side, as upon all sides, that there sat then in the Executive office a man of courage and conviction, who would protect you from your own folly. [Applause on the Democratic side.] Now, since that was passed, since the bill is to become a law, as the gentleman from Illinois [Mr. MANN] has said, why is it that you can not correct the mistakes which you yourselves admit you then made? With 170 majority here, with 20 or more majority in the Senate, you admit here, in the face of all Israel, that you are incompetent to correct your own admitted blunders and errors. [Applause on the Democratic side.] God help the country for the next two years! [Applause on the Democratic side.]

Mr. YOUNG. Mr. Chairman, I move that all debate on the amendment be now closed.

The CHAIRMAN. The question is on the motion of the gentleman from North Dakota.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment of the gentleman from Minnesota [Mr. NEWTON].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

4. Corn or maize, 15 cents per bushel of 56 pounds.

Mr. OLDFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. OLDFIELD offers the following amendment: Page 2, line 5, strike out the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

5. Beans, provided for in paragraph 197 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.

Mr. LITTLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LITTLE: Page 2, line 7, after the word "beans" insert the word "lentils."

Mr. LONGWORTH. Mr. Chairman, I make the point of order against the amendment. It is an additional subject.

The CHAIRMAN. The Chair sustains the point of order.

Mr. WINGO. Mr. Chairman, I make the further point of order that it violates the instructions the gentleman has. [Laughter.]

The Clerk read as follows:

6. Peanuts or ground beans, 3 cents per pound.

Mr. LITTLE. Mr. Chairman, I want to be heard on the point of order.

The CHAIRMAN. The Chair would suggest that another paragraph has been read.

Mr. LITTLE. I would not ask for it if I did not think I was right about it.

The Clerk read as follows:

12. Cattle, 30 per cent ad valorem.

Mr. HUDSPETH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. HUDSPETH: Page 3, line 3, at the end of said line, add the following: "Hides, dried, salted, or pickled, 12½ per cent ad valorem."

Mr. LONGWORTH. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. What was the point of order? It was not told to me. I am entitled to know.

The CHAIRMAN. The Chair has sustained the point of order.

Mr. LITTLE. A parliamentary inquiry. What was the point of order the Chair sustained? This is no place for a steam roller. [Laughter.] What is the point of order?

The CHAIRMAN. The gentleman from Texas [Mr. HUDSPETH] offers an amendment that is in violation of the rules of the House in the consideration of a tariff bill. The gentleman from Ohio [Mr. LONGWORTH] made the point of order.

Mr. LITTLE. What point of order did he make?

The CHAIRMAN. That it was in violation of paragraph 3 of Rule XXI.

Mr. LITTLE. He did not say anything of the kind.

The CHAIRMAN. The Chair knows the rules of the House.

Mr. HUDSPETH. Mr. Chairman, I understood the gentleman from Ohio to say that he reserved it.

The CHAIRMAN. No; he has made it.

Mr. LONGWORTH. I said I was willing to withhold it, but in the meantime the Chair sustained it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

14. Fresh or frozen beef, veal, mutton, lamb, and pork, 2 cents per pound. Meats of all kinds, prepared or preserved, not specially provided for herein, 25 per cent ad valorem.

Mr. OLDFIELD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLDFIELD: Page 3, line 6, strike out the paragraph.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

Mr. OLDFIELD. Mr. Chairman, I want to call attention to the fact that there were 50,000,000 pounds of beef imported and 130,000,000 pounds exported, and of pork 2,195,000 pounds imported and 900,000,000 pounds exported. In other words, there was over four hundred times as much pork exported last year as was imported and about three times as much beef exported as imported, and therefore it would be absolutely impossible for this amendment to help any cattle growers or hog growers in this country.

But, gentlemen, it will help the packers of the country, because they will add the tariff to the cost of the product. I think you are treating unfairly the consumers of this country when you line up here and help the Packers' Trust, who do not need help, and you know you are helping them. Who ever heard of an emergency confronting the packers of the country? There is no emergency confronting the packers of this country. Yet you are going to give them from $200,000,000 to $300,000,000 in tariff taxes at the expense of the consumers of the country. You ought not to do it, and I protest against it. [Applause.]

Mr. HUDSPETH. Mr. Chairman, I rise in opposition to the amendment.

Mr. YOUNG. Mr. Chairman, I move that the debate on this paragraph close in five minutes.

The CHAIRMAN. The gentleman from North Dakota moves that the debate on this paragraph close in five minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. HUDSPETH. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Arkansas [Mr. OLDFIELD].

The gentleman states that this duty of 2 cents a pound would not aid the cattlemen. As I understood the gentleman, he stated that the duty of 2 cents a pound would not aid the cattle industry. Is the gentleman aware of the fact that the beef packers of this country went down to South America, where they have their abattoirs and their refrigerating plants, and brought up 15 steamship loads of beef at one time? Then beef steers of the Northwest were selling at 9 and 10 cents a pound, while to-day they are selling for 5 and 6 cents a pound. Will the gentleman maintain that a duty that will keep out 2,500,000 carcasses of frozen mutton and lamb will not help the sheep industry?

Mr. OLDFIELD. I will say this in reply to that: I can not see how this duty will help the cattle growers, when we export three times as much as we import and meet those same products of South America in the markets of the world. If we can do that, then this tariff will not help the cattle grower.

Mr. HUDSPETH. Then does the gentleman want frozen beef and frozen mutton that has been shipped here to be shipped back to England or Australia or New Zealand, as my colleague from Texas [Mr. CONNALLY] suggested a while ago in regard to wool? The gentleman made the statement that we ought to ship the wool that has been shipped here back to Australia and England and Germany and thereby relieve the wool industry of Texas.

Mr. OLDFIELD. You want to help the packers.

Mr. HUDSPETH. No. I want to help the farmers who raise the beef. Do not make any mistake about that. I want to help the farmers in Texas. The packers are taking care of themselves. I am not concerned about them.

I want to ask a question of my good friend from Texas [Mr. CONNALLY], who made the statement a while ago as to this bill, that the few Democrats who have the temerity to stand here and ask for equal protection for the raw products of the farm, although they were so instructed to act by their constituents, are misrepresenting the farmers. How many telegrams has the gentleman received from his district protesting against this bill? It has been up for four months.

Mr. CONNALLY of Texas. I have received as many protesting against it as in favor of it.

Mr. HUDSPETH. If you have not, you ought to go back to them and consult with them. I will tell my good friend that I am very fond of him because we have been friends for 20 years.

Mr. CONNALLY of Texas. I will say to the gentleman that I will be able to take care of my own interests.

Mr. HUDSPETH. I understand that. But have the farmers told you so? I say no.

Mr. CONNALLY of Texas. I will say to the gentleman that I have a great many more farmers in my district than he has in his. [Laughter.]

Mr. HUDSPETH. Oh, I have a district so big that you could put your district in a horse pasture of mine. [Laughter.] The gentleman says this will deceive the farmer. The gentleman wants to stand out on the so-called old Democratic tradition of free raw materials, I presume, and go to the slaughter again, as we did last fall? I want to perpetuate Democratic success.

Mr. CONNALLY of Texas. You said you wanted to ask me a question.

Mr. HUDSPETH. I have not propounded it yet. I have just started. The slump in the Democratic vote in Texas last fall was something like 75,000. Was it the tariff issue or what? I want to ask the gentleman this: You would vote for an ad valorem duty, would you not, on the manufactured article of 35 per cent under the Underwood bill? Then, what will you say to the farmer who produces sheep down there? Will you favor the placing of a duty on wool?

The gentleman can make a broad statement here with nothing to back it up that the farmer is being deceived, but I want

to say to him that he ought to go back and talk to the farmers in his district. I want the gentleman to answer my question about whether he would vote for a tariff on woolen and cotton goods and leave the farmers' raw product unprotected, and he has failed to answer. [Applause.]

The CHAIRMAN. The question is on the motion of the gentleman from Arkansas to strike out the paragraph.

The question being taken, the motion was rejected.

The Clerk read as follows:

15. Cattle and sheep and other stock imported for breeding purposes shall be admitted free of duty.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 3, line 11, at the end of line 11, add the following:

"*Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed and duly registered in a book of record recognized by the Secretary of Agriculture for that breed: *And provided further*, That the certificate of such record and pedigree of such animal shall be produced and submitted to the Department of Agriculture duly authenticated by the proper custodian of such book of record, together with an affidavit of the owner, agent, or importer that the animal imported is the identical animal described in said certificate of record and pedigree. The Secretary of Agriculture may prescribe such regulations as may be required for determining the purity of breeding and the identity of such animal: *And provided further*, That the collectors of customs shall require a certificate from the Department of Agriculture stating that such animal is pure bred of a recognized breed and duly registered in a book of record recognized by the Secretary of Agriculture for that breed.

"The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision."

Mr. LONGWORTH. Mr. Chairman, I make the point of order against the amendment that under the rulings quoted with approval by the Chair to-day against administrative provisions in an amendment it stands upon exactly the same basis as the amendment offered last year by the gentleman from Minnesota [Mr. NEWTON]. It provides new machinery of administration.

Mr. McLAUGHLIN of Michigan. May I ask the gentleman from Ohio a question?

Mr. LONGWORTH. Yes.

Mr. McLAUGHLIN of Michigan. Does the objection apply to the last part of the amendment or to all of the amendment?

Mr. LONGWORTH. My point of order applies to all of the amendment which provides for administration.

The CHAIRMAN. The Chair is inclined to think that the first part of the amendment is not subject to the point of order.

Mr. LONGWORTH. It is very difficult for me, after having simply heard the amendment read, to designate the part which is objectionable, except by describing it.

The CHAIRMAN. The latter half of the amendment provides that the Secretary of Agriculture may prescribe such regulations as may be required, and so forth. It would seem to the Chair that up to that point the amendment is in order.

Mr. GARNER. Let me suggest to the gentleman from Ohio, in the interest of expedition of the bill, that by the time the amendment is again read and the point of order discussed we could dispose of it by making it against the whole amendment.

Mr. LONGWORTH. I am simply attempting to enforce the rule cited by the Chair.

Mr. GARNER. If any part of the amendment is subject to a point of order, the point of order will lie against the whole amendment.

Mr. LONGWORTH. I withdraw my point of order and make it to the last paragraph of the amendment.

Mr. GARNER. I make the point of order against the entire amendment.

The CHAIRMAN. The Chair thinks the first part of the amendment is not subject to the point of order.

Mr. GARNER. But the gentleman from Michigan has offered an amendment. Do I understand that the Chair is going to lay down the rule that if a point of order is made against the entire amendment, a part of the amendment can be segregated and held to be not subject to the point of order?

The CHAIRMAN. The Chair does not make that ruling. The Chair sustains the point of order.

Mr. McLAUGHLIN of Michigan. I reoffer the amendment with the objectionable part of it eliminated. I will strike out the last part of it and offer the first part.

The CHAIRMAN. The Clerk will read the amendment now offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan. Page 3, at the end of line 11, add the following:

"*Provided*, That no such animal shall be admitted free unless pure bred of a recognized breed, and duly registered in a book of record recognized by the Secretary of Agriculture for that breed: *And provided further*, That the certificate of such record and pedigree of such animal shall be produced and submitted to the Department of Agriculture, duly authenticated by the proper custodian of such book of record, together with an affidavit of the owner, agent, or importer that the animal imported is the identical animal described in said certificate of record and pedigree."

Mr. GARRETT of Tennessee. I reserve a point of order on the amendment as read, and direct the attention of the gentleman from Ohio to the Anderson ruling as to administrative features.

Mr. LONGWORTH. If I were disposed to be very technical in my construction of the rule I might make the point of order, but I do not.

Mr. GARRETT of Tennessee. I have no desire to press the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. McLAUGHLIN of Michigan. I wish to say that the amendment I have offered if adopted will write into this law a provision that has been a part of every tariff law for a generation, permitting animals to be brought in for breeding purposes provided only that they are pure bred and registered. If we should pass the bill as it came from the committee, we would be taking a backward step, going back to where we were a generation ago. I have talked with many members of the Ways and Means Committee, and they admit that the provision that I have suggested should be inserted and was omitted by an oversight. They admit that it ought to be a part of the law. It seems to me the amendment would not be a violation of the understanding which the Committee on Ways and Means have had with the Finance Committee of the Senate. It would seem to be unobjectionable, and I think it would be a mistake to pass the bill without it.

Mr. GARNER. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. GARNER. I agree with the gentleman, coming as it does from the gentleman who is an old timer, but does the gentleman have any hope of having his amendment adopted?

Mr. McLAUGHLIN of Michigan. Oh, yes; I believe in the good judgment of this side of the House.

Mr. GARNER. I hope the gentleman can get next to it, for nobody else has been able to do it. [Laughter.]

Mr. MANN. The language proposed by the gentleman from Michigan is the language in the existing tariff law?

Mr. McLAUGHLIN of Michigan. Yes; my amendment is printed and pasted on the sheet. It is taken bodily out of the Underwood tariff law. A few moments ago I made an examination and saw that it was in the Payne tariff law.

Mr. MANN. I think the provision was one inserted in the Senate in connection with putting a tariff on certain animals. I take it that it was not the intention of either the Senate or the conference committee to make any change in existing law in that particular, but merely to provide that breeding animals should not be put in the list. I do not see any objection to adopting it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. FORDNEY and Mr. YOUNG) there were 76 ayes and 99 noes.

So the amendment was rejected.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. Gentlemen of the committee, a similar mistake that the gentleman from Michigan has directed attention to has been made in another place, but I was not able to call attention to it. The tariff law of 1913 had section 197, which said that beans and lentils not especially provided for, 25 cents a bushel of 60 pounds. In this bill, paragraph 5 reads:

5. Beans, provided for in paragraph 197 of the act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913, 2 cents per pound.

The "item" in this paragraph is the amendment of the act of 1913. My amendment to that "item" is therefore in order, and should have been voted on.

The first one said beans and lentils, and this amendment was undoubtedly intended to say beans and lentils, 2 cents a pound; but there seems to have been a clerical error, for they omitted the word "lentils."

Mr. GREEN of Iowa. I want to say that that very question was discussed elaborately in committee and by the drafting board.

Mr. LITTLE. I suspected the drafting board had something to do with it. They say beans and lentils are practically the same. When you charge beans 2 cents a pound, $1.20 a bushel, tariff, and lentils only 25 cents a bushel, you have turned the import trade over to the lentil growers, and they will call every bean a lentil, and you have not got any tariff on beans. Beans and peas are as much alike as are beans and lentils. If you

pass this bill, it will put a tariff of $1.20 on beans and the act of October, 1913, will let lentils in at 25 cents a bushel. What good does it do to tell the bean grower that you have put a tariff on beans when you let the lentils come in at 25 cents a bushel? It is just poppycock. [Laughter and applause.] The old law will give the lentils a good advantage. If you wish to amend the act of 1913 give beans and lentils the same rate as it did. Nobody who has ever lived in a lentil-producing land would make this mistake. Such errors as this should not be permitted to get by. Of course, there are mistakes in all large bills, but there is no excuse for such as this. It will nullify protection on this product.

I made the suggestion and was told by one Member that probably the conference committee would put it in. I hope so, for the consistency of the Republican tariff.

Mr. JOHNSON of Mississippi. Mr. Chairman, I arise to oppose the amendment of the gentleman from Kansas. While I realize that whatever I may say here to-day touching this bill will not prevent its passage, because the Republicans have 303 Members and the Democrats have only 132, yet I appreciate the duty that devolves upon the Democrats to expose the deception of the Republican Party.

The bill before the House originally carried the name of Congressman FORDNEY, the distinguished Republican of Michigan, as its author. The Republicans have decided it would be better to place the name of a Republican Congressman who represented a farming constituency as author of the bill, so they have substituted Congressman YOUNG, of North Dakota, who is supposed to be the author of the bill, a violent supposition to indulge.

The Republicans intend by this bill to lead the people to believe that this legislation is intended to help the farmers, when, as a matter of fact, there is no way by which the farmer can derive any benefit from it, but he must suffer if this bill is passed. It is claimed to be an emergency measure and to prevent the dumping of cheap farm products of Europe on the American market.

Let us see how this will protect the farmer: Practically all farm products of 1920 have passed into the hands of the speculators and out of the hands of the man who produced them on the farm. It is proposed by this bill to levy a high protective tariff on corn, beans, potatoes, onions, rice, wheat, cotton, wool, oils, lemons, cattle and the by-products of cattle, sheep, sugar, butter, cheese, and milk. This bill will protect the big packers, and it will give them an opportunity to raise the prices of beef, mutton, pork, and other commodities handled by them.

By this bill, the proposed protection is to last six months from the day the bill goes into effect, which will mean its termination next October. Now, granting that it is a good bill, and that it might help the farmers if continued, which is not true, as a matter of fact at the very time the 1921 crop is about to be harvested and placed upon the market, this law expires and leaves the farmers' crops again at the mercy of the speculator.

According to the Department of Agriculture, we have on hand in this country at this time millions of bushels of corn and wheat for which we can not find a market. There are 9,000,000 bales of cotton in the United States, practically all of which is held by speculators, for which there is no market. There are millions of bushels of peanuts that can not be sold for the cost of production. Now, what is the reason? Is it on account of competition with foreign countries? Certainly not! This country exports two-thirds of its products, and unless there is a market in Europe for our products, the law of supply and demand in this country will force the prices downward.

If Europe was to-day able to buy our farm products cotton would bring 50 cents a pound and corn and wheat and peanuts would bring proportionate prices. The low rate of foreign exchange, together with the chaotic economic conditions, has rendered Europe unable to buy our products, and this protective tariff, which deters and discourages Europe from trading with us, will not only not help to increase the price of our products but will furnish an excuse for those who have already purchased the 1920 crop to raise the price of these products, thereby increasing the cost of living. Only a few days ago, on the floor of the House, the Republicans said that Germany was bankrupt, that her factories were idle, that her people were in a revolutionary state of mind, and the Republicans predicted dire disaster for her, yet you claim to-day that the American markets are being threatened by the competition of this bankrupt nation. The imports from Germany to this country last year amounted to practically nothing. The exports of this country to Germany were very heavy indeed. You who are interested can read the report from the Bureau of Foreign and Domestic Commerce and see that German imports to this country recently have been negligible.

The President in his message to Congress the other day said he wanted this country to get back to normalcy. The Republicans have been in control of Congress for two years, although there was a Democratic President. The Republicans had full power to bring the country back to "Republican normalcy," and you have been bringing it back slowly ever since you came into power. When you took control two years ago cotton was worth 40 cents a pound; corn was selling for a dollar and a half to $2 a bushel; cattle were selling for 10 cents a pound on foot; and to-day you can not give the hides away. Do not be discouraged; you are rapidly bringing the country back to "Republican normalcy."

What is "Republican normalcy"? It means the establishment of soup houses and bread lines in the large industrial centers to feed the unemployed and the hungry; it means the filling of the country with tramps who roam from place to place seeking employment; it means the fattening of the purses of the rich and the increased burdens of the toilers of the country. This bill ought to be known as a bill to place a tax upon the backs and bellies of the American poor. With 4,000,000 idle men in the United States, as we are to-day informed there are, with wages being reduced every day, you will soon have the country back to "Republican normalcy."

When you came into power two years ago wages were higher than ever before in the history of this country. The workers who once lived in poverty were able to purchase good homes, provide themselves and families with good clothes, and were able to send their children to school and to enjoy some of the good things of this life. Since the Republicans have come into control it has been their constant effort to reduce wages, impoverish the workers, reduce the farmers' products, and to protect the manufacturers and moneyed interests of the country. You took $600,000,000 of the peoples' money and gave it to the railroads for nothing. There is no emergency for this iniquitous piece of legislation. It is in the interest of those who control the farm products after the products leave the farm. The farmer will get no benefit from it. This bill ought to be defeated.

It is claimed that this is an emergency bill. There is no emergency for such foolish legislation.

There is an emergency, however small though it may seem, yet in its consequences it is very grave. I hold in my hand a petition signed by more than a half thousand white women, employees of the Treasury Department, who say in their petition they are informed that the appointment of a Negro as Register of the Treasury is being considered.

These women are from the North, South, East, and West, and are Republicans and Democrats. These self-respecting white women say they are dependent upon this employment for support. They protest the appointment of a Negro to be their boss or supervisor and plead with us to prevent it. No self-respecting white woman will work under the supervision of a Negro.

The bill before the House is cited as an antidumping bill to prevent the dumping of foreign products on the American markets. If you Republicans want to do a real service to the people of this country, you should abandon this foolish bill and prevent the dumping of a Negro as Register of the Treasury, where he will be empowered to dominate the white employees.

Mr. KNUTSON. Mr. Chairman, I make the point of order that the gentleman is not discussing the amendment.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

16. Cotton having a staple of 1⅛ inches or more in length, 7 cents per pound.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the paragraph.

Mr. HUMPHREYS. Mr. Chairman, I offer a preferential motion. I move, in line 12, page 3, to strike out the word "three" and insert the word "one."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 12, strike out the word "three" and insert in lieu thereof the word "one."

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. YOUNG. I shall have to object to that.

Mr. HUMPHREYS. Mr. Chairman, on yesterday the gentleman from Iowa [Mr. GREEN] and myself failed to agree on a question of fact as to whether or not the cotton mentioned on top of page 22 of the report in the schedule prepared by the Bu-

reau of Markets represented one and three-eighths or one and one-eighth cotton. I said one and one-eighth and the gentleman said one and three-eighths. I have a letter from the bureau written at my request, which is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF MARKETS,
Washington, D. C., April 15, 1921.

Hon. BENJAMIN G. HUMPHREYS,
House of Representatives.

DEAR MR. HUMPHREYS: In confirmation of your telephonic conversation with this bureau yesterday afternoon, I wish to advise that the statements, in reference to imports of staple cotton into the United States prepared for the use of the committee having in charge the emergency tariff bill, were based upon all such cottons which have a staple length of 1⅛ inches or longer. It is probable that if the committee should place the minimum length of staple which the bill carries at 1⅛ inches, at least half of the imports of staple cotton into the United States would continue to come in free of duty.

As used in the Department of Agriculture and generally throughout the American cotton trade, the term "staple cotton" may be defined as any cotton with a staple length of 1⅛ inches or longer.

Very truly, yours,

CHESTER MORRILL,
Acting Chief of Bureau.

Then I have the following telegram from Mr. H. G. Hester, secretary of the New Orleans Cotton Exchange, who knows more about the subject than anybody in the United States, in my opinion; from this you will note that less than one-fourth of the cotton imported last year was 1⅛ staple:

NEW ORLEANS, LA., *December 22, 1920.*

Hon. B. G. HUMPHREYS,
House of Representatives, Washington, D. C.:

Your wire answer delayed owing to time consumed investigating data. Arizona produces most of the cotton 1⅛ or better in United States. Small amount produced in Mississippi Delta. Sea-island crop grown on Atlantic seaboard also of that length or longer. No exact figures, but estimated production last year of 1⅛ or over about 50,000 bales. This year will probably be 75,000 to 80,000 bales. While the imports of Egyptian cotton last year amounted to 485,000 bales, most of it was inch and eighth to inch three-sixteenths. It is estimated that not more than 150,000 of the Egyptian cotton imported was inch and three-eighths or better. * * *

H. G. HESTER, *Secretary.*

You have made a mistake in this item. I realize that you intended to make it 1⅛, and I think you should correct it in spite of the Senate. There can be no objection to putting it in for fear of the Senate, because when this bill reached the Senate last year the Senate struck out three-eighths and put in one-eighth. In order to get this bill where it will be certain to be approved by the Senate, I hope you gentlemen will consent to put in this amendment which the Senate themselves put in, making it an inch and one-eighth instead of an inch and three-eighths. You gentlemen have been charged with writing a buncombe bill for the purpose of fooling the farmer. If that is true you fooled me last December, because I thought you were in earnest, and I voted for the bill; but as it is limited in this bill to 1⅛ cotton, it applies only to 50,000 bales produced in the United States out of more than 12,000,000 bales. If you refuse now to correct it, then, so far as the cotton farmer is concerned, it will be buncombe. If you will make it 1⅛, which is the line which separates the long staple from the short staple, it will amount to something, from the Republican standpoint, because it will furnish protection and it will furnish revenue in sufficient amount to satisfy any Democrat. I hope gentlemen will consider that——

Mr. GREEN of Iowa rose.

Mr. HUMPHREYS. Just one moment. Let us see now about the consumer, and I shall talk now to my Democratic friends. Who consumes long-staple cotton, according to the report? "Automobile tires, silk hosiery"—they make silk out of this long-staple cotton now—"and silk underclothes." These are the products into which long-staple cotton enters according to the Bureau of Markets. Can you gentlemen, in your solicitude for the consumer, refuse to support an amendment which the cotton producers believe will enable them to sell their cotton simply because you wish to protect the consumers when those consumers are those who ride in automobiles and wear silk stockings and silk underwear? Would it not be a tax on luxuries on those best able to pay?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. I hope the amendment will be agreed to.

Mr. YOUNG. Mr. Chairman, I move that all debate close on this paragraph and all amendments thereto in five minutes.

The motion was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, it is practically impossible to intelligently discuss this paragraph without drawing the attention of the committee to the succeeding paragraph. The succeeding paragraph had no discussion in the House when the bill was up before and as far as I observed none in the Senate. That section is the compensatory clause. Up until a little while ago I had some hope that when this paragraph was reached there might be some intelligent consideration given to some amendments of it. If there is a joker in this matter I at least would like to enjoy the humor of it while it is being perpetrated and be somewhat prepared for the sting of it after it has been consummated. So far as the duty upon the one and three-eighths cotton is concerned, it amounts to nothing. I do not know whether the gentleman from Mississippi [Mr. HUMPHREYS] put the figures into the RECORD or not, but gentlemen who are not familiar with cotton—and I do not profess to be thoroughly familiar with it—seem to think of long-staple cotton without regard to the grades in that long staple, which range from 1⅛ inches up. These tables sent here by this Wallace board, or the Bureau of Markets, are of no value, and by the way, I pause here long enough to remark that it is somewhat peculiar that this committee turned from the Tariff Commission to a bureau of another department of the Government to obtain its information on this bill and its arguments in favor of it. The table is worth nothing, so far as the 1⅛-inch cotton is concerned, because it deals with all long-staple cotton, which ranges from 1⅛-inch up. I think there were about 50,000 bales of 1⅛-inch cotton grown in the country in 1919 and probably 75,000 bales in 1920. The importations are something like 150,000 bales of 1⅛-inch cotton. Here is what I want to know. This next paragraph provides—and I ask the attention of the gentleman from North Dakota now—for an addition of 7 cents per pound to the duties now imposed upon manufactures of which cotton of the kind provided for, and so forth, is the component material of chief value. What will that do? What is the equivalent of that in ad valorem? Let me direct attention to another thing. It is said that there will be no changes in this bill either here or in the Senate. The same principle is carried out in paragraph 19 which provides for a compensatory duty upon wool and hair of the kind provided for in paragraph 18 except that you do not say there "manufactures of wool and hair." I assume that you intended to. I assume that if any attention had been given to these compensatory clauses at the time the bill was written you would have written both the same. I dare say that when they come to study the administrative features of this bill there will be changes in the compensatory provisions both of cotton and of wool. But may I ask now, what does that compensatory duty do?

Mr. GREEN of Iowa. Does the gentleman want an answer?

Mr. GARRETT of Tennessee. Yes.

Mr. GREEN of Iowa. It does not give the manufacturer sufficient compensation to make up for the duty imposed on the raw material, for the reason that there is a loss of somewhere from 10 to 20 pounds out of each hundred pounds in the raw cotton in its manufacture before it gets into the manufactured goods. Therefore there is not sufficient compensation to the manufacturer given by fixing the compensatory duty the same as on the raw cotton. The manufacturer gets a little the worst end of it.

Mr. GARRETT of Tennessee. That, I presume, is why the manufacturer wrote to the gentleman from Massachusetts [Mr. PAIGE], and why he had the letter read into the RECORD when this bill was up last sesson, that they would better close down their factories than to try to operate under the proposed law. What is it going to do to the consumer?

Mr. GREEN of Iowa. The consumer will never notice it. Does the gentleman have any idea how many yards of this material ordinarily is used in the manufacture of a tire?

Mr. GARRETT of Tennessee. Yes.

Mr. GREEN of Iowa. Then the gentleman would not have any idea that the consumer would notice it.

Mr. GARRETT of Tennessee. But it was put on for some purpose.

Mr. GREEN of Iowa. It was not put on on account of the consumer. The gentleman understands that.

Mr. GARRETT of Tennessee. Oh, of course it was not put on on account of the consumer; not at all. I am particularly interested, and that is why I say if there is a joker I would like to get the humor of it now before feeling the sting of it after it is consummated.

Mr. GREEN of Iowa. The gentleman will not find any joker——

Mr. GARRETT of Tennessee. Did the gentleman from Iowa consider this matter through the several graduations of duty imposed on cotton?

Mr. GREEN of Iowa. Yes.

Mr. GARRETT of Tennessee. Now, it begins with 8 per cent ad valorem. I believe that is the first duty laid upon any cotton written in the present existing law.

Mr. GREEN of Iowa. No; the gentleman is in error. It begins on cloth with 7½.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

17. Manufactures of which cotton of the kind provided for in paragraph 16 is the component material of chief value, 7 cents per pound, in addition to the rates of duty imposed thereon by existing law.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. I have before me the existing law. It begins with cotton thread and carded yarn; that is where it begins. The lowest duty is 5 per cent. Now, can the gentleman from Iowa inform me what under this specific duty that is levied will be equivalent in ad valorem?

Mr. GREEN of Iowa. If the gentleman had had anything to do with the cotton schedule he would know that it involves a long calculation——

Mr. GARRETT of Tennessee. Since I have had nothing to do with that I am asking the question, in my ignorance seeking enlightenment.

Mr. GREEN of Iowa. Nobody on earth can tell where it begins exactly. This long-staple cotton is used only in numbers beginning about 60, sometimes mixed in with shorter staples in No. 60 thread.

Mr. GARRETT of Tennessee. I know; but——

Mr. GREEN of Iowa. Then on up long staple goes to No. 200 thread, above which none is manufactured in this country.

Mr. GARRETT of Tennessee. I know cotton yarn is spun from roving, and I know that the Underwood bill begins to lay a duty on cotton yarns, and that the first duty it lays is 5 per cent. Then the duty is increased gradually under the compensatory theory upon scientific lines, just as they did in the Payne bill. It is gradually increased as it goes along. And what I am particularly anxious to know is, What this specific duty of 7 cents a pound means in ad valorem; that is, what will a duty of 5 per cent ad valorem on the first cotton thread defined in the Underwood bill amount to in this bill?

Mr. GREEN of Iowa. If the gentleman was acquainted with the cotton schedule at all——

Mr. GARRETT of Tennessee. Well, let us assume that I am not and that I am asking the gentleman how much it will amount to.

Mr. GREEN of Iowa. The kind of thread that takes that duty is not manufactured out of this kind of cotton, and it does not apply to that kind of yarn at all, except some coarse yarn of long staple may be used in tire fabrics.

Mr. GARRETT of Tennessee. It does not?

Mr. GREEN of Iowa. No.

Mr. GARRETT of Tennessee. Why did the gentleman bring in a report from the Bureau of Markets and put it before the House as a reason why this bill ought to pass? This report of the Bureau of Markets says this is one of the things in which it is used.

Mr. GREEN of Iowa. That is, when you get your No. 60 thread. The 5 per cent applies to numbers up to about 10, as I remember.

Mr. GARRETT of Tennessee. All right; we will pass that. Now, what would this apply to?

Mr. GREEN of Iowa. It would apply, if mixed in with other cotton, at about No. 60, and when you get up to No. 120 it is all made of long-staple cotton. Now, if the gentleman will permit, I will tell him something about this. The fine thread, the fine goods—goods some of them as long as this room in length would weigh a single pound—are made out of long-staple cotton.

Mr. GARRETT of Tennessee. Now, what is the ad valorem on that?

Mr. GREEN of Iowa. The long-staple cotton is sometimes mixed with the other cotton, just about No. 60, and when you get up to No. 120 it would all be long-staple cotton.

Mr. GARRETT of Tennessee. What is the ad valorem on that under the Underwood Act?

Mr. GREEN of Iowa. The Underwood Act does not go by even numbers all through. When you get up to No. 99 the rate is 27½ per cent ad valorem.

Mr. GARRETT of Tennessee. That would include this?

Mr. GREEN of Iowa. Yes.

Mr. GARRETT of Tennessee. What effect would the adding of 7 per cent a pound have on the ad valorem?

Mr. GREEN of Iowa. The yarn of that number would be worth about a dollar a pound, consequently 7 per cent would be ad valorem.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. I ask to proceed for five additional minutes.

Mr. YOUNG. I think the gentleman has already talked about 10 minutes.

The CHAIRMAN. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent to proceed for five minutes. Is there objection?

Mr. YOUNG. I think we will have to object. I move that all debate on this paragraph be now closed.

The motion was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

18. Wool, commonly known as clothing wool, including hair of the camel, angora goat, and alpaca, but not such wools as are commonly known as carpet wools: Unwashed, 15 cents per pound; washed, 30 cents per pound; scoured, 45 cents per pound. Unwashed wools shall be considered such as shall have been shorn from the animal without any cleaning; washed wools shall be considered such as have been washed with water only on the animal's back or on the skin; wools washed in any other manner than on the animal's back or on the skin shall be considered as scoured wool. On wool and hair provided for in this paragraph, which is sorted or increased in value by the rejection of any part of the original fleece, the duty shall be twice the duty to which it would otherwise be subject, but not more than 45 cents per pound.

Mr. COLLIER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLIER: Page 3, line 18, strike out paragraph 18.

Mr. COLLIER. Mr. Chairman, I am one of those who believe that wool should be upon the free list. Wool is the arch, the turret, and foundation stone of protection. It is the storm center of nearly every tariff bill, and it was the one upon which the Payne-Aldrich bill split and met its fate. This bill will not only largely increase the price of clothing to the American people by placing a tax of three times the amount of the tax on the raw wool but in addition, by reason of the fact that the finer wools, not being raised in this country, will seek that market which is not a protected one, our manufacturers will not have the selection of those wools.

Gentlemen, why is it that though this tax on wool increases the price to our manufacturers, yet every manufacturer who came before us did not ask, but demanded, this tax on wool? Why was the American manufacturer willing to be vexed with this tax and take his chances on getting the compensatory duty which you placed in section 19? How is such sacrifice, such generosity, to be explained? It is because there is an alliance between the woolgrower and the manufacturer, because everybody except the Republican majority know that the tax on agricultural products is nothing but a delusion and a sham.

My friend from Iowa [Mr. GREEN] is crying and begging for a tax on corn, when one year ago his own State of Iowa raised eleven times as many bushels of corn as have been imported into this country since the Civil War, a period of nearly 60 years. But the manufacturers know that if you destroy the link between agriculture and manufacture it can be done only in one way, and that is by placing wool on the free list.

I feel sorry for my friends from Texas and from the West who have invested their fortunes in sheep. But wool is merely a frontier proposition. We all know that the history of sheep growing in this country and in Europe bears out that statement. Why, at one time nearly all the sheep in the United States were in New England. Then Pennsylvania became the great sheep-raising State, but as the lands in Pennsylvania increased in value the sheep industry drifted westward, and Ohio and a few of the Central States became the great woolgrowing section of the United States. When the farmers found that by the enhanced value of their lands $40 or $50 could be made upon an acre, they were not willing to turn that land into sheep pastures. And in the far West now, in Wyoming, Montana, Utah, Texas, and Arizona, are the only large sheep-raising sections of this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. YOUNG. Mr. Chairman, I move that all debate upon this paragraph and all amendments close now.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. COLLIER].

Mr. BLACK. Mr. Chairman, I offer a preferential amendment.

The CHAIRMAN. The gentleman from Texas offers a preferential amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 3, line 20, after the word "wool" strike out the colon and all the remaining language in the paragraph and insert a comma and the following language, "20 per cent ad valorem."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Mississippi [Mr. COLLIER].

The question was taken and the amendment was rejected.

The Clerk read as follows:

19. Wool and hair of the kind provided for in paragraph 18, when advanced in any manner or by any process of manufacture beyond the washed or scoured condition, and manufactures of which wool or hair of the kind provided for in paragraph 18 is the component material of chief value, 45 cents per pound in addition to the rates of duty imposed thereon by existing law.

Mr. GARRETT of Tennessee. Mr. Chairman——

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill, if I can, about the effect of this particular compensatory duty as applied to existing law. I am sincerely anxious to know. May I ask, without giving offense, whether the committee made inquiry of the administrative branch of the Government as to whether or not the cotton section was workable in its compensatory feature?

Mr. GREEN of Iowa. I will say that we did.

Mr. GARRETT of Tennessee. I have understood there is extreme doubt as to the ability of administering this law, particularly that cotton section, because it is hard to determine how much that 1⅛ cotton is of just value, without tearing the goods all to pieces.

But, passing that—because I do not want to take up the time now in talking about that—I do want to know concerning this: The first duty in the Underwood Act begins with the top. That is the first process after the wool that is described here in section 18, as I understand. That duty is 8 per cent. I had it mixed up in my mind with the cotton duty a while ago. Now, the same complexity that exists, as I take it, in regard to wool tops does not exist in regard to the primary dutiable cotton schedule of the Underwood bill. In other words, there is an 8 per cent ad valorem duty on wool tops. Can the gentleman tell us how much this 45 cents a pound will make the total ad valorem duty?

Mr. GREEN of Iowa. If the gentleman could tell me the price per pound of wool to-day I could very easily make the calculation in my head, but unfortunately the price of wool has been dropping so fast that I could not give it to him.

Mr. GARRETT of Tennessee. Then there is no committee estimate, as I understand, on that question?

Mr. GREEN of Iowa. In percentages?

Mr. GARRETT of Tennessee. Yes.

Mr. GREEN of Iowa. Not that I know of, although the gentleman from Michigan [Mr. FORDNEY] may have made the calculation.

Mr. FORDNEY. I did not understand the question.

Mr. GARRETT of Tennessee. The primary thing dealt with by the Underwood bill from the dutiable standpoint is the wool top, on which a duty of 8 per cent ad valorem is placed.

Mr. FORDNEY. It is the first thing in the bill on which there is a duty. Everything before that is free.

Mr. GARRETT of Tennessee. Yes. You put a duty on raw wool. Then you add 45 cents per pound to the top by this section?

Mr. FORDNEY. Yes.

Mr. GARRETT of Tennessee. Now, can the gentleman tell the committee what that will probably make the total ad valorem duty on tops?

Mr. FORDNEY. No; I can not, offhand, but that is about the rate fixed in the Payne-Aldrich law; 11 cents on wool in the grease and 30 cents in the wash and 45 cents in the scoured, and so on.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. YOUNG. Mr. Chairman, I move that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from North Dakota moves that the debate on this paragraph and all amendments thereto close in five minutes. The question is on agreeing to that motion.

The motion was agreed to.

Mr. BLANTON. Mr. Chairman, I am not surprised that my good friend from Massachusetts [Mr. LUCE] does not object to this paragraph, although he has objected to some others. I imagine that we will not find him objecting to any paragraph that provides a duty on a manufactured article, either as to cotton or wool.

Why should there not be a duty on wool? Look at the record and see how many million pounds of wool came into this country during the four months of July, August, September, and October of 1920. There were 44,435,246 pounds from foreign countries, where they work peon labor to raise it.

I will tell you what is the opposition mainly to this farmers' bill. The brilliant orator from the great metropolis of this Nation gave the keynote yesterday, and he was aided and abetted in having it repeated by the gentleman from Massachusetts [Mr. LUCE] this morning. The gentleman from New York [Mr. COCKRAN] said that in the beginning of the last century there were just 30,000 people in New York, but now, he said, there were 6,000,000 people there, who were forced to gain a livelihood in the confines of that big city, and we must so arrange matters that they could obtain it easily. And this is done at the farmers' expense. And the gentleman from Massachusetts [Mr. LUCE] said, "How do you expect to put this duty on wheat unless you are going to raise the price of it to the consumer?"

It is the selfish interest of the consumer which has throttled the life out of the farmers of this country. I can not agree with my friend from Mississippi [Mr. COLLIER] when he says that the wool business is merely a frontier proposition. Let him get on any railroad train to-day from New York or Philadelphia or Pittsburgh or Chicago or St. Louis and look out of the car window, and as he passes through the various farms he will see here and there a little flock of sheep.

Almost every live, progressive farmer in this country has been forced to raise something besides crops in the ground. He has had to supplement them by raising some hogs and some chickens and a few cows and a few colts and some sheep for the market. He is directly affected by this 44,435,246 pounds of foreign wool that came into this country duty free in four months. Why should we not put a duty on wool? What is there in the Democratic platform that keeps a Democrat from putting wool on the dutiable list? Why should not 100,000,000 pounds of foreign wool annually raise revenue for us? Why should it not be one of the commodities to raise a part of the huge expenses of this country? We must raise part of the revenue at the custom-house. If we can do it on various manufactured articles in the Underwood tariff law under a Democratic régime, why can we Democrats not likewise put wool on the dutiable list and raise part of the revenue by a tariff on wool?

The CHAIRMAN. The time of the gentleman has expired. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

23. Milk, fresh, 2 cents per gallon; cream, 5 cents per gallon.

Mr. COCKRAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COCKRAN: Page 5, line 5, strike out lines 5 and 6.

Mr. COCKRAN. Mr. Chairman, I do not intend to obtrude myself again on the time of the committee further than to ask in all candor if the gentleman who is responsible for this legislation will explain the purpose of imposing a tax upon the food of the babies in our great cities? I understand the difficulties under which gentlemen on the other side are going through the form of performing their functions here. I understand that this bill, having already passed the Senate, all we have to do here is to say amen to the decree of the potentates at the other end of the Capitol. It may be that by reason of abdication by the House of its powers I must appeal through gentleman opposite to the forbearance of the Chamber at the other end of the Capitol, which constitutionally is supposed to have less to do with revenue than this body, and to ask them if they will not graciously spare the infant life of our great cities from this crushing burden upon the cost of maintaining it.

Mr. YOUNG. Mr. Chairman, the answer to the gentleman is this: He and some other gentlemen on that side of the aisle have constantly been talking about the consumers. Now, the gentleman forgets that practically every consumer in the United States is also a producer. The Republican Party stands for encouraging production in the United States and for having every workingman and every farmer busily and profitably engaged. [Applause.]

I move that all debate on the paragraph and amendments thereto be closed.

Mr. COCKRAN. Will not the gentleman allow me to ask him this question: Does he include the babies among the producers? [Laughter.]

Mr. YOUNG. If this bill passes——

Mr. COCKRAN. Then they will be, I suppose. [Laughter.]

Mr. YOUNG. If this bill passes, every baby in the United States will have a father who can have work to do and can be

engaged in profitable production, and then we will not have anybody here telling a poor story, as the gentleman has, and the gentleman from Boston [Mr. LUCE], about the consumers who are now idle and out of work and in distress.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. COCKRAN].

The question being taken, the amendment was rejected.

The Clerk read as follows:

24. Milk, preserved or condensed, sterilized by heating or other processes, including weight of immediate coverings, 2 cents per pound; sugar of milk, 5 cents per pound.

Mr. COCKRAN. Mr. Chairman, I move to strike out that paragraph.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COCKRAN: Page 5, line 7, strike out paragraph 24.

SEVERAL MEMBERS. Vote!

Mr. COCKRAN. Mr. Chairman, I merely want to say, with the permission of the courteous gentlemen who cry "Vote," that the startling announcement is now made on behalf of the Committee on Ways and Means that the babies of our great cities shall also be subjected to the crushing burden of this bill, on the ground that by operation of this statute their parents will be in a better position to furnish them with milk. That is to say, the more expensive you make milk, the easier it will be to get it; the more you promote scarcity, the better opportunity there will be for abundance.

Mr. YOUNG. No; the better job they have, the better chance they will have to buy the milk that is needed for their babies.

Mr. COCKRAN. The "better job" you are providing for them will swell the numbers in the lines which will stand in front of the soup houses, while greatly increasing the difficulty of doing anything for their relief.

Mr. MORGAN. Will the gentleman yield?

Mr. COCKRAN. With great pleasure.

Mr. MORGAN. I should like to inquire if the present suffering of the babies to which the gentleman refers is not largely the result of the Underwood tariff law? [Applause.]

Mr. COCKRAN. A question so preposterous as that does not, perhaps, need an answer, but I would remind the gentleman that since the passage of the Underwood law so momentous an event as the greatest war in history has occurred, and the greatest destruction of property that ever was known has been the result of that war. The scarcity of materials created by that destruction is causing enhanced prices and bringing want to the doors of the cottages that shelter American labor in every section of this country, a condition that was described by the gentleman from Massachusetts [Mr. LUCE] this morning. This scarcity you now propose to reduce and remedy by increasing it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 5. That this title shall be cited as the "Emergency tariff act."

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. For the benefit of Members who are making inquiry of me, I would like to ask the gentleman from Michigan if he means to conclude the bill this evening?

Mr. YOUNG. We do.

Mr. GARRETT of Tennessee. Is it the purpose of the gentleman to carry this matter further than the previous question?

Mr. YOUNG. Yes; we want to pass it and get it over to the Senate just as soon as possible.

Mr. FORDNEY. So that we can adjourn over until Monday.

The Clerk read as follows:

SEC. 214. That section 25 of an act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, be, and is hereby, amended by adding thereto a further proviso, so as to read, when so amended, as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury immediately after the passage of this act and thereafter quarterly on the 1st day of January, April, July, and October in each year. And the values so proclaimed shall be followed in estimating the value of all foreign merchandise exported to the United States during the quarter for which the value is proclaimed, and the date of the consular certification of any invoice shall, for the purposes of this section, be considered the date of exportation: *Provided*, That the Secretary of the Treasury may order the reliquidation of any entry at a different value whenever satisfactory evidence shall be produced to him showing that the value in United States currency of the foreign money specified in the invoice was at the date of certification at least 10 per cent more or less than the value proclaimed during the quarter in which the consular certification occurred: *Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent."

Mr. CAREW. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 16, line 3, strike out all after the word "occurred" and insert a period, and strike out lines 4, 5, 6, and 7.

Mr. CAREW. Mr. Chairman and gentlemen of the committee, the gentleman from Connecticut [Mr. TILSON] was put forward yesterday afternoon, so he said, by the chairman of the Ways and Means Committee to explain and defend and, if he could, justify the provision which I have moved to strike out. That is the provision at the end of this bill which provides that no matter what the depreciation may be in the value of foreign money according to the exchange, the depreciation shall never be reckoned at more than 66⅔ per cent of its par by the Secretary of the Treasury.

The distinguished gentleman from Ohio [Mr. LONGWORTH] admitted to the gentleman from Texas [Mr. GARNER] that the effect of this is to raise the tariff upon articles imported from Germany, for instance, which were subject to an ad valorem rate by approximately 400 per cent. The gentleman from Connecticut did not make any such admission. I do not believe that the gentleman from Connecticut would make such an admission. We who sat at the table on this side listened with a great deal of care and attention to the statement made by the gentleman from Connecticut. We were prepared at that time, if the gentleman from Connecticut could convince us that we were in error, to withdraw our opposition to this provision. We have carefully analyzed the statement that he made, and the more we have reflected upon it, the more we have analyzed it, the stronger has been our conviction that this provision is absolutely unwarranted on the facts as they really are.

The gentleman from Connecticut said that it was designed to provide for the difference between the exchange value of the mark and the mark value at home in Germany, and he said that difference was the difference between approximately 2 cents and 7 cents. Now, my friends, the first question I want to present to the gentleman from Connecticut is this: He ought not to have contrasted the exchange value of the mark with the home purchasing power of the mark in Germany of home commodities in Germany. In the first place, I do not agree with him that the mark in Germany for purposes of home consumption is worth 7 cents. The mark at home in Germany is not worth any more than it is in the exchange of the world, 1.6 cents, and you could not buy a pretzel with it in Germany. But even if there were a difference in the home purchasing power of the mark in Germany and its value in the exchange of the world, that is not the difference he should have addressed himself to. He should have addressed himself to the difference, if there is any difference, between the value of the mark on the exchange of the world and the value of the mark in the purchasing of exports from Germany, because that is what he seeks to protect us against.

We on the Democratic side of the aisle are just as anxious as the gentleman is to see that every dollar due under the Underwood tariff is collected, and if it is not being collected we will join hands with him and help to devise ways and means by which it may be collected. The mark in Germany for purposes of export purchases is not worth 7 cents. It is worth only 1.6 cents. This has all been thrashed out in our committee. The present Assistant Secretary of the Treasury, Mr. Kelly, came before our committee, and he squarely said, and in it he was backed up by the present Chief of Customs Division of the Treasury Department and also by other customs officials, that the mark at home in Germany had fallen down to the same value that it had fallen on the exchanges of the world, and that you could not buy any more with a mark in Germany than you could buy with 1.6 cents. The statement that there is a difference between the purchasing power of the mark for exports from Germany and the purchasing power of the mark on the exchanges of the world is absolutely not so. Not only that but it is preposterously absurd. Think of what it means. The gentleman from Connecticut [Mr. TILSON] says that he can buy marks here in the United States for 1.6 cents each and go to Germany and that they are worth there 7 cents. The gentleman from Ohio [Mr. LONGWORTH] has a great deal of information about the internal condition of Germany. He tells us that there are immense stocks of chemicals and dyes over there ready for dumping on this or any other market that is available. Do you not suppose if we could buy marks for 1.6 cents each and go into Germany and find them there worth 7 cents that there would be a great deal of business done in what would seem to be the very profitable speculation because of that fact? Enough to equalize the values at once?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CAREW. Mr. Chairman, I ask unanimous consent that I may proceed for three minutes more.

Mr. COLLIER. Mr. Chairman, I ask unanimous consent that the time of the gentleman from New York be extended for five minutes.

Mr. YOUNG. Mr. Chairman, I move that all debate upon this paragraph and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. CAREW. Mr. Chairman, not only did the Secretary the Treasury and the Chief of the Customs Division come before our committee to give the testimony I have just related, but every member of our committee received a letter from the great merchandising firm of Marshall Field & Co., of Chicago, in respect to the matter, and they say precisely the same as does the present Assistant Secretary of the Treasury. They say that the mark in Germany has fallen just as low as the mark has fallen on the exchanges of the world, and that when they go there they have to pay a great many more marks than they were formerly compelled to pay, and that when it is all figured up in American dollars it is at least equal to what they had to pay before the war, and in many instances a great deal more. I have here an extract which I have taken from the letter which that firm sent to me, which I insert with my remarks, without objection, instead of taking the time to read it.

Invoices of Marshal Field & Co.

Department.	Description.	Country.	1914		
			Foreign price.	Rate.	Amount.
			Marks.		
15	Cotton hose	Germany	8.40	$0.24	$2.02
15	....do	...do	8.80	.24	2.11
15	....do	...do	6.20	.24	1.49
15	....do	...do	8.40	.24	2.02
15	....do	...do	5.60	.24	1.34

Department.	Description.	Country.	1920		
			Foreign price.	Rate.	Amount.
			Marks.		
16	Ladies' cotton chamois suede gloves	Germany	5.00	$0.24	$1.20
16	....do	...do	8.75	.24	2.10
16	Ladies' cotton lisle suede gloves	...do	5.50	.24	1.32
16	....do	...do	9.00	.24	2.16
16	Ladies' cotton lisle chamoisette gloves.	...do	4.75	.24	1.14
16	....do	...do	9.40	.24	2.26
19	Ladies' lamb 16-button overseam	...do	50.00	.24	12.00
19	Ladies' real 2-clasp overseam	...do	24.00	.24	5.75
41	Toys	...do	9.75	.24	2.34

Department.	Description.	Country.	1921		
			Foreign price.	Rate.	Amount.
			Marks.		
15	Cotton hose	Germany	195.00	$0.015	$2.93
15	....do	...do	225.00	.015	3.38
15	....do	...do	220.00	.015	3.30
15	....do	...do	290.00	.015	4.35
15	....do	...do	195.00	.015	2.93
16	Ladies' cotton chamois suede gloves	...do	160.00	.01½	2.40
16	....do	...do	350.00	.01½	5.25
16	Ladies' cotton lisle suede gloves	...do	160.00	.01½	2.40
16	....do	...do	350.00	.01½	5.25
16	Ladies' cotton lisle chamoisette gloves.	...do	225.00	.01½	3.38
16	....do	...do	400.00	.01½	6.00
19	Ladies' lamb 16-button overseam	...do	1,424.00	.015	21.36
19	Ladies' real 2-clasp overseam	...do	800.00	.015	12.00
41	Toys	...do	232.50	.015	3.49

As I reflected upon this proposition I thought at first that this provision is included here because of the extreme gullibility of my friends on the Republican side, but on second thought I knew that it can be nothing more than simply another example of the avidity with which they grab hold of any sort of pretext to raise tariffs on imports. My dear friend, the chairman of this committee, for whom I have more affection than for any other man in this House, stood here a little more than a month ago and avowed his absolute and sublime faith in the proposition that a tariff on imports would be the means of reducing the price to the consumer. At the time that he said that I felt like asking him if he still believed in Santa Claus, but my respect for his gray hairs prevailed and I did not do so. This proposition is absolutely indefensible. Germany is on her back, helpless, bound, the heel of the conquerer is upon her face. You are raising the duties on her exports over 400 per cent. You are raising the duty upon exports from Austria 2,000 per cent, and you are raising the duties on exports from Russia 4,000 per cent. If you want to do that, why do you not have the courage to come out and do it openly, instead of doing it by this subtle, covert device. [Applause on the Democratic side.]

You want to declare peace with Germany and at the same time make it impossible to have commercial relations with her; make it impossible for her ever to come back.

Mr. LONGWORTH. Mr. Chairman, I undertook yesterday to explain this provision, and for the benefit of those who possibly were not here yesterday allow me to repeat in part what I said. It is true, as the gentleman from New York says, and as I said yesterday, that this provision will make a duty 400 per cent higher, approximately, than the present duty on German goods would be if they were permitted to value their goods at the actual exchange value of the mark. But note this, that they would have to be more than 900 per cent higher than they now are if they were to equal the duty imposed in the Underwood law. Under our present system of foreign valuation, where you admit for valuation purposes the total depreciation rate of exchange, Germany's goods to-day are 90 per cent off. For instance, if you have a duty in the Underwood law of 40 per cent on certain goods imported from Germany, and if the importers are permitted to value their article for export at the mark rate of less than 2 cents, you automatically reduce your duty 90 per cent. In other words, the 40 per cent duty becomes 5 per cent. That is all there is to this proposition.

Mr. YOUNG. Will Germany under this bill have to pay a higher duty on her goods in the United States than Great Britain?

Mr. LONGWORTH. She will not have to pay anywhere nearly as high a duty under this provision. Under this the value of the mark would be about 8 cents. In other words, Germany would have to pay under this proposition less than 20 per cent on an actual ad valorem of 40 per cent. It is all very well, gentlemen, to talk about Germany being flat on her back; but Germany has been the world's premier producer of all sorts of chemicals for the last 30 years. Not a German factory was damaged during the war. Not a German workman or chemist in those factories was drafted into the army, and those factories to-day are running full time, and they are larger and more highly organized than ever before. Millions upon millions of pounds of chemicals, to compete with the products of our chemical factories here, are ready for shipment, and you propose to let them in at 90 per cent below even the paltry Underwood duty. I believe in protecting the chemical industry of the United States, the bedrock of preparedness for war, and if we do not do something like this we leave our markets at the mercy of Germany.

When I said yesterday that I did not think that this provision was of much importance, it was only because I hope that this provision will not be in existence for much more than a month. I hope we are going to be able to report to this House and pass within a month, and have speedily passed in the Senate, a provision providing a valuation based on the American value of goods, so that we will not be the victims of these low rates of exchange. [Applause on the Republican side.] That is the reason I criticize gentlemen who voted for it before, who voted for both the emergency tariff and antidumping bill before, and who now base their opposition to this bill on the flimsy excuse that this particular proposition is a "joker." It is too absurd to talk about and does not reflect great credit on their consistency or statesmanship.

Mr. FESS. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. FESS. I am greatly and I think the whole House has been greatly illuminated by the gentleman's statement, because I have been somewhat under a misapprehension. Is it not true that the gentleman's argument is that instead of paying 400 per cent additional it is an argument to cut this out and make it 900 per cent?

Mr. LONGWORTH. Precisely, if I interpret correctly my colleague's query. Without the 66⅔ per cent provision the actual duty paid on German importations subject to an ad valorem duty would be 90 per cent less than the duty provided in the Underwood law. Even with it it will be less by more than 50 per cent. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORDNEY. Mr. Chairman, in reply to some statements made by some of our friends on the opposite side I want to read from an article in the Washington Times of this afternoon:

After a bitter debate the Chamber of Deputies yesterday voted by an overwhelming majority in favor of a 50 per cent tax on German exportations. The vote was 383 to 77.

That is about the division here to-day.

The opponents put up a stubborn battle against the tax on the ground that France needs Germany's products, and that by such a formidable tax the French people were indirectly paying the German war debt.

That is the argument used by our Democratic friends against this bill, word for word. I yield the balance of my time to the gentleman from Connecticut [Mr. TILSON].

Mr. TILSON. Mr. Chairman, is there any time left.

The CHAIRMAN. One minute.

Mr. TILSON. Mr. Chairman, I showed yesterday by reliable information, not partisan in character, not even national, but international information, how the depreciated currency in Germany works. Taking 11 trades in Germany and the corresponding trades in this country, I showed that whereas in this country the workmen receive at least $30 on the average per week, in Germany in the same trades, reckoned at the present exchange rate of the mark, the German workmen receive only $3.47 per week.

To claim that this is their actual wage in purchasing power is absurd. What actually happens is that when the workman's wage is reduced to terms of living expenses he actually receives in rent, food, clothing, and other necessities a higher return for his marks than the exchange rate. I figure, upon the best information available, that what he actually receives is about an 8-cent mark. I also showed, Mr. Chairman, that even if there were the increase of duty of 300 or 400 per cent claimed by the gentleman from New York [Mr. CAREW], even this enormous increase would not bring the duty anything like up to the rate of the Underwood tariff.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAREW. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended one minute.

Mr. YOUNG. Debate is closed by order of the committee.

The CHAIRMAN. Objection is made.

Mr. CAREW. The gentleman did not object. He called attention to an order of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CAREW].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Texas [Mr. CONNALLY] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 16, line 7, after the words "per centum," add the following:

"*Provided*, That in any case in which any American farm product or products may be exported to a foreign country and are bartered or exchanged for goods produced in such foreign country, such foreign goods upon importation into the United States shall not be subject to the operation of the last preceding proviso but shall be valued as otherwise provided by law."

Mr. LONGWORTH. Mr. Chairman, I make the point of order that under paragraph 3 of Rule XXI that is entirely new matter.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CONNALLY of Texas. What is the point?

The CHAIRMAN. That it is a violation of paragraph 3, Rule XXI.

Mr. CONNALLY of Texas. That it is not germane?

The CHAIRMAN. That it violates the rule.

Mr. CONNALLY of Texas. In what respect? Unless the Chair knows what the point of order is, I can not address myself to the point of order.

The CHAIRMAN. The Chair assumes that the gentleman from Texas is familiar with it.

Mr. CONNALLY of Texas. Is it on the ground that it is not germane to the subject matter of the bill?

The CHAIRMAN. That it is not germane to the paragraph in question.

Mr. CONNALLY of Texas. Well, now, if the Chair please, I would like to be heard on that.

Mr. LONGWORTH. This applies to certain products exported abroad. It does not in any way relate to this proviso. It is entirely a new question. The bill has to do with imports entirely and not exports.

The CHAIRMAN. The Chair sustains the point of order and does not care to hear anything on the point of order. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. YOUNG. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CAMPBELL of Kansas, Chairman of the Committee of the Whole House, reported that that committee, having had under consideration the bill H. R. 2435, imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, had directed him to report the same to the House without amendment, with the recommendation that the bill do pass.

Mr. YOUNG. Mr. Speaker, I move the previous question on the bill to final passage.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. GARNER. Mr. Speaker, I desire to make a motion to recommit.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

Mr. GARNER. I will state the motion. I do not have it in writing. I move to recommit the bill to the Committee on Ways and Means, with instructions to report forthwith an amendment striking out, on page 16, lines 3, 4, 5, 6, and 7, reading as follows:

Provided further, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent.

Mr. LONGWORTH. Will the gentleman yield? Would it not be more workmanlike to move to strike out the entire section? By your amendment it is simply a reenactment of the existing law.

Mr. GARNER. I think this brings the issue clearly before the House and emphasizes our position.

Mr. LONGWORTH. I see.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. GARNER moves to recommit the bill to the Committee on Ways and Means, with instructions to that committee to report the bill forthwith with the following amendment:

On page 16, line 3, after the word "occurred," strike out the following:

"*Provided further*, That in the estimation and liquidation of duties upon any imported merchandise the collector of customs, or person acting as such, shall not in any case estimate the depreciation in currency at more than 66⅔ per cent."

Mr. YOUNG. Mr. Speaker, on that I move the previous question.

The SPEAKER. On that the gentleman from North Dakota moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

Mr. GARNER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. On that the yeas and nays are demanded.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor, of the motion to recommit will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 118, nays 265, not voting 42, as follows:

YEAS—118.

Almon	Crisp	Jacoway	Overstreet
Ansorge	Cullen	James, Va.	Padgett
Aswell	Davis, Tenn.	Johnson, Miss.	Park, Ga.
Bankhead	Deal	Jones, Tex.	Parks, Ark.
Barkley	Dominick	Keller	Parrish
Bell	Drane	Kincheloe	Pou
Black	Drewry	Kindred	Quin
Bland, Va.	Driver	Kitchin	Rankin
Blanton	Dupré	Kunz	Rayburn
Bowling	Fields	Lanham	Riordan
Box	Fisher	Lankford	Rouse
Brand	Flood	Larsen, Ga	Ryan
Briggs	Fulmer	Lea, Calif.	Sabath
Brinson	Garner	Lee, Ga.	Sanders, Tex.
Buchanan	Garrett, Tenn.	Linthicum	Sandlin
Bulwinkle	Garrett, Tex.	Logan	Sears
Byrnes, S. C.	Gilbert	London	Siegel
Byrns, Tenn.	Goldsborough	Lowrey	Smithwick
Campbell, Pa.	Griffin	Lyon	Steagall
Cantrill	Hammer	McClintic	Stedman
Carew	Hardy, Tex.	McDuffie	Stevenson
Carter	Harrison	McSwain	Stoll
Cockran	Hawes	Montague	Sullivan
Collier	Hayden	O'Brien	Sumners, Tex.
Collins	Huddleston	Oldfield	Swank
Connally, Tex.	Humphreys	Oliver	Tague

Taylor, Colo.	Tyson	Ward, N. C.	Wise
Ten Eyck	Upshaw	Weaver	Wright
Thomas	Vinson	Wilson	
Tillman	Volk	Wingo	

NAYS—265.

Ackerman	Favrot	Langley	Roach
Anderson	Fenn	Larson, Minn.	Robertson
Andrews	Fess	Lawrence	Robsion
Anthony	Fish	Lazaro	Rodenberg
Appleby	Fitzgerald	Leatherwood	Rogers
Arentz	Focht	Lee, N. Y.	Rose
Atkeson	Fordney	Lehlbach	Rosenbloom
Bacharach	Foster	Linebergei	Rossdale
Barbour	Frear	Little	Sanders, Ind.
Beck	Free	Longworth	Sanders, N. Y.
Beedy	Freeman	Luce	Schall
Begg	French	Lufkin	Scott, Tenn.
Benham	Frothingham	McArthur	Shaw
Bird	Fuller	McCormick	Shelton
Bixler	Funk	McLaughlin, Nebr.	Sinclair
Bland, Ind.	Gahn	McLaughlin, Mich.	Sinnott
Boies	Gensman	McLaughlin, Pa.	Slemp
Bond	Gernerd	McPherson	Smith
Bowers	Glynn	MacGregor	Snell
Brennan	Good	Madden	Speaks
Brooks, Pa.	Goodykoontz	Magee	Sproul
Brown, Tenn.	Gorman	Maloney	Stafford
Browne, Wis.	Graham, Ill.	Mann	Steenerson
Burdick	Green, Iowa	Mapes	Stephens
Burke	Greene, Mass.	Martin	Stiness
Burroughs	Greene, Vt.	Merritt	Strong, Kans.
Burtness	Griest	Michaelsor	Strong, Pa.
Butler	Hadley	Michener	Summers, Wash.
Cable	Hardy, Colo.	Miller	Sweet
Campbell, Kans.	Haugen	Mills	Swing
Cannon	Hawley	Millspaugh	Taylor, N. J.
Chalmers	Herrick	Mondell	Taylor, Tenn.
Chandler, N. Y.	Hersey	Montoya	Temple
Chandler, Okla.	Hickey	Moore, Ill.	Thompson
Chindblom	Hicks	Moore, Ohio	Tilson
Christopherson	Hill	Morgan	Timberlake
Clague	Himes	Morin	Tincher
Clark, Fla.	Hoch	Mott	Tinkham
Clarke, N. Y.	Houghton	Murphy	Towner
Classon	Hudspeth	Nelson, A. P.	Treadway
Clouse	Hukriede	Nelson, J. M.	Underhill
Cole	Hull	Newton, Minn.	Valle
Colton	Husted	Newton, Mo.	Vare
Connell	Hutchinson	Ogden	Vestal
Connolly, Pa.	James, Mich.	Olpp	Voigt
Cooper, Ohio	Jefferis	Osborne	Volstead
Cooper, Wis.	Johnson, S. Dak.	Paige	Walsh
Copley	Johnson, Wash.	Parker, N. J.	Walters
Coughlin	Jones, Pa.	Parker, N. Y.	Ward, N. Y
Cramton	Kahn	Patterson, Mo.	Wason
Curry	Kearns	Patterson, N. J.	Watson
Dale	Kelley, Mich.	Perkins	Webster
Dallinger	Kelly, Pa.	Perlman	Wheeler
Darrow	Kendall	Peters	White, Kans.
Dempsey	Kennedy	Petersen	White, Me.
Denison	Ketcham	Pringey	Williams
Dickinson	King	Purnell	Williamson
Dowell	Kinkaid	Radcliffe	Winslow
Dunbar	Kirkpatrick	Ramseyer	Wood, Ind.
Dunn	Kissel	Ransley	Woodruff
Dyer	Kleczka	Reavis	Wurzbach
Echols	Kline, N. Y.	Reber	Wyant
Elliott	Kline, Pa.	Reece	Young
Ellis	Knutson	Reed, N. Y.	Zihlman
Elston	Kopp	Reed, W. Va.	
Fairfield	Kraus	Rhodes	
Faust	Lampert	Ricketts	

NOT VOTING—42.

Blakeney	Gallivan	Luhring	Porter
Britten	Gould	McFadden	Rainey, Ala.
Brooks, Ill.	Graham, Pa.	McKenzie	Riddick
Burton	Hays	Mansfield	Scott, Mich.
Codd	Hogan	Mason	Shreve
Crowther	Ireland	Moore, Va.	Snyder
Davis, Minn.	Johnson, Ky.	Moores, Ind.	Woods, Va.
Doughton	Kiess	Mudd	Woodyard
Edmonds	Knight	Nolan	Yates
Evans	Kreider	Norton	
Fairchild	Layton	O'Connor	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. GALLIVAN (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. JOHNSON of Kentucky (for) with Mr. DAVIS of Minnesota (against).

Mr. WOODS of Virginia (for) with Mr. EDMONDS (against).

Until further notice:

Mr. BROOKS of Illinois with Mr. MANSFIELD.

Mr. MUDD with Mr. RAINEY of Alabama.

Mr. NOLAN with Mr. MOORE of Virginia.

Mr. GOULD with Mr. O'CONNOR.

Mr. KIESS with Mr. DOUGHTON.

After the Clerk had concluded the calling of the roll the second time:

Mr. YOUNG. Mr. Speaker, I am informed that the bells over in the House Office Building were not in working condition this afternoon and did not ring for this roll call; and in view of that fact I ask unanimous consent that all who are now present desiring to vote may be permitted to do so.

The SPEAKER. The gentleman asks unanimous consent, on account of the bells not ringing in the House Office Building, that all gentlemen now present be allowed to vote. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, in view of the peculiar situation I am very reluctant to make objection. My recollection is that this question arose before, some four years ago, and that the Speaker decided that this could not be done.

Mr. MANN. I am not sure about it, but my recollection is that we allowed it and that it was done.

Mr. BUTLER. Yes. I know the bells did not ring.

Mr. RAYBURN. Reserving the right to object, I want to interrogate the gentleman from Illinois [Mr. MANN]. Is he quite certain that it was not decided the other way?

Mr. MANN. I am not certain either way. I said my recollection was that the House gave the consent.

Mr. RAYBURN. My recollection is that we did not give the consent and that the specific question was decided in that way. Of course, I will not object.

Mr. FAIRCHILD. My recollection is that the consent was given, for I voted under those conditions.

Mr. PADGETT. Upon one occasion I made the request myself, under similar circumstances, and the House did grant unanimous consent and the Members voted on the measure; but there was no controversy over the question and nearly everybody voted the same way.

Mr. RAYBURN. Are the bells in the House Office Building not ringing?

Mr. TEMPLE. They are not.

Mr. RAYBURN. Further reserving the right to object, I am not going to object this time, but I will object the next time.

Mr. MANN. Everybody over there has been notified personally, but not in time to reach the floor of the House during the roll call.

Mr. RAYBURN. I am not going to object this time, but I shall not allow another request like this to be agreed to if I am here.

The SPEAKER. Is there objection?

There was no objection.

The Clerk recorded the names of Members present who desired to vote.

The result of the vote was announced as above recorded.

The SPEAKER. The motion to recommit is not agreed to. The question is on the passage of the bill.

Mr. YOUNG. Mr. Speaker, on the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered.

IMMIGRATION AND NATURALIZATION.

Mr. MONDELL. Mr. Speaker, pending the taking of the vote on the passage of the tariff bill, I ask unanimous consent to make a brief statement.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. MONDELL. It will be necessary to meet to-morrow in order to receive a report from the Committee on Immigration and Naturalization, but a motion to adjourn will be made immediately upon the receipt of that report.

Mr. GARRETT of Tennessee. Mr. Speaker, how can the Committee on Immigration and Naturalization report, when the making up of that committee has not been completed?

Mr. MONDELL. The majority members have been appointed. The minority has not appointed its members of that committee.

Mr. JOHNSON of Washington. Mr. Speaker, an understanding was entered into that certain members of the minority formerly on the Committee on Immigration and Naturalization should act with the committee. The division comes on that bill for and against it, and is not a strict party division.

Mr. GARRETT of Tennessee. Mr. Speaker, the minority have moved with all diligence, as rapidly as they could, to complete the making up of this committee. The program of legislation was given out. It is not right, it is not proper, for that committee to report until the minority members have been appointed.

Mr. JOHNSON of Washington. Will that be this year, or when?

Mr. GARRETT of Tennessee. I repeat, the minority committee which makes up the committees has moved as rapidly as it is possible, and faster, as far as I know, than it has ever done. We have met here repeatedly at special sessions and waited weeks and sometimes months for making up the committees. I protest now against any report being received, and it will require a quorum to receive any such report.

Mr. GARNER. May I have the ear of the gentleman from Wyoming? It is the hope of the minority to report their members of the committees for nomination and election on Monday morning. It will be impossible for us to do so to-morrow. It will only take one more day, with reference to the report of the Immigration Committee, and I want to suggest that you let this matter go over until Monday.

Mr. MONDELL. Mr. Speaker, the minority were informed that this committee was ready to do business, and asked for the names of the other members of the committee.

Mr. CRISP. Who received that information?

Mr. MONDELL. I think the chairman of the committee.

Mr. CRISP. I happen to be on the committee, and this is the first intimation I have had.

Mr. JOHNSON of Washington. I have spoken to the gentleman from Texas and the gentleman from Tennessee. I was unable to meet the gentleman from North Carolina, but the agreement was made that the prospective members of the committee should sit with the subcommittee, and they have been protected.

Mr. GARRETT of Tennessee. Mr. Speaker, I entered into no such agreement as that myself. I had no authority to do so. It was a matter whether they wanted to sit or not. I did not know whether they would be back on the committee or not.

Mr. VAILE. Would the gentleman contend that the minority could delay legislation for a whole session?

Mr. GARRETT of Tennessee. Oh, no; I make no such contention. The minority has never tried to delay immigration legislation. Once before legislation of great importance was forced on the House without giving the minority a day in which to formulate the committee. You have undertaken to lay down the rules under which the minority members shall be appointed to committees, and now you undertake to say that you will report legislation before the minority has a decent opportunity to formulate its committee. We are not trying to delay legislation; we are moving in good faith.

Mr. MONDELL. Mr. Speaker, the majority does not intend to be lectured by the gentleman from Tennessee. When his party was in the majority they compelled us to submit our committee lists for their inspection.

Mr. MANN. That is true, because I submitted the list.

Mr. GARNER. May I have the attention of the gentleman from Wyoming?

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

EMERGENCY TARIFF.

The SPEAKER. The regular order is demanded. The question is on the passage of the bill.

The question was taken; and there were—yeas 269, nays, 110, answered "present" 2, not voting 44, as follows:

YEAS—269.

Ackerman	Connolly, Pa.	Goodykoontz	Knutson
Anderson	Cooper, Ohio	Gorman	Kopp
Andrews	Cooper, Wis.	Graham, Ill.	Kraus
Anthony	Copley	Green, Iowa	Lampert
Appleby	Coughlin	Greene, Mass.	Langley
Arentz	Cramton	Greene, Vt.	Lankford
Atkeson	Curry	Griest	Larson, Minn.
Bacharach	Dale	Hadley	Lawrence
Beck	Dallinger	Hardy, Colo.	Lazaro
Beedy	Darrow	Haugen	Lea, Calif.
Begg	Deal	Hawley	Leatherwood
Benham	Dempsey	Hays	Lee, N. Y.
Bird	Denison	Herrick	Lehlbach
Bixler	Dickinson	Hersey	Lineberger
Blakeney	Dowell	Hickey	Little
Bland, Ind	Dunbar	Hicks	Longworth
Blanton	Dunn	Hill	Lufkin
Boies	Dupré	Himes	McArthur
Bond	Dyer	Hoch	McCormick
Bowers	Echols	Houghton	McLaughlin, Mich.
Brennan	Elliott	Hudspeth	McLaughlin, Nebr.
Brooks, Pa.	Ellis	Hukriede	McLaughlin, Pa.
Brown, Tenn.	Elston	Hull	McPherson
Browne, Wis.	Fairfield	Husted	MacGregor
Burdick	Faust	Hutchinson	Madden
Burroughs	Favrot	James, Mich.	Magee
Burtness	Fenn	Jefferis	Maloney
Butler	Fess	Johnson, S. Dak.	Mann
Cable	Fish	Johnson, Wash.	Mapes
Campbell, Kans.	Fitzgerald	Jones, Pa.	Martin
Campbell, Pa.	Focht	Jones, Tex	Merritt
Cannon	Fordney	Kahn	Michaelson
Chalmers	Foster	Kearns	Michener
Chandler, N. Y.	Frear	Kelley, Mich.	Miller
Chandler, Okla.	Free	Kelly, Pa.	Mills
Chindblom	Freeman	Kendall	Millspaugh
Christopherson	French	Kennedy	Mondell
Clague	Frothingham	Ketcham	Montoya
Clark, Fla.	Fuller	King	Moore, Ill.
Clarke, N. Y.	Funk	Kinkaid	Moore, Ohio.
Classon	Gahn	Kirkpatrick	Morgan
Clouse	Gensman	Kissel	Morin
Cole	Gernerd	Kleczka	Mott
Colton	Glynn	Kline, N. Y.	Murphy
Connell	Good	Kline, Pa.	Nelson, A. P.
Nelson, J. M.	Reece	Snell	Vestal
Newton, Minn.	Reed, N. Y.	Speaks	Voigt
Newton, Mo.	Reed, W. Va.	Sproul	Volstead
Norton	Rhodes	Steenerson	Walsh
Ogden	Ricketts	Stephens	Walters
Olpp	Roach	Stiness	Ward, N. Y.
Osborne	Robertson	Strong, Kans.	Wason
Paige	Robsion	Strong, Pa.	Watson
Parker, N. J.	Rogers	Summers, Wash.	Webster
Parker, N. Y.	Rose	Sweet	Wheeler
Parrish	Rosenbloom	Swing	White, Kans.
Patterson, Mo.	Rossdale	Taylor, Colo.	White, Me.
Patterson, N. J.	Sanders, Ind.	Taylor, N. J.	Williams
Perkins	Sanders, N. Y.	Taylor, Tenn.	Williamson
Peters	Schall	Temple	Winslow
Petersen	Scott, Tenn.	Thompson	Wood, Ind.
Pringey	Shaw	Tilson	Woodruff
Purnell	Shelton	Timberlake	Wurzbach
Radcliffe	Sinclair	Tincher	Wyant
Ramseyer	Sinnott	Towner	Young
Ransley	Slemp	Treadway	
Reavis	Smith	Vaile	
Rebet	Smithwick	Vare	

NAYS—110.

Almon	Drane	Lee, Ga.	Sanders, Tex.
Ansorge	Drewry	Linthicum	Sandlin
Aswell	Driver	Logan	Sears
Bankhead	Fields	London	Siegel
Barkley	Fisher	Lowrey	Stafford
Bell	Flood	Luce	Stedman
Black	Fulmer	Lyon	Stevenson
Bland, Va.	Garner	McClintic	Stoll
Bowling	Garrett, Tenn.	McDuffie	Sullivan
Box	Garrett, Tex.	McSwain	Sumners, Tex.
Brand	Gilbert	Montague	Swank
Briggs	Goldsborough	O'Brien	Tague
Brinson	Griffin	O'Connor	Thomas
Buchanan	Hammer	Oldfield	Tillman
Bulwinkle	Hardy, Tex.	Oliver	Tinkham
Byrnes, S. C.	Harrison	Overstreet	Tyson
Byrns, Tenn.	Hawes	Padgett	Underhill
Cantrill	Hayden	Park, Ga.	Upshaw
Carew	Huddleston	Parks, Ark	Vinson
Carter	Humphreys	Perlman	Volk
Cockran	James, Va.	Pou	Ward, N. C.
Collier	Johnson, Miss.	Quin	Weaver
Collins	Keller	Rankin	Wilson
Connally, Tex.	Kincheloe	Rayburn	Wingo
Crisp	Kindred	Riordan	Wise
Cullen	Kitchin	Rouse	Wright
Davis, Tenn.	Kunz	Ryan	
Dominick	Lanham	Sabath	

ANSWERED "PRESENT"—2.

Jacoway	Ten Eyck

NOT VOTING—44.

Barbour	Fairchild	Layton	Rainey, Ala.
Britten	Gallivan	Luhring	Riddick
Brooks, Ill.	Gould	McFadden	Rodenberg
Burke	Graham, Pa.	McKenzie	Scott, Mich.
Burton	Hogan	Mansfield	Shreve
Codd	Ireland	Mason	Snyder
Crowther	Johnson, Ky.	Moore, Va.	Steagall
Davis, Minn.	Kiess	Moores, Ind.	Woods, Va.
Doughton	Knight	Mudd	Woodyard
Edmonds	Kreider	Nolan	Yates
Evans	Larsen, Ga.	Porter	Zihlman

So the bill was passed.

Mr. HILL. Mr. Speaker, my colleague from Maryland, Mr. MUDD, is unavoidably absent. He requested me to say that if he had been here, he would have voted for the bill.

The Clerk announced the following additional pairs:

On the vote:

Mr. GRAHAM of Pennsylvania (for) with Mr. GALLIVAN (against).

Mr. BROOKS of Illinois with Mr. MANSFIELD.

Mr. DAVIS of Minnesota (for) with Mr. JOHNSON of Kentucky (against).

Mr. EDMONDS (for) with Mr. WOODS of Virginia (against).

Mr. BARBOUR (for) with Mr. JACOWAY (against).

Mr. JACOWAY. Mr. Speaker, I am recorded as voting "no." I wish to withdraw that vote and vote "present," as I have a pair with the gentleman from California, Mr. BARBOUR.

The name of Mr. JACOWAY was called, and he answered "Present."

Mr. LARSEN of Georgia. Mr. Speaker, I desire to vote "no."

The SPEAKER. Was the gentleman present when his name was called, listening?

Mr. LARSEN of Georgia. I do not think I was.

The SPEAKER. The gentleman does not bring himself within the rule.

Mr. LARSEN of Georgia. Then I shall ask to be recorded present.

The SPEAKER. The gentleman can not do that under the rule.

Mr. STEVENSON. Mr. Speaker, is Mr. STEAGALL recorded?

The SPEAKER. He is not recorded.

Mr. STEVENSON. I know that he voted "no," and after voting, immediately left the Hall, because I was with him at the time.

The result of the vote was announced as above recorded.

On motion of Mr. YOUNG, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT OVER.

Mr. MONDELL. Mr. Speaker, in view of the fact that the minority have not appointed their members of the Committee on Immigration and Naturalization, and because they desire to have their members on that committee appointed before the bill is reported, that bill will not be reported to-morrow, as suggested. That being the case, there is no reason why the House should meet to-morrow. I therefore ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, reserving the right to object, if the minority members of the Committee on Immigration and Naturalization are appointed on Monday, can the bill then be immediately dropped in the basket, following the meeting of the committee, ready for action on Tuesday?

Mr. MONDELL. I hope it can be, and I think it should be.

Mr. SABATH. The committee would have to meet in the afternoon after the members have been elected.

Mr. JOHNSON of Washington. The committee has the right to meet during the sessions of the House.

Mr. MONDELL. We can not delay longer the consideration of this measure.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. SCHALL was granted leave to withdraw from the files of the House without leaving copies the papers in the case of Mary Sims, H. R. 8286, Sixty-sixth Congress, first session, no adverse report having been made thereon.

EXTENSION OF REMARKS.

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD upon the emergency tariff bill passed to-day.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLIER. Mr. Speaker, I do not care to extend my remarks, but I ask unanimous consent that I may have the privilege of revising them.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, the gentleman does not have to get unanimous consent to do that, and I object.

The SPEAKER. The gentleman from Massachusetts objects.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 45 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Monday, April 18, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

22. A letter from the Secretary of the Treasury, transmitting request for transfer of a wharf at Charleston, S. C., from the Treasury to the War Department; to the Committee on Public Buildings and Grounds.

23. A letter from the President, transmitting eleventh annual report of the Boy Scouts of America; to the Committee on Education.

24. A letter from the Secretary of War, transmitting request for the printing of the report of the National Home for Disabled Volunteer Soldiers; to the Committee on Printing.

25. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Neches River, Tex., from Beaumont to mouth of Angelina River; to the Committee on Rivers and Harbors.

26. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Scituate Harbor, Mass.; to the Committee on Rivers and Harbors.

27. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of St. Marks River, Wakulla County, Fla.; to the Committee on Rivers and Harbors.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes; passed House.

By Mr. EDMONDS: A bill (H. R. 3708) to establish load lines for certain vessels; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Illinois: A bill (H. R. 3709) to prohibit the sale, transfer, or lease of property of the United States to certain persons named therein and providing penalties for a violation of the same; to the Committee on Military Affairs.

By Mr. PRINGEY: A bill (H. R. 3710) authorizing the United States Court of Claims to hear, adjudicate, and determine any claims of the Eastern and Emigrant and Western Cherokee Indians and Creek and Seminole Indians of Indian Territory, now Oklahoma, for any moneys, lands, and interest found due said Indians; to the Committee on Indian Affairs.

By Mr. SNELL: A bill (H. R. 3711) for the purchase of a site and the erection thereon of a public building at Ticonderoga, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3712) for the purchase of a site and the erection thereon of a public building at Potsdam, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3713) amending the provision of the act of Congress approved March 4, 1913, authorizing the Secretary of the Treasury to contract for the purchase of a site and the erection of a suitable building for the post office at Saranac Lake, N. Y., so as to increase the cost of said building and site from $90,000 to $130,000; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3714) to provide for the extension, enlargement, and remodeling of the Federal building at Plattsburg, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 3715) to permanently transfer the United States Coast Guard from the Treasury Department to the Navy Department; to the Committee on Interstate and Foreign Commerce.

By Mr. SCOTT of Michigan: A bill (H. R. 3716) to amend sections 2, 13, and 14 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915; to the Committee on the Merchant Marine and Fisheries.

By Mr. MORIN: A bill (H. R. 3717) providing for the erection of a post office in the city of Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3718) to create a department of aeronautics, defining the powers and duties of the director thereof, providing for the development, production, operation, and maintenance of aircraft, and providing for the development of civil and commercial aviation; to the Committee on Military Affairs.

Also, a bill (H. R. 3719) to amend section 1274, Revised Statutes of the United States; to the Committee on Military Affairs.

By Mr. RHODES: A bill (H. R. 3720) to provide for the uniform selection and purchase of coal and other fuel for use by the Federal Government; to the Committee on Mines and Mining.

Also, a bill (H. R. 3721) to authorize and provide for the acquisition of title to lands to be used as a Government fuel yard, and for other purposes; to the Committee on Mines and Mining.

By Mr. RICKETTS: A bill (H. R. 3722) providing monthly payment of pensions; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3723) to provide for old-age pensions; to the Committee on Labor.

Also, a bill (H. R. 3724) to authorize the acquisition of a site and the erection of a Federal building at Circleville, Pickaway County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3725) to authorize the acquisition of a site and the erection of a Federal building at New Lexington, Perry County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BANKHEAD: A bill (H. R. 3726) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States; to the Committee on Irrigation of Arid Lands.

By Mr. DYER: A bill (H. R. 3727) to provide for payments to ex-Presidents of the United States; to the Committee on the Judiciary.

By Mr. KINKAID: A bill (H. R. 3728) to increase, without expenditure of Federal funds, the opportunities of the people to reclaim and acquire rural homes, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. LAZARO: A bill (H. R. 3729) to quiet the title to certain lands in the State of Louisiana; to the Committee on the Public Lands.

By Mr. PARK of Georgia: A bill (H. R. 3730) for the purchase of a post-office site at Sylvester, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3731) for the purchase of a post-office site and erection of a public building at Pelham, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3732) to provide for the purchase of a site and erection of a public building at Camilla, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3733) to provide for the purchase of a site and erection of a public building at Cairo, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3734) to provide for the purchase of a site and the erection of a public building at Blakely, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 3735) for the relief of producers of manganese, chrome, pyrites, or tungsten mined to supply the urgent needs of the Nation in the prosecution of the war; to the Committee on Mines and Mining.

Also, a bill (H. R. 3736) authorizing the readjustment of certain star route mail contracts; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 3737) making an appropriation to meet State cooperation in the extermination of predatory animals and destructive rodents; to the Committee on Appropriations.

By Mr. STEPHENS: A bill (H. R. 3738) authorizing the Secretary of War to loan to recognized organizations of World War veterans tents and other camp equipage, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of Mississippi: A bill (H. R. 3739) to require all street railways carrying passengers in their cars within the District of Columbia to provide equal but separate accommodations for the white and colored passengers, and to prescribe punishments and penalties for violating its provisions; to the Committee on the District of Columbia.

By Mr. QUIN: A bill (H. R. 3740) for the enlargement of the Federal building and site at Natchez, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. WASON: A bill (H. R. 3741) to revise and equalize rates of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows, dependent parents and children of such soldiers, sailors, and marines, and to certain Army nurses; to the Committee on Invalid Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 3742) to amend sections 4874 and 4875 of the Revised Statutes, relating to compensation for superintendents of national cemeteries; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 3743) for the erection of a public building at Covington, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3744) to construct a public building for a post office at the city of Monroe, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3745) authorizing the Secretary of the Treasury to ship currency for the purpose of exchange to or from any bank or banking institution in the United States making request therefor at the expense of the Government; to the Committee on Banking and Currency.

By Mr. ECHOLS: A bill (H. R. 3746) to provide for the purchase of a site for a public building at Beckley, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

By Mr. ELLIOTT: A bill (H. R. 4070) to prohibit the withholding from retired Government employees who may have been reemployed in the Government service any of their retirement annuities or other pay for services since retirement, and for other purposes; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 4071) to provide for the relief of certain employees of the Government who have become eligible for retirement under the provisions of the retirement act of May 22, 1920, and have thereafter been continued in the service or reemployed therein, also to give to retired employees a limited status for reinstatement in certain cases, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. KINDRED: A bill (H. R. 4072) amending Title II, section 1, of the national prohibition act by permitting the manufacture, production, use, sale, and transportation for beverage and other purposes of beer, ale, and porter up to 5 per cent alcoholic content by volume and wine up to 10 per cent alcoholic content by volume in such States as shall so determine by referendum vote of the people; to the Committee on the Judiciary.

By Mr. FOCHT: A bill (H. R. 4073) extending the benefits of the general pension laws to the members of the Eighth, Twentieth, Twenty-sixth, Twenty-seventh, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, and Thirty-third Regiments, the several batteries of Artillery, the several troops of Cavalry, and the several independent companies which comprised the Pennsylvania Volunteer Militia, otherwise known as the "emergency men," who were called into service by the President of the United States of America, officered by United States officers, and sworn into the service of the United States for an indefinite period, the same as if they had been in the service of the United States for a period of 90 days or more; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4074) granting annuities to all native or naturalized American citizens 65 years of age or over who have been residents of the country for 20 years and whose income is less than $300 per year; to the Committee on the Judiciary.

By Mr. ROGERS: Joint resolution (H. J. Res. 53) declaring the naval policy of the United States and authorizing the President to call an international conference on disarmament; to the Committee on Foreign Affairs.

By Mr. JOHNSON of Mississippi: Joint resolution (H. J. Res. 54) authorizing the President of the United States to invite the Governments of Great Britain, Japan, Italy, and France to send representatives to a conference, which shall be charged with the duty of entering into an agreement to reduce naval expenditures and building programs of these nations during the next five years; to the Committee on Foreign Affairs.

By Mr. FREAR: Resolution (H. Res. 52) providing for an investigation in connection with a proposed sales tax; to the Committee on Rules.

By Mr. KING: Resolution (H. Res. 53) to allow the chairman of the Committee on Expenditures in the Department of Agriculture to appoint a clerk to said committee; to the Committee on Accounts.

By Mr. FLOOD: Resolution (H. Res. 54) requesting information from the Secretary of State regarding order for the deportation of D. J. O'Callaghan; to the Committee on Foreign Affairs.

By Mr. RICKETTS: Resolution (H. Res. 55) authorizing the appointment of an assistant clerk to the Committee on Enrolled Bills; to the Committee on Accounts.

By Mr. JOHNSON of Washington: Resolution (H. Res. 56) providing for the consideration of House bill 2; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Wisconsin, asking Congress to refrain from placing a duty on lumber imported from the Dominion of Canada; to the Committee on Ways and Means.

Also (by request), memorial of the Legislature of the State of Wisconsin, asking for legislation for a bridge across the Mississippi River between the city of Prairie du Chien, Wis., and the cities of McGregor and Marquette, in the State of Iowa; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Legislature of the State of Arizona, in connection with the death of Hon. Champ Clark; also, memorial of the Legislature of the State of Delaware, in connection with the death of Hon. Champ Clark.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington, in connection with the creation of a new national park to be known as Grand Coulee Soap Lake National Park; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Washington, in connection with a tariff on eggs; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Washington in connection with a tariff upon seeds; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Washington in connection with continuation of Federal aid in road construction; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Washington in connection with veteran relief; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Washington in connection with a national highway system; to the Committee on Roads.

By Mr. A. P. NELSON: Memorial of the State of Wisconsin, to refrain from placing a duty on lumber imported from Canada; to the Committee on Ways and Means.

By Mr. SWANK: Memorial of the Legislature of Oklahoma petitioning Congress to nullify orders of the Interstate Commerce Commission affecting intrastate railroad rates; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMSON: Memorial of the Legislature of the State of South Dakota, requesting the Congress of the United States to enact national legislation to provide for Government review and approval of moving-picture films to be used in interstate commerce and showing to the public; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota, urging Congress to use all honorable means to secure the passage of the Rogers bill, known as House bill 14961, for the establishment in the Interior Department of a bureau of veteran reestablishment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Dakota, requesting Congress to pass a bill exempting the national parks and monuments from the provisions of the water power act of June 10, 1920, and urging that the Smith irrigation bill (H. R. 12466) be not passed: to the Select Committee on Water Power.

Also, memorial of the Legislature of the State of South Dakota, urging Congress and the War Department to designate Fort Meade, in the State of South Dakota, as a military hospital of the tenth public health district; to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS of Pennsylvania: A bill (H. R. 3747) authorizing the Secretary of War to donate to the town of Dallastown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3748) authorizing the Secretary of War to donate to the town of Delta, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3749) authorizing the Secretary of War to donate to the town of Jefferson, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3750) authorizing the Secretary of War to donate to the town of New Oxford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3751) authorizing the Secretary of War to donate to the town of Yoe, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3752) authorizing the Secretary of War to donate to the town of York Haven, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3753) authorizing the Secretary of War to place upon the Gettysburg National Park at Gettysburg, Pa., 10 German cannons or fieldpieces with carriages, with suitable number of shells; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 3754) for the relief of Pay Director Livingston Hunt, United States Navy; to the Committee on Naval Affairs.

By Mr. CABLE: A bill (H. R. 3755) for the relief of Annie M. Eopolucci; to the Committee on Interstate and Foreign Commerce.

By Mr. CHALMERS: A bill (H. R. 3756) authorizing the Secretary of War to donate to the city of Toledo, State of Ohio, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 3757) authorizing the Secretary of War to donate to the city of Port Clinton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3758) authorizing the Secretary of War to donate to the county of Lucas, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3759) authorizing the Secretary of War to donate to the city of Elmore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3760) authorizing the Secretary of War to donate to the city of Genoa, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3761) authorizing the Secretary of War to donate to the town of Gypsum, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3762) authorizing the Secretary of War to donate to the town of Lakeside, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3763) authorizing the Secretary of War to donate to the town of Marblehead, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3764) authorizing the Secretary of War to donate to the city of Maumee, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3765) authorizing the Secretary of War to donate to the Lucas County Children's Home, of Toledo, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affars.

Also, a bill (H. R. 3766) authorizing the Secretary of War to donate to the city of Oak Harbor, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3767) authorizing the Secretary of War to donate to the city of Put in Bay, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3768) authorizing the Secretary of War to donate to the city of Sylvania, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3769) authorizing the Secretary of War to donate to the city of Waterville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3770) authorizing the Secretary of War to donate to the city of Berkey, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3771) authorizing the Secretary of War to donate to the city of Bono, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3772) authorizing the Secretary of War to donate to the city of Clay Center, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3773) authorizing the Secretary of War to donate to the city of Curtice, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3774) authorizing the Secretary of War to donate to the city of Danbury, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3775) authorizing the Secretary of War to donate to the city of Elliston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3776) authorizing the Secretary of War to donate to the city of Graytown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3777) authorizing the Secretary of War to donate to the city of Holland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3778) authorizing the Secretary of War to donate to the city of Isle St. George, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3779) authorizing the Secretary of War to donate to the city of Lacarne, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3780) authorizing the Secretary of War to donate to the city of Martin, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3781) authorizing the Secretary of War to donate to the city of Middle Bass, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3782) authorizing the Secretary of War to donate to the city of Monclova, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3783) authorizing the Secretary of War to donate to the city of Neapolis, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3784) authorizing the Secretary of War to donate to the city of Rockyridge, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3785) authorizing the Secretary of War to donate to the city of Trowbridge, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3786) authorizing the Secretary of War to donate to the city of Whitehouse, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3787) authorizing the Secretary of War to donate to the city of Williston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COLE: A bill (H. R. 3788) granting a pension to Elizabeth C. McClain; to the Committee on Invalid Pensions.

By Mr. CRAMTON (for Mr. FRANKHAUSER): A bill (H. R. 3789) granting restoration of pension to Harriet S. Upright; to the Committee on Invalid Pensions.

Also (for Mr. FRANKHAUSER), a bill (H. R. 3790) granting a pension to Sarah J. Pratt; to the Committee on Invalid Pensions.

By Mr. DRANE: A bill (H. R. 3791) authorizing the Secretary of War to donate to the city of Inverness, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3792) authorizing the Secretary of War to donate to the city of Tavares, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3793) authorizing the Secretary of War to donate to the city of Fort Myers, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3794) authorizing the Secretary of War to donate to the city of Wauchula, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3795) authorizing the Secretary of War to donate to the city of Bradentown, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3796) authorizing the Secretary of War to donate to the city of Plant City, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3797) authorizing the Secretary of War to donate to the city of Sarasota, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3798) authorizing the Secretary of War to donate to the town of Bushnell, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3799) authorizing the Secretary of War to donate to the city of Lakeland, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3800) authorizing the Secretary of War to donate to the city of Eustis, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3801) authorizing the Secretary of War to donate to the city of Sebring, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3802) authorizing the Secretary of War to donate to the city of Avon Park, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3803) authorizing the Secretary of War to donate to the city of Arcadia, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3804) authorizing the Secretary of War to donate to the city of Brooksville, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3805) authorizing the Secretary of War to donate to the city of Dade City, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3806) authorizing the Secretary of War to donate to the city of Winter Haven, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3807) authorizing the Secretary of War to donate to the city of Moore Haven, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3808) authorizing the Secretary of War to donate to the city of Clearwater, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3809) authorizing the Secretary of War to donate to the city of Tampa, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 3810) for the relief of Lee Martin; to the Committee on Claims.

Also, a bill (H. R. 3811) granting a pension to Sarah J. Pait; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3812) granting a pension to Johanna Moss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3813) for the relief of the estate of Leavitt Grimes; to the Committee on Claims.

Also, a bill (H. R. 3814) granting a pension to Benjamin Ratliff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3815) for the relief of Dr. George W. Flynn; to the Committee on Claims.

Also, a bill (H. R. 3816) for the relief of the Missouri Pants Manufacturing Co.; to the Committee on War Claims.

Also, a bill (H. R. 3817) granting a pension to Josephine Holmes; to the Committee on Pensions.

Also, a bill (H. R. 3818) for the relief of Frank Emile Perrot; to the Committee on Claims.

By Mr. ECHOLS: A bill (H. R. 3819) to reimburse Tennie A. Anderson, postmaster at Maplewood, Fayette County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims.

Also, a bill (H. R. 3820) authorizing the Secretary of War to donate to the city of Charleston, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3821) authorizing the Secretary of War to donate to the city of Charleston, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3822) authorizing the Secretary of War to donate to the city of Fayetteville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3823) authorizing the Secretary of War to donate to the town of Lewisburg, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3824) authorizing the Secretary of War to donate to the town of Marlinton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3825) authorizing the Secretary of War to donate to the city of Beckley, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3826) authorizing the Secretary of War to donate to the town of Madison, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 3827) granting a pension to Lucy Alexander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3828) to carry out the findings of the Court of Claims in the case of William J. Worthington; to the Committee on War Claims.

Also, a bill (H. R. 3829) to carry out the findings of the Court of Claims in the case of John W. Robbins; to the Committee on War Claims.

Also, a bill (H. R. 3830) to carry out the findings of the Court of Claims in the case of John E. Wells; to the Committee on War Claims.

Also, a bill (H. R. 3831) for the relief of Charles T. Clayton; to the Committee on Claims.

By Mr. FISHER: A bill (H. R. 3832) granting an increase of pension to Marion B. Patterson; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 3833) granting a pension to Mary Sutterfield; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 3834) granting a pension to Mary E. Skinner; to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 3835) granting a pension to Minnie J. Miner; to the Committee on Invalid Pensions.

By Mr. GERNERD: A bill (H. R. 3836) for the relief of Nolan P. Benner; to the Committee on War Claims.

Also, a bill (H. R. 3837) granting an increase of pension to Anna O. D. Mickley; to the Committee on Pensions.

Also, a bill (H. R. 3838) granting a pension to George W. Rathman; to the Committee on Pensions.

Also, a bill (H. R. 3839) authorizing the Secretary of War to donate to the city of Reading, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 3840) authorizing the Secretary of War to donate to the city of Richmond, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3841) authorizing the Secretary of War to donate to the city of Lancaster, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3842) authorizing the Secretary of War to donate to the city of Columbia, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3843) authorizing the Secretary of War to donate to the city of Liberty, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3844) authorizing the Secretary of War to donate to the city of Stanford, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3845) authorizing the Secretary of War to donate to the city of Danville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3846) authorizing the Secretary of War to donate to the city of Harrodsburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3847) authorizing the Secretary of War to donate to the city of Taylorville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3848) authorizing the Secretary of War to donate to the city of Lawrenceburg, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3849) authorizing the Secretary of War to donate to the city of Shelbyville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3850) authorizing the Secretary of War to donate to the city of Nicholasville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Vermont: A bill (H. R. 3851) granting an increase of pension to Matilda J. Henderson; to the Committee on Pensions.

By Mr. JOHNSON of Mississippi: A bill (H. R. 3852) authorizing the Secretary of War to donate to the city of Ellisville, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3853) authorizing the Secretary of War to donate to the city of Laurel, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3854) authorizing the Secretary of War to donate to the city of Collins, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3855) authorizing the Secretary of War to donate to the city of Sumrall, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3856) authorizing the Secretary of War to donate to the city of Columbia, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3857) authorizing the Secretary of War to donate to the town of New Augusta, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3858) authorizing the Secretary of War to donate to the town of Mendenhall, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3859) authorizing the Secretary of War to donate to the town of Poplarville, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3860) authorizing the Secretary of War to donate to the town of Wiggins, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3861) authorizing the Secretary of War to donate to the town of Waynesboro, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3862) authorizing the Secretary of War to donate to the city of Hattiesburg, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3863) authorizing the Secretary of War to donate to the town of Leakesville, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3864) authorizing the Secretary of War to donate to the town of Lucedale, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3865) authorizing the Secretary of War to donate to the city of Gulfport, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3866) authorizing the Secretary of War to donate to the town of Purvis, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3867) authorizing the Secretary of War to donate to the town of Prentiss, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3868) authorizing the Secretary of War to donate to the city of Pascagoula, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3869) authorizing the Secretary of War to donate to the city of Bay St. Louis, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 3870) to renew patent No. 49626; to the Committee on Patents.

By Mr. KENDALL: A bill (H. R. 3871) granting a pension to Larrey Ward; to the Committee on Invalid Pensions.

By Mr. KINCHELOE: A bill (H. R. 3872) granting a pension to Annie E. Ward; to the Committee on Pensions.

By Mr. KING: A bill (H. R. 3873) granting a pension to Milo Conner; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 3874) for the reimbursement of Maj. K. E. Kern; to the Committee on Claims.

Also, a bill (H. R. 3875) granting a pension to Hannah Koch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3876) for the examination and survey of the Delaware River from Trenton, N. J., to Easton, Pa.; to the Committee on Rivers and Harbors.

By Mr. MONDELL: A bill (H. R. 3877) granting a pension to Warren Baker, alias Warren Jackson; to the Committee on Invalid Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 3878) granting a pension to Sarah C. Prettyman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3879) granting an increase of pension to Joseph H. Mattox; to the Committee on Invalid Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 3880) granting an increase of pension to Edward A. Branham; to the Committee on Pensions.

Also, a bill (H. R. 3881) granting a pension to James Lacey; to the Committee on Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 3882) for the relief of Benjamin F. Green; to the Committee on Claims.

Also, a bill (H. R. 3883) to extend the benefits of the employers' liability act of September 7, 1916, to Arthur E. Rump; to the Committee on the Judiciary.

Also, a bill (H. R. 3884) for the relief of Frieda Hoermann; to the Committee on Claims.

By Mr. PETERSEN: A bill (H. R. 3885) authorizing the Secretary of War to donate to Richmond Hill, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3886) authorizing the Secretary of War to donate to the Bushwick section of Brooklyn, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PRINGEY: A bill (H. R. 3887) for the relief of the heirs of James Taylor, deceased; to the Committee on Claims.

By Mr. PURNELL: A bill (H. R. 3888) for the relief of James A. Ashba; to the Committee on Claims.

Also, a bill (H. R. 3889) granting an increase of pension to Susan Zeek; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3890) for the relief of Thomas J. Gardner; to the Committee on Military Affairs.

Also, a bill (H. R. 3891) for the relief of Frederick Sparks; to the Committee on Military Affairs.

Also, a bill (H. R. 3892) for the relief of Willard Thompson; to the Committee on Military Affairs.

By Mr. REED of West Virginia: A bill (H. R. 3893) granting an increase of pension to George R. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3984) for the relief of Susan J. Hugill; to the Committee on War Claims.

By Mr. RHODES: A bill (H. R. 3895) for the relief of James P. McCormack; to the Committee on Military Affairs.

By Mr. RICKETTS: A bill (H. R. 3896) authorizing the Secretary of War to donate to the town of Crooksville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3897) authorizing the Secretary of War to donate to the city of Lancaster, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3898) authorizing the Secretary of War to donate to the city of New Lexington, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3899) authorizing the Secretary of War to donate to the city of New Straitsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3900) authorizing the Secretary of War to donate to the town of Corning, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3901) authorizing the Secretary of War to donate to the city of Logan, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3902) authorizing the Secretary of War to donate to the city of Circleville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3903) authorizing the Secretary of War to donate to the city of Chillicothe, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3904) authorizing the Secretary of War to donate to the town of Bremen, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3905) authorizing the Secretary of War to donate to the town of Somerset, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3906) authorizing the Secretary of War to donate to the town of Shawnee, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSSDALE: A bill (H. R. 3907) authorizing the Secretary of War to donate to Edgar Allan Poe Park, Borough of The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3908) authorizing the Secretary of War to donate to New York University, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3909) authorizing the Secretary of War to donate to Victory Gardens, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3910) authorizing the Secretary of War to donate to the Morris High School, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3911) authorizing the Secretary of War to donate to the Evandeer Childs High School, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3912) authorizing the Secretary of War to donate to the Ninth Coast Defense Command, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3913) authorizing the Secretary of War to donate to McKinley Square Flagpole Association, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3914) authorizing the Secretary of War to donate to the Second Field Artillery, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3915) authorizing the Secretary of War to donate to the park department, for plaza at Washington Bridge, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3916) authorizing the Secretary of War to donate to the park department for Van Courtland Park, The Bronx, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 3917) authorizing the Secretary of War to donate to the fifteenth congressional district, State of New York, three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 3918) for the relief of George W. Woodall; to the Committee on Claims.

Also, a bill (H. R. 3919) granting a pension to Mary E. Howard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3920) granting a pension to Mary St. Clair; to the Committee on Pensions.

Also, a bill (H. R. 3921) granting an increase of pension to Susan A. Bailey; to the Committee on Invalid Pensions.

By Mr. SANDERS of Texas: A bill (H. R. 3922) authorizing the Secretary of War to donate to the city of Longview, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3923) authorizing the Secretary of War to donate to the city of Henderson, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3924) authorizing the Secretary of War to donate to the city of Tyler, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3925) authorizing the Secretary of War to donate to the city of Athens, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3926) authorizing the Secretary of War to donate to the city of Kaufman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3927) authorizing the Secretary of War to donate to the city of Gilmer, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3928) authorizing the Secretary of War to donate to the city of Quitman, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3929) authorizing the Secretary of War to donate to the city of Canton, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 3930) granting a pension to Cora A. Sprague; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3931) granting a pension to Ella L. Quenell; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 3932) for the relief of Morris S. Baker; to the Committee on Claims.

Also, a bill (H. R. 3933) for the relief of Arthur Frost; to the Committee on Claims.

By Mr. TAGUE: A bill (H. R. 3934) for the relief of William W. Stewart; to the Committee on Claims.

By Mr. TREADWAY: A bill (H. R. 3935) authorizing the Secretary of War to donate to the city of Pittsfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3936) authorizing the Secretary of War to donate to the city of Holyoke, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3937) authorizing the Secretary of War to donate to the town of Stockbridge, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3938) authorizing the Secretary of War to donate to the town of Colrain, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3939) authorizing the Secretary of War to donate to the city of North Adams, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3940) authorizing the Secretary of War to donate to the town of Cheshire, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3941) authorizing the Secretary of War to donate to the town of Adams, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3942) authorizing the Secretary of War to donate to the town of Lee, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3943) authorizing the Secretary of War to donate to the town of Greenfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3944) authorizing the Secretary of War to donate to the city of Westfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3945) authorizing the Secretary of War to donate to the town of Richmond, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3946) authorizing the Secretary of War to donate to the town of Great Barrington, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3947) authorizing the Secretary of War to donate to the town of Shelburne Falls, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3948) authorizing the Secretary of War to donate to the town of Huntington, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3949) authorizing the Secretary of War to donate to the town of Lenox, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3950) authorizing the Secretary of War to donate to the town of Chester, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3951) authorizing the Secretary of War to donate to the town of Dalton, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3952) authorizing the Secretary of War to donate to the town of Charlemont, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3953) authorizing the Secretary of War to donate to the town of West Stockbridge, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3954) authorizing the Secretary of War to donate to the town of Housatonic, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3955) authorizing the Secretary of War to donate to the town of Lanesboro, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3956) authorizing the Secretary of War to donate to the town of Williamstown, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3957) authorizing the Secretary of War to donate to the village of South Lee, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. UNDERHILL: A bill (H. R. 3958) for the relief of Gaspar G. Shannon; to the Committee on Claims.

Also, a bill (H. R. 3959) for the relief of contributors to the Ellen M. Stone ransom fund; to the Committee on Claims.

By Mr. VESTAL: A bill (H. R. 3960) granting a pension to Andrew F. Welfley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3961) granting a pension to Dessie Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3962) granting a pension to William H. Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3963) granting a pension to Ellen Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3964) granting a pension to Nancy A. North; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3965) granting a pension to Martha Hodson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3966) granting a pension to Elizabeth Baney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3967) granting a pension to John Caufield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3968) granting an increase of pension to Russell F. Oliver; to the Committee on Pensions.

Also, a bill (H. R. 3969) to remove the charge of desertion against Aaron S. Linn and to grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. VOLK: A bill (H. R. 3970) authorizing the Secretary of War to donate to the Borough of Brooklyn, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3971) authorizing the Secretary of War to donate to the tenth congressional district, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTERS: A bill (H. R. 3972) authorizing the Secretary of War to donate to the city of Reading, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WASON: A bill (H. R. 3973) authorizing the Secretary of War to donate to the town of Warner, State of New Hampshire, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 3974) for the relief of the Sanitary Co. of America; to the Committee on Claims.

Also, a bill (H. R. 3975) for the relief of August Herzer; to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 3976) granting a pension to W. C. Spencer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3977) granting a pension to Rebecca Ann Hayes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3978) granting a pension to Celenda Oxford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3979) granting a pension to Rebecca J. Harlan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3980) granting a pension to John A. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3981) granting a pension to James C. Overbee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3982) granting an increase of pension to Nancy A. Cotterel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3983) granting an increase of pension to Jemima J. Parker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3984) granting an increase of pension to Jasper Johnson; to the Committee on Pensions.

By Mr. WRIGHT: A bill (H. R. 3985) authorizing the Secretary of War to donate to the city of Lagrange, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3986) authorizing the Secretary of War to donate to the city of Talbotton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3987) authorizing the Secretary of War to donate to the city of Columbus, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3988) authorizing the Secretary of War to donate to the city of Greenville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3989) authorizing the Secretary of War to donate to the city of Buena Vista, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3990) authorizing the Secretary of War to donate to the city of Franklin, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3991) authorizing the Secretary of War to donate to the city of Hamilton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3992) authorizing the Secretary of War to donate to the city of Newnan, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 3993) authorizing the Secretary of War to donate to the city of Carrollton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. YOUNG: A bill (H. R. 3994) for the relief of A. J. Henry; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 3995) for the allowance of claim for the difference in pay growing out of service in the Navy, as reported by the Court of Claims, for Martha J. Briscoe; to the Committee on Claims.

Also, a bill (H. R. 3996) to increase the compensation of pressmen in the Government Printing Office; to the Committee on Printing.

By Mr. CAMPBELL of Kansas: A bill (H. R. 3997) granting a pension to Sarah B. Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 3998) to amend the military record of Alonzo Rich; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 3999) granting an increase of pension to Alice Gillon; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 4000) granting a pension to Lucy V. Pardee; to the Committee on Invalid Pensions.

By Mr. HOUGHTON: A bill (H. R. 4001) authorizing the Secretary of War to donate to the village of Spencer, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4002) authorizing the Secretary of War to donate to the city of Owego, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4003) authorizing the Secretary of War to donate to the village of Newfield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4004) authorizing the Secretary of War to donate to the city of Ithaca, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4005) authorizing the Secretary of War to donate to the city of Hornell, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4006) authorizing the Secretary of War to donate to the village of Groton, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4007) authorizing the Secretary of War to donate to the city of Corning, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4008) authorizing the Secretary of War to donate to the city of Addison, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OLPP: A bill (H. R. 4009) to provide for the payment of taxes to the city of Hoboken, N. J., on certain property acquired by the President, and for other purposes; to the Committee on Claims.

By Mr. COOPER of Ohio: A bill (H. R. 4010) granting a pension to Hannah Godward; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 4011) granting a pension to Loretta Burket; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4012) granting a pension to Catharine Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4013) granting a pension to Susan Hixson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4014) granting a pension to Aletta Anna Querry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4015) granting a pension to Helen J. Murray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4016) granting a pension to Naomi G. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4017) authorizing the Secretary of War to donate to the town of New Germantown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4018) authorizing the Secretary of War to donate to the town of Broad Top City, State of Pennsylvania,

one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4019) authorizing the Secretary of War to donate to the town of Chambersburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4020) authorizing the Secretary of War to donate to the town of Scotland, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4021) authorizing the Secretary of War to donate to the town of Waynesboro, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4022) authorizing the Secretary of War to donate to the town of Greencastle, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4023) authorizing the Secretary of War to donate to the town of Mount Union, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4024) authorizing the Secretary of War to donate to the town of Alexandria, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4025) authorizing the Secretary of War to donate to the town of Shirleysburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4026) authorizing the Secretary of War to donate to the town of Orbisonia, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4027) authorizing the Secretary of War to donate to the town of Three Springs, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4028) authorizing the Secretary of War to donate to the town of Mifflintown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4029) authorizing the Secretary of War to donate to the town of Port Royal, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4030) authorizing the Secretary of War to donate to the town of East Waterford, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4031) authorizing the Secretary of War to donate to the town of Mexico, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4032) authorizing the Secretary of War to donate to the town of Liverpool, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4033) authorizing the Secretary of War to donate to the town of Marysville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4034) authorizing the Secretary of War to donate to the city of New Bloomfield, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4035) authorizing the Secretary of War to donate to the town of Duncannon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4036) authorizing the Secretary of War to donate to the city of Lewisburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4037) authorizing the Secretary of War to donate to the city of Mifflinburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4038) authorizing the Secretary of War to donate to the town of New Berlin, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4039) authorizing the Secretary of War to donate to the town of Shamokin Dam, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4040) authorizing the Secretary of War to donate to the town of Selinsgrove, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4041) authorizing the Secretary of War to donate to the town of Middleburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4042) authorizing the Secretary of War to donate to the town of Freeburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4043) authorizing the Secretary of War to donate to the town of Beavertown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4044) authorizing the Secretary of War to donate to the town of Beaver Springs, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4045) authorizing the Secretary of War to donate to the town of McClure, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4046) authorizing the Secretary of War to donate to the town of Port Trevorton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4047) authorizing the Secretary of War to donate to the town of Lewistown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4048) authorizing the Secretary of War to donate to the town of Reedsville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4049) authorizing the Secretary of War to donate to the town of Milroy, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4050) authorizing the Secretary of War to donate to the town of Belleville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4051) authorizing the Secretary of War to donate to the town of McVeytown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4052) authorizing the Secretary of War to donate to the town of Huntingdon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4053) authorizing the Secretary of War to donate to the town of Granville, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4054) authorizing the Secretary of War to donate to the town of Orrstown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4055) authorizing the Secretary of War to donate to the town of St. Thomas, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4056) authorizing the Secretary of War to donate to the town of Fort Loudon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4057) authorizing the Secretary of War to donate to the town of Mercersburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4058) authorizing the Secretary of War to donate to the town of Dry Run, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4059) authorizing the Secretary of War to donate to the town of Fannettsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4060) authorizing the Secretary of War to donate to the town of McConnellsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4061) authorizing the Secretary of War to donate to the town of Warfordsburg, State of Pennsylvania,

one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4062) authorizing the Secretary of War to donate to the town of Hustontown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4063) authorizing the Secretary of War to donate to the town of Hartleton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4064) authorizing the Secretary of War to donate to the town of Laurelton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4065) authorizing the Secretary of War to donate to the town of New Columbia, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4066) authorizing the Secretary of War to donate to the town of Newport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4067) authorizing the Secretary of War to donate to the town of Ickesburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FRENCH: A bill (H. R. 4068) granting an increase of pension to Nellie Thompson; to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 4069) authorizing the Secretary of the Interior to sell certain lands on the Wind River Reservation, Wyo.; to the Committee on Indian Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

134. By Mr. CHALMERS: Petition of Put in Bay Yacht Club members for repeal of tax on yachts; to the Committee on Ways and Means.

135. By Mr. DRANE: Petition of Tampa, Fla., Automobile Association, relative to "antidumping" law as applied to automobiles; to the Committee on Ways and Means.

136. By Mr. FULLER: Petition of Chicago Leaf Tobacco Merchants' Association, opposing any increase of tariff on imported cigar leaf tobacco; to the Committee on Ways and Means.

137. Also, petition of General Federation of Women's Clubs, favoring passage of Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

138. By Mr. GALLIVAN: Petitions of Boston Chamber of Commerce; E. T. Slattery Co.; Cobbs, Bates & Yerxa Co.; and Hodgson, Kennard & Co., all of Boston, Mass., relative to taxation matters; to the Committee on Ways and Means.

139. By Mr. HUTCHINSON: Petition of Presbytery of New Brunswick, at Trenton, N. J., requesting such action by the Government of the United States as may be necessary to suppress permanently the atrocities committed by the Turks against the Armenians; to the Committee on Foreign Affairs.

140. By Mr. JOHNSON of Mississippi: Petition of women employees of the Treasury Department to the National Woman's Republican Committee of the District of Columbia, protesting against the appointment of a colored man as Register of the Treasury; to the Committee on Expenditures in the Treasury Department.

141. By Mr. KINDRED: Petition of Pharmacal Advance Publishing Co. and Metropolitan Lodge, Brotherhood of Railroad Trainmen, in connection with the proposed sales tax; to the Committee on Ways and Means.

142. Also, petition of General Federation of Women's Clubs, favoring the Sheppard-Towner maternity bill; to the Committee on Interstate and Foreign Commerce.

143. By Mr. KISSEL: Petition of Union Stove Works, Metropolitan Lodge of Brotherhood of Railroad Trainmen, L. F. Robertson, and Talking Machine Men (Inc.), all of New York, in connection with the proposed sales tax; to the Committee on Ways and Means.

144. Also, petition of Victory Hall Association and the "Lest We Forget" Committee, favoring further relief for wounded ex-soldiers; to the Committee on Interstate and Foreign Commerce.

145. By Mr. LINTHICUM: Petitions of Joseph Wiesenfeld, Hanley Jewelry Shop, Osborne & Olmstead, H. Clay Waldman, Henry Castleberg, William J. Miller, H. C. Garthe, C. H. Millikin, and J. W. Tottle, all of Baltimore, Md., favoring sales tax; also petition of J. T. Benson & Co., of Baltimore, Md., opposing sales tax; to the Committee on Ways and Means.

146. Also, petition of John W. Darley, Baltimore, Md., favoring House bill 210, increase of compensation to Patent Office employees; to the Committee on Patents.

147. Also, petition of Mount St. Joseph's College, Baltimore, Md., opposing Smith-Towner bill; to the Committee on Education.

148. Also, petition of William G. Albrecht, Baltimore, Md., regarding repeal of tax on bottled beverages; also petition of Baltimore Chamber of Commerce, regarding repeal of subdivision A of section 500 of revenue act; to the Committee on Ways and Means.

149. Also, petition of Mrs. Mary B. S. Carroll, Baltimore, Md., opposing Ackerman daylight bill; to the Committee on Interstate and Foreign Commerce.

150. By Mr. PARK of Georgia: Petition of Southwest Georgia Watermelon Growers' Association, asking a reduction in the freight rate on melons; to the Committee on Ways and Means.

151. By Mr. ROSE: Petition of Local Union, No. 3519, United Mine Workers of America, District No. 2, Gallitzin, Pa., for release of Eugene V. Debs and other political prisoners; to the Committee on the Judiciary.

152. By Mr. SANDERS of New York: Petition of the Gargoyle Athletic and Recreation Association, composed of between 700 and 800 employees of the Vacuum Oil Co., of Rochester, N. Y., urging the repeal of the 10 per cent tax on athletic goods; to the Committee on Ways and Means.

153. By Mr. TAGUE: Petition of sundry citizens of Boston, Mass., for the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

154. Also, petition of John L. Whiting-J. J. Adams Co., of Boston, Mass., concerning proposed tariff legislation; to the Committee on Ways and Means.

155. Also, petition of C. Crawford Hollidge, of Boston, Mass., concerning excess-profits taxes; to the Committee on Ways and Means.

156. Also, petition of Baker, Small & Co., engineers, of Boston, Mass., concerning the proposed repeal of the Pittman Act; to the Committee on Mines and Mining.

157. By Mr. WATSON: Petition of Philadelphia Yearly Meeting of Friends, Fourth and Arch Streets, urging the President of the United States to call in the immediate future an international conference on disarmament; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, *April 16, 1921.*

(Legislative day of Wednesday, April 13, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Hale	McKinley	Smoot
Brandegee	Harris	McLean	Spencer
Broussard	Harrison	McNary	Stanfield
Bursum	Heflin	Nelson	Sterling
Calder	Johnson	New	Swanson
Cameron	Jones, Wash.	Nicholson	Townsend
Capper	Kellogg	Norbeck	Trammell
Caraway	Kendrick	Norris	Underwood
Colt	Kenyon	Penrose	Wadsworth
Culberson	Keyes	Phipps	Walsh, Mass.
Curtis	Ladd	Pomerene	Walsh, Mont.
Dial	La Follette	Ransdell	Warren
Dillingham	Lenroot	Sheppard	Watson, Ga.
Fletcher	Lodge	Shortridge	Watson, Ind.
Frelinghuysen	McCumber	Simmons	Willis
Gooding	McKellar	Smith	

The VICE PRESIDENT. Sixty-three Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, in which it requested the concurrence of the Senate.

MEMBER OF NATIONAL FOREST RESERVATION COMMISSION.

The VICE PRESIDENT. Pursuant to the provisions of the act approved March 1, 1911, entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," the Chair appoints the Senator from New Hampshire, Mr. KEYES, as a member of the National Forest Reservation Commission, to fill the vacancy occasioned by the expiration of the term of Hon. John Walter Smith.

COST OF RAILROAD FUEL.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, pursuant to Senate resolution No. 412, adopted December 27, 1920, a report on the increased cost of railroad fuel to the railroads of the United States for the year 1920 over the cost of the same for the year 1919, which was referred to the Committee on Interstate Commerce.

COMMERCIAL FEEDS.

The VICE PRESIDENT laid before the Senate a communication from the acting chairman of the Federal Trade Commission, transmitting, pursuant to Senate resolution No. 140, adopted July 31, 1919, a report on the manufacture and sale of commercial feeds, which was referred to the Committee on Agriculture and Forestry.

COLUMBIA INSTITUTION FOR THE DEAF.

The VICE PRESIDENT laid before the Senate a communication from the president of the Columbia Institution for the Deaf, transmitting, pursuant to law, the proceedings of the twenty-second annual meeting of the convention of American Instructors of the Deaf, which was referred to the Committee on Printing.

DEFICIENCY AND CONTINGENT APPROPRIATIONS.

Mr. WARREN. Mr. President, I ask unanimous consent to report from the Committee on Appropriations favorably with an amendment the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes. This is a very short appropriation bill made necessary in the organization of the House and Senate for the payment of pages and other employees, the payment of mileage, and so forth. I send the report to the desk with the amendment covering the Senate items, and I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Appropriations was to add to the bill the following:

For annual compensation of a clerk, $2,500; assistant clerk, $1,600; assistant clerk, $1,500; and an additional clerk, $1,200, from April 16, 1921, to June 30, 1922, both dates inclusive, for each of the following committees: Civil Service, Enrolled Bills, Expenditures in the Executive Departments, Irrigation and Reclamation, Library, Mines and Mining, Patents, Revision of the Laws, and Territories and Insular Possessions, $73,949.94.

The appropriations for the fiscal years 1921 and 1922 for a clerk and three assistant clerks for the Committee on Public Lands is hereby made available for payment at the same compensations for a clerk and three assistant clerks to the Committee on Public Lands and Surveys.

The unexpended part of the appropriations for the fiscal year 1921 and the appropriations for the fiscal year 1922 for clerks and assistant clerks to the Committees on Pacific Islands and Porto Rico, Pacific Islands, Porto Rico, and the Virgin Islands, and the Philippines is hereby repealed.

That part of the appropriations for the fiscal years 1921 and 1922 for "clerical assistance to Senators," except the appropriations for compiling the Navy Yearbook, is hereby amended to read as follows: "Clerical assistance to Senators: For clerical assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy clerks at $2,500 each; 70 assistant clerks at $1,600 each; 70 assistant clerks at $1,500 each, $392,000.

"Eighty-four additional clerks at $1,200 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman, $100,800."

To enable the Secretary of the Senate to pay from the appropriation for "Salaries of officers, clerks, messengers, and others," fiscal year 1921, to George Curry for services rendered as clerk to the Hon. H. O. BURSUM, Senator from the State of New Mexico, at the rate of $2,500 per annum, from March 12, 1921, to April 10, 1921, both dates inclusive.

To enable the Secretary of the Senate to pay from the appropriation for "Salaries of officers, clerks, messengers, and others," fiscal year 1921, to Edith Shipman for services rendered as assistant clerk to the Hon. H. O. BURSUM, Senator from the State of New Mexico, at the rate of $1,600 per annum from March 12, 1921, to April 10, 1921, both dates inclusive.

To enable the Secretary of the Senate to pay from the appropriation "For compensation of officers, clerks, messengers, and others," fiscal year 1922, to the laborer in stationery room, office of the Secretary of the Senate, a sum sufficient to make the compensation $1,200 per annum.

For stationery for Senators, committees, and officers of the Senate, fiscal year 1921, $5,000.

To enable the Secretary of the Senate to pay from the appropriation "For compensation of officers, clerks, messengers, and others," for the fiscal years 1921 and 1922, to the assistant financial clerk in the office of the Secretary of the Senate a sum sufficient to make the salary of the position $3,600 per annum.

For 16 pages for the Senate Chamber at the rate of $2.50 per day each, from April 11, 1921, to June 30, 1921, $3,240.

For 16 pages for the Senate Chamber at the rate of $2.50 per day each, from July 1, 1921, until the end of the first session of the Sixty-seventh Congress, so much as may be necessary.

Mr. FLETCHER. May I make an inquiry of the Senator from Wyoming? This is a House bill?

Mr. WARREN. It is a House bill, and the amendment just read is to provide for the pay of officers and employees on this side, as the House had provided for their side.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

HEARINGS BEFORE COMMITTEE ON TERRITORIES AND INSULAR POSSESSIONS.

Mr. NEW submitted the following resolution (S. Res. 50), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Territories and Insular Possessions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during sessions or recesses of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of sundry citizens of the United States, praying for the enactment of such legislation as will effect the immediate release of all persons charged or convicted under wartime legislation whose alleged guilt consists of writing or speaking in defense or explanation of their political, religious, or industrial beliefs, which was referred to the Committee on the Judiciary.

Mr. WILLIS presented a petition of the Automobile Dealers' Association of Youngstown, Ohio, praying for the enactment of legislation restricting the sale in the United States of automotive material sold by the United States to foreign governments, which was referred to the Committee on Finance.

Mr. FLETCHER presented a memorial of sundry citizens of St. Cloud, Fla., remonstrating against the enactment of legislation revising the tariff on coal-tar products, which was referred to the Committee on Finance.

Mr. HARRIS presented a resolution of the Macon Automobile Dealers' Association, of Macon, Ga., favoring legislation restricting the sale in the United States of automotive material sold by the United States to foreign Governments, which was referred to the Committee on Finance.

Mr. NELSON presented a resolution of the Minnesota Commercial Men's Association, of Minneapolis, Minn., favoring legislation amending the revenue laws so as to provide for exemption from income and excise taxes the Minnesota Commercial Men's Association and other associations similarly organized, which was referred to the Committee on Finance.

ORDER OF BUSINESS.

Mr. SMOOT. Mr. President, there was a recess taken last evening.

The VICE PRESIDENT. A recess was taken.

Mr. SMOOT. So that the Senate has convened this morning after a recess.

The VICE PRESIDENT. That is correct. Does the Senator object to the introduction of morning business?

Mr. CALDER. Mr. President, I desire to report from the Committee to Audit and Control the Contingent Expenses of the Senate a number of resolutions permitting certain standing committees of the Senate to hold hearings and employ stenographers, and I should like to ask unanimous consent for their immediate consideration. They are the usual resolutions passed at the beginning of every session, and there are about 15 of them.

The VICE PRESIDENT. Is there any objection?

Mr. SMOOT. I shall not object to the consideration of the resolutions reported by the Senator from New York, but I hope there will be no further interruption of the regular order.

Mr. HARRISON. Mr. President, may I ask the Senator from Utah if the resolutions reported by the Senator from New York are similar to the resolutions that are usually considered at the beginning of the session?

Mr. SMOOT. They are similar to the resolutions which have been adopted for many years past.

Mr. HARRISON. The same authority has been given to all the committees covered by the resolutions reported?

Mr. CALDER. That has always been done at the beginning of every session.

Mr. SMOOT. It is customary to take such action at the beginning of every session. The rate of pay for the stenographer is made $1.25, the same that it has been for the last two years.

Mr. HARRISON. Very well.

HEARINGS BEFORE COMMITTEE ON FOREIGN RELATIONS.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back with an amendment Senate resolution 20 and ask unanimous consent for its immediate consideration.

There being no objection, the Senate proceeded to consider the resolution.

The amendment was, on page 1, line 5, to strike out "$1" and insert "$1.25," so as to make the resolution read:

Resolved, That the Committee on Foreign Relations, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

The amendment was agreed to.

The resolution as amended was agreed to.

HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 44) submitted by Mr. McLEAN on the 14th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Banking and Currency, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON NAVAL AFFAIRS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 47) submitted by Mr. POINDEXTER on the 15th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee, or any subcommittee thereof, to be paid from the contingent fund of the Senate.

HEARINGS BEFORE COMMITTEE ON THE JUDICIARY.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 42) submitted by Mr. NELSON on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON PUBLIC LANDS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 24) submitted by Mr. SMOOT on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Public Lands, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON PENSIONS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 28) submitted by Mr. McCUMBER on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Pensions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON CLAIMS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 29) submitted by Mr. SPENCER on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Claims, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON APPROPRIATIONS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 33) submitted by Mr. WARREN on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Appropriations, or any subcommittee thereof, is authorized, during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 34) submitted by Mr. NORRIS on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON COMMERCE.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 36) submitted by Mr. JONES of Washington on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON IMMIGRATION.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 37) submitted by Mr. COLT on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Immigration, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding $1.25 per printed page, to report such hearings as may be had on any subject before said committee, the expense thereof to be paid out of the contingent fund of the Senate; and that committee, or any subcommittee thereof, may sit during any session or recess of the Senate.

HEARINGS BEFORE COMMITTEE ON POST OFFICES AND POST ROADS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 38) submitted by Mr. TOWNSEND on the 13th

instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Post Offices and Post Roads, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-seventh Congress, to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 45) submitted by Mr. WADSWORTH on the 14th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Military Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 46) submitted by Mr. CUMMINS on the 14th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON CIVIL SERVICE AND RETRENCHMENT.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 35) submitted by Mr. STERLING on the 13th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Civil Service and Retrenchment, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON IRRIGATION AND RECLAMATION.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 48), submitted by Mr. MCNARY on the 15th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Irrigation and Reclamation of Arid Lands, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress, to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON TERRITORIES.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 50), submitted this day by Mr. NEW, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Territories and Insular Possessions, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate; and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HEFLIN:

A bill (S. 825) for the relief of certain officers of the United States Army; to the Committee on Claims.

By Mr. McLEAN:

A bill (S. 826) authorizing the Secretary of War to erect a monument at Valparaiso, Chile; to the Committee on the Library;

A bill (S. 827) authorizing the Secretary of War to donate to the town of Berlin, Conn., one German cannon or fieldpiece;

A bill (S. 828) authorizing the Secretary of War to donate to the town of Waterbury, Conn., one German cannon or fieldpiece;

A bill (S. 829) authorizing the Secretary of War to donate to the town of Enfield, Conn., one German cannon or fieldpiece; and

A bill (S. 830) authorizing the Secretary of War to donate to the town of Harwinton, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 831) to amend the proviso in paragraph 10 of section 9 of the Federal reserve act amended by the act of June 21, 1917, amending the Federal reserve act; and

A bill (S. 832) to amend section 7 of the act approved December 23, 1913, and known as the Federal reserve act, as amended by the act of March 3, 1919; to the Committee on Banking and Currency.

By Mr. NELSON:

A bill (S. 833) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

A bill (S. 834) to authorize the appointment of an ordnance storekeeper in the Army; to the Committee on Military Affairs.

A bill (S. 835) for the relief of Jacob Ries Bottling Works (Inc.), Shakopee, Minn.; to the Committee on Claims.

By Mr. HARRIS:

A bill (S. 836) to limit the rate of interest chargeable to Federal reserve banks to 5 per cent per annum; and

A bill (S. 837) to amend section 13 of an act known as the Federal reserve act, approved December 23, 1913, as amended; to the Committee on Banking and Currency.

By Mr. STERLING:

A bill (S. 838) granting a pension to Marianna Sperb Luke (with accompanying papers); and

A bill (S. 839) granting an increase of pension to James H. Schneider (with accompanying papers); to the Committee on Pensions.

A bill (S. 840) for the relief of C. H. West; and

A bill (S. 841) for the relief of Elizabeth Marsh Watkins; to the Committee on Claims.

A bill (S. 842) to further reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. SHORTRIDGE:

A bill (S. 843) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

A bill (S. 844) to increase the pensions of those who have lost both hands or both feet or have become totally blind from causes occurring in the military or naval service of the United States; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 845) granting a pension to Emeline La Gow; to the Committee on Pensions.

A bill (S. 846) to promote Americanization by providing for cooperation with the several States in the education of non-English-speaking persons and the assimilation of foreign-born residents, and for other purposes; to the Committee on Education and Labor.

By Mr. JONES of Washington:

A bill (S. 847) creating the District of Columbia insurance fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by the United States Employees' Compensation Commission, and making an appropriation therefor; to the Committee on the District of Columbia.

By Mr. WATSON of Indiana:

A bill (S. 848) to amend section 22 of the interstate commerce act by permitting the issuance of interchangeable mileage tickets on railroads, and for other purposes; to the Committee on Interstate Commerce.

By Mr. REED:

A bill (S. 849) to authorize the President of the United States to promote Charles Augustus Pfeffer to the grade of major in the Medical Corps of the Army of the United States, and for the relief of said Charles Augustus Pfeffer; to the Committee on Military Affairs.

By Mr. McKELLAR:

A bill (S. 850) for the relief of the city of Bristol, Tenn. (with an accompanying paper); to the Committee on Claims.

By Mr. STERLING:

A joint resolution (S. J. Res. 26) relating to the use of net earnings derived by the United States from the Federal reserve banks in the years 1921, 1922, and 1923, being the earnings accrued and accruing during the years 1920, 1921, and 1922; to the Committee on Banking and Currency.

CONDITIONS IN IRELAND.

Mr. NORRIS. I introduce a joint resolution, which I ask may be read at length and referred to the Committee on Foreign Relations.

The joint resolution (S. J. Res. 27) protesting against violations of the laws of land warfare committed by the British forces against the Irish people in their struggle for independence was read the first time by its title, the second time at length, and referred to the Committee on Foreign Relations, as follows:

Whereas there is a state of war existing between the Government of Great Britain and the people of Ireland; and

Whereas the armed forces of Great Britain in Ireland have violated the laws of warfare as set forth in The Hague convention of 1907, to which the Government of the United States is a signatory power, in the following particulars:

(1) Prisoners of war are not treated as prisoners of the British Government, but as prisoners of the individuals or corps that capture them.

(2) Such prisoners are subjected to cruel and inhuman treatment.

(3) Prisoners are assassinated without excuse or under the pretext that they are attempting to escape.

(4) The property of prisoners is confiscated.

(5) Prisoners, as well as noncombatant civilians, are compelled by military force to perform excessive labor.

(6) Irish nationals are forced to take part in the operations of war against their own people.

(7) Hostages are carried by the British forces when engaged in war operations.

(8) Irish nationals are forced to swear allegiance to the Government of the invading forces.

(9) Irish citizens are forced under extreme torture to give information about their armed forces.

(10) Family rights and honor, the lives of persons, and private property are violated by arson, pillage, and assassination. Husbands and sons are killed in the presence of their wives and mothers. Innocent women and children are shot down in cold blood by soldiers driving through the streets in motor lorries.

(11) Penalties are laid upon towns and villages as the result of the acts of individuals for which they can not be held legally responsible; homes are broken into in the dead of night, the inhabitants terrorized, and the houses looted and burned. During the year 1920 more than 48,000 homes were thus violated.

(12) Factories, creameries, hayricks, and other food of domestic animals owned by noncombatants are burned and destroyed, leaving thousands of people without means of gaining a livelihood, and thus bringing on much suffering and starvation.

(13) A policy of reprisals has been instituted by which villages are laid waste and homes are destroyed, contrary to the law of nations and of humanity.

(14) The property of religious, educational, and civic institutions is destroyed; and

Whereas many thousands of loyal citizens of the United States are related by blood to the victims of these atrocities in Ireland; and

Whereas this situation is making it exceedingly difficult to maintain unimpaired and unembarrassed the long-standing good will and common understanding between the United States and Great Britain, which the Congress is zealously desirous of fostering and perpetuating: Now, therefore, be it

Resolved, etc., That the Irish people are entitled to a government of their own choice, and that the Congress views with horror and indignation the continued violation of the dictates of humanity and the laws of war by the armed forces of Great Britain in Ireland, and most solemnly protests to the world against the continuation of such acts of uncivilized warfare.

HEARINGS BEFORE COMMITTEE ON EDUCATION AND LABOR.

Mr. KENYON submitted the following resolution (S. Res. 51), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

EMPLOYMENT ON PUBLIC WORKS.

Mr. KENYON submitted the following resolution (S. Res. 52), which was referred to the Committee on Education and Labor:

Whereas a temporary decrease in industrial activity has deprived many persons of employment; and

Whereas it is regarded as sound governmental policy to prosecute public works during periods when labor and material are not fully absorbed by private industry and are therefore in plentiful supply; and

Whereas Congress has made appropriations now available for the execution of certain public works; and

Whereas the immediate prosecution of such public works will give employment to large numbers of persons now seeking employment not only directly on the public works but, indirectly, upon the manufacture of the materials required: Therefore be it

Resolved, That the President of the United States be requested, if not incompatible with the public interests, to take measures that the public works of the United States for which appropriations are now available may be expedited and actively prosecuted during the present period of diminished industrial activity.

HOUSE BILL REFERRED.

The bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, was read twice by its title and referred to the Committee on Finance.

DIVERSION DAM ON BIG HORN RIVER, MONT.

Mr. WALSH of Montana. I ask unanimous consent for the immediate consideration of the joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available. It is a matter of very great urgency. Opposition to the consideration of the joint resolution was made yesterday by the Senator from Pennsylvania [Mr. PENROSE]. However, I have since spoken to the Senator from Pennsylvania regarding the matter, and he has had an opportunity to consider it. I understand that he is not disposed to urge further his objection. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana?

Mr. PENROSE. I do not object.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That the sum of $150,000 appropriated by the Indian appropriation act, approved March 3, 1921 (Public No. 359, 66th Cong., 3d sess.), for the construction of a diversion dam on the Big Horn River, Crow Indian Reservation, Mont., be, and the same is hereby, made immediately available for the construction of said dam.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STANDING COMMITTEES OF THE SENATE.

The VICE PRESIDENT. The resolution offered by the Senator from Connecticut [Mr. BRANDEGEE] is before the Senate, on which there is pending a motion to refer the resolution to the Committee on Rules.

Mr. HARRISON. Mr. President, on yesterday the senior Senator from Iowa [Mr. CUMMINS], in discussing the point of order upon which an appeal was pending, stated in substance that the action of the Senate in referring the notice and the resolution to the Rules Committee was without authority of the rules, and could not be done. The Senator from Connecticut took the position that although the notice as well as the resolution was referred to the Rules Committee the notice was in the RECORD, was still pending, and that the new resolution that he proposed and that he had made a motion to adopt was in substance the same as the former resolution, and that the rule providing for a notice of 24 hours, or 1 day, would not apply against it.

Just to refresh the Senate's mind about the rule, I want to discuss this one phase of it first. [After a pause.]

Mr. President, I ask unanimous consent that I may be permitted to address the Senate as in open executive session upon the nomination of Col. George Harvey as ambassador to Great Britain.

Mr. LODGE. Mr. President, I think that is a subject which is clearly out of order in open session. Therefore, I have to make the point of order against it.

The VICE PRESIDENT. The Chair did not understand the request of the Senator from Mississippi.

Mr. HARRISON. I realize that under the rules I should have to get unanimous consent for my proposition, and I understand that the Senator from Massachusetts wants to make a motion to go into executive session. I am propounding now a unanimous-consent request that I may be permitted to address the Senate at this time on the nomination of Col. George Harvey, in open session of the Senate.

Mr. LODGE. To that I object, Mr. President.

The VICE PRESIDENT. Unanimous consent is not granted.

Mr. HARRISON. Do I understand the objection to be sustained?

Mr. LODGE. I made an objection.

The VICE PRESIDENT. Unanimous consent is not granted.

EXECUTIVE SESSION.

Mr. LODGE. Mr. President, if the Senator from Mississippi will allow me to make a suggestion, I understand that there is no Senator who desires to go on with the discussion of the

Colombian treaty to-day. As that is the case, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After 30 minutes spent in executive session, the doors were reopened.

CONFIRMATION OF GEORGE HARVEY.

On request of Mr. NORRIS and by unanimous consent, the injunction of secrecy was removed from the vote on the confirmation of the nomination of George Harvey as ambassador extraordinary and plenipotentiary to Great Britain, and the vote was ordered to be printed in the RECORD.

The yeas were 47 and the nays 20, as follows:

YEAS—47.

Ashurst	Gooding	McNary	Spencer
Ball	Hale	Moses	Stanfield
Borah	Harreld	Myers	Sterling
Brandegee	Kellogg	Nelson	Townsend
Bursum	Kendrick	New	Wadsworth
Cameron	Kenyon	Nicholson	Walsh, Mass.
Capper	Keyes	Norbeck	Warren
Colt	Lenroot	Penrose	Watson, Ga.
Curtis	Lodge	Phipps	Watson, Ind.
Dillingham	McCormick	Pomerene	Weller
France	McCumber	Shortridge	Willis
Frelinghuysen	McKinley	Smoot	

NAYS—20.

Broussard	Harrison	Ransdell	Swanson
Caraway	Heflin	Sheppard	Trammell
Dial	McKellar	Simmons	Underwood
Fletcher	Norris	Smith	Walsh, Mont.
Harris	Overman	Stanley	Williams

On the vote the following pairs were announced:

Mr. POINDEXTER with Mr. GLASS.
Mr. FERNALD with Mr. SHIELDS.
Mr. PAGE with Mr. WOLCOTT.
Mr. ODDIE with Mr. KING.
Mr. CALDER with Mr. CULBERSON.
Mr. EDGE with Mr. OWEN.
Mr. ELKINS with Mr. PITTMAN.
Mr. JONES of Washington with Mr. JONES of New Mexico.
Mr. SUTHERLAND with Mr. ROBINSON.

TREATY WITH COLOMBIA.

While the doors were closed, as in open executive session, on request of Mr. BORAH and by unanimous consent, Chapter XI of the book by Theodore Roosevelt entitled "Fear God and Take Your Own Part" was ordered to be printed in the RECORD.

The matter referred to is as follows:

"CHAPTER XI.

"THE PANAMA BLACKMAIL TREATY.

"In 1903 a shameless and sordid attempt was made by the then dictator of Colombia and his subordinate fellow politicians at Bogota to force the United States, by scandalously improper tactics, to pay a vastly larger sum for the privilege of building the Panama Canal than had been agreed upon in a solemn treaty. As President of the United States I resisted this attempt, and prevented the United States from being blackmailed. Had I not successfully resisted the attempt, the Panama Canal would not now be built and would probably never have been built. The attempt was blackmail then; and to yield to it now is to yield to blackmail.

"Yet the present administration now proposes to pay Colombia $25,000,000, and to make what is practically an apology for our conduct in acquiring the right to build the canal. Apparently this is done on the theory of soothing the would-be blackmailers and making them forget the mortification caused them by the failure of their initial attempt to hold up the United States.

"In brief, the facts in the case were as follows:

"A private French company had attempted to build a canal across the Isthmus of Panama and had failed, after making only a beginning of the work. Various propositions for a transisthmian canal to be undertaken by the United States Government had been made. One of these was to cross the Isthmus at Darien. Another was a proposition to go through Nicaragua. Different companies had been organized in the United States to back these different propositions. One of these companies had ex-Senator Warner Miller at its head. The then Senator Platt, of New York, was much interested in another company. Congress only considered seriously, however, the Panama and Nicaragua routes, and was in much doubt between them. A commission of experts appointed by the President for that purpose had reported that if we could buy the rights of the French Canal Co. for $40,000,000 we ought to take the Panama route, but that otherwise we should take the Nicaragua route. It was at that time well and widely known that the sum of $10,000,000 (aside from a small yearly payment to be made on different grounds) was all that we would pay or would be asked to pay Colombia, and Colombia herself had advertised this fact. The recommendation, therefore, was in effect that we should go by Panama if we could acquire our rights by paying $40,000,000 to the French and $10,000,000 to the Colombians.

"The French had real rights. They had spent hundreds of millions of dollars, and although much of this had been wasted, yet we received at least $40,000,000 worth of property and of accomplished work for the $40,000,000 we agreed to pay them. Colombia had no rights that were not of the most shadowy and unsubstantial kind; and even these shadowy rights existed only because of the action of the United States. She had done nothing whatever except to misgovern the Isthmus for 50 years. During these 50 years her possession of the Isthmus as against foreign powers had been maintained solely by the guaranty and the potential strength of the United States. The only effective policing of the Isthmus during those 50 years had been done by the United States on the frequent occasions when it was forced to land marines and sailors for that purpose. Ten million dollars represented the very outside limit which generosity could fix as a payment to Colombia for rights which she was impotent to maintain save by our assistance and protection, and for an opportunity which she was utterly unable herself to develop. Nobody of any consequence in the United States, within or without Congress, would at that time for one moment have considered agreeing to pay $25,000,000 or any sum remotely approaching it.

"If Colombia had at that time announced any such demand, unquestionably the Congress of the United States would have directed the Executive to take the Nicaragua route. The exact language of Congress in its act providing for the construction of the canal, approved June 28, 1902, was that if 'the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Co. and the control of the necessary territory of the Republic of Colombia within a reasonable time and upon reasonable terms, then the President' should endeavor to provide for a canal by the Nicaragua route.

"This language defined with exactness and precision what was to be done and what as a matter of fact I actually did. I was directed to take the Nicaragua route, but only if within a reasonable time I could not obtain control of the necessary territory of the Republic of Colombia upon reasonable terms; the direction being explicit that if I could not thus get the control within a reasonable time and upon reasonable terms I must go to Nicaragua. Colombia showed by its actions that it was thoroughly acquainted with this fact, and eagerly demanded and entered into a treaty with the United States, the Hay-Herran treaty, under which $10,000,000 was the price stipulated to be paid in exchange for our acquiring the right to the zone on which to build the canal.

"Let it be remembered that this $10,000,000 was the price stipulated by Colombia herself as payment to those in possession of the Isthmus, and it was the price we actually did pay to those who actually were in possession of the Isthmus. The only difference was that, thanks to the most just and proper revolution which freed Panama from the intolerable oppression and wrongdoing of Colombia, we were able to give this $10,000,000 to the men who themselves dwelt on the Isthmus instead of to alien taskmasters and oppressors of theirs.

"The proposal now is that after having paid $10,000,000 to the rightful owners of the Isthmus, we shall in addition pay $25,000,000 to their former taskmasters and oppressors, a sum two and a half times what these tricky oppressors originally asked, a sum which is to be paid to them merely because they failed in carrying to successful completion what must truthfully be characterized as a bit of international villainy as wicked as it was preposterous. In point of good sense and sound morality the proposal is exactly on a par with paying a discomfited burglar a heavy sum for the damage done his feelings by detecting him and expelling him from the house.

"Our people should also remember that what we were paying for was the right to expend our own money and our own labor to do a piece of work which if left undone would render the Isthmus of Panama utterly valueless. If we had gone to Nicaragua or had undertaken to build a canal anywhere else across the Isthmus, then the right which Colombia was so eager to sell for $10,000,000 would not have been worth 10 cents. The whole value was created by our prospective action, and this action was to be taken wholly at our own expense and without making Colombia or anyone else pay a dollar, and this although no power would benefit more by the canal than Colombia, as it would give her waterway communication by a

short and almost direct route between her Caribbean and Pacific ports.

"The people of the United States should remember that the United States paid $50,000,000 to Panama and the French company for every real right of every sort or description which existed on the Isthmus. There would have been no value even to these rights unless for the action that the United States then intended to take and has since actually taken. The property of the French company would not have been worth any more than any other scrap heap save for our subsequent action, and the right to cross the Isthmus of Panama would have been valueless to Colombia or to any other nation or body of men if we had failed to build a canal across it and had built one somewhere else. The whole value then and now of any right upon that Isthmus depended upon the fact that we then intended to spend and now have spent in building the canal some $375,000,000.

"The proposal of Mr. Wilson's administration is that, having given to the Isthmus of Panama its whole present value by the expenditure of $375,000,000, we shall now pay $25,000,000 additional to the power that did its best to prevent the Isthmus from having any value by treacherously depriving us of the right to build the canal at all or to spend a dollar on the Isthmus. If Colombia's action had been successful, the Isthmus would now be worthless; and yet the present administration actually proposes to pay her $25,000,000 so as to atone to her for our not having permitted her to follow a course of conduct which would have prevented the Isthmus from being worth 25 cents.

"Most people, when we began the building of the canal, believed that we would fail. There were plenty of such skeptics in this country, and a much larger number abroad. If the American engineers had not been successful, if the American people had not backed them with money, and if the Government had not started the work on a basis of absolutely nonpartisan efficiency, there would exist nothing for which to pay any sum at the present moment. This proposed treaty is a proposal to pay blackmail to that Government which sought in vain to forbid us to use our national efficiency in the interest of the world at large.

"I can not too strongly emphasize the fact that Panama represented to Colombia an asset of no value whatsoever save such as might accrue from the action which we were ready to undertake at great expense. She enjoyed this asset at all only because of our guaranteeing her against having it taken away from her by any foreign power. We had never guaranteed her against a movement for independence on the Isthmus or against action on our own part if she misbehaved herself. Presidents and Secretaries of State have repeatedly given the true interpretation of the obligations to New Granada (the South American Republic which then included the present Republic of Colombia) by the treaty of 1846. In 1856 Secretary Cass officially stated the position of the Government as follows:

"Sovereignty has its duties as well as its rights, and none of these local governments (on the Isthmus) would be permitted in a spirit of Eastern isolation to close the gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them or, what is almost equivalent, to encumber them with such unjust relations as would prevent their general use.

"Seven years later Secretary Seward in different communications explicitly stated that the United States had not undertaken any duty in connection with 'any question of internal revolution in the State of Panama' but merely 'to protect the transit trade across the Isthmus against invasion of either domestic or foreign disturbers'; and that the United States had not 'become bound to take sides in the domestic broils of New Granada' but merely to protect New Granada 'as against other and foreign Governments.' In the final portion of my message to Congress of December 7, 1903, and in my special message to Congress of January 4, 1904, I enumerated a partial list of revolutions, insurrections, disturbances, and other outbreaks that had occurred on the Isthmus of Panama during the 53 years preceding the negotiation of our treaty with the Republic of Panama itself. These revolutions, unsuccessful rebellions, and other outbreaks numbered just 53 during these 53 years.

"In detail they are as follows:

"May 22, 1850: Outbreak; two Americans killed. War vessel demanded to quell outbreak.
"October, 1850: Revolutionary plot to bring about independence of the Isthmus.
"July 22, 1851: Revolution in four southern Provinces.
"November 14, 1851: Outbreak at Chagres. Man-of-war requested for Chagres.
"June 27, 1853: Insurrection at Bogota and consequent disturbance on Isthmus. War vessel demanded.
"May 23, 1854: Political disturbances. War vessel requested.
"June 28, 1854: Attempted revolution.
"October 24, 1854: Independence of Isthmus demanded by provincial legislature.
"April, 1856: Riot and massacre of Americans.
"May 4, 1856: Riot.
"May 18, 1856: Riot.
"June 3, 1856: Riot.
"October 2, 1856: Conflict between two native parties. United States forces landed.
"December 18, 1858: Attempted secession of Panama.
"April, 1859: Riots.
"September, 1860: Outbreaks.
"October 4, 1860: Landing of United States forces in consequence.
"May 23, 1861: Intervention of the United States forces required by intendente.
"October 2, 1861: Insurrection and civil war.
"April 4, 1862: Measures to prevent rebels crossing Isthmus.
"June 13, 1862: Mosquera's troops refused admittance to Panama.
"March, 1865: Revolution, and United States troops landed.
"August, 1865: Riots; unsuccessful attempt to invade Panama.
"March, 1866: Unsuccessful revolution.
"April, 1867: Attempt to overthrow Government.
"August, 1867: Attempt at revolution.
"July 5, 1868: Revolution; provisional government inaugurated.
"August 29, 1868: Revolution; provisional government overthrown.
"April, 1871: Revolution; followed apparently by counterrevolution.
"April, 1873: Revolution and civil war which lasted to October, 1875.
"August, 1876: Civil war which lasted until April, 1877.
"July, 1878: Rebellion.
"December, 1878: Revolt.
"April, 1879: Revolution.
"June, 1879: Revolution.
"March, 1883: Riot.
"May, 1883: Riot.
"June, 1884: Revolutionary attempt.
"December, 1884: Revolutionary attempt.
"January, 1885: Revolutionary disturbances.
"March, 1885: Revolution.
"April, 1887: Disturbance on Panama Railroad.
"November, 1887: Disturbance on line of canal.
"January, 1889: Riot.
"January, 1895: Revolution which lasted until April.
"March, 1895: Incendiary attempt.
"October, 1899: Revolution.
"February, 1900, to July, 1900: Revolution.
"January, 1901: Revolution.
"July, 1901: Revolutionary disturbances.
"September, 1901: City of Colon taken by rebels.
"March, 1902: Revolutionary disturbances.
"July, 1902: Revolution.

"Colombia had shown herself utterly incapable of keeping order on the Isthmus. Only the active interference of the United States had enabled her to preserve so much as a semblance of sovereignty. In 1856, in 1860, in 1873, in 1885, in 1901, and in 1902 sailors and marines from United States warships were forced to land in order to protect life and property and to see that the transit across the Isthmus was kept open. In 1861, in 1862, in 1885, and in 1900 the Colombian Government asked for the landing of troops by the United States Government to protect its interests and to maintain order on the Isthmus. Immediately after the revolution by which Panama obtained its independence in 1903 the Colombian Government made another request to land troops to preserve Colombian sovereignty.

"This request was made through Gen. Reyes, afterwards President of the Republic. President Marroquin in making the request offered, if we would grant it, to 'approve by decree' the ratification of the Hay-Herran canal treaty as signed, acting thus 'by virtue of vested constitutional authority,' or, if the Government of the United States preferred, to call an extra session of Congress 'with new and friendly members' to approve the treaty.

"This dispatch has an especial interest. In the first place, it requested the United States to restore order and secure Colombia supremacy on the very Isthmus from which the Colombian Government had just decided to bar us by preventing the construction of the canal. In the second place, by the offer made it showed that the constitutional objections which had been urged against ratifying the treaty were obviously not made in good faith, and that the Government which made the treaty really had absolute control over its ratification but chose to exercise that control adversely to us. As a matter of fact, whatever duty we had in the peninsula was to the Panamanians and not to the Colombians at all. As John Hay put it, 'the covenant ran with the land.' Our original treaty was with the United States of New Granada. This body suffered various changes, various portions splitting off and sometimes rejoining, and finally the Republic of Colombia succeeded to most of it. We, however, recognized whatever power was in lawful possession of the Isthmus as the successor of the one with which we had made the treaty.

"In the constitutions of 1858 and 1861 Panama explicitly reserved the right to secede from the confederation and to nullify any act inconsistent with its own 'autonomy.' Colombia later published a new constitution by executive decree, reducing Panama to the condition of a crown colony; but Panama never accepted this action as proper, and when in 1903 it set up an

independent government by unanimous action of her citizens, they were merely reasserting the constitutional and legal rights which they had never relinquished.

"As Secretary Root wrote the Colombian minister in 1906, our action in recognizing the independence of Panama was merely 'a recognition of the just rights of the people of Panama.' On technical grounds Panama's case was clear, Colombia had no case whatever, and the United States was bound to act as she did act. Morally, of course, there is no question whatever that Panama's action was imperatively demanded and that the United States would have been guilty of culpable misconduct toward an oppressed people if she had failed to support Panama.

"I wish to emphasize the nature of the Colombian Government at the time when Panama declared her independence. It was a pure dictatorship. This was no concern of ours, for I hold it is not our affair to say to another nation what kind of government it shall have save in so far as the rights of our own citizens or of our own Government are concerned. The then President, Mr. Marroquin, had been elected as vice president. Soon after his inauguration by a coup d'état he unseated the President and put him in prison. He then announced that under the constitution, in the absence of the President, the vice president wielded all the executive powers. Accordingly he exercised them.

"In a few months the absence of the President became permanent, for he opportunely died in prison, and Mr. Marroquin continued to act as President. He declined to call Congress together for a period in the neighborhood of five years, and announced that under the constitution in the absence of Congress he possessed all the legislative functions. Accordingly he exercised these also. He was careful to explain that his course was entirely 'constitutional' and that it was in accordance with the mandate of the constitution that he who had been elected vice president exercised all the functions both of President and of Congress. As a matter of fact, while he did not permit any elections to take place for a number of years, yet his power was so absolute that he elected whomsoever he wished as soon as the election did take place; as already related, he notified me, when it became to his interest to do so, that he would elect a Congress with a guaranty that it would perform what he desired in case I would be satisfied therewith.

"Having this absolute power not only to initiate but to ratify and carry out any treaty, he, through Mr. Herran, negotiated with Mr. Hay a treaty with the United States Government which conceded us the right to take the Panama Canal Zone and build the canal for the sum of $10,000,000. (I disregard the minor details of the treaty.) He was exceedingly anxious to negotiate this treaty because it was a matter vital to Panama, and therefore of concern to the absentee owners of Panama, for if the treaty were not negotiated it was certain that the United States would go to Nicaragua. Having this treaty, and having received from the French company the assurance that they would sell us that property for $40,000,000, we selected the Panama route. As soon as we had done this Mr. Marroquin and his associates concluded that we were hopelessly committed, and that it was safe for him to repudiate his promise and try to extort more money. Under its original contract the time during which the French company had to complete the canal lapsed the following year. Colombia had granted an extension of some years; but Mr. Marroquin and his associates now announced that this extension of time, which they had themselves given, was unconstitutional.

"Again I wish to call attention to the solemn farce, the contemptible farce, of these men appealing to the constitution as a make-believe fetish, when the entire governmental power of the nation was vested at the moment in an irresponsible dictator who had never been elected to the office of President at all, who refused to summon Congress, and who yet exercised all its powers in the absence of Congress. It was dishonest on their part thus to talk of the constitution, and it is an act of unspeakable silliness for any of our people to take that talk seriously.

"Accordingly Marroquin summoned a Congress, the only one that had been held under his administration. It was an absolutely obsequious body. It did not attempt to pass a law or do anything but repudiate the proposed treaty. Its committee, in the report which the Congress adopted, announced the real object of their action when it said that the following year the rights of the French company would lapse and Colombia would take possession of the French company's belongings, and then would be in a 'more advantageous' position to negotiate with the United States. In other words, they expected to combine piracy with blackmail, and to take possession of the French company's belongings and get from us the $40,000,000 we were to pay the French. Of course, France would never have allowed this, and if I had acted with the pliant submission to Colombia's demand which the present administration is at this moment showing, we would have had on the Isthmus France instead of Colombia, and the difficulty and danger of the whole problem would have been infinitely increased.

"The Congress as well as the dictator had ample warning of all the dangers they by their action were inviting. Representatives from Panama warned the Colombian administration that Panama would revolt if the treaty was rejected; and our Department of State in the gravest manner called their attention to the serious situation their conduct would create.

"Our minister, Mr. Beaupré, an admirable public servant, who—unlike his successor who negotiated the preposterous treaty now before the Senate—conceived himself under obligation faithfully to represent the interests of the American people, encountered great difficulties while endeavoring to perform his duties at this time. The State Department's messages to him were intercepted and in several cases not delivered, as shown in his cable to Hay of August 6, 1903; and he was directed by the Department of State to protest against such interference with his official communications. Mr. Beaupré showed conclusively in his correspondence that the delay in dealing with the Panama Canal treaty by Colombia was for the purpose of wringing money from either the French company or the United States, or both.

"For example, in his message of June 10, 1903, he stated that the local agent of the Panama Canal Co. had informed him that he had received an official note from the Colombian Government stating that the treaty would be rejected unless the French company paid Colombia $10,000,000. This shows that the Colombian Government then expected only twenty millions all told—ten legitimately from us and ten as an extorted bribe from the unfortunate French company. President Wilson now proposes to give five millions extra, apparently to soothe the feelings of those who failed to extort a smaller sum by scandalously improper methods.

"In his message of July 21, Minister Beaupré reported that the Colombian Government had sounded both Germany and England to see if they could not be persuaded to construct or aid in the construction of the canal in place of the United States. The Government of Colombia, therefore, not only sought to blackmail us and to blackmail the French company, but endeavored to put one of the great Old World powers on the Isthmus in possession of the canal. And because the then administration refused to submit to such infamy on the part of Colombia the present administration actually proposes to pay the wrongdoer $25,000,000 of blackmail.

"There are in every great country a few men whose mental or mortal make-up is such that they always try to smirch their own people and sometimes go to the length of moral treason in the effort to discredit their own national government. A campaign of mendacity was started against this treaty from the outset by certain public men and certain newspapers. One of the favorite assertions of these men and newspapers was that the United States Government had in some way or other instigated and through its agents been privy to the revolutionary movement on the Isthmus. The statement is a deliberate falsehood, and every man who makes it knows that it is a falsehood. Mr. H. A. Gudger, late chief judge of the Department of Panama, was consul in Panama at the time and had been consul for six years previously. It was impossible for any such encouragement or aid by the United States Government of the revolutionary movement to have occurred without his knowledge, and he has explicitly stated that he did not know of any such encouragement.

"Mr. Hay, on behalf of the State Department, made an exactly similar statement to me at the same time. I repeated the statement in my message to Congress. The simple truth, as everybody with any knowledge knew at the time, was that the Isthmus was seething with revolution, and that a revolution was certain to occur if the treaty were rejected. Minister Beaupré notified us that the Panama delegates in the Congress during the debates about the treaty had informed the Congress explicitly that such would be the case. The newspapers of the United States repeatedly published news from Panama, stating that such revolutions were impending. Quotations from the daily papers could be multiplied to prove this. It is only necessary to refer to the Washington Post of August 31 and of September 1; the New York Herald of September 10; the New York Times of September 13; the New York Herald of October 26; the Washington Post of October 29; the New York Herald of October 30 and of November 2, all of the year 1903.

"In my special message to Congress of January 4, 1904, I described the report made to me at the request of Lieut. Gen. Young by Capt. Humphrey and Lieut. Murphy of the Army, who in the course of a visit which on their own initiative,

and without my knowledge, they had made to Panama, had discovered that various revolutionary movements were being inaugurated, and that a revolution would certainly occur, possibly immediately after the closing of the Colombian Congress at the end of October, but probably not before early November. This definitely localized the probability of the revolution taking place somewhere during the last 10 days of October or the first week in November. This was known on the Isthmus. It was known to the American newspapers. It was also known at Bogota, where measures were taken to meet the situation. If it had not been known to the President and to the Secretary of State, they would have shown themselves culpably unfit for their positions.

"After my interview with the Army officers named, on October 16 I directed the Navy Department to issue instructions to send ships to the Isthmus so as to protect American interests and the lives of American citizens if a revolutionary outbreak should occur. Most fortunately the U. S. S. *Nashville*, under Commander Hubbard, in consequence of these orders, reached the Isthmus just in time to prevent a bloody massacre of American men, women, and children. Troops from Bogota had already been landed in Colon on November 3, when the revolution broke out on the same day. On November 4, as Commander Hubbard officially reported, his marines were landed, in view of the fact that the American consul had been notified by the officer commanding the Colombian troops that he intended to open fire on the town of Colon at 2 p. m. and kill every United States citizen in the place. Accordingly various men, women, and children took refuge, first, in the shed of the Panama Railway Co., and then on a German steamer and a Panama Railway steamer which were at the dock. Commander Hubbard showed himself loyal to the best traditions of the American Navy. He brought the *Nashville* close up to the water front, landed some of his men to garrison the shed of the Panama Railway Co., and, although the Colombians outnumbered him 10 to 1, succeeded in protecting the lives of the American citizens who were menaced. Thanks to the firmness of himself and his men, he so impressed the Colombian commander that next day the latter reembarked and withdrew with his troops to Colombia.

"So far from there having been too much foresight about the revolution on the part of the American Government, this plain official account by a naval officer of what occurred on November 4 showed that the American Government had, if anything, delayed too long its orders for the movement of American warships to Panama, and that it was only the coolness and gallantry of 42 marines and sailors in the face of ten times their number of armed foes that prevented the carrying out of the atrocious threat of the Colombian commander. In accordance with our settled principles of conduct, we refused to allow the transportation of troops across the Isthmus by either the Colombians or the Panamans, so as to prevent bloodshed and interference with traffic.

"No one connected with this Government had any part in preparing, inciting, or encouraging the revolution on the Isthmus of Panama. Save from the reports of our military and naval officers, given in full in the message of the President to the Senate, and from the official reports in the Department of State, no one connected with the Government had any previous knowledge of the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a current acquaintance with public affairs.

"Secretary of State John Hay stated officially at the time:

"The action of the President in the Panama matter is not only in the strictest accordance with the best precedents of our public policy, but it was the only course he could have taken in compliance with our treaty rights and obligations.

"I saw at the time very many men, Americans, natives of Panama, and Europeans, all of whom told me that they believed a revolution was impending, and most of whom asked me to take sides one way or the other. The most noted of these men whom I now recollect seeing was Mr. Bunau-Varilla. He, however, did not ask me to take sides one way or the other. To no one of these men did I give any private assurance of any kind one way or the other, referring them simply to my published declarations and acts.

"For some reason certain newspapers have repeatedly stated that Mr. Nelson Cromwell was responsible for the revolution. I do not remember whether Mr. Nelson Cromwell was or was not among my callers during the months immediately preceding the revolution. But if he was I certainly did not discuss with him anything connected with the revolution. I do not remember his ever speaking to me about the revolution until after it occurred, and my understanding was, and is, that he had nothing whatever to do with the revolutionary movement which actually took place.

"There were, as I have said, various revolutionary movements on foot in the Isthmus, and it was my understanding that there was considerable jealousy among the instigators of these movements as to which one would come off first and would be effective. On information received after the event I believed then, and believe now, that the revolutionary movement which actually succeeded was the one with which Mr. Bunau-Varilla was connected. He was sent by the Government of Panama as minister to this country as soon as Panama became an independent State, and he then made no secret of the fact that he had been one of those who had organized the successful revolution, precisely as was the case with the President and other officials of the new Republic. Neither did Mr. Bunau-Varilla make any secret of the fact that in acting as he did he was influenced both by his indignation as a resident of Panama at the Colombian treatment of Panama and also by his indignation as a Frenchman at the Colombian proposal to blackmail the company, and if it would not submit to blackmail, then to confiscate its possessions.

"In view of this double attitude of the Colombian Government, an attitude of tyranny toward Panama and of robbery toward the French company, Mr. Bunau-Varilla conceived it to be his duty to do all he could to aid the natives of Panama in throwing off the yoke of Colombia. I believe his attitude was entirely proper, alike from the standpoint of his duty as a resident of Panama, from the standpoint of his duty as a Frenchman to the investors and property holders of the French company, and from the standpoint of his duty as a citizen of the world. But until after the event I had no knowledge of his activities save the knowledge possessed by all intelligent men who had studied the affairs of the Isthmus. I gave him no aid or encouragement. My attitude was open to the knowledge of all; it was set forth with minute accuracy in my message to Congress.

"No one connected with the American Government instigated the revolution. I thought that a revolution might very probably occur, but so far from fomenting it I was at the time, as has repeatedly been made public since, preparing my message on the basis that it would be necessary for us openly to take possession of the Isthmus in view of the scandalous conduct of Colombia. However, the fact that the revolution occurred and that the independent Republic of Panama was actually seated on the Isthmus, rendered it unnecessary for me to send in this original draft of my message.

"Even had I desired to foment a revolution—which I did not—it would have been wholly unnecessary for me to do so. The Isthmus was seething with revolution. Any interference from me would have had to take the shape of preventing a revolution, not of creating one. All the people residing on the Isthmus ardently desired the revolution. The citizens of Panama desired it. Every municipal council, every governmental body the citizens themselves could elect or control, demanded and supported it. When the revolution had occurred, and was successful, and Panama was an independent Republic, I certainly did prevent Colombia from carrying on a bloody war on the Isthmus in the effort to overthrow the revolutionists. I certainly did refuse to do what Colombia requested—that is, to use the Army and Navy of the United States against our friends in the interests of the foes who had just been trying to blackmail us. We were solemnly pledged to keep transit across the Isthmus open. Again and again we had landed forces in time of revolutionary disturbance to secure this object. If Colombia had attempted the reconquest of the Isthmus, there would have been a far more bloody contest than ever before on the Isthmus, and the only way by which that contest could have been carried on would have been by using the railroad line and interrupting transit across the Isthmus.

"It is therefore perfectly true that I prevented any attempt by Colombia to land troops on the Isthmus and plunge the Isthmus into a long-drawn-out and bloody war. What I did then was as plainly my duty as it would be the duty of the President to act in a similar manner now. Panama was an independent Republic de facto then just as she is now. Colombia had not a particle more right to land troops and conquer her then than she has now. If I was wrong in preventing Colombia from making an effort by a long-drawn-out and bloody war to reconquer the Isthmus in 1903, then it would be a wrong to prevent her from making a similar effort at reconquest now.

* * * * * * *

"If we pay $25,000,000 to Colombia now, then there is no reason why we should not at some future time pay her another $100,000,000; or pay Mexico ten times that sum for having taken Texas and California, Arizona, and New Mexico; or pay

a hundred times that sum to Great Britain because our ancestors deprived her of the thirteen colonies.

"The administration has succeeded in getting Congress to take the position that the United States has no special rights in its own canal. It now proposes by treaty to get Congress to give to the one nation which conspicuously wronged us in connection with that canal special rights which it would deny to ourselves and to all other countries. President Wilson denies that we have the right to exempt our own vessels engaged in peaceful coast commerce from tolls, and yet he now proposes to exempt from tolls the war vessels and transports of Columbia. Three years ago I should have deemed it impossible that two such propositions could have been entertained by the same administration. Furthermore, the President, through the Secretary of State, has recently stated that 'if cordial relations are to be restored to Colombia, they must be restored on a basis that is satisfactory to Colombia.' On the contrary, I take the position that the basis should be one of justice and right, and therefore one satisfactory to the honor and dignity of the United States Government and of the American people. The administration's attitude is precisely as if when a householder has a disagreement with a burglar the effort should be to restore 'peace' upon a basis satisfactory to the burglar instead of to the householder. Any burglar will welcome the 'peace' which comes if the householder tenders him a large sum of money to atone for the heartlessness of a former occupant of the house in preventing him from getting away with the loose silver.

"Mr. Bryan has also stated that Colombia suffered a loss financially, which we ought to make up, when she lost Panama. This represents the doctrine that when one country holds another in subjection and by misgovernment drives it to revolt, the moral and equitable rights are on the side of the tyrant country and not on the country that has declared its independence. If Mr. Bryan is right in his theory France owes Great Britain an enormous sum of money for its misconduct in assisting the revolted colonies to become the United States of America. Yet the misgovernment of the colonies by Great Britain against which the colonies revolted did not even remotely approach the misgovernment against which Panama revolted; and it would not be more absurd for President Wilson to take the position that France owes Great Britain an enormous sum of money for her conduct in the Revolutionary War than to take the position which is now taken in reference to the payment of this $25,000,000 of sheer blackmail to Colombia.

"We have at different times paid sums of money to various nations for the acquisition of territory from them. We have paid money to Russia and to France. We have paid money to Spain. But we have never paid to any nation, not to the most powerful European nation, nor to any American nation, a sum of money equal to the sum which it is now proposed to pay to Colombia in tendering her an apology for having refused to permit her to reconquer a little people whom she had shamelessly oppressed, and for having acquired the right which she sought to deny us, the right to spend hundreds of millions of our own money in constructing a canal in our own interest, in her interest, and in the interest of all the civilized powers of the world.

"As Mr. Bonaparte, late Attorney General, has said:

"By the treaty we promise to pay Colombia, as a compensation for an alleged injury, a much larger sum of money than we paid France for Louisiana, or Mexico for California, or Spain for the Philippines, or Panama for the Canal Zone, or than Great Britain paid us in settlement of the Alabama claims; if we acknowledge that we have so wronged her as to make it proper for us to buy her forgiveness, it is consistent and appropriate to add to this acknowledgment of wrong an apology, or, in other words, an expression of sorrow; if we have nothing to apologize for, because we have done her no wrong, then it is utterly unworthy of a great Nation and a forfeiture of our right to self-respect for us to pay her a red cent.

"The proposed treaty is a crime against the United States. It is an attack upon the honor of the United States which, if justified would convict the United States of infamy. It is a menace to the future well-being of our people. Either there is or there is not warrant for paying this enormous sum and for making the apology. If there is no warrant for it—and, of course, not the slightest vestige of warrant exists—then the payment is simply the payment of belated blackmail. If there is warrant for it, then we have no business to be on the Isthmus at all. The payment can only be justified upon the ground that this Nation has played the part of a thief, or of a receiver of stolen goods. In such a case it would be a crime to remain on the Isthmus, and it is much worse than an absurdity for the President, who wishes to pay the $25,000,000, to take part in opening the canal; for if the President and the Secretary of State are justified in paying the $25,000,000 it is proof positive that in opening the canal they are in their own opinion engaged in the dedication of stolen goods.

"To recapitulate:

"1. The land could not have been acquired and the canal could not have been built save by taking precisely and exactly the action which was taken. Unless the Nation is prepared heartily to indorse and stand by this action it has no right to take any pride in anything that has been done on the Isthmus and it has no right to remain on the Isthmus. If there is a moral justification for paying Colombia $25,000,000, then there is no moral justification for our staying on the Isthmus at all and we should promptly get off. If President Wilson is right in his position, then he has no business to take part in any ceremony connected with opening the canal; on his theory he would be engaged in the dedication of stolen goods.

"2. In the words of John Hay, 'the covenant ran with the land.' Our agreement was with the power which owned the Isthmus of Panama, whether this was New Granada or Colombia or Panama itself. This agreement guaranteed the State that was in control of the Isthmus against interference by foreign powers, but it imposed no responsibility upon us as regards internecine troubles. This was explicitly set forth in statements by Secretaries Cass and Seward, one a Democrat and one a Republican.

"As a matter of fact, every action we took was not only open and straightforward but was rendered absolutely necessary by the misconduct of Colombia. Every action we took was in accordance with the highest principles of national, international, and private morality. The honor of the United States, and the interest not only of the United States but of the world, demanded the building of the canal. The canal could not have been built, it would not now have been begun, had our Government not acted precisely as it did act in 1903. No action ever taken by the Government in dealing with any foreign power since the days of the Revolution was more vitally necessary to the well-being of our people, and no action we ever took was taken with a higher regard for the standards of honor, of courage, and of efficiency which should distinguish the attitude of the United States in all its dealings with the rest of the world."

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 1 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, April 18, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 16 (legislative day of April 13), 1921.

The following-named persons to be members of the Railroad Labor Board:

RAILROAD LABOR BOARD.

LABOR GROUP.

Walter L. McMenimen, of Massachusetts, for a term of five years, vice James J. Forrester, term expired.

MANAGEMENT GROUP.

Samuel Higgins, of New York, for a term of five years, vice William L. Park, term expired.

PUBLIC GROUP.

Ben W. Hooper, of Tennessee, for a term of five years, vice Henry Hunt, term expired.

DIRECTOR OF THE BUREAU OF MINES.

H. Foster Bain, of California, to be Director of the Bureau of Mines, vice Frederick G. Cottrell, resigned.

COMMISSIONER OF LABOR STATISTICS.

Ethelbert Stewart, of Illinois, commissioner of labor statistics, Department of Labor.

DIRECTOR OF WOMEN'S BUREAU.

Mary Anderson, of Illinois, Director of Women's Bureau, Department of Labor.

APPOINTMENTS IN THE REGULAR ARMY.

GENERAL OFFICERS.

To be major generals.

Brig. Gen. Clarence Ransom Edwards from March 5, 1921.
Brig. Gen. James William McAndrew from March 5, 1921.
Brig. Gen. John Leonard Hines from March 5, 1921.
Brig. Gen. Henry Tureman Allen from March 6, 1921.
Brig. Gen. David Cary Shanks from March 6, 1921.
Brig. Gen. Adelbert Cronkhite from March 7, 1921.

Brig. Gen. William Mason Wright from March 7, 1921.
Brig. Gen. George Windle Read from March 8, 1921.
Brig. Gen. Charles Henry Muir from March 8, 1921.
Brig. Gen. Charles Thomas Menoher from March 8, 1921.
Brig. Gen. William George Haan from March 8, 1921.
Brig. Gen. George Bell, jr., from March 22, 1921.

To be brigadier generals.

Col. Grote Hutcheson, Cavalry, from March 5, 1921.
Col. Jesse McIlvaine Carter, Cavalry, from March 5, 1921.
Col. Walter Henry Gordon, Infantry, from March 5, 1921.
Col. George Brand Duncan, Infantry, from March 5, 1921.
Col. William Weigel, Infantry, from March 5, 1921.
Col. Ernest Hinds, Field Artillery, from March 5, 1921.
Col. Ulysses Grant McAlexander, Infantry, from March 5, 1921.
Col. Mark Leslie Hersey, Infantry, from March 5, 1921.
Col. Eli Alva Helmick, Infantry, from March 5, 1921.
Col. Robert Lee Howze, Cavalry, from March 5, 1921.
Col. William Lassiter, Field Artillery, from March 5, 1921.
Col. Fred Winchester Sladen, Infantry, from March 5, 1921.
Col. Harry Hill Bandholtz, Infantry, from March 5, 1921.
Col. Hanson Edward Ely, Infantry, from March 5, 1921.

INSPECTOR GENERAL'S DEPARTMENT.

To be Inspector General with the rank of major general.

Col. John Loomis Chamberlain, Inspector General's Department, for a period of four years from March 28, 1921, with rank from October 6, 1917.

FINANCE DEPARTMENT.

To be Chief of Finance with the rank of brigadier general.

Brig. Gen. Herbert Mayhew Lord, Quartermaster Corps, for a period of four years from March 28, 1921, with rank from July 1, 1920.

SIGNAL CORPS.

To be Chief Signal Officer with the rank of major general.

Col. George Owen Squier, Signal Corps, for a period of four years from March 28, 1921, with rank from October 6, 1917.

CHEMICAL WARFARE SERVICE.

To be Chief of the Chemical Warfare Service with the rank of brigadier general.

Col. Amos Alfred Fries, Chemical Warfare Service, for a period of four years from March 28, 1921, with rank from July 1, 1920.

CAVALRY.

To be Chief of Cavalry with the rank of major general.

Col. Willard Amos Holbrook, Cavalry, for a period of four years from March 28, 1921, with rank from July 1, 1920.

FIELD ARTILLERY.

To be Chief of Field Artillery with the rank of major general.

Col. William Josiah Snow, Field Artillery, for a period of four years from March 28, 1921, with rank from July 1, 1920.

INFANTRY.

To be Chief of Infantry with the rank of major general.

Col. Charles Stewart Farnsworth, Infantry, for a period of four years from March 28, 1921, with rank from July 1, 1920.

AIR SERVICE.

To be Chief of the Air Service with the rank of major general.

Brig Gen. Charles Thomas Mencher, United States Army, for a period of four years from March 28, 1921, with rank from July 1, 1920.

To be assistant to the Chief of the Air Service for a period of four years with rank as brigadier general from July 2, 1920.

Col. William Mitchell, Air Service.

ADJUTANT GENERAL'S DEPARTMENT.

To be assistant to The Adjutant General for a period of four years with rank as brigadier general from July 1, 1920.

Col. James Taggart Kerr, Adjutant General's Department.

QUARTERMASTER CORPS.

To be assistants to the Quartermaster General for a period of four years with rank as brigadier general.

Col. John Miller Carson, Quartermaster Corps, with rank from July 1, 1920.

Col. George Faber Downey, Quartermaster Corps, with rank from March 28, 1921.

CORPS OF ENGINEERS.

To be assistant to the Chief of Engineers for a period of four years with rank as brigadier general from July 1, 1920.

Col. Harry Taylor, Corps of Engineers.

ORDNANCE DEPARTMENT.

To be assistants to the Chief of Ordnance for a period of four years with rank as brigadier general.

Col. William Sullivan Peirce, Ordnance Department, with rank from July 1, 1920.

Col. George Washington Burr, Ordnance Department, with rank from July 2, 1920.

CORRECTING ERRORS IN NAMES OF NOMINEES.

MEDICAL CORPS.

To be first lieutenant with rank from July 1, 1920.

First Lieut. Royal Rohan Baronides, Medical Corps, United States Army. (Nominated January 18, 1921, and confirmed January 29, 1921, under the name of Royal Rohan Baronidas.)

CHAPLAIN.

To be chaplain with the rank of first lieutenant from July 1, 1920.

Earle Mauritius Stigers, late chaplain, United States Army. (Nominated January 18, 1921, and confirmed January 29, 1921, under the name of Earl Mauritius Stigers.)

APPOINTMENT IN OFFICERS' RESERVE CORPS.

TO BE BRIGADIER GENERAL.

Hugh S. Johnson, late brigadier general, United States Army, from April 11, 1921.

REAPPOINTMENTS IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

To be first lieutenant with rank from March 26, 1921.

William Eldridge Moore, late captain, Quartermaster Corps, Regular Army.

CHEMICAL WARFARE SERVICE.

To be first lieutenant with rank from March 24, 1921.

Frank Buffum Gorin, late second lieutenant, Chemical Warfare Service, Regular Army.

SIGNAL CORPS.

To be major with rank from March 18, 1921.

William Neill Hughes, jr., late major, Infantry, Regular Army.

COAST ARTILLERY CORPS.

To be first lieutenant with rank from April 9, 1921.

Paul Wallace Cole, late first lieutenant, Infantry, Regular Army.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY.

QUARTERMASTER CORPS.

First Lieut. Deane Childs Howard, jr., Cavalry, March 19, 1921, with rank from September 20, 1919.

CORPS OF ENGINEERS.

Maj. Robert Crayton Williams, Infantry, April 9, 1921, with rank from July 1, 1920.

ORDNANCE DEPARTMENT.

Maj. Reiff Hesser Hannum, Coast Artillery Corps, March 18, 1921, with rank from July 1, 1920.

Capt. Herman French Safford, Coast Artillery Corps, March 23, 1921, with rank from July 1, 1920.

Capt. Thomas Hay Nixon, Corps of Engineers, April 4, 1921, with rank from April 18, 1920.

Capt. Hiram Baldwin Ely, Corps of Engineers, April 4, 1921, with rank from August 30, 1917.

Capt. Peter Kendrick Kelly, Infantry, April 2, 1921, with rank from August 3, 1917.

Capt. Walter Earl Ditmars, Infantry, April 5, 1921, with rank from July 1, 1920.

Capt. Frank Jarvis Atwood, Coast Artillery Corps, with rank from February 9, 1918.

First Lieut. John Joseph Breen, Infantry, March 19, 1921, with rank from October 30, 1919.

First Lieut. John Wesley Orcutt, Coast Artillery Corps, March 26, 1921, with rank from July 1, 1920.

SIGNAL CORPS.

Maj. Donald Bridgman Sanger, Infantry, March 26, 1921, with rank from July 1, 1920.

Capt. Louis Cansler, Cavalry, March 19, 1921, with rank from July 1, 1920.

Capt. William Henry Egle Holmes, Coast Artillery Corps, April 1, 1921, with rank from July 1, 1920.

First Lieut. Winant Pullis Johnston, Air Service, March 29, 1921, with rank from July 1, 1920.

CHEMICAL WARFARE SERVICE.

Lieut. Col. Claude Ernest Brigham, Coast Artillery Corps, April 2, 1921, with rank from September 1, 1920.

FIELD ARTILLERY.

Lieut. Col. George Parker Tyner, Cavalry, March 24, 1921, with rank from July 1, 1920.

Maj. John Burhyte Wilmot Corey, Quartermaster Corps, March 19, 1921, with rank from May 15, 1917.

Lieut. Col. Clifton Ranney Norton, Cavalry, March 15, 1921, with rank from November 17, 1920.

COAST ARTILLERY CORPS.

Capt. Milton Heilfron, Corps of Engineers, April 6, 1921, with rank from July 1, 1920.

First Lieut. Harold Patrick Hennessy, Air Service, March 18, 1921, with rank from July 1, 1920.

INFANTRY.

Capt. Howard Winthrop Turner, Signal Corps, March 29, 1921, with rank from July 1, 1920.

AIR SERVICE.

Maj. Leo Gerald Heffernan, Cavalry, April 7, 1921, with rank from July 1, 1920.

Capt. Harry Batton Flounders, Cavalry, March 19, 1921, with rank from October 12, 1917.

Capt. Gerald Evans Brower, Field Artillery, March 30, 1921, with rank from April 15, 1918.

PROMOTIONS IN THE REGULAR ARMY.

To be majors with rank from July 1, 1920.

Capt. Horace Hayes Fuller, Field Artillery.
Capt. Frank Cadle Mahin, Infantry.
Capt. Karl Chris Greenwald, Field Artillery.
Capt. Adrian Kenneth Polhemus, Infantry.
Capt. Harry Oliver Davis, Infantry.
Capt. John Easter Harris, Corps of Engineers.
Capt. Pearson Menoher, Cavalry.

To be captains with rank from July 1, 1920.

First Lieut. George Thurman Fleet, Infantry, subject to examination required by law.

First Lieut. Clyde Alexander Fowler, Infantry, subject to examination required by law.

First Lieut. Robert Edward Wysor, jr., Infantry, subject to examination required by law.

First Lieut. Lewis Allison Hudgins, Coast Artillery Corps.
First Lieut. William Jennings Davis, Infantry.
First Lieut. Leonard Harrison Frasier, Field Artillery.

Second Lieut. Lawrence Lee Simpson, Quartermaster Corps, subject to examination required by law.

To be captains with rank from July 2, 1920.

First Lieut. Thomas Boroughs Richardson, Infantry.
First Lieut. Samuel Wilber Stephens, Infantry.
First Lieut. Richard Cohron Lowry, Coast Artillery Corps.
First Lieut. Albert Edgar Billing, Infantry.
First Lieut. Frederick Hahn, Infantry.
First Lieut. Robert Oney Wright, Cavalry.
First Lieut. Edwin Todd Wheatley, Infantry.
First Lieut. George Richard Thompson, Quartermaster Corps.
First Lieut. John Winthrop Mott, Infantry.
First Lieut. Jess Garnett Boykin, Cavalry.
First Lieut. John Charles MacDonald, Infantry.
First Lieut. Harvey Shelton, Infantry.
First Lieut. Hugh Bryan Hester, Field Artillery.
First Lieut. James Mahon Roamer, Infantry.
First Lieut. Maylon Edward Scott, Field Artillery.
First Lieut. Lewis Burnham Rock, Infantry.
First Lieut. Charles Moorman Hurt, Cavalry.
First Lieut. James Dallace Bender, Infantry.
First Lieut. Louis Howard Thompson, Coast Artillery Corps.
First Lieut. Ellis Bates, Infantry.
First Lieut. George Pryor Johnson, Air Service.
First Lieut. Clyde Virginius Finter, Air Service.
First Lieut. Michael Condon Shea, Field Artillery.
First Lieut. Paul Dillard Carter, Infantry.
First Lieut. Charles John Wynne, Quartermaster Corps.
First Lieut. Paul Henry Weiland, Field Artillery.
First Lieut. Marvin Wade Marsh, Infantry.
First Lieut. Holland Spencer Chamness, Infantry.
First Lieut. Julian Horace George, Infantry.
First Lieut. William Camillus Kabrich, Coast Artillery Corps.
First Lieut. Frank Upton Greer, Infantry.
First Lieut. Walter Cortland Wagner, Infantry.
First Lieut. Laurin Lyman Williams, Infantry.
First Lieut. Anderson Hassell Norton, Cavalry.
First Lieut. Henry Christopher Harrison, Field Artillery.
First Lieut. Hanford Nichols Lockwood, jr., Field Artillery.
First Lieut. John Markham Ferguson, Infantry.
First Lieut. Joseph Saunders Johnson, jr., Infantry.
First Lieut. John Calvin Sandlin, Infantry.
First Lieut. Clarence Eugene Brand, Coast Artillery Corps.
First Lieut. Leslie Eugene Bowman, Quartermaster Corps.
First Lieut. Alonzo Patrick Fox, Infantry.
First Lieut. Hugh Joseph Gaffey, Field Artillery.
First Lieut. Horace Benjamin Smith, Infantry.
First Lieut. Joseph Addison Dubois, Infantry.
First Lieut. Barlow Winston, Infantry.
First Lieut. Maurice Rose, Infantry.
First Lieut. Florain Dennis Giles, Infantry.
First Lieut. Robert Matthews Burr, Infantry.
First Lieut. Chester Morse Willingham, Infantry.
First Lieut. Gene Russell Mauger, Cavalry.
First Lieut. Frank L. Burns, Infantry.
First Lieut. Harold Edwards Stow, Infantry.
First Lieut. William Burl Johnson, Quartermaster Corps.
First Lieut. Wilfred Hill Steward, Infantry.
First Lieut. Merl Louis Broderick, Infantry.
First Lieut. Winfield Rose McKay, Infantry.
First Lieut. Lester Austin Webb, Infantry.
First Lieut. Samuel Lewis Buracker, Infantry.
First Lieut. Arthur Edwin Burnap, Infantry.
First Lieut. James Bernays Lowrey, Infantry.
First Lieut. James Harrison Donahue, Infantry.
First Lieut. David Almadus Bissett, Infantry.
First Lieut. Thomas Patrick Walsh, Coast Artillery Corps.

To be captains.

First Lieut. Warren Benedict Scanlon, Infantry, from July 3, 1920.

First Lieut. William Robert Hamby, Cavalry, from July 3, 1920.

First Lieut. Buckner Miller Creel, Cavalry, from July 10, 1920.

First Lieut. Ralph Andrew Eiler, Field Artillery, from July 10, 1920.

First Lieut. Henry Winter Borntraeger, Infantry, from July 10, 1920.

First Lieut. Edwin Rudolph Petzing, Signal Corps, from July 11, 1920.

First Lieut. Richard Carvel Mallonee, Field Artillery, from July 12, 1920.

First Lieut. Theodore Ernest Voigt, Cavalry, from July 12, 1920.

First Lieut. David Balhassie Simpson, Infantry, from July 13, 1920.

First Lieut. Douglas Johnston, Air Service, from July 13, 1920.

First Lieut. Lawrence Pradere Hickey, Air Service, from July 13, 1920.

First Lieut. Severn Teackle Wallis, jr., Field Artillery, from July 14, 1920.

First Lieut. Charles Murray Rees, Infantry, from July 15, 1920.

First Lieut. William May, Infantry, from July 16, 1920.

First Lieut. Samuel Tankersley Williams, Infantry, from July 16, 1920.

First Lieut. Chester Wright Gates, Quartermaster Corps, from July 17, 1920.

First Lieut. Harold Herbert Fisher, Infantry, from July 17, 1920.

First Lieut. Silas Warren Robertson, Cavalry, from July 17, 1920.

First Lieut. Donald Van Niman Bennett, Infantry, from July 18, 1920.

First Lieut. William Henry Johnson, Infantry, from July 18, 1920.

First Lieut. Ernest Andrew Reynolds, Quartermaster Corps, from July 20, 1920.

First Lieut. Roy William Hern, Quartermaster Corps, from July 20, 1920.

First Lieut. Shiras Alexander Blair, Air Service, from July 23, 1920.

First Lieut. Anton Zeman, Quartermaster Corps, from July 24, 1920.

First Lieut. Charles Stalsburg, Quartermaster Corps, from July 26, 1920.

First Lieut. Woodbury Freeman Pride, Cavalry, from July 27, 1920.

First Lieut. John Wesley Orcutt, Ordnance Department, from July 27, 1920.

First Lieut. Vance Whiting Batchelor, Cavalry, from July 28, 1920.

First Lieut. John Archie King, Quartermaster Corps, from July 29, 1920.

First Lieut. Wiley Hubbard O'Mohundro, Infantry, from July 31, 1920.

First Lieut. William Oliver Reeder, Field Artillery, from July 31, 1920.
First Lieut. William Robert Gerhardt, Field Artillery, from August 1, 1920.
First Lieut. Theodore Earl Buechler, Field Artillery, from August 1, 1920.
First Lieut. Herman Uth Wagner, Ordnance Department, from August 1, 1920.
First Lieut. Frederick Edwin Tibbetts, jr., Field Artillery, from August 2, 1920.
First Lieut. Samuel Durand Ringsdorf, Field Artillery, from August 5, 1920.
First Lieut. Redmond Francis Kernan, jr., Field Artillery, from August 5, 1920.
First Lieut. Philip Stevens Day, Coast Artillery Corps, from August 6, 1920.
First Lieut. Theodore Leslie Futch, Field Artillery, from August 8, 1920.
First Lieut. Russell Luff Meredith, Air Service, from August 9, 1920.
First Lieut. William Innes Wilson, Ordnance Department, from August 9, 1920.
First Lieut. Harold Allum Cooney, Field Artillery, from August 17, 1920.
First Lieut. Henry Anson Barber, jr., Infantry, from August 17, 1920.
First Lieut. Miles Andrew Cowles, Field Artillery, from August 20, 1920.
First Lieut. Lawrence McCeney Jones, Field Artillery, from August 21, 1920.
First Lieut. Gordon Graham Heiner, jr., Field Artillery, from August 21, 1920.
First Lieut. George Walter Hirsch, Coast Artillery Corps, from August 23, 1920.
First Lieut. Forrest Clifford Shaffer, Ordnance Department, from August 31, 1920.
First Lieut. William Riley Deeble, jr., Ordnance Department, from September 1, 1920.
First Lieut. Frank Fenton Reed, Coast Artillery Corps, from September 1, 1920.
First Lieut. John Will Coffey, Ordnance Department, from September 1, 1920.
First Lieut. Grayson Cooper Woodbury, Ordnance Department, from September 2, 1920.
First Lieut. Robert Alston Willard, Infantry, from September 2, 1920.
First Lieut. Clyde Hobart Morgan, Coast Artillery Corps, from September 3, 1920.
First Lieut. Robert Wilson Hasbrouck, Field Artillery, from September 4, 1920.
First Lieut. Howard Patterson Faust, Coast Artillery Corps, from September 5, 1920.
First Lieut. John Taylor de Camp, Coast Artillery Corps, from September 5, 1920.
First Lieut. Wallace Duncan Collins, Coast Artillery Corps, from September 11, 1920.
First Lieut. Sargent Prentiss Huff, Coast Artillery Corps, from September 11, 1920.
First Lieut. William Henry Donaldson, jr., Coast Artillery Corps, from September 15, 1920.
First Lieut. Duncan Gregor McGregor, Cavalry, from September 15, 1920.
First Lieut. Thomas Jackson Heavey, Cavalry, from September 16, 1920.
First Lieut. Henry Maris Black, Chemical Warfare Service, from September 16, 1920.
First Lieut. Wallace Francis Safford, Cavalry, from September 17, 1920.
First Lieut. Willard David Murphy, Coast Artillery Corps, from September 17, 1920.
First Lieut. Joshua Ashley Stansell, Cavalry, from September 21, 1920.
First Lieut. John Marcus Erwin, Ordnance Department, from September 21, 1920.
First Lieut. Raymond Eccleston Serveira Williamson, Cavalry, from September 22, 1920.
First Lieut. David Charles George Schlenker, Cavalry, from September 24, 1920.
First Lieut. John Richard Wilmot Diehl, Cavalry, from September 28, 1920.
First Lieut. Rudolph Daniel Delehanty, Field Artillery, from October 1, 1920.
First Lieut. William Henry Whiting Reinburg, Cavalry, from October 4, 1920.
First Lieut. Elmer Hugo Almquist, Field Artillery, from October 5, 1920.
First Lieut. Frank Leslie Carr, Cavalry, from October 5, 1920.
First Lieut. Frank Edmund Bertholet, Cavalry, from October 5, 1920.
First Lieut. Marion Carson, Cavalry, from October 8, 1920.
First Lieut. Wilson Gunning Bingham, Infantry, from October 13, 1920.
First Lieut. Charles Cope Bartley, Ordnance Department, from October 13, 1920.
First Lieut. Rossiter Hunt Garity, Cavalry, from October 14, 1920.
First Lieut. Frank Charles Jedlicka, Field Artillery, from October 17, 1920.
First Lieut. Robert MacDonald Graham, Cavalry, from October 17, 1920.
First Lieut. Leo Buffington Conner, Cavalry, from October 19, 1920.
First Lieut. Arthur Burnola Custis, Cavalry, from October 19, 1920.
First Lieut. Rudolph Francis Whitelegg, Ordnance Department, from October 19, 1920.
First Lieut. Loyd Van Horne Durfee, Infantry, from October 22, 1920.
First Lieut. Desmond O'Keefe, Field Artillery, from October 22, 1920.
First Lieut. Hal Marney Rose, Cavalry, from October 24, 1920.
First Lieut. Frederick John Durrschmidt, Air Service, from October 28, 1920.
First Lieut. John Ter Bush Bissell, Field Artillery, from October 29, 1920.
First Lieut. Milton Wickers Davis, Cavalry, from October 30, 1920.
First Lieut. John Bellinger Bellinger, jr., Ordnance Department, from October 31, 1920.
First Lieut. Charles Aloysius Mahoney, Infantry, from October 31, 1920.
First Lieut. George Senseny Eyster, Infantry, from November 1, 1920.
First Lieut. Henry Richard Anderson, Infantry, from November 3, 1920.
First Lieut. William McCaskey Chanman, Infantry, from November 3, 1920.
First Lieut. Norman McNeill, Infantry, from November 4, 1920.
First Lieut. Glen Henry Anderson, Infantry, from November 5, 1920.
First Lieut. Bryant Edward Moore, Infantry, from November 5, 1920.
First Lieut. Leo Vincent Warner, Infantry, from November 6, 1920.
First Lieut. Howard Alston Deas, Infantry, from November 7, 1920.
First Lieut. Henry William Bobrink, Infantry, from November 7, 1920.
First Lieut. Onslow Sherburne Rolfe, Infantry, from November 9, 1920.
First Lieut. Henry Perkins Gantt, Field Artillery, from November 9, 1920.
First Lieut. Jesse Brooke Matlack, Infantry, from November 9, 1920.
First Lieut. Parry Weaver Lewis, Coast Artillery Corps, from November 10, 1920.
First Lieut. Edward Wrenne Timberlake, Coast Artillery Corps, from November 12, 1920.
First Lieut. William Wallace Jenna, Infantry, from November 13, 1920.
First Lieut. William Richard Fleming, Infantry, from November 13, 1920.
First Lieut. Francis Porter Simpson, Infantry, from November 14, 1920.
First Lieut. Harry Cooper Barnes, jr., Coast Artillery Corps, from November 14, 1920.
First Lieut. Robert John Hoffman, Infantry, from November 14, 1920.
First Lieut. Clare Wallace Woodward, Infantry, from November 14, 1920.
First Lieut. John Stevenson Mallory, Field Artillery, from November 14, 1920.
First Lieut. Frederick Dent Sharp, Field Artillery, from November 15, 1920.
First Lieut. William Sydney Barrett, Chemical Warfare Service, from November 16, 1920.
First Lieut. Paul Ryan Goode, Infantry, from November 16, 1920.
First Lieut. Harry Niles Rising, Infantry, from November 16, 1920.

First Lieut. Henry Cornelius Demuth, Field Artillery, from November 17, 1920.
First Lieut. Lowell Meeker Riley, Infantry, from November 17, 1920.
First Lieut. George Draper Watts, Infantry, from November 17, 1920.
First Lieut. Emil Krause, Infantry, from November 17, 1920.
First Lieut. Robert Lynn Bacon, Infantry, from November 18, 1920.
First Lieut. Walker Gibson White, Infantry, from November 18, 1920.
First Lieut. Edwin Jacob House, Air Service, from November 18, 1920.
First Lieut. Arthur Charles Purvis, Infantry, from November 19, 1920.
First Lieut. James Jackson Hea, Infantry, from November 19, 1920.
First Lieut. Edgar Bruce Moomau, Infantry, from November 21, 1920.
First Lieut. Carlisle Brittannia Wilson, Infantry, from November 22, 1920.
First Lieut. William Edward Whittington, Infantry, from November 23, 1920.
First Lieut. Harold Lewis Milan, Infantry, from November 24, 1920.

To be captains with rank from July 1, 1920.

First Lieut. Ivan Sanders Curtis, Infantry.
First Lieut. Aln Dudley Warnock, Infantry.
First Lieut. Eugene Nelson Slappey, Infantry.
First Lieut. Harwood Christian Bowman, Field Artillery.
Second Lieut. Laurence Henry Hanley, Infantry.
Second Lieut. Rosenham Beam, Air Service.
First Lieut. Harry McCorry Henderson, Infantry.
First Lieut. Robert Van Kleeck Harris, jr., Infantry.
First Lieut. Pleas Blair Rogers, Infantry.
First Lieut. Richard Grant Hunter, Field Artillery.
First Lieut. Hubert Vincent Hopkins, Air Service.
First Lieut. Wade Woodson Rhein, Coast Artillery Corps.
First Lieut. Benton Gribble Shoemaker, Cavalry.
First Lieut. Ben Allen Mason, Cavalry.
First Lieut. Harry Herman Young, Air Service.
First Lieut. Keith Bolling Wise, Infantry.
First Lieut. Frank Curtis Mellon, Infantry.
First Lieut. Donald Wilson, Air Service.
Second Lieut. Robert T. Hayes, Infantry.
First Lieut. Claud Greene Hammond, Infantry.
First Lieut. James Patrick Moore, Infantry.
First Lieut. Albert Eugene Andrews, Infantry.
First Lieut. Dorris Aby Hanes, Quartermaster Corps.
First Lieut. John Wesley Rodman, Infantry.
Second Lieut. Frank Austin Heywood, Quartermaster Corps.
First Lieut. John Jacob Bethurum, Infantry.
Second Lieut. William Henry Halstead, Cavalry.
First Lieut. Randolph Gordon, Infantry.
First Lieut. Henry Passant Lewis, Infantry.
First Lieut. Glenn Adelbert Ross, Infantry.
First Lieut. Philip Coleman Clayton, Cavalry.
First Lieut. Ellis Bashore, Cavalry.
First Lieut. Joseph Leonard Tupper, Infantry.

To be first lieutenants with rank from July 1, 1920.

Second Lieut. Paul Edmund Burrows, Air Service.
Second Lieut. George Harold Brown, Air Service.
Second Lieut. Elmer Daniel Perrin, Air Service.
Second Lieut. Wallace Robinson Fletcher, Air Service.
Second Lieut. Dale Vincent Gaffney, Air Service.
Second Lieut. Thomas Kennedy Matthews, Air Service.
Second Lieut. Kenneth Bonner Wolfe, Air Service.
Second Lieut. Stanley Powloski, Infantry.
Second Lieut. Harry Lincoln Galvin, Quartermaster Corps.
Second Lieut. William Tillmon Agee, Air Service.
Second Lieut. Fraser Richardson, Cavalry.
Second Lieut. Clifford Irving Hunn, Cavalry.
Second Lieut. Chester Howard Elmes, Infantry.
Second Lieut. John Vernon Hart, Air Service.
Second Lieut. Richard Hartnett Magee, Air Service.
Second Lieut. Charles Simpson Carroll, Quartermaster Corps.
Second Lieut. Henry Harold Reily, Air Service.
Second Lieut. Samuel DeWitt Tallmadge, Quartermaster Corps.
Second Lieut. Donald Dakin Lamson, Coast Artillery Corps.
Second Lieut. Augustus Dawson Sanders, Infantry.
Second Lieut. William James Wagenknight, jr., Infantry.
Second Lieut. Cola Edgar Stone, Finance Department.
Second Lieut. Mitchell Franklin Orr, Quartermaster Corps.
Second Lieut. Edward Milan Taylor, Field Artillery.
Second Lieut. Dayton Dudley Watson, Air Service.
Second Lieut. Herschel David Baker, Field Artillery.
Second Lieut. Herbert Edward Baker, Field Artillery.
Second Lieut. Donald David Fitzgerald, Air Service.
Second Lieut. Ulmont Ogden Cumming, Field Artillery.
Second Lieut. Thomas Stendifer Gunby, Field Artillery.
Second Lieut. Andrew Paul Sullivan, Coast Artillery Corps.
Second Lieut. Austin Walrath Martenstein, Air Service.

To be first lieutenant with rank from July 1, 1920.

Second Lieut. Richard Francis Stone, Infantry.

MEDICAL CORPS.

To be captains.

First Lieut. James Malone Bryant, Medical Corps, from November 26, 1920.
First Lieut. Martin Fred DuFreune, Medical Corps, from March 13, 1921.
First Lieut. William James Carroll, Medical Corps, from March 22, 1921.
First Lieut. Robert Lee Peyton, Medical Corps, from March 22, 1921.
First Lieut. John Wilson Somerville, Medical Corps, from March 25, 1921.
First Lieut. Charles Henry Manlove, jr., Medical Corps, from March 30, 1921.
First Lieut. Carl Benjamin De Forest, Medical Corps, from April 3, 1921.
First Lieut. Samuel Demetrius Avery, Medical Corps, from April 9, 1921.
First Lieut. William Robert Lewis Reinhardt, Medical Corps, from April 9, 1921.
First Lieut. Francis Joseph Clune, Medical Corps, from April 10, 1921.

VETERINARY CORPS.

To be lieutenant colonel.

Maj. Eugene John Cramer, Veterinary Corps, from January 8, 1921.

To be first lieutenants.

Second Lieut. William Orville Hughes, Veterinary Corps, from September 13, 1920.
Second Lieut. Harry Edward Van Tuyl, Veterinary Corps, from September 13, 1920.
Second Lieut. Charles Bailey Skinner, Veterinary Corps, from April 1, 1921.
Second Lieut. Herbert Kelly Moore, Veterinary Corps, from April 2, 1921.

CHAPLAIN.

To be chaplain with the rank of captain.

Chaplain Milton Omar Beebe, from March 24, 1921.

CORRECTING ERRORS IN NAMES OF NOMINEES.

This message is submitted for the purpose of correcting errors in the names of nominees.

To be captains with rank from July 1, 1920.

First Lieut. Nels Erick Stadig, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Nole Erick Stadig.)
First Lieut. Louis Cansler, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Louis Gansler.)
First Lieut. Ashley Spencer Le Gette, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Ashley Spencer Le Getts.)
First Lieut. Ernst Esser, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Ernest Esser.)
First Lieut. Ruthford Loren Herr, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Rutherford Loren Herr.)
First Lieut. William Connor Samford, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of William Connor Sanford.)
First Lieut. Floyd William Ferree, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Floyd William Ferras.)
First Lieut. Modesto Enrique Rodriguez, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Modesto Enrique Rodriqueg.)
First Lieut. Jerry Vrchlicky Matejka, Coast Artillery Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Jerry Vrchlicky Hatejka.)
First Lieut. Ira Clarence Eaker, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Ira Clarence Baker.)

First Lieut. Marcus Aurelius Smith Ming, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Marcus Aurelius Smith King.)

First Lieut. William Agnew Howland, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of William Agnew Nowland.)

First Lieut. Peter Hanses, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921 under the name of Peter Hansen.)

First Lieut. George Edward Huthsteiner, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of George Edward Huthsteimer.)

First Lieut. John Adams Hettinger, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Adams Nettinger.)

First Lieut. Oscar Nelson Schjerven, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Oscar Nelson Schierven.)

First Lieut. Paul Joseph Matte, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Paul Joseph Matts.)

First Lieut. John Adams Ballard, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Adams Bullard.)

First Lieut. Chester David Hilton, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Chester David Milton.)

Second Lieut. Benjamin Mills Crenshaw, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Benjamin Mills Cronshaw.)

First Lieut. Robert Wilbar Wilson, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Robert Whipple Wilson.)

To be first lieutenants with rank from July 1, 1920.

Second Lieut. Lewis Dabney Hixson, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Lewis Dabney Bixson.)

Second Lieut. Tonnes Dennison, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Townes Dennison.)

Second Lieut. Louie Clifford Mallory, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Louis Clifford Mallory.)

Second Lieut. Hans Christian Jespersen, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Hans Christian Jesperson.)

Second Lieut. Engmann August Andersen, Quartermaster Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Engman August Anderson.)

Second Lieut. Benjamin Harrison Graban, Cavalry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Benjamin Harrison Graham.)

Second Lieut. Ernest Emery Harmon, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Ernest Henry Harmon.)

Second Lieut. Dean Bryan Belt, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Dean Bryan Bolt.)

Second Lieut. Christian Stephen Andersen, Coast Artillery Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Christian Stephen Anderson.)

Second Lieut. Gerald Bradford Devore, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Gerald Bradford Devere.)

Second Lieut. Albert Francis Hegenberger, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Albert Francis Regenberger.)

Second Lieut. Harold Farnsworth Hubbell, Signal Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Harold Farnsworth Rubbell.)

Second Lieut. Laurens Claude, Air Service. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Laurence Claude.)

To be first lieutenants with rank from July 2, 1920.

Second Lieut. John Robert Culleton, Field Artillery. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of John Robert Cullston.)

Second Lieut. Morrison Page Chitterling, Coast Artillery Corps. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Morrison Page Chittering.)

Second Lieut. George Honnen, Infantry. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of George Hennen.)

PROMOTIONS IN THE PHILIPPINE SCOUTS.

To be majors with rank from July 1, 1920.

Capt. Esteban Boadilla Dalao, Philippine Scouts.
Capt. Thomas Kenneth Collins, Philippine Scouts.
Capt. Conrad Skladal, Philippine Scouts.
Capt. Wellborn Dent, Philippine Scouts.
Capt. Vicente Lim, Philippine Scouts.

To be captains.

First Lieut. David Bernard Doty, jr., Philippine Scouts, from July 1, 1920.

First Lieut. James Donison Carter, Philippine Scouts, from July 21, 1920.

First Lieut. Fidel Segundo y Venturo, Philippine Scouts, from September 22, 1920.

First Lieut. Salvador Formoso Reyes, Philippine Scouts, from October 15, 1920.

To be first lieutenant with rank from July 17, 1920.

Second Lieut. Mariano S. Sulit, Philippine Scouts.

CORRECTING ERRORS IN NAMES OF NOMINEES.

This message is submitted for the purpose of correcting errors in the names of nominees.

To be captain with rank from July 1, 1920.

First Lieut. Louis Rada Salvosa, Philippine Scouts. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Louis Rada Balvosa.)

To be first lieutenant with rank from July 1, 1920.

Second Lieut. Fermon Arthur Shults, Philippine Scouts. (Nominated March 11, 1921, and confirmed March 14, 1921, under the name of Furmon Arthur Shults.)

I desire the consent of the Senate to the appointment, under his true name, of Antonio Vazquez-Bruno, captain, Infantry, with rank from July 1, 1920.

I desire the consent of the Senate to the appointment, under his true name, of Augustus Vigilant Noble, major, Quartermaster Corps, with rank from July 1, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 16 (legislative day of April 13), 1921.

SPECIAL REPRESENTATIVE OF GOVERNMENT AT INTERNATIONAL COMMUNICATIONS CONFERENCE.

Henry P. Fletcher to be special representative of the Government at International Communications Conference.

AMBASSADORS.

Myron T. Herrick to be ambassador extraordinary and plenipotentiary to France.

George Harvey to be ambassador extraordinary and plenipotentiary to Great Britain.

COMMISSIONER OF INDIAN AFFAIRS.

Charles H. Burke to be Commissioner of Indian Affairs.

FIRST ASSISTANT POSTMASTER GENERAL.

Hubert Work to be First Assistant Postmaster General.

SECOND ASSISTANT POSTMASTER GENERAL.

Edward H. Shaughnessy to be Second Assistant Postmaster General.

SENATE.

MONDAY, *April 18, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we recognize the hand that is blessing us. We recognize that goodness and mercy have been ministering unto us through the days. We humbly ask that this morning we may realize increased obligation to do our best in Thy service and for the welfare of our Nation. We pray in Christ's name. Amen.

The Assistant Secretary proceeded to read the Journal of the proceedings of the legislative day of Wednesday, April 13, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	France	Lodge	Sheppard
Ball	Frelinghuysen	McCumber	Simmons
Borah	Gerry	McKellar	Smith
Brandegee	Hale	McKinley	Smoot
Broussard	Harreld	McLean	Spencer
Bursum	Harris	McNary	Stanfield
Cameron	Harrison	Moses	Stanley
Capper	Heflin	Nelson	Sterling
Caraway	Hitchcock	New	Trammell
Colt	Jones, N. Mex.	Nicholson	Underwood
Culberson	Jones, Wash.	Norbeck	Wadsworth
Cummins	Kellogg	Norris	Walsh, Mass.
Curtis	Kendrick	Overman	Walsh, Mont.
Dial	Kenyon	Phipps	Warren
Dillingham	Keyes	Pittman	Watson, Ga.
Edge	Ladd	Poindexter	Willis
Ernst	La Follette	Pomerene	Wolcott
Fletcher	Lenroot	Ransdell	

Mr. CURTIS. I wish to announce that the Senator from Nevada [Mr. ODDIE] is detained on account of illness.

The VICE PRESIDENT. Seventy-one Senators having answered to their names, a quorum is present.

HOWARD SUTHERLAND, a Senator from the State of West Virginia, appeared in his seat to-day.

CHANGE OF REFERENCE.

Mr. UNDERWOOD. Mr. President, I desire to ask unanimous consent for a change in the reference of a bill. Some days ago I introduced the bill (S. 775) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes. I thought that I had noted on it a reference to the Committee on the Judiciary, but, as it appeared to be a claim, it seems to have been referred to the Committee on Claims. It is not a claim. A similar bill was before the Committee on the Judiciary in the last Congress. That committee gave consideration to it and reported it favorably. I ask unanimous consent that the reference to the Committee on Claims may be changed and the bill referred to the Committee on the Judiciary.

The VICE PRESIDENT. Without objection, the Committee on Claims will be discharged from the further consideration of the bill and it will be referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented a resolution of the quarterly meeting of the State board of agriculture held at Topeka, Kans., April 11, 1921, favoring an immediate embargo on foreign farm and live-stock products that affect markets for similar commodities in this country; an early readjustment of railroad rates on a lower basis; and laws beneficial to the organization and successful operation of cooperative associations, which was referred to the Committee on Agriculture and Forestry.

Mr. CAPPER presented a memorial of Division No. 137, Order of Railway Conductors, of Osawatomie, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and adopting a sales tax, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Ensign, Kans., remonstrating against the enactment of legislation revising the tariff on coal-tar products used by farmers and stockmen, which was referred to the Committee on Finance.

He also presented a resolution of the Kansas State Board of Agriculture, adopted at Topeka, Kans., April 11, 1921, favoring legislation to reduce freight rates on agricultural and live-stock products, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the first district board, Illinois Federation of Women's Clubs, at Chicago, Ill., favoring the so-called truth in fabric bill, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented resolutions of the Board of Trade of Evanston; the Pinedale Commercial Club, of Pinedale; and the Sundance Commercial Club, of Sundance, all in the State of Wyoming, favoring legislation to change the method of disposal of States' portions of oil royalties, which were referred to the Committee on Public Lands.

Mr. WILLIS presented petitions of Paul Hickling, of Lisbon; John Wooley, of Willard; and Charles Phillips Castle, of Dayton, all in the State of Ohio, praying for the enactment of legislation providing for adequate relief for ex-service men, which were referred to the Committee on Finance.

He also presented a resolution of the Lumbermen's Club of Cincinnati, Ohio, favoring the repeal of such legislation as prevents common carriers from dealing directly with their employees in the matter of wages, etc., and pending the repeal of such legislation that the President urge the labor board to terminate the so-called national agreements, if consistent, which was referred to the Committee on Interstate Commerce.

Mr. JONES of New Mexico. Mr. President, some time ago I received a telegram in opposition to the so-called Smith-Towner bill, requesting that it be read to the Senate. It is short, and I ask that it may be read.

There being no objection, the telegram was read and referred to the Committee on Education and Labor, as follows:

ALBUQUERQUE, N. MEX., *February 6, 1921.*

Hon. ANDRIEUS A. JONES,
United States Senate, Washington, D. C.:

For many years I have been engaged in educational work, and therefore feel qualified to speak on the subject. I protest against the Smith-Towner bill as a gross violation of the letter and spirit of the Declaration of Independence. I request you to read this protest before United States Senate.

P. J. WECKA,
Pastor San Felipe Church, Old Albuquerque, N. Mex.

Mr. JONES of New Mexico. Mr. President, I present certain resolutions from the Wool Growers' Association and the Cattle and Horse Growers' Association of New Mexico, which I ask may be inserted in the RECORD without reading.

There being no objection, the resolutions were referred as indicated below and ordered to be printed in the RECORD, as follows:

To the Committee on Finance:

We, the members of the New Mexico Wool Growers' Association, in convention assembled at Albuquerque, N. Mex., March 25 and 26, 1921, desire to submit the following statement of facts relating to our industry:

The winter of 1917 and 1918 in New Mexico was one of the most disastrous in the history of the sheep business, due to the fact that our range was covered with snow almost continuously from November until April, which necessitated an enormous expense for feed at war prices to prevent our breeding ewes from dying. In spite of this expense about 20 per cent of all the sheep in New Mexico perished and the remaining ewes were so poor that they were unable to mother their lambs and a very light lamb crop resulted.

To save their sheep growers were forced to borrow almost as much as banks were willing to loan upon their flocks even under conditions of easy credits and higher valuations.

The fairly favorable season of 1918 and 1919 enabled growers to pay off a portion of this indebtedness and to partially restore their herds by saving ewe lambs. Yet they went into the winter of 1919 and 1920 still heavily in debt, and the enormous carrying charges due to the high cost of labor and supplies forced them to add greatly to their indebtedness.

With growers thus deeply involved, and depending upon the 1920 wool clip to ease them up with their banks and with much of the clip still unshorn, came the complete collapse of the wool market in May, 1920.

Since that time there has been practically no market for wool, and 75 per cent of the 1920 clip is still in the hands of the growers.

Meanwhile war-time wages and other war-time expenses have continued, so that while there is no market for sheep and wool upon which to estimate values it is fair to state that most of the wool growers of New Mexico owe more than their sheep and wool are worth, the average indebtedness being about $8 per head as against $2.50 per head in prewar times.

Our present running expenses are far in excess of any returns we may hope for under present conditions, so that time is only serving to make our plight more hopeless.

We realize that the misfortune of our industry is in part shared by all enterprises, as the result of reconstruction; so far as this is true we make no claim for relief. But there are peculiar conditions affecting the wool industry of the West which will cause its complete destruction if not soon corrected. Chief among these conditions is the fact that owing to the adverse weather conditions recounted above the sheepmen of New Mexico, in common with others of the range States, were not able during the period of high prices to accumulate a surplus to enable them to withstand the present decline.

Lack of a protective tariff caused the accumulated wool stocks of the world to be dumped upon the American market, so that to-day we have sufficient wool on hand to supply our needs for more than two years, without counting the 1921 clip just coming on the market: Therefore be it

Resolved, That we heartily indorse all the resolutions of our parent organization, the National Wool Growers' Association, in its convention held in January, 1921, having for their object the relief of the sheep industry.

Resolved, That pending the passage of tariff legislation, we recommend an embargo upon the importation of wool, manufactured wools, and sheepskins with or without wool upon them.

Resolved, That in case our President should not see fit to exercise his right of embargo, we strongly recommend the repassage of the Fordney emergency tariff bill.

Resolved, That we particularly indorse the French-Capper bill, commonly known as the "truth in fabrics bill," as providing just and fair protection to the buying public and minimizing the unfair competition of wool shoddy with virgin wool.

NEW MEXICO WOOL GROWERS' ASSOCIATION.

To the Committee on Interstate Commerce:

FAVORING PURE-FABRIC LEGISLATION.

Whereas a large part of the raw material used in the manufacture of woolen fabrics and apparel sold as all wool is shoddy and substitute and not virgin wool: Therefore be it

Resolved, That the New Mexico Cattle and Horse Growers' Association urges the protection of both the public and the live-stock growers of the country in this respect, and that the Congress of the United States shall at the earliest possible moment enact legislation making it compulsory for manufacturers to make known the presence of substitutes in fabrics purporting to contain wool, and apparel made from such fabrics.

Resolved, That copies of this resolution be sent to our Representatives in Congress.

To the Committee on Banking and Currency:

LONG-TIME LOANS TO OWNERS OF BREEDING HERDS.

Whereas breeding herds are the foundation of production to the stockmen just as land is the foundation of production to the farmer; and
Whereas a breeding business requires several years for successful completion: Therefore be it

Resolved, That the New Mexico Cattle and Horse Growers' Association petition Congress to so amend the farm loan act as to include long-time loans to owners of breeding herds.

Resolved, That copies of this resolution be forwarded to our Representatives in Congress.

To the Committee on Indian Affairs:

INDIAN LIVE STOCK.

At a regular session of the New Mexico Cattle and Horse Growers' Association in annual convention assembled at Albuquerque, N. Mex., March 29–31, 1921, the following resolution was introduced:

Be it resolved, That after due and adequate investigation, and the members being fully advised in the premises, it is the sense of this meeting that the Indians of the northwestern part of the State of New Mexico, particularly the Navajo Tribe, have adequate lands upon which to graze their live stock;

That there is more pasture and feed upon the ranges of said reservations than the Indians have live stock to consume;

That notwithstanding the fact that the said Indians have sufficient range upon the present reservations, the Indians drive their live stock off of the reservations and pasture them upon the private lands of American citizens and depend upon the water developed by American taxpayers at great expense to themselves, to water their live stock;

That it has become the policy of the Indian Department to select lands for Indian allotments in such places and localities that if such allotments are used it is necessary for the Indian live stock to trespass upon the land upon which American citizens are paying taxes, and that any interference on the part of taxpayers with the Indians in committing such trespasses is resented by the officials of the Indian Department: Be it further

Resolved, That it is the sense of this association that Indians who claim protection as wards of the United States Government must be confined to the Indian reservations with their live stock, or that legislation be enacted whereby Indians leaving the bounds of their reservations with their live stock shall be taxed the same as any American citizen, thus avoiding the discrimination in favor of Indians over taxpayers; be it further

Resolved, That it is the sense of this meeting that the purchase of further lands for the use of said Indians is unnecessary and would be a needless expenditure upon the part of the United States Government in behalf of said Indians and would result in an imposition and excessive burden upon live-stock growers in the vicinity of the reservations, and that instead of the purchase of further lands the money should be applied and used for the fencing of the reservations and the development of water on the interior of the reservations, thereby intensifying the productiveness of the reservation lands;

That copies of these resolutions be furnished to the Indian Department and the Department of the Interior at Washington, and to our Representatives in Congress; and be it further

Resolved, That our Representatives in Congress be, and they hereby are, requested by this association to exert all efforts to confine the said Indian live stock to the Indian reservations.

To the Committee on Public Lands:

STATE CONTROL OF PUBLIC DOMAIN.

Whereas the present nonproducing character of the unappropriated public land of New Mexico brings most insistently to the stock industry of this State the need for prompt action to secure some return from this large area, such return to be applied to the expense of State government:

Resolved, That the New Mexico Cattle and Horse Growers' Association again strongly urges Congress for prompt action in placing these lands in the hands of the State.

Resolved, That copies of this resolution be forwarded to our Senators and Congressmen and to the Secretary of the Interior.

To the Committee on Agriculture and Forestry:

APPROPRIATION FOR DESTRUCTION OF PREDATORY WILD ANIMALS AND RANGE DESTROYING RODENTS.

Whereas the livestock industry of New Mexico suffers an annual loss of more than $5,000,000 from range-destroying rodents and predatory animals; and
Whereas it is essential to the profitable utilization of range lands that a work of extermination of these destructive rodents and predatory animals be conducted through cooperation of the United States Biological Survey, the New Mexico College of Agriculture, the State of New Mexico, and individual stockmen; and
Whereas stockmen and landowners are cooperating under this plan through expenditures far exceeding $25,000 a year, and the State of New Mexico is aiding through continuous appropriation of $25,000 a year, and with legal provision enabling State agencies to exterminate destructive rodents on all State and private lands within infested districts; and
Whereas the Government owns and controls large areas infested by predatory animals and range-destroying rodents that render extermination ineffective through invading adjacent lands: Now, therefore, be it

Resolved, by the New Mexico Cattle and Horse Growers' Association, in convention assembled at Albuquerque, New Mexico, March 29–31, 1921, That we urge the Department of Agriculture to appropriate at least $50,000 for use in the State of New Mexico by the Biological Survey for the purpose of this extermination work, and that we petition our State legislature in its next budget to provide for the State appropriation under chapter 119, session laws of 1919 of the State of New Mexico; and

Resolved further, That we express our full appreciation of this cooperative campaign for the welfare of the live-stock industries and fully indorse the action of the State of New Mexico in continuing this cooperative project for the extermination of predatory wild animals and range-destroying rodents.

Mr. RANSDELL. Mr. President, I present a resolution of the Constitutional Convention of Louisiana, which is now in session, memorializing Congress to suppress illegitimate and injurious speculation in agricultural products, which I ask may be referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry, as follows:

CONSTITUTIONAL CONVENTION OF LOUISIANA, 1921.

Resolution 103.

Be it resolved by the Constitutional Convention of the State of Louisiana, now in session, That the Congress of the United States be, and is hereby, memorialized, to the end that its power be used to suppress illegitimate and injurious speculation in agricultural products.

Adopted by the Constitutional Convention of the State of Louisiana on the 13th day of April, A. D. 1921.

O. H. SIMPSON,
Secretary of the Convention.

Mr. RANSDELL. I also present a resolution of the Constitutional Convention of Louisiana memoralizing Congress to appropriate $100,000,000 for good roads as quickly as possible. I ask that the resolution be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection the resolution was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL CONVENTION OF LOUISIANA, 1921.

Resolution 23.

Whereas the proper development of all sections of the State of Louisiana, and the building of a system of permanent roads and highways therein are inseparably linked, and the former can not be attained without the latter; and
Whereas the people of the State have shown a progressive spirit by voting and levying taxes to a maximum to realize funds for road building purposes, much of which was done in the hope and belief that such taxes would be supplemented by substantial aid from the United States as has been done heretofore, without which aid the full extent of our hopes and wishes can not be accomplished; and
Whereas at the session of Congress now closing an appropriation of $100,000,000 to aid in good road construction throughout the Union passed the House of Representatives by a vote of approximately five to one but failed of passage in the Senate: Now, therefore, be it

Resolved by the Constitutional Convention, First, that Congress be, and is hereby, memorialized and urged to pass the bill providing the $100,000,000 appropriation for good roads as quickly as possible. Second, that our Senators and Representatives in Congress each be sent a copy of this resolution, and they are hereby urged to renew their efforts to have said appropriation made as quickly as possible. Third, that an engrossed copy of this resolution be sent to the United States Senate and House of Representatives.

Adopted by the Constitutional Convention of the State of Louisiana on the 3d day of March, A. D. 1921.

HEWITT BRANCHAND,
President of the Convention.

Attest:

O. H. SIMPSON,
Secretary of the Convention.

Mr. SUTHERLAND presented a joint resolution of the Legislature of West Virginia, which was referred to the Committee on Pensions, as follows:

House joint resolution 21, memorializing the Congress of the United States with reference to pensions.

Whereas at a mass meeting of ex-soldiers, widows of soldiers, and members of auxiliaries, held at Wheeling, W. Va., on December 11, 1920, a resolution was adopted requesting the enactment of a law providing pensions for all soldiers, sailors, and marines who are not now pensioned by the United States and who served for 30 days and were honorably discharged, or to their widows, orphans, or dependents; and
Whereas it is stated in said resolution that owing to the infirmities of age and the high cost of living many of such persons find it impossible to obtain the necessities of life, and it is requested that pensions, payable monthly, be provided as follows: To soldiers, $75 per month; to widows who married soldiers prior to January 1, 1921, $75 per month; to children under 16 years of age residing with mother, $10 per month; to children residing with grandparents or other persons, $20 per month; to idiotic and helpless children of any age, $75 per month; and providing further that no fees be paid to attorneys or others for services in preparing claims, and that no pension be granted to any soldier, widow, or other person having an income of $1,200 per annum: Therefore be it

Resolved by the Legislature of West Virginia, That the Senators and Representatives from West Virginia in Congress be requested to consider the suggestions set out in the resolution and to urge the favorable consideration thereof by the Congress of the United States.

I hereby certify that the foregoing joint resolution was regularly adopted by the Legislature of West Virginia on April 15, 1921.

M. S. HODGES,
Clerk of the House of Delegates.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS:

A bill (S. 851) authorizing the Secretary of War to make settlement with the lessees who erected buildings on a 5-year lease on the zone at Camp Funston, Kans., and for other purposes (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 852) for the relief of Henry and William King (with accompanying papers); to the Committee on Indian Affairs.

A bill (S. 853) to carry out the findings of the Court of Claims in the case of Jacob Samuel Weaver (with an accompanying paper); and

A bill (S. 854) to reimburse J. B. Glanville and others for losses and damages sustained by them through the negligent dipping of tick-infested cattle by the Bureau of Animal Industry, Department of Agriculture (with accompanying papers); to the Committee on Claims.

A bill (S. 855) granting a pension to Charlotte Ann Ury (with an accompanying paper);

A bill (S. 856) granting a pension to Cordelia Hazen (with accompanying papers); and

A bill (S. 857) granting an increase of pension to Ephriam Briggs (with an accompanying paper); to the Committee on Pensions.

A bill (S. 858) for the relief of Isaac D. Sells (with an accompanying paper); to the Committee on Military Affairs.

A bill (S. 859) granting an increase of pension to Mary Ann Richardson (with accompanying papers);

A bill (S. 860) granting a pension to Lela Z. Raper (with accompanying papers);

A bill (S. 861) granting a pension to Bridget Garnett (with accompanying papers);

A bill (S. 862) granting a pension to Andrew Jordan (with accompanying papers);

A bill (S. 863) granting a pension to Richard Perry Watkins (with accompanying papers);

A bill (S. 864) granting an increase of pension to Reuben Waller (with accompanying papers);

A bill (S. 865) granting a pension to Jessie M. Bedinger (with accompanying papers);

A bill (S. 866) granting a pension to Sarah E. Sprague (with an accompanying paper);

A bill (S. 867) granting a pension to Melissa S. Lemon (with an accompanying paper);

A bill (S. 868) granting an increase of pension to John C. Lockwood (with accompanying papers);

A bill (S. 869) granting a pension to Nancy J. Gregory (with accompanying papers);

A bill (S. 870) granting an increase of pension to Margaret J. Humbert (with accompanying papers);

A bill (S. 871) granting a pension to Rhoda V. Moore (with accompanying papers);

A bill (S. 872) granting an increase of pension to John O. Lind (with accompanying papers);

A bill (S. 873) granting an increase of pension to Mary Ballinger (with accompanying papers);

A bill (S. 874) granting a pension to Esther Clark Hill (with accompanying papers);

A bill (S. 875) granting a pension to Robert T. McKeen (with accompanying papers);

A bill (S. 876) granting a pension to Nancy P. Settle (with an accompanying paper);

A bill (S. 877) granting a pension to James Mimford (with an accompanying paper);

A bill (S. 878) granting a pension to Miles C. Gilliland (with an accompanying paper);

A bill (S. 879) granting a pension to Charles Grunert (with an accompanying paper);

A bill (S. 880) granting an increase of pension to James Devine (with an accompanying paper);

A bill (S. 881) granting a pension to Tom Pogue (with an accompanying paper);

A bill (S. 882) granting a pension to James Hurt (with accompanying papers);

A bill (S. 883) granting a pension to Elizabeth Sherbocker (with accompanying papers);

A bill (S. 884) granting a pension to Abbie McCabe (with accompanying papers);

A bill (S. 885) granting a pension to Laura A. Richardson (with accompanying papers); and

A bill (S. 886) granting a pension to Esther A. Eastman (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 887) granting a pension to Marie Doughty Gorgas; to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 888) authorizing the Strawberry Valley High Line Canal Co. to purchase the West Mountain lands; and

A bill (S. 889) further to assure title to lands granted the several States in place in aid of public schools; to the Committee on Public Lands and Surveys.

By Mr. McCUMBER:

A bill (S. 890) for the relief of Isaac J. Reese; and

A bill (S. 891) to remove the charge of desertion against George W. Posey (with accompanying paper); to the Committee on Military Affairs.

A bill (S. 892) granting a pension to Bernard Mulhern; and

A bill (S. 893) granting a pension to Philip Block (with accompanying papers); to the Committee on Pensions.

By Mr. DIAL:

A bill (S. 894) granting a pension to Nettie May Jernegan (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 895) to enlarge, extend, remodel, etc., public building at Tampa, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of New Mexico:

A bill (S. 896) to amend section 6 of the Federal aid road act; to the Committee on Post Offices and Post Roads.

A bill (S. 897) to provide for the acquisition of a site and the erection thereon of a public building at Deming, N. Mex.;

A bill (S. 898) to provide for the acquisition of a site and the erection thereon of a public building at Clovis, N. Mex.;

A bill (S. 899) to provide for the acquisition of a site and the erection thereon of a public building at Tucumcari, N. Mex.; and

A bill (S. 900) to provide for the acquisition of a site and the erection thereon of a public building at Silver City, N. Mex.; to the Committee on Public Buildings and Grounds.

A bill (S. 901) for the payment of certain money to Albert H. Raynolds; and

A bill (S. 902) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913; to the Committee on Indian Affairs.

A bill (S. 903) fixing the term of service of Welton W. Pratt during the Civil War;

A bill (S. 904) fixing the term of service of Elijah C. Putnam during the Civil War; and

A bill (S. 905) granting to the State of New Mexico 360,000 acres of land in said State for the use and benefit of the military institutions of New Mexico; to the Committee on Military Affairs.

A bill (S. 906) for the relief of Reuben R. Hunter;

A bill (S. 907) for the relief of Ellen B. Walker;

A bill (S. 908) for the relief of Sigmund Lindauer;

A bill (S. 909) for the relief of J. B. McGhee;

A bill (S. 910) for the relief of Frank Grygla;

A bill (S. 911) for the relief of Fred V. Plomteaux;

A bill (S. 912) for the relief of Bernard S. Rodey; and

A bill (S. 913) for the relief of Capt. H. C. Smith; to the Committee on Claims.

A bill (S. 914) granting to certain States public lands for the construction, repair, and maintenance of public roads;

A bill (S. 915) to extend the rights of stock-raising homesteaders;

A bill (S. 916) limiting the creation or extension of forest reserves in New Mexico and Arizona; and

A bill (S. 917) for the consolidation of forest lands in the Manzano and Santa Fe National Forests, N. Mex., and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. STANFIELD:

A bill (S. 918) to provide for a Federal highway fund for building and aiding the States to build public roads, and for other purposes; to the Committee on Finance.

By Mr. BURSUM:

A bill (S. 919) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913; to the Committee on Indian Affairs.

A bill (S. 920) for the consolidation of forest lands in or near national forests, New Mexico, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. LENROOT:

A bill (S. 921) to provide for the establishment on the Mississippi River of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce; to the Committee on Commerce.

A bill (S. 922) to provide for the creation and organization of the National Railway Corporation, and for the acquisition, control, and operation of railroads and water carriers by it, and for other purposes; to the Committee on Interstate Commerce.

By Mr. OVERMAN:

A bill (S. 923) granting an increase of pension to Charles D. Littnan; to the Committee on Pensions.

A bill (S. 924) for the acquisition of a site and erection of a public building at Gastonia, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. CAPPER:

A bill (S. 925) to establish in the Treasury Department a bureau of veteran reestablishment, and for other purposes; to the Committee on Finance.

By Mr. McNARY:

A bill (S. 926) to withhold from sale and to restore to the Indians of the Umatilla Reservation certain lands which were authorized to be offered for sale under the act of March 3, 1885; to the Committee on Indian Affairs.

By Mr. POINDEXTER:

A bill (S. 927) to carry out the findings of the Court of Claims in the case of Omar H. Case; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 928) granting certain lands to the State of Washington for the use of the State university, and for other purposes; to the Committee on Military Affairs.

By Mr. BURSUM:

A bill (S. 929) for the relief of the Museum of New Mexico; to the Committee on Public Lands and Surveys.

By Mr. CURTIS:

A bill (S. 930) for the relief of Thomas J. Temple (with an accompanying paper); to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 931) to amend section 4a of the act of Congress approved June 4, 1920; to the Committee on Military Affairs.

A bill (S. 932) for the relief of Leonore M. Sorsby; to the Committee on Foreign Relations.

By Mr. SPENCER:

A bill (S. 933) granting a pension to John Ward; to the Committee on Pensions.

A bill (S. 934) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921; to the Committee on Appropriations.

By Mr. SUTHERLAND:

A bill (S. 935) for the relief of Gill Irwin Wilson; to the Committee on Finance.

A bill (S. 936) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

A bill (S. 937) to reimburse Isaiah Stephens, postmaster of McMechen, Marshall County, W. Va., for money and postage stamps stolen; and

A bill (S. 938) to reimburse S. S. Buzzerd, postmaster at Berkeley Springs, Morgan County, W. Va., for cash stolen; to the Committee on Post Offices and Post Roads.

A bill (S. 939) to provide for advancement in grade of certain officers retired for disability incurred in active service;

A bill (S. 940) for the relief of Willis B. Cross;

A bill (S. 941) for the relief of John H. Galloway;

A bill (S. 942) for the relief of James Johnson;

A bill (S. 943) for the relief of John Lyons;

A bill (S. 944) for the relief of John W. May;

A bill (S. 945) for the relief of John Murphy;

A bill (S. 946) for the relief of Theophilus Nuzum;

A bill (S. 947) for the relief of Thomas Simmons;

A bill (S. 948) for the relief of George B. Todd; and

A bill (S. 949) for the relief of Gideon C. Corley; to the Committee on Military Affairs.

A bill (S. 950) for the payment of certain claims of general officers of volunteers for three months' pay proper for Civil War service as reported by the Court of Claims;

A bill (S. 951) for the relief of the legal representatives of John T. Adkins, deceased;

A bill (S. 952) for the relief of Thomas J. Lloyd;

A bill (S. 953) for the relief of the estates of Aaron Van Camp and Virginius P. Chapin;

A bill (S. 954) for the relief of Mrs. Sarah L. Nuzum, widow of Joel D. Nuzum, deceased;

A bill (S. 955) for the relief of the heirs of Henry Sturm, deceased;

A bill (S. 956) for the relief of Earl Waggoner; and

A bill (S. 957) for the relief of the Methodist Episcopal Church and the Presbyterian Church, of Keyser, W. Va.; to the Committee on Claims.

A bill (S. 958) granting a pension to Arch Linthicum;

A bill (S. 959) granting an increase of pension to George A. Liston;

A bill (S. 960) granting a pension to W. H. Mallow;

A bill (S. 961) granting an increase of pension to Mont. J. Musgrave;

A bill (S. 962) granting a pension to Arzanna Nesbitt;

A bill (S. 963) granting an increase of pension to Rebecca E. Philabaum;

A bill (S. 964) granting a pension to Harrison Pierson;

A bill (S. 965) granting a pension to Maggie B. Sullivan;

A bill (S. 966) granting a pension to Willis Gray Southerland;

A bill (S. 967) granting a pension to Edgar Travis;

A bill (S. 968) granting a pension to Henry Washington;

A bill (S. 969) granting a pension to Fannie R. Wells;

A bill (S. 970) granting a pension to James Wiley;

A bill (S. 971) granting a pension to Celia Wilfong;

A bill (S. 972) granting pensions to the officers and soldiers who served in the West Virginia State troops in the late Civil War;

A bill (S. 973) for the relief of West Virginia State troops;

A bill (S. 974) granting a pension to Jethrow Davis; and

A bill (S. 975) granting a pension to Joseph Harman; to the Committee on Pensions.

By Mr. SMOOT:

A joint resolution (S. J. Res. 28) to provide for appropriate military records for persons who, pursuant to orders, reported for military duty, but whose induction or commission into the service was not, through no fault of their own, formally completed on or prior to November 11, 1918, and for other purposes; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A joint resolution (S. J. Res. 29) providing for a survey of the Suwannee River from Ellaville, Fla., to the Gulf; to the Committee on Commerce.

RECLASSIFICATION OF GOVERNMENT EMPLOYEES.

Mr. SMOOT. Mr. President, I introduce a bill for reading and reference to the Committee on Appropriations.

The READING CLERK. A bill to provide an equitable system for the valuation of the services of civilian employees of the Government, and making appropriation for personal services for the fiscal year ending June 30, 1922.

Mr. STERLING. Mr. President, I object to the bill being referred to the Committee on Appropriations at this time. I object to the introduction of the bill, if I may do so, under the rule.

Mr. SMOOT. There was so much confusion in the Chamber that I did not hear what the Senator from South Dakota said.

Mr. STERLING. I object at this time to the introduction of the bill, the title of which was just read.

Mr. SMOOT. Is not the order of business the introduction of bills?

Mr. STERLING. That is true; but, under the rule, an objection may be made to the introduction of a bill, and I object to the introduction of the bill at this time, and call attention to Rule XIV. I have no objection to the bill being received. It will lie on the table, I understand.

The VICE PRESIDENT. The bill will be received.

Mr. SMOOT. The Senator can not object to the introduction of the bill.

Mr. LODGE. Will the Senator yield to me for a moment?

Mr. STERLING. Certainly.

Mr. LODGE. The Senator can not prevent the introduction of the bill. He can object to a second reading to-day.

Mr. STERLING. I call attention to the rule of the Senate.

Mr. SMOOT. If there is a rule of that kind, I do not know it.

Mr. STERLING. I do not know what the rule means if it does not mean that I may object to the introduction of the bill. The rule reads:

> Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

Mr. SMOOT. Oh, yes.

Mr. STERLING. That is a standing rule of the Senate, and under that I am objecting to the introduction of the bill.

Mr. SMOOT. The Senator is objecting to the second reading of the bill?

Mr. STERLING. I am objecting for the purpose of preventing the introduction of the bill in the sense meant by the rule which I have just read.

Mr. SMOOT. If the Senator will read the rule, he will see that he has a perfect right to object to a second reading of the bill, and then it goes over for a day, as he has stated, but he can not——

Mr. STERLING (reading):

> Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.

Mr. SMOOT. That means the second reading of the bill.

Mr. STERLING. Whatever the rule may mean, I am not objecting to the receipt of the bill and its lying on the table, but I am objecting to the further introduction of the bill at this time.

Mr. SMOOT. I have introduced the bill, and if the Senator objects to its second reading to-day it can go over.

Mr. STERLING. If that is the way the rule is to be interpreted, I am willing that the word "introduction" shall be so interpreted.

Mr. SMOOT. I have introduced the bill and it can go over.

Mr. JONES of Washington. Mr. President, I am not willing to accept that construction of the language of the rule. The language seems to be perfectly plain that if the introduction of a bill is opposed it can not be introduced, and if it is objected to it must lie over for a day.

Mr. SMOOT. That is exactly what we are doing. The bill has been introduced, and it will lie on the table until to-morrow.

Mr. LODGE. It goes over one day.

Mr. JONES of Washington. I do not wish that to be construed as an introduction of the bill, for the rule does not mean that.

Mr. STERLING. I am not so construing it.

Mr. JONES of Washington. I thought the Senator was willing to accept that construction of the word "introduction."

Mr. STERLING. I say I have no objection, although I think the word "introduction," as used in the rule, means that if objected to it may not be introduced at all in any sense. I think that is what it means, but I have no objection to the bill being presented and lying on the table, but not introduced and referred to a committee to-day in the ordinary course.

Mr. BRANDEGEE. Rule XIV, which has been quoted by the Senator from South Dakota, reads as follows:

> Whenever a bill or joint resolution shall be offered its introduction shall, if objected to, be postponed for one day.

The Senator from Utah may offer his bill, and then, if there is an objection, it can not be formally introduced for the purpose of reference until the next day; but no Senator can object to another Senator offering a bill.

Mr. STERLING. No; I am not objecting to the Senator offering the bill. I am objecting to the introduction and reference of the bill.

The VICE PRESIDENT. The bill will be received and lie on the table.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. KENYON submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was referred to the Committee on Finance and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, and it was thereupon signed by the Vice President.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

The VICE PRESIDENT. There is on the table the bill (S. 13) to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes, which has been read twice by its title. The question is now on the reference of the bill.

Mr. WARREN. Mr. President, I understand the question has now come as to the reference of the bill to the committee?

The VICE PRESIDENT. The bill having been twice read, the question is on its reference to the committee.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from South Dakota?

Mr. WARREN. I yield to the Senator.

Mr. STERLING. Will the Senator from Wyoming now consent to the reference of the bill to the Committee on Civil Service?

Mr. WARREN. I do not think that should be done, Mr. President.

Mr. STERLING. Very well. Then, Mr. President, I move that the bill be referred to the Committee on Civil Service.

Mr. WARREN. Mr. President, I shall object to the reference of the bill to the Committee on Civil Service until there shall have been further consideration of the matter. The subject matter of the bill is one which has been heretofore within the jurisdiction of the Committee on Appropriations. It is a matter, indeed, which originated entirely with that committee. The question involved is one of efficiency and the settlement of the amounts that shall be appropriated for the payment of the salaries of Government employees. It has no particular connection with the Civil Service Commission, whose duty it is to examine applicants for Government positions, to rate them, and also to undertake to protect the distribution of employees between the various States. When an applicant enters the service, that is the end of that so far as the Civil Service Commission is concerned, but the matter of grades and salaries is something that necessarily comes up in connection with the management of the departments and their requests to the Committee on Appropriations for funds to provide for their employees.

Years ago under the law there were established certain grades of employees, namely, clerks of class 1, clerks of class 2, clerks of class 3, and clerks of class 4, with salaries, respectively, of $1,200, $1,400, $1,600, and $1,800. Appropriations have been called for and provided accordingly. Later on, when the business of the country grew, as it has grown, and especially during the war, there have been large lump-sum appropriations provided, which have been divided into salaries and paid to employees appointed under such appropriations. Naturally such matters have had to come before the Appropriations Committee. Certain irregularities, especially the fact that employees doing a particular class of work in one locality are receiving higher compensation than employees doing similar work in another locality, have given the Committee on Appropriations much trouble. So that committee proposed that there be appointed a commission on reclassification. The proposition was that that commission should report to the Appropriations Committee, but that being somewhat irregular, it was provided that the report of the commission should be made to the House and Senate.

The report of that commission came to the Senate Committee on Appropriations, and that committee has given it attention. The chairman of the committee and some of its members remained in Washington during the vacation for the purpose of studying that report. A bill has been prepared and is now on the table which reduces to 40 or 50 pages, and at the same time covers the ground seemingly sufficiently, a measure which was introduced in the last Congress which got no further than the House of Representatives, and which embraced a total volume of something like 450 pages. That bill was never considered, or at least never reported by any committee.

I think all bills respecting the classification of Government employees now in service should be referred to the Committee on Appropriations, as that committee has duties to perform under any legislation which may be enacted on the subject, and, in fact, they have all to do with it, so far as efficiency and appropriate appropriations are concerned.

The proposed reclassification applies not to new entrants into the Government service particularly, but to those who are now in the service, numbering many thousands of men and women.

It is believed that the departments can allocate their employees in such schedules of rates as may be allowed, and can thereby to a considerable extent better existing conditions, at the same time promoting efficiency, by providing not a jump of $200 in all instances as is the case under the present law with the salaries of the various classes of clerks but by establishing grades carrying increases of perhaps $50 instead of $200, so that there will always be something in view for an employee, and if he can not reach an increase of $200 in a year he will be able to obtain an increase of $50 or $100 and still have further advancement to expect if properly earned.

The Committee on Appropriations has to consider the schedules as they come before the committee from the departments, and, in fact, the whole matter is one for the Appropriations Committee to handle and determine. Therefore I move that the bill be committed to the Appropriations Committee.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota to refer the bill to the Committee on Civil Service.

Mr. STERLING. I thought, Mr. President, that was the motion pending.

The Senate of the United States has certain rules, and Rule XXV is the one providing for the various standing committees of the Senate. It is not stated by the rules just what the duties of the several committees shall be, but the names of the committees are given, and the contention is that by plain implication of the rules the bill which has been introduced should be referred to the Committee on Civil Service and not to the Committee on Appropriations.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I yield to the Senator.

Mr. NORRIS. Is the bill, in its nature, legislative?

Mr. STERLING. It is general legislation of the most important and far-reaching kind, Mr. President.

Mr. NORRIS. It is not an appropriation?

Mr. STERLING. It is not an appropriation bill. It does not purport to be an appropriation bill.

Mr. NORRIS. It seems to me that the Senator from South Dakota is right, then.

Mr. STERLING. This is the title of the bill, Mr. President:

A bill to provide for the classification of civilian positions within the District of Columbia and in the field service, and for the standardization of compensation therefor, and for other purposes.

That is the bill; and if there ever has been a bill introduced in the Senate of the United States which should be referred to the Committee on Civil Service, it is a bill of this nature and kind.

Now, Mr. President, I want to call attention to a matter of history.

Mr. NORRIS. May I ask the Senator another question? Does the bill contain any appropriation?

Mr. STERLING. It contains no appropriation whatever—not any appropriation.

A year ago last March the report of the Joint Reclassification Commission was presented to the Senate of the United States, and accompanied by a bill introduced by the chairman of the Reclassification Commission at the time. The bill is S. 4106, and consists of 29 pages. The report which was presented with this bill contained nearly 900 pages. The bill is legislation pure and simple in regard to the civil service; and I have only to call the attention of Senators to the title of the bill for them to realize at once that it is a bill relating to the civil service and should be referred to that committee.

For example, "Allocation" is one of the titles of this bill, which means the allocation of the employees of the Government service to their several classes or positions under the bill.

"Compensation" is another title.

"Efficiency rating" is another title.

"Promotion appointments" is another title of this bill, S. 4106.

"Hours of service" and "Transfers" are other titles of this bill.

When we have a Civil Service Committee, I want to ask Senators if these are proper subjects for reference to the Committee on Appropriations? As I stated in answer to the Senator from Nebraska, this is general legislation, and of the most important character, affecting the whole civilian service of the Government.

Mr. WARREN. Mr. President, will the Senator permit me to ask him a question?

Mr. STERLING. Yes.

Mr. WARREN. Is the bill to which the Senator is giving his attention the one that he has lately introduced?

Mr. STERLING. No; I am calling attention now to S. 4106, as I stated a moment ago.

Mr. WARREN. Is that the bill which the Senator has introduced, and which he wishes to have referred to his committee?

Mr. STERLING. I am calling the attention of the Senate to a little history in regard to this matter.

Mr. WARREN. How far did that bill get?

Mr. STERLING. I am going to state how far it got.

Mr. WARREN. While I do not wish to take up the time, I think it would be well if the Senate could hear that bill read.

Mr. STERLING. This bill?

Mr. WARREN. Yes.

Mr. STERLING. I shall hardly take the time to read this bill of 29 pages. It is not necessary. If the Senator refers to Senate bill 4106, which was introduced at the last session of Congress, on March 22, a year ago, it is not necessary to read that bill. It was introduced in connection with the report of the Reclassification Commission. I am calling attention to the subjects with which it dealt, to show that this bill which was referred to the Committee on Appropriations was a bill for general legislation.

I was not present in the Senate Chamber when this bill was introduced and when the report was made. I had assumed that the bill, when introduced by the chairman of the Joint Reclassification Commission would be referred to the Civil Service Committee. Other matters engaged my attention, and especially the civil service retirement bill; and when I ascertained what reference had been made I did not then move to discharge the Appropriations Committee and refer the bill to the Committee on Civil Service and Retrenchment, there being no need or reason, so far as actual consideration of the bill by committee was concerned, before the present time and at the beginning of this session.

On the last night of the last session I moved to discharge the Committee on Appropriations from the consideration of this bill and to refer it to the Committee on Civil Service and Retrenchment. A viva voce vote was taken. There was a rush of business at the time; no particular consideration was given to the matter, and the Senate decided against the motion; but the object in making the motion at that time was that during the interim between the last session and the beginning of this I might devote time to the consideration of a civil service reclassification bill. In the first place, I was interested in the subject because of its merits and because of the need of reclassification. In the second place, I was interested because I have the honor of being the chairman of the Civil Service Committee.

Notwithstanding the action of the Senate at that time, Mr. President, I have not lost my interest in the subject, and have, after a great deal of work and after some assistance from valuable experts in the matter, prepared and presented this bill, and ask for its reference to the Civil Service Committee.

The Senator from Wyoming [Mr. WARREN] has spoken about the origin of this bill. He said that the subject originated with the Committee on Appropriations. Mr. President, the subject of appointing a joint reclassification commission originated in the Appropriations Committee of the House, and the very amendment to the legislative, executive, and judicial appropriation bill which was put on the bill in the Senate with very slight change was presented in the House and went out in the House on a point of order, and afterwards, when the Senator from Alabama [Mr. UNDERWOOD] was in charge of the appropriation bill in the Senate, the provision providing for the appointment of a joint reclassification commission was added as a Senate amendment to the bill.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. STERLING. I do.

Mr. WARREN. The joint commission was provided for by an amendment to an appropriation bill put on in the Senate Committee on Appropriations, voted on in the Senate, admitted in conference, and it became the law in that manner. The Senate members of the commission were appointed by the Vice President, the House members by the Speaker, and the commission, as I say, proceeded to do its business under the law thus originated and carried.

Mr. STERLING. Does the Senator from Wyoming deny that the plan originated in the House, and that the act itself—with the exception, as I say, of a slight change—originated in the House, and with the Committee on Appropriations of the House? If the Senator is forgetful of that, I call his attention to the RECORD of January 18, 1919, in the House. When the legislative, executive, and judicial appropriation bill was under discussion there, the Clerk read the following amendment to the bill, which had already been offered:

That a joint commission is created, to be known as the "Joint Commission on Reclassification of Salaries," which shall consist of five Senators, who will be Members of the Sixty-sixth Congress, to be appointed by the President of the Senate, and five Representatives, who will be Members of the Sixty-sixth Congress, to be appointed by the Speaker. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

And then follows the rest of the act:

It shall be the duty of the commission to investigate the rates of compensation—

And so forth.

Mr. WARREN. What is the date of the act?

Mr. STERLING. This record was made in the House on January 18, 1919. As I say, afterwards, being formally offered, the amendment went out in the House on a point of order made against it. It was then taken up in the Senate and exactly the same language adopted, except that the House amendment provided for five members from each body, the House of Representatives and the Senate, whereas in the Senate three members of this joint reclassification commission were to be appointed from each body.

Mr. WARREN. The Senator is entirely mistaken. The law which I speak of, and under which the commission was appointed, was of a later date than that. It was entirely another measure, originating with the Senate. The Senator is wrong.

Mr. STERLING. When was it, may I ask the Senator from Wyoming?

Mr. WARREN. In 1920.

Mr. STERLING. It was on January 18, 1919, that this matter was up in the House. I say that this originated in the House.

Mr. WARREN. It might be said that anything offered in the House originated there, but it had nothing to do with this measure.

Mr. STERLING. The exact language of the House measure was used in the Senate amendment to the legislative, executive, and judicial appropriation bill——

Mr. WARREN. Not at all. It originated with the Appropriations Committee of the Senate; the number of appointees is different from what the Senator states, and the language is different.

Mr. STERLING. It is different in language, so far as I now know, and I think I am correct in that, only as to the number that were to be appointed from each House. That is the only difference.

Mr. President, as I say, the amendment to the legislative, executive, and judicial appropriation bill under which this joint reclassification commission was created thus originated in the House. But what was done with the House bill, a duplicate of Senate bill 4106, and the report of 900 pages which came as a result of the work of the Joint Reclassification Commission? What did the House do with the bill and report? There is no question about it; when they were introduced in the House, they were referred, although the measure for a reclassification commission had originated with the Appropriations Committee of the House, the reclassification bill and report were referred to the House Committee on Reform in the Civil Service.

Mr. WARREN. Mr. President, I have great respect for the Senator who has just been speaking, and I have great respect for his efforts along this line; but it does not become the Senator to say that legislation originated in the House which, as a matter of fact, did not originate there. We might go back 50 years and say something originated in the House because some Member presented it. As a matter of fact this originated on the Senate side, as I stated, and passed in the manner in which it was offered here. Furthermore, when the report came back, it belonged of course to no committee, but it belonged to the Senate.

Mr. STERLING. Mr. President, I refer to the RECORD and to the inferences which may be drawn from the RECORD. There is the RECORD showing when this matter was first introduced in the House, the result of the introduction there, and then the fact that it was taken up later by the Senate Committee on Appropriations. As I said, the bill and the great report of the Reclassification Commission were referred to the Committee on Civil Service in the House.

Later there was introduced in the House, at the last session, another bill, known as the Lehlbach bill, which was an abbreviation, to some extent, of the original bill and report. Instead of having a separate report, it was all included in the one Lehlbach bill, a bill consisting of 428 pages, as against 29 pages of the bill which had been introduced in the Senate by the chairman of the Joint Commission on Reclassification and 900 pages of the report.

What became of the Lehlbach bill when it was introduced in the House? It was referred, and referred as a matter of course, not to the Committee on Appropriations but to the Committee on Reform in the Civil Service, of which Mr. Lehlbach is the chairman.

Mr. President, just the other day, then—the effort being all the while to condense these bills and make a simpler bill, a bill which would require less reading to understand—there was another bill introduced in the House by Mr. WOOD of Indiana. There seemed to have been no question about it. It is a bill entitled "To provide an equitable system for the valuation of the services of civilian employees of the Government, and making appropriations therefor." It was referred to the Committee on Reform in the Civil Service in the House and ordered to be printed.

So we have every House bill introduced—and there have been three of them—referred to the Committee on Reform in the Civil Service of the House.

The Senator from Wyoming said that when the report is made it is in the hands of the Senate, and the inference is that the Senate may then refer the bill to any committee it chooses. Mr. President, the Senate, according to that theory, might refer a bill relating to railroad transportation in interstate commerce to the Committee on Appropriations. It might refer a bill relating to taxes and to tariff to the Committee on Appropriations instead of to the Committee on Finance. Or it might refer a bill for the revision of Federal laws to the Committee on Appropriations instead of to the Committee on the Judiciary. Or, conversely, Mr. President, if the Senate has that power, it might refer the legislative, executive, and judicial appropriation bill and the sundry civil bill and the urgent deficiency bill—one of them to the Committee on Interstate Commerce, another to the Committee on Finance, the other to the Committee on the Judiciary, all in obedience to the ipse dixit of some Senator or for the purpose of carrying out some particular theory of his own.

But, Mr. President, the Senate has never entered upon that course, and the Senate will not dare enter upon such a course or so interpret the rules of the Senate. Why would it not do it? Because of the confusion, because of the very anarchy which would result in the business and in the procedure of the Senate if we did enter upon such a whimsical, such a boys' play, such an arbitrary course in the matter of the reference of the bills which have been introduced here in the Senate.

Mr. President, the right of the Committee on Civil Service to this bill is just as clear as is the right of the Committee on Banking and Currency to have a bill relating to the Federal Farm Loan Board or to the Federal Reserve Board referred to it. Just as clear is the right of the Committee on Civil Service to have this bill referred to it as is the right of the Finance Committee to have referred to it a bill relating to tariff or to the raising of revenue, and just as clear as is the right of the Judiciary Committee to have referred to that committee a bill relating to constitutional law or a bill affecting the revision of the Code of the District of Columbia.

Mr. President, the very text of this bill, aside from the schedule of salaries provided in it, indicates where it should go; it indicates the general legislative character of the bill.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. STERLING. Certainly.

Mr. WARREN. I thought, when the Senator introduced his bill, he mentioned the fact that he would submit a schedule to accompany it later.

Mr. STERLING. It accompanies it now, and is attached.

Mr. WARREN. As a part of the bill?

Mr. STERLING. As a part of the bill.

Mr. WARREN. Then, as a matter of fact, the Senator has only a part of his bill here.

Mr. STERLING. I have it all here.

Mr. WARREN. I mean, on the Secretary's desk.

Mr. STERLING. It is all on the desk now. The schedule has been attached.

Mr. WARREN. But it was not introduced?

Mr. STERLING. I asked that I might attach the schedule. It is here now.

Mr. WARREN. And the schedule is to be a part of the bill?

Mr. STERLING. The schedule is attached to the original bill as introduced, and it is a copy of it that I have in my hand.

Mr. President, whom do we make the classifying agencies in this bill? Primarily the Civil Service Commission, on consultation always with the heads of the various departments. Classification is then to be subject to the approval of the President of the United States, the compensation fixed to be subject to the approval of the Secretary of the Treasury; or, should we have a budget system, and call the head of the budget by some other name, or have some one else as the head of the budget than the Secretary of the Treasury, then the director of the budget system. This bill provides:

> That the classifying agency shall establish classes, allocate positions, and determine the compensation of employees as provided in this act, and upon the approval of such classification and allocation by the President, and the approval of such compensation by the Secretary of the Treasury, shall report such classification and compensation to the department head, the Secretary of the Treasury, and the Congress not later than August 15, 1921—

And so on.

Then the report of the classification commission is another subject, the standard schedules of compensation still another, and then comes the division of the entire service of the United States into 11 different services, with an average of 6 grades, or 66 grades in all for the entire Government service.

Mr. President, here is another consideration. These bills in the House have been referred to the Committee on Reform in the Civil Service. If referred to the proper committee of the Senate, it will result in joint meetings or sessions of the two committees and joint hearings by the two committees, and we shall work, so far as that is concerned, in harmony in trying to get together all evidence, all statistics, and all information needed in the consideration of the bill.

Mr. President, in asking for a reference of this bill to the Civil Service Committee I am not speaking on my own account altogether. Of course, as chairman of that committee I naturally feel jealous of the rights of the committee. As chairman of that committee, I feel it to be my duty to insist upon the rights of that committee. But I am not speaking for myself alone or for the Civil Service Committee, but I am speaking for the right of every Senator to have a bill, the subject matter of

which is considered by his committee, referred to that committee. I can only assure the Senate that if this bill is referred to the Civil Service Committee it will, because of its great importance, have the most careful, conscientious, and painstaking study and consideration.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota [Mr. STERLING] to refer the bill to the Committee on Civil Service.

Mr. SMOOT. Mr. President, if the Senator from South Dakota had taken time to go back and study the question of the fixing of salaries for Government employees, beginning with the first act in 1879, he would have found that every piece of legislation proposed has passed through the Appropriations Committee of the Senate. The creation of the Reclassification Commission came from the Appropriations Committee of the Senate, and the provision creating it was put on an appropriation bill.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. Certainly.

Mr. POINDEXTER. May I ask the Senator, was not that subject to a point of order?

Mr. SMOOT. It was subject to a point of order, I suppose.

Mr. POINDEXTER. It was subject to a point of order, because it had no place upon an appropriation bill?

Mr. SMOOT. The Senate unanimously thought it had a place, and it was considered in the Committee on Appropriations.

Mr. POINDEXTER. I do not think the Senator would be justified in drawing the conclusion that because no point of order was made the Senate thought that no point of order would lie. It was simply a voluntary withholding of the point of order.

Mr. SMOOT. There is no question about that. It was discussed here on the floor of the Senate at the time, and no one objected to the insertion in an appropriation bill of the provision creating the Reclassification Commission. When a report was made from this commission that report was referred to the Appropriations Committee, and from the day the report went to the Appropriations Committee that committee has made a study of the question. The committee has the information as to all of the employees in the Government service in the District of Columbia whom this bill affects. It knows just what they are receiving, how many employees there are in every bureau and every division and department. It has a comparison between the salaries paid from a lump-sum appropriation and those paid from a statutory roll appropriation, showing exactly what the percentage of difference is as affecting the different employees of the Government.

Mr. NORRIS. Mr. President, may I ask the Senator from Utah a question?

Mr. SMOOT. Certainly.

Mr. NORRIS. In the particular bill before us now for reference I wish to ask the Senator if there is anything beside legislation? Is it not a matter of legislation? I am asking for information, because I have not read the bill.

Mr. SMOOT. It includes legislation, but a great part of it is the fixing of the grades of the employees for which the Committee on Appropriations will have to appropriate. That is all there is to the bill.

Mr. NORRIS. I understand; but the fixing of the grades and the offices, and so forth, is, of course, a matter of legislation. Does the Senator argue that because the Appropriations Committee will be called upon to appropriate money for the payment of the salaries of these people that therefore the original act ought to go to the Committee on Appropriations?

Mr. SMOOT. Just the same as it did originally when the first group of statutory salaries was fixed. To-day there are nine classes of salaries fixed by statute, and nine only.

Mr. NORRIS. May I ask the Senator another question right along that line? If we had a bill here for the purpose of establishing a new bureau in a department, to set up a lot of new offices and fix their salaries and classify them, would the Senator contend that kind of a bill ought to go to the Committee on Appropriations?

Mr. SMOOT. That would all depend upon what was in the bill.

Mr. NORRIS. I have told the Senator what would be in the bill.

Mr. SMOOT. Then I would say the Appropriations Committee, if it provided for a classification that would hereafter become statutory, ought to have the bill referred to it.

Mr. NORRIS. If that argument be true, when the reorganization of the railroads came in and was referred to the Committee on Interstate Commerce, they fixed new salaries, new positions, and so forth; that bill ought to have gone to the Appropriations Committee. In fact, can the Senator find very many bills which, under his argument, would not have to go to the Committee on Appropriations?

Mr. SMOOT. There are no such bills as this now before the Senate and have not been for years. This is entirely distinct legislation that affects not one commission or division, not any one particular bureau, but affects certain employees in every department of the Government, and hereafter appropriations will be made to meet the requirements provided for in the bill, if it becomes a law.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. Certainly.

Mr. POINDEXTER. The Senator just stated that the bill takes in every department of the Government. Therefore it affects the War Department.

Mr. SMOOT. Certain employees of the War Department.

Mr. POINDEXTER. Under the argument the Senator is making, as long as it affects employees of the War Department that part of it ought to be referred to the Committee on Military Affairs, for it makes appropriations for officers of the Army and some of the civil employees; and the same is true as to those parts of it which relate to the Agricultural Department; they ought to be referred to the Committee on Agriculture and Forestry, under the argument of the Senator.

Mr. SMOOT. I do not think so. I think whenever the employees fall within the proposed groups the Appropriations Committee appropriates for them. It seems to me that the Committee on Appropriations is the only proper committee to which the bill should be referred.

Mr. STERLING. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. STERLING. Before any compensation is provided for, before any appropriation is made at all, there must be legislation classifying the different positions.

Mr. SMOOT. There are already classified statutory positions, and it is now proposed to extend them; and the proposition should be decided, as formerly, by the Committee on Appropriations. The bill which I have introduced provides that the salary paid will be for the work done by the employee and not for the name of the office. Under the Lehlbach bill there are 1,700 definitions with a minimum wage of $1,080.

Mr. STERLING. May I correct the Senator? Will the Senator yield for a moment?

Mr. SMOOT. I should like to complete my statement.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. The Senator from Utah has the floor. Does he yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. LODGE. I do not want to interfere with the Senator, but if he will yield to me for a moment I merely wish to say that we have a unanimous-consent agreement with reference to the treaty with Colombia. There is a Senator here who is waiting to speak upon it. I only wish to say, Senators, that I hope they will consider that and not undertake to debate the classification bill at this stage and use up our time in that way. I do not wish to make a motion to go into open executive session for the consideration of the Colombian treaty, but I can not forget that we are acting under a unanimous-consent agreement, and if any Senator desires to speak on the Colombian treaty he is entitled to do so. The Senator from Utah has the floor and I have no right to take the floor from him to make the motion.

Mr. SMOOT. I am perfectly willing to yield, because I recognize that we are under a unanimous-consent agreement to the effect that when anyone wishes to speak on the Colombian treaty we are to go into open executive session. I shall not object if there is any Senator who desires to speak on the treaty now. I can conclude my remarks upon this subject later.

Mr. LODGE. The Senator from Washington [Mr. POINDEXTER] is ready to speak upon the treaty and desires to go on.

Mr. STERLING. If I may be allowed to say a word, I am interested in this question.

Mr. LODGE. We are all interested. It is a very important matter.

Mr. STERLING. I hope that we may proceed and reach a vote on the question of the reference of the bill.

Mr. LODGE. It is opening up a debate that will probably take hours.

Mr. STERLING. We have an hour yet before the morning hour is closed.

Mr. LODGE. I call the Senator's attention to the fact that the motion I propose to make is a privileged one and can be made at any moment.

Mr. STERLING. I am aware of that. That is true.

Mr. LODGE. I am only trying to do what I consider to be my duty under the unanimous-consent agreement; that is all. I do not wish to interfere with the business before the Senate. I am perfectly ready to have the debate go on.

Mr. STERLING. I hope the Senator will forego making the motion for a time. I think the question can soon be disposed of.

Mr. SMOOT. Whatever course the Senator from Massachusetts decides to take will be satisfactory to me.

Mr. LODGE. How much time will be needed?

Mr. SMOOT. If Senators will allow me to conclude my remarks without interruption, I will say to the Senator that it will not take very long. I do not know who else wishes to speak. I do not know whether the Senator from Kansas [Mr. CURTIS] desires to address the Senate on the question.

Mr. CURTIS. I have no desire to speak on the matter. I am ready to vote now.

Mr. LODGE. If the Senator will be brief——

Mr. SMOOT. I will be brief, I will say to the Senator, because from now on, after the statement made by the Senator, I shall not yield for any interruptions.

Mr. LODGE. Of course, I can not tell how long the debate is going to take. I interrupted the Senator, and I do not wish to cut him off unduly, but I do think we ought to take up the treaty with Colombia under the unanimous-consent agreement.

Mr. SMOOT. I am quite sure I shall not occupy more than 15 minutes, and perhaps less.

Mr. LODGE. Then the Senator from South Dakota will wish to reply. I think it wiser and more proper, under the unanimous-consent agreement, that we should go on with the business on which we have the unanimous consent, and if the Senator from Utah yields to me——

Mr. SMOOT. I yield to the Senator from Massachusetts.

TREATY WITH COLOMBIA.

Mr. LODGE. I move that the Senate proceed to consider the treaty with Colombia as in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. POINDEXTER. Mr. President, I desire to state the grounds of my opposition to the treaty which is now pending before the Senate, and which provides that there shall be taken out of the Treasury of the United States the sum of $25,000,000 to be paid over to the Republic of Colombia without consideration. If the treaty should be favorably acted upon by a two-thirds vote of the Senate, the United States will receive in exchange for this vast sum of the public money nothing that it has not at the present time.

I remember not many months ago observing with a great deal of interest the efforts of Senators upon the other side of the Chamber to secure the enactment of a bill which, by reason of its peculiar character, immediately enlisted my interest and attention. It involved a very small amount of money. It proposed to appropriate from the Treasury $57.50 a month for the period of 20 years to an American widow for the benefit of herself and seven small children on account of an act of negligence of the Government.

The husband of this woman, the father of these children, a small and poor but industrious and upright farmer, an American citizen, standing in the doorway of his humble home, was stricken down and killed by a stray shot which had been fired from a Government proving ground in the wrong direction, under circumstances indicating gross negligence on the part of those who were responsible for it, a clear case where, under the rules of the common law, and in the performance of the obligations of an upright Government compensation should have been paid to those who were so grievously injured by the negligence of their Government.

But I noticed that the Senator in charge of the bill was confronted by many difficulties and discouragements. Objection after objection was made. It was argued that it would set a precedent under which similar enactments would be made for the payment of money from the Treasury, that it was extravagant, that it was unprecedented, and the consequence was, so far as I am aware, certainly at that time, that the bill failed of passage.

I observe with a great deal of interest that some of those who were most insistent in their objection upon the ground of extravagance to that bill for the compensation of the woman and her children, who had been injured by the negligence of the Government, are now among those who are most vigorously supporting the appropriation of $25,000,000 from the Treasury to pay to a foreign people upon an alleged obligation which does not exist in fact. I had some curiosity to know why it was that that bill met with the obstruction which it experienced, and, from observation of other legislation which was enacted by the Congress, I came to the conclusion that one of the difficulties with it was that it did not appropriate enough money out of the Treasury, for I had seen enacted by Congress on several occasion bills appropriating in lump sums $100,000,000 and $50,000,000 to which objections were not considered, and in opposition to which it was difficult even to secure the interest of an appreciable number of Senators.

It seemed that those bills were favored because they appropriated large sums of money from the Treasury of the United States for foreign peoples, and one would be led to think that the reason that the pending treaty apparently is about to receive the assent of the Senate is that it has that magic and subtle interest which comes from a foreign stamp; that it is not in the interest of the American people, but of that of a foreign country. There are millions of just claims of our own citizens pending before the Government for which it is practically impossible to secure favorable consideration.

Mr. President, there is no doubt in my mind, unfortunate as it may be, that in the origin at least of this measure the bitter political differences which have separated political parties in this country, and which at one time divided the Republican Party, were the chief factors. I do not say that that is influencing the opinion of the Senators at this time, but I do say that in its inception and origin the antagonisms and, I might say, the animosities which arose not only in the great opposition party, but within the Republican Party itself to the then leader of the Republican Party, the late lamented Theodore Roosevelt, had a great deal to do with the favor which was given to the proposition of stamping, as it were, with the stigma of shame an act of President Roosevelt's, even though it involved taking $25,000,000 of public money from the Treasury in order to fix that shame in the annals of the Nation.

We all remember the bitter feeling that existed within the Republican Party during the Taft administration; the willingness, not to say the eagerness, of the Republicans to find something which they could point out and establish that would be embarrassing or injurious to the great President of the United States who had aroused their antagonism. I am speaking with perfect frankness about this, and only as to the origin in the early stages of this measure, without which it never would have been pending before the Senate to-day, and without any feeling whatever upon my part of which I am conscious, of either favor of or opposition to any of the great characters that were involved in this transaction as influencing my position upon the measure at this time.

We can not blind ourselves to the bitterness of feeling which existed toward Theodore Roosevelt during the Wilson administration, and I can not refrain from the conclusion that that was a part at least of the incentive which induced that administration to negotiate, under the secretaryship of Mr. Bryan, this treaty and present it to the Senate of the United States.

I only mention these matters in a preliminary way for the purpose of urging the Senate that they should be left out of consideration in the determination of this treaty and their conclusions upon it. We should cast aside the differences of the past, whether within the Republican Party or between the Democratic Party and the Republican Party, and deal with the measure in a judicial way and as a matter of State policy upon the conditions which exist in the light of its origin and the historical events with which it has been connected.

I do not think the position of certain Senators upon the question is material. Many great Senators who are now constituting the chief influence which is leading toward favorable action upon the treaty, apparently—I hope I am mistaken as to its being favorable—were among those who made the most unanswerable arguments against it upon former occasions. Their language has been pointed out; but very briefly, in a very short excerpt from it, I wish again to call it to the attention of the Senate.

The Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. MCCUMBER], the Senator from Connecticut [Mr. BRANDEGEE], and the then Senator from New Mexico, Mr. Fall, along with the distinguished Senator from Idaho [Mr. BORAH], who still entertains the same view that he held at that time, in a minority report upon this treaty used the following language:

> Another grave objection to this treaty will be found in the first clause of article 2, which makes an exception in favor of Colombian transit of the canal, particularly for her ships, munitions of war, and armed forces, not provided for in the Hay-Pauncefote treaty. It discriminates as to canal tolls for all such transit against all other Latin American countries, as well as against our own ships even in the coastwise trade. It places us in a position where, even granting our right to refuse transit to the armed forces and vessels of countries

at war with us, Colombia might pass the vessels of the countries with which we are at war through the canal by putting them under her own flag and claiming them as her nationals.

The second objection which lies against any possible treaty with Colombia at this time is to be found in the fact that immediate and hasty action is urged because Colombia threatens us with hostility. Any friendship which is bought is worthless, especially when purchased under threats which, when successful, breed contempt in the mind of the seller and a sense of bitter dislike and humiliation in that of the buyer. No strong and proud nation should ever consent to buy with money the abstention from hostility of any country which sees fit to threaten it. It is a degradation to which the United States should never submit.

Mr. President, in respect to those two objections, that this treaty is a violation of our obligations under the Hay-Pauncefote treaty by reason of giving preferential rights to the Republic of Colombia in connection with passage through the canal, and in respect to the proposition that we can not buy the real friendship of a people, but on the contrary the effort to do so creates "contempt in the mind of the seller and a sense of bitter dislike and humiliation in that of the buyer," the issue is to-day exactly the same, without the slightest modification, as it was when that minority report was filed.

As I have already said, the Senators referred to are not subject to criticism for having changed their position; when a man's mind is changed it is his duty to change his position; but it may be said of them, as it was so often said of a very distinguished man during the last administration when he was boxing the compass of contradiction upon the public issues of the time upon both sides of various important questions, that he could not possibly be right in all of the positions which he took; that when he reversed his position he was bound to be wrong at one time or the other. So it may be said of these gentlemen, without criticizing their change of position, that it is a mathematical and philosophical certainty that they are either wrong now or they were wrong then.

I concurred with these gentlemen when they made the report on March 14, 1917, which I have just read, and the conclusions which they reached. I believe they were right. I think their judgment was just as good then as it is now; I think they had just as much information then as they have now upon which to base their conclusions, and I prefer to follow their leadership as it was established and put upon the records of the Senate on the date which I have mentioned and which influenced, perhaps, others by reason of their distinction and their authority upon this great measure, rather than to follow it now when they have about faced and turned their backs upon the position which they took then and upon those who followed them toward the rejection of the treaty.

Mr. PITTMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I yield.

Mr. PITTMAN. As I understood the Senator, he suggested that possibly the initiation of the treaty by the last administration was due partially, or might have been due, to some political antagonism to Theodore Roosevelt. I should like to know if the Senator also believes that the change of front by certain Senators and their initiation of this treaty at this time has a similar cause?

Mr. POINDEXTER. No; they say not; and I do not think it has. That was why I was very particular in saying that that incentive applied only to the origin of this treaty, and I was free to say that I did not think that it was influencing, certainly not consciously, any Senators upon either side of the Chamber at this time. I was speaking in the utmost sincerity. I know the feeling toward Col. Roosevelt of the late distinguished Senator from Missouri, who was the chairman of the Foreign Relations Committee; everybody is familiar with the wide chasm which developed between Mr. Taft and Mr. Roosevelt during Mr. Taft's administration; everybody is familiar with the intense hostility, I may say, between Col. Roosevelt and many of those who were prominently identified with the Wilson administration; and I can not avoid the conclusion, giving to the consideration of this measure that knowledge of human nature which we all possess, that those circumstances unconsciously, it may be, furnished one of the chief incentives for the negotiation and the projection into this arena of this treaty.

Mr. PITTMAN. The reason why I injected this is because I do not think that cause had anything to do with the original initiation of the treaty, and I wanted to call it to the attention of the Senator, because if he believes that these Republican Senators who have changed their positions are sincere—and I do not think he would attempt to reflect on their sincerity——

Mr. POINDEXTER. Not at all. I believe they are sincere.

Mr. PITTMAN. Then, undoubtedly, those who initiated the treaty under the former administration have just as much right to be considered sincere as these who have changed their position.

Mr. POINDEXTER. Undoubtedly; they all have a right to be. I am not attacking the sincerity of anybody. I am submitting certain circumstances connected with the development of this question for consideration, and I do not ask the Senate to give them any undue weight. They appeal to me as circumstances which are worthy of being considered in fully understanding the origin and the presence here of this matter.

I have attempted to form an independent judgment upon the question and would not hesitate to vote for the appropriation of this money for the Republic of Colombia for one moment because Col. Roosevelt was responsible for the situation, if upon legal investigation of the rights of the respective countries, and the history of the transaction, I came to the conclusion that Colombia had any just claim to it. I think that the position of any man prominently connected with this matter in the past, whether in the transaction itself out of which the treaty arose or whether in the negotiation of the treaty itself, is a mere secondary circumstance, absolutely irrelevant except in so far as it may throw some light upon the processes by which conclusions were reached, and thereby upon the merits of the question itself, which should be the sole guide of the Senate in its determination.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER (Mr. BORAH in the chair). Does the Senator from Washington yield further to the Senator from Nevada?

Mr. POINDEXTER. I can not yield to the Senator at this time. I shall be glad to yield when I have concluded my remarks.

Mr. President, of course the ground upon which we are asked to make this appropriation is that in 1903 we did an injury to Colombia. On the 3d of January I listened very attentively to the remarks of the brilliant and distinguished late Senator from Colorado, Mr. Thomas. He prefaced his remarks by justifying the attack which he was about to make upon the late President Roosevelt; and I have no fault to find with any attack which he did make. I mention that circumstance in order to show that that was one of the chief things he had in his mind.

He was going to show something which discredited the United States, and the part which it took through its then President, in the securing of the right of way of the Panama Canal; and there was no more brilliant Senator intellectually in this Chamber than the Senator from Colorado. There was perhaps in some respects no more brilliant lawyer in this body than the Senator from Colorado. He had occupied responsible and distinguished positions in his State and in the Nation for many years; and having declared in the outset of his remarks the purpose for which he was addressing the Senate, and with the command which he had of the forces of reason and of expression, I take it that if there could have been found in this record of the Isthmus of Panama a single fact or circumstance which would show that the United States violated its international obligations under the action of its then President, the Senator from Colorado would have pointed it out in his speech. I submit to the Senate that one of the most conclusive proofs of the fact that neither the President nor any other official of the Government was connected in any way whatsoever with the revolution of the State or Province of Panama is the fact that the Senator from Colorado failed to give any evidence of it; and he interpolated even in his speech a confession of the fact that there was no evidence that this movement was initiated by anybody connected with the Government of the United States. He did show that Bunau-Varilla assisted in planning the revolution, but did not claim that this Government was in any way responsible for his actions. No one has offered a scintilla of proof to that effect; and consequently I assume, having failed to do so in all the discussions which have taken place over this subject, that such proof does not exist.

Mr. President, there is no doubt that the Government of the United States knew that a revolution was in progress. A great deal of labor has been devoted to proving that the President of the United States at that time had knowledge of the fact that a revolution was brewing in the Isthmus of Panama. Why, of course he knew it. As President Roosevelt himself said, everybody knew it that had any information or intelligence about public matters at that time. It had been published in the daily papers of the United States for weeks prior to its occurrence. The names of the Panamans who were connected with it were given. Why, Mr. President, it was not only known to the United States that a revolution in Panama was planned, but it was known in Colombia. It was debated in the Colombian Congress. When, on the 12th of August, 1903, the

Senate of Colombia rejected the Hay-Herran treaty, the debates upon that issue disclosed the fact that they were aware that that rejection meant that the Isthmus of Panama would rise in revolt. There was no secret about it. There is a mystery connected with the circumstance that, having known it, the Republic of Colombia took no steps to suppress it. They apparently took no steps to suppress it for the reason that they expected that the United States would perform that service.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I can not yield to the Senator just now. I will yield to him later, if he will make a memorandum of what he desires to ask.

Mr. PITTMAN. I simply wanted to quote some of President Roosevelt's language which I do not understand.

Mr. POINDEXTER. I am familiar with all that language, and there is not anything in that language to indicate that President Roosevelt had any hand whatever in the revolution on the Isthmus of Panama. On the contrary, he denied it. The distinguished Senator from Pennsylvania [Mr. KNOX], who still occupies a seat in this Chamber, who was a member of the Cabinet at the time these transactions took place and is now supporting this treaty, has furnished the most conclusive proof, by his unequivocal assertions upon the floor of the Senate, that neither President Roosevelt nor anyone else connected with the Government had any part whatever in that transaction.

Mr. PITTMAN. I have no doubt that the Senator can explain it. That is the reason why I wanted to submit it to him.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nevada?

Mr. POINDEXTER. I can not yield.

Mr. President, when this matter was under discussion in the Senate of Colombia, the vice president of Colombia, then acting as President, because under the constitution he had the right to act during the absence of the President, and he had seen to it that the President was absent by putting him in jail somewhere in the country, appointed a new governor of Panama, a senator of Colombia, Senator Obaldia; and to show how well the authorities of Colombia were advised of the fact that a revolution was imminent on the Isthmus of Panama, this senator, who was nominated for the governorship of Panama, advised President Marroquin that if he appointed him he would support the revolution in Panama for the purpose of establishing its independence; and, notwithstanding that the President of Colombia was so advised by Senator Obaldia, whom he had selected for appointment as governor of Panama, he appointed him, apparently still relying upon the assumption that the United States would see to it that Colombia still retained its sovereign control of the Isthmus, Colombia basing its action and its claim to the expectation that the United States of America should secure the sovereignty of Colombia over the Isthmus upon the treaty of 1846, to which I shall refer in a moment.

I want, in passing, briefly to call attention to some of the circumstances to which I have just referred.

In a letter from Minister Beaupre, addressed to Secretary of State Hay, August 31, 1903, he says:

> I had an interview with Senator Ospina to-day. He informed me that he is willing to remain so long as there is hope for the treaty, but he is convinced that there is none, and will leave, therefore, on the 6th proximo. Confirms Gen. Reyes's statement concerning presidential candidate, and says that the next senate was made certain for the treaty; that he bears instructions to Governors Signares and Barrios concerning the elections which will be held next December; that in accepting governorship of Panama he told the President that in case that the Department found it necessary to revolt to secure canal, he would stand by Panama; but he added if the Government of the United States will wait for the next session of Congress canal can be secured without a revolution.

That, Mr. President, is the information which was given to the President of Colombia by a senator whom he had selected to act as the governor of Panama, before he was appointed, and that disposes of labored efforts to show that there was some secret connivance, or some secret fomenting of the revolution in Panama, when it was so openly discussed at the capital of the Government of Colombia, and the proposed governor of the Isthmus informed the President that if he was appointed he would assist in the revolution to secure the independence of the Isthmus.

So, on the 5th of September, 1903, Minister Beaupre, at Bogota, informed the Secretary of State of the United States:

> It is now understood that the vice president will close this Congress on the 20th instant, so that little consideration can be given to the important questions before it. I believe a law concerning foreign claims will be passed. It is said that in this the Government will distinctly refuse to recognize its responsibility for damages occasioned by the revolutionists.

On September 10 the same minister said to the same Secretary of State:

> Since a report of the canal committee, the question has not been discussed in the Senate. First consideration of the report postponed until 14th instant. Fierce attack to-day in the Senate upon the appointment of Obaldia as governor of Panama. The appointment is regarded as being the forerunner of separation.

That was September 5, two months before the revolution occurred. He further said:

> Of several senators who spoke, only the son of the President defended the action of the Government.

I do not want to take up too much space in the RECORD in reading documents which merely reiterate this important point, but I want to read briefly from a letter from Minister Beaupre dated September 11, 1903, addressed to Mr. Hay. He said:

> I have the honor to report that events of interest have taken place in connection with the appointment of Senator Obaldia to the post of governor of the Department of Panama. Senator Obaldia's separatist tendencies are well known, and he is reported to have said that, should the canal treaty not pass, the Department of Panama would declare its independence and would be right in doing so. That these are his opinions there is, of course, no doubt, as I stated in my telegram to the department of August 31, 1903.

Incidentally, I may call attention to this language which the minister uses:

> The speakers showed greater heat than I have yet known them to evince in this Congress. It seemed to be the general opinion that the Government was prostituting the general interests of the country for purposes of electioneering intrigue.

What he means by that is that the factional differences among the Colombians in the Senate had grown to such an extent that they were willing to destroy their prospects of securing the canal in order to accomplish their object against their political opponents, and that no doubt was the fact which was responsible for Colombia having voluntarily to all intents and purposes separated herself from the Isthmus of Panama at the cost of not having the Panama Canal upon Colombian soil.

He said further:

> It is evident, I think, that a cross current was at work during the debate. It was initiated by an opponent of the canal and a believer in the integrity of Colombia against the appointment of a Panamanian who ardently supported the canal, and who, if forced to accept an alternative, would rather see the Isthmus independent than lose the chance of seeing the canal built through his department. The opponent of the canal scheme carried the house with him, but he gained their support, not in virtue of his attitude on the canal question, but because his resolution opened the door to a general attack on the Government.

Mr. President, what did the United States do? It has been said that they prevented the landing of Colombian troops on the Isthmus of Panama. There is not any evidence of that. On the contrary, it is undisputed that they did not prevent the landing of Colombian troops on the Isthmus of Panama. There was an American war vessel at Colon, and probably it could have prevented the landing of Colombian troops there, but did not do it, and the troops were landed. The Panama Railroad refused to transport those troops from Colon to Panama, which was the center of the revolution. That is a very different thing from preventing the landing of troops.

The Senator from Colorado, Mr. Thomas, in his speech said, with a great deal of dramatic emphasis, that Bunau-Varilla had sent a telegram to one of the leaders of the revolution in Panama, in response to his request as to whether or not American war vessels would appear there, that they would appear in 36 hours on the Atlantic, and 48 hours on the Pacific, and I asked the Senator from Colorado, being interested in that minute observation of his of the occurrences, whether or not the events corresponded to the prophecy in this telegram, and he said almost exactly. I was very much surprised, upon looking up the record, and even upon reading the complete speech of the Senator from Colorado itself, to find that a week elapsed after the sending of that telegram, saying that the naval vessels would be there in 48 hours on the Pacific, before they actually arrived.

It is said that the United States prevented an attack upon Panama by Colombia. It did not. I have no doubt that was the policy of the Government in case the attack progressed to a point where it interfered with transit across the Isthmus. But the attack was made. All the attack that Colombia undertook to make was a bombardment of Panama, and one of her gunboats, concealed behind an island in the bay, killed a Chinaman and a donkey. Nobody interfered with it. They carried on their bombardment until they got through with it, and then the vessel disappeared.

Mr. President, the complaint which Colombia has against the United States is not for preventing the landing of her troops, not for forbidding her from making an attack upon Panama, but her complaint is that the Isthmus having revolted and declared its independence of the Republic of Colombia the

United States recognized Panama as an independent State. If there is ground for damages on the part of Colombia by reason of the United States having recognized the independence of Panama, she has a good case; if there is not, she has not. The United States carried on no warfare in Panama, caused no bloodshed, and did no injury to anyone. No greater benefit could have come to Colombia than the construction of the canal.

A few days ago the brilliant Senator from Mississippi [Mr. WILLIAMS], interrupting a speaker upon this side who was addressing the Senate on this subject, said that if he asserted that there had been any precedent in the relations of these two countries for the United States restraining the Republic of Colombia from the exercise of force against revolutionists upon the Isthmus of Panama, that statement was historically inaccurate. I have heard the Senator from Mississippi make many dogmatic statements, and I have found from experience that, notwithstanding his remarkable fund of information, many of his statements are historically erroneous. I have heard him make statements both in prophecy and statements as to past events which have been equally inaccurate. I remember upon one occasion he said, with the air of an oracle, that Great Britain would not be so foolish as to execute a certain traitor who had been convicted during the war, and I was very much struck by the fact that the man was hanged the next morning after the Senator from Mississippi had made his statement.

Mr. President, in 1902, the very year before the occurrences upon which this dispute is based took place, the United States troops disarmed the troops of Colombia upon the Isthmus of Panama and sent them without their arms across the Isthmus in order to prevent them from exercising force in one of their perennial civil strifes.

I want to call attention to some of the orders which have been given on previous occasions, indicating not only the policy but the action of this Government long before the last revolt on the Isthmus—which the United States recognized—as establishing the same policy which it followed at that time.

On September 12, 1902, the Secretary of the Navy telegraphed to the war vessel *Ranger* at Panama, mind you, a year before the occurrences of 1903 and having no connection whatever with them:

> United States guarantees the perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. * * * Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you, nor should use of road be permitted which might convert the line of transit into theater of hostility.

That is what we did in 1902. On September 20, 1902, the American representative at Panama wired the Secretary of the Navy at Washington as follows:

> Everything is conceded. The United States guards and guarantees traffic and the line of transit. To-day I permitted the exchange of Colombian troops from Panama to Colon, about 1,000 men each way, the troops without arms in trains guarded by American naval force in the same manner as other passengers; arms and ammunition in separate train, guarded also by naval force in the same manner as other freight.

On October 3, 1902, this dispatch was received by the Secretary of the Navy from one of our naval officers at the Isthmus:

> Have sent this communication to the American consul at Panama:
> "Inform governor, while trains running under United States protection, I must decline transportation any combatants, ammunition, arms, which might cause interruption to traffic or convert line of transit into theater hostilities."

I will correct the statement that it was a naval officer. It was an official of the railroad. I repeat now:

> Must decline transportation of any combatant—

Not any combatant of the Isthmus of Panama, but any combatant of either side. That was exactly what they did in 1903.

I am glad to see the Senator from Mississippi [Mr. WILLIAMS] now in the Chamber. Mr. President, I will say to the Senator that I was just reading an order creating a precedent in 1902 for the action which was taken in 1903.

Mr. WILLIAMS. Mr. President, I understand a moment ago the Senator from Washington said that he was going to read something in answer to something that I had said.

Mr. POINDEXTER. That is correct.

Mr. WILLIAMS. I happened to be out of the Chamber when he made the statement, or perhaps I am misinformed about his statement. The statement I made was that the United States had never at any time, under any circumstances whatsoever, refused to allow the mother country of Colombia to land troops or munitions at either Panama or Colon. If the Senator has anything that he can read to disprove that statement I would be glad to hear it.

Mr. POINDEXTER. My recollection of the statement of the Senator from Mississippi is that he said that any statement that the United States had used force to restrain the forces of Colombia upon the Isthmus from upholding the sovereignty of the Republic of Colombia was historically inaccurate.

Mr. WILLIAMS. That is substantially a correct statement.

Mr. POINDEXTER. I have just read, if the Senator will permit me just a moment——

Mr. WILLIAMS. Well, what I said——

Mr. POINDEXTER. I am sorry the Senator was not here when I made the statement.

Mr. WILLIAMS. I said that——

Mr. POINDEXTER. Mr. President, I decline to yield.

The PRESIDING OFFICER (Mr. GOODING in the chair). The Senator from Washington declines to yield.

Mr. WILLIAMS. If the Senator does not wish to be interfered with——

Mr. POINDEXTER. I wish to finish the sentence which I was endeavoring to complete.

Mr. WILLIAMS. Oh, Mr. President, the Senator does not wish to be interfered with.

Mr. POINDEXTER. I decline to yield further.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. WILLIAMS. The Senator just read a telegram from the Governor of Panama, and said it affects the Governor of Colombia.

Mr. POINDEXTER. The Senator from Mississippi declines, apparently, to allow me to make a statement of what I did say, which he does not know, because he was not in the Senate Chamber at the time. I am trying to tell him what I said. I did not say what the Senator has repeated, and if the Senator would not interrupt me for the space of a moment I will tell him what I said.

Mr. WILLIAMS. Very well.

Mr. POINDEXTER. I said that in 1902 the United States disarmed Colombian troops upon the Isthmus and advised them that they could not exercise force against the Panamaians or anybody else in that zone.

Mr. WILLIAMS. The Senator means upon the line of the railroad?

Mr. POINDEXTER. No; I mean upon the Isthmus of Panama.

Mr. WILLIAMS. Oh, well, of course, the line of railroad is upon the Isthmus. We never disputed the sovereignty of Colombia over the Panama Republic.

Mr. POINDEXTER. Well, we did; and I wish to speak on that subject now. Never disputed the sovereignty of Colombia? We never took any part in the question when, by a revolution, the Government of Colombia was established. We had a treaty with another power that was the sovereign power of the territory that is now governed by the Republic of Colombia. The Republic of Colombia, that now objects to the United States preventing her from suppressing a revolution, would not be in existence to-day if the United States had not recognized revolutionary governments upon the Isthmus.

Mr. WILLIAMS. That may be true.

Mr. POINDEXTER. Mr. President, I decline to yield.

Mr. WILLIAMS. At that time——

Mr. POINDEXTER. I decline to yield. I will yield later on.

Mr. WILLIAMS. Some revolutionary army, which was not recognized, was in existence, but the Senator——

Mr. POINDEXTER. Mr. President, I decline to yield.

The PRESIDING OFFICER. The Senator from Washington declines to yield.

Mr. WILLIAMS. Very well, then. I will decline to interrupt him further.

Mr. POINDEXTER. It is impossible to carry on a discussion of this subject when one is interrupted every half minute. The Senator will have ample time later on to correct me if I am in error.

Mr. WILLIAMS. But if the Senator does not wish to be interrupted by me, then he ought not to comment on me.

Mr. POINDEXTER. Mr. President, I must decline to yield. I am going to comment on the Senator's statement, and he will have an hour in which to reply. I am not commenting on the Senator, but I am commenting on what he said. I think very highly of the Senator from Mississippi, but I hope he will not interrupt me now because I said that.

In 1846 the United States entered into a treaty with the Republic of New Granada. In 1861 the Republic of New Granada was overthrown by a revolution, and the United States of Colombia was established in its place, and was recognized by the United States as exercising sovereign jurisdiction over the Isthmus of Panama and over all the other territory which had formerly been under the Government of New Granada. The United States took no steps whatever to interfere with the exercise of the authority of the revolutionists establishing themselves upon the Isthmus. We declined at that time to allow

transit across the Isthmus to be interrupted. Now it is said that the United States ought to have taken steps to support and guarantee the sovereignty of the Republic of Colombia by suppressing the revolution of the inhabitants of the Isthmus of Panama.

In 1861 the Isthmus of Panama became a sovereign State in the federal union under the name of the United States of Colombia. In 1886, without the consent of the people of Panama, the government at Bogota established a revolutionary constitution, took away the sovereign rights of the Isthmus of Panama, and established a centralized republic under a new name, the Republic of Colombia. That is the power with which the United States is negotiating the pending treaty. We never guaranteed to the Republic of Colombia her sovereignty over the Isthmus of Panama. We did guarantee such sovereignty to the Republic of New Granada, a very different government, which was overthrown by revolution in 1861. But as these successive governments have been consistently advised by our Department of State from the incumbency of Lewis Cass and William H. Seward, that guaranty does not apply to changes of government resulting from civil war and internal revolution. If it did so apply, it would have been our duty to suppress the revolutionary government of Colombia under our treaty with New Granada.

We did not become a party for or against the revolution which established the constitution of 1886, which destroyed or undertook to destroy the sovereign rights of Panama as a sovereign and independent State to set up what they called a centralized Republic under the name of the Republic of Colombia. So not only has there been one but many precedents for the United States recognizing a revolutionary government upon the Isthmus of Panama, which is the ground of Colombia's complaint against the United States, one of those so recognized being Colombia herself.

In the place of the federal republic, the United States of Colombia, which was established in 1861, the constitution established in 1886, which was proclaimed as the supreme law of the land and established the Republic of Colombia without ever having been submitted to the people, without ever being ratified by the people of Panama or of the nation, starts out with these words:

> The Colombian nation is reorganized as a centralized Republic. The sections which compose the Colombian union and were called States and national territories shall continue to be a part of the territory of the Republic of Colombia, retaining their present limits under the name of departments.

Panama prior to that time was one of the Federal States of a confederated Republic. By the revolutionary action of 1886, to use the language of the constitution itself, there was set up a reorganized centralized Republic under a new name, which undertook to make the previously sovereign State of Panama a department in that centralized Republic. From that Panama revolted.

In 1841, long before these events to which I have just referred, she established her independence and maintained it for a while. In 1831 the State of Panama took part in the revolution which resulted in the partition of Colombia into the several States of Venezuela, Quito (now Ecuador), and New Granada. Panama remained for a short while a Province of the State of New Granada, but in 1832 asserted her rights as a sovereign State, in which relation she remained, with several intervals of complete independence as a sovereign member of the Federal States, first of New Granada and then of the United States of Colombia, until without her consent the new Republic of Colombia attempted to impose its sovereignty upon her under the unauthorized constitution of 1886.

The United States acquired its substantial and fundamental rights in transit across the Isthmus by a treaty which was negotiated in 1846 with the Republic of New Granada and was ratified between the two countries and proclaimed in 1848. Under that treaty the United States acquired from the then Government of that territory and its successors upon the Isthmus—because the rights attached to the Isthmus and, as Secretary Hay said, "ran with the land"—privileges for its citizens for a free transit, as it was expressed, across the Isthmus by any means of communication which then existed or which thereafter might be constructed.

By the same treaty there was established, and the Government of the United States undertook the responsibility of guaranteeing, the neutrality of this territory. These rights have remained until this time because, by the terms of the treaty, it was to remain in effect until one or the other of the parties by 12 months' notice undertook to bring them to an end, which notice has never been given. Yet, in presenting to Congress a document which was supposed to contain all of the correspondence and all of the papers relating to the diplomatic history of the Panama Canal submitted to Congress by Mr. Bryan when he was Secretary of State, he failed to include—and so, I assume, failed to consider—the treaty of 1846, which is the most important document connected with the entire controversy.

The objection which the people of Colombia had to the construction of the canal by the United States under the terms of the treaty was not a question of money. It was a question of sovereignty.

The Republic of Colombia desired that the canal, when it was constructed, should be a Colombian canal. The United States of America proposed that when it was constructed it should be the canal of the United States.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Washington to the fact that his time has expired.

Mr. POINDEXTER. I ask unanimous consent to incorporate in the RECORD in connection with my remarks a brief extract from the statement of Theodore Roosevelt to the Foreign Relations Committee February 23, 1915.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

> The proposed treaty is a crime against the United States. It is an attack upon the honor of the United States which if justified would convict the United States of infamy. It is a menace to the future well-being of our people. Either there is or there is not warrant for paying this enormous sum and for making the apology. If there is no warrant for it—and of course not the slightest vestige of warrant exists—then the payment is simply the payment of belated blackmail. If there is warrant for it, then we have no business to be on the Isthmus at all. The payment can only be justified upon the ground that this Nation has played the part of a thief, or of a receiver of stolen goods. In such a case it would be a crime to remain on the Isthmus, and it is much worse than an absurdity for the President, who wishes to pay the $25,000,000, to take part in opening the canal; for if the President and the Secretary of State are justified in paying the $25,000,000, it is proof positive that in opening the canal they are in their own opinion engaged in the dedication of stolen goods.

Mr. NEW. Mr. President, I shall not occupy more than 10 or 15 minutes of the Senate's time with what I wish to say on the subject of this treaty. I have listened with great interest to the progress of the debate. One thing that has impressed me in the arguments against the ratification of the treaty is that those who offer them are looking backward to the events that transpired 18 years ago. I feel that we should also look forward to the events that are apt to happen 18 years in the future and what the effect of the action of this Congress on those respective events is apt to be.

I think that we will all agree that there never was a time when it so behooved us to make friends, to establish and to maintain amicable relations with the other nations of the world, as the present. I think, sir, that that applies with particular directness to the nations of the Western Hemisphere. We are limited by some considerations in the steps we may take to that end.

It is true, I think, and unhappily so, that because of the World War, and as a result of it, and of the events that followed it, perhaps, if we are not without friends in the world to-day we have at least a smaller number of them than we ever had before. If we are to have any business relations with foreign Governments from this time forth, for some time to come, at least, I think it is manifest that it will be because they can not very well get along without what we have and not because of any particular desire that any of them have to do business with us.

It is also true, Mr. President, that the countries in that portion of the American Continent that has for its northern boundary the Isthmus of Panama and for its southern boundary Cape Horn emerged from the war in better shape than did the people of any other portion of the habitable globe. From geographical and other considerations they were not involved in the war and did not suffer the financial consequences which the active participants in that war suffered. They are better able to buy and to pay for what they get than are the people of any other section of the globe. We want their trade, but we are not alone in wanting it. We find ourselves to-day as trade rivals with the countries of Europe; and the rivalry is greater and is pursued with greater vigor than ever before. The countries of Europe realize the ability of the South and Central American countries to buy, and they are making every effort to secure the trade of those countries for themselves, to divert it from North American to European channels.

That is all well enough in its way, but we also know, Mr. President, that the people of the European countries know the value of propaganda and they do not scruple to use it. They are using it in the prosecution of their efforts to secure for themselves the trade of South and Central America. Nor do they stop to see that the result of that propaganda is limited

to its effect upon trade relations, but by means of that and because of it they have affected otherwise the relations of this country to the nations of South and Central America. The propaganda they have spread has affected our entire major foreign relations as they concern ourselves and our American neighbors.

The greed of nations is but the selfishness of men in the aggregate; and in the prosecution of their effort to get what they want the European countries have not been mindful of the ultimate effects of their propaganda upon the future relations of South and Central America to the United States, and, largely because of what they have done, they have adversely affected the sentiment of those people toward us.

Mr. President, no single circumstance that ever occurred has been employed to such adverse account against the United States as the fact of our failure to arrive at some sort of an agreement between this Government and the Government of Colombia. If all of this were limited to Colombia, that would be one matter; but it is not. It applies and extends to every country between the Isthmus of Panama and Cape Horn. If it were only limited to a matter of dollars and cents, we might afford to say, "All right; we will get along without your trade as best we may; we can live within ourselves if we have to"; but it is not limited to a matter of dollars and cents, by any means. As I have before stated, it affects our entire relations with all the countries south of the Isthmus.

In the consideration of this subject, Mr. President, some regard must be paid to the peculiarities of the Latin-American mind—I say that with all respect—for their habit of thought is not ours, as everybody knows and concedes; and because of the efforts of other peoples and our own failure to arrive at an understanding with Colombia on this question we find ourselves to-day in a different relation to and viewed in a different light by our sister Republics of this continent than ever before. I believe that it is essential that some sort of a settlement be made of the questions at issue in this treaty.

The Senator from Massachusetts [Mr. LODGE] said, in the course of his address the other day, that the people of the United States can not successfully transact business in other countries unless they know that they have their Government back of them. He might have said with equal truth that we can not do business successfully in foreign countries unless we have the good will of the people with whom we are to transact business. I think it is generally admitted—at least I am convinced—that some settlement with Colombia is necessary. The question is, What sort of settlement is just?

It has been repeatedly said that ex-President Roosevelt objected to this treaty. I do not believe he did. The Root-Cortes treaty, which was negotiated during his incumbency in office, is so closely like the treaty now before the Senate that they are scarcely distinguishable except for the amount of money involved. The amount proposed to be paid under that treaty was two and a half million dollars. It is true, as the Senator from Wisconsin [Mr. LENROOT] pointed out in his address, that that money was to be paid by Panama; but it was to be paid out of moneys received by Panama from the United States; Panama was merely the vehicle, the channel, through which the money was to be paid. If it was just to pay $2,500,000, at what point are we going to mark the difference between justice and dishonor as between $2,500,000 and the $25,000,000 provided in this treaty? I do not believe that point can be successfully located.

Suppose we are to admit that the amount now proposed to be paid is excessive—and I do not admit it; I do not know whether it is or not, but suppose we are to admit it—I think that it would be better, if we are to err at all as to the amount to be paid, to err on the side of liberality and in a direction that is going to accomplish favorable results than to err in the other direction and pay something which is going to produce nothing. This may be styled an argument of expediency. Perhaps it is; but I had rather, Mr. President, where there is a doubt in my mind as to just where exact justice and exact right lie, to err on the side of expediency than to err on the side of inexpediency. I do not believe that this is a case of purchasing good will or anything of that kind, but that it affects good will is perfectly reasonable and perfectly certain.

Mr. WILLIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Ohio?

Mr. NEW. I yield.

Mr. WILLIS. One of the arguments urged by the proponents of the treaty is that it will improve feeling in Central and South America toward the United States. What is the opinion of the Senator as to the attitude of the Republic of Panama upon this treaty? That is the critical place. The Panama Canal is constructed and is being maintained on the territory of Panama, and that Republic can do most to aid or to hinder the operation and protection of the canal. What is the attitude of Panama touching the treaty?

Mr. NEW. I can see nothing in this treaty that is going adversely to affect the attitude of the Republic of Panama.

Mr. WILLIAMS. Mr. President, the world has been full of things good for the world that were badly arrived at, and men make a mistake whenever they contend that a valuable end justifies a bad means. Not only is the Senator from Indiana [Mr. NEW] right in saying that a certain treaty sent from President Roosevelt to this body was substantially the same as the present treaty; but the Senator from Washington [Mr. POINDEXTER] is wrong in trying to leave the impression that Mr. Roosevelt ever really denied that he took a high-handed way of arriving at an international result. So far as I know, there is no dispute about the fact that out on the Pacific coast he said that "while Congress was debating he took the canal."

Mr. President, the canal is a good thing, not only for the United States, but for the world, and not only for the world, but for Colombia, and a magnificent thing for the so-called Republic of Panama, but with me none of that affects the real point at issue raised by the Senator from Washington a moment ago.

I had no idea of making a speech upon this subject at all; I considered it thoroughly useless to do so; but the other day while some Senator was speaking—I do not remember now who it was—he said that we had been but following precedent when we forbade the sovereign country of which the Province of Panama at that time was a part from landing its own troops upon its own territory. I made the statement that there was no precedent for that, and none could be found.

A moment ago the Senator from Washington, while I was temporarily from the Chamber, undertook to say that I had made a statement somewhat similar to that, and that he was going to read certain documents that proved the contrary. He read a document directed to the governor of the Province of Panama; and, Mr. President, I now repeat that there is no precedent in the world, except this one, of construing our guaranty of territorial integrity to the United States of Granada, and afterwards to its successor, Colombia, into a right to recognize the independence of about 21 Panamanians, 2 niggers, and a mule and a Chinaman, and beginning to do it before the so-called Panama secession had broken out.

Now, Mr. President, I want to repeat, as a matter of history, that up to that time we had never undertaken to dispute the right of Colombia to sovereignty in the Province of Panama; and when you do not dispute the right of sovereignty, you can not dispute the right to deny sovereignty against revolt; and I want to say this—and the Senator from Washington, even after his unprecedented method of carrying on debate to-day, must admit it to be true—that if the sovereignty of the Province of Panama had lain in Great Britain or in France or even in Japan or even in Italy, such steps never would have been pursued, and he knows it as well as I.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. Why, of course. I shall be much more polite to the Senator from Washington than he was to me. I shall yield to him every time he desires it.

Mr. POINDEXTER. The only thing I objected to was the Senator's interrupting me in the middle of a sentence, before I could answer his question. I want to ask this question, however. I interrupt the Senator because I have not any more time in my own right.

Mr. WILLIAMS. I will give the Senator time out of mine, unless he takes it all.

Mr. POINDEXTER. Oh, I shall not take it all. The Senator speaks of France and Japan and Great Britain, and asks whether or not we would have taken this action if they had been the powers involved instead of Colombia. Why, Mr. President, we had no treaty with either one of those countries such as we had with New Granada, under which we undertook to guarantee the neutrality of the Isthmus.

Mr. WILLIAMS. Mr. President, that makes the case all the stronger for what I have stated. If we had had no treaty with Great Britain, or none with France or Italy or Japan, and they had been sovereigns of that Province, we never would have dared—or shall I take that back and say we would never have willed—to take the course we did take; but we had a direct treaty with the United States of Granada, whose political successor was Colombia, guaranteeing to her the territorial integrity of the country over the Isthmus. Senators have stood here and talked about article 10 in the League of Nations guaranteeing territorial integrity as if it deprived the United States

of sovereignty; and yet the same Senators, or one of them, at any rate, stands here and says that a guaranty of the territorial integrity of the United States of Granada, falling afterwards to Colombia, meant a right to guarantee the right of secession of the Province of Panama from Colombia and to forbid the landing of Colombia's troops upon its own soil. It is just as if Great Britain had recognized the Southern Confederacy——

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Washington?

Mr. WILLIAMS. One moment. Let me finish the sentence, and then I shall yield to the Senator as long as he pleases. It is just as if Great Britain had recognized the Southern Confederacy the morning after Sumter was fired on, only it would not have been so extreme a case. It is just as if Great Britain and France had recognized the sovereignty of the Southern Confederacy the day that Jeff Davis issued his proclamation for the assembly of the seven cotton States in congress at Montgomery, Ala.

Mr. President, one more word, and then I will yield. The Senator said we had no treaty with Colombia. He said we had a treaty with the United States of Granada, and he said that Colombia rebelled against Granada. Mr. President, the United States of Granada fell into three different Governments later on.

Mr. POINDEXTER. Away before that, in 1832.

Mr. WILLIAMS. I mean they fell after the treaty, when I said "later on."

Mr. POINDEXTER. Before the treaty.

Mr. WILLIAMS. They fell into these three different Governments, and the Province of Panama fell to Colombia as a part of the territory of Colombia, and the treaty with the United States of Granada did not affect either of the other two parts of the former United States of Granada. Now I yield to the Senator.

Mr. POINDEXTER. I just want to pursue the Senator's historical argument one step further.

Mr. WILLIAMS. I will permit it.

Mr. POINDEXTER. In 1903 the Isthmus of Panama revolted from the Republic of Colombia just as Colombia had revolted under Gen. Mosquera from the Republic of Granada, and consequently our rights upon the Isthmus of Panama became the obligation of the Government of Panama as the successor upon the Isthmus of the Government of Colombia just as the Government of the Republic of Colombia was the successor of the United States of Colombia, which in turn was the successor there of the Republic of New Granada, from whom we originally acquired these rights.

Mr. WILLIAMS. Why, Mr. President, if I understand the Senator—and I am not sure that I do, and if I do not he will correct me—the right of any independent nation to recognize the independence of a part of another nation depends upon the sovereign discretion of the nation doing the recognizing; but in international law and in international decency that discretion has always been construed to be a thing to be exercised when the revolting territory had made good its right. We did not, for example, recognize Texas as an independent Republic until six years after Mexican aggression had stopped. We did not recognize the South American Republics until after many European countries had recognized them.

Mr. POINDEXTER. I should like to ask the Senator——

Mr. WILLIAMS. Wait one minute. Now, for us to have recognized a part of South America or part of the former territory of the United States of Granada after it had made its independence good is one thing. For us to have recognized the independence of a great secessionist movement of about 21 Panamanians and a Chinaman and a mule and two or three niggers within 48 hours after they had declared it, and for us to have made good that declaration by forbidding the mother country to land troops upon the territory of the revolting Province is another thing. The last thing is what we did.

Teddy Roosevelt never played the hypocrite upon the question. He said, "While Congress was debating, I took it"; that is, the canal; and if he had come out plainly and squarely, and had said, "I thought those people were trying to blackmail me and blackmail the United States, trying to make money out of us, and, international law or no international law, I made up my mind to have a canal at Panama, and I had it"—that is substantially what he meant—if he had said that, the civilized world would not have had much dispute about it, but the civilized world has a dispute about a hypocritical pretense of recognizing the independence of a province that had not made its independence good, and that could not have made it good, and that finally did make it good only by our stepping in between it and the mother country.

Mr. POINDEXTER. Mr. President——

Mr. WILLIAMS. Now, I yield again.

Mr. POINDEXTER. There is not any dispute about that. The Senator has just stated the case exactly as I understand it. Nobody has tried to conceal any of those facts. I should like to ask the Senator, however, this question——

Mr. WILLIAMS. Well, then, one moment; then I will yield further. Then, if I understand the Senator, he is conceding that we committed an international enormity, or an international iniquity, or an international wrong——

Mr. POINDEXTER. No.

Mr. WILLIAMS. And that, later on, we owe no reparation.

Mr. POINDEXTER. Not at all.

Mr. WILLIAMS. I am willing now to say that an international wrong can be committed for the achievement of a great international end; but, even then, due reparation must be made for the international wrong, means that have been adopted for the accomplishment of a very profitable end.

Mr. POINDEXTER. I did not agree that we had committed any international wrong.

Mr. WILLIAMS. I thought a moment ago the Senator did.

Mr. POINDEXTER. I agreed that the facts the Senator stated were correct—that what we did was to recognize the independence of Panama. We simply refused to allow Colombia to engage in war upon the Isthmus, just as we had done in 1902.

Mr. WILLIAMS. Why, Mr. President, if Great Britain had recognized the independence of the Southern Confederacy and had sent her nearest ships of war to Charleston, S. C., and to New Orleans, and had then sent Abraham Lincoln a note to the effect that he must not land any troops, then, according to the Senator's construction of international law, that would not have been denying the right of the United States Government to sovereignty over the Southern States.

Mr. POINDEXTER. It certainly would not have been. Does the Senator from Mississippi claim that the United States would then have had a claim for damages against Great Britain?

Mr. WILLIAMS. Why, if Great Britain had done that, and then the United States had won the war, and then we had come back in the Union, we not only would have had a right of damages against Great Britain, but we asserted a right of damages against Great Britain for less than that, for allowing two cruisers to be built in British ports and used by American officers and soldiers. That was the Geneva award.

Mr. POINDEXTER. That was an entirely different proposition.

Mr. WILLIAMS. Infinitely less, and after the Southern States had been fighting for two or three years, and when they had borne upon their arms in the open field the glories of Robert E. Lee and Stonewall Jackson and Bedford Forrest and Jeb Stuart, and a thousand men whose names will not fade in comparison with any names the world has ever seen.

Mr. POINDEXTER. Mr. President——

Mr. WILLIAMS. Why, Mr. President, let us be square with one another. Let us be square with the American people. You wanted the canal. I wanted the canal. Roosevelt wanted the canal, and Roosevelt made up his mind that he was going to have it, if Colombia went to the devil. That is all there was to it. Now, in his place I would not have gone quite that far. Perhaps the Senator from Washington would have gone a little bit further; but, all the same, let us be fair about it, and when I correct a historical error upon this floor, and the Senator personally refers to me, let us be fair in debate, too; and when I come in and want to correct him, let him not say, "I decline to yield to the Senator from Mississippi" even when the Senator's name was mentioned by him.

Mr. POINDEXTER. I said that the Senator had an hour of time in which to reply.

Mr. WILLIAMS. I know that, and I might have said to the Senator that he had an hour after I get through, too. But, all the same, I would give him my entire hour if he had any correction to make that was necessary.

Mr. President, just one word more. That is not the worst of this. We had a solemn treaty with Colombia to arbitrate all differences arising between us. Why was it that Mr. Roosevelt and his Secretary of State entered into the first treaty? It was because they dared not arbitrate with Colombia. Why did they dare not arbitrate with Colombia? It was because any fair set of arbitrators in the world would have said to the United States, "You must put Colombia back in statu quo ante bellum. You must restore the Province of Panama which you took away." We dared not arbitrate. We dare not arbitrate now. I dare not arbitrate; the Senator from Washington dares not arbitrate.

Therefore we negotiated. It is true we violated a solemn treaty of arbitration. It is also true that we violated it simply

because we were big and strong and carrying a big stick, and treading softly, and Colombia was little and weak, with a loud, screeching voice, not treading softly, but without any stick at all. The Senator from Washington knows it as well as I do. Every man in the sound of my voice knows it.

The Senator reminds me a little bit of a man I knew in Mississippi once. I went to him and said, "You have treated so and so here very unjustly. He happens to be a tenant on my plantation. I came to talk to you about it."

What do you suppose was his answer?

He said, "My God, John, he is nothing but a nigger. You know that as well as I do."

The excuse for all of this is that Colombia was just as weak as that negro on my plantation was; but the negro happened at that time to have protection, and at this time in our history it happened that Colombia did not have protection.

Mr. President, we had this solemn agreement with Colombia to arbitrate. The Senator from Washington said we had a treaty "guaranteeing us free transit." The Senator is the last man in this body to use language in a double sense, or want to speak with a forked tongue. Does he contend for one moment that the right of free transit granted by treaty to us across the Isthmus of Panama meant the right to occupy the land, to assert sovereignty, and to construct the canal?

Mr. POINDEXTER. That is what the Colombians claimed it was. That is why they objected to it.

Mr. WILLIAMS. What is that?

Mr. POINDEXTER. That is what the Colombians claimed that it was. The objection of the Colombians to the building of the canal by the United States was that it would be an American canal, under American sovereignty, by reason of that treaty.

Mr. WILLIAMS. Yes; but not "by reason of that treaty." I was not referring to that. I say, does the Senator from Washington claim that a treaty right of free transit across foreign soil meant, or could mean, a right to occupy the land and to construct a canal? The Senator must reply in the negative—that he believes nothing of the sort. Yet he has used the language with regard to "free transit" across the Isthmus as if that gave us a right to build the canal.

If that gave us the right to build the canal, then why should we have negotiated with Colombia about it at all; and if it gave us a right to build the canal, then why should we have negotiated with Panama, even upon the supposition that Panama had vigorously asserted and rightfully achieved her independence? The Senator knows that can not be true at all in law—international, municipal, or any other kind of law.

Mr. POINDEXTER. The Senator is entirely right about that, and that was the position President Roosevelt took and what he published in a magazine article. He was not trying to conceal anything. He said we had that right, and at the time this revolution took place in Panama, which everybody knew was going on, he was preparing a message to Congress asking authority to go ahead and build the canal anyhow.

Mr. WILLIAMS. That statement I never saw. Mr. President, it is always awkward to bring a dead witness into a controversy for three reasons: First, because all of his testimony is hearsay; secondly, because the various people who heard him quote him differently; and, thirdly, because the dead witness can not be cross-examined. Mr. Roosevelt has been quoted on both sides. I quoted him a moment ago as saying that, "While Congress talked about it I took it," referring to the canal. He seemed to be very proud of that at the time.

Mr. President, let us get rid of some illusions, or delusions, or glamours, or whatever they may be. There was no more of a successful secession of Panama than there was of New York City during the draft riots during the war between the States, not as much. The Panama secession was engineered by Cromwell and Bunau Varilla, and was chiefly engineered from New York and from Washington, and the only blood spilled in the controversy, as far as I now remember, was of one dead mule and a wounded Chinaman, or a dead Chinaman and a wounded mule, I have forgotten which. Yet we are to go before the whole civilized world and base a great right upon what is called the right of secession, and we, of all countries, who asserted that a people who bore upon their shining bayonets for four years, with comparative success, their allegation of the right of secession, still did not have it but 36 hours in Panama, with 21 or 22 or 23 men, a mule, a negro, and a Chinaman, and an order from the White House in Washington to the *Nashville* and other of the ships to keep Colombia from landing any troops, gave a sovereign right to the Province of Panama to become by secession an independent nation upon the surface of the earth!

Oh, let us not stand there. Whatever else we do, let us not stand there, Mr. President. Let us do what Roosevelt undertook to do—negotiate with Colombia. Let us settle it amicably and peacefully. If he had not meant, "I have done wrong to a certain extent," he would not have negotiated at all. The very fact that he negotiated proves that he knew he had done wrong, an international wrong. The very fact that he sent a treaty to this body proved that he knew it. I knew him well, and I loved him, too, in a way, although politically we did not row in the same boat. We were right fond of one another in some ways, and I think chiefly because we were both a bit impulsive, and each, at any rate, *thought* that the other was *ultimately* honest, although now and then each of us might have been so impulsive for the time being as to do wrong things. But I think each of us felt that the other would try to fix himself ultimately in the right—try to square up his case with God. So he tried to square it up by entering into negotiations with Colombia, and the Hay-Herran treaty was negotiated and sent to this body.

Then later on he got it into his head that they were trying to blackmail him, and then he got mad—angry. Down South we say "mad." By the way, the two things are nearly the same language. A man very angry is a little bit insane. He got into that fix, and then he said, "I will take it. I have the power; I am the biggest boy on this field, and I have the bat, and I am going to use the bat"; and he used it; that is all. He had only this excuse, that he thought the other man was trying to "put something over" on him. That expresses rather Roosevelt's notion to a nicety.

Mr. POINDEXTER. Mr. President, about how great a claim for damages does the Senator from Mississippi think the Republic of Mexico will have against the Government of the United States by reason of the fact that our Government seized Vera Cruz, recognized the Government of Carranza, and put Huerta out?

Mr. WILLIAMS. Mr. President, the United States in the first place landed a few marines at Vera Cruz to resent an insult to its flag, and after the insult to its flag had been resented it reloaded its marines and sailed away. The United States Government did not permanently occupy Vera Cruz, it did not undertake to overthrow the Government of Mexico. I am astonished at my friend from Washington. I have known him for many years, and I have never suspected his sanity until to-day. But he employs such analogies between things that have nothing in the world to do with one another that I think he must be temporarily off his base.

How could anybody draw an analogy between the landing of troops at Vera Cruz to resent that insult to the flag, and taking possession of the whole Isthmus of Panama, and making a treaty with a revolted Province, and founding our right upon the treaty, and occupying and holding the land, especially after we as a Nation had endangered the lives of a million men in the United States some years previously in denial of the contention that there existed any such thing as a right of secession anywhere against a sovereign authority? I have known resemblances without likenesses before to-day, but this suggestion of the Senator beats any of them.

Mr. President, I was speaking the other day about the Senator not being an accurate historian, and I defy the record; there can not be produced a single precedent, up to this one, where we ever denied the right of the United States of Granada or of Colombia to land troops upon its own territory.

We would have had the right to deny to Colombia the right, under the treaty with us, to land troops at Panama for the purpose of resisting our "right of transit." That is the only right we had. If it had been true that the Republic of Colombia was trying to land troops in order to prevent our having free transit across Panama, then we would have been perfectly justified in resisting. But there was no pretense, even, that that was the object of their landing the troops. The cause of their landing the troops was to subdue a revolt within their own territory. They had no idea of preventing our operating the Panama Railroad or preventing free transit of our passengers or commerce across the Isthmus, and if they had had any such idea it was our international duty to wait until they had made some overt act tending to show that they entertained such an intention.

Mr. POINDEXTER. They committed an overt act when they killed the jackass.

Mr. WILLIAMS. What did the Senator say?

Mr. POINDEXTER. I say that when they killed the donkey and the Chinaman that was an overt act.

Mr. WILLIAMS. That might have been preventing the right of free transit of the Chinaman or the jackass, but not of the United States.

The treaty was not between the Chinaman or the jackass and Colombia. It was between us and Colombia. We got by treaty no guaranty of the right of free transit for British or French

or Chinamen or jackasses. We merely got it for American citizens and their commerce, and the Senator is not going to classify them in that way, I hope.

Mr. POINDEXTER. Why does the Senator think Chinamen and jackasses were excluded? They are very important sometimes.

Mr. WILLIAMS. But, my dear sir, we did not enter into a treaty with Colombia for the free transit of Frenchmen or Britons or Egyptians or Chinese or jackasses, unless the jackass was an American jackass, and I have never been informed that he was. If he was, of course we had a right to resent the perforating of his holy bosom with iniquitous shells of Colombia tyranny; but I have always understood the jackass was the property of one of the Panamans, and the Panaman was not even a rebel, and did not belong to the sacred twenty or thirty odd who were.

Mr. President, I did not intend to talk about this, and would not have talked about it at all but for the remarks of the Senator from Washington. I had thought all along the best thing we could do was to quietly ratify the treaty and say as little about it as we could, and try to persuade other people to say as little about it as they could. I was mighty glad when we did not have any apology in the treaty, although we owed one. I was mighty glad to escape that.

But this question is a serious question after all. It is a matter of international integrity. The world can not live in peace, any part of it with other parts of it, unless the great principle of good faith amongst nations is recognized to be as sacred as a gentleman's word of honor given to another gentleman, and upon no other basis can peace on earth, good will toward men, the doctrine of Jesus of Nazareth, be maintained, and it must be maintained for those who are too weak to assert their right in contract as well as for those who have power to overassert it.

Mr. TOWNSEND. Mr. President, it is perhaps a waste of time to discuss this matter further, and I do not now mention it with the idea of changing the vote of any of my colleagues in the Senate. I speak upon it simply to save the necessity of answering a great many letters.

This is an old question which has been before the Senate since 1903. It is a question that has been discussed fully, freely, and fairly. I had made up my mind upon the matter 18 years ago and again when the Bryan treaty, so called, was before the Senate, and I made it up conscientiously and, as I believed, intelligently. I have had an open mind in reference to the matter during the last six months with the idea that possibly something new might be developed that had not been presented theretofore that would cause me possibly to change my mind.

I have realized that the United States stands in a peculiar position of responsibility to the nations of the Western Hemisphere on account of the Monroe doctrine. No man has been more desirous than I that his Nation should keep its faith and should impress the nations of the Western Continent with the fact that it was not only just but generous.

The Senator from Mississippi [Mr. WILLIAMS], however, has presented the case as it seems to me it will be considered by the country if this treaty is approved. He maintains that the United States did wrong in building the canal by entering into the treaty with Panama. He maintains that this country dealt unjustly and unfairly with Colombia. There are enough Senators possibly who will vote for the treaty to ratify it, if it is ratified, who do not agree with the Senator on that proposition. They maintain, as did the Senator from Pennsylvania [Mr. KNOX], that we got a better bargain with Panama than we could have obtained or would have obtained under the treaty with Colombia and therefore in duty to Colombia we can afford to pay her $25,000,000.

I visited the canal at the beginning of the controversy as a member of the Committee on Interstate and Foreign Commerce of the House. The matter was then fresh in the minds of everyone. It was a subject of general discussion. We made some investigation of the subject while we were down there. I was satisfied then as I am now that the United States did no dishonorable thing, that the Panaman revolution was conducted and completed without the participation of the United States. I take it as a known fact that the governor of Colon, who was a very wealthy man and owned a great deal of land on the Isthmus, was instrumental in inducing the Colombian forces who were seeking to land on the Colon side to sail away without attempting to make a landing.

But, as I said, the matter has been settled in my mind and I resent the proposition that either Theodore Roosevelt or any other member of the United States Government did wrong in acquiring the title to the strip of land across the Isthmus of Panama. Not a word has been uttered here on the floor during this discussion that has thrown any new light on that subject. We are now proposing a treaty which it is claimed will pacify Colombia and create a better feeling toward the United States in South America. Let us see whether that can reasonably be expected or not.

In the first place, I believe it must be admitted if we ratify this treaty that the United States committed an offense against Colombia and that we are now seeking in some manner to condone that offense by the payment of $25,000,000. Is that going to satisfy Colombia? Is it going to satisfy the South American Republics, or will they still hold to the belief that the United States does things indirectly and unjustly toward weaker nations? The treaty provides certain privileges for Colombia and grants certain advantages to Colombia which, in my judgment, violate the favored-nation clause which this country has followed in the past. It gives her the privilege of transporting her troops without pay, and we give her every right in that canal as to transportation that the United States possesses. It is not improbable, sir, that we may repeal the Panama toll act and that the United States will insist that our ships shall pass through the canal without toll. Under this treaty Colombia will then get the same privilege. If she gets the same privilege, how are we going to answer the other South American Republics who say that we have treated Colombia differently from what we have treated them? No, Mr. President, it seems to me our troubles have but begun in relation to our dealings with the South American Republics if we ratify the treaty.

I have said this much because, as I said in the beginning, I have had an open mind. If I were convinced that the United States had dealt unfairly or unjustly with Colombia I would say so frankly in the treaty and compensate her for it, but believing as I do that we have not, and therefore objecting as I must object to any imputation to that effect by any treaty which we may propose, I can not support the pending treaty, and especially can I not when I believe it will not even accomplish the one thing which Senators insist it will accomplish, namely, to pacify the South American Republics and relieve the feeling that they are reported to have that we have played a sharp trick upon one of those Republics. They will contend under all circumstances, and I make that prediction now, that they shall have the same treatment as to the Panama Canal that Colombia obtains, and we can not very well avoid it. Therefore I feel it is my duty under the circumstances to vote against the ratification of the treaty. I can not under the arguments presented in favor of this treaty vote $25,000,000 from an already depleted Treasury, and especially not when the legitimate demands upon it are so great. Especially can I not when it commits my country to an infamous charge which is false.

Mr. FLETCHER. Mr. President, may I ask the Senator a question?

Mr. TOWNSEND. Certainly.

Mr. FLETCHER. Does the Senator take the position now that he would have opposed the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909? Both of those treaties, the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909, provided for the payment to Colombia, under the Hay-Herran treaty, a payment of $10,000,000 and in addition to that $250,000 a year for 100 years, which would have amounted to considerably more than $25,000,000, with the same concessions that are involved in this treaty embodied in both the Hay-Herran treaty of 1903 and the Root-Cortes treaty of 1909.

Mr. TOWNSEND. In the first instance, when we were dealing with Colombia, Colombia claiming the title to this strip of land, I think there is some doubt as to whether she owned it or not, but I do not think that was for us to decide. I think Panama had the right to secede and had never become a legal part of the United States of Colombia; but we were dealing with the thing as it existed then, Colombia claiming the title to this strip. We were dealing with her and not with Panama. With that kind of an arrangement I could find no fault. Although, as the Senator from Pennsylvania said, we did not perhaps have a very good bargain, we were not complaining about it. The complaint was made by Colombia. She had first proposed the treaty and then with singular unanimity voted against it solidly in the Bogota Congress. No; I think we had a perfect right to deal with Panama.

Mr. FLETCHER. The Senator has reference, I presume, to the action of the Colombian Congress as to the Hay-Herran treaty?

Mr. TOWNSEND. Yes.

Mr. FLETCHER. Of course, that congress, as the Senator knows, was convened shortly after the civil strife in Colombia. There had been civil warfare, hundreds of thousands of people had been killed, and the congress was made up very largely of men who had fought each other only two months before on the

field of battle. It was not possible for those people to get together on any proposition, I take it.

It seems to me that perhaps the statement of Minister Dubois fairly represented the situation under the circumstances and is expressed in his report to the State Department.

According to his statement Colombia—

had just emerged from the most disastrous war of her national life. Nearly a hundred thousand men had been slain, her villages had been destroyed, and her farms wasted from sea to sea. The generals who had fiercely fought each other on the field of battle were bitterly opposing each other in the halls of congress, and if free transportation to heaven had been offered them, subject to ratification, there would have been no movement in that direction.

It was not any conspiracy individually on the part of the President, but a combination of circumstances that caused the defeat of that treaty, under those circumstances. But that does not follow as to the Root-Cortes treaty.

Mr. TOWNSEND. Subsequently they tried to explain that, but the fact remains that Colombia repudiated the very treaty which she had proposed to the United States.

Mr. CURTIS. Mr. President, I desire to inquire if any other Senator desires to speak this afternoon on the treaty? If not, I shall make the point of no quorum. If any Senator desires to speak, however, I will defer the suggestion until later. [A pause.] I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Harris	Moses	Stanfield
Brandegee	Harrison	Nelson	Sterling
Broussard	Heflin	New	Sutherland
Bursum	Hitchcock	Nicholson	Swanson
Cameron	Jones, N. Mex.	Norbeck	Townsend
Capper	Jones, Wash.	Overman	Trammell
Caraway	Kellogg	Phipps	Underwood
Colt	Kendrick	Pittman	Wadsworth
Cummins	Kenyon	Poindexter	Walsh, Mass.
Curtis	Keyes	Pomerene	Warren
Dial	Ladd	Ransdell	Watson, Ga.
Dillingham	La Follette	Reed	Watson, Ind.
Edge	Lenroot	Sheppard	Weller
Ernst	Lodge	Shortridge	Willis
Fletcher	McKellar	Simmons	Wolcott
France	McKinley	Smith	
Hale	McLean	Smoot	
Harreld	McNary	Spencer	

The VICE PRESIDENT. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. LODGE. If no other Senator desires to speak upon the Colombian treaty, I shall ask that the Senate return to legislative session to take up the unfinished business, which is the proposed amendment to the rules.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed legislative session.

The VICE PRESIDENT. The Chair lays before the Senate Senate resolution numbered 43. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD] to refer the resolution to the Committee on Rules.

Mr. HARRISON. Mr. President, it is on that motion that I desire to speak briefly.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield.

Mr. SMOOT. I will ask the Senator from Mississippi if he will not yield for me to introduce at this time a joint resolution and ask for its immediate consideration?

Mr. HARRISON. I have no objection.

EXECUTIVE MEMBER OF JOINT COMMITTEE ON REORGANIZATION.

Mr. SMOOT. I introduce a joint resolution and ask that it be read.

The joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization created under the joint resolution of December 17, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government," who shall receive an annual salary of $7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and the House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

Mr. SMOOT. Mr. President, I have a letter from the President, dated April 16, 1921, in relation to the joint resolution, which reads as follows:

THE WHITE HOUSE,
Washington, D. C., April 16, 1921.

Hon. REED SMOOT,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: I have noted the contents of the copy of the joint resolution which you sent to me with your letter of April 15. I am very glad to give expression of my approval.

I think the Congress will readily agree that the work in reorganization of the administrative branch of the Government by joint legislative committee will be very much facilitated by having the cooperation of a direct representative of the Executive. We are all interested in working out an effective program, and I feel I shall be able to bring into cooperation with the committee a representative who can be effectively helpful in expressing the viewpoint of the administration in speeding this much desired accomplishment.

Very sincerely, yours, WARREN G. HARDING.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield.

Mr. JONES of Washington. Heretofore the Senator from Utah has very consistently insisted that joint resolutions when introduced shall be referred to a committee, and I have been in accord with that position. I remember at various times he has suggested that joint resolutions should be referred to committees and should be reported back in order to preserve the rules of the Senate. Does not the Senator think that that would be the wise course to pursue in this instance?

Mr. SMOOT. Mr. President, I still believe that practice should be followed, although the former Vice President ruled that not only a joint resolution but also a bill could be introduced in the Senate and be acted upon without being referred to a committee or being reported by a committee. I wish to say that the only reason why I ask for the passage of the joint resolution at this time is because the joint committee does not feel like proceeding until the President appoints his representatives. If, however, the Senator objects in the least to the course I have suggested, I will ask that the joint resolution be referred to the Committee on Appropriations, so that it may be reported by that committee.

Mr. JONES of Washington. Mr. President——

Mr. SMOOT. I think the Senator is right. I fully agree with him. I think every joint resolution and every bill ought to be referred to a committee of this body.

Mr. JONES of Washington. I was going to suggest that the Appropriations Committee could and would report immediately, and I was just going to remark that I did not think the ruling of the Vice President would affect the matter. This is a joint resolution, exactly the same as a bill.

Mr. SMOOT. That is right.

Mr. JONES of Washington. I merely suggest that to the Senator from Utah.

Mr. SMOOT. Then there will be no question about it, and it will conform to what I think ought to be done in every case. The only reason why I asked for it is because the committee wanted to go to work at once. I do not think it will be delayed very long, and therefore I shall ask that it go to the Committee on Appropriations.

The VICE PRESIDENT. The joint resolution will be so referred.

Mr. WARREN subsequently said: Mr. President, on reading the joint resolution lately introduced by the Senator from Utah, I discover that it provides for the payment of expenses out of the contingent fund of the Senate. Therefore, on behalf of the Committee on Appropriations, I report it back, with the suggestion that it go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. That is correct, Mr. President.

The VICE PRESIDENT. Without objection, the joint resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

STANDING COMMITTEES OF THE SENATE.

The Senate resumed the consideration of Senate resolution 43, submitted by Mr. BRANDEGEE.

Mr. HARRISON. Mr. President, coming back to the pending motion, that of the Senator from Alabama [Mr. UNDERWOOD], to refer the resolution on reorganization of committees to the Rules Committee, which I have attempted to speak on several times, but have given way to various Members, I propounded a parliamentary inquiry to the Chair the other day, when the question was before the Senate on an appeal from the decision of the Chair on the point of order that had been made by the Senator from Nebraska [Mr. HITCHCOCK], that the action of the Senate could not be taken on the resolution at that time because by the order of the Senate the resolution and the notice had been referred to the Rules Committee. The parliamentary

inquiry that I propounded to the Chair, and which was not answered at that time, was whether, when we got to a final vote on the resolution, it would take a two-thirds or a majority vote.

I thought the decision of the Chair as to whether or not it would take a two-thirds vote might influence certain Senators in voting on the appeal. Some Senator might take the position that a resolution offered on the floor of the Senate at any time, whether it was referred to a committee or not, could be moved for passage, but that it would take a two-thirds vote under the rules of the Senate; and so there may have been Senators who voted to sustain the Chair on the appeal the other day who believe that this resolution, as now pending on the motion for passage, will require a two-third vote.

Personally, I have not the slightest doubt it takes a two-thirds vote to pass this resolution in the Senate. I have not heard the distinguished Senator from Connecticut or any other Senator discuss that proposition yet; but when it comes to a final vote on the resolution I hope the Chair will follow the precedents and follow the rule as laid down in the Manual, and hold that it takes a two-third vote to pass it.

Of course we can expedite the matter, and save any decision of the question upon the part of the Chair if a majority of the Senate should vote with us to refer this resolution to the Rules Committee.

It has been charged that there is some opposition to this resolution for the purpose of delay. That is not true. We are trying to follow the orderly procedure of the Senate in this matter. I do not recall any resolution having as its object a permanent change in the rules of the Senate that was not referred to the Committee on Rules. That is what the Committee on Rules is constituted for. I see in the RECORD of May 26, 1920, that the junior Senator from Pennsylvania [Mr. KNOX], when he sought by resolution to change the rules of the Senate so as to reduce the committee assignments from various numbers down to 15 or 13, as the case may be, and eliminate certain standing committees of the Senate, offered it, as shown on page 7665, and said:

> I desire to give notice that it is my intention to propose an amendment to the standing rules of the Senate, Rule XXV, to the extent and in the manner indicated by the notice. I ask that it be read.

And the resolution introduced by him was referred to the Committee on Rules, was in regular order reported favorably out of the Rules Committee, and then placed upon its passage through the Senate.

I notice that on May 27, 1920, the Senator from Pennsylvania [Mr. KNOX], as shown by the CONGRESSIONAL RECORD of that time, said:

> Yesterday I gave notice of a proposed amendment to Rule XXV. Pursuant to that notice I submit a resolution and ask that it be referred to the Committee on Rules.
>
> The resolution (S. Res. 373) proposing to amend Rule XXV of the Standing Rules of the Senate was referred to the Committee on Rules.

That is the resolution that proposed to reduce the numbers on the committees and to eliminate certain committees.

> Mr. KNOX. I submit a favorable report from the Committee on Rules on the resolution, and I ask unanimous consent of the Senate for its immediate consideration, with the understanding that if it should provoke debate and discussion of any kind I will yield the floor.

Mr. SMITH. Mr. President, may I ask the Senator on what date the resolution was referred—on the same date that it was introduced or a subsequent date?

Mr. HARRISON. The notice was given on the day before. The orderly procedure of the Senate was followed in this instance. The Committee on Rules had a meeting on the resolution and unanimously reported it out, and it came on the floor of the Senate and was passed just as every other resolution has been passed that proposed to change permanently the rules of the Senate.

That is all we are trying to do in this case. We are trying to follow exactly the procedure that was followed under the leadership of the Senator from Pennsylvania at the last session of the Senate in changing the rules of the Senate. We are not asking the majority to do anything other than what was done by your side during the last session of the Senate. We are not revolutionary. We want the Senate to follow in an orderly way, if they desire to amend the rules of the Senate, the line that is laid down by the rules of the Senate themselves.

In the debate that followed in May, 1920, we find this discussion:

> Mr. SMOOT. I should want to have the report read first—
>
> When Mr. KNOX presented it—
>
> so that we may know just what changes are proposed to be made in the rule.
>
> Mr. KNOX. That would require either the reading of the report or a short explanation, and a very brief explanation can be made. It merely involves the proposition which I shall state.

And then he stated it:

> The Committee on Rules unanimously, 10 members of the 12 being present, have recommended to the Senate that the number of standing committees shall be reduced about 40 and cut out all the committees that rarely if ever meet. We have likewise reduced the membership of the principal committees of the Senate. Those which are known as the major committees, being 10 of the most important committees, have been reduced to the uniform number of 15, and the less important committees have been reduced proportionately.

Then the Senator from Washington [Mr. JONES] said:

> Will the Senator permit an interruption? I am heartily in favor of the Senator's proposition. I fought for it through two or three Congresses, and finally got the salaries of the employees of the committees on an equal basis. This, I was sure, would bring about this result. * * *
>
> Mr. KNOX. I anticipated that there might possibly be an objection, and if there is I will withdraw the request for the present consideration of the resolution.

Then the Senator from Alabama [Mr. UNDERWOOD], the leader on this side, cooperating with the Senator then in charge of the resolution, said:

> Without intending to discuss it, I wish to say, as a member of the Committee on Rules, that the report is unanimous, and I think it is very necessary that this reform should be made in the interest of the business of the Senate. I hope the resolution can be passed without discussion at this time.
>
> Mr. KNOX. I might state to the Senate that it is not proposed to go into effect until the beginning of the Sixty-seventh Congress, when the committees will have to be recast under the rules. It makes no change in the committees of the present Congress. I ask for the adoption of the resolution.

Then, without objection, the resolution was adopted.

That was the procedure that was followed at the last session, when you proposed to cut down the number on the committees and eliminate certain committees, when you proposed to change the rules of the Senate permanently so as to carry out that idea. Now, what is proposed here? You propose to increase by one 10 of the committees that you reduced under that resolution at the last Congress. If it was right and orderly and proper to follow that course as it was followed by the Senator from Pennsylvania during the last session, why is it not the proper course, when you propose to increase the membership at this time, to refer the resolution to the Committee on Rules and let it go through the same program this time?

I make this statement merely in answer to those who have said that we are trying to do an unprecedented thing, that we are trying to delay the business of the Senate. No; we are demanding that the orderly procedure of the Senate, the rules of the Senate, be complied with, and that the same procedure be followed that has been followed in the past.

So, under every argument and under every line of reasoning, this resolution should be referred to the Rules Committee. I judge, from the remarks of the Senator from Connecticut the other day, that he feels that the Rules Committee has nothing to do with this proposition; that it is in the hands of the powerful committee on committees; and that he, as chairman of that committee, having been instructed by the membership of that committee and by a Republican conference to report this resolution in this form, the Rules Committee by virtue of that has nothing to do with it.

We know that the Rules Committee does not make the designations of members on the various committees, but the Rules Committee is the proper committee to change permanently the rules of this body; and if you elect to follow any other course, and just present a resolution, and on that file your motion for its passage, under the rules of the Senate you must have a two-thirds majority in order to do it.

There are instances when resolutions to suspend the rules of the Senate do not have to go to the Rules Committee, and that course has been followed time and time again in this body. It is laid down in another rule of the Senate; but when that procedure is attempted it takes a two-thirds vote to suspend the rules, and what you are attempting to do in this instance or what the Senate is attempting to do in this instance is to suspend the rules, so far as this resolution is concerned, when it withholds the resolution from going to the Rules Committee, and attempts to pass it without that formality.

There is a precedent touching this proposition. In the Sixty-third Congress, third session, page 56 of the Journal—CONGRESSIONAL RECORD, 1503—you find that this case was presented to the Senate: Some appropriation bill was before the Senate for consideration, and the Senator from Texas [Mr. SHEPPARD] offered an amendment touching prohibition, on which he was going to move to suspend the rules and take up his amendment for consideration in the consideration of that bill.

He asked that it be referred to the Rules Committee. It was referred to the Rules Committee. The Rules Committee reported it back to the Senate, and the question then came up whether or not it would take a two-thirds vote to adopt the

Sheppard proposition or take a majority vote. It was argued by some that since it had gone to the Committee on Rules, and they had reported it, it only took a majority vote. It was argued by others that since it was a motion to suspend the rules, it took a two-thirds vote.

Mr. BRANDEGEE. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Connecticut?

Mr. HARRISON. I yield.

Mr. BRANDEGEE. Was it a motion to suspend the rule?

Mr. HARRISON. It was a motion to suspend the rule; yes.

Mr. BRANDEGEE. Then, of course, there is no question that it took a two-thirds vote.

Mr. HARRISON. There was a very great difference of opinion there.

Mr. BRANDEGEE. I say, I agree with the Senator that it took a two-thirds vote.

Mr. HARRISON. But there were several on the other side of the aisle who did not believe that it took a two-thirds vote and who contended that it took only a majority vote of the Senate.

Mr. BRANDEGEE. Suppose there were; what force does that have in this argument?

Mr. HARRISON. If the Senator will just follow me——

Mr. BRANDEGEE. I will endeavor to do so.

Mr. HARRISON. I hope so. But they base their contention on the fact that this resolution, having been reported by the Committee on Rules, when the Rules Committee made a report changing the permanent rules of the Senate, it took only a majority vote. If in this instance that had been followed, it would have only taken a majority vote.

Several Senators spoke on that resolution. I want to read part of that debate. Mr. LODGE, in the course of that discussion, said:

> Mr. President, the rule which it is proposed to suspend contains no provision as to the majority requisite for its suspension. On the face of it it might be inferred that that meant that it could be done by a vote of a bare majority.
>
> I think in this connection it is well to consider the practice of the Senate and just what this action would mean. It is always a risk to speak from memory, but in the nearly 22 years that I have had the honor to serve in the Senate I have never seen an attempt made to suspend the rules for any purpose, and especially not for the purpose of putting what is known as a rider, general legislation, and out of order under our rules, upon an appropriation bill. Therefore, Mr. President, I think that it is only reasonable to consider what I believe to be the universal practice in parliamentary bodies in regard to changes in the rules.
>
> So far as my knowledge extends, in all parliamentary bodies of which I know anything, a vote larger than a majority is required to suspend the rules.

That is what they proposed to do here. If they allow this resolution, which proposes to change the permanent rules of the Senate, to be referred to the Rules Committee, and they should report it back here, it would take only a majority vote in that instance to pass the resolution; but when they elect to depart from the instructions laid down in the rule and move to pass the resolution without the resolution going to the Rules Committee, then to that extent they propose to suspend the rules of the Senate, and require a two-thirds vote.

Mr. BRANDEGEE. Mr. President, I am free to say that I can not follow the Senator, though I promised to do the best I could. But what I want to ask him is this, Does he not see the distinction between changing a rule and suspending a rule?

Mr. HARRISON. Indeed, I do, and that is what I have been arguing. I have not been as forceful as I should have been or certainly the Senator would have seen there is quite a difference.

Mr. BRANDEGEE. It may be that I am dense and obtuse about this thing.

Mr. HARRISON. No; the Senator is never dense about any proposition.

Mr. BRANDEGEE. Let me ask the Senator if he considers the proposition presented by the pending resolution to be a suspension of the rule?

Mr. HARRISON. This is not to tack on something temporarily, but you propose to change the rules permanently. When you increase the number on these committees, it shall abide as a rule of the Senate, so far as that is concerned, throughout this Congress.

Mr. BRANDEGEE. And until changed.

Mr. HARRISON. Yes. The proper way, under the rule, when you propose to change the rules, is to refer the resolution to the Rules Committee. You elect not to do that. You are not going to follow the rule in that particular. You move to suspend the rule to that extent, and pass the resolution, and when you do, it takes a two-thirds vote.

Mr. BRANDEGEE. Mr. President, I disavow having made any such motion.

Mr. HARRISON. The Senator moved to pass his resolution, or take it up for consideration.

Mr. BRANDEGEE. I have offered a resolution, which I think can be passed by a majority vote, like any other Senate resolution. If the Senator wants to move to suspend any rule, he can do it, but if he does, it will take a two-thirds vote. But I do not want to suspend any rule. I want to change the rule, and a change of the rule can be made, of course, by a majority vote, just as anything else can be done by the Senate by a majority vote, unless there is some rule that compels a larger vote.

Mr. HARRISON. We just differ about that.

Mr. BRANDEGEE. Of course. I regret it, but I assume we do differ.

Mr. HARRISON. I do not care whether you call it a motion to suspend the rule and pass your resolution or not, the fact is that when you elect to move to take it up for consideration, and then put it upon its passage, it has the same effect as suspending the rule, because if it had gone in its orderly way it would have been referred to the Rules Committee and reported back, and in that instance it would have taken only a majority vote.

Mr. BRANDEGEE. Let me ask the Senator if he does not admit that Rule XL provides that a rule can be amended after one day's written notice on the floor of the Senate?

Mr. HARRISON. Yes.

Mr. BRANDEGEE. Without any reference to a committee. Does the rule require that a motion to suspend any rule shall be made first in order to make it in order?

Mr. HARRISON. It has been the universal practice, not only of the Senate but of the House, that resolutions changing permanently the rules shall be referred to the Rules Committee, just as bills and resolutions are referred to their appropriate committees, and if you choose not to have the proper reference, but to put them upon their passage without going to a committee, then your motion has the effect of suspending the rule, so far as that is concerned, and it takes a two-thirds vote.

Mr. BRANDEGEE. If the Senator will allow me, I simply desire to give my theory about it. When I gave notice that I would move to change the rule the next day, and when I stood up here the next day and made the motion, I moved that the rule be changed by the adoption of the resolution. That is a mere method of doing it. I could just as well have read my resolution verbally and said, "I make this motion." I did make the motion. I could have said, "I move as follows," and made the resolution a part of my motion, which it really is. There would not have been any resolution about it. The resolution is merely a vehicle of expressing in words my motion. Now, to claim that that takes a two-thirds vote, when a majority of the Senate can do anything at any time by a Senate resolution, unless there is some rule which requires a larger majority, is something I can not comprehend.

Mr. HARRISON. I was going to read some views of Senators who differ with the Senator as to that.

Mr. BRANDEGEE. I hope the Senator will not feel that there is anything personal about this matter between him and me.

Mr. HARRISON. Nothing in the world. I love the Senator.

Mr. BRANDEGEE. I am simply trying to see if we can get to a meeting of minds; or, if they can not meet, to see where they diverge; that is all.

Mr. HARRISON. I am afraid our minds will never meet on this proposition. I was quoting from Senator LODGE, who said:

> So far as my knowledge extends, in all parliamentary bodies of which I know anything, a vote larger than a majority is required to suspend the rules.
>
> In my own State, in the legislature, it requires a two-thirds vote, and after a certain date in the session on the question of suspending the rules against the introduction of new business it requires a four-fifths vote. In the House of Representatives two-thirds is established by their rules as necessary to suspend the rules, and, if I am not mistaken, that is the rule of the Democratic national convention. That general practice, of course, rests upon a sound basis.

He further said, in answer to a question propounded by Senator James:

> That is simply an illustration of the general practice to which I have referred; and the ground on which that general practice rests is the sound ground that if the rules are to be suspended by a majority vote there are no rules. The suspension of the rules must have a greater sanction than an ordinary matter.
>
> Mr. President, in my judgment the question of suspending a rule by a majority of votes is infinitely more important than the question subsequently involved. If we pull down our rules in this way, and particularly if we allow the rules to be suspended for the purpose of permitting Senators to attach general legislation of any sort or kind to appropriation bills, the appropriation bills will find great difficulty in becoming laws even in the longest session we can hold.
>
> I need not enter on the essential viciousness, as it has always been held, of placing general legislation on appropriation bills except in cases of emergency. Here it is proposed to take down the entire protection surrounding appropriation bills and to throw them open to the action of a majority. A decision that the rules can be suspended by a majority would, in my opinion, destroy the force of every rule governing our procedure.

It seems to me that it is within the power of the Senate, as the Chair has so well said, to settle this question for itself, and to settle it now. It is not so much a question of whether by technical argument we can bring a decision by a bare majority within the letter of the rule as it is a question of whether the Senate means to make a radical change in its whole method of conducting legislation. Therefore, Mr. President, I sincerely trust that the Senate will protect itself and protect its rules by requiring a two-thirds vote to suspend the rules on the first occasion, so far as I know, when an effort has been made to suspend them by the vote of a bare majority.

Speaker Reed in writing on general parliamentary law said:

Unless the rules themselves provide for their own suspension, they can be suspended by unanimous consent only. It is usual to provide that under certain circumstances and at certain times two-thirds may suspend the rules.

Mr. Root in discussing this proposition said:

Mr. President, I should be sorry to postpone further the report of the rural-credits bill, but I think I am justified in calling the attention of the Senate to the observations of a great political leader and statesman whom some of our Members are too apt to forget. I will take the liberty of reading to the Senate the first section of Jefferson's Manual. I am going to read it because it seems quite clear that the question which is now to be presented is not a question as to what the rule of the Senate shall be, but it is a question whether the Senate shall be bound by its rule.

We all agree that the rule which prohibits general legislation upon an appropriation bill is a wise and salutary rule. We would none of us be willing to withdraw the protection of that rule from the public business. We intend to continue that rule and to insist upon its application in all matters in which we do not individually wish to violate it, and the question now before the Senate is whether whenever a majority of us wish to violate it it shall be held for naught. Mr. Jefferson says:

"Mr. Onslow, the ablest among the speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration and those who acted with the majority of the House of Commons than a neglect of or departure from the rules of proceeding"——

Mr. WILLIAMS. Mr. President, do I understand my colleague to be reading an approval by former Senator Root of an opinion by Mr. Jefferson?

Mr. HARRISON. Yes; that is what this purports to be. Mr. Root continues, reading from Mr. Jefferson:

"That these forms as instituted by our ancestors operated as a check and control on the actions of the majority, and that they were in many instances a shelter and protection to the minority against the attempts of power.

"So far"—

Says Mr. Jefferson—

"So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power"—

Says Mr. Jefferson—

"is but too often apt to suggest to large and successful majorities.

"And whether these forms be in all cases the most rational or not is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the Members. It is very material that order, decency, and regularity be preserved in a dignified public body."

Then this distinguished Senator said:

Mr. President, it is not because the party to which I belong is in the minority; it is because I know that the swing of the pendulum to and fro will some time or other, sooner or later, bring that party again into a majority. I hope when that time comes it may be preserved from the temptation to the arbitrary and unjust use of power.

The protection of the minority to-day is the protection of the other side to-morrow. The rules which saved my friends upon the other side of the aisle from the enactment of the force bill are invoked to-day for the protection of the minority upon the other side of the aisle. Above the minority and above the majority is the orderly restrained exercise of the power of government in such a way as to protect all rights and to save men who have the power for the moment from the temptations that accompany power.

So I submit that under the rules of the Senate this resolution should have gone to the Rules Committee, been reported out of the Rules Committee, and then in an orderly way a vote taken upon it; and if a majority voted for it, then it would prevail.

But when the Senator, as he is attempting to do, offers his resolution without the resolution going to the Rules Committee, moves then its consideration, and then eventually moves its passage, it is equivalent to a motion to suspend the rule; I contend that it will then require a two-thirds vote to pass the proposition.

Here is what is said in Gilfrey's Precedents of the Senate:

The report of the Committee on Rules to suspend, in accordance with Rule XL, clause 3 of Rule XVI, being before the Senate,

Mr. HITCHCOCK raised the question that it required a two-thirds majority to suspend the rule.

The Senator from Nebraska raised the question that it required a two-thirds vote to pass that rule even after it had been referred to the Rules Committee and reported favorably by the Rules Committee to the Senate.

The VICE PRESIDENT (Mr. Marshall). The Senator from Texas moves the adoption of the report of the Committee on Rules. The Senator from Nebraska raises the point of order that a two-thirds majority shall be held necessary to suspend the rules.

The Constitution of the United States provides—

Said the Vice President—

that "each House may determine the rules of its proceedings." The Senate has assumed the right to be a self-governing body, and under this clause of the Constitution has made its own rules, and has so sedulously guarded its prerogatives that it has even reserved the right to appeal from the decision of the presiding officer; it pays no attention to anything that the presiding officer says or to any opinion he has if it does not happen to coincide with the view of the Senate.

The present presiding officer believes that the Senate has reserved to itself the exclusive right to say what the rules are, how they may be adopted, and how they may be abrogated or temporarily laid aside. The present presiding officer does not believe that it is within the province of the present occupant of the chair to determine whether Rule XL should be strictly construed in accordance with the literal language thereof or whether the Senate of the United States proposes to construe the same in accordance with well-known parliamentary procedure. The Chair therefore submits to the Senate the determination of the question as to whether or not it requires a two-thirds majority to adopt the report of the Committee on Rules providing for a suspension of a certain rule.

On that proposition the yeas were 41 and the nays were 34. So the question of order was sustained, and the Senate by its own action said in that instance, even after the Rules Committee had reported out a rule favorably, it took a two-thirds vote to pass the proposition. So I submit that in this instance, considering the manner in which the Senator from Connecticut has proceeded, it will require a two-thirds vote in order to pass the proposition.

I can not understand why the majority should take the course that they have in trying to put this proposition through the Senate in this way. I am not unmindful of the fact that when the action of the Rules Committee and the Senate in May of last year reduced the membership of the committees from 20 in some instances to 15, and from 17 to 13, and so forth, that it was given out to the country that it was going to effect great economy and the saving of much expense to the Government, that it would create an interlocking system, so to speak, so that the business of the Senate could be transacted in a better way.

I have before me a copy of the Washington Post of April 2 of this year, some 10 or 12 days before the introduction of the resolution on April 12, 1921. In that issue of the paper—and I take it it is the administration mouthpiece—we see on the front page that the Republican leadership "ends 41 committees," and then the headlines said:

BRANDEGEE'S report ready for Republican Senate caucus.
Drastic changes are made.
Far more compact body than in former years to be result.
Concentration devised in order that response may be quick to party leadership.
System creates what might be called interlocking directorate.
Some bitter contest to hold posts.

Then there appears the list of the various committees, 10 days before the introduction of the resolution proposing to change the rules of the Senate increasing the number that might go on the various committees. Let me read:

When the Senate organizes, with the meeting of the new Congress, it will be a far more compact and responsible legislative body than it has been in recent years. Drastic changes in its committee forms have been made, under the Knox resolution, and in instances some of the most prominent Republican leaders have been shorn of their places and privileges.

* * * * * * *

While in this process of concentration some Senators have lost important committees; examination of the new list will show that there has been devised a system which in effect creates an interlocking senatorial directorate which can hardly fail to make for the more orderly and efficient conduct of the business of the Senate. This is highly desirable, in order that the Senate may quickly respond to party leadership in a period now opening, which is bound to be marked by the consummation of a legislative program of the utmost importance to the entire Republican organization.

Then the paper states the fact that of the 34 new committees only 10 are major committees with a membership of 16 each, of which 10 members are to be Republicans and 6 Democrats.

This paper carried the news of an increase in the membership of various committees before anyone on this side of the aisle, I dare say, had been informed of the action of the majority.

Then in order to create the impression in the country that they were effecting great reforms by the resolution that was passed in May of last year creating these interlocking directorates and reducing various committees and eliminating others, the Post said:

The reduction in the number of Senate committees will mean a considerable saving in the expense of the Senate. It is a reform which has long awaited attention. The complete list of Senate committee assignments under the new plan in the next Congress is as follows.

So, on the one hand, we see an impression attempted to be created in the country that the other side of the aisle is

effecting a great reform by reduction of committees and yet one of the first actions taken by the majority is to increase the membership again.

Mr. WILLIAMS. Would my colleague mind telling us the name of the author of the article in the Washington Post?

Mr. HARRISON. The author of the article is George Rothwell Brown. Mr. Brown wrote the article and I have no doubt that the information that he conveyed to his readers was gathered from certain Senators on the other side who really believed that a reform was to be effected, that some saving to the taxpayers of the country was coming about through reduction of the committees. But the proposition that I deprecate is that they attempt to create that impression in the country in reducing the committees, and yet here in—I will not say a high-handed fashion, but I will say not in an orderly way—they attempt to increase the number of committee places on the various 10 important committees.

I sincerely hope that the resolution will go as other resolutions heretofore proposing to change permanently the rules of the Senate have gone—to the Rules Committee—and let them consider the proposition. They are not going to take away any of the power that has been vested in the chairman of the committee on committees. We recognize that the Rules Committee has nothing to do with that, but we can discuss the proposition in that committee and then report back the resolution in its original form, or with amendments if reasonable argument should prevail on the majority members of the committee.

So if the motion made by the Senator from Alabama should be defeated, then I hope that the Chair will follow the precedents and the rules of the Senate and hold that it takes a two-thirds vote to pass the original resolution as offered by the Senator from Connecticut.

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD].

Mr. HARRISON. On that I ask for the yeas and nays.

Mr. UNDERWOOD. Mr. President, I understand the pending motion does not go to the question that has just been raised by the Senator from Mississippi on the matter of order. That will be on the final vote. I have no further discussion that I desire to present on the motion pending before the Senate, but on that motion I demand the yeas and nays.

The yeas and nays were ordered.

Mr. UNDERWOOD. Will the Chair state the pending question?

The VICE PRESIDENT. The question is on the motion of the Senator from Alabama to refer the pending resolution to the Committee on Rules.

The reading clerk proceeded to call the roll.

Mr. HARRIS (when his name was called). I have a pair with the junior Senator from New York [Mr. CALDER]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the Senator from Arkansas [Mr. ROBINSON]. I transfer that pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. WILLIAMS (when his name was called). I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE], who unfortunately is not able to be present in the Chamber. I transfer that pair to the Senator from New Mexico [Mr. JONES] and vote "yea."

The roll call was concluded.

Mr. DILLINGHAM. I have a general pair with the Senator from Virginia [Mr. GLASS], which I transfer to the Senator from Pennsylvania [Mr. KNOX] and vote "nay."

Mr. McCUMBER. I transfer my general pair with the junior Senator from Utah [Mr. KING] to the junior Senator from Nevada [Mr. ODDIE] and vote "nay."

Mr. McLEAN (after having voted in the negative). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence I transfer that pair to the Senator from Idaho [Mr. GOODING] and will let my vote stand.

Mr. EDGE. I transfer my general pair with the senior Senator from Oklahoma [Mr. OWEN] to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. HALE. I transfer my pair with the senior Senator from Tennessee [Mr. SHIELDS] to the senior Senator from Maine [Mr. FERNALD] and vote "nay."

Mr. HARRISON (after having voted in the affirmative). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY] and allow my vote to stand.

Mr. CURTIS. I am requested to announce that the Senator from New Jersey [Mr. FRELINGHUYSEN] is paired with the Senator from Montana [Mr. WALSH].

The result was announced—yeas 26, nays 45, as follows:

YEAS—26.

Broussard	Heflin	Reed	Underwood
Caraway	Hitchcock	Sheppard	Walsh, Mass
Cummins	Kendrick	Simmons	Watson, Ga.
Dial	McKellar	Smith	Williams
Fletcher	Overman	Stanley	Wolcott
Harris	Pittman	Swanson	
Harrison	Ransdell	Trammell	

NAYS—45.

Ball	Harreld	McNary	Stanfield
Brandegee	Jones, Wash.	Moses	Sterling
Bursum	Kellogg	Nelson	Sutherland
Cameron	Kenyon	New	Townsend
Capper	Keyes	Nicholson	Wadsworth
Colt	Ladd	Norbeck	Warren
Curtis	La Follette	Norris	Watson, Ind.
Dillingham	Lenroot	Phipps	Weller
Edge	Lodge	Poindexter	Willis
Ernst	McCumber	Shortridge	
France	McKinley	Smoot	
Hale	McLean	Spencer	

NOT VOTING—25.

Ashurst	Gerry	McCormick	Pomerene
Borah	Glass	Myers	Robinson
Calder	Gooding	Newberry	Shields
Culberson	Johnson	Oddie	Walsh, Mont.
Elkins	Jones, N. Mex.	Owen	
Fernald	King	Page	
Frelinghuysen	Knox	Penrose	

So Mr. UNDERWOOD'S motion to refer the resolution to the Committee on Rules was rejected.

The VICE PRESIDENT. The question recurs on agreeing to the resolution.

Mr. BRANDEGEE. I offer the amendments to the resolution which I sent to the desk the other day.

The VICE PRESIDENT. The first amendment proposed to the resolution by the Senator from Connecticut will be stated.

The ASSISTANT SECRETARY. On page 2, line 2, before the word "Senators," it is proposed to strike out "13" and to insert "15," so as to read:

Committee on Banking and Currency, to consist of 15 Senators.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Connecticut.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment proposed by the Senator from Connecticut will be stated.

The ASSISTANT SECRETARY. On page 4 it is proposed to strike out lines 19 and 20, as follows:

Committee on Revision of the Laws, to consist of three Senators.

The VICE PRESIDENT. Without objection, the amendment is agreed to. The question now is on agreeing to the resolution as amended.

Mr. UNDERWOOD. Mr. President, on page 1, line 8, after the word "of," I move to strike out "16" and to insert "17," so as to read:

Committee on Appropriations, to consist of 17 Senators.

I merely ask for a division on the amendment, Mr. President. I shall not delay the Senate with a roll call.

The question being put, on a division the amendment was rejected.

The VICE PRESIDENT. The question now is on the resolution as amended.

Mr. UNDERWOOD. I ask for the yeas and nays on the adoption of the resolution.

Mr. REED. Mr. President, I do not intend to delay the vote except for a moment. I appealed to the majority the other day not to take this course. It is in violation of the old and established custom of the Senate, a custom that was grounded on very excellent reasons and which had been observed for many years. It seems to me that in a body of this kind we ought not to draw hard and fast political lines in the matter of the organization of the body itself—I mean draw them to the extent of denying to a minority an absolutely fair representation. That appeal and the appeal that has been made by others have fallen upon deaf ears. For the first time, so far as I know, in the history of this body a majority proposes to exercise its power so that it will possess an overmastering majority upon every committee. The purpose can not be concealed, and it is in order that that purpose may be recorded that I desire to say just a few words.

The purpose is to place in the hands of the majority among the Republicans the absolute control of every committee, so that if there are differences of opinion arising within the Republican Party itself the dominant majority of the Republican Party can be absolutely sure of putting every measure that it

desires through every committee. We can talk about this question being mathematical—mathematics, by the way, which has its basis in taking one Democrat off and putting one Republican on in order to make the figures come out right—but the purpose will be understood by this country, and it is the purpose which I have already described.

I venture the prediction that this act of intolerant and arbitrary exercise of power will in the end be a curse to the Republican majority itself; that it will provoke discontent in the ranks of that party; that those elements of the party which have hitherto occasionally manifested a disposition of independent judgment, finding themselves deprived of any power to produce results, will become discontented and disgusted, and that the machine now being organized for the purpose of absolutely controlling the business of the Senate will become as obnoxious to them as it can possibly be to the Democratic side.

I venture the further prediction that when the political pendulum swings the other way, as it will—for this lease of power is only temporary; it is always temporary—there will be a disposition then on the Democratic side to exercise their powers in an equally arbitrary fashion, and that this is the beginning of the breaking down of that spirit of give and take which has characterized the Senate for many years.

I know there are men who think that the Republican Party is installed in power for the next century. I heard some Democrats eight years ago talk that sort of nonsense with reference to the Democratic Party; but we found, those who indulged that idea, that we were mistaken. The Republican Party was swept into power this time by a great popular vote. That popular vote changed a Democratic plurality of a million into a Republican plurality of nearly eight million. That same vote is liable at any time to change a Republican majority into a minority. So I regret that this action is taken. It is arbitrary. It is unfair. While I can think of many other adjectives to apply to it, they would hardly be parliamentary.

I suppose it will be a great source of satisfaction when the revenue measures come forward to be absolutely certain that you can count a majority, even though one or two of your own members think that the questions are of doubtful propriety or that the proposition is injurious. I presume that you can organize the Senate so that you can ride roughshod over a minority. I think you are going to do it. I think all this debate has been useless. I think the first men who will have the iron enter their souls will be the so-called progressive Republicans. I do not like to use this expression, but it is the only one I know of that covers it. You have yourselves voted to-day to hog tie yourselves, and you will be in the position of prisoners chained to the chariot wheels of the dominant element of your party, and you will be led in triumph; that is, in their triumph, not in yours.

Mr. President, I simply wanted to make this protest. I think I have shown by my vote in this body on many occasions that while I am a Democrat, I have reserved the right to follow my own judgment on great questions that I did not regard as party questions.

Mr. WILLIAMS. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. REED. I do.

Mr. WILLIAMS. Mr. President——

Mr. REED. I yielded for a question. Does the Senator want to ask a question?

Mr. WILLIAMS. No.

Mr. REED. Oh, well, I shall be through in a moment.

Mr. WILLIAMS. I thought the Senator had quit.

Mr. REED. I was about to sit down, but I have not sat down yet.

Mr. WILLIAMS. Mr. President——

Mr. REED. Mr. President, I yield the floor. I had not yielded the floor, but I am glad to do it.

Mr. WILLIAMS. I thought the Senator had, because he said "in conclusion."

Mr. President, one of the most instructive chapters or books, perhaps, in the history of the world is a chapter or book relating to the history of parliamentary government. It is a history of a majority in power and a minority in opposition, and whenever there is lacking a distinct majority in power or a distinct minority armed with a common purpose of opposition free government fails.

The Senator from Missouri is wrong in one respect. A man can not be a member of a great minority party and still oppose the purposes of that party, nor can a man be a member of a great majority party and still oppose the purposes of that party. A man may be simply himself, without any connection with either party, and stand out as John Smith or Jacob Thompson, "here I am," but he can have nothing to do with a majority unless he is a part of the majority, nor with a minority unless he is a part of the minority.

Mr. President, the English-speaking race has risen to its present predominancy all over this earth by obeying the loyalty of party government; but there is an exception to the rule. In every legislative assembly there is an apparent majority and an apparent minority. There may be a real majority working against the apparent majority, and there may be less of a real minority than the roll call discloses. What I want to say is this: In this Senate there will be a so-called Republican majority and a so-called Democratic minority, and there will be a real majority of the Senate and a real minority of the Senate, composed of members of both parties. A great many men upon the majority side, placed there nominally by popular election, will be members of a minority of the majority, and some few men after every election will be a minority of the minority. It may so happen very frequently that a majority of the majority plus a majority of the minority will constitute a majority of the body. It may very frequently happen that the entire minority, plus a minority of the majority, will constitute a majority of the body. Now, if you are going to have majority government, which is democratic government, you must have your rules so fixed that a real working majority may have itself heard.

Years ago I went through, in another branch of this Government, this sort of thing, when they had it so highly organized that a majority of 3 in a majority could withstand a minority of minus 3 plus a majority of the entire minority, controlling the entire body through the committees. It led to the downfall of Cannonism after a while, and to the downfall of the Speakership in the other body. That is just about the course you are marking out. It is very probable that within the next four years a solid minority, or very nearly a solid minority, plus a respectable minority of the majority may constitute a majority of this body; but when you constitute these committees in the way you do they can not act as a majority of this body. Their reports, their bills, everything, will be the reports of a majority of the majority, but not a majority of the Senate. Then will come your downfall. In other words—in nigger parlance—you will have "bitten off more than you can chaw" before you get through.

We went through with all that in the House years ago. They ran that thing to its extreme limit. The Senator from Connecticut [Mr. BRANDEGEE] was then a Member of the House, and helped run it to its extreme limit. He is smiling now. Perhaps he thinks he can run it to its extreme limit again. Dolliver rose up from the great State of Iowa, and the Senator from Nebraska [Mr. NORRIS] rose up in those days, and a few other men, and there are a few of you now that are waiting to rise up, and at the proper time a Democratic minority plus a minority of the Republican majority, constituted then as they may constitute now a majority of the entire body. In that case, if they can not report the bills out of committees, they can beat bills in the Senate; and when the defeat begins it will not be merely a defeat, a mere rout, it will be a revolution.

Dies irae, dies illa,
Saeclum solvet in favilla.

Mr. BRANDEGEE. Mr. President, I am almost overwhelmed with these dire predictions of calamity about to develop within the Republican ranks, and of th Republican Party being about to dissolve; but I understand, and the Senator from Missouri and the Senator from Mississippi understand that I understand, that this is all purely professional.

Mr. President, if either of those Senators who are predicting disaster for the Republican Party because we do not give two or three more Democrats places on important committees really believed what they are predicting, they would be the first to rush to vote for this resolution of mine; but of course they do not believe a word of it, and there is not a word of truth in it. But, whether there is or not, the Republican Party is in power. As the Senator from Mississippi expressed it the other day, we are in and he is out, and it is our business to try to have a constructive program and put our measures into effect. In order to do that, we must have control of the committees that are to carry out the policies of the administration. Now, that is not tyranny; that is representative government, the rule of the majority; and we have done one thing, at any rate. We have adopted the maxim of the god of the Senator from Mississippi, Thomas Jefferson. We have rendered equal and exact justice to all men on the floor of this body, mathematically equal; I will not say retributive.

Mr. President, the country holds us responsible, and if it does, it is fair that we should have the instrumentalities with

which to carry out the policies of the party. We are not doing this in any vindictive spirit. The Senators on the other side were perfectly satisfied to have 6 members on every one of the major committees, when the rule was that each committee should be composed of 15 members. They still have their 6. They made up their list before the Senator from Alabama [Mr. UNDERWOOD] went to Bermuda to bask in the sunshine and bathe in the waters of that beautiful subtropical island. His list remains as it was. We have not deprived him of a thing. We have simply put one more Republican on each committee. That is the great national issue involved; that is the tyranny; that is the ruthlessness which the Senator from Mississippi foresees, and that is what is to split the Republican Party and put the Democratic Party in full power again. If that does it, so be it. I welcome the issue.

I believe in the intelligence of the American people. The Republican Party, of course, will go out of power some day. I remember eight years ago, in 1912, when we came back here, and we were out, and you were in, and the pulchritudinous Senator from North Carolina [Mr. OVERMAN], who now refreshes the galleries with his senatorial beauty, met me at the door here and assured me that the Democratic Party was in power for the next 50 years, and wanted to know what I meant, being a corpse and buried, in walking around here and pretending to be alive.

Times change and men change with them. We may go out, of course, but if we do we will do it as your honored Vice President told the Gridiron Club he would go out of Washington with a smile on his face and with a brave heart. Whenever the public get tired of the Republican Party, of course, they will put them out. They have an awfully poor alternative, of course. Generally those intermissions are very few and far between. Nevertheless, Mr. President, as I said in the beginning, the ululations and bleatings and squeals we have heard for the last week from our Democratic friends about this very fair program we have adopted are about to subside.

> The tumult and the shouting dies,
> The captains and the kings depart,
> And the steam roller is about to start.

[Laughter.]

Mr. WILLIAMS. Mr. President, I am informed that the Senator from Connecticut [Mr. BRANDEGEE] said "the steam roller is about to start." I witnessed the steam roller starting in the Fifty-first Congress under Republican auspices; I witnessed the steam roller starting in the Fifty-third Congress under Democratic auspices; I witnessed the steam roller starting in this body when Mr. Aldrich was commander in chief of the armies of the plutocrats, and when Mr. Dolliver was a mere insurgent—poor fellow, now dead—with a few others.

I have witnessed all that and I have heard these remarks.

A few years before, when JOE CANNON, a statesman whom I personally loved very much, and love very much yet, went to his political death in the House of Representatives, I heard either the Senator from Connecticut or John Dalzell—I do not remember which—make about the same speech that the Senator from Connecticut made a moment ago; and if it was not the Senator from Connecticut, I would like to be informed; it was pretty much the same talk.

Mr. President, all that the Senator from Connecticut has proven, if he has proven anything, is that the Senator from North Carolina [Mr. OVERMAN] made about the same mistake that he is making now, asserting that when a party got in power it stayed in power forever, and all it had to do was to be selfish and take all the power it could.

Seriously speaking, as far as I am concerned individually, I challenge a search of my record to find out where I ever attempted to take an advantage of the opposite party in numerical membership of committees that was not fair.

The Senator from Connecticut says that we had six members on each committee, and if you increased this membership that did not take anything away from us; that we were still just where we were. Of course, every man of common sense knows that representation upon a committee is not an absolute but a relative thing. It reminds me a good deal of the time that old Birmingham, a stage driver in Mississippi, was driving out with a drummer a little while before the war, and he pointed over to the right-hand side of the road and said, "There is where Maj. Vaughn lives. He and I are the two richest men in the State of Mississippi. We own more land and we own more niggers than anybody else in the State."

The drummer was a little bit astonished, but he said, "How is that?"

Birmingham said, "Oh, between us we own 3,000 negroes and 20,000 acres of land."

The drummer looked impressed for a while, but after traveling over that long road a little while he said, "Mr. Birmingham, how is the property divided?"

"Well," he said, "I own 40 acres and Vaughn owns 19,960 acres, and I own one negro and Vaughn owns 2,999."

That is just about the way the Senator wants the country to understand the representation upon the committees. If we had had six and you had increased your membership to 20, you could make that same argument, and say that we still have our six. Old Birmingham still has his one nigger and still has his 40 acres of land, and he and the other fellow together had the same aggregate, but they do not measure the same relative result.

Gentlemen, I do not want to constitute myself a teacher, because I differ with my friend the Senator from Missouri [Mr. REED] in one respect; I know in the first place I do not want to teach you, and I know in the second place that you do not want to learn from me, no matter what I may teach, no matter what you can learn. But I was not trying to teach you fair play. I knew you could not learn it. I am merely calling your attention to a little bit of history about parliamentary government, and parliamentary government consists of a government of a majority in the legislative body against the minority, and when you so organize the committees as that a majority of the majority may overcome, in bills and reports, a majority of the entire body, without any regard to the addition of the minority of the whole to a minority of the majority constituting a majority of the whole, you have defied every rule of popular government and of democratic institutions, and you are destined to fall before a Democratic majority; unless, as very frequently happens, the Democratic majority may be temporarily a fool. It sometimes is.

Mr. REED. Mr. President, I just want to correct one statement of my friend the Senator from Connecticut [Mr. BRANDEGEE]. He said that if the result of this action would be to disrupt the Republican Party that would make me and others vote for the rule. That is a natural conclusion for a man to arrive at who puts his party above his country. I do not belong in that class. If I can only injure the Republican Party by helping the Republican Party to do something to injure the country, and thus get in disrepute, I do not want to serve my country that way.

I believe in common counsel. I have never heard a debate upon the floor of the Senate that has not been very instructive to me. I have learned that a free interchange of opinions among reasonable men results in a modification of the opinions of most all of them. It may not absolutely change their opinions. The important legislation that is to come before this body, which will affect the entire country, ought to be considered not by one party, but by both parties, and there ought to be the freest opportunity for its discussion not only on the floor, but in the committees, because, notwithstanding the opinions some people may have, not quite all of the wisdom, not quite all of the patriotism was conferred by the Almighty upon any one political party.

So I had hoped to see these committees so organized that it might be possible occasionally for men who did not take their views at first hand from a caucus to have the opportunity to make those views felt in the committee. You have determined otherwise. The Senator from Connecticut, with an utter lack of that shrewdness which is attributed to the Yankee, and which is possessed by himself in a superlative degree, has told us "that the steam roller is about to start."

He took the sublime verse of Kipling's Recessional:

> The tumult and the shouting dies,
> The captains and the kings depart;
> Still stands thine ancient sacrifice—
> An humble and a contrite heart.
> Lord, God of Hosts, be with us yet,
> Lest we forget, lest we forget!

These lofty and sacred lines the Senator mutilated into doggeral and made them read:

> The tumult and the shouting dies,
> The captains and the kings depart,
> And the Republican steam roller is about to start.

He tortured a prayer to the Divinity into ribald political boasting. The steam roller is about to start!

Steam rollers! You had one out in Chicago a few years ago. You ran it in the same spirit, and you destroyed your party for the time being.

Mr. BRANDEGEE. You had one at Baltimore, too.

Mr. REED. No; we did not have a steam roller at Baltimore. We had very far from it. We had a condition at Baltimore that I do not care to discuss; but it was very far from a

steam roller; it bore no relation to it. But a steam roller in a political convention is one thing. A steam roller in the Senate of the United States means a destruction by force—for that is what a steam roller means—of the ability and the power of the representatives of the people to express their opinions and make their views felt. If you had a majority of one you could do the same thing, if you could hold your majority together, and you could deny Democrats any representation on committees at all. You could with a majority of one, if you could hold your men together, refuse a hearing upon a single bill which may be referred to a committee. If you had a majority of one and could hold your majority together, you could abolish all committees. If you had a majority of one and could hold it together, you could meet in caucus, and the majority in that caucus could determine the action of this body, although there was a protesting minority within your caucus. That would be a steam roller. That may be the way to conduct the business of the country in the United States Senate, but to my mind the States that are represented here by Democrats are entitled to an absolute voice in legislation. They are entitled to present fairly every case and to submit to this body as a fair tribunal every question.

Steam rollerism is a defilement upon the lips of a Senator, and it is a disgraceful utterance if it were made seriously. I do not characterize it in that way, for I think my friend from Connecticut was inclined to be humorous this afternoon, a rôle that he can very successfully play. But if ever the Senate of the United States adopts steam roller tactics, it will cease to be the Senate of the United States. It would sink into the contempt that it would deserve, and it would ultimately be destroyed by the American people. Steam rollerism means the abuse of power. It means the denial of a right to others. It means a trampling upon the very fundamental principles of the Government itself.

Start your steam roller going, and you will succeed in doing some things, but I venture the guess that when the country understands you are running a steam roller and blatantly proclaiming it upon the floor of the Senate, this little minority here will find a growing crowd of people in the United States back of it to hold in contempt the word "steam roller" and will hold any body of men who employ it in the Senate of the United States in a just and a deserved contempt.

Mr. BRANDEGEE. Mr. President, I do not know what definition the Senator from Missouri attaches to the term "steam roller." What I mean by it is majority rule. I believe that is democracy, the rule of the majority. While I believe in full and free debate, in the right to offer amendments, as the Senator from Alabama said, and the right to discuss them, still I believe in the rule of the majority. If that is not democracy, then we have no Government in this country.

Mr. President, have the yeas and nays been ordered on the pending resolution?

The VICE PRESIDENT. They have been demanded.

Mr. BRANDEGEE. I, too, demand the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS. Mr. President, I understand the Senator from Connecticut now to identify the phrase "steam roller" with the right of the majority to rule. I never heard of a majority in any popular assemblage needing a piece of machinery in the shape of a steam roller in order to outvote the other side. The Senator must really be held to his own language. As I understood his language, he said, "the steam roller was about to start." He did not say "the majority was about to vote." He said, "the steam roller was about to start." In other words, he is representing that sort of a majority, in his own imagination, that needs a piece of machinery to run over everything that is in its way.

Mr. BRANDEGEE. To smooth things out.

Mr. WILLIAMS. Yes; to smooth things out, the Senator says. That is worse than a steam roller, because a steam roller may run over a whole lot of things and not completely smooth them out. What the Senator wants is a steam roller that will smooth all opposition out completely. I suppose he means even the grass upon the sward or the yard, so that everything that stands opposed to anything he wants will merely answer as a top surface to the grass for the purpose of adding blood and bones to its fertilization. If that is what he means, of course we shall resist the best we can, as the American people hitherto have always resisted the best they knew how.

But still the Senator from Connecticut can not escape from his utterance. He meant "a steam roller" and he said "a steam roller." He knew what a steam roller was. It is a thing that pays no attention to any shrub or any flower or any grass or any tree or any right in its way, that just runs roughshod over everything in front of it, whether run by gasoline or by electricity or by horsepower does not make any difference. Of course, in this particular Senate this particular Republican majority will chiefly be horsepower, but still hovering around is the idea to run over and reduce down to a common level, down to the carpet, down to the grass, leaving nothing growing. I never heard of a plural god that amounted to anything in this world. The very essence of Democracy is that every Democrat counts himself as no god at all, but just as a very humble sort of human being in a great big collection of spirits, chatting and talking to his fellows and coming to some sort of agreement.

This reminds me of that distinguished occasion upon which a distinguished Senator from Kansas, I believe, once said that ethics, principles, or something identical with them in connection with politics was an iridescence. I will not come any closer to the quotaton for fear I might identify the Senator. However, the Senator from Connecticut will be identified hereafter as a worshiper of steam-roller prophets. He is the first announced prophet in a legislative body, although not the first announced prophet in a convention, of the steam roller as a deus ex machina; if not God himself, at least approaching Him that close. It is going to be a Republican steam roller, and, from what I know of the Senator from Connecticut, if it is any sort of a Republican steam roller at all, it is going to be a Connecticut senatorial Republican steam roller, because if it does not run to suit him he will not have anything to do with the steam roller. I noticed in various questions that were brought up before the Committee on Foreign Relations at the last session, in which he finally settled and found himself like grains of sand at the bottom of a glass of brook water, that at the beginning of the discussion, before he settled, he insisted on being the steam roller himself, and before he got through he had come pretty near it.

I think if the Senator from Connecticut can not find a steam roller that he can run, it will not be a steam roller that he will serve on at all.

The Senator from Connecticut does not really mean that. I have known him in such a kindly, personal, social, friendly, half literary, half historical way for so many years that if I would trust anybody on the other side of the Chamber to be magnanimous and generous and not run over me with a steam roller when we got ready to face each other in chivalrous combat, I think I would almost pick him out as one of the chief men of that sort.

But the significant fact about it is that the expression identifying the Republican majority in the Senate with steam rollers is not personal to the Senator from Connecticut. If it were personal to him, it might be ignored; but it is the unconscious oozing out of the sweat of his partisanship; it is what he learned in caucus; it is what he learned in his environment and by heredity; and he really imagines that an ordinary modern Republican, akin by interest to the plutocracy of his country and akin by heredity to Federalism, is a sort of hereditary superior creature. Of course, as a matter of fact, he is not, as many men have proven.

As the Senator from Missouri said, "Start your steam roller"; but, for God's sake, when you start it, call it a steam roller; have the courage to call it one. The Senator from Connecticut bows in approbation, meaning that he at least will have the courage to call it a steam roller, but I dare say he will find Senators from Massachusetts and Illinois and Ohio and Wisconsin and Minnesota and even from the far-famed Mormon Church State of Utah and from the political State of Indiana who will not dare to call it a steam roller. But we shall try to identify the machine with the utterance of the Senator from Connecticut, and we shall try to keep that emblazoned upon the public conscience and in the public eye.

Mr. President, I understand how a great intellect can "roll over" common, plebeian minds; I understand how a great moral, spiritual character like Jesus Christ could roll over a whole lot of people that had never thought anything particularly about the relationship between man and God. I understand how a great scientist like Isaac Newton could bring into the world a new principle that would control mankind forever. But I do not understand how a political steam roller can control a democratic country of tolerably intelligent people. Mark you, I did not say intelligent people; I said tolerably intelligent people. I recognize that 95 out of 100 men are not very intelligent at all, but I do not understand how a partisan steam roller, without any spiritual attributes, without any scientific attributes, without any intellectual attributes, without any moral excellency, merely the excellency of membership in some so-called party, could manage to control a country which imagines itself intelligent. I say "imagines itself," because, judging by the last election, it has got a long way to go to know it is intelligent.

Mr. PENROSE. Mr. President, will the Senator permit an inquiry?

Mr. WILLIAMS. Certainly.

Mr. PENROSE. The Senator has referred very eloquently to Newton and others who have contributed to science. I know the Senate would patiently listen to him if he would explain his views on Einstein's theory of relativity.

Mr. WILLIAMS. Mr. President, I have long contended that the wittiest, the vaguest, and most indefinite man in this body is the Senator from Pennsylvania, but I did not know until this morning that he could discover anything more vague and indefinite than himself. I frankly confess that I do not understand Einstein; I frankly confess that I do not believe the Senator from Pennsylvania understands Einstein; I frankly confess I do not believe the Senator from Connecticut [Mr. BRANDEGEE] would even contend that he understood Einstein, and I do not believe that even the Senator from Massachusetts [Mr. LODGE] would make a very positive pretense in that direction.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Pennsylvania?

Mr. WILLIAMS. I yield.

Mr. PENROSE. I own a volume of Einstein, in the introduction of which it is stated that there are only 12 men in all the world who understand the book. I thought, perhaps, the Senator from Mississippi was one of them. I confess that I have nearly lost my mental faculties in trying to understand Einstein.

Mr. WILLIAMS. Mr. President, I believe it was the Earl of Derby who once said that there were only two men who ever understood the Near Eastern question, that one of them was dead and that he himself was getting old and had pretty nearly forgotten it all. [Laughter.] So far as Einstein is concerned, I did endeavor for a little while to try to understand Einstein; I do not believe the Senator from Pennsylvania ever even tried; but I frankly had the wisdom to confess that I did not understand Einstein. However, Mr. President, I do understand that there are certain great fundamental, cardinal principles of fairness which exist in the world, and I know that the Senator from Pennsylvania knows that, too.

The VICE PRESIDENT. The yeas and nays have been ordered on agreeing to the resolution, and the Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). Announcing the same pair and transfer as on the last vote, I vote "yea."

Mr. EDGE (when his name was called). Announcing the same pair and transfer as on the previous vote, I vote "yea."

Mr. HARRIS (when his name was called). Announcing the same transfer of my pair as on the previous vote, I vote "nay."

Mr. McCUMBER (when his name was called). Transferring my pair as on the previous vote, I vote "yea."

Mr. McLEAN (when his name was called). In the absence of my pair, the senior Senator from Montana [Mr. MYERS], I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. POINDEXTER (when his name was called). Upon this vote I am paired with the Senator from Nevada [Mr. PITTMAN]. If at liberty to vote, I should vote "yea."

Mr. SUTHERLAND (when his name was called). Making the same announcement with reference to my pair and its transfer as before, I vote "yea."

The roll call was concluded.

Mr. HALE. Making the same announcement as to my pair and its transfer which I made on the previous vote, I vote "yea."

Mr. HARRISON (after having voted in the negative). I have a general pair with the junior Senator from West Virginia [Mr. ELKINS]. I transfer that pair to the junior Senator from Rhode Island [Mr. GERRY], and will allow my vote to stand.

The result was announced—yeas 45, nays 25, as follows:

YEAS—45.

Ball	Hale	McNary	Stanfield
Brandegee	Harreld	Moses	Sterling
Bursum	Jones, Wash.	Nelson	Sutherland
Cameron	Kellogg	New	Townsend
Capper	Kenyon	Nicholson	Wadsworth
Colt	Keyes	Norbeck	Warren
Cummins	Ladd	Norris	Watson, Ind.
Curtis	Lenroot	Penrose	Weller
Dillingham	Lodge	Phipps	Willis
Edge	McCormick	Shortridge	
Ernst	McCumber	Smoot	
France	McKinley	Spencer	

NAYS—25.

Broussard	Hitchcock	Sheppard	Walsh, Mass.
Caraway	Jones, N. Mex.	Simmons	Watson, Ga.
Dial	McKellar	Smith	Williams
Fletcher	Overman	Stanley	Wolcott
Harris	Pomerene	Swanson	
Harrison	Ransdell	Trammell	
Heflin	Reed	Underwood	

NOT VOTING—26.

Ashurst	Gerry	La Follette	Pittman
Borah	Glass	McLean	Poindexter
Calder	Gooding	Myers	Robinson
Culberson	Johnson	Newberry	Shields
Elkins	Kendrick	Oddie	Walsh, Mont.
Fernald	King	Owen	
Frelinghuysen	Knox	Page	

So Mr. BRANDEGEE's resolution as amended was agreed to.

Mr. HARRISON. Mr. President, I make the point of order that the vote by which the Chair has announced that the resolution has passed does not disclose a two-thirds majority, and that it requires a two-thirds majority in order that the resolution may pass. I do not wish to take up the time of the Senate in again discussing the proposition. In the few remarks which I made when the question was before the Senate a short time ago, I cited to the Chair and to the Senate precedent after precedent in order to show that in effect the motion was one for the suspension of the general rules of the Senate, and that its adoption required a two-thirds majority.

The VICE PRESIDENT. The Chair understands that the motion is not one to suspend the rules but to amend the rules, and that it only requires a majority vote. The point of order is therefore overruled.

Mr. LODGE. I ask unanimous consent that so much of Rule XXIV as provides for the appointment of the standing and other committees of the Senate by ballot be suspended.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

Mr. LODGE. Mr. President, I offer the order which I send to the desk, for which I ask present consideration.

The VICE PRESIDENT. The Senator from Massachusetts offers an order and asks unanimous consent for its immediate consideration.

Mr. REED. Mr. President, let us first hear the order read.

Mr. LODGE. That was my intention; it will have to be read in any event.

Mr. REED. I assume that that was the Senator's intention, but I thought that the Chair was inquiring whether there was objection.

Mr. LODGE. When the order is read, I think there will be no difficulty about it.

The VICE PRESIDENT. The order proposed by the Senator from Massachusetts will be read.

The Assistant Secretary read as follows:

Ordered, That the following shall constitute the standing committees of the Senate of the Sixty-seventh Congress:

On Agriculture and Forestry (16): Messrs. Norris (chairman), Page, Kenyon, Wadsworth, McNary, Capper, Keyes, Gooding, Ladd, Norbeck, Smith, Ransdell, Kendrick, Harrison, Heflin, Caraway.

On Appropriations (16): Messrs. Warren (chairman), Smoot, Jones of Washington, Curtis, Kenyon, Hale, Spencer, Phipps, Newberry, McKinley, Overman, Owen, Culberson, Harris, Glass, Jones of New Mexico.

To Audit and Control the Contingent Expenses of the Senate (5): Messrs. Calder (chairman), McCormick, France, Jones of New Mexico, McKellar.

On Banking and Currency (14): Messrs. McLean (chairman), Page, Frelinghuysen, Penrose, Calder, Newberry, Weller, Norbeck, Owen, Hitchcock, Pomerene, Fletcher, Kendrick, Glass.

On Civil Service (11): Messrs. Sterling (chairman), Cummins, Colt, Ball, Nicholson, Stanfield, Bursum, McKellar, Ransdell, Wolcott, Heflin.

On Claims (13): Messrs. Spencer (chairman), Frelinghuysen, New, Capper, Gooding, Harreld, Ernst, Stanfield, Robinson, Trammell, Wolcott, Broussard, Watson of Georgia.

On Commerce (16): Messrs. Jones of Washington (chairman), Nelson, Fernald, Calder, Lenroot, McNary, Ball, Edge, Willis, Weller, Fletcher, Ransdell, Sheppard, Simmons, Dial, Caraway.

On the District of Columbia (13): Messrs. Ball (chairman), Dillingham, Jones of Washington, Capper, Elkins, Gooding, Cameron, Weller, Pomerene, King, Sheppard, Glass, Stanley.

On Education and Labor (11): Messrs. Kenyon (chairman), Borah, Sterling, Phipps, Warren, Kellogg, Shortridge, Jones of New Mexico, McKellar, Wolcott, Walsh of Massachusetts.

On Enrolled Bills (3): Messrs. Sutherland (chairman), Ball, Dial.

On Expenditures in the Executive Departments (7): Messrs. McCormick (chairman), Moses, Willis, Oddie, Underwood, Swanson, Robinson.

On Finance (16): Messrs. Penrose (chairman), McCumber, Smoot, La Follette, Dillingham, McLean, Curtis, Watson, Calder, Sutherland, Simmons, Williams, Jones of New Mexico, Gerry, Reed, Walsh of Massachusetts.

On Foreign Relations (16): Messrs. Lodge (chairman), McCumber, Borah, Brandegee, Knox, Johnson, New, Moses, Kellogg, McCormick, Hitchcock, Williams, Swanson, Pomerene, Pittman, Shields.

On Immigration (11): Messrs. Colt (chairman), Dillingham, Penrose, Sterling, Johnson, Keyes, Willis, King, Harris, Harrison, Watson of Georgia.

On Indian Affairs (11): Messrs. Curtis (chairman), La Follette, McNary, Spencer, Harreld, Cameron, Ladd, Ashurst, Owen, Walsh of Montana, Kendrick.

On Interoceanic Canals (11): Messrs. Borah (chairman), Page, Colt, Knox, Johnson, Edge, McKinley, Walsh of Montana, Simmons, Trammell, Ransdell.

On Interstate Commerce (16). Messrs. Cummins (chairman), Townsend, La Follette, Poindexter, McLean, Watson, Kellogg, Fernald, Frelinghuysen, Elkins, Smith, Pomerene, Myers, Underwood, Wolcott, and Stanley.

On Irrigation and Reclamation (11): Messrs. McNary (chairman), Jones of Washington, Phipps, Gooding, Cameron, Oddie, Shortridge, Sheppard, Walsh of Montana, Kendrick, and Pittman.

On the Judiciary (16): Messrs. Nelson (chairman), Dillingham, Brandegee, Borah, Cummins, Colt, Sterling, Norris, Ernst, Shortridge, Culberson, Overman, Reed, Ashurst, Shields, and Walsh of Montana.

On the Library (7): Messrs. Brandegee (chairman), Wadsworth, jr., Knox, McCumber, Williams, McKellar, and Broussard.

On Manufactures (11): Messrs. La Follette (chairman), Kenyon, Fernald, McNary, McKinley, Nicholson, Weller, Smith, Pomerene, Jones of New Mexico, Reed.

On Military Affairs (16): Messrs. Wadsworth (chairman), Warren, Sutherland, New, Frelinghuysen, Lenroot, Spencer, Capper, Cameron, Bursum, Hitchcock, Fletcher, Myers, Sheppard, McKellar, Robinson.

On Mines and Mining (9): Messrs. Poindexter (chairman), Sutherland, Newberry, Oddie, Nicholson, Norbeck, Walsh of Montana, Ashurst, Pittman.

On Naval Affairs (16): Messrs. Page (chairman), Penrose, Lodge, Poindexter, Hale, Ball, Newberry, Keyes, France, Nicholson, Swanson, Pittman, Walsh of Montana, Gerry, Trammell, King.

On Patents (7): Messrs. Johnson (chairman), Norris, Brandegee, Ernst, Smith, Stanley, and Broussard.

On Pensions (11): Messrs. McCumber (chairman), Smoot, Elkins, Townsend, Colt, Weller, Bursum, Walsh of Montana, King, Walsh of Massachusetts, and Gerry.

On Post Offices and Post Roads (16): Messrs. Townsend (chairman), Sterling, France, Moses, Edge, Elkins, Phipps, Harreld, Oddie, Stanfield, McKellar, Walsh of Massachusetts, Dial, Heflin, Watson of Georgia, and Broussard.

On Printing (7): Messrs. Moses (chairman), Capper, Nelson, Townsend, Fletcher, Ransdell, and Robinson.

On Privileges and Elections (13): Messrs. Dillingham (chairman), Spencer, Wadsworth, Watson, Edge, Ernst, Shortridge, Bursum, Pomerene, Reed, Walsh of Montana, King, and Wolcott.

On Public Buildings and Grounds (13): Messrs. Fernald (chairman), Warren, Frelinghuysen, France, Lenroot, Keyes, McKinley, Harreld, Reed, Ashurst, Culberson, Trammell, and Swanson.

On Public Lands and Surveys (13): Messrs. Smoot (chairman), Norris, Poindexter, Lenroot, Ladd, Stanfield, Norbeck, Bursum, Myers, Pittman, Jones of New Mexico, Kendrick, and Walsh of Montana.

On Rules (12): Messrs. Knox (chairman), Nelson, Curtis, Hale, Moses, McCormick, Watson, Overman, Owen, Underwood, Harrison, and Robinson.

On Territories and Insular Possessions (13): Messrs. New (chairman), McLean, Cummins, Knox, Johnson, McCormick, Willis, Ladd, Pittman, Owen, Robinson, Harris, and Broussard.

The VICE PRESIDENT. The Senator from Massachusetts asks unanimous consent for the immediate consideration of the order. Is there objection? The Chair hears no objection. The question is on agreeing to the order.

The order was agreed to.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 45 minutes spent in executive session the doors were reopened.

CONFIRMATION OF JOHN JACOB ESCH.

On request of Mr. LA FOLLETTE and by unanimous consent, the injunction of secrecy was removed from the proceedings connected with the confirmation of the nomination of John Jacob Esch to be an Interstate Commerce Commissioner, and the vote and proceedings were ordered to be printed in the RECORD. These proceedings were as follows:

Mr. CUMMINS, from the Committee on Interstate Commerce, to which had been referred the nomination of John Jacob Esch, of Wisconsin, to be an Interstate Commerce Commissioner for the term expiring December 31, 1927, to which office he was appointed during the last recess of the Senate, reported favorably thereon.

Mr. LA FOLLETTE, from the same committee, submitted a minority report opposing confirmation of the nomination.

On motion by Mr. CUMMINS and by unanimous consent, the nomination was given immediate consideration, and it was—

Resolved, That the Senate advise and consent to the appointment of John Jacob Esch to be an Interstate Commerce commissioner for the term expiring December 31, 1927.

On the adoption of the above resolution, the question was taken by yeas and nays, the yeas and nays having been ordered on the demand of Mr. LA FOLLETTE, seconded by one-fifth of the Senators present.

The yeas were 52 and the nays 3, as follows:

YEAS—52.

Ball	Curtis	Keyes	Nelson
Brandegee	Dial	Lenroot	New
Broussard	Dillingham	Lodge	Nicholson
Bursum	Ernst	McCormick	Norbeck
Cameron	Hale	McCumber	Overman
Capper	Harreld	McKellar	Phipps
Caraway	Harris	McKinley	Poindexter
Colt	Harrison	McNary	Pomerene
Cummins	Kendrick	Moses	Ransdell
Sheppard	Spencer	Sutherland	Watson, Ind.
Shortridge	Stanfield	Underwood	Williams
Smith	Stanley	Wadsworth	Willis
Smoot	Sterling	Warren	Wolcott

NAYS—3.

La Follette	Trammell	Watson, Ga.

So the Senate advised and consented to the appointment of Mr. Esch.

Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD the views of the minority of the Committee on Interstate Commerce, which are as follows:

Herewith is respectfully submitted the minority report of the Committee on Interstate Commerce, with the recommendation that the Senate decline to confirm the nomination of Hon. John J. Esch as a member of the Interstate Commerce Commission.

It is the opinion of the minority that Mr. Esch's qualifications for office should be judged mainly upon his long service in Congress, and the minority report therefore presents the salient features of his record in respect to railroad legislation.

John J. Esch first took his seat in the Fifty-sixth Congress, in December, 1899. In December, 1903, at the opening session of the Fifty-eighth Congress, Mr. Esch was assigned to the House Committee on Interstate and Foreign Commerce, and he served continuously on that committee until his retirement March 4, 1921. At the first session of the Sixty-fourth Congress, in May, 1916, Mr. Esch became the ranking Republican member of the committee, and in July, 1919, the Republicans having regained control of the Congress, he succeeded to the chairmanship.

An examination of the records of Congress during the 17 years of Mr. Esch's service on this important committee will show that he has been in substantial accord with the governmental policies under which the carriers of the country have been brought to their present plight and that his attitude, revealed in his speeches and votes, has been one of consistent friendliness to the railroads.

Beginning in the early years of the present century, the Interstate Commerce Commission, composed of men who foresaw the collapse of the transportation system under existing conditions, made urgent appeals to the Congress to restrain those who were looting the railroads and exacting extortionate rates from the consuming public.

Year after year the commission appealed to Congress to enact laws which would put a stop to discriminatory rates, overcapitalization, the manipulation of securities, and other abuses which were fast undermining the service and destroying the credit of American railroads. In its annual reports, over a period of a decade, the commission urged Congress to pass a valuation law, so that the honest value of the railroads might be ascertained and made the basis for just and reasonable rates.

During this period, except for his advocacy of block-signal systems and safety appliance laws, Mr. Esch joined with his colleagues on the committee in ignoring the recommendations of the body of which it is now proposed he shall become a member. It was not until the fight for valuation had been practically won, and even the railroads had yielded to the inevitable, that Mr. Esch became an advocate of that policy.

The activities of Mr. Esch in respect to the law limiting the hours of service of railroad employees are typical of his record on railroad legislation in the House.

On January 10, 1907, the Senate passed a bill limiting the hours of service of railroad employees and providing stringent penalties against carriers evading the law. This legislation had been recommended in three annual reports of the Interstate Commerce Commission. The Senate bill was referred to the House Committee on Interstate and Foreign Commerce and was rejected in committee.

On February 18, 1907, the committee reported to the House a measure known as the Esch substitute, and an effort was made to pass it without chance for amendment under suspension of the rules. This attempt failed. On the Esch substitute a minority of the committee rendered the following report, which was sustained by the House:

"We are induced to believe, not only by the provisions of the substitute reported by the majority but also by the treatment accorded H. R. 18671, that the proposed legislation will not be effective and is not intended to give the remedy and the protection that the public desire. The effect of the substitute will not be to accomplish the purpose ostensibly set forth as the purpose to be accomplished, but will, on the contrary, enable common carriers to evade and avoid all penalty and responsibility. We recommend that the proposed attempt of the majority to pass under the suspension of the rules the substitute, without opportunity for amendment, be defeated."

Describing the Esch substitute, by the introduction of which it was sought to defeat the Senate bill, the national legislative representative of the railroad brotherhoods for the Fifty-ninth Congress, second session, wrote:

"This substitute, as reported by Mr. Esch, was the greatest makeshift I have ever seen proposed as a matter of legislation."

In 1910 the political complexion of Congress changed, and until 1918 Mr. Esch was a minority member of the Committee on Interstate and Foreign Commerce. During this period some of the recommendations of the Interstate Commerce Commission were partially embodied in law, but as a minority member of the committee Mr. Esch had no large part in framing this legislation.

In May, 1916, Mr. Esch became the ranking Republican member of the committee. The railroads were taken over by the Federal Government at the end of 1917, and Mr. Esch was active in the debate on the Federal control bill. He served on the conference committee which framed the bill as passed, under which the railroads were given an exorbitant rental of about $75,000,000 a month during the period of Federal control. Mr. Esch addressed the House March 4, 1918, urging the adoption of the conference report. It was of the rental finally embodied in this report, indorsed by Mr. Esch, of which Senator CUMMINS said when the Senate bill was under consideration:

"If the bill passes in its present form, and agreements are made with all the railroads upon the proposed basis, the Government will have guaranteed (according to the majority report) an aggregate annual operating income of somewhat more than $950,000,000. In the judgment of the writer of this paper, this sum is at least $175,000,000 more than fair, just compensation for the use of the properties under the circumstances and conditions which now surround and confront us. * * *

"With due respect to the President and to the distinguished men who composed the bill before us, one can not escape the impression that, in proposing to offer to the railroads this immense sum of money, those who are responsible for the measure have been thinking only of the men who are to receive the money, and that the effect upon the millions who are to pay the money has been, it is feared, entirely absent in their consideration of the question."

In July, 1919, with the convening of the Sixty-sixth Congress, Mr. Esch became chairman of the Committee on Interstate and Foreign Commerce. He was thus charged with responsibility for the bill by which the House should propose to terminate Federal control. A bill known as the Esch bill, drafted by Mr. Esch, was reported from the committee and passed by the House. The Senate, meanwhile, passed the Cummins bill, and in January, 1920, the conference committee went into session to frame a conference report. On February 21, 1920, Mr. Esch presented the conference report to the House. In his speech to the House Mr. Esch claimed the authorship of the report, which was enacted as the transportation act of 1920, and is more commonly known as the Esch-Cummins law. Mr. Esch said:

"As to the conference report, it may be gratifying to the membership of the House to know that the form and structure of the House bill have been preserved. I think that the form and structure commend themselves to everyone because of their simplicity and because they render reference to the act much more easy. We not only secured acceptance as to form and structure but practically as to substance. There is but one substantive proposition contained in the House bill that was yielded to by the House conferees and yielded to only with material modifications. That is the so-called section 6, providing for the rate of return on the value of the property."

In other words, the Esch-Cummins law as it exists to-day was the work of Mr. Esch, and the results of its application may be attributed largely to his authorship.

Section 6 of the Senate bill, referred to by Mr. Esch, was the provision guaranteeing to the railroads a rate netting from 5½ to 6 per cent on "aggregate value." Mr. Esch had condemned this rate guaranty in the House and had omitted such a provision from the House bill. Of section 6 he had said:

"It is contended that this plan is not in fact a guaranty, in that the Government is not responsible for losses. Yet the Government, through the commission, assures the security holders of the railroads that it will, under all circumstances and regardless of fluctuations in traffic, so adjust the rates that they will produce 6 per cent, for example, on the aggregate property investment account. This is nothing less than a guaranty."

Although he had denounced the rate guaranty in unmeasured terms in the House, when Mr. Esch went into conference with the Senate conferees he yielded on this point. Section 6 of the Senate bill was embodied in the report, with an additional provision that half of the excess should go into a fund to be loaned to the railroads by the Government, whenever a carrier made in excess of 6 per cent. In explaining his change of position on this section, Mr. Esch said in the House February 21, 1920:

"In this House I have strongly contended that we should adhere to the existing standard for rate making—that is, that rates should be just and reasonable—but longer consideration has driven me to the opinion that capital will not invest in railroad securities on merely a declaration that the commission shall fix just and reasonable rates. Investors want something definite and fixed upon which they can reckon. The provisions of section 422 give that stability, that standard which, I trust, will encourage investment."

Mr. Esch not only abandoned the only just principle of rate making and became an advocate of the rate guaranty, insuring profits to the security holders, but he predicted that the operation of the new law would bring increased revenue to the Government and improve service. Having accepted the new doctrine, he joined with the other advocates of section 6 in denying that it constituted a guaranty. In the same speech quoted above he said:

"The Government is losing nothing. This is not a guaranty. The Government will secure a large sum of money in peace times, when things again become normal. I do not expect the Government to get much of a fund in the near future, but in time this plan will develop a considerable fund to be used for the purposes I have enumerated. So the Government is not losing anything. The Government is gaining something and commerce and transportation will be vastly stimulated by reason of it."

Mr. Esch also undertook to forecast what method the Interstate Commerce Commission would follow in arriving at "aggregate value" upon which the Esch-Cummins law provided the guaranteed profits of 5½ or 6 per cent should be computed. He said:

"What the valuation made by the commission will be I can not state. It will not be property investment account or the book cost, now estimated to be about $19,000,000,000, for everybody knows that book cost or property investment account exceeds the capitalization."

In the light of one year's application of the transportation act it can be stated that Mr. Esch was in error on nearly every point touched upon in the paragraphs quoted above.

The rate guaranty, instead of "vastly" stimulating "commerce and transportation," has encouraged extravagance, inefficiency, and fraud.

The Interstate Commerce Commission, in applying section 422, admitted that it was a guaranty, and that no option was left to the commission in arriving at a "just and reasonable rate."

Finally, in determining "aggregate value," the commission was forced to accept $18,900,000,000—within one-half of 1 per cent of the figure Mr. Esch said would not be accepted—as the "aggregate value" of the railroads. When this was done, the false and fictitious "book values" of the railroads, representing the accumulated fraud of years of stock manipulation and overcapitalization, became the basis upon which profits were guaranteed to the owners of railroad securities out of rates levied upon the public.

As soon as the transportation act went into effect, March 1, 1920, its evils became apparent. The railroads began to pile up deficits averaging $105,000,000 a month, whereas the deficits during the period of Federal operation had been less than $28,000,000 a month. From March 1 to September 1, when the roads were guaranteed their profits directly from the Treasury under the Esch-Cummins law, the total deficit for the six months was $631,500,000. The deficit incurred in time of war by the Government for 26 months had been only $715,000,000.

On July 31 the Interstate Commerce Commission obeyed the mandate of the Esch-Cummins law, which guaranteed rates yielding profits of 5½ per cent on aggregate value, by advancing passenger rates 20 per cent, freight rates 35 per cent, and Pullman rates 50 per cent. On August 26 these advanced rates went into effect, and since that date the American people have been paying transportation charges which exceed the annual charges of any previous year by more than $2,000,000,000. With the increase in rates of August 26 the transportation bill of the Nation became about $7,000,000,000 a year, or enough to buy the transportation system at the market value of railroad securities in less than two years.

So onerous were the burdens imposed upon the people by the Esch-Cummins law that that act became an issue in the campaign of 1920. Mr. Esch was again a candidate in the seventh Wisconsin congressional district, and upon that issue he was overwhelmingly repudiated by his constituents.

The third session of the Sixty-sixth Congress met in December, 1920. The transportation system had collapsed. Traffic was stalled by prohibitive rates and the shipper and the consumer were clamoring for relief.

As chairman of the House Committee on Interstate and Foreign Commerce Mr. Esch brought in two bills affecting the railroads, both of which were indorsed by the railroad security holders, the railway executives, and the great financial interests which control the carriers.

The first of these was a bill introduced by Mr. Esch December 6, 1920, proposing to amend section 501 of the transportation act by suspending section 10 of the Clayton Antitrust Act until January 1, 1922.

Section 10 of the Clayton Act was a penal statute enacted in 1914 to prevent the railroads from dishonestly and fraudulently "padding" their expenses for maintenance—ultimately to be paid by the public in freight rates—by the purchase of supplies and equipment from concerns owned by the same interests which own the railroads.

At the very time when Mr. Esch framed this amendment and reported it with the approval of his committee the Interstate Commerce Commission was collecting evidence showing that the railroads were letting repair and equipment contracts to favored concerns, controlled by the railroad directors themselves, at prices ranging from 100 to 400 per cent higher than normal levels. By this practice the deficits, which the Esch-Cummins law had made payable out of the Public Treasury for the first six months of private operation, were being augmented by hundreds of millions of dollars.

Mr. Esch conducted perfunctory hearings on this amendment, at which Mr. A. P. Thom, the paid attorney of the Railway Executives' Association, indorsed the amendment. After a brief statement to the House by Mr. Esch, which left Congress entirely ignorant of the real purpose and effect of the amendment, the bill was passed, and so far as it lay in the power of Congress to grant it immunity was extended to the railroad owners for another year, relieving them of prosecution for illegal practices of which they had repeatedly been proved guilty. When the bill passed by Congress to legalize these practices came to the hand of President Wilson, he wisely vetoed it.

Less than a fortnight after the amendment had been reported by Mr. Esch and rushed through Senate and House the Interstate Commerce Commission, on its own motion, ordered a formal investigation of the contracts for supplies and equipment made by the railroads, and this investigation is now in progress. Should the appointment of Mr. Esch be confirmed, he will sit upon the semijudicial body which is conducting this investigation, and as a commissioner will pass upon the propriety of acts to which he has already given his assent as a legislator.

The only other important bill reported favorably from the committee of which Mr. Esch was chairman during the last session of Congress was the Winslow bill. This bill amended the transportation act by allowing the railroads to collect $631,500,000 in guaranties from the Government without making the final accounting and settlement provided for in the transportation act as passed. Great pressure was brought to bear upon Congress to enact this amendment. It was finally adopted, and it is estimated that its passage will enable the roads to swell the amount of their guaranty by several hundred millions of dollars.

These two bills, both in the interests of the railroads, were the only measures brought forward during the last session of Congress by Mr. Esch dealing with the railroad situation. Considering the circumstances under which they were framed and passed, serious doubt must arise as to the eligibility of Mr. Esch to membership on the commission which is supposed to regulate the railroads in the interests of the people.

The appointment of Mr. Esch to the Interstate Commerce Commission at this time will be an act of great significance to the people of the country, who are crying for relief from conditions which have been aggravated by the operation of the Esch-Cummins law.

It is recognized that Mr. Esch is more responsible than any other one man for the present transportation act.

On the Interstate Commerce Commission he will interpret its provisions in accordance with the principles of rate making he has enunciated on the floor of the House. His appointment will not only give the discouraging assurance to the people that the principle of the Esch-Cummins law is to be retained, but it will serve notice upon the other members of the commission, charged with the regulation of the roads, that service to the railroad interests, rather than to the people, is to be rewarded.

However able or honest he may be, Mr. Esch should not be confirmed for appointment to the Interstate Commerce Commission unless the Senate desires to perpetuate the ruinous policy under which the transportation system has collapsed and which has burdened the consuming public with billions of dollars in unjust charges.

ROBERT M. LA FOLLETTE.

RECESS.

Mr. LODGE. I move that the Senate, as in legislative session, take a recess until noon to-morrow.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, April 19, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 18, 1921.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY TO RUMANIA.

Peter Augustus Jay.

INTERSTATE COMMERCE COMMISSION.

John Jacob Esch.

TREASURER OF THE UNITED STATES.

Frank White.

COLLECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF INDIANA.

M. Bert Thurman.

COLLECTOR OF INTERNAL REVENUE FOR THE ELEVENTH DISTRICT OF OHIO.

Newton M. Miller.

UNITED STATES ATTORNEY, DISTRICT OF MASSACHUSETTS.

Robert O. Harris.

UNITED STATES ATTORNEY, NORTHERN DISTRICT OF TEXAS.

Henry Zweifel.

UNITED STATES ATTORNEY, DISTRICT OF WYOMING.

A. D. Walton.

UNITED STATES MARSHAL, DISTRICT OF DELAWARE.

Walter S. Money.

UNITED STATES MARSHAL, EASTERN DISTRICT OF LOUISIANA.

Victor Loisel.

UNITED STATES MARSHAL, EASTERN DISTRICT OF TEXAS.

Phil. E. Baer.

UNITED STATES MARSHAL, SOUTHERN DISTRICT OF TEXAS.

R. A. Harvin.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 18, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Oh God, because Thou art full of mercy and compassion our lives are spared until now. We thank Thee. Thou that sittest at the right hand of the Father come unto us. Root and ground us in unchangeable and eternal truth. Lighten the burdens of the heavy laden and lift the loads of the overburdened and soothe all hearts that feel the hurts of life. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday was read and approved.

SWEARING IN OF MEMBERS.

Mr. SISSON of Mississippi, Mr. RUCKER of Missouri, and Mr. RAKER of California appeared before the bar of the House and took the oath of office.

MINORITY COMMITTEE ASSIGNMENTS.

Mr. GARNER. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 57.

Mr. GARNER offers the following resolution:

"*Resolved*, That the following Members be, and they are hereby, elected members of the standing committees of the House, as follows:

Agriculture: Hence Jacoway, of Arkansas; John W. Rainey, of Illinois; James B. Aswell, of Louisiana; David H. Kincheloe, of Kentucky; Marvin Jones, of Texas; Peter G. Ten Eyck, of New York.

Alcoholic Liquor Traffic: William D. Upshaw, of Georgia; John C. Box, of Texas; Bill G. Lowrey, of Mississippi; Hampton P. Fulmer, of South Carolina.

Appropriations: Joseph W. Byrns, of Tennessee; Thomas U. Sisson, of Mississippi; James P. Buchanan, of Texas; James A. Gallivan, of Massachusetts; James F. Byrnes, of South Carolina; Gordon Lee, of Georgia; Ben Johnson, of Kentucky; Charles D. Carter, of Oklahoma; Edward T. Taylor, of Colorado; William B. Oliver, of Alabama; Thomas W. Harrison, of Virginia; Anthony J. Griffin, of New York.

Banking and Currency: Otis Wingo, of Arkansas; Henry B. Steagall, of Alabama; Charles H. Brand, of Georgia; William F. Stevenson, of South Carolina; Eugene Black, of Texas; T. Alan Goldsborough, of Maryland.

Census: William W. Larsen, of Georgia; Samuel M. Brinson, of North Carolina; John R. Tyson, of Alabama; Morgan G. Sanders, of Texas; John J. McSwain, of South Carolina; John E. Rankin, of Mississippi.

Claims: Henry B. Steagall, of Alabama; James P. Woods, of Virginia; John C. Box, of Texas; W. Turner Logan, of South Carolina; Alfred L. Bulwinkle, of North Carolina.

Coinage, Weights, and Measures: Samuel M. Brinson, of North Carolina; Clay Stone Briggs, of Texas; Lilius B. Rainey, of Alabama; Patrick H. Drewry, of Virginia; Ladislas Lazaro, of Louisiana; Bill G. Lowrey, of Mississippi.

Disposition of Useless Executive Papers: Arthur B. Rouse, of Kentucky.

District of Columbia: James P. Woods, of Virginia; Christopher D. Sullivan, of New York; Thomas L. Blanton, of Texas; Ralph Gilbert, of Kentucky; William C. Hammer, of North Carolina; Charles F. X. O'Brien, of New Jersey; Stanley H. Kunz, of Illinois.

Education: William B. Bankhead, of Alabama; Charles H. Brand, of Georgia; Samuel M. Brinson, of North Carolina; Bill G. Lowrey, of Mississippi; Tilman B. Parks, of Arkansas.

Election of President, Vice President, and Representatives in Congress: William W. Rucker, of Missouri; Clay Stone Briggs, of Texas; Hampton P. Fulmer, of South Carolina; Alfred L. Bulwinkle, of North Carolina; T. Alan Goldsborough, of Maryland.

Elections No. 1: C. B. Hudspeth, of Texas; William B. Bowling, of Alabama; Ralph Gilbert, of Kentucky.

Elections No. 2: Frank Clark, of Florida; Hallett S. Ward, of North Carolina; Morgan G. Sanders, of Texas.

Elections No. 3: Zebulon Weaver, of North Carolina; John C. Box, of Texas; W. Turner Logan, of South Carolina.

Enrolled Bills: Ladislas Lazaro, of Louisiana; Thomas L. Blanton, of Texas; John J. McSwain, of South Carolina.

Expenditures in Department of Agriculture: Robert L. Doughton, of North Carolina; Morgan G. Sanders, of Texas.

Expenditures in Department of Commerce: Henry B. Steagall, of Alabama; Joseph T. Deal, of Virginia.

Expenditures in Department of Interior: Charles H. Brand, of Georgia; Tilman B. Parks, of Arkansas.

Expenditures in Department of Justice: Schuyler Otis Bland, of Virginia; T. Alan Goldsborough, of Maryland.

Expenditures in Department of Labor: Riley J. Wilson, of Louisiana; Thomas L. Blanton, of Texas.

Expenditures in Department of Navy: Rufus Hardy, of Texas; Patrick Henry Drewry, of Virginia.

Expenditures in Post Office Department: Benjamin G. Humphreys, of Mississippi; James P. Woods, of Virginia.

Expenditures in State Department: William W. Rucker, of Missouri; W. Turner Logan, of South Carolina.

Expenditures in Treasury Department: R. Walton Moore, of Virginia; William B. Bankhead, of Alabama.

Expenditures in War Department: Edward B. Almon, of Alabama; Ewin L. Davis, of Tennessee.

Expenditures on Public Buildings: Zebulon Weaver, of North Carolina; John R. Tyson, of Alabama.

Flood Control: Benjamin G. Humphreys, of Mississippi; Riley J. Wilson, of Louisiana; Herbert J. Drane, of Florida; Clay Stone Briggs, of Texas; William J. Driver, of Arkansas.

Foreign Affairs: Henry D. Flood, of Virginia; J. Charles Linthicum, of Maryland; Charles M. Stedman, of North Carolina; Adolph J. Sabath, of Illinois; Tom Connally, of Texas; W. Bourke Cockran, of New York.

Immigration and Naturalization: Adolph J. Sabath, of Illinois; John E. Raker, of California; Riley J. Wilson, of Louisiana; John C. Box, of Texas; Lilius B. Rainey, of Alabama.

Indian Affairs: Carl Hayden, of Arizona; William J. Sears, of Florida; Zebulon Weaver, of North Carolina; F. B. Swank, of Oklahoma; Ross A. Collins, of Mississippi; Hampton P. Fulmer, of South Carolina; Morgan G. Sanders, of Texas.

Industrial Arts and Expositions: Fritz G. Lanham, of Texas; William C. Lankford, of Georgia; Otis Wingo, of Arkansas; Morgan G. Sanders, of Texas; Joseph T. Deal, of Virginia; F. B. Swank, of Oklahoma.

Insular Affairs: Finis J. Garrett, of Tennessee; Christopher D. Sullivan, of New York; Benjamin G. Humphreys, of Mississippi; R. Walton Moore, of Virginia; William B. Bowling, of Alabama; Hallett S. Ward, of North Carolina; ——— ———.

Interstate and Foreign Commerce: Alben W. Barkley, of Kentucky; Sam Rayburn, of Texas; George Huddleston, of Alabama; Clarence F. Lea, of California; Paul B. Johnson, of Mississippi; Harry B. Hawes, of Missouri.

Invalid Pensions: William W. Rucker, of Missouri; Thomas H. Cullen, of New York; Ewin L. Davis, of Tennessee; Charles F. X. O'Brien, of New Jersey; Stanley H. Kunz, of Illinois.

Irrigation of Arid Lands: Carl Hayden, of Arizona; C. B. Hudspeth, of Texas; John E. Raker, of California; Homer L. Lyon, of North Carolina; ——— ———.

Judiciary: Robert Y. Thomas, jr., of Kentucky; Hatton W. Sumners, of Texas; Andrew J. Montague, of Virginia; James W. Wise, of Georgia; John N. Tillman, of Arkansas; Fred H. Dominick, of South Carolina.

Labor: Eugene Black, of Texas; William D. Upshaw, of Georgia; Ross A. Collins, of Mississippi; George K. Favrot, of Louisiana; Meyer London, of New York.

Library: Frank Park, of Georgia; Ralph Gilbert, of Kentucky.

Merchant Marine and Fisheries: Rufus Hardy, of Texas; Ladislas Lazaro, of Louisiana; William B. Bankhead, of Alabama; Ewin L. Davis, of Tennessee; Thomas H. Cullen, of New York; Herbert J. Drane, of Florida; Schuyler Otis Bland, of Virginia.

Military Affairs: William J. Fields, of Kentucky; Percy E. Quin, of Mississippi; Hubert F. Fisher, of Tennessee; William C. Wright, of Georgia; Philip H. Stoll, of South Carolina; Daniel E. Garrett, of Texas.

Mines and Mining: Otis Wingo, of Arkansas; Lilius B. Rainey, of Alabama; George K. Favrot, of Louisiana; F. B. Swank, of Oklahoma; Meyer London, of New York.

Naval Affairs: Lemuel P. Padgett, of Tennessee; Daniel J. Riordan, of New York; Carl Vinson, of Georgia; James V. McClintic, of Oklahoma; Guy E. Campbell, of Pennsylvania; James O'Connor, of Louisiana.

Patents: Ewin L. Davis, of Tennessee; Schuyler Otis Bland, of Virginia; Fritz G. Lanham, of Texas; William B. Bowling, of Alabama; William C. Hammer, of North Carolina.

Pensions: William D. Upshaw of Georgia; William C. Hammer, of North Carolina; John J. McSwain, of South Carolina; John E. Rankin, of Mississippi; Joseph T. Deal, of Virginia.

Post Office and Post Roads: Thomas M. Bell, of Georgia; Arthur B. Rouse, of Kentucky; James M. Mead, of New York; Lucian W. Parrish, of Texas; John H. Smithwick, of Florida; Rorer James, of Virginia.

Printing: William F. Stevenson, of South Carolina.

Public Buildings and Grounds: Frank Clark, of Florida; James C. Cantrill, of Kentucky; Frank Park, of Georgia; William W. Rucker, of Missouri; Fritz G. Lanham, of Texas; George K. Favrot, of Louisiana; Homer L. Lyon, of North Carolina.

Public Lands: John E. Raker, of California; Carl Hayden, of Arizona; Robert L. Doughton, of North Carolina; William W. Larsen, of Georgia; Patrick Henry Drewry, of Virginia; William J. Driver, of Arkansas; Ross A. Collins, of Mississippi.

Railways and Canals: Herbert J. Drane, of Florida; Thomas H. Cullen, of New York; William C. Lankford, of Georgia; Hallett S. Ward, of North Carolina; ——— ———.

Reform in the Civil Service: Eugene Black, of Texas; Homer L. Lyon, of North Carolina; Meyer London, of New York; ——— ———.

Revision of the Laws: R. Walton Moore, of Virginia; Rufus Hardy, of Texas; Alfred L. Bulwinkle, of North Carolina; John R. Tyson, of Alabama; John N. Sandlin, of Louisiana.

Rivers and Harbors: Samuel M. Taylor, of Arkansas; H. Garland Dupré, of Louisiana; James W. Overstreet, of Georgia; Joseph J. Mansfield, of Texas; John McDuffie, of Alabama; John J. Kindred, of New York.

Roads: Robert L. Doughton, of North Carolina; Edward B. Almon, of Alabama; William W. Larsen, of Georgia; R. Walton Moore, of Virginia; William J. Sears, of Florida; C. B. Hudspeth, of Texas; John N. Sandlin, of Louisiana.

Territories: Zebulon Weaver, of North Carolina; William C. Lankford, of Georgia; Edward B. Almon, of Alabama; Patrick H. Drewry, of Virginia; John E. Rankin, of Mississippi; William J. Driver, of Arkansas.

War Claims: Frank Clark, of Florida; John J. McSwain, of South Carolina; John N. Sandlin, of Louisiana; Charles F. X. O'Brien, of New Jersey; Bill G. Lowrey, of Mississippi.

Woman Suffrage: John E. Raker, of California; Frank Clark, of Florida; Christopher D. Sullivan, of New York; Thomas L. Blanton, of Texas; ——— ———.

Mr. MONDELL. Mr. Speaker, has the majority in making up its list——

Mr. GARNER. Before the gentleman asks the question may I make a statement touching the appointment of Mr. LONDON. The minority found when it came to make up its list that Mr. LONDON had not been appointed to committees by the majority and by looking over the precedents we found that both the Republican side and the Democratic side heretofore had by custom insisted upon the minority taking care of all the elements that might be in the Congress other than the majority, and we found it necessary to assign Mr. LONDON to the committees to which we have nominated him. I thought I owed it to the House to make that statement.

Mr. MONDELL. Has the minority followed the rule relative to the exclusive committees?

Mr. GARNER. We have, with two exceptions, and if the gentleman will permit I will tell him where those two exceptions were made. In the last Congress—and I think in the two preceding Congresses—the minority had exclusive committees by resolution of its own committee on committees, but we made two exceptions to that. One of them was the gentleman from Illinois [Mr. SABATH], whom we assigned to the Committee on Foreign Affairs and the Committee on Immigration. The other was the gentleman from New York [Mr. RIORDAN], who served on Rules and Naval Affairs. Now, since those gentlemen have been on those committees, I think, something from four to six years, we thought it would be rather unjust to take them off, since it was our custom always to leave a man on a committee who had served on it, if he desired to do so, but outside of those two we have adhered strictly to the rule laid down by the majority for the minority.

Mr. MONDELL. Mr. Speaker, so far as Mr. RIORDAN'S case is concerned, it seems to me there were some very good arguments and reasons in favor of modifying the rule, though I do not care to take the entire responsibility for modifying it or allowing it to be modified or violated. I had not intended personally to object to the naming of Mr. RIORDAN for two committee places, but other than that I feel I would not be justified on behalf of the majority to allow a further exception to what we think is a very proper and very reasonable rule. May I suggest to the gentleman from Texas that for the present he withdraw Mr. SABATH'S name? I do not care to offer an amendment to the list striking Mr. SABATH'S name from one or the other of the committees for which he has been named, because I do not know which committee Mr. SABATH would prefer to serve on, and I have no disposition to suggest to the minority how they shall place their Members. If the gentleman will withdraw Mr. SABATH'S name for the time being, I shall be very glad to take up the matter with Members of the majority and learn what their opinion is in regard to the matter.

Mr. GARNER. Let me say to the gentleman that I occupy the same position, probably, on this side that he does on that side. I have instructions from the Democratic caucus as to the committee assignments, and I would hesitate to assume the responsibility of withdrawing the name——

Mr. MONDELL. But it places me in a rather embarrassing position unless the gentleman does, for otherwise I shall be compelled to offer an amendment to strike Mr. SABATH'S name from one of those two committees; and I have no means of knowing which committee Mr. SABATH would prefer to serve on. If his name is withdrawn for the time being, it can have further consideration.

Mr. GARNER. I am in the same position the gentleman from Wyoming is. I do not care to assume the authority and violate the express directions of the Democratic caucus, whatever might be my views in the premises.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SISSON. Will the gentleman yield a moment? My understanding of the request of the gentleman is this——

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. MONDELL. The gentleman from Texas has the floor.

Mr. COOPER of Wisconsin. Will the gentleman please tell the House, or me at least, what particular rule is involved in the discussion between the gentleman from Wyoming and the gentleman from Texas?

Mr. GARNER. The gentleman from Wisconsin probably does not know that the Republican majority in their conference passed a rule by which they provided for what is known as exclusive committees, naming 10, providing that any Member who served on one of those committees could not serve on another committee, and among them was the Committee on Foreign Affairs and the Committee on Naval Affairs.

As I stated a while ago, Mr. SABATH, for the past six years, as I recall it—I do not know the exact time—has been on both the Committee on Foreign Affairs and the Committee on Immigration and Naturalization. I am informed that he has been on Immigration for 14 years. It has been the invariable custom of the Democrats not to take a man off of the committee unless he desires to be taken off.

Mr. MONDELL. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. MONDELL. The majority did that in making up committees. Some six or seven gentlemen who were on some of the exclusive committees were taken from a second committee.

Mr. GARNER. I have just explained to the gentleman that when we had the exclusive committees it applied to the majority alone and not to the minority. But when it applied to our own committees, we made the exception that I have referred to. With the gentleman from Illinois [Mr. SABATH] and the gentleman from New York [Mr. RIORDAN] we violated our own rule in that particular, and came in and explained to the caucus the reason why. I think that since we have adhered to the rule religiously in every other instance, except where two of our Members had been serving for a long time on two of these committee, and we had made the exception ourselves, you might grant us this.

Mr. MONDELL. Will the gentleman allow me?

Mr. GARNER. Certainly.

Mr. MONDELL. I have consulted with quite a number of the members of the majority relative to the case of Mr. RIORDAN, and, while there is some difference of opinion, I felt there was sufficient opinion on the majority side favorable to the Riordan case that I was justified in allowing it to pass without making an exception, so far as I am concerned. But I did not know that the minority intended to place another man on two committees, one of those committees being an exclusive committee.

I have not consulted any of the Members of the majority in regard to it, and therefore it becomes my duty, unless the gentleman withdraws the name, to make a motion striking the gentleman's name from one of the committees for which he has been nominated.

Mr. GARNER. Let me say to the gentleman from Wyoming that I know it was Mr. KITCHIN'S intention—he has been very busy—to consult the gentleman from Wyoming and explain the situation to him before this committee list came in.

Mr. SISSON. As I understood the gentleman a moment ago, he put the proposition alternatively that we pass over Mr. SABATH'S name until he had an opportunity to consult with his friends on that side and that the matter might be brought up at a future date, and they might agree to it.

Mr. MONDELL. I will make no promises, of course.

Mr. SISSON. I did not understand the gentleman to make a promise. I am trying to accommodate the matter if I can. Therefore——

Mr. MONDELL. At this time I am inclined to make the motion.

Mr. SISSON. In other words, if the matter shall go over as far as Mr. SABATH is concerned, without your being consulted——

Mr. MONDELL. I make no promises that we shall arrive at a different conclusion, but, at least, it will relieve the situation for the present and give us an opportunity to think it over.

Mr. GARNER. Let me say, if I may, that I have talked with some of the Members who are sitting around me for the moment, including the gentleman from Illinois [Mr. SABATH], whose name is involved in the matter, and after the explanation we have made I feel I would be justified in withdrawing his name from both committees temporarily, and then we can assign him at a later date.

Mr. GOOD. I do not quite understand the situation. If the gentleman from Illinois [Mr. SABATH] must withdraw from one of these committees, I do not understand why Mr. RIORDAN does not come under the same rule. [Applause on the Republican side.] Mr. RIORDAN is on more important committees than Mr. SABATH. Why are you going to make fish of one and fowl of the other? Why violate the rule in one case and then

because a few Members over here want to promote Mr. RIORDAN permit the promotion to go on? Let us enforce the rule or let us grant Mr. SABATH the position that the caucus has given him. It seems to me we can not say to Mr. RIORDAN, "You shall occupy a position on the Committee on Rules, regarded as one of the most important committees of this House, and that you shall also, in violation of the rule, occupy a place on another committee." Now, if we do that, it is a clear violation of the rule.

Mr. REAVIS. If we violate the rule, we ought to be given some reason for it.

Mr. GOOD. Absolutely. I think Mr. RIORDAN'S name ought to be temporarily withdrawn.

Mr. MONDELL. I think, so far as I am concerned, that there are some good reasons why we may agree to allow Mr. RIORDAN to serve on the two committees, but I have no disposition to control in the matter at all. I shall not make the motion myself, and I take that position after consulting with many Members on the majority side.

Mr. REAVIS. Would it be any embarrassment to state to the membership, who have not been consulted, the reason why the rule should be violated in case of Mr. RIORDAN?

Mr. MONDELL. There are quite a number of reasons, I will say to the gentleman. I do not know that it is necessary to go into them at this time. The minority leaders have been quite earnest in the matter, I may say.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Wyoming, representing the majority, what action has been taken by the majority side that leads him to refrain from making objection in Mr. RIORDAN'S case.

Mr. MONDELL. No formal action has been taken by the majority in the case, and, so far as the "gentleman from Wyoming" is concerned, if the gentleman from Massachusetts desires to make a motion, of course he has the right to do it.

Mr. WALSH. The gentleman from Wyoming is representing the majority side, and I wondered if there had been any action taken by the majority, or by a majority of the majority, which led the gentleman to make the exception.

Mr. MONDELL. There was not, but the gentleman from Wyoming was notified and advised by the minority that this was the only exception that they desired to make, and they seemed to think that there were very good reasons why this one exception should be made.

Mr. DYER. Mr. Speaker, a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. DYER. Or, rather, I would like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. What is the question before the House?

The SPEAKER. A resolution submitted by the gentleman from Texas [Mr. GARNER].

Mr. MANN. Mr. Speaker, will the gentleman from Texas yield me a few minutes?

Mr. GARNER. Certainly. I yield to the gentleman five minutes.

Mr. MANN. Mr. Speaker, when the rule was adopted providing for the election of committees by the House, instead of the appointment of committees by the Speaker, the Democrats were in control of the House. By their caucus they provided that the Democratic members of the Committee on Ways and Means, whom they selected in caucus, should be their committee on committees. Mr. UNDERWOOD, now the distinguished Senator from Alabama, was the former leader of the House and the chairman of the Committee on Ways and Means that was to be and I was the minority leader. I was notified by the Democratic leadership that I could make up the list of the Republican members of the committees with certain restrictions, which were named to me, and submit it to Mr. UNDERWOOD, to be presented to the Democratic members of the Committee on Ways and Means. I was notified that certain appointments could not be made.

Mr. GARNER. Mr. Speaker, will the gentleman yield just there, if it will not interrupt him?

Mr. MANN. Certainly.

Mr. GARNER. Will the gentleman mind saying just exactly what the exceptions were? If I recall, there was only one exception.

Mr. MANN. I do not propose to name anybody, Mr. Speaker. What I state is strictly correct. The list was submitted and passed upon, I was told, by the Democratic members of the Committee on Ways and Means.

The same course was pursued in the next Congress. In one Congress, as I recall—although I may be mistaken about that—the Democratic majority themselves selected certain members of the minority membership of the Committee on Rules. When the distinguished gentleman from North Carolina [Mr. KITCHIN] became chairman I submitted my list, or offered to submit my list to him—I do not remember whether I actually submitted it or not—but prior to that time the Democratic leader moved the selection of all members of committees, including vacancies. I was not given the opportunity or the right to move the election of any member of a committee, although, of course, I could have exercised that right; but I was told that in order to have a Republican Member elected on a committee the motion must come from the majority side of the House. I acquiesced in that. I believed it was right and proper. The majority of the House is responsible, in the end, even for the appointment of committees. When Mr. KITCHIN became the leader on the Democratic side, as I recall, although my memory is not very fresh on the subject, I offered the resolution for the appointment of the Republican members of the committees. So that the history of the movement has been that the majority is responsible even for the selection of minority members of committees in the end.

Now, the majority this time, through its committee on committees, whose action was ratified in this particular by the Republican conference, provided that certain committees should be exclusive, and that no Member appointed on one of those committees should be appointed on any other committee. It may be proper to make an exception, but in my judgment the Republican conference having passed upon the question, if an exception is made, the exception should be passed upon by the Republican conference. [Applause on the Republican side.] And unless the gentleman from Texas [Mr. GARNER] will withdraw the names of both Mr. SABATH and Mr. RIORDAN, I shall be compelled to offer an amendment striking their names out at this time, and then if the minority desire these gentlemen to be elected to these committees I am perfectly willing to have it acted upon by the Republican conference immediately, and it may be that the Republican conference will allow it. But I supposed that when we notified the minority of the rule adopted that rule would be followed by the minority.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. GARNER. The gentleman realizes the position that I occupy?

Mr. MANN. I do.

Mr. GARNER. I am here as the agent of the Democratic caucus nominating Members for assignment as Democrats on the various standing committees. Now, the result would be the same if I agreed to it or if the gentleman made a motion to strike them out; but I prefer——

Mr. MANN. No; the difference is——

Mr. GARNER. Not to take the responsibility of striking their names off the list.

Mr. MANN. So far as the responsibility is concerned, that does not bother me in the least.

Mr. GARNER. It bothers me.

Mr. MANN. But it would seem to be more of a reflection on the Member to strike his name out by a motion than to withdraw it awaiting future action.

Mr. GARNER. I agree that it would be more harmonious and would leave a better taste in the mouth to withdraw them for future action than it would if you removed them, but I will probably get a lot of skin kicked off various parts of my body by doing it. [Laughter.]

Mr. MANN. If the minority desires a contest of that sort, we can not help it.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes. I yield five minutes to the gentleman from Tennessee.

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I never have had any official connection with the selection of the minority members of the committees, and, of course, none with the selection of the majority members. I do not know what limitations the gentleman from Illinois [Mr. MANN] refers to as having been placed upon him during the first recent Congress that was under Democratic control.

It has always been my understanding—the gentleman from Illinois [Mr. MANN] has more intimate knowledge of that than I have, because I have only heard as a rumor—that the only limitation or restriction which was placed upon him as minority leader in selecting minority committee members was as to a single Member, and that that was placed for delicate personal reasons. I think the gentleman from Illinois [Mr. MANN] is quite proper in not referring to that Member by name, and I do not wish to use any name. Outside of that I have never

known, at any time during the period when the House was in Democratic control, of there being the slightest interference with the minority forming its battle line in whatever way it chose.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Ohio.

Mr. LONGWORTH. Was not the restriction made to which the gentleman from Illinois [Mr. MANN] refers, that he as the minority leader had to submit his list for any correction that the majority saw fit to make?

Mr. GARRETT of Tennessee. The list was not submitted for correction. It was submitted for nomination.

Mr. MANN. They were submitted for correction and approval.

Mr. LONGWORTH. The whole thing was submitted for correction and approval.

Mr. GARRETT of Tennessee. Was there ever a change made?

Mr. MANN. They were so well made up that nobody suggested a change on either side.

Mr. GARRETT of Tennessee. There never was a change made. The Democratic majority never attempted to select any minority member of a committee.

Mr. MANN. How about the Committee on Rules in one Congress?

Mr. GARRETT of Tennessee. The only occasion that I recall when there was a contest over minority membership upon the Committee on Rules was when the gentleman from Illinois [Mr. MANN] had submitted to the majority the name of our present honored chairman of the Committee on Rules [Mr. CAMPBELL of Kansas], when some gentleman upon that side of the House nominated another gentleman from Kansas [Mr. MURDOCK] against Mr. CAMPBELL, and this side of the House, under the leadership of Mr. UNDERWOOD, took the position that the minority having clothed the gentleman from Illinois [Mr. MANN] with authority to make selections should follow his lead. This side of the House voted unanimously for Mr. CAMPBELL of Kansas, and sustained the minority leader in his nomination.

Mr. BUTLER. No; not unanimously.

Mr. MANN. That is not the case I speak of. It is another case.

Mr. GARRETT of Tennessee. That is the only case that I know anything about.

Mr. MANN. The gentleman is a member of the Committee on Rules, and ought to know who constituted the Committee on Rules four years ago, and how they were selected.

Mr. BUTLER. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. Did I understand the gentleman to say that in that contest the majority side voted unanimously for the gentleman from Kansas [Mr. CAMPBELL]?

Mr. GARRETT of Tennessee. That is my recollection. Certainly as a party we did.

Mr. BUTLER. But not unanimously.

Mr. GARRETT of Tennessee. Now, Mr. Speaker, of course, we shall have to bow to this Republican caucus rule. The majority can do what it chooses, but I courteously submit that the respectful resolution which was sent to the Republican caucus by the Democratic caucus voiced the correct principle, and that this caucus rule which the majority has laid down and which it proposes to enforce is an unjust invasion of the rights of the minority. Why is it? Our situation is very different from what yours was and is. We have a small minority. We have certain committees upon which there are experienced men to deal with important questions. The Rules Committee is not a legislative committee. There can be no reason for confining a man to service upon the Rules Committee alone. In only two instances has there been a proposed violation by the minority committee on committees of that rule which your caucus arbitrarily laid down. Those are the cases of two experienced men whose services we need in the places to which they have been assigned—Mr. RIORDAN and Mr. SABATH.

Mr. DYER. Mr. Speaker, will the gentleman yield for a question?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. DYER. Is it not a fact that this matter is brought before the House at this time and in this way, so far as the gentleman from New York [Mr. RIORDAN] and the gentleman from Illinois [Mr. SABATH] are concerned, in placing them upon both committees, for the purpose of entering a protest against the action of the Republican caucus and nothing more?

Mr. GARRETT of Tennessee. Oh, no. These two gentlemen have been on those committees for many years. Personally, I do enter a protest against the action of the Republican caucus. I think it is unfair to the minority. I am very much surprised.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. I should like two minutes more.

Mr. GARNER. I yield two minutes more to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Here a few days ago the Republican Party, with a majority of 170 in the House, admitted that they could not correct a blunder upon a tax bill that they themselves admitted they had made before. Now you come in and with only 131 Members here on the minority side you seem to be so absolutely afraid of us that you will not let us form our battle line in the way that we choose, even with that small number. This has never been done before since the present system of selecting committees has obtained. Except in the instance which the gentleman from Illinois has mentioned, which was a delicate personal thing, we never interfered, so far as I know, with the make-up by the Republicans of the committees in whatever way they chose, and I insist that we have the same right now, and we are justified in entering our protest against that sort of a proceeding.

Mr. MANN. Will the gentleman yield?

Mr. GARRETT of Tennessee. I yield.

Mr. MANN. The gentleman from Texas [Mr. GARNER] a while ago stated that having examined the precedents he found that it was the duty of the minority side of the House to assign the Members who represent only a small number or group. I have not recently examined the precedents, but I remember very well that the Democratic majority told me where certain Members in independent groups, or one Member of a group, should go on committees, not leaving it to the minority at all.

Mr. GARRETT of Tennessee. Does the gentleman refer to the period when there was a Progressive Party recognized as such in the House?

Mr. MANN. I refer particularly to the period when there was one Socialist Member of the House. I was told where to put him, and without protest did so. I thought they had the right.

Mr. GARRETT of Tennessee. I would say that I do not suppose there would be any objection to the gentleman placing the single Socialist Member now if he chooses to do so. We have done that. There has never been complaint about that. The gentleman from Texas [Mr. GARNER] merely made that as an explanatory statement. That has nothing to do with the principle involved here.

Mr. MONDELL. Will the gentleman from Texas yield me five minutes?

Mr. GARNER. Yes; I yield to the gentleman from Wyoming five minutes.

Mr. MONDELL. Mr. Speaker, gentlemen have asked why I have concluded not to object to the exceptance to the rule relative to the exclusive committees in the case of Mr. RIORDAN. The reasons, to a certain extent, are personal, presented very strongly from the minority side from sources that I felt entitled to consideration. Before, however, I agreed that I should not personally object to Mr. RIORDAN serving on two committees I talked with quite a number of gentlemen on the majority side, including the only Member on our side who might be personally affected or embarrassed by the action. He very kindly and generously said that he did not care to be considered in the matter, and if it was concluded wise to make the exception he should offer no objection. Under the circumstances, after consulting with quite a number of my colleagues, I concluded that perhaps out of deference to the wishes of the minority leader and other Members on that side we might perhaps properly waive the rule in this one instance.

However, my understanding then was that that was the only request that would be made. Now, I must abide by, and I shall abide by, the understanding that I had with the minority leader. I feel it my duty, however, to make a motion to strike the name of the gentleman from Illinois from one of the committees for which he has been named if, as I understand, the gentleman from Texas does not feel authorized or disposed to withdraw his name for the present and for further consideration by the majority.

Mr. GARNER. If the gentleman will yield, let me say that he is in error about that. I understood the gentleman from Illinois [Mr. MANN] to say that in case the names of Mr. RIORDAN and Mr. SABATH were not withdrawn he would be compelled to make a motion to strike them from the list. Now, I am not in a position to speak for the caucus; I can not act for it; but we are anxious to get the gentlemen onto these com-

mittees, and I think a little oil will be better than vinegar, and since the result would be the same and it might tend to make the way easier, I am inclined to take the road that will accomplish the most good. Mr. Speaker, I shall withdraw both the names of Mr. RIORDAN and Mr. SABATH. The result will probably be the same, as you gentlemen have the power, and might makes right, according to the philosophy of some gentlemen. Mr. Speaker, I ask unanimous consent to withdraw the names of Mr. SABATH and Mr. RIORDAN from the resolution.

Mr. GARRETT of Tennessee. Let me remind my colleague that the gentleman from New York [Mr. RIORDAN] has been elected a member of the Committee on Rules, and I understand the gentleman merely withdraws his name from the Committee on Naval Affairs.

Mr. GARNER. Yes.

The SPEAKER. The names of Mr. RIORDAN and Mr. SABATH have been withdrawn, and the question is on the resolution.

The resolution was agreed to.

EXPENSES INCIDENT TO FIRST SESSION OF SIXTY-SEVENTH CONGRESS.

Mr. GOOD. Mr. Speaker, I call up the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, and ask unanimous consent for its consideration.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read the Senate amendment.

Mr. GOOD. Mr. Speaker, the Senate in reorganizing its committees has made some changes in its clerical assistance. While this amendment adopted by the Senate carries considerable new money, it also allows appropriations aggregating approximately $500,000 carried for the next year to lapse. For example, it carries in the first paragraph of the amendment a total of $73,000 for compensation for clerks and assistant clerks, and so forth, of various committees. It also carries only $392,000 for clerical assistance to Senators, whereas the law carries $436,800 for clerks to Senators who are not chairmen of committees which will lapse.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. The gentleman has just said that the legislative bill carried such clerical assistance. How much assistance was allowed each Senator or what number of employees?

Mr. GOOD. I do not know; it has been changed very materially. This matter only involves one amendment and it is all for Senate employees and assistants. The Senate did not change the bill as it passed the House. The only amendment being a matter peculiarly within the province of the Senate is a matter that the House has never interfered with.

Mr. BYRNS of Tennessee. I understand that, but I wanted to know what action the Senate had taken in changing the legislative enactment, or rather changing the provisions in the legislative bill providing for assistance. My recollection was that in the legislative bill passed at the last session Senators were each allowed four clerks—to those Senators not chairmen of committees. I can not understand why this amendment was offered in the Senate unless it proposes to increase the salaries of these assistants.

Mr. GOOD. The Senate has reorganized their committees, and, as I understand, the item carried for clerks and assistant clerks to Senators not chairmen of committees in the legislative bill for next year was $436,800. This amendment which they adopted for these clerical places amounts to $392,000, or a reduction of $44,800.

Mr. BYRNS of Tennessee. What is the change in the appropriation with reference to assistants of committees; the gentleman stated a while ago that the amendment carried $73,000.

Mr. GOOD. This is for clerical assistants to Senators not chairmen of committees.

Mr. BYRNS of Tennessee. I understand. The gentleman made some statement about an appropriation of $73,000.

Mr. GOOD. The first part of the amendment, I think, takes up practically all of them. They have given up nothing. They provide for an annual compensation of a clerk at $2,500; assistant clerk, $1,600; assistant clerk, $1,500; additional clerk, $1,200, and for the several committees, totaling $73,949.

Mr. BYRNS of Tennessee. Is it not a fact that when both accounts are taken into consideration the Senate has increased the appropriation over that provided for in the legislative bill?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. In what amount?

Mr. GOOD. The decrease, as I get it, is $57,800. I have not footed up the increases, but there is one item of $73,949, another of $1,600, another of $5,000, another of $3,600, and another of $3,240.

Mr. BYRNS of Tennessee. Then, as a matter of fact, we are confronted with this proposition—and I understand the position of the gentleman. Of course, it has always been the uniform custom to permit the Senate to arrange for its own personal help.

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. But, as a matter of fact, the Senate by this amendment to the deficiency bill has increased the appropriation provided for clerical assistance to Senators in the sum of something over $20,000 over and above the amount allowed in the legislative bill which was passed only in the latter part of February.

Mr. GOOD. Yes. I should think considerably over $20,000. I will say to the gentleman that personally I do not believe there is any excuse for it.

Mr. BYRNS of Tennessee. I know the gentleman's position.

Mr. GOOD. I think they have enough, but the House has never passed on that matter. If we should disagree to the amendment we would go over and then the conferees would come back and move to recede from our disagreement and concur.

Mr. BYRNS of Tennessee. But the situation is just this: I understand the gentleman does not propose to make an objection and I am not making any criticism whatever of the gentleman, because I know perfectly well his individual opinion.

Mr. GOOD. The gentleman from Tennessee would do the same thing.

Mr. BYRNS of Tennessee. Exactly; I have no doubt of that; but the situation is this, that by reason of the fact that it was necessary to pass a deficiency appropriation bill providing for stationery and certain allowances for this Congress, the Senate has added to that deficiency bill an appropriation of more than $20,000 in excess of that which was allowed regularly in the legislative appropriation bill for clerical assistance for the next fiscal year.

Mr. GOOD. Yes; and I will say to the gentleman that we gave them an excuse. We did the same thing and the minority side came in with an additional appropriation for one of its employees.

Mr. BYRNS of Tennessee. It amounted only to a difference of $300 in the fiscal year, as the gentleman knows.

Mr. GOOD. I know; it was a small amount, but it opened the doors.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. FLOOD. Did the Senate increase the number of clerks assigned to Senators or the salaries of those they already have?

Mr. GOOD. It is impossible to tell from the amendment. My thought is that they have increased the number, but they may have increased some salaries also. I do not think so, but you can not tell from the amendment.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. WINGO. Of course, I agree with the gentleman that the House should not interfere with the Senate in handling their clerical force, but if the gentleman will permit, if such a reorganization scheme is going to be adopted all the way around, I shall lose hope of having any genuine economy in reorganization. As I understand it, they have reorganized the committees of the Senate under the plea of economy and efficiency. Let us hope that the reorganization of the other branches of the Government will not result in the same increased expenditures and burdens on the Treasury. I appreciate the delicate situation in which the gentleman from Iowa finds himself, and I would do as he does. Each House ought to control its own clerical force, but I hope this is not to be the rule in respect to the other reorganizations.

Mr. WHEELER. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. WHEELER. Did I understand the gentleman to say that the Senate never interfered with the employees of the House?

Mr. GOOD. The Senate does not.

Mr. WHEELER. I recall, however, an amendment which I introduced several sessions ago providing for the increase of secretaries to Members and that the Senate objected, though they did finally recede.

Mr. GOOD. To be absolutely fair in that matter, I think some one at that time who was a Member of the House asked that the Senate take the action which the Senate subsequently did take, and the Senate took that action very reluctantly, and it was stated at the time that it was done only because of a request on the part of Members of the House.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MACGREGOR. Is there anything in this bill which takes the jurisdiction away from the Committee on Accounts in respect to clerks and employees of the House?

Mr. GOOD. Oh, no; the Senate amendment does not deal with House items at all.

Mr. MACGREGOR. I mean the original bill?

Mr. GOOD. Not at all. The only thing the House bill provided for was additional compensation provided for by certain House resolutions, so far as the clerks of the House were concerned, and the bill carried the money to provide for that force.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

Mr. GOOD. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

GROVER CLEVELAND BERGDOLL.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present the following resolution and ask for its immediate consideration.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 12.

Whereas one Grover Cleveland Bergdoll, recently convicted by Army general court-martial as a draft deserter and sentenced to confinement for five years in the United States Disciplinary Barracks at Fort Jay, N. Y., has escaped from confinement; and

Whereas charges are made, and there is reason to believe, that a plot and conspiracy existed among and between divers and sundry persons unknown to consummate the escape of the said Bergdoll from confinement under his said sentence: Therefore be it

Resolved, That a select committee of five Members of the House be appointed by the Speaker of the House to investigate and procure all facts relevant to fixing responsibility for said escape and for the failure to recapture the said Bergdoll, and particularly to determine whether relatives, friends, counsel, or attorneys of the said Bergdoll participated in a plot or conspiracy to effect or give aid to said escape or to prevent recapture; or whether officers, noncommissioned officers, or privates of the Army or other persons connected with the Army or with the administration of the said disciplinary barracks participated in a plot or conspiracy to effect or give aid to said escape or to prevent recapture or were derelict in the performance of any duty devolved or devolving upon them which contributed to making said escape possible or prevented or hindered recapture or made it more easy for the said Bergdoll to elude recapture.

That the committee so appointed may conduct such investigation by subcommittee or otherwise; that said committee or subcommittee may select is own chairman, may hold sessions during the recess of the House, may employ whatever assistance, either clerical or legal, it may deem necessary to aid in conducting said investigation, may administer oaths, may summon and compel the attendance of witnesses and the production of papers and documents, may employ a stenographer or stenographers to report the same, and have the reports of said hearings printed for use.

That any and all expenses in connection with such inquiry shall be paid out of the contingent fund of the House upon vouchers to be approved by the chairman of the committee.

That said committee shall report its findings to the House at the earliest possible date, together with such recommendations as it shall deem pertinent and advisable.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BLANTON. Mr. Speaker, reserving the right to object—and I do not think I shall object—will the gentleman from Kansas grant me a little time? I would like to have five minutes on this resolution.

Mr. CAMPBELL of Kansas. It had not been my intention to have very much discussion about it.

Mr. BLANTON. I desire to offer an amendment.

Mr. CAMPBELL of Kansas. I shall not yield to the gentleman for the purpose of offering an amendment.

Mr. BLANTON. Will the gentleman grant me five minutes' time on the resolution?

Mr. DYER. Mr. Speaker, I demand the regular order. I do not think it is fair that one Member should attempt to hold up the House in order to get time.

The SPEAKER. The gentleman from Missouri demands the regular order.

Mr. BLANTON. This is far-reaching legislation.

The SPEAKER. The regular order is demanded. Is there objection?

Mr. BLANTON. I asked the gentleman to permit me to ask a question. We have not much to do to-day.

Mr. SIEGEL. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is demanded. The question is, Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object——

The SPEAKER. The regular order has been demanded.

Mr. McCLINTIC. Will the gentleman yield for a question?

The SPEAKER. The gentleman can not yield now, the regular order having been demanded. Is there objection? [After a pause.] The Chair hears none.

Mr. GARNER. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will yield.

Mr. GARNER. Let me call the attention of the gentleman to this fact: I am not opposed to this resolution, and I do not suppose any gentleman in the House is opposed to it, but we are just beginning a new session of the Congress. Let me suggest to the gentleman that he amend his resolution so as to provide that not only the vouchers for the expenses of this investigation shall be signed by the chairman of the committee, but that they shall be audited also by the Committee on Accounts, and, moreover, that he ought to limit this expenditure, say, to $10,000. If it exceeds that amount, they can easily come back to the House and get a further allowance. But to open up the Treasury to the various investigating committees that may be created is bad policy, and the gentleman knows what we have had in the past along that line. I want to appeal to him that he frame his resolution that not only the chairman of the committee sign the vouchers but give the Committee on Accounts the right to audit those vouchers, because the gentleman heard the criticism of Mr. IRELAND on the floor of this House on committees not giving him that privilege, and I suggest that the gentleman limit the amount that they can expend at least to $10,000 also, and if it exceeds that amount they can come back to the House for further authority.

Mr. MANN. A parliamentary inquiry.

Mr. CAMPBELL of Kansas. I will yield to the gentleman for a parliamentary inquiry.

The SPEAKER pro tempore (Mr. WALSH). The gentleman will state his parliamentary inquiry.

Mr. MANN. This resolution not having been reported by the Committee on Accounts, does it not require consideration in the Committee of the Whole House on the state of the Union, the unanimous consent having been given, or in the House as in the Committee of the Whole House on the state of the Union?

The SPEAKER pro tempore. The Chair will state that unanimous consent having been given for the consideration of the resolution, that resolution being one that probably would be considered in Committee of the Whole House on the state of the Union, the Chair thinks the consent means that it shall be considered in the House as in Committee of the Whole House on the state of the Union.

Mr. MANN. Well, I understand. I have no objection to that at all. I understand that this resolution is now being considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. The Chair thinks that is proper under the unanimous consent given.

Mr. CAMPBELL of Kansas. Mr. Speaker, this whole question, which is a stench in the nostrils of every decent American citizen, has been before the country for a considerable period of time and has engaged the attention of the courts, of the War Department, and of the press. Bergdoll's escape reflects upon somebody very seriously. It has not been inquired into by a congressional committee, and of late many people have been of the opinion that a great question of this kind should have a congressional investigation. The resolution submitted was prepared by the gentleman from California [Mr. KAHN], the chairman of the Committee on Military Affairs. In a statement this morning before the Committee on Rules the gentleman from California estimated that the limit of cost would be within $10,000. It is not yet known just what assistance the committee will necessarily have to employ, but that it ought to be prepared to make a thorough investigation of all the phases of this question there is no doubt, and they should have every opportunity to make such an investigation as the facts may warrant as the committee advances with its work. I have no doubt but what the gentleman from Texas says will be done, that the vouchers for the expenses will be signed by the chairman of the committee and audited by the Committee on Accounts of the House.

Mr. MANN. The gentleman will not have any objection to providing that these accounts shall be approved by the Committee on Accounts?

Mr. CAMPBELL of Kansas. Not at all.

Mr. MANN. I expect to offer such an amendment.

Mr. CAMPBELL of Kansas. I have no objection to it.

Mr. McCLINTIC. Will the gentleman from Kansas yield?

Mr. CAMPBELL of Kansas. I will.

Mr. McCLINTIC. I have been informed—I do not know whether the information is correct or not—that the contract that was made by Bergdoll and the firm of attorneys of which

Maj. Ansell was a member is now before the Department of Justice. Would the committee appointed by the resolution have jurisdiction sufficient to get that contract from the Department of Justice and examine it?

Mr. CAMPBELL of Kansas. I am sure the committee would act discretely. They would not embarrass the Department of Justice by making public any matter that it has in view by offering it as testimony.

Mr. WINGO. Will the gentleman yield for a question there?

Mr. CAMPBELL of Kansas. Yes.

Mr. WINGO. My mind is not clear at the moment on the legal phase. Is the gentleman prepared to advise the House whether or not the calling of some person who might be guilty of the offense charged before this committee, and who testifies, might not grant to him an immunity against prosecution that the Department of Justice might wish to institute? Has the gentleman contemplated that difficulty? Is he prepared to advise the House in regard to it?

Mr. CAMPBELL of Kansas. I am not prepared to advise the House just what effect certain questions propounded to certain witnesses would have in this matter.

Mr. WINGO. I am in favor, of course, of bringing them to justice, but I was wondering if they were going to be given an immunity bath by appearing before this committee.

Mr. BLANTON. Will the gentleman yield me five minutes?

Mr. MANN. The gentleman can not yield time.

Mr. BLANTON. We are under the 5-minute rule.

The SPEAKER pro tempore. The time of the gentleman from Kansas [Mr. CAMPBELL] has expired.

Mr. POU. Mr. Speaker, briefly, the history of this resolution is as follows: A favorable report was authorized by the Committee on Rules, but after consideration the chairman of the Committee on Rules, acting upon authority from that committee, decided not to present the report to the House.

Now, Mr. Speaker, I have heard no reason to justify a change in the action taken by the chairman. I do not believe this is a proper subject for an investigation by this House, but it is a proper subject for investigation by the Department of Justice. Why not investigate the killing of Maj. Cronkhite? Why investigate this particular violation of law only? Now, a new administration has come into power. If anybody violates the law, the proper agencies exist to investigate and to prosecute.

The Department of Justice has agencies at its command which this House certainly has not, and I submit it is belittling the dignity of this House to create a select committee of five to investigate a plain violation of the law. However, the minority will not attempt to throw any obstacles in the way of the investigation, pursuing a course we have always pursued. If anybody has violated the law, and you can put your finger upon the man by an investigation of this kind, certainly we shall not try to prevent it. But I submit, Mr. Speaker, that it is a precedent that ought not to be set. If there was any suggestion that anybody was being protected under a former administration, that suggestion certainly can not be made now. The party in power had a clean sweep; you have got every agency of the Government from the highest to the lowest; or, at least, you will have in a very short while. If anybody ought to be in stripes, let the Department of Justice, let the courts of the country, let the grand juries investigate. It certainly is not the proper province of this House to erect a committee and dignify an offense of this kind by ordering an investigation when agencies already exist charged under the law with that particular duty. You talk about getting through with $10,000. That amount will be only a starter. I speak for myself only. I can not support the resolution, while, of course, I know it will be agreed to.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 2, line 22, after the word "committee," insert the words: "and by the Committee on Accounts."

Mr. MANN. That would simply provide that the vouchers must be approved by the chairman of the committee and also by the Committee on Accounts.

The SPEAKER pro tempore. The question is on agreeing to the amendment of the gentleman from Illinois.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I move to strike out, on page 2, beginning in line 10:

That said committee or subcommittee may select its own chairman.

The SPEAKER pro tempore. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 2, line 10, after the word "otherwise," strike out the words: "That said committee or subcommittee may select its own chairman."

Mr. MANN. I think the gentlemen who introduced the resolution have no objection to this. This is something that has never been done. I believe, on the whole, it is wiser to let the Speaker name the chairman of the committee than it is to let the committee possibly quarrel about who shall be its chairman.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. FIELDS. Mr. Speaker——

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. FIELDS] is recognized.

Mr. FIELDS. Mr. Speaker and gentlemen, I only want to submit a few observations in regard to this matter.

The chairman of the Committee on Military Affairs was directed by unanimous vote of that committee to ask the Committee on Rules for this resolution. That there was a conspiracy to get Bergdoll out of the country there is no doubt. It is only fair, however, to the Department of Justice to say, in passing, that that matter has not been entirely overlooked by the courts. The Federal court made an investigation of the matter, and up to this time there have been five convictions, including the mother of Bergdoll. The accused, as I now recall, have appealed their cases, and the appeals are pending. But lest the impression might go out, from some remarks that were dropped here a while ago, that the Department of Justice had not attempted to discharge its duty in this matter, I only wanted to call the attention of the House to the fact that up to this time there have been, as previously stated, five convictions for conspiracy in the escape of Bergdoll, including the mother of Bergdoll. That is all I have to say.

Mr. BANKHEAD. Mr. Speaker, I have an amendment that I wish to offer.

The SPEAKER pro tempore. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After the word "Accounts" in the Mann amendment add the following:

"*Provided*, That the expenses of said investigation shall not exceed the sum of $10,000."

Mr. KAHN. There is no objection to that.

Mr. BANKHEAD. If there is no objection to it, I do not desire to argue that amendment, Mr. Speaker.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: On page 1, line 1, after the word "*Resolved*," strike out line 1 and all of line 2 down to the word "to" and insert in lieu thereof the following: "That the House Military Affairs Committee be authorized."

Mr. BLANTON. Mr. Speaker, if this amendment should be adopted—and I am afraid it will not—I will then offer an amendment to perfect the balance of the resolution so that it would apply to the House Committee on Military Affairs.

Why should there be a special committee? We have a House Committee on Military Affairs—able and intelligent and with nothing to do practically.

Mr. WINGO. Mr. Speaker, will the gentleman yield for a question?

Mr. BLANTON. Yes; I yield.

Mr. WINGO. The gentleman may have overlooked this, that possibly each member of the Committee on Military Affairs has already had a trip to Europe and it might be desired to select other gentlemen who have not had such a trip. Why should the gentleman object to that?

Mr. BLANTON. That might possibly be the case. But, Mr. Speaker, the Committee on Military Affairs already has a secretary and an assistant secretary, and an appropriation was made providing it with three extra clerks, all of whom can wait on them. It has access to our official stenographers to committees, who receive $6,000 a year salary, to report their proceedings. It has very little to do, since the power to appropriate has been taken from it. Why should not our distinguished chairman of that committee make this investigation through his Committee on Military Affairs, with all its machinery already provided and

paid for out of the public exchequer, instead of a special new committee, with all of these new incidental expenses? If you are going to economize, if you are going to begin this new program of economy that you promised the people you would carry out, why not start it now?

Mr. MANN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Texas yield to the gentleman from Illinois?

Mr. BLANTON. Just in a moment. If the gentleman will help me get a few minutes more I will yield to him.

Mr. MANN. How many clerks did the gentleman say the committee had?

Mr. BLANTON. It has a clerk and three extra assistants. At least the appropriation bill provided the three extra assistants.

Mr. MANN. The gentleman's information is not correct. The Committee on Military Affairs has two clerks.

Mr. BLANTON. It had three in the last Congress.

Mr. MANN. It did not. The gentleman also said that the official stenographers to committees are paid to do work for the Committee on Military Affairs.

Mr. BLANTON. Is not that the case?

Mr. MANN. It is equally the case that they could do work for this special committee, so that the gentleman's two arguments have no relation to the facts.

Mr. BLANTON. Possibly the three extra clerks at $1,500 each were for the Senate Military Affairs Committee. Well, there is a Military Affairs Committee; there is no doubt about that. It has a clerk, paid for by the people's money; there is no doubt about that. It has an assistant clerk, paid for by the people's money. Will anybody question that? It has access to committee stenographers already on the roll. It has plenty of members able to make the investigation. This resolution provides for the employment of counsel, and evidence shows that the man most responsible for Bergdoll's escape is Gen. Ansell, and Gen. Ansell has already received a $15,000 fee from the people's money through the action of a committee in employing him as its counsel since Bergdoll escaped, and I do not want to see him receive any more.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, may I have a little more time?

Mr. MANN. Mr. Speaker, I want to ask that the gentleman may have two minutes more. I want to keep faith.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Texas may proceed for two minutes more. Is there objection?

There was no objection.

Mr. BLANTON. I want to see Bergdoll caught and brought back and put in the penitentiary. I want to see Germany give him up. As a military nation they have no right to hold a slacker. Everybody connected with his escape ought to be in the penitentiary, and we ought to get them there. But it is to the means of getting them there that I object. However, I shall vote for this resolution if it is the last chance to get Bergdoll, if it is the only chance we have. If we have to spend $10,000 to get him, I am going to vote to spend it. But I say that this expense is unnecessary, and you gentlemen who are committed to the new system of economy ought to vote to let our distinguished Committee on Military Affairs and its distinguished and able chairman take charge of this matter. They can do it at a merely nominal expense and save this $10,000 in the Treasury.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. KAHN. Mr. Speaker, I wish to oppose the amendment.

Mr. Speaker, it is not necessary to get excited about this thing. The Committee on Military Affairs has considerable work to do, as have also the clerk and the assistant clerk of that committee. They have considerable work to do, notwithstanding the statement of the gentleman from Texas [Mr. BLANTON], who knows nothing whatever of the work of the Committee on Military Affairs; and yet he makes extravagant statements on this floor which are not borne out by facts.

Now, the Committee on Military Affairs feel that this matter should be taken up by a select committee of the House, composed of gentlemen who are not on the Committee on Military Affairs. It is a very serious question that is involved. There are many angles to it. One bit of information that came to me the other day was to the effect that a lieutenant who had been in the emergency army, living out in Portland, Oreg., had made the statement that he recognized Bergdoll in Berberich, Baden, and called the attention of the military intelligence officers to the fact that Bergdoll was there. He suggested, I am informed, that efforts ought to be made to bring the slacker over to the American line.

The officers who were above this lieutenant suggested to him that he had better forget all about it. Now, it might be necessary to bring that lieutenant to Washington to testify. It might be necessary to bring quite a number of witnesses to testify. The Committee on Military Affairs are thrown into contact with the officers of the Army and the enlisted men of the Army frequently; in fact, constantly. It was thought by the members of the committee that this special committee of investigation would be better able to get at all the facts, because then nobody could find fault with the action of the committee on the score that we in the Military Affairs Committee were trying to cover up something or trying to protect somebody. I for one hope that this amendment of the gentleman from Texas [Mr. BLANTON] will not pass, and that the entire special committee shall be made up of Members of this House who are not connected with the Committee on Military Affairs. There are a great many things to be investigated.

It is not going to be an easy task to get at all the facts, but the committee should have full authority to send for persons and papers, to go into every fact as deeply as possible, and once and for all lay the responsibility for this escape on the proper persons. Throughout the country it has been customary for people who are opposed to our form of government, especially communists, syndicalists, and extreme radicals of that type, to say that there is one law in this country for the rich and another for the poor. They point to the Bergdoll case to show the correctness of their statement. They say that if this wealthy draft dodger had been a poor man there would have been no opportunity given him to make an escape, but that being a multimillionaire a way was found to place the opportunity within his reach. Let us stop any criticism of that kind by going to the very bottom of the facts in connection with this case. I hope that a select committee will be appointed to find out what these facts are. [Applause.]

Mr. WHEELER. Will the gentleman yield?

Mr. KAHN. I yield to the gentleman.

Mr. WHEELER. I should like to ask the chairman of the committee if he does not believe that the Department of Justice is doing all it possibly can about this Bergdoll case?

Mr. KAHN. I read the testimony that was taken in the court trial at Philadelphia, where five defendants were convicted of conspiracy in connection with one angle of the Bergdoll case. I read the testimony that was produced by the War Department through the Inspector General of the Army, and yet I feel that quite a number of things that ought to have been investigated were not brought out in any of those hearings.

Mr. QUIN and Mr. McKENZIE rose.

The SPEAKER. Does the gentleman from Mississippi [Mr. QUIN] desire to be recognized?

Mr. QUIN. Yes. I am for the resolution.

The SPEAKER. The pending question is the amendment of the gentleman from Texas [Mr. BLANTON].

Mr. QUIN. I do not care anything about the amendment. I am for the resolution.

Mr. McKENZIE. Mr. Speaker, I desire to add one word to what has already been said by my distinguished colleague [Mr. KAHN], the chairman of the Committee on Military Affairs, in opposition to the adoption of the amendment offered by the gentleman from Texas. I feel, however, that the distinguished chairman of the Committee on Military Affairs ought to be a member of whatever special committee may be selected by the Speaker. But there are reasons why we on the Committee on Military Affairs do not wish to undertake this investigation at this time. When we had the Army reorganization bill before this House all the Members who were present in the last Congress well remember the struggle that the Committee on Military Affairs had to put into that legislation a certain section providing for the classification of officers of the Army on the ground of efficiency, and we provided for class A and class B. Since that time some 300 officers in the Army have been placed in class B, and there has been very much criticism and complaint by them, they alleging that they had been discriminated against and retired from the service, while many inefficient officers had been retained.

Now, Mr. Speaker, Bergdoll was a military prisoner. He was in the custody of the Army of the United States, and he could only walk out from those prison walls by orders issued by men in the Military Establishment; and as one member of the Committee on Military Affairs I want this question sifted to the bottom, and if there is an officer in the Army of the United States, high or low, who can not give a reasonable excuse for being a party to this most infamous thing I want to see a report brought in here to that effect, and I want that officer or those officers summarily dismissed from the service of the United States. [Applause.]

Mr. BLANTON. Will the gentleman yield for a question?

Mr. McKENZIE. I yield to the gentleman from Texas.

Mr. BLANTON. As a great admirer of the distinguished gentleman from Illinois, I want to ask him if it is not a fact that Gen. Ansell appeared before the Military Affairs Committee as a witness on another matter and that not a single question was ask him about Bergdoll?

Mr. McKENZIE. I wish to say to the gentleman from Texas that when the Committee on Military Affairs made a short investigation backing up the resolution of the gentleman from California [Mr. KAHN], Gen. Ansell did not appear.

Mr. BLANTON. But he appeared on another matter in the last session.

Mr. McKENZIE. Gen. Ansell appeared in order to try to break down the law that I have just spoken of.

Mr. BLANTON. And not a question was asked him about Bergdoll.

Mr. McKENZIE. I did not happen to be present or perhaps I would have asked him some questions.

Mr. BLANTON. Somebody was present, surely.

Mr. KAHN. Will the gentleman yield?

Mr. McKENZIE. I yield to the gentleman from California.

Mr. KAHN. The resolution of investigation of the Bergdoll case was never before the Military Affairs Committee. It was before the Committee on Rules, and pending that it would have been presumptuous for any member of the Committee on Military Affairs to undertake to begin an investigation.

Mr. McKENZIE. My colleague is entirely right.

The SPEAKER. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question being taken, the amendment was rejected.

Mr. CAMPBELL of Kansas. Mr. Speaker, I offer an amendment, on page 2, line 3, after the word "barracks," to insert the words "or any other person."

The SPEAKER. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Kansas: On page 2, line 3, after the word "barracks," insert the words "or any other person."

The amendment was agreed to.

Mr. CAMPBELL of Kansas. I ask for a vote on the resolution.

The resolution was agreed to.

On motion of Mr. CAMPBELL of Kansas, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with an amendment the bill (H. R. 3707) making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available, in which the concurrence of the House of Representatives was requested.

The message also announced that the Vice President had appointed Mr. MOSES and Mr. PITTMAN members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the State Department.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. J. Res. 20. Joint resolution making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available; to the Committee on Appropriations.

COMMITTEE ON AGRICULTURE.

Mr. HAUGEN. Mr. Speaker, I offer a resolution and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Committee on Agriculture or such subcommittees as it may designate shall have leave to sit during the Sixty-seventh Congress and during the recesses of that Congress.

Mr. STAFFORD. Mr. Speaker, may the resolution be again reported? I think there is something lacking in it.

The resolution was again read.

Mr. STAFFORD. If the gentleman will permit, that is not the usual phraseology carried by such resolutions.

The usual phraseology is—

Authorized to sit during the sessions of the House.

The committee have the right to sit during the Congress. That is the purpose of the appointment of the committee.

Mr. HAUGEN. It may have been an oversight in drafting the resolution. I have no objection to inserting the words "during the sessions of the House."

Mr. WINGO. The resolution should be amended so as to read, "during the sittings of the House." In its present form the resolution does not mean anything.

Mr. CARTER. The committee have the right to sit now except during the recess.

Mr. HAUGEN. I ask that the resolution be amended as suggested by the gentleman from Arkansas [Mr. WINGO].

The SPEAKER. Will the gentleman from Arkansas state his amendment?

Mr. WINGO. That the committee may sit during the sittings of the House. My understanding is that the House does not understand the viewpoint of the gentleman from Iowa; he is under the impression that since the power of appropriating is taken away from the committee the committee can not meet. [Laughter.]

The SPEAKER. The Clerk will again report the amendment as modified.

The Clerk read as follows:

Resolved, That the Committee on Agriculture or such subcommittees as it may designate shall have authority to sit during the sessions of the House during the Sixty-seventh Congress and during the recess thereof.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MANN. Mr. Speaker, I am not going to object, but I would like to say a word about the resolution. When the Committee on Agriculture prepared the annual Agricultural appropriation bill it was necessary for it to sit during the sessions of the House. It was necessary for other appropriation committees which brought in appropriation bills to sit during the sessions of the House. It is not necessary in this Congress. I served on a committee in the House for 12 years, the Committee on Interstate and Foreign Commerce, which reported more important legislation during that time than any other committee of the House, and that committee never asked and never received the authority to sit during the sessions of the House. Its members did its committee work when the House was not in session, and when the House was in session its members were on the floor. They became important Members of the House because they attended to the duties and business of the House. There is not a single committee in this House, outside of the Appropriations Committee and the Ways and Means Committee, that can not easily perform all of its committee work when the House is not in session. It would be a great deal better for the committees and a great deal better for the House in maintaining a quorum if the committees were required to meet at 10 o'clock in the morning and on the days when the House was not in session, instead of constantly adopting the practice of staying away when the House is in session and doing departmental work when they ought to be meeting in committee. Now, Mr. Speaker, having relieved my mind on this subject, as far as this resolution is concerned, I am not going to object.

Mr. HAUGEN. Mr. Speaker, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I can not agree with the gentleman from Illinois, with whom I usually am in accord, on these matters. I think the Committee on Agriculture, although it has been stripped of the power of appropriating, has still a great power in the House and a great work to do. As a matter of fact, one excuse for not heretofore bringing in much-needed legislation is that they have been so busy with the appropriation bills that they did not have an opportunity to formulate and bring in those measures. I want to say to the gentleman from Iowa that I hope he will get this privilege, and that his committee will utilize it in considering—and not be content with sitting one hour in the morning, but to sit continuously—a bill to abolish gambling in cotton and grain futures. One of the troubles that affect the wheat market of Iowa and other markets in the wheat belt is that many times the wheat crop is sold each year on the wheat exchange in Chicago, and the gentlemen of this committee ought to bring in a bill that will correct that great evil. The same is true of cotton; many times the crop is sold on the cotton exchange by the gamblers and the price is depressed, and injuriously affects the cotton growers. It is true of other things than wheat and cotton, and I hope the gentleman's committee will take advantage of this and will speedily

formulate practical legislation that will put an end to these great evils.

I also hope the gentleman's committee will take up the great and pressing problem that some of us thought appeared about to be solved in the closing hours of the last session, and that is the packer legislation. Now, that it will not have its time taken up with appropriations, I hope the gentleman from Iowa and the gentleman from Kansas [Mr. TINCHER], who was elected to Congress on the issue of the packers, will certainly have time to redeem their pledges to protect the public by proper measures to regulate the packing industry of this country. I hope there will be no objection to this great committee sitting during the sessions of the House, so that it may bring in legislation on these important subjects. [Applause.]

Mr. HAUGEN. Mr. Speaker, an examination of the reports of the hearings before the committee will disclose the fact that the Committee on Agriculture sat from 9.30 or 10 in the morning until 5 to 7 in the evening on at least 100 days during the Sixty-sixth Congress, outside of the time devoted to the appropriation bill. We had witnesses from all over the country here at great expense, who were entitled to be heard.

The question is, Should we accommodate them, or would you have them wait and perhaps be denied a hearing by the committee? As a matter of justice to the people of the country, they are entitled to a hearing and the speedy consideration and passage of this resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. REED of New York, on account of illness.

RESIGNATION FROM A COMMITTEE.

The SPEAKER laid before the House the following communication:

APRIL 18, 1921.

Hon. FREDERICK H. GILLETT,
Speaker House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a minority member of the Naval Affairs Committee.

Respectfully,

GUY E. CAMPBELL,
Thirty-second Pennsylvania.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

HOSPITAL AT HOUSTON, TEX.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I have been requested by a post commander of the American Legion to call to the attention of the House a communication which I have sent to the Surgeon General relative to the awful condition existing in the hospital No. 25, in the Public Health Service, affecting about 800 soldiers from all parts of the country, many of whom are tubercular patients.

Mr. LINEBERGER. Where is that hospital located?

Mr. BLANTON. Houston, Tex. The matter submitted to the Surgeon General shows that they are dying there without proper attention. The American Legion has asked me through at least two of its post commanders to call the matter to the attention of Congress, hoping to get better conditions for these service men. The conditions are simply awful.

Mr. LINEBERGER. Mr. Speaker, will the gentleman yield for a question?

Mr. BLANTON. Yes.

Mr. LINEBERGER. Has the gentleman taken this matter up with the Public Health Service direct?

Mr. BLANTON. For eight months.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to insert the matter referred to in the RECORD.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, inasmuch as there are a number of Members of Congress who belong to the American Legion, I think it would be better to let them see what this communication is, for the reason that it occupies 10 pages of typewritten matter. I suggest that he withdraw his request for the present.

Mr. DYER. Mr. Speaker, I demand the regular order.

Mr. BLANTON. The officers at Indianapolis have wired me——

The SPEAKER. Is there objection?

Mr. McCLINTIC. I object.

ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3707. An act making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

DISPOSAL OF WAR TROPHIES.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. KAHN. Mr. Speaker, a great many Members have spoken to me about the disposal of the captured war trophies. I have introduced a bill, an omnibus bill, which will allow the trophies to be distributed by congressional delegations. I hope to be able to get action on the bill very soon and will bring it before the House as speedily as possible. [Applause.]

LEAVE TO ADDRESS THE HOUSE.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Speaker, on Friday last possibly some slight misapprehension occurred as the result of a colloquy between two or three of the Members and myself. I called attention to what I thought was a clerical error in the emergency tariff bill, leaving out the words "and lentils." It was suggested by a member of the committee that that was done by the drafting service after careful examination. The senior member of that service, who I suppose is still with the Committee on Ways and Means, accosted me and informed me that he was not responsible for that change and had not suggested it or had anything to do with it. His understanding was that the committee had done it. I supposed that the suggestion was correctly made and said that I suspected that the drafting service had a part in it, but I find that I am wrong. I do not want the impression to remain, if anyone remembers the occasion, that was then carried by my remarks. The drafting service was evidently not responsible for the omission of "and lentils." I hope now the error will be corrected.

DISPENSING WITH CALENDAR WEDNESDAY.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the House dispense with the consideration of business in order on Calendar Wednesday next. I make this request because we expect to have before the House the immigration bill and we may not be able to dispose of it on Wednesday. We may desire longer general debate than the Calendar Wednesday rule provides. It seems better to take the bill up under a rule rather than to take it up as a matter of Calendar Wednesday procedure.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MANN. Will there be any other business in order on Calendar Wednesday, now on the calendar?

Mr. MONDELL. I think not.

Mr. MANN. I have no objection to dispensing with Calendar Wednesday, though it is not necessary to dispense with it in order to bring up the immigration bill under the ordinary rules of the House, because it need not be called up on a call of a committee. A call of the committees having been completed, or there being no other bill on the calendar, Speaker Clark ruled, and correctly so, that the House might proceed to other business. There being no other House Calendar business, it would be in order at once to move to go into the Committee of the Whole House on the state of the Union for the consideration of the immigration bill.

Mr. MONDELL. Mr. Speaker, it is very much simpler to dispose of the Calendar Wednesday than to take up on Wednesday morning a long discussion that might ensue with regard to just how the rule might operate.

Mr. MANN. I do not think there would be any long discussion.

Mr. GARRETT of Tennessee. As I understand it, it is the purpose to bring the immigration bill up to-morrow?

Mr. MONDELL. My understanding is that the committee will not be ready to present the bill to-morrow.

Mr. GARRETT of Tennessee. Not until Wednesday?

Mr. MONDELL. Not until Wednesday.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, while I am on my feet may I request the majority Members to remain when the House adjourns?

Mr. FESS. Mr. Speaker, I ask unanimous consent that to-morrow, immediately after the reading of the Journal and disposition of any matter that is on the Speaker's table, I be permitted to address the House for 40 minutes on the subject of taxation.

The SPEAKER. The gentleman from Ohio asks unanimous consent to be permitted to address the House for 40 minutes to-morrow on the subject of taxation, immediately after the reading of the Journal and the disposition of the matters on the Speaker's table. Is there objection?

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman from Wyoming whether we may correctly assume that every effort will be made to bring before the House, as soon as possible, the bill in reference to sick and disabled soldiers, providing for the consolidation of the various agencies, and so forth? I ask that because of the many inquiries which come to me from the outside.

Mr. MONDELL. Mr. Speaker, we hope to bring that bill before the House promptly when the committee shall have reported it.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 19, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

28. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required for printing and binding for the Supreme Court, fiscal year 1921 (H. Doc. No. 13); to the Committee on Appropriations and ordered to be printed.

29. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture in connection with forest fires in national parks (H. Doc. No. 14); to the Committee on Appropriations and ordered to be printed.

30. A letter from the Secretary of the Treasury, transmitting deficiency and supplemental estimates of appropriations required by the Department of Justice for the service of sundry fiscal years (H. Doc. No. 15); to the Committee on Appropriations and ordered to be printed.

31. A letter from the Secretary of the Treasury, transmitting estimates of appropriation for the Chicago (Ill.) and Mobile (Ala.) Marine Hospitals (H. Doc. No. 16); to the Committee on Public Buildings and Grounds and ordered to be printed.

32. A letter from the Secretary of the Navy, transmitting draft of proposed bill to provide for reimbursement of steamship companies and others for advancements made during the late war to officers and enlisted men of the naval service on account of pay; to the Committee on Naval Affairs.

33. A letter from the Secretary of Labor, transmitting report of an accumulation of useless executive papers and asking authority for the disposition thereof; to the Committee on Disposition of Useless Executive Papers.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 4075) to limit the immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. BEEDY: A bill (H. R. 4076) increasing the limit of cost for a Federal building at Saco, Me.; to the Committee on Public Buildings and Grounds.

By Mr. BRAND: A bill (H. R. 4077) to construct a public building for a postoffice at the city of Madison, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 4078) increasing the limit of cost for a Federal building at McKees Rocks, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4079) to provide for the erection of a public building at Duquesne, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4080) to provide for the erection of a public building at Coraopolis, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: A bill (H. R. 4081) providing for the acquisition of a site for a public building at Starke, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4082) providing for the construction of a public building at Lake City, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4083) providing for the acquisition of a site for a public building at Monticello, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4084) providing for the acquisition of a site for a public building at Perry, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4085) providing for the acquisition of a site for a public building at Madison, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Ohio: A bill (H. R. 4086) to amend the interstate commerce act, approved February 28, 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4087) for the erection of a Federal building at Conneaut, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. DYER: A bill (H. R. 4088) to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

By Mr. FITZGERALD: A bill (H. R. 4089) creating the District of Columbia insurance fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by the United States Employees' Compensation Commission, and making an appropriation therefor; to the Committee on the District of Columbia.

By Mr. KAHN: A bill (H. R. 4090) to provide a Government-owned water service system for the Fort Monroe Military Reservation; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 4091) granting the consent of Congress to the Borderland Coal Corporation to construct a bridge across the Tug Fork of Big Sandy River, in Mingo County, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: A bill (H. R. 4092) increasing the pay of printers employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. REECE: A bill (H. R. 4093) to provide for the erection of a public building at Kingsport, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4094) to provide for the erection of a public building at Sevierville, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4095) to provide for the erection of a public building at Rogersville, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4096) to provide for the erection of a public building at Elizabethton, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 4097) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 4098) to amend an act entitled "An act to establish postal savings depositories for depositing savings at interest with security of the Government for the repayment thereof, and for other purposes," approved June 25, 1910; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4099) authorizing, empowering, and requiring postmasters of the United States to administer any and all oaths required under section 2 of an act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1913, and for other purposes," approved August 24, 1912 (U. S. Stats., pp. 539-560); to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 4100) making appropriation to carry out the provisions of an act entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," approved March 1, 1893; to the Committee on Appropriations.

Also, a bill (H. R. 4101) to authorize the construction of the Southern Lassen Reservoirs in Nevada and California for impounding the waters of the Little Truckee River and Long Valley Creek, and their tributaries, and for other purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 4102) to amend an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," approved July 17, 1916 (sess. 1, ch. 245, p. 360, 64th Cong.); to the Committee on Banking and Currency.

Also, a bill (H. R. 4103) making an appropriation to enforce the provisions of an act to regulate the sale of viruses, serums, toxins, and analogous products, and to regulate interstate traffic in said articles, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4104) making an appropriation, directing and empowering the purchase, preparation, and disposition free of cost of antirabic virus, to be used in the treatment of persons exposed to rabies, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4105) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

Also, a bill (H. R. 4106) to authorize the Supreme Court to prescribe forms and rules, and generally to regulate pleading, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

Also, a bill (H. R. 4107) exempting enlarged homesteads from liability for debt contracted prior to issuance of patent; to the Committee on the Public Lands.

Also, a bill (H. R. 4108) to create a bureau for the deaf and dumb in the Department of Labor, and prescribing the duties thereof; to the Committee on Education.

Also, a bill (H. R. 4109) making an appropriation for the destruction of animals affected with rabies or other animal diseases dangerous to the health of human beings as well as domestic animals, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4110) making an appropriation for the investigation of underground currents and artesian wells in California; to the Committee on Appropriations.

Also, a bill (H. R. 4111) for the protection and improvement of the Lassen Volcanic National Park, Calif., and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4112) to establish a standard box for apples, and for other purposes; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 4113) authorizing and directing the Public Printer to provide a pulp and paper mill or mills for the manufacture of print paper for the Government, and for other purposes; to the Committee on Printing.

Also, a bill (H. R. 4114) making an appropriation for the investigation, study, and testing of sagebrush and greasewood which may be used for producing rubber, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4115) for improvement of Sacramento River between Chico Landing and Red Bluff, Calif.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4116) to make accessible to the people the valuable scientific and other research work conducted by the United States through establishment of a national school of correspondence; to the Committee on Education.

Also, a bill (H. R. 4117) making an appropriation to purchase land for homeless Indians in California, and for other purposes; to the Committee on Appropriations.

Also, a bill (H. R. 4118) for the prevention of venereal diseases in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 4119) giving the courts in naturalization proceedings further powers and requiring additional facts to be shown before final naturalization papers are issued to applicants, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4120) authorizing the Pitt River and the Apwaraki Tribes or Bands of Indians of California to submit claims to the Court of Claims; to the Committee on Indian Affairs.

Also, a bill (H. R. 4121) to provide for an investigation and report as to the advisability of exchange of lands in national forests, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 4122) providing for the reuse of boxes, bags, or other packages by manufacturers of tobacco, snuff, and cigars, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 4123) to provide for the consolidation of forest lands in the Plumas National Forest, Calif., and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 4124) authorizing the Secretary of the Interior to provide relief and care of nonreservation Indians in California in destitute circumstances, and for other purposes; to the Committee on Indian Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 4125) to authorize the commitment of convicted persons to State penal farm; to the Committee on the Judiciary.

By Mr. SIEGEL: A bill (H. R. 4126) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 4127) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes"; to the Committee on the Judiciary.

By Mr. SINNOTT: A bill (H. R. 4128) restoring homestead rights to officers, soldiers, sailors, and marines who served in the United States Army or Navy during the war with Germany; to the Committee on the Public Lands.

By Mr. TILLMAN: A bill (H. R. 4129) to create the national board of rural industrial schools for mountain children, and for other purposes; to the Committee on Education.

Also, a bill (H. R. 4130) granting additional compensation to all officers and enlisted personnel of the Army, Navy, and Marine Corps, including nurses; to the Committee on Ways and Means.

By Mr. TOWNER: A bill (H. R. 4131) to amend an act entitled "An act to provide capital for agricultural development, to create standard forms of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. WHITE of Maine: A bill (H. R. 4132) to regulate the operation of and to encourage the development of radio communication in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. WILSON: A bill (H. R. 4133) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. YOUNG: A bill (H. R. 4134) to provide further for securing and disseminating information concerning the supply and demand in foreign countries for American agricultural products; to the Committee on Agriculture.

By Mr. BRIGGS: A bill (H. R. 4135) for the erection of a post-office building at Crockett, Tex., with an appropriation of $100,000 for such purpose; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 4136) to provide for marking the carcasses of goats with the words "goat meat"; to the Committee on Agriculture.

Also, a bill (H. R. 4137) to repeal that part of the Indian appropriation act approved April 21, 1904, which authorizes the exchange of public lands for private lands included within Indian reservations; to the Committee on Indian Affairs.

By Mr. RAKER: A bill (H. R. 4138) making it unlawful to board any passenger, freight, or other railway train used in interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. RUCKER: A bill (H. R. 4139) authorizing the acquisition of a site for a public building at Paris, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4140) authorizing the acquisition of a site for a public building at Salisbury, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4141) authorizing the acquisition of a site for a public building at Milan, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4142) to provide for the erection of a post-office building at Trenton, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS of Indiana: A bill (H. R. 4143) for an extension to the post-office building at Terre Haute, in the State of Indiana; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 59) for the relief of the widow of Herman A. Phillips, late an employee of the House of Representatives; to the Committee on Accounts.

By Mr. DYER: Resolution (H. Res. 60) requesting the Interstate Commerce Commission to make certain investigations regarding the present and future supply of tie timber; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Joint resolution (H. J. Res. 55) inquiring as to the rights of the Montauk Indians of New York; to the Committee on Indian Affairs.

By Mr. RAKER: Joint resolution (H. J. Res. 56) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 57) making the provisions of section 2296 of the United States Revised Statutes applicable to all entries made under the homestead laws and laws supplemental and amendatory thereof; to the Committee on the Public Lands.

By Mr. SABATH: Joint resolution (H. J. Res. 58) to authorize the entry and admission of Donal O'Callaghan and to permit him to remain in the United States; to the Committee on Immigration and Naturalization.

By Mr. RODENBERG: Concurrent resolution (H. Con. Res. 11), providing for the printing of 10,000 copies of the Biographical Congressional Directory; to the Committee on Printing.

By the SPEAKER (by request): Memorial of the Legislature of the State of Pennsylvania in connection with retirement of disabled Army officers; to the Committee on Military Affairs.

By Mr. CHRISTOPHERSON: Memorial of the Legislature of the State of South Dakota in connection with the exemption of national parks and monuments from the provisions of the water power act and against the Smith irrigation bill; to the Select Committee on Water Power.

By Mr. RAMSEYER: Memorial of the Thirty-ninth General Assembly of the State of Iowa, urging Congress to enact legislation to provide for the construction of a bridge across the Mississippi River between McGregor and Marquette (North McGregor) in the State of Iowa, and the city of Prairie du Chien, in the State of Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. REBER: Memorial of the Legislature of the State of Pennsylvania seeking retirement for disabled emergency officers of the Army; to the Committee on Military Affairs.

By Mr. WOODYARD: Memorial of the Legislature of West Virginia in reference to pensions; to the Committee on Invalid Pensions.

Also, memorial of the Legislature of West Virginia with reference to certain legislation in behalf of disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 4144) for the relief of Edward S. Farrow; to the Committee on Military Affairs.

By Mr. BEEDY: A bill (H. R. 4145) for the relief of Leonidas Sawyer; to the Committee on Claims.

By Mr. BENHAM: A bill (H. R. 4146) granting a pension to Vance K. Stewart; to the Committee on Pensions.

Also, a bill (H. R. 4147) granting an increase of pension to James H. Scroggins; to the Committee on Pensions.

Also, a bill (H. R. 4148) granting a pension to Howard Roman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4149) granting a pension to Poe H. Emery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4150) granting a pension to Samantha McCracken; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4151) granting a pension to Catharine Bindhammer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4152) granting a pension to Charles I. Ginter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) granting a pension to David M. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4154) granting a pension to Elizabeth Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4155) granting a pension to Cyrus W. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4156) granting a pension to Jessie Lockwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4157) granting an increase of pension to Wells Johnson; to the Committee on Invalid Pensions.

By Mr. BIXLER: A bill (H. R. 4158) to correct the military record of Thomas W. Duerner; to the Committee on Military Affairs.

By Mr. BLAND of Virginia: A bill (H. R. 4159) granting a pension to Thomas Purcell; to the Committee on Pensions.

Also, a bill (H. R. 4160) authorizing the Secretary of War to donate to the village of Wachapreague, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 4161) authorizing the Secretary of War to donate to the city of Madison, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4162) authorizing the Secretary of War to donate to the city of Lexington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4163) authorizing the Secretary of War to donate to the city of Covington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4164) authorizing the Secretary of War to donate to the city of Carnesville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4165) authorizing the Secretary of War to donate to the city of Hartwell, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4166) authorizing the Secretary of War to donate to the city of Washington, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4167) authorizing the Secretary of War to donate to the city of Watkinsville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4168) authorizing the Secretary of War to donate to the city of Greensboro, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4169) authorizing the Secretary of War to donate to the city of Monroe, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4170) authorizing the Secretary of War to donate to the city of Elberton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4171) authorizing the Secretary of War to donate to the city of Danielsville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4172) authorizing the Secretary of War to donate to the city of Eatonton, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4173) authorizing the Secretary of War to donate to the University of Georgia, Athens, Ga., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4174) for the relief of the estate of John H. Christy, deceased; to the Committee on Claims.

Also, a bill (H. R. 4175) for the relief of the estate of Joseph Hanserd; to the Committee on War Claims.

Also, a bill (H. R. 4176) for the relief of the estate of Henry E. Lawrence; to the Committee on Claims.

By Mr. BYRNS of Tennessee: A bill (H. R. 4177) granting an increase of pension to Augusta Louise Benzing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4178) granting a pension to John A. Tuttle; to the Committee on Pensions.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 4179) for the relief of Ida F. Baum; to the Committee on Claims.

By Mr. CLARK of Florida: A bill (H. R. 4180) to require the Secretary of War to cause to be made a survey for a canal from Cumberland Sound to or near the mouth of the Mississippi River, and to make full and complete report to Congress of the most feasible route and cost of construction; to the Committee on Railways and Canals.

By Mr. CLARKE of New York: A bill (H. R. 4181) granting an increase of pension to Catherine Leonard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4182) granting an increase of pension to Emma E. McCready; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 4183) granting a pension to William Sanderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4184) granting a pension to Delbert R. Spice; to the Committee on Pensions.

Also, a bill (H. R. 4185) granting a pension to Marion A. McCartney; to the Committee on Pensions.

By Mr. CODD: A bill (H. R. 4186) for the relief of Morgan Miller; to the Committee on Claims.

By Mr. COLLINS: A bill (H. R. 4187) granting a pension to Ignatz Welzbacher; to the Committee on Pensions.

By Mr. COPLEY: A bill (H. R. 4188) granting a pension to Vida V. Johnson; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 4189) granting an increase of pension to Hale F. Hamilton; to the Committee on Pensions.

Also, a bill (H. R. 4190) granting an increase of pension to William Newman; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 4191) authorizing the Secretary of War to donate to the city of Staunton, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4192) authorizing the Secretary of War to donate to the town of Lexington, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4193) authorizing the Secretary of War to donate to the town of Newcastle, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4194) authorizing the Secretary of War to donate to the town of Palmyra, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4195) authorizing the Secretary of War to donate to the city of Buchanan, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4196) authorizing the Secretary of War to donate to the city of Monterey, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FROTHINGHAM: A bill (H. R. 4197) granting an increase of pension to Nicholas Brady; to the Committee on Invalid Pensions.

By Mr. FUNK: A bill (H. R. 4198) authorizing the Secretary of War to donate to the city of Gibson City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4199) authorizing the Secretary of War to donate to the city of Paxton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4200) authorizing the Secretary of War to donate to the city of Piper City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4201) authorizing the Secretary of War to donate to the city of Chatsworth, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4202) authorizing the Secretary of War to donate to the city of Dwight, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4203) authorizing the Secretary of War to donate to the city of Fairbury, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4204) authorizing the Secretary of War to donate to the city of Forrest, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4205) authorizing the Secretary of War to donate to the city of Long Point, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4206) authorizing the Secretary of War to donate to the city of Odell, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4207) authorizing the Secretary of War to donate to the city of Pontiac, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4208) authorizing the Secretary of War to donate to the city of Atlanta, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4209) authorizing the Secretary of War to donate to the city of Mount Pulaski, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4210) authorizing the Secretary of War to donate to the city of Bloomington, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4211) authorizing the Secretary of War to donate to the city of Chenoa, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4212) authorizing the Secretary of War to donate to the city of Colfax, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4213) authorizing the Secretary of War to donate to the city of Leroy, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4214) authorizing the Secretary of War to donate to the city of Lexington, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4215) authorizing the Secretary of War to donate to the city of Normal, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4216) authorizing the Secretary of War to donate to the city of McLean, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4217) authorizing the Secretary of War to donate to the city of El Paso, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4218) authorizing the Secretary of War to donate to the city of Eureka, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4219) authorizing the Secretary of War to donate to the city of Minonk, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4220) authorizing the Secretary of War to donate to the city of Roanoke, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4221) authorizing the Secretary of War to donate to the city of Washburn, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUKRIEDE: A bill (H. R. 4222) granting an increase of pension to Annie Dougherty; to the Committee on Pensions.

By Mr. HARDY of Colorado: A bill (H. R. 4223) granting a pension to Sarah E. Dawson; to the Committee on Invalid Pensions.

By Mr. HICKS: A bill (H. R. 4224) granting an increase of pension to Anna B. McCurley; to the Committee on Invalid Pensions.

By Mr. JAMES of Michigan: A bill (H. R. 4225) granting a pension to Dorothy H. Volk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4226) to reimburse Clarence J. Vaughan, of Marquette, Mich., for money lost in registered letter; to the Committee on Claims.

By Mr. JONES of Pennsylvania: A bill (H. R. 4227) granting a pension to Hattie M. Weaver; to the Committee on Invalid Pensions.

By Mr. KELLER: A bill (H. R. 4228) authorizing the Secretary of War to donate to the city of St. Paul, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4229) authorizing the Secretary of War to donate to the town of North St. Paul, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4230) authorizing the Secretary of War to donate to the town of White Bear, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUHRING: A bill (H. R. 4231) to carry out the findings of the Court of Claims in the case of Abel J. Mosby; to the Committee on Claims.

Also, a bill (H. R. 4232) to carry out the findings of the Court of Claims in the case of William Harrow; to the Committee on Claims.

Also, a bill (H. R. 4233) to carry out the findings of the Court of Claims in the case of William Harrow; to the Committee on Claims.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 4234) granting an increase of pension to Sarah E. Muenscher; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 4235) granting an increase of pension to Sarah E. Lord; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4236) for the relief of Frank D. Peck; to the Committee on Military Affairs.

Also, a bill (H. R. 4237) for the relief of John J. Waters; to the Committee on Military Affairs.

By Mr. MEAD: A bill (H. R. 4238) to provide for the relief of Wilhelmina Beach; to the Committee on Claims.

Also, a bill (H. R. 4239) to provide for the relief of Nellie Lacy; to the Committee on Claims.

By Mr. MILLSPAUGH: A bill (H. R. 4240) granting an increase of pension to John W. Miles; to the Committee on Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 4241) granting a pension to Mary W. Fairbanks; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 4242) granting an increase of pension to Orpha Teagarden; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 4243) granting a pension to Thomas E. Cole; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4244) authorizing the Secretary of War to donate to the city of Bergholz, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4245) authorizing the Secretary of War to donate to the city of East Palestine, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4246) authorizing the Secretary of War to donate to the city of Bellaire, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4247) authorizing the Secretary of War to donate to the city of Scio, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4248) authorizing the Secretary of War to donate to the city of Martins Ferry, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4249) authorizing the Secretary of War to donate to the town of Hendrysburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4250) authorizing the Secretary of War to donate to the city of Salem, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4251) authorizing the Secretary of War to donate to the city of Mingo Junction, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4252) authorizing the Secretary of War to donate to the city of Dellroy, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4253) authorizing the Secretary of War to donate to the city of Bowerston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4254) authorizing the Secretary of War to donate to the city of Brilliant, State of Ohio, one German cannon or fieldpiece; Committee on Military Affairs.

Also, a bill (H. R. 4255) authorizing the Secretary of War to donate to the city of Adena, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4256) authorizing the Secretary of War to donate to the city of Smithfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4257) authorizing the Secretary of War to donate to the city of Toronto, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4258) authorizing the Secretary of War to donate to the city of Jewett, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4259) authorizing the Secretary of War to donate to the city of Barnesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4260) authorizing the Secretary of War to donate to the City of Bridgeport, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4261) authorizing the Secretary of War to donate to the city of Sherodsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4262) authorizing the Secretary of War to donate to the town of Mechanicstown, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4263) authorizing the Secretary of War to donate to the city of Shadyside, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4264) authorizing the Secretary of War to donate to the city of Lisbon, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4265) authorizing the Secretary of War to donate to the city of Steubenville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4266) authorizing the Secretary of War to donate to the city of Carrollton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4267) authorizing the Secretary of War to donate to the city of Cadiz, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4268) authorizing the Secretary of War to donate to the city of St. Clairsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4269) authorizing the Secretary of War to donate to the city of Wellsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4270) authorizing the Secretary of War to donate to the city of East Liverpool, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4271) authorizing the Secretary of War to donate to the city of Amsterdam, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4272) authorizing the Secretary of War to donate to the city of Richmond, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4273) authorizing the Secretary of War, to donate to the town of Washingtonville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4274) authorizing the Secretary of War to donate to the city of Salineville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4275) authorizing the Secretary of War to donate to the town of Hopedale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4276) authorizing the Secretary of War to donate to the city of Rayland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4277) authorizing the Secretary of War to donate to the city of Malvern, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4278) authorizing the Secretary of War to donate to the city of Bethesda, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4279) authorizing the Secretary of War to donate to the town of Mount Pleasant, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4280) authorizing the Secretary of War to donate to the town of Sommerton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4281) authorizing the Secretary of War to donate to the town of Dillonvale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4282) authorizing the Secretary of War to donate to the town of Kilgore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4283) authorizing the Secretary of War to donate to the city of Columbiana, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4284) authorizing the Secretary of War to donate to the town of Leesville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4285) authorizing the Secretary of War to donate to the city of Leetonia, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4286) authorizing the Secretary of War to donate to the town of Irondale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON of Missouri: A bill (H. R. 4287) granting an increase of pension to Charles L. McClure; to the Committee on Pensions.

By Mr. PERKINS: A bill (H. R. 4288) authorizing the Secretary of War to donate to the city of Leonia, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4289) authorizing the Secretary of War to donate to the city of Wood Ridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4290) authorizing the Secretary of War to donate to the city of Garfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4291) authorizing the Secretary of War to donate to the city of Ridgefield Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4292) authorizing the Secretary of War to donate to the city of West Milford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4293) authorizing the Secretary of War to donate to the city of Rutherford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4294) authorizing the Secretary of War to donate to the city of East Rutherford, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 4295) granting a pension to Nannie Williams; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 4296) granting an increase of pension to Edward S. Atkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4297) granting a pension to Francis A. Baxter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4298) granting a pension to George W. Keenan; to the Committee on Pensions.

Also, a bill (H. R. 4299) granting a pension to Mary A. Blair; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4300) granting a pension to Louis F. Ursenbach; to the Committee on Pensions.

Also, a bill (H. R. 4301) granting a pension to Marie Schneider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4302) granting a pension to Zoria B. McCrary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4303) for the relief of Maurice B. Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4304) for the relief of J. A. Perry; to the Committee on Claims.

Also, a bill (H. R. 4305) for the relief of W. S. Curless; to the Committee on Claims.

Also, a bill (H. R. 4306) for the relief of Thomas A. Winn; to the Committee on the Public Lands.

Also, a bill (H. R. 4307) for the relief of Evelyn Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4308) for the relief of William B. Fowler; to the Committee on Military Affairs.

Also, a bill (H. R. 4309) for the relief of W. F. Peck and M. B. Gott; to the Committee on Claims.

Also, a bill (H. R. 4310) for the relief of Maude Browne Matkins, formerly Maude Browne; to the Committee on the Public Lands.

Also, a bill (H. R. 4311) for the relief of Anna W. Newman; to the Committee on Claims.

Also, a bill (H. R. 4312) for the relief of James W. Creighton as postmaster at Camino, Eldorado County, Calif., for money (gold coin) lost in transit after remittance left the Camino post office; to the Committee on Claims.

Also, a bill (H. R. 4313) for the relief of Andrew M. Dunlop; to the Committee on Claims.

Also, a bill (H. R. 4314) for the relief of Mrs. M. P. Rodgers; to the Committee on Claims.

Also, a bill (H. R. 4315) for the relief of the Indian Valley Railroad Co.; to the Committee on Claims.

Also, a bill (H. R. 4316) to correct the military record of James M. Wiley; to the Committee on Military Affairs.

Also, a bill (H. R. 4317) to correct the military record of Daniel Schneider; to the Committee on Military Affairs.

Also, a bill (H. R. 4318) authorizing the Secretary of War to donate to the Preston School of Industry, of Waterman, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4319) authorizing the Secretary of War to donate to the city of Colfax, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4320) authorizing the Secretary of War to donate to the city of Roseville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4321) authorizing the Secretary of War to donate to the city of Lincoln, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4322) authorizing the Secretary of War to donate to the city of Sutter Creek, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4323) authorizing the Secretary of War to donate to the city of Jamestown, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 4324) granting a pension to Robert Hopson; to the Committee on Pensions.

Also, a bill (H. R. 4325) granting an increase of pension to Sarah McQueen; to the Committee on Pensions.

Also, a bill (H. R. 4326) granting a pension to James A. Wolfe; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 4327) granting a pension to Margaret Pinkham; to the Committee on Pensions.

By Mr. RHODES: A bill (H. R. 4328) for the relief of John F. Norton, alias John Laughton; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 4329) granting a pension to Mary Emaline Ash; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 4330) granting an increase of pension to Mary J. Boo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4331) granting an increase of pension to William M. Young; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4332) granting an increase of pension to Lowell O. Carpenter; to the Committee on Pensions.

Also, a bill (H. R. 4333) granting an increase of pension to Julia Tomlin; to the Committee on Pensions.

Also, a bill (H. R. 4334) for the relief of Nathan McDaneld; to the Committee on Military Affairs.

Also, a bill (H. R. 4335) granting a pension to William Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4336) authorizing and directing the Secretary of War to make certain donations of cannon and ordnance to designated towns and cities; to the Committee on Military Affairs.

By Mr. SANDERS of Indiana: A bill (H. R. 4337) authorizing the Secretary of War to donate to the city of Terre Haute, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4338) authorizing the Secretary of War to donate to the city of Brazil, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4339) authorizing the Secretary of War to donate to the city of Newport, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4340) authorizing the Secretary of War to donate to the city of Greencastle, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4341) authorizing the Secretary of War to donate to the city of Danville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4342) authorizing the Secretary of War to donate to the town of Coatesville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4343) authorizing the Secretary of War to donate to the city of Rockville, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4344) granting a pension to William P. Grimm; to the Committee on Pensions.

Also, a bill (H. R. 4345) granting a pension to Noah L. Gibbons; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4346) granting a pension to Mary E. Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4347) for the relief of James McD. Hays; to the Committee on Military Affairs.

Also, a bill (H. R. 4348) to correct the military record of Thornton Jackson; to the Committee on Military Affairs.

Also, a bill (H. R. 4349) for the relief of John H. Kidd; to the Committee on Military Affairs.

Also, a bill (H. R. 4350) to correct the military record of John W. Gulley; to the Committee on Military Affairs.

Also, a bill (H. R. 4351) to correct the military record of John C. Cummins; to the Committee on Military Affairs.

Also, a bill (H. R. 4352) for the relief of John W. Baker; to the Committee on Military Affairs.

Also, a bill (H. R. 4353) granting a pension to Rose Davidson; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 4354) granting a pension to Alender Beebe; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 4355) authorizing the Secretary of War to donate to the town of Madrid, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWING: A bill (H. R. 4356) for the relief of Arthur J. Burdick; to the Committee on Claims.

By Mr. TILLMAN: A bill (H. R. 4357) authorizing the Secretary of War to donate to the county of Baxter, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4358) authorizing the Secretary of War to donate to the county of Newton, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4359) authorizing the Secretary of War to donate to the county of Carroll, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4360) granting a pension to Mary M. Newman; to the Committee on Pensions.

Also, a bill (H. R. 4361) granting a pension to Elijah M. Smothers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4362) granting a pension to Andrew J. Gouge; to the Committee on Invalid Pensions.

By Mr. TILSON: A bill (H. R. 4363) granting a pension to Mary M. Whitford; to the Committee on Pensions.

Also, a bill (H. R. 4364) granting a pension to Charles Lynch; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 4365) for the relief of the owner of the steamer *Mayflower* and for the relief of the passengers on board the said steamer; to the Committee on Claims.

Also, a bill (H. R. 4366) for the relief of the owner of the steam lighter *Cornelia;* to the Committee on Claims.

Also, a bill (H. R. 4367) for the relief of the owners of the schooner *Horatio G. Foss;* to the Committee on Claims.

Also, a bill (H. R. 4368) for the relief of the owners of the barge *Havana;* to the Committee on Claims.

Also, a bill (H. R. 4369) for the relief of the owner of the lighter *Vim;* to the Committee on Claims.

Also, a bill (H. R. 4370) for the relief of the owners of the barge *Consolidation Coastwise No. 24;* to the Committee on Claims.

By Mr. UPSHAW: A bill (H. R. 4371) granting an increase of pension to Lena Fitzgerald; to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 4372) authorizing the Secretary of War to donate to the borough of Hatboro, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4373) authorizing the Secretary of War to donate to the borough of Bristol, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4374) granting an honorable discharge to John Prickett; to the Committee on Military Affairs.

Also, a bill (H. R. 4375) granting an increase of pension to Mary J. Guy; to the Committee on Invalid Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 4376) granting a pension to Christina Weaver; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 4377) for the relief of the widow and children of Gordon H. Meek, deceased; to the Committee on the Post Office and Post Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

158. By Mr. EDMONDS: Petition of citizens of the fourth congressional district of Pennsylvania urging that the Congress do not pass the bill H. R. 22; to the Committee on Education.

159. By Mr. NEWTON of Minnesota: Petition of Mrs. C. L. Dutton and sundry citizens of Minneapolis, Minn., petitioning the Congress of the United States to take the necessary action to recognize the republic of Ireland; to the Committee on Foreign Affairs.

160. Also, petition of Mr. T. Mullen and sundry citizens of Minneapolis, Minn., petitioning the Congress of the United States to take the necessary action to recognize the republic of Ireland; to the Committee on Foreign Affairs.

161. By Mr. OSBORNE: Memorial of the board of directors of the Los Angeles (Calif.) Chamber of Commerce, protesting against the jurisdiction of the Hydrographic Office being changed to the Coast Survey, and urging the transfer to the Hydrographic Office, in the Navy Department, of the hydrographic section of the Coast and Geodetic Survey; to the Committee on Appropriations.

162. Also, memorial of W. S. Ament, of Claremont, Calif., and 14 other citizens of California, to mitigate, better, and remove unfortunate conditions now existing at the immigrant receiving station at Ellis Island, N. Y.; to the Committee on Immigration and Naturalization.

163. By Mr. ROACH: Petition of Young Men's Sodality of St. Peter's Parish, Jefferson City, Mo., protesting against the Smith-Towner bill; to the Committee on Education.

164. By Mr. WATSON: Petition of the employees of W. A. Bauer & Co., of Norristown, Pa., favoring the daylight saving bill for the eastern time zone of the United States; to the Committee on Interstate and Foreign Commerce.

165. By Mr. YATES: Petition of A. F. Franks Cigar Co., East St. Louis, Ill., protesting against the emergency tariff bill; to the Committee on Ways and Means.

166. Also, petition of Aug. Gross & Son and the Cable-Nelson Piano Co., of Chicago, Ill., protesting against an excise tax on musical instruments; to the Committee on Ways and Means.

167. By Mr. YOUNG: Petition of the Velva Lodge, No. 72, Ancient Free and Accepted Masons, of Velva, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education; to the Committee on Education.

168. Also, petition of the Mackey Lodge, No. 18, Ancient Free and Accepted Masons, of La Moure, N. Dak., favoring the passage of the so-called Smith-Towner bill, providing for the establishment of a department of education; to the Committee on Education.

169. Also, petition of Ellendale Lodge, No. 13, Ancient Free and Accepted Masons, of Ellendale, N. Dak., favoring the passage of the so-called Smith-Towner bill, to provide a department of education, etc.; to the Committee on Education.

170. Also, petition of the Sanborn Lodge, No. 14, Ancient Free and Accepted Masons, of Sanborn, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education; to the Committee on Education.

171. Also, petition of Edmore Lodge, Ancient Free and Accepted Masons, of Edmore; the Hillsboro Lodge, No. 10, Ancient Free and Accepted Masons, of Hillsboro; Golden Fleece Lodge, No. 31, Ancient Free and Accepted Masons, of Forman; and the Women's Study Club, of Wimbledon, all of the State of North Dakota, favoring the passage of the so-called Smith-Towner bill, providing for a department of education, etc.; to the Committee on Education.

SENATE.

TUESDAY, *April 19, 1921.*

(Legislative day of Monday, April 18, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

BERT M. FERNALD, a Senator from the State of Maine, and JOSEPH T. ROBINSON, a Senator from the State of Arkansas, appeared in their seats to-day.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented memorials of Division No. 161, Order of Railway Conductors, of Parsons, and Local No. 330, Order of Railway Conductors, of Emporia, both in the State of Kansas, remonstrating against the enactment of legislation repealing the excess-profits tax and the adoption of a sales tax, which were referred to the Committee on Finance.

He also presented a resolution adopted by the National Wool Growers' Association, at its recent annual convention in Salt Lake City, Utah, favoring an increased appropriation for the destruction of predatory animals, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the American Society of Equity, of Dodge County, Wis., favoring the enactment of legislation legalizing collective bargaining by agricultural organizations, which was referred to the Committee on the Judiciary.

Mr. POMERENE presented petitions and resolutions in the nature of petitions of sundry citizens of Sidney; Sisters of Charity, of St. Vincent's Orphanage, of Cleveland; sundry members of St. James Parish, of Cleveland; sundry citizens of Cleveland; sundry citizens of Ashtabula; priests of St. Agnes Parish, of Cleveland; sundry members of the Tuesday Study Club, of Cleveland; sundry citizens of the State of Ohio; officers of Commodore Barry Council, Association for the American Recognition of the Irish Republic, of Sandusky; American Association for the Recognition of the Irish Republic, of Akron; American Association for the Recognition of the Irish Republic, of Cuyahoga Falls; Charles Carroll Council, American Association for the Recognition of the Irish Republic, of Huron; Athens Central Labor Union, of Athens; sundry citizens (in open mass meeting assembled), of Newark; Holy Name Society, of St. Mary's Church, of Akron; sundry citizens of Urbana; and public meeting held at the armory, of Cincinnati, all of the State of Ohio; and sundry citizens of the State of New Jersey, praying for the enactment of legislation for the recognition of the Irish Republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of Columbus Council, American Association for the Recognition of the Irish Republic, of Columbus, Ohio, protesting against the deportation of Lord Mayor O'Callaghan, of Cork, which was referred to the Committee on Foreign Relations.

Mr. NELSON presented a petition of the Jasper Stone Co., of Sioux City, Iowa, praying for a tariff on buhrstones, tube mill linings, grinding pebbles, etc., which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. KELLOGG, from the Committee on Interstate Commerce, to which was referred the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States, reported it with amendments.

Mr. ASHURST, from the Committee on the Judiciary, to which was referred the bill (S. 395) providing for an additional judge for the district of Arizona, reported it without amendment and submitted a report (No. 1) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES of Washington:

A bill (S. 976) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; and

A bill (S. 977) for the relief of dispossessed allotted Indians of the Nisqually Reservation, Wash.; to the Committee on Indian Affairs.

A bill (S. 978) for the relief of the Alaska Steamship Co.; and

A bill (S. 979) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise; to the Committee on Claims.

A bill (S. 980) for the relief of volunteer officers and soldiers who served in the Philippine Islands beyond the period of their enlistment; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A bill (S. 981) providing for and establishing scholarships in each of the States as a memorial to the American soldiers, sailors, and marines who gave their lives for their country, and as an expression of appreciation to the brave and loyal men who served in the military and naval forces of the United States in the late war; to the Committee on Education and Labor.

A bill (S. 982) for the relief of Louisa Frow; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 983) to authorize association of producers of agricultural products; to the Committee on Agriculture and Forestry.

By Mr. BALL:

A bill (S. 984) to regulate pawnbrokers and their business in the District of Columbia;

A bill (S. 985) to amend the provisions of an act relating to certain railway corporations owning or operating street railways in the District of Columbia approved June 5, 1900;

A bill (S. 986) reclaiming certain lands in the State of Maryland, intermediate between the city of Washington, D. C., and Point Lookout, State of Maryland;

A bill (S. 987) authorizing the Secretary of the Interior to convey a right of way to the District of Columbia;

A bill (S. 988) making an appropriation for the opening and grading of Firth Sterling Avenue, in the District of Columbia;

A bill (S. 989) making an appropriation for the erection of a bridge from South Capitol Street to Poplar Point, in the District of Columbia; and

A bill (S. 990) to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; to the Committee on the District of Columbia.

By Mr. PHIPPS:

A bill (S. 991) authorizing the President of the United States to appoint certain persons in the Regular Army and place them upon the retired list; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 992) granting a pension to Ettie Serven; and

A bill (S. 993) granting an increase of pension to Arabella Roberts; to the Committee on Pensions.

A bill (S. 994) for the relief of Henry von Hess;

A bill (S. 995) for the relief of Charles G. Griffa; and

A bill (S. 996) for the relief of J. W. La Bare; to the Committee on Military Affairs.

By Mr. DIAL:

A bill (S. 997) conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship *Flynderborg* against the United States, and for other purposes; to the Committee on the Judiciary.

Mr. HARRISON. At the request of the junior Senator from Utah [Mr. KING], who is unavoidably absent from the city, I introduce sundry bills and ask for their appropriate reference.

By Mr. HARRISON (for Mr. KING):

A bill (S. 998) for the relief of purchasers from the State of Utah of lands in sections 2, 16, 32, and 36, in said State; and

A bill (S. 999) to amend sections 2325 and 2326 of the Revised Statutes prescribing the method of obtaining patent to mining claims; to the Committee on Public Lands and Surveys.

A bill (S. 1000) to transfer the Bureau of Efficiency to the jurisdiction of Congress; and

A bill (S. 1001) to appropriate funds for the purchase of Zion National Park stamp-canceling dies; to the Committee on Appropriations.

A bill (S. 1002) for the relief of Max B. Baldenburg; to the Committee on Military Affairs.

A bill (S. 1003) granting a pension to Ellen Burdick; to the Committee on Pensions.

By Mr. KENDRICK:

A bill (S. 1004) authorizing the acquirement of a site and the construction of a building for a post office at Lovell, Wyo.;

A bill (S. 1005) authorizing the acquirement of a site and the construction of a building for a post office at Kemmerer, Wyo.;

A bill (S. 1006) authorizing the acquirement of a site and the construction of a building for a post office at Greybull, Wyo.;

A bill (S. 1007) authorizing the acquirement of a site and the construction of a building for a post office at Lusk, Wyo.; and

A bill (S. 1008) authorizing the acquirement of a site and the construction of a building for a post office at Powell, Wyo.; to the Committee on Public Buildings and Grounds.

By Mr. NELSON:

A bill (S. 1009) to amend an act entitled "An act to diminish the expenses of proceedings on appeal and writ of error or of certiorari," approved February 13, 1911;

A bill (S. 1010) to amend sections 5549 and 5550 of the Revised Statutes of the United States;

A bill (S. 1011) to amend the Judicial Code;

A bill (S. 1012) to amend the Judicial Code; and

(By request.) A bill (S. 1013) to provide a divorce statute for the Panama Canal Zone; to the Committee on the Judiciary.

By Mr. HARRISON (for Mr. KING):

A bill (S. 1014) to establish a stationery office in the Department of the Treasury; to the Committee on Appropriations.

By Mr. CALDER:

A bill (S. 1015) for the relief of Frank H. Walker and Frank E. Smith, a part of whose real property was taken and is now occupied by the United States for the foundation of the west wall of the Government Printing Office, in the city of Washington, and the remainder not taken damaged by reason of the construction and operation of said Printing Office; to the Committee on Claims.

By Mr. HARRIS:

A bill (S. 1016) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States"; to the Committee on the Judiciary.

A bill (S. 1017) extending to persons who were injured in training while members of the Reserve Officers' Training Corps the compensation, benefits, and privileges provided in the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and in the act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A joint resolution (S. J. Res. 31) proposing to amend the Constitution of the United States to authorize uniform laws on the subject of marriage and divorce, and to provide penalties for enforcement; to the Committee on the Judiciary.

By Mr. BURSUM:

A joint resolution (S. J. Res. 32) to suspend the requirements of annual assessment work on mining claims during the years 1921 and 1922; to the Committee on Mines and Mining.

AMENDMENT TO IMMIGRATION BILL.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (H. R. 4075) to limit immigration of aliens into the United States, which was referred to the Committee on Immigration, and ordered to be printed.

ADDITIONAL CLERK FOR COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH submitted the following resolution (S. Res. 53), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs be, and it is hereby, authorized to employ an additional clerk at the rate of $1,600 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate, during the first session of the Sixty-seventh Congress.

CITIZENSHIP OF ALIEN-BORN CHILDREN.

Mr. JONES of Washington submitted the following concurrent resolution (S. Con. Res. 2), which was referred to the Committee on the Judiciary:

Resolved by the Senate (the House of Representatives concurring), That the following article is hereby proposed to the several States as an amendment to the Constitution, which shall become valid to all intents and purposes as a part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE XIX.

"SECTION 1. No child hereafter born in the United States of foreign parentage shall be eligible to citizenship in the United States unless both parents are eligible to become citizens of the United States."

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS (H. DOC. NO. 17).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying paper, referred to the Committee on Naval Affairs:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a special report of the National Advisory Committee for Aeronautics, prepared at my request and dealing with Federal regulation of air navigation, air routes to cover the whole United States, and cooperation among the various departments of the Government concerned with aviation.

The attention of the Congress is invited to the statement of general considerations on a national aviation policy, and to the committee's recommendations for legislative action, which have my approval.

WARREN G. HARDING.

THE WHITE HOUSE,
April 19, 1921.

AMORY OIL CONCESSION IN COSTA RICA.

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Commitee on Foreign Relations:

To the Senate:

In response to the Senate resolution of February 14 (calendar day, February 22), 1921, requesting the President—

if not incompatible with the public interests, to transmit to the Senate such data and information as he may have relating to the acquisition of what is known as the Amory oil concession to certain subjects of Great Britain in Costa Rica, the time and manner of the acquisition of such concession, its extent, and the present status of the controversy between the Governments of Great Britain and Costa Rica relative to the same, including particularly a copy of a letter—if such is in the possession of our Government—written by a British subject to a certain Doctor Urribo in Costa Rica, purporting to give certain facts relative to the acquisition of said concession; also such data and information as may be available touching another oil concession known as the Pinto-Greulich concession, the time and manner of its acquisition, its extent, and its present status.

Secondly, such data and information as may be available relative to the visit of Mr. Bennett, British minister, to Costa Rica lately made, and the note which he dispatched to the Costa Rican Government demanding an adjustment of the Amory oil concession and certain other claims of British subjects—

I transmit herewith a report by the Secretary of State furnising such data and information relating to the subject matters of the resolution as have been reported to the Department of State or otherwise come to its knowledge.

WARREN G. HARDING.

THE WHITE HOUSE,
April 19, 1921.

TREATY WITH COLOMBIA.

Mr. LODGE. Mr. President, I move that the Senate proceed to the consideration of the treaty with Colombia in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gooding	McKinley	Shortridge
Ball	Harreld	McLean	Simmons
Broussard	Harris	McNary	Smith
Bursum	Harrison	Moses	Smoot
Calder	Jones, N. Mex.	Myers	Spencer
Cameron	Jones, Wash.	Nelson	Stanfield
Capper	Kellogg	Nicholson	Sterling
Caraway	Kendrick	Norbeck	Swanson
Colt	Kenyon	Norris	Townsend
Culberson	Keyes	Overman	Trammell
Curtis	Ladd	Phipps	Underwood
Dial	La Follette	Pittman	Wadsworth
Dillingham	Lenroot	Poindexter	Walsh, Mass.
Ernst	Lodge	Pomerene	Warren
Fernald	McCormick	Ransdell	Watson, Ga.
Fletcher	McCumber	Reed	Willis
France	McKellar	Sheppard	Wolcott

Mr. CURTIS. I wish to announce that the Senator from Nevada [Mr. ODDIE] is detained on account of illness.

Mr. UNDERWOOD. I desire to announce the absence of my colleague [Mr. HEFLIN], who is attending the United States Good Roads Convention at Greensboro, N. C., where he delivers an address to-day. He will return to-morrow. I ask that this announcement may stand for all roll calls to-day.

The VICE PRESIDENT. Sixty-eight Senators having answered to their names, a quorum is present.

Mr. SHORTRIDGE. Mr. President, if in rising thus early to address the Senate I am violating one of its traditions I am but following the example of the distinguished Senator from Georgia [Mr. WATSON], over whose historical pages I have lingered with admiration and delight, and if I had one spark of the eloquence that flamed from his lips I could proceed with greater confidence and less embarrassment.

If this were an ordinary matter, Mr. President, I should remain silent. Prudence, wisdom would dictate, and perhaps now dictates, silence on my part. But this is no ordinary matter. The matter before us, as I view it, will affect in its determination for better or for worse the present and the future of our country.

A proposed treaty, the present proposed amended treaty, between our country and Colombia has been elaborately discussed here in this body and elsewhere. All the industry of industrious men and all the learning of scholars have been devoted to these subjects. I can not, I do not, presume to add anything to the information now in the possession of every Senator who does me the honor to listen. I can not hope to throw any new light upon this question. Lest I forget, I hasten to add that I am in no sense to any degree embarrassed by anything hitherto said or done, and I approach the question and seek to determine in my own mind what it is wise to do with no other purpose than to take my stand on that side which I think is for the material interest as well as the honor and the future glory of the country we all love and would serve.

Mr. President, in November last there was, indeed, a solemn referendum, participated in by the men and women of our Republic, and after mature deliberation, after thought and reflection, there was rendered an overwhelming verdict in behalf of the Republican candidate for the Presidency of our country. He was then a Republican, but the verdict of the people has, in a sense, transmuted him into the President of us all. As the President of this Republic, wishing to advance its prosperity, watching over its every interest at home and abroad, seeking to serve the Republic, not to dishonor it, seeking to advance it in every honorable path, he comes before us and asks us to concur in a certain agreement, a certain treaty between us, the strong, and a sister Republic of the South, the weak. Humbly, very humbly, but very proudly, I take my stand by his side.

Mr. President, when called to the Executive chair, in your presence and in the presence of the American people, this luminous-minded statesman, looking far behind and far ahead, uttered the thought, the hope of America. Suffer me to remind you of some of his noble words:

We * * * harbor no hate. We wish to promote understanding.

Amplifying that thought, we harbor no hate, certainly not as against any of the sister Republics of the New World, which was dedicated to freedom and which we, the great champion of freedom, must preserve for all time.

We seek understanding—understanding with our sister Republics and understanding with all the nations of the earth. Comprehended, perhaps, within that thought is this: Let us have peace; let us have reconciliation; let us have peace and reconciliation with all the peoples of the earth. That is the prayer of the American people; that is the prayer which makes angels sing and which God approves. In his inaugural address the President amplified the thought that the time had come for a general understanding and the removal of all causes which irritate, which estrange, and which, if permitted to pursue their course, may result in great danger to this our country and generally to mankind. He went further, and, as becomes an American President smitten with the love of peace and not ambitious to wear the crown of emperor or king, he said:

We crave friendship.

Is that to be weak; to be pusillanimous? No. It is the wish of all brave, good, righteous men. "We crave friendship." With whom? With all peoples; with all nations.

But immediately, Mr. President, and you, fellow Senators, we crave friendship with each and every Republic here in the New World. The President added:

I am sure our own people will not misunderstand, nor will the world misconstrue. We have no thought to impede the paths to closer relationship. We wish to promote understanding.

Then he added these words, which should be written in gold:

Mankind needs a world-wide benediction of understanding. It is needed among individuals, among peoples, among governments, and it will inaugurate an era of good feeling to mark the birth of a new order. In such understanding men will strive confidently for the promotion of their better relationships, and nations will promote the comities so essential to peace.

Entering upon the discharge of his duties, he did not loiter, he did not wait, but he proceeded to undertake the carrying out of the purposes openly avowed. In five days after taking his oath of office he sent this message to the Senate:

I very respectfully invite the attention of the Senate to the pending treaty which has been negotiated between the United States and the Republic of Colombia which is in the hands of your honorable body, with full information relating to its negotiation and its later modification and revision.

The early and favorable consideration of this treaty would be very helpful at the present time in promoting our friendly relationships. There have been many and long delays in dealing with this treaty until we have been made to seem unmindful, when in truth we have had no thought but to deal with this sister Republic in a most cordial consideration. I believe the revised treaty to be a fair expression of our just and friendly relationship with the Republic of Colombia, and I would rejoice to have our example in dealing with the Republic of Colombia to be made an assurance of that promptness and firmness and justice—

Note this language Senators—

which shall invite added confidence in our Government and a new regard for our own Republic.

And agreeably to the Constitution he asks our advice and our consent to make this agreement, to enter into this treaty with a sister Republic, and an American Republic.

With the utmost deference for those more learned and experienced than am I, may I urge upon you that this issue, the issue which we are here to determine, as to which we are to give our concurrence or withhold it, is of to-day, of this hour, not of yesterday? The question to be put to us, which is put to us, is this: Shall we now concur in making, in consummating this agreement, this treaty, whereby a long pending controversy between these two Republics, one powerful and one weak, shall be definitively and forever settled? That is the issue; that is the question. Shall we settle this long-pending controversy and settle it now?

With unfeigned respect—and I do not use that expression merely to use it—with unfeigned respect for the opinions of others for whose learning I have great regard and according to you each and all the purest of motives and the most thorough American motives, I take my stand beside the President of the United States, and I shall concur in entering into this treaty with Colombia.

Let us have reconciliation and peace. How can we bring about reconciliation? How can we heal the wound which has been open for 17 or 18 years? How can we bring about peace of mind as between these two Republics, ours and the southern Republic of Colombia? That is the question. And ever and again I have put to myself the question, rapped upon my own heart, inquired of my own conscience, What is my duty without regard to personal consequences? What is my duty to my country? What will advantage my country? What will benefit the present and the future? And I answer satisfactorily to myself—and I believe the answer will be satisfactory to the American people—let us end this controversy in a manner becoming strong men, just men, men unashamed, men unafraid; let us end this long-pending controversy which has caused so much animosity, provoked so much acrimonious debate, which has so divided our councils, so disturbed our relations not only with this one little Republic but which has caused other American Republics to doubt our good faith, to question our sincerity, and to look upon us and our righteous ambitions with suspicion, and by so settling this controversy and removing all these causes of irritation, distress, and suspicion we will likewise go far toward checking the hateful propaganda of Europe which would cause dissension among the American Republics; we will restore confidence and we will add to our reputation for righteous conduct.

Lest anyone should think I am overlooking it—for in unpremeditated speech I may overlook much, and I note how rapidly the clock goes—lest I forget it, with great deference I say that by ratifying this treaty we will not dishonor the dead nor discredit the living. The dead sleep in peace, and he whose name has been so often uttered in this Chamber is at rest. No poor words of mine can add unto his fame. He sleeps in the loving memory of the Nation he loved, the Nation he served, and for which he yearned to die, if necessary, on the fields of Europe, upholding the honor and the glory of his country, and vindicating the cause of Christian civilization. Let no one here think that in taking the position we do any dishonor will be placed upon that name.

A ratification of this treaty will reflect, I repeat—and pardon me if I do—no dishonor on the dead. It will advantage us directly and indirectly. It will restore faith and confidence in the minds of many who doubt our sincerity, and it will protect us in times of peace and it will buttress us in times of danger. Above all, it will end debate, crimination and recrimination. It will silence hostile criticism, just or unjust. It will frustrate the designs of powers whose commercial interests are inimical to ours. It will be a shield to protect the great work of the great American. It will shield us, and it will protect the Panama Canal, as I shall presently and briefly point out.

And so, without reflection, without any blame cast upon the past, disavowing any wrong done in the court of conscience or in the forum of international law, holding that all we did was right and just and proper, believing that what we did on the Isthmus, this Nation acting and speaking through its chosen representatives, was for the good of America, for the good of Colombia, for the good of all Americans, North and South, and for the good of the world, maintaining that our position is unassailable as to right conduct, we can without dishonor and with benefit enter into this treaty.

Have no misgiving, Mr. President; doubt it not. One thing it will do, and is it not material? Is it not important? One thing it will do, at least: It will restore friendly, helpful relations between us and Colombia, and contribute mightily toward strengthening the bonds which unite us and all the American Republics in a new world brotherhood, devoted to the works of peace and to the arts of peace.

May I quote the language of a great American, a great Democrat, a man far-seeing and deep, Grover Cleveland? It is, Mr. President, a condition and not a theory that confronts us to-day. I remember yesterday, but I am thinking of to-day, of to-morrow, and to-morrow, and of the long years to come. I am thinking of the Philippine Islands yonder, beyond the Pacific, where our flag is, where it was raised by valor; and that flag, whether it floats there or here, has always blessed the victor and the vanquished. I am thinking of Alaska. I am thinking of the Hawaiian Islands. I am thinking of my own State of California, and I am forever thinking of the Panama Canal. When I call upon brother Senators to enter into this agreement I am thinking of those things, and your learning will carry forward my thoughts. I am particularly thinking and would invite the attention of Senators to the western and the eastern approaches to that canal. I would have them visualize the Isthmus of Panama and the territory of Colombia to the south and the land lying to the north, the approaches to the canal. We can not fortify the whole length of that canal, but we must guard it, we must preserve it, and we must see to it that everything is done which will guarantee the preservation uninjured of that great work of America.

We are entering into a new era. Let it be an era of peace and reconciliation; and let us here now, having the regard, constant, unsleeping regard for our own interests, look to the future; and is there any Senator here who does not suppose that friendship with Colombia will be of advantage to us in the preservation of that canal in the event of danger which may come?

The time does not permit me to indulge in proud recollections. A word, however: It was indeed a hundred years ago this year that the Colombians established their constitution, and for 80 years the most friendly relation existed between us and them. They modeled their constitution after our Constitution, fashioned into symmetry and beauty and utility by the great master minds, many of whom sat in this body. They modeled their constitution after ours, and that friendship continued for 80 years. We were the great white light leading them onward and upward. They had troubles; they had difficulties, but with a heroism which was equal to ours they established their independence and they maintained it, though torn and bleeding with internecine strife.

Have we not suffered? Have we not drunk deep of the cup of national sorrow? But are we not now reunited, solidified, unified, Americans all, and for the Constitution and the Union? Let us not cast opprobrium upon them. Let us not burn into their foreheads infamy. If they have had their troubles, their quarrels, their wars, let us help them upward to security, to peace within their own borders; and if necessary do for them what under the great Grover Cleveland we did when England reached out her mighty paw to grasp some of the territory of Venezuela. Let us if necessary say and do for Colombia what, under the great Theodore Roosevelt, we said and did to Germany, when in arrogance and vanity and lofty, elephantine pride she reached out her arm toward the same little Republic. Let us be the friend of Colombia, and grapple her to our heart, and make her our friend and ally, should dangers come to us from the west or from the east.

Of course, we were the inspiration of that country. Our own Declaration of Independence, our own righteous Revolution, our own Constitution, the voice of Virginia's immortal son, the adopted son of Kentucky, the immortal Henry Clay, inspired the heart and nerved the arm of the great patriot whose monument will be dedicated to-day, yonder in the metropolis of our country; and I am very sure the President of our country will this day utter eloquent, just, splendid tribute to the great Simon Bolivar. Let us recall these things with pride. Let us not here indulge in the language of invective, in vituperation. Let us not exhaust our vocabulary of abuse, or seek to rival one another in denouncing this Republic of the South.

Let us rather hold ourselves erect and look heaven in the face without a blush, saying that we did right, but that there is a controversy here which we can settle without any dishonor upon the dead or the living, and let us do it to-morrow, and make a further celebration in addition to that which is in progress perhaps at this hour.

Perhaps I repeat myself—if so, you will pardon me—but I crave your indulgence for a few moments longer, and I put the question to every thoughtful Senator here. I do not indulge in flattery. It does not become me, and you would not welcome

it. I know that every Senator on this floor, or Member of this body, is only anxious to do what he thinks is for the welfare of America. I know no other country but America. I exalt her in my heart. I would serve her this day, and I know that every other Senator is like-minded and like-inspired. Therefore I say, shall this discussion go on forever? Shall state papers be multiplied, and shall debate forever disturb our counsels?

Merely for the sake of having my position understood, I venture to repeat, and I rap upon the mind of every Senator who does me the honor to hear, how or in what way will we be dishonored in the eyes of the world by entering into this agreement, settling forever this long-standing controversy? What if some European country or Asiatic empire does sneer at us? We are not afraid of the frown of power, but we ought to be very, very attentive to the complaint of weakness.

Did the great Theodore Roosevelt consider himself dishonored when he set about to negotiate a treaty with Colombia whereby all these controversial matters might be adjusted? Does any friend of his living think that great valiant-souled man contemplated any dishonor for his country when he negotiated, or set about to negotiate, a treaty with Colombia? No one will say that he so contemplated.

How, then, can we, appealing to his good example, be dishonored if we adjust—compromise, if you will—this long-pending quarrel? Did Theodore Roosevelt think that this country would be advantaged by settling that long-standing controversy? Manifestly he did. And will we not be advantaged by settling it? I submit that we will.

We have the Panama Canal. I have long maintained in private station that we had and have an absolute and unqualified right to manage and control that canal as it shall seem wise and prudent for us. I maintain, and always have maintained, that we have a perfect right to control that canal without asking the permission of any European or Asiatic nation or people, and I read the other day with great pleasure and with full approval the article by the learned Senator from Washington upon that question.

But there are others who think otherwise; and let me say that it does not become us to swell with pride or burst with vanity. There are others who think otherwise. Without going into the niceties of argument, I maintain that the acts of Great Britain in and about our relations with that canal have estopped her from ever again questioning our right to give preferential tolls or duties to American ships engaged in coastwise trade. Her acts have estopped her from questioning our right to give preferential rights or tolls to Colombia, and she is estopped from questioning our right, if we saw fit to exert it, to give preferential tolls to Mexico, under the very language of the Wyse concession. I invite your attention to that, Senators. The ratification of this treaty, with this estoppal as against England, will remove the cloud; it may be like a woman's hand in the sky, but it will remove the cloud upon our title, and at the same time it will manifest to all the world that we have the right to give a preference to the products of Colombia, and for like reasoning we could give preferential duties to other countries in like circumstances, under the language found in that Wyse concession.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Minnesota?

Mr. SHORTRIDGE. Certainly.

Mr. KELLOGG. Assuming that to be true for the purpose of the argument—and I am not disputing that proposition—what does the Senator say about the favored nation clause, which grants to all nations the same rights? That would not prevent our granting our own ship rights, of course. But must we not, under the favored nation clause, grant to every other country the same right we give to Colombia?

Mr. SHORTRIDGE. I know how disturbing, sometimes embarrassing, that favored nation clause is. But we have here a special concession from Colombia, and that concession speaks of the same rates or tolls for countries "in like circumstances," and I was addressing my remarks particularly to that one country which had objected to our legislation in respect to giving the preference to American ships engaged in the coastwise trade.

Mr. KELLOGG. I do not think the Senator means that we have a special concession from Colombia.

Mr. SHORTRIDGE. I do.

Mr. KELLOGG. By what treaty did we get it?

Mr. SHORTRIDGE. I deraign it in this way. Of course, the rights which we claim now, as always, come immediately from the Republic of Panama. But there was the Wyse concession, and that Wyse concession was given to an individual, and there was a reservation that it might not be conveyed to any nation. Colombia still asserts reserved rights under that concession. I am not saying that they are good, but they claim them, and what I am saying is that by this treaty they waive those claimed rights; for by this treaty they admit our title to be absolute, without any encumbrance whatever, and, so far as Colombia is concerned, the cloud is forever removed.

Mr. KELLOGG. Does the Senator from California think that Colombia has any rights under that?

Mr. SHORTRIDGE. Colombia did have rights. Colombia, as of the time of making that concession, did have rights, but I answer the Senator—and I thank him for giving me this opportunity to express this thought—I am not now contending, and I have not contended, that we have not a perfect title to the Panama Canal. I think we have a perfect title. I am saying, however, as would become a lawyer in any court of justice, that there are others who claim to the contrary, and who assert that they have certain rights which have never been forfeited, have never been conveyed away, which they claim constitute a cloud upon our title. What I am urging upon the Senator and upon all is this, that we secure an abandonment of that claim—remove that cloud, if it be so—by this treaty. To repeat the thought—speaking perhaps loosely, I have not spoken with accuracy—by the conduct of England, which would take too long to go into, she would be estopped from questioning our right either under the favored nation clause or under our treaty and arrangement with Colombia or with Panama.

Moreover, Mr. President, by this treaty Colombia recognizes the independent sovereignty of Panama. Is that not important? We have guaranteed the sovereignty of Panama, have we not? We are her friend, and propose to continue to be so. Suppose there should be war between Colombia and Panama, what would be our duty? We would be involved. I wish to remove danger of that kind, and we do remove it when here, by this treaty, Colombia recognizes the independence of Panama.

Colombia will help us to guard the Panama Canal. Her very interest in it will cause her to do so, if no other motive prompted, and are we not vitally interested in preserving that canal? Need I pause here, or take up the time of the Senate, if it were allotted me, to point out how vastly important Colombia would be to us if, peradventure, danger should come to us from across the Pacific? It should be manifest to every mind here.

You say, against what danger would she help us? I say, against all danger. I want peace. America wants peace with the world. Looking back over the history of the world, wetted with the blood of men, we have no reason to suppose that peace has come to endure here forever, and dangers may come, and I want Colombia as our friend. Dangers from the East may come. Dangers from the West may come. I want not only an associate there, but, if necessary, an ally, to guard with us the portal of the west of that canal.

Trade and commerce will be improved by entering into this treaty. It will be beneficial to California, to the Pacific coast, to the whole Union of ours. The very thought seems to defend itself. Friendly relations there will invite trade, will bring about commerce, and will be in every sense beneficial.

Particularly in the West, particularly on the Pacific coast, we are interested in the question, and I entertain not the slightest doubt that the ratification of the treaty will bring about immediate and beneficial results not only to the Pacific coast but to every State in the Union. It will protect, moreover, present rights and possessions of Americans in Colombia and those rights will be guarded by the friendship of that country. I care not whether an American be the poorest or the most celebrated that is yonder in Georgia or the proudest or the richest standing yonder on Bunker Hill looking at that great monument of liberty, if he be an American, I want him protected, not by force of arms if we can avoid it, but by friendly intercourse, by friendly relations, by mutual advantages.

Therefore, looking at my distinguished associate yonder, whom I would gladly call my personal friend, we are not here to inveigh against this or that American or impute wrong motives to any who espouse or oppose the treaty. I would guard the rights and the possessions of Americans. Think not that England and European countries are not reaching out for the New World; think not that Asiatic countries have not their eyes upon the western coast of the Pacific.

I shall detain you but one moment longer, if you will indulge me. We on the Pacific coast have a great problem. Loving this Union and asking for the help and the assistance of the South and of the North and of the East, we are unalterably determined that California and the Pacific coast shall not become another Hawaii. We propose to preserve California for our type and standard of civilization. I have reasons to know that Colombia sympathizes with us in that problem.

But yesterday it was that Japan sought to have a naval base at Magdalena Bay. Why did she not acquire it? It was because of the resolution introduced, I think, by the scholarly Senator from Massachusetts [Mr. LODGE], which was an expansion of the Monroe doctrine. We said, in effect, that the establishment of a naval base by Japan or any foreign country at Magdalena Bay, so near to us as to perhaps imperil our future, would be regarded as an unfriendly act. That resolution is in the records of the Senate. It was a wise resolution. I desire to have friends in this great battle for my State and for my country. I know that Colombia will be our friend in that regard and that no naval base will be established on the west coast of Colombia by any hostile, or possible hostile, nation of the earth.

I am about done, very much embarrassed in mind with the inadequate presentation of a great question. We can compromise without dishonor. We can settle without any discredit. Those who have paid high tribute to Theodore Roosevelt have uttered my own thought, but in more beautiful, eloquent words than I could hope to speak. Nothing that we can do this day, Mr. President, will disturb his rest; nothing will add to his name. "Malice domestic, foreign levy, nothing can touch him further." He wrought a great deed for America. He did what he thought was right. We approve what he did; we indorse all he did. We treasure the results of his work.

> Nothing can cover his high fame but heaven;
> No pyramids set off his memories,
> But the eternal substance of his greatness;
> To which I leave him.

Let us here to-day or to-morrow place a stone in the temple of peace. Let us show to the world that we can compromise a long-standing trouble, avoid future friction and future misunderstanding without loss of dignity, without surrender of any rights. As becomes a great and a righteous nation let us forever settle this quarrel and bind the closer all the Republics of America to our own.

Mr. President, I sincerely trust that the Senate, made up of the chosen men of the Republic, representing 48 great States but only one Union, will approve the negotiations of the President by ratifying this treaty.

Mr. KELLOGG. Mr. President, I should like to have permission to insert in the RECORD a very important editorial on the Colombian treaty which appeared in the New York Herald this morning. I think the arguments there stated might well be read by every Senator.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The editorial is as follows:

"THE TRUTH ABOUT THE REVIVED COLOMBIAN TREATY.

"That the treaty paying the central Government of Colombia $25,000,000 by way of moral and pecuniary satisfaction for the secession of Panama in 1903 will be ratified by the Senate of the United States and proclaimed by the President, and that the payment of this money by Washington to Bogota will be made in consequence the New York Herald has not now the slightest reason to doubt. The acceptance of that fact does not blur in this quarter the lively sense of amazement and indignation which the proposal inspires.

"Blackmail is an ugly word; one of the ugliest in the vocabulary of diplomatic action. We mention the word because it has been freely used for years in reference to this very transaction by some of the Republican Senators who are at this time advocating the treaty and who will vote for it when it comes to a vote. The circumstance that a direct and formal apology to Colombia for an alleged wrong done to that Government 18 years ago by the Roosevelt administration is omitted from the instrument in its present version does not change in any respect the character of the business. 'Conciliation' is as evasive a synonym for blackmail as 'reparation.' 'Compensation to which we are morally bound,' to employ Senator KNOX's phrase, does not differ from a mulct in which the confession of shameful wrong is implicit. 'Expediency,' when it means the supposed purchase of good will and the supposed avoidance of hostile or predatory sentiment by means of a pecuniary consideration, must be measured in its statesmanship by the right or wrong of the unavowed motive.

"For some reason not yet clearly disclosed President Harding has decided to put this treaty through to-morrow regardless of the honor or dishonor in history of his dead Republican predecessor's acts and policy in acquiring title to the Canal Zone. All the juggling with nouns in the Senate Chamber can not alter the main fact. For the sake, at least, of the record, and independently of the probable result, the New York Herald feels itself impelled to state plainly here what it believes and holds in disapproval of the resuscitated Democratic project:

"I.

"This revolution in the Isthmus did not tear away from Colombia any integral part of Colombia's rightful dominions. Panama conquered her independence of Spain and her liberty of self-determination almost exactly a century ago, and by her own efforts. When she joined the Federal Republic of Colombia it was as an independent and sovereign State.

"Against efforts of the Bogota Government to curtail that sovereignty Panama has repeatedly withdrawn from the association. This occurred in 1830, in 1831, and in 1841, and again in 1860 and 1861. Each successive secession was in assertion of Panama's stipulated and steadily maintained right not to be incorporated in Colombia (or New Granada, as the Republic was at one time styled) as a mere department under a central government. She did not return to the Federation of New Granada after the last-mentioned separation, except under the condition that the Bogota Government should recognize her inalienable rights of autonomy, independence and sovereignty, and of secession. These rights were gradually curtailed by the Bogota politicians in violation of the solemn condition of the union, and as lately as 1885 they were suppressed by military force. Even if there had been no canal question the secession of Panam in 1903 would have been a well-justified revolution for the recovery of liberties faithlessly denied and suppressed by force.

"It certainly seems to us that a correct understanding of the historical relations between Panama and Colombia is essential to the proper appraisal of Colombia's $25,000,000 grievance against the United States.

"II.

"Instead of having procured and accomplished a rape of Colombian territory for the furtherance of the canal enterprise, as substantially charged in the Senate last Wednesday by Senator POMERENE, of Ohio, and as recklessly asserted for years by Democratic assailants of Theodore Roosevelt's good name, that American President and his Secretary of State, John Hay, engaged in no secret intrigue with the revolutionists at Panama and Colon. President Roosevelt's oft-quoted phrase that he 'took Panama' has an entirely innocent meaning. He took Panama, as the man has testified who did more than any other person to bring about the revolution that gave Panama independence and to save it from economic ruin by the loss of the canal, only when and because 'Panama offered herself to him and because he was at liberty morally to accept the offer.'

"They who say the contrary, either in the Senate Chamber or elsewhere, either directly or by tacit admission in proposals for conciliation or reparation or satisfaction or compensation for a wrong which has never existed, and does not now exist, unconsciously misapprehend or maliciously misrepresent the course of events which resulted in the construction by the United States of an interoceanic waterway for the benefit of its own and the world's commerce. Technically and morally, nationally and internationally, President Roosevelt's treatment of Colombia was as correct as his intent was patriotic. No stain rests on his executive honor. No reproach attaches to Secretary Hay for his part in the matter. No just claim for pecuniary solace on account of the acts of the Roosevelt administration can be advanced by the Bogota Government. And as things are going to-day is the time to declare this once more with all possible emphasis.

"III.

"The course of events was as follows:

"The provisions of the Spooner Act would have sent the canal to the Nicaragua route in case our Executive failed to acquire building rights at the Isthmus. The concession to the French company by Colombia was soon to expire. This concession had become the property of the United States.

"Upon Bogota's initiative a treaty known as the Hay-Herran treaty had been negotiated and signed by the two Governments. The terms to Colombia, granted in the face of constantly increasing demands from that quarter, were of the most liberal and wholly adequate character. The Hay-Herran treaty gave to Colombia a huge initial indemnity of $10,000,000, plus an annual rental allowance of $250,000.

"This treaty, with its grant of $10,000,000 indemnity and $250,000 annual rental, was ratified by the United States Senate on March 17, 1903, by a practically unanimous vote. Suddenly the attitude of the Bogota politicians then in control of their Government changed with regard to the proposal. The Colombian Senate rejected the treaty on August 12. Whether this unexpected act was due to an increased appetite for American dollars or to the desire to profit nationally by the impending expiration of the French concession with a view to selling it anew to an interested power other than France or the United States it may not be profitable to inquire. The main fact is

that Colombia had her golden opportunity, threw away at Bogota what she had besought at Washington, and thus decreed the ruin of the State of Panama, whose vision of future prosperity vanished if the canal went to Nicaragua.

"This was the situation which naturally and inevitably produced the revolution of November 3, 1903. If proof were needed that Theodore Roosevelt did not inspire it or conspire to bring it about that proof is conclusive in the following facts:

"1. The positive statements of Philippe Bunau-Varilla, who did start the revolution, financed it, energetically guided the proceedings of the revolutionary party, and afterwards, as minister plenipotentiary of the new Republic, negotiated the Hay-Bunau-Varilla treaty on which rests our title to the Canal Zone and by which Panama received the $10,000,000 plus $250,000 annual rental which the Colombian Government had first solicited and then rejected.

"2. The certainty that when the revolution occurred President Roosevelt, at the suggestion of his eminent friend and adviser in international law, Dr. John Bassett Moore, was considering an altogether different solution of the problem, namely, a proceeding to assert the right of canal construction under the transit provisions of the treaty of 1846 with New Granada. The treaty clause upon which was based the policy considered by Roosevelt will be found in article 35 of the convention:

"The Government of New Granada (Colombia) guarantees to the Government of the United States that the right of transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government of the United States, etc.

"It is not important to inquire how practically the treaty of 1846 might have served as a means for avoiding the Nicaragua alternative of the Spooner Act. It is of the greatest importance, however, to remember that Roosevelt's thoughts were running in this direction, and not toward the promotion of a secession movement in Panama, at the time when the actual occurrence of revolution and secession by Panama, absolutely without his procurement or aid, opened the way for a sound legal and diplomatic procedure.

"The consummation of the revolutionary movement steered by Bunau-Varilla and executed by Dr. Amador and his associates on the Isthmus rendered unnecessary a resort to the treaty of 1846; but the evidence is clear that the latter course and not the abetting of revolution was the course in contemplation by Roosevelt.

"3. The word of Theodore Roosevelt himself. On November 10, 1903, seven days after the bloodless Bunau-Varilla-Amador revolution, the President authorized the distinct statement to a Washington correspondent of the New York Herald that a short time before the revolution he had not expected an explosion of that character. In proof of this statement it was pointed out that the message which he was preparing during October contained a request to Congress to decide once more and definitely between Nicaragua and Panama. It was then disclosed that he had asked the opinion of John Bassett Moore as to the possibility of constraining Colombia to accept the construction of the canal on the strength of the treaty of 1846. Dr. Moore had advised him that the United States had the unquestionable right to exercise such pressure:

"Accordingly the President was willing to leave the whole question to Congress to decide. Nothing could be hoped for from Colombia, and it was either a question of opening negotiations with Nacaragua or beginning the canal at Panama without the consent of Colombia and under our rights of the treaty with New Granada.

"Does anybody believe that Roosevelt told the untruth about this? Does anybody believe that John Hay lied in order to defraud Colombia of a legitimate claim to compensation?

"4. The dispatch of the *Nashville* from Kingston to Colon at the exact time of the revolution and the advance orders from Washington hastening other naval ships to the Isthmus are circumstances which have been proclaimed over and over again by the Roosevelt assailants as proof of his complicity. The inference is nonsensical. The coincidence proves nothing more than that the administration was informed as to the state of public opinion in Panama, the possibility of disturbance there as the result of Colombia's obstruction of the canal project, and was preparing to do its routine duty under treaty obligations in the way of safeguarding from violence the interoceanic traffic.

"IV.

"In view of this perfectly plain and straightforward showing, it is a source of immeasurable astonishment to the New York Herald that there should now be by Republican initiative, both in the White House and in the Senate, a revival of this proposal to duplicate to Colombia the legitimate indemnity which Colombia asked for nearly 20 years ago and then rejected, and which consequently and properly went to Panama, its rightful recipient; and not only to duplicate that huge grant already once paid but to increase it 150 per cent.

"This newspaper can not comprehend the position of Senator LODGE, for example, who now advocates the payment to Colombia invited by President Harding; the same payment which when proposed by Wilson was denounced as blackmail and as insulting to Roosevelt, and of which Mr. LODGE even now remarks: 'I am frank to say that I consider the amount too great.'

"We can not comprehend the position of Senator KNOX, with his learned and elaborate arguments as to the moral obligation to pay Colombia 'not for what she lost, but for what we gained.'

"Such, unquestionably, is not the statesmanship of justice. If it is the statesmanship of expediency, at the expense of Roosevelt's fame for honest dealing, the New York Herald is by no means prepared to believe that the implied confession and attempted purchase of friendship will have the effect upon Latin-American sentiment which the promoters of the experiment profess to expect.

"Whatever happens to-morrow or afterwards, the responsibility for railroading this treaty through will rest upon the Republican White House and the Republican Senate."

Mr. KELLOGG. At the time I spoke upon the Colombian treaty I read certain letters of Col. Roosevelt, in one of which he referred to a letter by a Colombian. I stated at the time that I could not lay my hand upon the Colombian's letter. I have since found it, and now ask that it be inserted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[Thomas Ceron Camargo, 45 Broadway, New York. International finance, banking money, national organizer of State finances and banking; 10 years' personal study of international finance under the best masters.]

MARCH 13, 1917.

To the Hon. THEODORE ROOSEVELT,
Oyster Bay, Long Island:

For your information I am sending you a transcription of my letter to three of the leading New York papers.

I think I am representing fairly the honorable stand of the Colombian youth with which the youth of this country will have to mingle and do business in the future.

We accept the Canal of Panama as an accomplished fact and as a monument useful to mankind, but any arrangement between the politicians of my country and those of the United States to settle this affair on money consideration will spoil forever the intercourse of our future generations.

Very respectfully,

THOMAS CERON CAMARGO, LL. D., DCL.

MARCH 13, 1917.

To the EDITOR.

DEAR SIR: I wish to say a few words regarding the ratification of the Colombian-American treaty over the acquisition of the Canal Zone by the United States, and the effect that, as per the views expressed by Señor Antonio Llano in the New York Times, in the edition of March 13, a failure of the United States in ratifying it may have on the Latin American good will toward the United States.

In this connection there is a dilemma to which I wish to call the attention of the people of the United States: Either Panama made herself independent or she did not; if she did, neither of the Governments—the Colombian and that of the United States—has a right to negotiate over the affair, because no law could authorize these Governments to deal in the rights of the people; if Panama did not make herself independent, but was taken violently from Colombia, then my country was raped, with the approval of all of the Latin American countries, with the exception of Ecuador.

What happened to Colombia was approved by nearly all the countries of America, on the ground that Colombia had no right to maintain a barrier to the highways of civilization.

These have been the reasons advanced in the press, in the political circles, and American international gatherings that have taken place ever since the secession of Panama, whenever there has been an opportunity to discuss the subject.

On these premises I, a Colombian citizen, wish to say that if Colombia was raped by a powerful nation, the Colombian youth will be thankful to the Senators of both countries opposing the ratification of the Colombian-American treaty, because that means that they do not wish to add shame to our grievance by settling for money consideration the rape of our mother country. No man of honor would either offer or accept money in satisfaction of such an outrage. The ratification of this treaty will be an offense that the youth of Colombia will never forgive.

That something must be done to make amends to the Colombian nation is obvious, but money is not a settlement acceptable to the youth of Colombia.

The Latin American States wish to organize a Latin American union, not on account of the secession of Panama, but because they do not want to be treated as colonies of the United States, being sovereign nations.

The two problems should not be confounded in one; they are different and separate. They are not insoluble, but must be solved in the right way or else let alone.

Yours, truly,

T. CERON CAMARGO, LL. D., DCL.

Mr. LODGE. Mr. President, I am informed that there are Senators who desire to speak later in the day on the Colombian treaty. As there is some other business which can be transacted at this moment, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed legislative business.

INVESTIGATION BY THE JUDICIARY COMMITTEE.

Mr. CALDER. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 49, and I ask for its present consideration.

Senate resolution 49, submitted by Mr. REED on the 15th instant, was read as follows:

Resolved, That the Committee on the Judiciary, or any subcommittee thereof, be authorized to continue the investigations previously conducted under Senate resolution 471 of the Sixty-sixth Congress into credits established, commitments, advancements, and payments made or claimed to have been made by authority of the four Liberty loan acts, the Victory loan act, and any other acts of Congress granting the Secretary of the Treasury authority to accept the obligations of foreign Governments for moneys, munitions, or supplies furnished them by the United States Government, and the reasons for making said credits, commitments, advancements, or payments during the Sixty-seventh Congress or any recesses thereof.

That the committee or any subcommittee thereof be authorized to send for persons and papers, to administer oaths, and to employ a stenographer, at a cost of not to exceed $1.25 per printed page, to report such hearings as may be had in connection with this investigation; and

That the expenses contracted thereunder shall be paid out of the contingent fund of the Senate.

Mr. UNDERWOOD. I desire to understand the nature of the resolution.

Mr. CALDER. It is a resolution which permits a subcommittee of the Committee on the Judiciary to inquire into the matters specified.

Mr. SMOOT. Mr. President, I will say to the Senator from Alabama that it is a resolution exactly similar to one which was passed at the last session of Congress authorizing the Committee on the Judiciary to make certain inquiries relative to the matters enumerated in the resolution.

Mr. LODGE. Relative to the question of foreign credits.

Mr. SMOOT. The committee did not conclude their investigation, and the resolution simply authorizes them to continue it.

Mr. UNDERWOOD. I have no objection to the consideration of the resolution.

The resolution was considered by unanimous consent and agreed to.

EXECUTIVE MEMBER OF JOINT COMMITTEE ON REORGANIZATION.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. HARRISON. Mr. President, I desire to make an inquiry. As I understand, this is the joint resolution which was introduced by the Senator from Utah [Mr. SMOOT] on yesterday?

Mr. SMOOT. It is.

Mr. HARRISON. The joint resolution does not propose to add to the membership of the Joint Committee on Reorganization which was created some time ago, as I understand?

Mr. SMOOT. I will say to the Senator from Mississippi that it does not.

Mr. HARRISON. The joint resolution merely proposes to give the President the right to designate some one to represent him and to cooperate with the committee?

Mr. SMOOT. That is the object of the joint resolution, and it is really what it provides.

Mr. HARRISON. And so far as the passage of the joint resolution is concerned the joint congressional committee would still remain such, and the person who might be designated by the President would receive a salary of $7,500 a year, being the amount which is paid to a Senator or Representative, and he would merely be the adviser of the committee, so to speak, to represent the President, and to cooperate in all investigations?

Mr. SMOOT. In order that the record may be complete, I think I had better read the joint resolution, so that the Senator from Mississippi may see what it provides. The joint resolution reads:

Resolved, etc., That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization, created under the joint resolution of December 17, 1920, entitled a "Joint resolution to create a Joint Committee on the Reorganization of the Administrative Branch of the Government," who shall receive an annual salary of $7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

I will say to the Senator from Mississippi that the payment of the expenses of the Joint Committee on Reorganization under the original act were provided for in exactly the same way as the pending joint resolution provides for the payment of the President's representative. The Joint Committee on Reorganization is a legislative committee, and it is not changed in any way by the joint resolution, other than that the President's representative is to cooperate with the committee.

Mr. FLETCHER. Mr. President, may I ask the Senator from Utah whether the representative of the President on this joint committee ought not to be confirmed by the Senate?

Mr. SMOOT. The committee did not discuss that question, and it has never before been brought to the attention of any member of the committee.

Mr. FLETCHER. I do not know whether the Senator from Utah wishes to state it or not, but I have been curious to ascertain who is to be the President's representative on the committee, if he has already been selected.

Mr. SMOOT. I do not know that the President's representative has been already selected, but I know the man whom the President has in mind, judging from what has already been stated, and I do not think there will be anything wrong in stating to the Senator from Florida that I think the President will appoint Walter F. Brown, of Ohio, as his representative.

Mr. FLETCHER. I do not know anything about the proposed appointee.

Mr. SMOOT. I will say to the Senator from Elorida that there is no question on the part of anyone who knows him concerning the fitness of Mr. Brown. He not only has been but he is to-day a leader of thought in Ohio, and I am quite sure that his appointment will be a very wise one.

Mr. FLETCHER. I presume that the selection would be satisfactory to the joint committee?

Mr. SMOOT. There is not a member of the joint committee but who appreciates Mr. Brown's fitness for the position.

Mr. HARRISON. Mr. President, as one member of the Joint Committee on Reorganization, I desire to say that I think it is proper to pass the pending joint resolution, and I am in favor of it. There was at one time some discussion as to whether or not the committee would propose to amend the law so as to add to the committee one person and give the President the right to name him.

Mr. SMOOT. I will say to the Senator that the original resolution as drawn by me so provided.

Mr. HARRISON. Yes; and the Senator from Utah showed me a copy of such a resolution. I am very glad that the manner of appointing this person and the purposes of the appointment have been changed. I believe that it was better to carry out the original intention of the act and to let the committee remain a joint committee consisting of six and without any executive intereference with the work of the committee.

As one of the minority members of the committee, I am very desirous that there should be complete cooperation between the executive departments of the Government and this joint committee of Congress, because I believe without thorough cooperation we can not get the results which it is hoped may thereby be obtained.

Members of the joint committee talked to the President and, as stated by the senior Senator from Utah, the President has in mind a man who he thinks is thoroughly qualified to help the joint committee and to represent him in all matters as an adviser to the committee.

I have no objection personally to this appointment, because it will be the means of the Joint Congressional Committee ascertaining what the President's views are. I shall not bind myself to accept at all times the suggestions made by the representative of the President. In this investigation if it is to be thorough—and I hope it will be thorough—I believe there is a great work to be performed and much good to come from it; but I do not believe in Executive interference. I realize that it is very difficult to reduce the number of employees in any of the bureaus of the Government; that is a very hard task for the Congress to undertake to coordinate the work of the bureaus and various functions of the different agencies of the Government. I know the influence that will be brought to bear on the joint committee and certainly on the representative who will be designated by the President to represent him on the joint committee or to advise the joint committee. The heads of various bureaus will come to him and no doubt will give him a great deal of worry in soliciting his influence with the joint committee in restraining the committee from coordinating the work of the various branches of the Government. For my part, whenever the suggestions are founded upon fact and will effect true economy and add to the efficiency of the Government I shall accept the advice of the representative of the President, and I am sure that will be the policy pursued by the other members of the joint committee. So I welcome the fact that the President has taken the interest to ask us to allow him to name an adviser to the joint committee. I think that a salary

should be paid to him and that it should be commensurate with that which is paid to Senators and Representatives. Therefore, as one member of the committee, I hope there will be no opposition to the joint resolution. I do not know Mr. Brown personally, but I do know that the President wants to name him, and I presume he feels that he is peculiarly qualified to perform the work or he would not ask that he be designated.

Mr. SMOOT. Mr. President, I desire to say only a few words. Perhaps I am responsible for the suggestion, as, at least, I originated the thought, and I did so because I knew that, without the assistance of the Executive and complete cooperation with him and also cooperation with the heads of the departments, no matter how hard the joint committee labored and no matter what information they brought to Congress as the result of their investigation, if the heads of the departments of the Government were opposed to the recommendations made by the committee, and particularly if the Executive were opposed to them, it would be next to impossible to get any legislation through Congress to make the necessary changes which we all know must be made. Therefore months ago I suggested to the President that he should have a representative to act and cooperate with the joint committee. He thought the idea a good one, and I suppose from that suggestion the pending joint resolution has developed.

As to Mr. Brown, I know him personally. He is not seeking this position; far from it. I know that he could, without the asking, have had an appointment to represent this Government in some foreign country. If he accepts the appointment, it will be because the President of the United States virtually calls him to this work. I am quite sure that he does not want to leave Ohio and the work that he is doing there now, but I have assurance, Mr. President, that if the President requests him to accept the position he will accept it. I am hopeful that much good may come from the labors of the joint committee. Every member of the committee desires to bring about such a result as will promote efficiency and insure the successful operation in the future of the various executive departments and agencies of the Government, put the Government of the United States upon a good, sensible, working basis, and eliminate all of the wicked duplication of work that is so manifest in many of the departments to-day. It is the desire and purpose to save the taxpayers of the country as much as possible, but whether that saving be much or whether it be little, I am quite sure that, with the cooperation of the Executive and of the heads of the departments, good will result from the labors of the joint committee. I am not here to say how much money it is going to save to the American people. That would be a mere guess; but I am sure that the head of every one of the departments and the President himself recognize the fact that there is this overlapping of work in all of the departments, and that it should be corrected at the earliest possible date. That is all, I think, that the committee intend to accomplish, and if they do that it will be a wonderful help.

Mr. FLETCHER. Mr. President, I agree with the Senator; I think the committee is a very important one, and I believe that very considerable economy can be worked out and accomplished through its work. The object of my inquiry a moment ago was to be certain, which I think is important, that the selection of the representative of the Executive, and putting him upon this responsible footing and on this good pay, shall be in harmony with the committee. If there were antagonism there to start with, I think the committee might be crippled and the work not be so efficient.

Mr. SMOOT. I know that there is not a member of the committee who has even expressed a doubt as to the wisdom of appointing Mr. Brown.

Mr. UNDERWOOD. Mr. President, I regard the pending joint resolution as one of the most important pieces of legislation that is before the Congress. I regret very much that it is being passed with empty benches. Of course, it will be passed. What we are discussing here is a mere matter of form. I do not think there is a Member of Congress who can doubt for a moment the advisability of passing the legislation.

I was disappointed a moment ago in listening to the statement of the Senator from Utah as to the effectiveness of this work. I sat on the Appropriations Committee with the Senator from Utah in the last Congress when he proposed the original amendment for the appointment of this committee, and heartily concurred in his efforts; and at that time he spoke with enthusiasm as to what might be accomplished as a result of its appointment. His party was not then in power. His party is in power to-day, and he speaks with mildness as to what may be expected as the result of the work of this committee.

Mr. SMOOT. No.

Mr. UNDERWOOD. I am not saying this in a critical way. I know the difference between viewing the question from afar and realizing that possibly you have got to turn your own men out of office, but I want to say this:

This joint resolution will pass. The responsibility will rest in your hands, and when it does the American people will have the right to demand of you an efficient performance of this trust, an efficient rendering of this service to the Government. They will not consent to an apology and a lax consideration of the matter, but they will expect of you and the Republican Party the cutting down of useless jobs and the elimination of duplication of work, even if you have to cut to such an extent that it hurts.

Mr. SMOOT. Mr. President, will the Senator yield a moment?

Mr. UNDERWOOD. I yield.

Mr. SMOOT. I think the Senator from Alabama knows that at no time have I ever thought of politics in this legislation.

Mr. UNDERWOOD. I do not regard it as politics at all.

Mr. SMOOT. The Senator is right. There is no politics in it. It is a simple question of doing away with every bit of overlapping work in all of the Government departments; and I am just as enthusiastic for the legislation, and just as positive of the results that will follow its passage, as I ever was in my life.

Mr. McCORMICK. Mr. President, may I interrupt at this point?

Mr. UNDERWOOD. I yield to the Senator.

Mr. McCORMICK. I simply wish to say to the Senator from Utah that there seems to me to be the greatest politics, in the highest sense of the term, in this proposed reform.

Mr. UNDERWOOD. I suppose the Senator from Illinois is right in the larger acceptation of the term. It is great politics to serve the people of the country well, but I supposed the Senator from Utah meant partisan politics. There is none in this joint resolution so far as I know, and there should be none. But, Mr. President, I think the country should be impressed with the responsibility that the administration of the Government is about to take on its shoulders in this matter.

More than a decade ago a great Senator proclaimed to the country that it would be possible, with the right consideration of governmental matters, to reduce the expenditures of the Government $300,000,000 a year, and he was right. It was a moderate statement of the case. I refer to the late Senator Aldrich. He said it to the party then in power, but nothing came of it. My party came into power. We were unable to reduce expenditures largely. Efforts were being made, and then we rode into the dreadful war that we have just finished, and of course during the period of the war there was no opportunity to reduce expenditures. War conditions piled them up, not only because of the war expenditures, but because of the lack of time for the administration and the Congress to consider the questions of economy that otherwise would have addressed themselves to us.

I do not think there has been a moment in the history of the Congress of the United States since Senator Aldrich made the statement that we could economize to the extent of $300,000,000 annually when there has not been an earnest desire in both political parties, the Democratic Party and the Republican Party, as represented in the Congress of the United States, to accomplish results of that kind. But, Mr. President, I can say from my experience on the Appropriations Committees of both Houses—because I served for a number of years on the great Appropriations Committees of both Houses—that this question of working out economy in the Government can not be accomplished at all except by the earnest, active, and persistent cooperation of the executive branch of the Government with the legislative branch. It can not be done by Congress alone, because Congress can only act intelligently about things that it knows and sees; and although it may know in a general way that there is duplication, that there are bureaus and divisions that do not function, that there are unnecessary clerks employed, yet it is impossible when you sit on an appropriations committee to apply the knife and cut down those appropriations intelligently unless you have the cooperation and assistance of the executive branch of the Government that knows what is being done, and knows where you can properly cut without interfering and embarrassing the Government, and knows where the danger point in cutting appropriations would be reached.

When you reach that stage, you reach a proposition that is very difficult to work out because it involves human nature, regardless of party. That has nothing to do with it. Every executive officer naturally has a magnified idea of the importance of his division or bureau. If he did not feel the importance of his own work, he would not be much of an officer,

and he naturally wants to magnify it instead of cutting it down. Then there is another equation in which human nature is involved: Where you have an unnecessary number of clerks in a division or a bureau, many of them who have grown old in the service of the Government, the bureau chief or the division chief is very willing to come to the Appropriations Committee and say: "I need more money" and "I need more appropriations" when they are needed, but never in my experience on the Appropriations Committees of the two Houses of Congress have I known a bureau chief to come in and advise one of the great Appropriations Committees of Congress to cut appropriations or to discharge clerks, because it is contrary to human nature. They do not want to take the burden of saying to Congress: "You turn out the men that are working under me, and dispense with the positions"; and yet, unless the information comes from the Executive, there is no way for Congress to know intelligently when this work can be done, and how it can be properly done.

Of course we might economize in the same manner that an old friend of mine in the House once proposed to economize on the naval bill. He was a delightful southern gentleman, a man of the highest character, and believed in economy and an economical form of government. He wanted to protect his constituents against undue taxation, but he had not been trained in naval affairs. He had been raised far from the sea, and through some exigencies of fate he was thrown on the Naval Affairs Committee, about whose work he knew but little; but there was a great deal of talk at that time about extravagant appropriations for the Navy, and he agreed with it. He was heartily in favor of cutting down appropriations, but his colleagues on the committee were not, and he could not find anybody to tell him how to cut; so one day he walked into the Naval Affairs Committee, after having added up the appropriations necessary to cut out the number of million dollars that he thought the bill ought to be reduced, and moved to strike that number of pages from the bill, which would have accomplished the result, but probably would have destroyed the Navy.

His attitude in that matter may cause us to smile, but in a larger sense we all occupy the same attitude toward the appropriations necessary to run the executive branch of the Government that he did. Our lack of information, our inability to acquire information as to where and how to cut down the appropriation bills, prevents our accomplishing the economy we would readily bring about if we had the information and the knowledge.

As it was originally appointed, this committee was intended as a joint committee of the two Houses, to perform a legislative function, and I recognize the fact that its work will be futile and its accomplishment will be of little value unless there is an earnest effort on the part of the present administration to render it service and help it to carry out this great work. For that reason, though I am not opposing this proposal, I preferred the original proposal, as suggested by the Senator from Utah in the last Congress, because I believed that with a joint committee of the two Houses organized and ready to act the Executive would appoint a committee of Cabinet officers to meet and cooperate with the committee of the two Houses of Congress to carry on the work, and I think this work is so great and so important that there should be a committee of Cabinet officers to represent the executive branch of the Government.

I do not mean to say that the gentleman whom the Senator from Utah has suggested as the proper man to fill this place, whom I do not know, is not just as able and just as competent personally as any member of the Cabinet, but he has not the power and the influence of a Cabinet officer. This is a most difficult task. The Senator from Utah knows as well as I do that when you start to eliminate divisions, to cut down bureaus, to discharge clerks, you are going to find your efforts resisted in many ways. You are going to have the channels of communication, which will bring you the necessary information, cut from many sources. No man except one who has the power and influence of a Cabinet officer will be able, no matter how great his ability is, to demand and procure the information which you need in the end.

So when the joint resolution was originally passed it was expected that it would not begin to operate until the new administration came in, because it was in the dying days of the last administration, and I was hopeful that the President of the United States would meet the efforts of Congress to economize by appointing a committee of his ablest Cabinet officers to cooperate and lend their aid in this great work.

I do not say this by way of criticism. I may be wrong. The President may be able, by the employment of an individual representative, to accomplish the same result; I hope he will. But I say unless the President of the United States writes in the commission of the man who is to cooperate with the committee of Congress that he shall have full power to go where he pleases, to investigate every nook and corner of these great departments, and command, in the President's name, the right of way for the investigations of this committee, you will meet with failure. The end sought would have been assured, in my judgment, if we had had a committee of Cabinet officers.

Mr. President, I am going to vote for the joint resolution, because I think the party in power have the right to say how they shall carry on their work. The responsibility will rest with you. You will be held accountable, after you put your hands to this plow, if you turn back before you have harvested the crop. You can rest assured that we on this side of the Chamber are going to give you as efficient aid in this work as we can. We will not hamper your hands by cutting down the appropriations necessary to carry on the work; we will throw no obstacles in your way. But if you fail, we shall hold up your example to the American people, and charge you with the responsibility of failure. We have a right to do that, and it is well for you to know that we intend to do it. I hope the day when you come in with this report I can stand in the Senate Chamber and congratulate you on work well done. But if you fail, you can expect then, so far as lies in my power, that I will point to the American people where you have failed to perform the duty to the American people you owe to them.

Mr. President, there never was a time in the American Republic when this work was more necessary. The American people to-day are overburdened with taxation. The consuming masses of the people are bowed down under the high cost of living and the deflection of taxation that is thrown on their shoulders in higher rents and higher values. That portion which is necessary we should all bear, because it is the cost of the defense of our country against the hand of the aggressor; but that portion which it is not necessary for the people to bear, that portion which represents a waste of money, should be removed from their shoulders at the earliest hour.

I believe the statement of the great Senator from Rhode Island a decade ago, that we could reduce the operating expenses of the Government $300,000,000, to-day is a moderate estimate. I believe that if the work of this committee is properly carried on—I mean if you cut until it hurts, so long as you do not destroy efficiency of government—you can reduce the expenditures of the Government $500,000,000, and if you accomplish that result, I think you can in this Congress reduce taxes and eliminate that class of taxes which is tying up the business of the country and resting as an undue burden on the consuming masses of the people, without putting any other taxation in its place, and I believe that it should be the first basis of your tax bill to cut out unnecessary expenditures.

I do not mean to say that you can accomplish that result merely by eliminating duplication of work. I do not mean to say that you can accomplish that much reduction of expenditures by merely eliminating those bureaus and divisions in the Government which accomplish absolutely no result, which are dead, so to speak, so far as the accomplishment of real governmental results is concerned.

In my mind, as I divide the bureaus and divisions of the Government, they are in three classes.

Class 1 covers those bureaus and divisions which are absolutely necessary to the successful and efficient working of the Government.

Class 2 embraces those divisions of the Government that are not necessary to carry on Government, but divisions which are helpful in a way, and are often useful in the accomplishment of some educational purposes and other good work for the American people.

Then there are those divisions of the Government whose governmental accomplishments are so small that they are really barnacles on the ship of state. As to the latter class, I do not think we would have much difficulty in agreeing that they should be eliminated. But you will not save so much there, although you will save some. But if you want to make a real saving, this committee should give a careful study to the ornamental bureaus of the Government, many of which are helpful to certain classes of the people, but the help that is obtained is not sufficient to justify the large expenditures which are being made, and in this hour of distress and heavy taxation I say that you should have the courage to cut to the bone.

Of course, as far as duplications are concerned, I realize that the elimination of duplication presents a difficult problem, because the minute we try to cut out one bureau, because its work is a duplication of another, every man who is interested in the bureau you are going to cut out will immediately communicate with the constituents of Senators and Representatives

and petition and urge them to stop your hands and save this child, no matter how you may slaughter others. Of course, he does not know the conditions; he only knows that he wants this child saved, no matter what it costs. It will take courage on the part of your committee and courage on the part of the Congress to accomplish the result.

I say, Mr. President, you may have courage to pass additional taxation and put burdens on the American people, but that is not the way to solve the problem of Government. The real courage that is needed of the party in power to-day is an efficient, capable administration, which stands for real economy, cutting down the expenses of running the Government so as to relieve the great burden of war taxation, and allow the American people again to work their way out of the huge indebtedness which war conditions have placed on their shoulders.

I hope that when this committee is appointed, the Members who constitute it will fully realize the gravity of the responsibility which rests upon their shoulders, and that the Executive will be willing to stand shoulder to shoulder with them in the accomplishment of this result.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEARINGS BEFORE COMMITTEE ON EDUCATION AND LABOR.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 51) submitted by Mr. KENYON on the 16th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Education and Labor, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

OPERATING REVENUES AND EXPENSES OF RAILROADS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 23) submitted by Mr. CUMMINS on the 12th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce is hereby authorized and directed to inquire into and report to the Senate as speedily as practicable upon the following matters, to wit:

First. The operating revenues and expenses of the railroads of the country which under the law make reports to the Interstate Commerce Commission, comparing these revenues and expenses with like revenues and expenses (including the period of Federal control) since 1912.

Second. The reasons which led to the extraordinary cost of maintenance and operation from March 1, 1920, to March 1, 1921.

Third. The reasons which induced the diminished volume of traffic in the latter part of the year 1920 and first two months of 1921, and in that connection the influence of the increased freight and passenger rates prevailing during that period.

Fourth. The efficiency or inefficiency of railroad management during Federal control during the year beginning March 1, 1920, and the efficiency or inefficiency of labor employed by the management during the same periods.

Fifth. The best means of bringing about a condition that will warrant the Interstate Commerce Commission in reducing freight and passenger rates.

The committee is authorized to act under this resolution either as a whole or through any subcommittee appointed for the purpose, to subpœna witnesses, administer oaths, send for persons and papers, and to employ counsel, experts, and stenographers. The expense incurred shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TREATY WITH COLOMBIA.

Mr. LODGE. Mr. President, I move that the Senate proceed to consider the treaty of Colombia in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. RANSDELL. Mr. President, before beginning any remarks, I wish to present some amendments which I intend to offer to the pending treaty. I ask that they be printed and held under consideration by the Senate to be introduced at the proper time.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. RANSDELL. Mr. President, the events necessitating the present treaty between the United States and Colombia culminated in November, 1903, when the Province of Panama declared its independence of Colombia, of which it had been a part for nearly 80 years, and was assisted in establishing its freedom by the active intervention of the United States.

Seventeen and one-half years have elapsed since then; the Panama Canal, connecting the Atlantic and Pacific Oceans, beyond question the greatest engineering feat of all the ages, is an accomplished fact and for six years has served the commerce of the world in a most efficient and beneficial manner; the great American, Theodore Roosevelt, who was the principal actor in the events leading to the selection of the canal route and its successful completion, has gone to another world, deeply lamented by his countrymen and highly honored not only by Americans but the people of other lands as one of the greatest men of his age.

Colombia during all these years has insisted she was grievously wronged by the acts of the United States, and has consistently sought reparation, either by arbitration or direct negotiation, and at last, after many controversies, acrimonious debates, harsh feelings, crimination and recrimination on both sides, the present treaty looking to peace, amity, and justice between the two nations is presented to the Senate for ratification.

This treaty refers to serious misunderstandings growing out of the events of 1903, and seeks to correct them; it provides very liberal and beneficial concessions to Colombia in the use of the Canal and the Panama Railway and for the payment to her of $25,000,000 in cash; it guarantees the good offices of this country in adjusting the disputes and claims between Colombia and Panama; it secures from Colombia the recognition of Panama as an independent nation and fixes the boundary between the two countries; and finally it recognizes the absolute title of the United States to the interoceanic canal and the Panama Railway.

The treaty is clearly a compromise. Many Americans think that it is entirely too liberal toward Colombia, both in the canal concessions and the cash payment, while Colombians have contended they should receive a much larger cash payment and also some acknowledgment of wrongdoing by this country. The wise friends of both countries believe the treaty does substantial justice; that it is the very best solution of a most difficult situation; and that, if carried out in good faith, it will result in great benefit to all concerned. For nearly a century prior to 1903 Colombia was regarded as the best friend the United States had south of the Rio Grande. Her Government respected us, and her people looked upon our country as a true friend. They modeled their Federal and Provincial Governments after our National and State Governments. They called the great liberator, Simon Bolivar, the George Washington of South America, and Bolivar did all in his power to teach his people to respect and admire us as a Nation. We returned in full measure the admiration and respect which the Colombian people had for us, and a majority of our people sincerely regret the unfortunate events of 1903 which severed that friendship. Mistrust and suspicion have existed on both sides, but, thanks to the wise provisions of this treaty, the recent past is to be forgotten and the old days of cordiality and genuine esteem are to return.

I have introduced amendments to the treaty proposing:

1. To amplify and liberalize the preamble.

2. A definite alliance with Colombia for defense of the Panama Canal.

3. An agreement that no canal shall be constructed through Colombian territory without the assent and cooperation of the United States.

4. Cession to the United States of the Providence and St. Andrew Island in the Caribbean Sea.

5. Payment to Colombia of thirty millions instead of twenty-five and a promise to lend her not more than twenty-five millions for rail and waterway improvements. These amendments would confer benefits of the greatest value to the United States and make the treaty far more acceptable to Colombia. I earnestly hope they will be adopted. (See treaty with proposed amendments.)

Permit me now to present a series of reasons why the United States should pay Colombia a liberal sum and make other concessions besides in settlement of our differences with that nation.

A. Toward the close of his administration President Roosevelt himself practically acknowledged, or at all events recognized, the wisdom of admitting that Colombia should be compensated for the damages that it had sustained in the loss of Panama.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER (Mr. GOODING in the chair). Does the Senator from Louisiana yield to the Senator from Idaho?

Mr. RANSDELL. Certainly.

Mr. BORAH. I would be glad to know when Col. Roosevelt made any such statement?

Mr. RANSDELL. If the Senator will listen patiently I shall tell him in just a few moments. It is in the tripartite treaties made toward the close of his administration, in 1909.

Mr. BORAH. Oh, yes; I am familiar with that, if that is what the Senator had reference to.

Mr. RANSDELL. Yes; that is exactly what I contend and I shall bring it out as clearly as I can.

Mr. BORAH. I will say, if the Senator will permit a further interruption, that in my judgment that construction can not fairly be placed upon the tripartite treaties.

Mr. RANSDELL. That is a difference of opinion, I may say. I believe anyone who listens to me fairly and, further, who will study closely the tripartite treaties—first the treaty between this country and Colombia, second the treaty between this country and Panama, and third the treaty between Panama and Colombia—will come to the same conclusion as reached by myself and many others, that it was a tacit recognition on the part of President Roosevelt that some kind of concession should be made to Colombia.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I am very glad to yield.

Mr. POINDEXTER. Was not the only recognition in so far as any claim on the part of Colombia was concerned in the so-called Root-Cortes treaty a recognition of an equitable claim on the part of Colombia that she should be reimbursed in part for the national indebtedness to the extent that Panama had benefited by the national expenses?

Mr. RANSDELL. The Senator has evidently not studied that treaty carefully. There is not a word said about any payment of the national indebtedness due by Panama. That is a matter that seems to have been left open, so far as the treaty between this country and Colombia was concerned. The treaty between Panama and Colombia, which in substance was made a part of the tripartite treaties, contained a distinct agreement that all three must be approved or none. That provided that the settlement was to be a disposition of all the claims between those two countries, Panama and Colombia. Our treaty simply provided for the payment in 10 installments of $250,000 per annum due to Colombia originally for the lease of the railway. That amounted to $2,500,000. It was not a settlement at all of the claims between Panama and Colombia so far as we were concerned, but ratifying the treaty did settle the claims between those two countries, and, if I understand it correctly, an equitable adjustment of the claims between Colombia and Panama would compel Panama to pay a very large sum, probably $12,000,000 to $13,000,000, of that portion of the national debt of the Republic of Colombia incurred while Panama undoubtedly was a Province or State of the Republic, for there was a large national debt incurred by the Republic while Panama was still a portion of it. If I am correctly informed, it has never yet been settled.

Mr. POINDEXTER. The Senator does not claim that the United States ought to pay that?

Mr. RANSDELL. Oh, not at all; but I do not think the United States ought to be a party to any kind of an agreement which would debar Colombia from asserting its just claims against Panama. Let me remind the Senator that the last but one of the articles of the present treaty specifically provides that the United States shall act in a way as a big brother to bring about a just settlement between Panama and Colombia of all differences between them. The Senator is familiar with article 3 of the treaty undoubtedly, which says that, in consideration of this recognition—that is, the recognition of the boundary line between Panama and Colombia and of the independence of Panama—

> The Government of the United States will, immediately after the exchange of the ratifications of the present treaty, take the necessary steps in order to obtain from the Government of Panama the dispatch of a duly accredited agent to negotiate and conclude with the Government of Colombia a treaty of peace and friendship, with a view to bring about both the establishment of regular diplomatic relations between Colombia and Panama and the adjustment of all questions of pecuniary liability as between the two countries, in accordance with recognized principles of law and precedents.

In other words, this country undertakes to assist Colombia in receiving from Panama a settlement of all fair and just claims which may be due to Colombia.

I will now proceed, Mr. President, as my time is limited, although I am very glad, indeed, to have Senators interrupt me. When interrupted I was proceeding to say that Colombia should be compensated for the damages it had sustained in the loss of Panama. If Colombia had lost nothing for which it should be compensated, and if the United States were wholly blameless for the loss, if any, then assuredly Colombia should receive and the United States should give nothing. For the United States to concede anything at all to Colombia, or even to indicate that anything should be conceded, was tantamount to an admission that Colombia had suffered damage; once that was conceded the question then would be simply one of assessing the amount of such damages and of determining the manner of payment for them.

If this were not true, President Roosevelt, shortly before the end of his term, certainly would not have approved the conclusion of the so-called "tripartite treaties" of January 9, 1909, the Root-Cortes treaty between the United States and Colombia, the Root-Arosemena treaty between the United States and Panama, and the Cortes-Arosemena treaty between Colombia and Panama. By them, among other things, Colombia was to be given extraordinary and exceedingly valuable preferential rights to the use of the Panama Canal and Railroad, was to receive from the United States on behalf of Panama the sum of $2,500,000, and was to retain its ownership of 50,000 shares of capital stock in the New Panama Canal Co.

If Colombia was entitled to nothing and if the United States was altogether blameless for anything that occurred in 1903, these concessions were wholly gratuitous on our part, and in any case were wholly out of proportion to what was asked of Colombia in return. The Root-Cortes treaty was based upon the theory that Colombia had suffered a loss. On no other theory could the 10 payments of $250,000 each, aggregating $2,500,000, be transferred from Panama to Colombia, and upon no other basis could the canal concessions be advocated. Except as payment for damages admittedly suffered, why should concessions be given to Colombia on the south any more than to Costa Rica on the north? If, moreover, Colombia had lost nothing for which the United States in any possible way could be held accountable, ethics, logic, expedience, and common sense all would suggest that both its complaints and its claims should be ignored. Why, for example, if absolutely all rights possessed by Colombia with regard to the New Panama Canal Co. passed to Panama when the latter became independent, should Colombia be permitted to retain any shares whatever in that corporation? Panama, and not the United States, would be the country to settle with Colombia. So far as the United States was concerned, as a nation wholly outside the transaction, it would be a matter of absolute indifference whether Colombia abandoned all or any of its claims, whether it recognized the independence of Panama, or whatever it felt or did.

The very fact, accordingly, that the treaties in question were concluded constitutes the clearest possible proof that President Roosevelt believed that Colombia ought to be placated. In so believing, he acknowledged that Colombia had a right to consideration on account of the loss it had sustained, whether the United States was in any sense responsible for it or not.

B. If the conclusion of the "tripartite treaties" of 1909 rested upon at least an assumption that Colombia having suffered a loss should be paid for the damages sustained, and that otherwise there would be no justification whatever on the part of the United States in making any concessions to that country, the comparatively small amount of actual money offered at the time ($2,500,000) did not detract in the slightest from the value of the tacit assurance that had thus been conveyed by the United States of its willingness to make concessions.

C. The fact that between 1903 and 1909 the United States never sought to exact from Colombia on behalf of Panama payment of six installments of an amortization due from Colombia to the Panama Railroad Co., in connection with a loan of $3,000,000 made by that company to Colombia in 1880, which was to be amortizable in 29 years on the basis of an anticipation of certain annuities showed that even as early as 1909 the United States tacitly recognized Colombia's reversionary rights of ownership in the Panama Railroad. These rights consist: First, of 64 annuities of $250,000 each, payable during the period 1903–1967, and amounting all told to $16,000,000; and, second, of the ownership of the railroad itself in the latter year by reversion, the physical value of the railroad having been declared in 1906 by an American Senator, Mr. Bristow, to be $16,646,000, which sum, together with the sixteen million above mentioned, would amount to $32,646,000.

D. In 1912 and 1913 the Republican administration of President Taft made a series of overtures that not only went far beyond what President Roosevelt had been willing to offer in 1909, but in some respects even exceeded in liberality what is granted by the treaty now awaiting ratification. Chief among them was the expression of a willingness to arbitrate the claim of Colombia to the reversionary rights of ownership in the

Panama Railroad. These overtures offer the most convincing proof of how, in the years since the close of the administration of President Roosevelt, public sentiment in the United States had veered very strongly around in favor of doing something effective to regain the friendship of Colombia.

E. Both the "tripartite treaties" of 1909 and the proposals made by the United States to Colombia in 1912 and 1913 constitute an admission by the United States of the validity of Colombia's reversionary rights in the Panama Railroad.

F. Since these rights were explicitly recognized in 1912 and 1913, when the United States offered to submit them to arbitration, had the arbitration been accepted and the United States lost the award, it would have had to pay Colombia at least $32,446,000.

G. The United States, which now has the Panama Railroad in its possession, ought, in lieu of such arbitration, to compensate Colombia directly for the annuities that the latter is entitled to receive and also for the reversionary interests in that railroad.

Mr. KELLOGG. Mr. President, will the Senator yield to a question?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Minnesota?

Mr. RANSDELL. I yield, very gladly.

Mr. KELLOGG. Will the Senator point out in the pending treaty where Colombia grants us anything on account of the railroad or where that question is settled in any way?

Mr. RANSDELL. The pending treaty, in article 1, provides:

> The Republic of Colombia shall enjoy the following rights in respect to the interoceanic canal and the Panama Railways, the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever.

How language could show any more clearly and conclusively that any rights which Colombia had in that railroad are turned over to us I can not see. We are giving her $25,000,000; we are giving her most valuable concessions in connection with the canal; we are settling her disputes with her neighbor and former Province, Panama; we are doing many valuable things for Colombia; and she in return is waiving any claim which she may have to that railroad and to the canal. I can not see how language could be plainer.

To resume:

H. Given the acts on the part of the United States in 1909, 1912, and 1913, and the precedents that they have set up, it is manifestly the duty of this country to meet the reasonable expectations that have been aroused by them in Colombia itself.

I. To declare that the lawful interests of Colombia in the Panama Railroad passed to Panama in 1903 is as unjust as an assertion would be to the effect that it is entirely legitimate to discharge an obligation to one man by paying that to which he was lawfully entitled to another person.

Mr. LENROOT. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Wisconsin?

Mr. RANSDELL. I will be delighted to yield.

Mr. LENROOT. I should like to ask the Senator if he is aware that Colombia has accepted from the $40,000,000 paid by the United States for the Panama Railroad and the Wyse concession $800,000 in gold?

Mr. RANSDELL. I have never heard of that; I think the Senator ought to bring that out, if it be a fact, and all the circumstances attending it. I can not, however, permit him to do so in my time. I have read all the testimony as closely as I can, and I never heard of what the Senator suggests. It seems to me utterly ridiculous that as alert a nation as is Colombia would have adjusted claims which certainly amounted to a great many million dollars for the small sum of $800,000. There must be some mistake about that.

Mr. LENROOT. The Senator must not misunderstand me. I did not say in settlement of all of her claims, but for the stock which she owned in the Panama Railroad she accepted $800,000 of the $40,000,000 paid by the United States Government.

Mr. RANSDELL. I know nothing whatever about that; I never heard of it before; I am at the very first of it now.

J. For a quitclaim from Colombia in favor of the United States, therefore, of the reversionary rights of the former in the Panama Railroad, and for further concessions from that State, including a renunciation of compensation for the 50,000 shares of the capital stock of the New Panama Canal Co., which, according to the Cortes-Arosemena treaty of 1909, Colombia possesses, we are paying Colombia $25,000,000 and making other concessions besides.

Mr. President, I think it would be very valuable to this discussion if the Senator from Wisconsin [Mr. LENROOT] would place in the RECORD, so that we can all read it, a statement showing clearly when this $800,000 was paid, and what it was paid for.

Mr. LENROOT rose.

Mr. RANSDELL. I can not yield to the Senator to make an explanation in my time, because I have prepared an address which will take me an hour to deliver, but the Senator can get it in the RECORD. I shall be delighted to see it.

Mr. LENROOT. I shall be very glad to do so.

Mr. RANSDELL. K. The pending treaty between the United States and Colombia mentions a number of reasons that explain why the treaty should be ratified. The text of that instrument makes it clear that the United States agrees to grant Colombia extraordinary preferential privileges in the use of the canal and railroad, pay it $25,000,000, and induce Panama to conclude with Colombia a treaty of peace and friendship, in exchange for—

(1) The removal of "all the misunderstandings growing out of the political events in Panama in November, 1903."

(2) The restoration of the "cordial friendship that formerly characterized the relations between the two countries."

(3) The definition and regulation of their "rights and interests in respect of the interoceanic canal."

(4) The vesting of the title to the interoceanic canal and the Panama Railway "entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever."

(5) And the recognition by Colombia of Panama as an independent nation and of a specified boundary between them. Article 2 of the treaty, in fact, is essentially the same as article 4 in the Root-Cortes treaty of 1909, and article 4 is quite similar to article 9 in the Cortes-Arosemena treaty of that date. What President Roosevelt was willing to concede in 1909, therefore, has evidently not lost force in 1921.

L. As is apparent from the report of the subcommittee of the Committee on Foreign Relations of the Senate, dated June 3, 1920, there is no doubt that Colombia, which has already ratified the treaty of 1914, will accept the amendments that the Senate of the United States made to it in 1919.

M. There is no use whatever in discussing at length the merits or demerits of the historical origins of the controversy between the United States and Colombia, for the specific reason that these are now not the matters primarily or necessarily concerned in the ratification of the treaty of 1914, as amended.

N. The omission of any expression of regret leaves nothing in the language or purport of the treaty to impugn the motives or cast any aspersions upon the memory of Theodore Roosevelt.

O. The fact that Colombia could not or would not accept the compensation tendered by the United States in the Hay-Herran treaty of 1903 supplies no tenable motive for asserting that it ought to receive no compensation whatsoever. Ex-Minister to Colombia Du Bois, in a letter to Secretary of State Bryan, said:

> The Hay-Herran treaty, while being one of the fairest treaties ever offered to any nation, could not have been concluded by the Bogota Government, because Colombia in that hour was absolutely impotent to act. She had just emerged from the most disastrous war of her national life. Nearly a hundred thousand men had been slain, her villages had been destroyed, and her farms wasted from sea to sea. The generals who had fiercely fought each other on the field of battle were bitterly opposing each other in the halls of Congress, and if free transportation to heaven had been offered them, subject to ratification, there would have been no movement in that direction.

P. Apart entirely from the peculiar circumstances of Colombia in 1903, when it was emerging from a civil war that had devastated the country, the allegation that the Government of Colombia was trying to exact from the United States more money than was offered in the Hay-Herran treaty is wholly beside the point. Since Colombia owned Panama at the time, it was entitled to ask for the cession of the Canal Zone, and for all the rights and privileges appurtenant thereto, any sum that it might hope to receive.

Q. Arguments to the effect that, since Panama has been paid for the Canal Zone, Colombia should not be paid in addition for its claims to that zone and as compensation for the loss that it sustained in that regard are not valid because they do not stand in the same category. The two payments are wholly separate transactions. One is concerned with remuneration to a country for a cession of part of its territory. The other has to do with the removal of a state of mind and a condition of affairs in another country, and beyond it in the Republics of Latin America at large, which are hurtful to the welfare of both the United States and Panama.

R. The feeling that something adequate ought to be done to restore friendship with Colombia has been gathering so much headway among the people of the United States that to-day the great bulk of our public opinion is overwhelmingly in favor of it. The difficulty with Colombia, indeed, must be a serious source of trouble for the United States; otherwise it would not be what it manifestly is—a matter of important public concern. If so, the wise and sensible thing to do is to ratify the treaty and rid ourselves of the trouble.

S. The ratification of the treaty would afford a splendid opportunity to sustain the reputation of the United States for doing fine, big, magnanimous things. Just as our country set an example to the world in remitting much of the Boxer indemnity exacted from China, so a display of a spirit of good will toward Colombia will give the world a further proof of our sense of fair-mindedness. China, in return, showed its gratitude by establishing a college in which American influence is foremost and by sending its youth to the United States to be educated. In like fashion, even if for other motives, there is ample ground for believing that Colombia will evince its appreciation of the obvious desire of the United States to remove all cause for animosity between the two nations, by allowing within the bounds of Colombia full play to the operation of American ideas and institutions that may be useful in the promotion of its public and private welfare.

T. An admission on the part of the United States that Colombia has suffered damages because of the events of 1903 in relation to Panama is not necessarily an admission at all that the United States can justly be chargeable with those damages, but we are compelled to recognize the fact that in Colombia the opinion is universal that the United States is responsible for the damages, and no one doubts that some payment is necessary if good relations are to be reestablished between the two countries. If damages are to be paid, then it becomes merely a question of amount, and in fixing the amount two facts must be considered:

First. That there is no court to which the question of damages can be submitted; at least, this Government has from the beginning refused to consent to arbitration.

Colombia, on the other hand, has constantly insisted upon arbitration, and has expressed her willingness to abide by the decision. As this Nation is the larger nation, her refusal to submit to arbitration imposes upon her the duty of proposing a just and fair settlement. If any doubt exists as to how much she should pay, that doubt must be resolved against and not in favor of herself. If we were willing to submit the matter to arbitration, we might say to Colombia, "Prove your damages and we stand ready to pay them," but when we say to Colombia, "We can not consent to arbitration," we take upon ourselves the responsibility of determining what is just and fair and of paying it. In other words, we can not, relying upon our superior strength, refuse to go into court and then offer less than a reasonable sum.

Second. The act on the part of the United States of making concessions to Colombia, and the question as to whether the concessions are or are not greater than those made by Colombia to the United States in return, are matters that supply no rational motive for believing that thereby we are making a confession of error or wrongdoing. On the contrary, we are simply endeavoring to allay the resentment that Colombia feels by giving an effective proof of our desire for friendship, which Colombia stands ready to receive.

U. No matter how difficult it may be for a practical-minded people like the Americans to understand such a situation, the fact remains that sentiment, based on considerations of pride and honor, constitutes a highly important part of Latin American ways of thinking. Whether we esteem the fact lightly or not, the Colombians, and along with them the people of the Latin American Republics at large, feel a sense of injury which it is our manifest duty to assuage and remove, if we are going to live on terms of friendship and good will with our southern neighbors. That any rancor felt by Colombians, accordingly, toward the United States, and any suspicion they may have of Americans interested in the development of the natural resources of the country, rest on a definite basis of belief on their part can not be gainsaid.

Since friendship and good will among nations are the normal bases of their international relationship, the estrangement between the United States and Colombia—regardless of its origin—creates an abnormal situation that ought to be removed. That estrangement obviously can not be removed until cordiality in their international relations has been reestablished.

Colombia may have no right to feel aggrieved. This, however, does not alter the fact that it is aggrieved, and that we ought to remove the grievance in the interests of international friendship and good will.

V. What is true of the unfortunate consequences of the estrangement between the United States and Colombia is true in greater degree of that between Colombia and Panama. The absence of diplomatic relations between the two countries is productive of serious difficulties not so much to Colombia as to Panama itself, for whose welfare we have undertaken to provide. Although the two Republics are immediate neighbors, they can have no official dealings with each other as matters now stand. They are wholly unable to adjust their respective boundaries. Neither can they determine the rights and privileges of their respective citizens within each other's territory or settle any further points of controversy arising between the two nations.

Our interest in Pamana, accordingly, should be great enough to justify our reaching a satisfactory adjustment of our differences with Colombia that will pave the way to a similar settlement between Colombia and Panama, and result in making the two countries friends.

W. In the management of international affairs looking toward the maintenance of peace and friendship, the opinions of the nations with which we have to deal must be given due consideration. The long-continued estrangement between the United States and Colombia is a matter of vital concern to all the Republics of Latin America, with which we wish to live on such terms. These southern neighbors of ours desire the complete adjustment of the differences between the United States and Colombia.

It has been the time-honored policy of the United States to promote friendly relations with the Latin American Republics. One evidence of it is Pan Americanism—the idea, which we have sedulously fostered, of an essential community of interests and problems among the independent nations of the New World. It is clearly our duty, therefore, to do all that is reasonable to remove the feeling among the Latin American peoples that Pan Americanism may mean, not "America for all Americans," but for the United States.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Washington?

Mr. RANSDELL. I yield.

Mr. POINDEXTER. A moment ago the Senator from Louisiana, in response to a suggestion which I made, stated that I evidently had not read the Root-Cortes treaty between the United States and Colombia, and that that treaty had no reference whatever to the equitable division of the public debt of Colombia between Colombia and Panama. If the Senator will allow me just one moment, I desire to call his attention to two or three lines of that treaty relating to that matter. Article V of the treaty is as follows:

> The United States recognizes and accepts notice of the assignment by the Republic of Panama to the Republic of Colombia of the right to receive from the United States payment of $250,000 in American gold in each year from the year 1908 to the year 1917, both inclusive, such assignment having been made in manner and form as contained in the treaty between the Republic of Colombia and the Republic of Panama bearing even date herewith, whereby the independence of the Republic of Panama is recognized by the Republic of Colombia and the Republic of Panama is released from obligation for the payment of any part of the external and internal debt of the Republic of Colombia.

Mr. RANSDELL. The Senator evidently did not hear what I have said, Mr. President. I specifically stated that the treaty between Panama and Colombia relieved Panama of the payment of any of the debts incurred prior to the dissolution between the two countries. I further said that it was a tripartite agreement, and all must be settled or none would be settled.

But I must proceed, as my time is pretty nearly exhausted.

This country can not afford to allow an indefinite continuation of ill-feeling toward us, not only on the part of Colombians, but of Latin Americans outside of Colombia, which can not fail to become more intense as the years go on, and especially after the overtures that we have already made to Colombia. We ought definitely to efface the sentiment among Latin Americans in general that, regardless of the estimate we may place upon our conduct at the time, what happened with reference to Panama in 1903 was an act of injustice on our part. Ratification of the treaty will correct that feeling now adverse to the United States. Thereby we shall be enabled to furnish precisely the evidence to prove that we appreciate to the fullest the confidence and good opinion of us as a nation which our southern neighbors wish to hold.

X. Under what might be regarded more distinctly as economic, rather than moral, considerations, calling for a ratification of the pending treaty with Colombia, numerous factors of weight may be adduced.

1. The United States has been the world's great leader in efforts to adjust international differences by arbitration. Our Government offered to arbitrate such of the matters at issue

with Colombia as were economic and not political in character. Colombia, on the other hand, asked at first that arbitration should be applied to substantially all of them. The terms of the present treaty, now that Colombia has changed its attitude to the more reasonable one of direct negotiation, are an admirable compromise between the two positions. The United States makes certain concessions to Colombia, which are almost wholly economic in their nature, and Colombia, on its part, withdraws altogether from its original stand for arbitration. Colombia, moreover, is willing to compromise its claim against the United States, so far as that can be estimated in terms of money, at an amount half, or less than half, of what it considered to be its just due.

2. If the United States may be regarded as having exercised with reference to the acquisition of the Panama Canal Zone, as against Colombia, a sort of right of eminent domain on behalf of the commerce of the world at large, that fact would not in any sense relieve this country from liability to Colombia for the actual damages suffered by that Republic.

3. In view of the extent of the trade already existing between Colombia and the United States, its development, through gaining the good will of the Colombians, in proportion as we remove their distrust and resentment, has possibilities that are boundless. Colombia has an area of 440,846 square miles, a territory larger than Germany and France combined—nearly one-seventh as large as the United States—and the population, according to the last census, was 5,071,000. France and Germany are sustaining 100,000,000 people in territory having no better natural resources and no more of them than lie dormant within the Colombian domain. There is no reason why Colombia with proper development should not have in the next four decades at least 20,000,000 people. Her soil, mineral wealth, and forests are incalculably rich, and she enjoys the benefit of every climate known to man.

4. The concessions made by the United States to Colombia, and the consequent spirit of friendliness thus created, will strengthen our commercial position, not only in that country but in all Latin America, and enable us to meet more effectually the competition of European States in the development of the huge natural resources of our southern neighbors. The total foreign commerce, imports and exports, of Latin America in 1919 amounted to $5,064,588,740, of which amount the United States handled $2,454,118,781 worth, or less than one-half. This commerce is growing with the greatest rapidity, and there is no reason why we should not handle at least two-thirds or three-fourths of it instead of considerably less than one-half.

5. The Colombian Government has declared that the money it would receive from the United States, through a ratification of the treaty, would be spent in railway construction, in sanitation, and in the building of harbors, which means the employment of American rather than British, French, or even German engineers and the purchase of materials from the United States rather than from European countries.

6. It is eminently right and proper to do all that is legitimate in fostering our commerce with the Republics of Latin America, and with Colombia in particular, as the nearest of them to the Panama Canal.

7. There is no credible evidence whatever (a) that it is primarily the representatives of American oil interests who want the treaty ratified; (b) that it is the lure of oil concessions which has revived the treaty; (c) that few, if any, of the oil concessions already granted by Colombia to Americans will be of value until the treaty is ratified; and (d) that some of the existing concessions to Americans were granted with the definite stipulation, exacted by officials of Colombia, that such concessions would be canceled unless the treaty became operative.

8. Because oil interests in the United States may seek investments in Colombia has nothing to do with the wisdom and desirability of settling once and for all the questions that involve the relationship of the United States, Colombia, and Panama. Such investments were not contemplated in 1909 and 1914, when the United States made treaties with Colombia, looking toward the adjustment of the matters at issue. Whether investments of that sort were contemplated then or are contemplated now they can not obviate the fact that the United States has established clear and definite precedents that underlie the present treaty.

9. The investment by American citizens in foreign countries is neither a crime nor a disgrace, nor a cause of offense, nor a reason for opposing the ratification of the treaty with Colombia. American business men, assuredly, have the right, and ought to exercise the right, of seeking for themselves what British, French, or German business men would be only too eager and what, indeed, they are striving to secure.

10. If investment by American citizens in foreign countries are made honestly and legitimately there is no valid or tenable reason for supposing that in Colombia they have been or will be made otherwise. In that case it is the plain duty of the United States, through the ratification of the treaty with Colombia, to promote the enterprise of its nationals, especially at a time like the present, when the encouragement of our foreign trade is an absolute economic necessity for the welfare of this country.

Y. The estrangement between this country and Colombia is a matter of vital concern to all Spanish-speaking Americans. There is no doubt that every Republic in Central and South America desires an adjustment of our differences with Colombia, and the ratification of the pending treaty will give genuine satisfaction to all these Republics—a satisfaction that will be of real advantage to us, in that it will give evidence of our appreciation of the confidence and good opinion of these countries.

And Z. Colombia occupies a position of great strategic importance in relation to the Panama Canal, and the permanent interest of the United States will best be served by the establishment of friendly relations with the Government and people of that country. Colombian territory is in close proximity to the canal at each terminus, its coast line extending for hundreds of miles on both the Pacific and Atlantic Oceans. While no one anticipates international troubles that may some day induce a powerful nation to attempt to interfere with the canal, such a situation is not impossible; and far-sighted statesmanship should guard in every way against even the remote possibility of such a calamity as war between this country and one or more great nations in which our friend and neighbor, Colombia, would side against us. It requires but little stretch of imagination to forecast how dangerous to the United States such a hostile alliance on the part of Colombia might prove and how essential it is to prevent it.

Mr. President, in dealing with international matters a due regard must be shown for the opinions of those with whom we deal, and a wound to feelings can not be ignored even if we think the complaint is not well founded. The Colombian people, a proud, sensitive, noble race, know that they have suffered a great loss, and they feel, whether rightly or wrongly we need not at present inquire, that this Nation is directly responsible for that loss. This is the situation that confronts us. How shall we meet it? We can, first, declare ourselves indifferent and invite an indefinite continuation of the ill feeling which has existed for 17½ years, an ill feeling which would increase in the future rather than diminish; or, second, we can offer to submit the question to some tribunal for arbitration, an alternative which we have consistently refused and are still unwilling to accept, although Colombia has been asking ever since the trouble began for its submission to The Hague or some other responsible tribunal; or, third, we can seek to reach an adjustment by friendly negotiations and mutual concessions. This third position is approved very generally by our people, and its conclusions are embodied in the treaty which will soon be triumphantly ratified.

I ask to have printed as a part of my remarks a memorandum furnished at my request by an American friend of the highest character who has spent many years on the Isthmus of Panama and is thoroughly familiar with the attitude and state of mind of the Colombians in regard to the pending controversy. This statement is not an expression of my friend's own views, but a portrayal by him of the feelings and opinions of Colombia. It is quite interesting and instructive and comes from a man of fine judicial temperament who is thoroughly reliable.

The VICE PRESIDENT. Without objection, it is so ordered.

The memorandum referred to is as follows:

"BALBOA HEIGHTS, CANAL ZONE,
"*March 22, 1921.*

"Memorandum for Senator RANSDELL:

"The attitude of the people of Colombia is that:

"1. They have been deprived by the United States of a valuable State of their territory which contained the site for a canal between the Atlantic and Pacific Oceans.

"2. That in aiding and abetting the secession of Panama the United States assisted the departing State in evading its part of the Colombian national debt. This amounted in 1903, with interest, to approximately 3,000,000 British pounds, or at the then ruling rate of exchange roughly $15,000,000, which bore by agreement 3 per cent interest. Reckoning this interest without compounding it for 17 years would add $765,000, or a total in 1921 of nearly $16,000,000.

"The internal debt was in 1903 somewhere around $20,000,000 with straight interest for 17 years at 3 per cent, making a total

of about $21,500,000. This added to the external debt would give a grand total of indebtedness of about $37,000,000.

"In the agreement made by Colombia in 1912 with the foreign bondholders an estimate was made that the proportion of the debt due them which would fall to the share of Panama should be 30 per cent. This would give of the assumed total debt of $37,000,000, $11,100,000 as the amount morally due the mother country had the secession of the department of Panama been by agreement instead of by force and outside assistance. Assuming that the $10,000,000 paid the Republic of Panama for the concession was a fair compensation, and taking the ground that this concession was a Colombian national asset, the proportion belonging to Panama would be a like 30 per cent, leaving $7,000,000 as the share of Colombia. These amounts aggregate a claimed total from Panama of $18,000,000, and leave $7,000,000 of the $25,000,000 covered by the proposed treaty as a consolation for the overt act, or sop to the wounded pride of the country.

"There is a further consideration of the value to Colombia of the lost use of the old agreement with the Panama Railroad for the transportation of the products of the whole country at reduced rates over the Isthmus, together with the rates enjoyed by it from the railroad for the transportation of Government supplies and materials for building Government railways and other public improvements now existing and to be constructed on the west coast; for the development of the fertile Cauca Valley, the certain building of much railway line, the development of coal, iron, and other mineral deposits, with the tapping of the rich grazing and agricultural table-lands, tributary to the ports of Buena Ventura, Esmeraldas, and Tumaco.

"The canal tolls on Colombian vessels between the Atlantic and Pacific ports of that company are now so small as to be almost negligible, but are certain eventually to be very considerable. Naturally this would all have been provided for in a trading agreement between the two countries if such an agreement had been reached instead of possession taken by force.

"With all these things considered there is ample warrant for the payment of the $25,000,000 considered in the new treaty.

"Some of the facts in connection with our possession, considered from a Colombian viewpoint and submitted to the world by them with evidence, are the following:

"(1) In September, 1903, the United States of America was on a trading basis with Colombia for the concession for the Panama Canal. By virtue of its negotiation it acknowledged the title to the canal site as lying in Colombia; strictly within its moral and international rights Colombia, by the rejection of the Hay-Herran treaty as the act of its Congress, put an end for the time to these negotiations.

"(2) On November 3, 1903, independence was proclaimed by the Republic of Panama from Colombia and an armed revolution commenced. This act and the declaration of independence were actively fostered and advised by M. Bunau-Varilla, a French citizen, and the financial representative of the French Canal Co., whose concession was about to expire by limitation. The sale of this concession, together with the work done, equipment on hand, and practically the entire stock issue of the Panama Railroad to the United States Government for $40,000,000, was contingent upon the renewal of the concession by Colombia or in some other way. Colombia having failed to extend, there was only one other way to renew—that was to set up a new country and recognize the title as being and lying in that country.

"In accordance with the plan and by agreement, with the tacit consent of the Roosevelt administration, the proper wires were laid—all this is confessed by M. Bunau-Varilla in his book on Panama—and the following events occurred:

"Coincident with the proclamation of independence by Panama, the commander of the United States war vessels *Nashville* and *Marblehead*, stationed at Colon and Acapulco, were instructed from Washington to prevent the landing of troops by Colombia. The Americans in local charge of the Panama Railroad refused transportation to the armed forces of Colombia which had succeeded in disembarking at Colon prior to the arrival of the United States naval force. United States marines stationed on the Isthmus actively opposed the efforts of Colombia to quell the revolution.

"The recognition of the new Panamanian Republic by the United States was almost coincident with its proclamation of independence. This recognition occurred on November 13, 1903, before there possibly could have been a demonstration by the new Republic that it could maintain a national existence or an orderly government. That this approval of the new nation was with a full knowledge and understanding that it could not maintain its sovereignty or continue its separation from the mother country without securing by treaty a protectorate was perfectly patent to the United States and the world. The negotiation of the treaty with Panama by the United States on November 18, 1903, which carried out this idea of a protectorate, also covered everything the United States wanted in the way of concessions for the building of the Panama Canal.

"(3) That the United States stands convicted by a logical sequence of open and avowed acts of having not deliberately appropriated the Panama Canal concession, but after having failed in negotiations with a friendly power of having actively abetted and by armed force assisted the revolt of a state or department of that power, for the purpose of setting up and maintaining in the new nation rights which they had conceded to the mother country by the fact of the previous negotiations.

"The contention of the Republic of Panama is that in forming the confederation of States composing Colombia, each State was guaranteed the right to withdraw by the constitution, after certain formalities were complied with; Colombia's reply to this is the statement that the act of revolution in 1903 was a minority deed committed and fostered solely and entirely in the cities of Panama and Colon; and that the discontent and desire for separation existed with less than a hundred leaders, whose patriotism was fostered and inspired by M. Bunau-Varilla and his coconspirators and was based on the certain personal, political, and financial gain to be derived by them from the erection of the new nation, and the moneys it would receive from the United States for the concession. As most of these were commercial men who owned property in the two cities and along the right of way of the canal, the prospect of increase of values in land and the increased business for the two cities, which were absolutely sure concomitants of the construction of the canal, formed a potent reason for the consummation of what the Colombians politely call 'an agreement,' but which some of the more bitter ones dub 'a conspiracy.'

"Words are hard things. The 'I took it' statement, which has been attributed to ex-President Roosevelt as being made in one of his speeches, whether true or not, has gone far and been often quoted by the Colombians. No matter what the provocation; no matter if German machinations combined with their knowledge of the people defeated all efforts to secure a treaty with Colombia giving the canal concession, the fact remains that we stand convicted by the public opinion of Colombia, all the South American Republics, and much of the remainder of the world of 'taking it.'

"Our conscience may acquit us on the ground of 'expediency'; we have occasion to feel proud of the physical fact of the canal with its patent, stupendous, and increasing benefits to commerce and civilization; but all this does not detract from our bounden duty to make restitution to our neighbor and would-be 'friend' as best we may, and as soon as practicable.

"Colombia is covered to-day with American enterprise in all stages, from the beginnings of the dream of a promoter to that of actual construction of railways, drilling of oil wells, mining of coal, gold, and platinum, the founding of banking and mercantile establishments, together with the prosecution of trade in every conceivable way. The country would be considered—if the backward condition of its transportation facilities were looked at—wonderfully developed; but the fact is that it has been scarcely touched. Filled with fertile valleys and table-lands, barred off from river, sea, or rail transportation by miles of mule-back transportation; with its ports undeveloped and just beginning to be properly sanitated; and its navigable rivers needing improvement, there are possibilities for development, that give basis for the opinion and hope that years to come will see it not only one of the richest but among the most advanced States of South America.

"Colombia has been almost from the beginning struggling to educate its people. Under the auspices of the Catholic Church in colonial days, an institute of secondary education was founded in Bogota. The Colegio del Rosario was founded in 1622 and is still in existence and flourishing. Its graduates have furnished most of the notable men of the country.

"Classed as one of the highest educational institutions of South America, the National University of Bogota, which was founded in 1867, gives courses in medicine, law, political science, has associate schools of engineering and science, together with an academy of music. In addition there are in Bogota a Catholic seminary, the Colegio de San Bartolome, and the University of the Republic—all high grade and doing good work. Besides these advanced educational institutions in the capital there are universities of high grade at Medellin, Cartagena, and Popayan. At Medellin is the National School of Mines, which is a part of the University of Bogota. Elementary education was between 1870 and 1886 fostered by the

National Government, but fell into evil days thereafter until 1912, when a new impulse commenced. The schools are free but not compulsory.

"The German influence in politics and in general is traceable to the fact that commencing in 1870 the Government founded and maintained normal schools in the capitals of all States, nearly all of which had a German faculty.

"The innate courtesy of the Spanish-speaking people is distinctly and constantly a possession of the higher class Colombian. Hospitality is a trait common to all classes. The bitterness felt by everyone is voiced, on question, by the educated classes, but does not take the shape of discourtesy. The everyday man does not know the particulars, but he believes 'the gringoes' took something that did not belong to them when they took Panama. Both crowds, as time goes by, are less bitter—a sign of this is their recent expressions of sympathy with Panama in her trouble with Costa Rica over the boundary.

"The money, enterprise, and goods of the American are valued and appreciated. The general tendency would normally be to like us, if we could only take away from them a sense of injury. There is only one way to do this—right the wrong by making a money payment with the other concessions called for by the treaty.

"The money will not be spent to our hurt, but for ports, railways, roads, and the payment of a part of their public debt, much of the securities for which are in the hands of American banks as underlying security on loans to British borrowers."

Mr. RANSDELL. I also ask to have printed as a part of my remarks a copy of the pending treaty, and the treaty as it would be changed by my proposed amendments.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

REPORTED BY THE COMMITTEE ON FOREIGN RELATIONS.

[Omit the part struck through and insert the part printed in italic.]

"The United States of America and the Republic of Colombia, being desirous to remove all the misunderstandings growing out of the political events in Panama in November, 1903; to restore the cordial friendship that formerly characterized the relations between the two countries, and also to define and regulate their rights and interests in respect of the interoceanic canal which the Government of the United States ~~is constructing~~ *has constructed* across the Isthmus of Panama, have resolved for this purpose to conclude a Treaty and have accordingly appointed as their Plenipotentiaries:

* * * * * * *

"Who, after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following:

~~ARTICLE I.~~

~~"The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, in its own name and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations.~~

~~"The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accepts this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear.~~

ARTICLE ~~II~~ *I.*

"The Republic of Colombia shall enjoy the following rights in respect to the interoceanic Canal and the Panama Railways, *the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever:*

"1. The Republic of Colombia shall be at liberty at all times to transport through the interoceanic Canal its troops, materials of war and ships of war, ~~even in case of war between Colombia and another country,~~ without paying any charges to the United States.

"2. The products of the soil and industry of Colombia passing through the Canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject. The products of the soil and industry of Colombia, such as cattle, salt, and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

"3. Colombian citizens crossing the Canal Zone shall, upon production of paper proof of their nationality, be exempt from every toll, tax, or duty to which citizens of the United States are not subject.

"4. ~~During the construction of the Interoceanic Canal and afterwards whenever~~ *Whenever* traffic by the Canal is interrupted or whenever it shall be necessary for any other reason to use the railway, the troops, materials of war, products and mails of the Republic of Colombia, as above mentioned, shall, ~~even in case of war between Colombia and another country,~~ be transported on the Railway between Ancon and Cristobal or on any other Railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products and mails of the United States. The officers, agents and employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on the said Railway on the same terms as officers, agents and employees of the Government of the United States. ~~The provisions of this paragraph shall not, however, apply in case of war between Colombia and Panama.~~

"5. Coal, petroleum and sea salt, being the products of Colombia, *for Colombian consumption*, passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall, *whenever traffic by the canal is interrupted*, be transported over the aforesaid Railway free of any charge except the actual cost of handling and transportation, which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the Railway and in transit from one port to another of the United States.

ARTICLE ~~III~~ *II.*

"The *Government of the* United States of America agrees to pay *at the city of Washington* to the Republic of Colombia, ~~within six months after the exchange of the ratifications of the present Treaty~~ the sum of twenty-five million dollars, gold, United States money, *as follows: The sum of five million dollars shall be paid within six months after the exchange of ratifications of the present Treaty, and reckoning from the date of that payment, the remaining twenty million dollars shall be paid in four annual instalments of five million dollars each.*

ARTICLE ~~IV~~ *III.*

"The Republic of Colombia recognizes Panama as an independent nation and taking as a basis the Colombian law of June 9, 1855, agrees that the boundary shall be the following: From Cape Tiburon to the headwaters of the Rio de la Miel and following the mountain chain by the ridge of Gandi to the Sierra de Chugargun and that of Malí going down by the ridges of Nigue to the heights of Aspave and from thence to a point on the Pacific half way between Cocalito and La Arvita.

"In consideration of this recognition, the Government of the United States will, immediately after the exchange of the ratifications of the present Treaty, take the necessary steps in order to obtain from the Government of Panama the despatch of a duly accredited agent to negotiate and conclude with the Government of Colombia a Treaty of Peace and Friendship, with a view to bring about both the establishment of regular diplomatic relations between Colombia and Panama and the adjustment of all questions of pecuniary liability as between the two countries, in accordance with recognized principles of law and precedents.

ARTICLE ~~V~~ *IV.*

"The present Treaty shall be approved and ratified by the High Contracting Parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the City of Bogota, as soon as may be possible.

"In faith whereof, the said Plenipotentiaries have signed the present Treaty in duplicate and have hereunto affixed their respective seals."

Amendments intended to be proposed by Mr. RANSDELL:

Change the numbers of Articles I, III, and IV of the pending treaty, respectively, to Article IV, Article V, and Article VI, and amend the treaty so that as amended it will read:

"A TREATY OF ALLIANCE BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COLOMBIA.

"The United States of America and the Republic of Colombia being desirous of reestablishing that ancient and cordial friendship which throughout the greater part of their history has characterized the relations between the two countries, and being convinced that the most potent assurance of peace and good feeling lies in that Christian amity which has hitherto attended their international association, have determined to enter into a treaty of alliance for protection and preservation of certain common interests and for the reestablishment and perpetuation of the friendship of the two countries. It being apparent that the objects so earnestly desired by both countries can not be attained by any system of reparations, and that firm friendship can not be established by insistence of either party upon acceptance by the other of their respective judgments as to the propriety of policy exercised from time to time by their respective administrations, and it being the desire of both

countries that in a spirit of forbearance the past policies of both countries shall be left to the judgment of history, and it now being the ardent desire of both countries that they shall in a spirit of friendship and cooperation go forward to the greater accomplishment of their destinies under a beneficent Providence; in order, therefore, to conclude a treaty of alliance for mutual protection of common interests and in aid of a lasting understanding, the Government of the United States and the Government of Colombia have appointed as their plenipotentiaries—

* * * * * * *

"Who after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following:

"ARTICLE I.

"Colombia agrees to cooperate with and assist the United States in defending the Panama Canal, both by land and by sea, to the end that the canal and its approaches may be protected from aggression by any other nation or country in contravention of the obligations now impressed upon the canal by existing treaties to which the United States of America is a party.

"ARTICLE II.

"Colombia agrees that a canal between the Atlantic and Pacific Oceans by the Atroto River Valley route, or by any other route within its territory, shall not be constructed except with the assent, approval, and cooperation of the United States of America.

"Colombia cedes to the United States of America the islands known as Providence and St. Andrew Islands, in the Carribean Sea, and such contiguous islands as may be deemed by the United States and Colombia useful for the protection of the Panama Canal.

"ARTICLE III.

"In consideration of the above concessions and benefits accruing to the United States of America, and in consideration of expenditures which Colombia must make if she is to be in a position to cooperate and assist the United States of America in the defense of the Panama Canal, as provided in Article I of the treaty, the Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $30,000,000 gold United States money, as follows: The sum of $5,000,000 shall be paid within six months after the exchange of ratification of this treaty, and reckoning from the date of that payment the remaining $25,000,000 shall be paid in five annual installments of $5,000,000 each; and further the Government of the United States of America obligates itself to loan to the Government of Colombia a sum not to exceed $25,000,000 to aid in the improvement of its harbors and waterways, and to complete railroad connections between its principal centers of population and the Atlantic and Pacific seaboards.

"ARTICLE ~~III~~ *IV.*

"The Republic of Colombia shall enjoy the following rights in respect to the interoceanic Canal and the Panama Railways~~,~~, *the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever:*

"1. The Republic of Colombia shall be at liberty at all times to transport through the interoceanic Canal its troops, materials of war and ships of war, ~~even in case of war between Colombia and another country,~~ without paying any charges to the United States.

"2. The products of the soil and industry of Colombia passing through the Canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject. The products of the soil and industry of Colombia, such as cattle, salt, and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

"3. Colombian citizens crossing the Canal Zone shall, upon production of paper proof of their nationality, be exempt from every toll, tax, or duty to which citizens of the United States are not subject.

"4. ~~During the construction of the Interoceanic Canal and afterwards whenever~~ *Whenever* traffic by the Canal is interrupted or whenever it shall be necessary for any other reason to use the railway, the troops, materials of war, products, and mails of the Republic of Colombia, as above mentioned, shall~~, even in case of war between Colombia and another country,~~ be transported on the Railway between Ancon and Cristobal or on any other railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products, and mails of the United States. The officers, agents, and employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on the said railway on the same terms as officers, agents, and employees of the Government of the United States. ~~The provisions of this paragraph shall not, however, apply in case of war between Colombia and Panama.~~

"5. Coal, petroleum and sea salt, being the products of Colombia, *or Colombian consumption*, passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall, *whenever traffic by the canal is interrupted*, be transported over the aforesaid railway free of any charge except the actual cost of handling and transportation, which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the railway and in transit from one port to another of the United States.

"ARTICLE ~~IV~~ ~~III~~ *V.*

"The Republic of Colombia recognizes Panama as an independent nation and taking as a basis the Colombian law of June 9, 1855, agrees that the boundary shall be the following: From Cape Tiburon to the headwaters of the Rio de la Miel and following the mountain chain by the ridge of Gandi to the Sierra de Chugargun and that of Mali going down by the ridges of Nigue to the heights of Aspave and from thence to a point on the Pacific half way between Cocalito and La Arvita.

"In consideration of this recognition, the Government of the United States will, immediately after the exchange of the ratifications of the present Treaty, take the necessary steps in order to obtain from the Government of Panama the despatch of a duly accredited agent to negotiate and conclude with the Government of Colombia a Treaty of Peace and Friendship, with a view to bring about both the establishment of regular diplomatic relations between Colombia and Panama and the adjustment of all questions of pecuniary liability as between the two countries, in accordance with recognized principles of law and precedents.

"ARTICLE ~~V~~ ~~IV~~ *VI.*

"The present Treaty shall be approved and ratified by the High Contracting Parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the City of Bogota, as soon as may be possible.

"In faith whereof, the said Plenipotentiaries have signed the present Treaty in duplicate and have hereunto affixed their respective seals."

Mr. MCCUMBER. Mr. President, I was one of the members of the Committee on Foreign Relations who signed a very strong protest against the original treaty which was presented to us at that time. It is because of that fact and in the light of the new features of the case that I desire to address myself to the subject to-day.

This treaty, with amendments very slightly varying its original form, was reported to the Senate March 14, 1917, former Senator Stone, chairman of the Committee on Foreign Relations, making the majority report. The Senator from Pennsylvania [Mr. KNOX], presenting his individual views and reasons, favored the ratification of the treaty at that time. Five members of the committee, namely, Senators LODGE, BRANDEGEE, BORAH, Fall, and myself, joined in the views of a minority protesting against the acceptance of the treaty.

Our principal objection to the ratification of the treaty was that article 1 as it then stood contained a clear admission of international malfeasance on the part of this country, and we denied that the United States was guilty of any misconduct in the acquisition of the territory on which the canal was constructed.

I, for one, however, have never claimed that our action at the time of the Panama revolt was of that character which would ordinarily govern us in dealing with a stable and reliable government. As much as I would like to do so, I can not give to the Grenadian treaty of 1849 as broad a construction as that claimed by the Senator from Pennsylvania. In reading the treaty I must try to arrive at the intent and purpose of the two nations party to the agreement, and I must exclude any inference not contemplated by it. Was it within the contemplation of either of the parties to this treaty that if the northern Province of New Grenada, namely, Panama, should revolt, New Grenada would have no right to send her troops across the railroad to put down the revolt? If such a suggestion had been made as to the meaning of the treaty, would Colombia have ever signed it? The justification for the action of President Roosevelt must be predicated not alone upon the treaty but upon that treaty in connection with the circumstances surrounding his action when he recognized the independence of Panama.

For years we had been seeking such an agreement as would enable us to construct a canal across the Isthmus. We had finally succeeded in securing an amendment of the old Clayton-Bulwer treaty whereby we were permitted to construct this

canal as a Government project. We had made surveys and had discussed for years the particular location for such connecting waterway. We had finally secured an agreement for the necessary right of way from Colombia herself upon the payment of $10,000,000 and an annuity of $250,000 per year. Colombia ought to have granted that right, so beneficial to her, without the payment of a single cent. The governing power in Colombia, observing how easy it was to reach into the Treasury of the United States, thought they saw an opportunity to hold up this Government for $50,000,000. Panama revolted. Of course, we knew of the contemplated revolt, but we took no part in creating it. Under the circumstances we acted, and acted with extreme alacrity, in recognizing Panama and coming to an agreement with her.

We do not apply the same rule of conduct to the hold-up artist that we apply to a man of exemplary demeanor. The warship coming to close quarters with the pirate ship is not even bound to wait for the first shot. The powers then in control of the Colombian Government staked everything in an attempted hold-up of this country. They lost. They have no right to complain. The action of President Roosevelt in recognizing the Republic of Panama was clearly within his Executive authority. The occasion justified his course, and the beneficent result to the commerce and consequent prosperity and happiness of the people of both hemispheres has received the merited commendation of the whole world.

The treaty as then framed contained both the apology for our action and the agreement to respond in damages. I joined in the report against doing either.

I quote, because they have been quoted on the floor before, a few paragraphs from these minority views:

> This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally, and no combination of words, no niceties of diplomatic language can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia. On no other hypothesis could Colombia ask for this indemnity of $25,000,000, and on no other could we acquiesce in that demand.

I recognize the language. I admit its authorship.

> While there is an attempt in the beginning of the report by careful wording to veil this disagreeable aspect of the case, it is, nevertheless, forced into relief as the moving consideration for this great outlay in another sentence of that report, which reads as follows: "In all of these treaties the United States, out of the desire to settle the controversy, has offered to make recompense to Colombia by way of satisfaction for her claim for damages." There is a clear admission that we are paying this sum to settle a claim for damages. By making this payment we admit the claim.
>
> The minority of the committee desire to go on record as denying the charge which this payment recognizes as valid, that this country was guilty of any international misconduct in the acquisition of the territory on which the canal was constructed.
>
> On the contrary, the minority declare that our conduct in securing an agreement from Panama was just and proper in every respect, and that the Colombian Government has no just or equitable claim against this Nation for any act on our part in connection therewith.
>
> This treaty is, in effect, not only a plea of guilty to the charge made against us by Columbia, but an agreement that in addition to the payment of $10,000,000, the price for which the Government of Colombia had agreed to convey to us the right of way over the Isthmus, while she claimed sovereign rights over that territory, we shall also pay $15,000,000 to Colombia as exemplary damages. No other construction can or will be placed by the world on our action.
>
> Nor can we avoid this conclusion by declaring to the world that we are paying this vast sum—two and a half times greater than we paid Panama for our right of way—"to establish cordial relations of amity." We can not afford to purchase cordial relations with any country. We can not afford to answer a blackmail demand. Once respond to such a demand and we shall be held up for every fancied wrong by other countries.

Mr. President, this report, of course, is not aimed at the particular treaty which is now before us. Article 1 of that treaty, which contained the apology, has been entirely eliminated. By the treaty as amended Colombia makes no charge of impropriety against this country, either directly or indirectly.

But, Mr. President, we agree to pay Colombia $25,000,000 for something. What are we paying it for? We have removed from the treaty the moving cause for the payment of $25,000,000. In the light of the history of the claim we are placed somewhat in the position of saying to Colombia: We refuse to plead guilty to your indictment, but if you will withdraw the indictment we will pay the fine.

If I take this treaty alone, with no side lights thrown on it, with no subsidiary understanding, I can not find in it any consideration whatever for the demand for this $25,000,000. In fact, except for the recognition by Colombia of Panaman independence, the grants are all on the part of the United States; and as we declare, and have declared right along, that Panama is already an independent State without this recognition by Colombia, we can hardly call such recognition a valuable consideration. Though the apology contained in article 1 is stricken out, the treaty still presents to me this disagreeable feature. By striking out article 1 the only real valuable consideration for the payment of the $25,000,000 is withdrawn. With that article stricken out, the instrument fails to even recite "for value received" we promise to pay, and so forth. If I vote for the treaty, I must find my consideration entirely outside its provisions. I certainly can not find it within its context. If I vote for it, I want it distinctly understood that I am not recognizing any legal or moral obligation on the part of this country to Colombia growing out of the recognition of the Panama Republic by President Roosevelt or any action of the United States connected with the acquisition of the right to construct and operate a canal across the Isthmus.

I want it further distinctly understood that I am not agreeing to pay $25,000,000 to Colombia to purchase her good will. A good will that is for sale will be reoffered to the next highest bidder.

Since our protest against the old treaty, many things have occurred which seem to justify several of those on the committee who joined me in opposition to the old treaty in now giving the one before us their support. The first and most important is the total elimination of article 1, the apology provision, from the treaty. The second reason is a new and important valuable consideration which they expect to secure by a subsequent treaty with Colombia.

The President of the United States who, as I remember, also opposed the treaty in its original form, now earnestly favors its ratification, induced, I have no doubt, by the assurance that it will be followed by such grants on the part of Colombia as will be of almost inestimable value to the citizens of the United States. In this he is, of course, as are others who support the treaty on that ground, relying upon the good faith of the Colombian Government.

Mr. REED. Mr. President, I should like to ask the Senator a question for information.

Mr. McCUMBER. I am not certain that I can keep within the hour if I yield.

Mr. REED. I merely wish to ask one question.

Mr. McCUMBER. Very well; I yield.

Mr. REED. I merely desire to ask if the Senator knows what those pledges were?

Mr. McCUMBER. I am going to recite what are stated to be the pledges before I get through.

Mr. REED. Very well.

Mr. McCUMBER. It has been pointed out to me that this good faith has already been manifest in the late decision of the Colombian courts concerning the rights of the State to the vast mineral oils in Colombia. Under the old Spanish law all minerals in Spain and in her possessions belonged to the State. When New Granada, afterwards Colombia, became an independent State it became possessed of all the rights to the minerals theretofore held by law by the mother country. After citizens of this country had obtained large concessions and oil interests in Colombia it was declared by the Colombian Government that these oils, which were wholly unknown to Spain and to the world in those olden times, came under the designation of minerals. This claim was protested, and it was well understood by the Colombian Government that we would make no treaty with her unless that unjust claim, asserted only after large concessions had been granted and vast sums expended in developing them, was repudiated.

The Colombian Supreme Court, which, as is well understood, represents the administration in control, finally confirmed the constitutionality of the concessions given to American citizens, virtually repudiating, as I am informed, the claim that petroleum oil was a mineral in the sense used in the old Spanish law and Colombian constitution, and as such the property of the State. This decision was of very great value to the citizens of the United States, and I have no doubt was caused by the desire to clear the way for this treaty.

The Senator from Massachusetts recites in his address a summary of claims made by Colombia against the United States, wholly independent of this treaty and in part growing out of annuities and interests of Colombia in the Panama Railway, aggregating more than $50,000,000. And, as I read his address, he recognizes that at least $16,000,000 of these claims is unquestionably valid. And the Senator seems to regard this treaty as settling those claims.

I am not prepared to pass judgment on the validity of these claims. The facts stated would seem to indicate at least a moral obligation on our part to make good the loss of Colombia in the extinguishment of her interest in the Panama Railroad; but I call attention to the fact that there is nothing in the treaty in any way settling these particular claims. There is nothing in the treaty as it now stands, with article 1 stricken out, that de-

clares that this $25,000,000 shall be in settlement of any claim on the part of Colombia.

The only thing that Colombia recognizes is the unqualified and indisputable fact that Panama is an independent country. The only thing that we recognize is the equally unquestioned and indisputable fact that the Colombian Government wants $25,000,000.

But, Mr. President, if I understand the situation properly, the President is satisfied that this treaty is a mere prelude to another treaty, which will be immediately negotiated, whereby most substantial rights will be acquired by the United States. The Senator from Massachusetts, chairman of the Committee on Foreign Relations, leader of the majority on the floor, who is brought in daily touch with the State Department, in his address says:

> We have received every assurance short of a written treaty that this treaty now pending before us will be followed by a treaty of amity and commerce with Colombia, which will rid us, as I have pointed out, in the first place, of the old Grenadine treaty of 1846, which has been the subject to endless dispute and a stumblingblock in the way and which will unite the interests of Colombia in the defense of the canal and commercially with those of the United States. There is no doubt that the present administration in Colombia is desirous of a very friendly relation with the United States, and that can not fail to be of profit and benefit to both countries.

What is this treaty of amity and commerce which is to follow the pending treaty? What is the great expectation toward which we are looking, the entrance to which can only be unlocked by this golden key?

Mr. President, if we can secure half of what is pointed out to us the investment is worth double the expense.

What are these great expectations? I will quote them literally from the letter of the Secretary of the Interior, which is inserted in the address made by the Senator from Massachusetts:

> First. This country should obtain the title to any islands or lands near either entrance of the Canal Zone, should such islands or possessions be claimed by Colombia.
>
> Second. The United States should acquire from Colombia the right to construct a canal by way of the Atrata River and an option upon any other canal routes whatsoever which Colombia may own.
>
> Third. A new agreement should be reached as to peace between the two countries and providing for the absolute neutrality of both, and that neither in event of war or trouble between the other and any foreign country should allow its ports, coast, or territory to be used by the forces, naval or otherwise, of the country or countries with which either might be at war.
>
> Fourth. An agreement for the defense of the Panama Canal, each country allowing the full use of its waters and shores to the other for such purposes, under conditions to be agreed upon between the two countries at the time and from time to time, if and when occasion may render such use necessary for such defense.
>
> Fifth. The recognition of Colombia of the independence of Panama is obtained.

Of course, that is really the only thing on the part of Colombia which appears as an affirmative proposition in this particular treaty.

> These are considerations for which this Government would be justified in paying any reasonable amount to the Republic of Colombia and entering into mutual agreements.
>
> * * * * * * *
>
> A special clause in such treaty should be inserted by which, in return for transit exceptions or discriminations in her favor, Colombia should allow us to use her ports and her territory for the protection of our reciprocal neutrality agreement in event of her inability to so protect this agreement and her territory from illegal use by any country with which we are at war or not on terms of unity.
>
> I can see no reason why Colombia would not cheerfully enter into a treaty such as I have suggested, as the advantages to the United States and Colombia would be mutual.

I think I am justified in assuming, Mr. President, that these are the things, the advantages, which this Government not only hopes but expects to secure by this initial investment of $25,000,000.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. McCUMBER. I will yield, but I should rather that the Senator would wait until I conclude.

Mr. KELLOGG. Very well; I will wait until the Senator concludes.

Mr. McCUMBER. Mark you, I am not assuming that Colombia will part with any additional territory or islands without additional compensation. But until we have such relations with the great nations of the world that will assure us against war, at least between powerful nations, we should be possessed of any islands or lands near the entrances of the Canal Zone as will enable us to properly and fully protect it. The exclusive option upon any other canal route would forestall any danger arising from such grants to other nations. The denial of the use of ports or coasts or territory to any foreign nation engaged in war against us would have its own intrinsic value.

One might well ask, if that is the real consideration for which you could vote this expenditure, why should we not insist that it be specifically settled in this agreement? The executive department might answer that the somewhat delicate and uncertain tenure of the life of any Government in any of the South American Republics might be such as to necessitate this first step being taken before we could successfully consummate the second step.

The administration, through its Department of State, may have such information as justified it in asking that this course, recommended by President Harding—who was also opposed to the treaty in its original form—and by his Secretary of State, be now pursued.

In voting for the treaty, I am taking much on faith. I am voting for it with the declaration that we are owing Colombia absolutely nothing for any action on our part concerning the Panaman revolution or the acquisition of the canal route. I am voting for it with a degree of assurance that any claim by Colombia, growing out of her interests in the Panama Railroad or any other pecuniary claim, will be liquidated by this $25,000,000.

I am influenced also in following the advice and earnest request of the President of the United States by the immense opportunities that will be opened up to American capital and to American commerce, and consequent American advantage, in the development of the vast oil fields of Colombia should such a treaty be consummated. This Nation is intensely interested in the future world's supply of petroleum. If reports are at all to be relied upon, no place on the globe has the potential possibilities of oil supply comparable with Colombia.

We are now the capitalistic country of the world. But capital without employment is of little value to us. We shall attempt as far as possible to maintain the American wage scale and the American standard of living. That will necessarily to some extent cut us off from European trade. Our greatest commercial possibilities lie in a southern rather than in an eastern direction. We want to develop trade between the United States and South and Central America, and to the extent that American capital develops Central and South American industries will trade naturally be turned in our direction.

I want the American Government to stand back of and protect American rights of property as well as of life and liberty in these South American Republics. And so with this apology eliminated, with this boundary between Panama and Colombia definitely and irrevocably settled, with the independence of Panama forever recognized by the Colombian Government, with every pecuniary claim extinguished, and, above all, with this assurance of a subsequent treaty of amity which will open up vast opportunities for American endeavor and accomplishment, I shall cast my vote for the ratification of this treaty, leaving it with the President in his own way to secure results that will constitute the only consideration and be the only justification for this outlay.

If he shall succeed in his expectations, I shall not regret laying aside my scruples against making payment in advance of delivery.

If he fails, it will be $25,000,000 worse than squandered.

I am voting to stake $25,000,000, one-half the cost of a battleship, on the effort of the President to secure without an additional donation a supplemental agreement that will be worth to this country many times that sum. I believe he will make good his expectations.

I now yield to the Senator from Minnesota.

Mr. KELLOGG. Mr. President, the Senator has narrated five propositions which were contained in the letter of Senator Fall, and states that he expects the administration to negotiate a treaty covering those points. Does not the Senator know that those propositions were the ones set out in the letter by Senator Fall to Col. Roosevelt in March, 1917, and that Colombia has deliberately, repeatedly refused to make any such concessions up to the present time?

Mr. McCUMBER. Yes, Mr. President; I know that, and I know that up until the present time she has also refused to reverse her policy concerning what constituted minerals in Colombia. The Colombian Government, as also the South American Governments, lacks that stability that we recognize in the great Governments of the world. They change their governments very often and they change their policies with each government. It does not make any difference to us what particular government Colombia has six months from now, or what particular government she had nine years ago, provided she has a governing power now that will grant us what we are asking for, and I am certain that the President, who is in close touch with the situation, believes he is justified in assuming that he can secure that kind of a treaty.

Mr. KELLOGG. One more question, if the Senator please.

Mr. McCUMBER. Certainly.

Mr. KELLOGG. As I understand the Senator's answer, it is that while Colombia has made no intimation that she will grant this he expects that she will.

Mr. McCUMBER. I do not know that she has not made such an intimation through the proper channels.

Mr. KELLOGG. Will the Senator point to me any document or letter or intimation of the President or any other Government official that they expect to negotiate a treaty containing those points which Senator Fall put in his letter back in 1917—one single expression by anybody connected with the Government?

Mr. McCUMBER. Publicly, no; privately, yes. I do expect, and the intimation I have from the powers that be is, that they hope to secure agreements along this line. I do not read the correspondence. I would not be entitled to know what had passed between the Department of State or between any member of the President's Cabinet and anyone representing the Colombian Government. I believe that this letter from Senator Fall represents a present-day hope and expectation on the part of the United States.

Mr. KELLOGG. I hope the Senate will not be expected to vote on whispered intimations of benefits to accrue.

Mr. McCUMBER. Mr. President, as I stated, I am willing to stake the $25,000,000 that the President will secure a treaty that will justify my vote.

Mr. KENYON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Borah	Harrison	Moses	Smith
Broussard	Kellogg	Nelson	Smoot
Bursum	Kendrick	Nicholson	Stanfield
Cameron	Kenyon	Norbeck	Sterling
Capper	Keyes	Norris	Sutherland
Caraway	Ladd	Overman	Swanson
Cummins	La Follette	Phipps	Townsend
Curtis	Lenroot	Poindexter	Trammell
Dial	Lodge	Pomerene	Wadsworth
Dillingham	McCormick	Ransdell	Walsh, Mass.
Fletcher	McCumber	Reed	Warren
France	McKellar	Robinson	Watson, Ga.
Gooding	McKinley	Sheppard	Willis
Harreld	McLean	Shortridge	Wolcott
Harris	McNary	Simmons	

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, in some respects this is the most remarkable debate I have ever heard in the Senate or outside of the Senate. About two-thirds of the time has been taken in discussing Theodore Roosevelt, and advocates of the treaty and opponents of the treaty alike prove their case, or attempt to prove their case, out of the mouth of this man who can no longer speak and who can not defend himself against either the mistakes of friends or the traducements of enemies.

There is one calamity which happens to the great which I shall escape. It has seemed to me, particularly in recent years, that every great man, viewing the declining sun of his life, must have found it obscured by the shadow of a great fear that after he is dead and in the silent tomb every fellow who has a theory will be endeavoring to prove it out of his lips. It is the common fault of to-day. I have learned more of the things that Abraham Lincoln has said distorted and twisted to fit the favorite theory of some gentleman of the present day than perhaps of any other man. But just now we are engaged in quoting Theodore Roosevelt.

Mr. President, this question ought not to be settled by the opinion of Mr. Roosevelt. It is not a question of opinion, but of facts, and as I hold in my hand this book, "Fear God and Take Your Own Part," almost the latest writing of President Roosevelt, in which he denounces the attempt to extort money from the United States on behalf of Colombia as blackmail, and declares our title to the canal to be good, in law and in equity, it seems to me that the greatest act of vandalism I have ever known is for any pretended friend of Roosevelt to reach his hand into the coffin of the helpless dead and tear from it the white shroud and run it up as the white flag of surrender over the one great monument Roosevelt had sought to erect to his memory.

I do not propose to discuss this question from any personal standpoint, and in the 60 minutes that are allotted to me I shall be obliged to pass over many important matters. I simply say this, that Theodore Roosevelt was the President when every one of the transactions looking to the acquisition of the canal took place. We either acquired this canal honestly or dishonestly. If we acquired it honestly, then we owe no nation a penny for it. If we acquired it dishonestly, then we ought to pay. But when we pay let us do it with full notice of the fact that we admit the dishonesty and that we put the brand upon the President who took the canal.

It is useless to undertake to deceive ourselves. No nation ever yet paid $25,000,000 upon a claim that an injustice had been done by that nation, except it, by that act, acknowledged the injustice. The payment of this money would be a confession of ravishment of Colombia by the United States. It could not be otherwise construed. The striking out of this treaty of words of apology which were in former proposed treaties does not in any manner alter the fact that the payment of $25,000,000 must be for something. That something must be the title of Colombia in the canal, and if Colombia had a title in the canal, and we entered in violation of that right, then, of course, we committed a wrongful act. If you pay this money upon any other theory, then you will rob the people of the United States of $25,000,000, which you wrongfully and without reason turn over to another country.

Moreover, you can not escape the moral consequences. If we say to the world, "We did not ravish Colombia. We acquired this property honestly. We paid for it not only in dollars but in services and guaranties of much greater value, and it is ours," then you at least stand before the world boldly asserting your innocence. But the payment of $25,000,000 or any other sum is a plea of guilty. You who advocate this treaty would have us say to all the world, "We have been caught with the goods; we stand convicted before the bar of conscience. We admit our guilt and we are trying to pay our way out."

Now, let us understand the question as it is. This twaddle—for I shall so characterize it—about not having harmed Colombia and yet owing her $25,000,000 is not worthy a debate in a country school district by a class of boys 14 years of age. It will fool nobody, not even the man who indulges in it.

But it is said, although we did not wrong this country, although our conduct was right and virtuous and equitable and just and honest, nevertheless we can afford to pay $25,000,000 for the good will of Columbia. If we lost the good will of Colombia in doing a perfectly proper act and we have to pay $25,000,000 to get its good will back, then its good will is not worth anything, for the good will of a man whose good opinion you can only retain by paying him money is not worth anything to you or to anybody else.

Let us strip this question naked and discuss it as it is. Either we acquired this property honestly or we acquired it dishonestly. If we acquired it dishonestly, let us pay. If we acquired it honestly, let us assert our right to it.

Mr. President, I have not time to trace the history of the revolutions of Panama and of Colombia. It is said there were 53 revolutions in 53 years. The cold truth of history is, however, that there never has been in Colombia anything approximating what we recognize as a settled government. These countries revolted from their European masters. They indulged themselves in temporary independence each of the other. They came together at different times, different States, in a loose sort of confederation. As late as 1861 Panama, while in one sense a member of the Colombia Confederation, was nevertheless so independent a State that she was negotiating treaties between herself and Colombia, an act which absolutely is a denial of the doctrine that Panama was then a part of Colombia in the sense that term is ordinarily employed.

In 1863 a constitution of Colombia was adopted in which Panama relinquished many rights, and that was followed again by other treaties, by other disturbances, by other broils between these countries, but even in the constitution of 1863 Panama and the other States reserved to themselves the right, in case their privileges as independent States were violated, to withdraw from the confederation.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Washington?

Mr. REED. I can yield only very briefly.

Mr. POINDEXTER. In emphasis of what the Senator has said, in the constitution of Colombia of 1863 there was a curious provision, that the several sovereign States, as they were designated, which constituted the United States of Colombia, should remain neutral in case of war between any two of them.

Mr. REED. Oh, yes; Mr. President; without going into the history, it may be summed up in this way, there was a sort of a loose confederation for certain purposes; but Panama was never a part of the nation of Colombia, nor did Colombia constitute a nation in the sense that this Federal Government of ours constitutes the government of a nation, or in the sense that one of our States constitutes a part of this Federal Union.

With these large reservations, of the right of independence, the right of withdrawal, and the right to make war, under the constitution of 1863, they got along for a few years, when a dictator arose in Colombia, and that gentleman overthrew the constitution, trampled upon every right which had been reserved in the constitution of 1863, disregarded it in every particular, and ruled simply by the sword. He adopted, by virtue of his own will, and through his own henchmen, whom he controlled and set up absolutely, an alleged constitution, which never was accepted in the way that the constitution had to be accepted if it was amended in accordance with the terms of the constitution of 1863, and from that time on the people were only waiting for an opportunity to rebel, and rebellions did break out from time to time, and were put down with fire and sword by this dictator. So that the constitution of 1886 does not represent a constitution in the sense at all that we employ that term. It was in fact, though worked out somewhat in accordance with the forms of law, the decree of a dictator who held the country by the sword. That was the situation.

Away back in 1846 this Government had negotiated the treaty with what then seemed to be about the most stable government that has been established in that country up to that time. In that treaty we reserved to ourselves the right to pass across the Isthmus by any means of communication then known or which might thereafterwards be devised. We were then asserting rights and acquiring as far as we could rights across the Isthmus. That did not give us in express terms the right to construct the canal, but the right may almost be inferred from the language while it is not expressed.

This was the situation of affairs in which we found ourselves in the years 1900, 1901, 1902, and 1903. There was at that time a threatened revolution in Panama, an incipient revolution if you please, but Colombia came to us and said, "If you will take over the rights of the French company in the Canal we will negotiate a treaty with you, transferring to you the rights which the French company heretofore had." Those negotiations were entered upon and I very briefly mention them.

Seven million dollars was their original demand. Then $10,000,000, then $15,000,000, then $25,000,000, and at last, when we had practically committed ourselves to the Panama Canal route and had practically abandoned the Nicaragua route, these gentlemen proposed to exact 10 or 15 million dollars from the Panama Canal Co.—for what? We are talking here about fairness, talking here about decency, talking here about generosity. With whom were we dealing? We had acquired or were acquiring the Panama Canal Co.'s rights for $40,000,000. We had been led to understand then and believed that was highly agreeable to Colombia and that they wanted the treaty ratified.

After we were in that shape Colombia demanded $10,000,000 from the Panama Canal Co. for the simple right of transferring its holdings to the United States. That was an exceedingly friendly act, was it not? The Panama Canal Co. was bankrupt and could not complete the canal. The United States, the great friend of Colombia—the friend that Colombia, we are told, so warmly loved—was about now to take over that holding and complete the canal. We had paid or agreed to pay $40,000,000 to the canal company. Then stepped in this highly civilized friend of the United States and said the United States can not have the benefit of the transfer of the canal company's rights unless the United States should pay $10,000,000, or unless the canal company pay to Colombia that amount, which is the same thing, for we were putting up all the money.

During that state of affairs Panama revolted from Colombia. I think the United States winked at the revolution with both eyes, and I think the United States did right under the circumstances. Panama's chief asset was that canal. When Colombia undertook to thwart this great international improvement she wrought an injury to Panama which could not be calculated in money. She wrought an injury to the world, and she played fast and loose with her agreements with the United States.

That leads me now to an observation that I intended to make at the opening of this address. The last speaker on the floor made a speech replete with good argument against ratifying the treaty, and then wound up by telling us, in substance, that he was for the ratification of the treaty because there was some kind of a secret understanding among some individuals, whose names he did not give us, that Colombia hereafter was going to grant us certain favors. That is about the most appalling statement I ever heard made on this floor. We are asked to pay $25,000,000 to a country, not because we owe it to them, but in order to secure the advantages of other concessions which some one told somebody else in confidence Colombia would some time make to the United States, and that we ought to accept that as a good and valid consideration in view of our experiences with Colombia.

Now, let us see who has been wronged, and let us see how often the United States must pay for this same thing. We paid for it once when in the treaty of 1846 we practically guaranteed Colombia against attack from the outside. In all the years she has been in the shadow of the American eagle sailing over her soil, and that has been her chief protection. We paid for it the second time when we gave the Panama Canal Co. $40,000,000 for its rights under a treaty that had been negotiated with Colombia. We acquired that right of the Panama Canal Co., and it was a good and valid right, and when we acquired it we acquired all of the title that Colombia had in that canal. We acquired the absolute right to build it. The only question was, Could we build it within the limitation of that grant? If it had been a grant to a private corporation by a city of the United States and they had been proceeding with their work and a little time was necessary to complete it, there is not a court in Christendom that would have forfeited the charter. So that we bought and paid for this right which Colombia had granted, and thus acquired whatever title Colombia had.

Third, we paid for it when we made our treaty with Panama, and we paid to Panama all that Colombia had dared to ask us.

Do you know what we paid to Panama? We guaranteed that we would maintain the independence of the Republic of Panama forever. In pursuit of that, at any time that Panama is threatened from the outside the fleets and armies of the United States must go to her rescue. That runs with the grant and lasts as long as the grant lasts, and it may be that within a very short space of time, for no one can tell what will happen at this period of the world's history, we may be called upon to make good with the blood of America's boys. We did not even have a clause guaranteeing Panama's good behavior. We just guaranteed it; we underwrote it for all time.

We agreed to pay all damage caused to private lands and private property in constructing the canal, to provide for sanitation in Panama and Colon, and to transform those pest holes into beautiful and thriving cities. We granted to Panama the right to transmit its messages over the wires of the United States for public and private business at rates not higher than those required from officials in the service of the United States. We agreed to pay Panama $10,000,000 in hand and $250,000 annually beginning nine years after the date of the treaty and extending during the life of the contract; that is to say, forever.

We agreed to carry free of charge the vessels and troops and munitions of war and police force, including the baggage and war supplies of Panama, forever.

In 1909 we consented to a treaty between Panama and Colombia by which the first 10 payments of $250,000 should go to Colombia instead of Panama. Always these gentlemen are after the money.

We paid pretty well. Now, I wish to call the attention of those who feel that we ravished either of these countries and wronged them to just exactly what we have done for them. It was stated here, I think by the Senator from Idaho [Mr. BORAH]—perhaps it was some other Senator—that we took a pestilential, malaria-infected region and we transformed it into a beautiful and healthful place. We did something more than that. Panama was unable to build the canal. Colombia was unable to build the canal. They had tried the experiment of inviting in foreign capital and that had ended in failure. Colombia was cut off from Panama, as has been said, by inaccessible swamps. Colombia's eastern coast was cut off from her western coast by a chain of high mountains and by virtue of the fact that there was no way across the Isthmus. As the situation then stood, neither Colombia nor Panama could place themselves in a position to enjoy the natural advantage of their situation. There they lay, the dream of a century vanished, the hope of the world deferred.

Now, what did the United States do? If she had been an absolute aggressor, if without any more warrant than Great Britain and France had to the continent of Africa, which they took, we had gone in and built the canal and given them not a single benefit direct, they would have yet been the eternal debtors of the United States. Why? Because when we constructed the canal we turned the trade of half the world past their doors and through their gates; because we united the eastern and western coasts of Colombia, so that they could every day have ready access to each other by water; because we put them

in a position where they could occupy the place of a great civilized and progressive power, adding to their wealth, adding to their influence, and adding to their civilization. It is the greatest benefaction ever conferred by one nation upon another nation or upon two other nations.

I am assuming now that we gave them nothing, but, sirs, we paid them in good, hard coin of the realm. We paid them vast sums of money, vastly more than they originally demanded.

In addition to that we have agreed that their citizens shall have forever the same rights in the canal that any citizen of the United States shall have. Now—I say it reverently—but, in God's good name, how can men stand on the floor of the Senate and talk about our having abused these countries.

Mr. DIAL. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from South Carolina?

Mr. REED. I can yield, but very briefly.

Mr. DIAL. I should like to ask the Senator, is there any question about the right of the French company involved in our constructing the canal?

Mr. REED. There was no question about it. The French company simply failed.

Mr. DIAL. Then Colombia is not in a worse fix by our completing the canal than if the French company had completed it?

Mr. REED. Colombia is not in half as bad fix, because we now stand there guaranteeing that the canal shall stay open forever; and every gun and every man of the United States is back of that pledge.

However, Mr. President, I object to this treaty for other reasons, and I desire very briefly to call attention to them. My objections are based upon the treaty itself. I unhesitatingly denounce the treaty as filled with danger and as bound to involve us in international complications of the gravest character; and I want your patience to spend just a minute upon that phase of the subject. Article 1 of the present draft of the treaty provides:

> The Republic of Colombia shall enjoy the following rights in respect to the interoceanic canal and the Panama railways, the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever.
>
> 1. The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war.

There have been stricken out the words "even in case of war between Colombia and another country," but the striking out of those words does not alter the sense. When we agree that "the Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war," that covers war and peace times. The language is broad and comprehensive, and the striking out of the words I have quoted does no good. Then follows this clause:

> Without paying any charges to the United States.

That is an express grant by the United States to Colombia of the right to transport its armies back and forth, and to transport its ships back and forth, without paying any charges to the United States.

I want now to call attention first to the Hay-Pauncefote treaty with Great Britain with reference to the Panama Canal. That treaty provides:

> The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules on terms of entire equality.

If that language means anything, and we make this grant to Colombia to send its troops and its ships through the canal free, then we are bound to extend the same privilege to Great Britain and to every other nation. There is no escape from that conclusion.

We made a treaty with Great Britain in which we agreed with Great Britain that "the canal shall be free and open to the vessels of commerce and of war of all nations * * * on terms of entire equality," and because of that condition in that treaty it was argued upon the floor of the Senate that we could not even allow our own vessels, our coastwise vessels, to go through the canal free of tolls without admitting the vessels of Great Britain and every other nation to go through free of charge. A great Senator from New York maintained that position; the President of the United States joined him; and the Congress of the United States joined them both and repealed the provision of the canal act allowing American vessels free passage through the canal. I did not vote to repeal that provision, because, as I construed the treaty with Great Britain, the United States was not included in it; we were not bound to govern ourselves according to the terms of that treaty; but there was no one here who asserted that we could grant the privilege to any foreign country unless we granted it to all. Yet by the pending treaty which we are about to ratify, or are threatening to ratify, we give to Colombia the right to send her troops free and her ships free through the canal, and if we grant that privilege to them Great Britain and every other country can claim the right to send their vessels through on the same conditions that are written in this treaty, and they will claim it.

Moreover, there is found in most of our treaties what is known as the favored-nation clause. I read such a clause from an existing treaty between the United States and a foreign Government, as follows:

> Except as otherwise expressly provided in this treaty, the high contracting parties agree that in all that concerns commerce and navigation any privilege, favor, or immunity which either contracting party has actually granted, or may hereafter grant, to the citizens or subjects of any other State shall be extended to the citizens or subjects of the other contracting party gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional.

That is in our treaty with Japan; that is the substance of the favored-nations clause in all other treaties that contain such a clause, and we have them with most of the responsible nations of the earth.

If, then, we ratify this treaty and by it we agree to give to the Republic of Colombia at all times the right "to transport through the interoceanic canal its troops" free of charge, we give that right to Japan. If we give to Colombia the right to convey its materials and ships of war through the canal without paying any charges to the United States, we give it to Japan under the express terms of our treaty with Japan. If we give to "the products of the soil and industry of Colombia, such as cattle, salt, and provisions," the right of "entry into the Canal Zone, and likewise in the islands and mainland occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States," we give that right to Japan, and we not only give it to Japan but we give it to every country that has a treaty similar to that with Japan, and we have such a treaty with nearly every civilized country of the earth.

What are you going to do with that? Can you brush it aside? When you make this contract with Colombia you are at the same time opening the door to every one of the other countries to claim similar advantages; and the claim will undoubtedly be made, for all of them are eager and greedy to claim the Panama Canal as open public property, and that all the United States had to do with it was to build it, to furnish the money, take care of it, and maintain it for all time for their use and benefit. That was the position of Great Britain. It is the position of all these countries.

So, Mr. President, I am opposed to this treaty because it spells infinite difficulty and trouble for the United States in the future. It means that other nations will demand every privilege that we propose to here grant Colombia.

There are in this treaty other provisions equally violative of the same principles.

It is agreed that—

> Coal, petroleum, and sea salt, being the products of Colombia, passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall be transported over the aforesaid railway free of any charge except the actual cost of handling and transportation, which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the railway and in transit from one port to another of the United States.

In view of our treaty relations with other Governments, is there a Senator here who dares say they can not claim the same rights for their products that we have by this instrument granted to Colombia?

There is no answer to this. Senators may talk about it, and may seek to gloss it over, but you might as well try to talk out of existence the four walls of this great building. The position is unanswerable. Why such a treaty was ever conceived in the brain of man is more than I can understand.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Iowa?

Mr. REED. I yield to the Senator.

Mr. KENYON. I should like to ask the Senator concerning this question, which I have not heard raised before in the discussion, if this question was considered before the Foreign Relations Committee? I hope that our leaders will answer this proposition if there is any answer to it.

Mr. REED. Mr. President, I do not know what took place in the Foreign Relations Committee. That great committee surrounds itself with mystery. It meets behind closed doors. It proceeds upon the floor of the Chamber as though it had emitted itself from some sacred spot. Its members ought to wear gowns when they come into the Chamber. One thing I

am delighted to know: One of them has "peached" here to-day. He says there is an outside understanding with somebody to do something that he will not tell us about.

Mr. KENYON. Is not that more information than we generally get?

Mr. REED. Exactly. I say, I am delighted.

Mr. President, Senator Fall, now Secretary of the Interior, has been quoted here as being in favor of this treaty. I am going to quote him when he was a Member of this Senate, and show that he was then against the treaty. He then gave good reasons for his opposition. The reasons are as sound now as then. There is something funny in human nature. A man may sit here in the Senate and we do not hesitate at all to differ from him. We look on him as just an ordinary mortal, made of ordinary senatorial clay, which we know is a very common variety of dirt. But give him another place outside and immediately he takes to himself wings, and you behold him departing somewhere in the seventh heaven; you can barely glimpse his tail feathers as he sails into eternal glory.

Why, we had Senator Fall here—a splendid man. We did not hesitate at all to question Senator Fall's judgment and to have the temerity to assert that there were just as good minds developed in New York or Iowa or Georgia as in New Mexico; but he has been quoted here since he has become Secretary of the Interior as an infallible authority. It is asserted that he knows more about South American matters than anybody else on earth. In the teeming temple of his brain is concentrated all the facts and all the logic relating to all that has ever happened south of Mason and Dixon's line. And so, with due reverence, I venture to read from some utterances of his, and I shall have to proceed very briefly.

I am reading from the CONGRESSIONAL RECORD of June 7, 1918. That was before he had been transmuted into the glorious creature that he now is. He was just a common Senator:

By the terms of the treaty the United States of America, obtaining nothing whatsoever except an obligation upon the part of Colombia that she will agree upon the delimitation of the boundaries of the Republic of Panama or agree to have a survey made of such boundaries—obtaining nothing else whatsoever from Colombia—extends to Colombia an apology of this great Nation for certain occurrences in the past—

Well, the apology is now withdrawn in words and paid in cash. That is the difference. Colombia's feelings are of such a kind that they can only be soothed by cash in hand paid.

But let me read on:

and delivers to Colombia of the people's money $25,000,000.

In addition, however, to the $25,000,000, which is merely a bagatelle in these days of billions, there are other considerations given by the United States to Colombia which I most strenuously object to. I am firmly convinced that by open discussion of the provisions of this treaty the people of the United States will never allow it to be ratified in the form in which it is pending before this body or with the amendments suggested by the majority of the committee.

* * * * * * *

But we are asked to do something more than that, Mr. President, and I will undertake to show by the wording of the treaty itself that if you, on the one hand, by the payment of this money and the extension of this apology might persuade some other Latin American countries that were inclined to be at least friendly toward Latin America, if our action would have that effect, it would be offset by the fact that in the treaty itself such discrimination is made in favor of Colombia and against every other Latin American nation, even against Panama itself, which we are under obligations, and treaty obligations, to protect; a reading of the treaty will show that such discrimination is being made against the interest of every other Latin American country on this continent, and any good effect produced by our apology and surrender of our money will be more than offset by the ill effects following the ratification of the treaty in its present terms.

Then he quotes these clauses from the treaty which I have just read, and declares that they will be offensive to the other South American countries.

What I have just quoted from the speech of Senator Fall, who is my friend and for whom I have the utmost respect, is by way of introduction to his further remarks which directly sustain my declaration that the special privileges granted to Colombia violate the Hay-Pauncefote treaty and also the favored-nation clause.

Senator Fall said, CONGRESSIONAL RECORD, page 7484, June 7, 1918:

Under article 2, clause 1, it is provided:

"The Republic of Colombia shall at all times be at liberty to transport through the interoceanic canal its troops, materials of war, and ships of war, even in case of war between Colombia and another country, without paying any charges to the United States."

In the first place, this is a violation of the Hay-Pauncefote treaty, to start with. Under the Hay-Pauncefote treaty, as Senators will all recall, the fleets of all nations are to be treated alike, and we have provided tolls for the ships of all other nations; but now we provide that the ships of war, troops, and munitions of Colombia shall pass through the canal free of all tolls. The treaty further provides:

"2. The products of the soil and industry of Colombia passing through the canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject."

That is an absolute violation of the favored-nation clause with every nation with which we have such a treaty, in the first place, and is a discrimination in favor of the transportation of the goods of Colombia against the transportation of the goods of every other nation upon the earth, and particularly applicable to the case which I suggested a moment ago, and is a discrimination against all the other Latin American nations on this continent.

"The products of the soil and industry of Colombia, such as cattle, salt, and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied or which may be occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States."

There is another discrimination in favor of Colombia and against all other countries, not only on this continent, but a violation of the favored-nation clause with every nation with which we have such a treaty.

* * * * * * *

I have no doubt in the world, as I already said, that, irrespective of how that question might be settled, this provision of the treaty is a violation of treaty obligations in treaties containing the favored-nation clause first, and is an absolute discrimination in favor of one Latin American country as against others, which will be very deeply resented by every other Latin American country, and that this assertion would go without question as to those who are familiar with the Latin American character.

There is much more of this speech to the same effect.

Now, Mr. President, is it not true that if you pay to Colombia $25,000,000 upon this claim and give to her special rights, you will arouse the antagonism of other South American countries? Is not that sound sense? Is there anybody who can really doubt that for a minute? Yet you talk about buying the good will of South American countries by paying this money to Colombia! You will not even buy the good will of Colombia; but if you did buy the good will of Colombia, how would the payment to Colombia of $25,000,000 create good will in other South American countries, especially when you give to Colombia rights in this canal that they can never enjoy, and you discriminate against every one of them?

Mr. President, I have nearly finished what I have to say. I want to save a few minutes for some possible exigency of the future, but I come now to consider the question of oil.

The argument was made, inferentially at least, that we ought to cultivate friendly relations with Colombia in order that we might secure the oil down in Colombia for the benefit of the United States. That is a very singular argument to be put forward by the distinguished Senator who advanced it. A few days ago he put into the RECORD this chart, which shows Great Britain there at the center, and all these lines running from the various oil fields of the world, being so many pipe lines, if you please, figuratively speaking, from the oil-production countries to Great Britain. The proposition that is hinted to us is that if we are good to Colombia we will get that oil.

Take these lines and see where they run from—from continental United States itself! Great Britain has come into our own country and acquired possession and ownership of our own oil holdings. If we can not keep Great Britain from getting the oil in continental United States, how are we going to prevent her getting the oil in Colombia?

The lines also run from Mexico, just south of us, and she has obtained that oil; and so they run to all parts of the world. The fact of the matter is, and every sensible man knows it, that no matter how much we may cultivate the good will of Colombia we can not ask Colombia to do what we have not done ourselves. We have allowed foreigners to obtain control in many important respects in our oil fields; and how can we ask a citizen of Colombia or a company organized in Colombia to refuse to sell its oil to an English gentleman who comes there ready to pay the price? The argument is unsound, and it never should have been uttered upon the floor of the Senate.

Mr. President, what about this oil business? The Senator from Massachusetts [Mr. LODGE], in response to an inquiry which I made the other day, said there were two or three oil companies down there, but that he could furnish a list of names; and with his usual frankness he furnished a list of names, and there are 21 oil companies, and one of those oil companies is our old friend the Standard. I have had this statement on my desk here for an hour, and have been looking through Poor's Manual, and I have already found that two of the other companies are owned by the Standard. I do not know how many of these companies are owned by the Standard, and I do not care, for I find that John D. charges about the same price for gasoline that the other companies do; but are we to yield this $25,000,000 of the American people's money because some American companies, the Standard or otherwise, have seen fit to go down to Colombia and make investments there?

If we are, then let us do it in the open. I wonder if that is one of the private assurances, or one of the pipe lines through which the private assurances came to certain other private gentlemen that Colombia was going to do something for us

in the future, which we heard of a little while ago in the Senate?

This much I am prepared, sir, to assert: I have heard that it is admitted that large oil concessions have been granted by the Government of Colombia; that the validity of these grants was in serious dispute, when the supreme court of Colombia rendered an opinion sustaining their legality. Later, however, these opinions seem to have been modified, and the question of validity was reopened.

Recently attorneys for these oil companies, and parties in interest, came to Washington and stated that if the treaty was not ratified it would involve the entire oil situation; that the present administration of Colombia might be overthrown and the oil interests of these people lost. The substance of the talk was that the treaty must be ratified in order to protect the oil interests.

Mr. President, I wonder how much influence that argument has had in causing a number of gentlemen to about face on this question?

Our country is groaning under a burden of taxation so great as to be almost intolerable. Business is suffering, and for years will suffer as the result of the disarrangement due to the war. Farmers are compelled to sell products produced by high cost labor at ruinous prices. Breeders and feeders are marketing live stock at less than the cost of production. Labor in many places finds itself without employment. Our domestic finances are disordered and credits circumscribed. Prudence demands that we shall husband every resource to meet our own difficulties.

Under such circumstances, the extraction of twenty-five million dollars from the pockets of the American taxpayers, to purchase the good will of Colombia upon a claim that I have shown to be without just foundation, seems to me little less than criminal.

The VICE PRESIDENT. The Senator's time has expired under the unanimous-consent agreement.

Mr. REED. I just want to add this concluding sentence. Mr. President, I wonder how much influence that argument has had in causing a number of gentlemen to about face on this question?

Mr. WOLCOTT. Mr. President, courts very frequently arrive at a unanimous conclusion, but the minds of the individual judges reach the common destination by traveling various logical routes. And so each judge often feels it incumbent on him to set out the particular process of reasoning which governs him in reaching the conclusion, in order, I suppose, to avoid resting under the imputation that the reasoning of his brethren on the bench found acceptance in his mind. Particularly is this apt to be the disposition of an individual judge where the process of reasoning accepted by his fellows appears to him to be so thoroughly unsound as to reflect on the power of ratiocination of the man who accepts it. To take himself out of the company of what he regards as foolish men, the individual judge, therefore, sets forth his own views though they lead him to the same conclusion as do the views of his fellow judges.

For a somewhat similar reason I am moved to submit a few remarks on this treaty in order that I may be certain that the record will disclose that I am not led to my conclusion in the matter by some of the considerations that have been expressed on this floor by a few of my distinguished colleagues. For, Mr. President, though my vote shall be "aye," as will the vote of these Senators whom I have in mind, yet I do not want to be found in their company in traveling to the conclusion which, in common with them, I have reached.

I have not so much a desire to explain the affirmative considerations that persuade me to sustain the President as I have to explain that I do not accept the reasons advanced by some of the President's spokesmen on this floor. Therefore my brief remarks shall be almost altogether negative in character, leaving any who may be interested in my views to speculate upon the manner of their elaboration.

We are told by the junior Senator from Pennsylvania [Mr. KNOX], a most distinguished and able Senator, that we ought to ratify this treaty "for reasons of State"—what reasons of State we are left to speculate upon—and that "we ought to make to the Colombian Government and people some suitable compensation for the self-inflicted loss which they sustained, at least to the extent that we were direct gainers by that loss."

This, Mr. President, is new and novel doctrine. Doing things as Senators for undisclosed "reasons of State" predicates action on too tenuous a consideration to command my support. I am unwilling to be led into a serious vote by somebody's assurance that "reasons of State" require it. We opened the doors of this Chamber so that the public may hear all of our discussion in connection with this treaty. In this particular we departed from the precedent that characterized this body for 130 years prior to A. D. 1919, by which treaties were discussed in secret executive session. We now want the public to sit in the galleries and listen, or stay at home and read in the RECORD everything that we say for or against a proposed treaty with another nation, a discussion that deals with matters of great delicacy in our foreign relations and that is at all times in danger of touching the tender nerves of other peoples with whom we desire, or ought to desire, the most cordial and friendly of relations. But nowadays, in this era of modern progress, we prefer to turn the Senate Chamber into an open forum where orators have free opportunity in the presence of the world to defame and insult, or to tell the plain unvarnished truth about, or to flatter and praise, as the whim of the speaker may please, fellow members of the great family of nations.

In passing, I can not refrain from observing that I question very seriously the wisdom of this new practice. The good that may flow from it is in danger of being far outweighed by the evil. If it continues for another quarter century there will not be a nation on earth which will not have been publicly criticized or abused or whose feelings will not have been irritated by one or more Senators of the United States, speaking here in this place of official responsibility for reasons which at times may be blameless and at other times questionable. Such discussions will in due time result in an accumulation of national antagonisms which, in the end, will have us disliked by all, loved by none, and ostracized as is the common scold among his fellows in any community.

But, Mr. President, if we are to throw our doors open in order that all the world may know the considerations which lead us into a treaty contract, let us not stultify ourselves by accepting secret and undisclosed considerations for our action, such as may be embodied in the euphonious phrase "reasons of State." What boots it to open the doors of this Chamber that the public may read our minds, and then in the presence of the public retire into the secrecy of a phrase? I do not know what these "reasons of State" are, and if the Senate is to be governed in this matter by such a pretext, if it is to accept like a gullible child the assurance that it ought to ratify this treaty because undisclosed reasons of State demand, it would be much better for the Senate to refuse to go into open executive session. For, then, sir, we could hide ourselves behind closed doors and save from public inspection the paucity of our statesmanship and its complete dependence on mysterious guidance. No, Mr. President, if the doors are to be open, let us have facts and not obscurity. I shall not vote for this treaty on any theory that mysterious reasons of State demand it.

We are further told, as I said a moment ago, that we ought to make to Colombia "some suitable compensation for the self-inflicted loss" which she sustained. Perhaps we ought. I can not so see it, however. If Colombia inflicted the loss on herself, let her sustain it. I know of no rule of morals by which one nation is bound to make good the losses inflicted by another nation on itself. As an individual I have the right to dole out my charity to a fellow creature who has by his own folly inflicted loss on himself. If I do, it is entirely my own affair. It is my money that I give him; and, if I choose to do so, I can bestow on him all I have. That would be my business and mine alone. But by what title do we as Senators acquire the right to dispose of the national funds in charitable bestowal on another nation whose sole claim on us is a loss inflicted upon itself? Let those who conceive that this appropriation of $25,000,000 out of our Treasury is justified on this basis give answer to the question. I do not pretend to answer it because I can not. If we came by our rights in Panama by procedure that was correct and proper on our part, we owe Colombia nothing for her supposed folly in inflicting loss upon herself. I shall not vote for this treaty on any theory that, having done Colombia no wrong, we are nevertheless to compensate her for her own folly. "Compensation"—why, Mr. President, we "compensate" only when we are under some sort of obligation. If there is no obligation, "compensation" is not the word we should employ. The correct word in that event is "charity" or "alms." I conceive that as trustees of the public funds we have no right to turn this Government into an almoner for nations that inflict losses on themselves.

It is said by others, notably by the senior Senator from Massachusetts, whose point of view toward this treaty has undergone a violent change, that we ought to ratify the treaty because we need to acquire from Colombia the necessary right to protect the canal against assault from a possible future enemy who might approach to its attack from points to the south, points in the control of Colombia. If, Mr. President, the treaty gave us any such rights, then, indeed, there might be much in this contention. But the treaty gives us no right of this sort.

If we pay the $25,000,000, we are still without any concession of right from Colombia to permit us to fortify the southern approaches. The Senator from Massachusetts admits this and frankly confesses that the $25,000,000 buys us nothing of this nature. We must, as he admits, hope to secure this right of protection against southern hostile approach by another treaty, a treaty of amity and commerce, which the Senator hopes may be made in the future after this one is in full force and effect and after Colombia has our obligation to the extent of $25,000,000. When we try to secure these valuable rights by a subsequent treaty of amity and commerce with Colombia, how much more we will be required to pay for these fortification rights no one is able to say. That all lies in the lap of the future. I apprehend that we will be required to do something more than merely say, "Thank you very kindly." This is a new way to approach a bargain—first give the other party a lot of money and then, after having done so, broach the matter of his giving you something in return. The exchange of Christmas presents is the only thing that I know of in modern civilization that proceeds on that theory and meets with a fair degree of success. But at times, Mr. President, notwithstanding the elevation of spirit that characterizes that glad season of the year, some good friends occasionally omit to reciprocate with the appropriate reminder. I am disposed to think that we will make out rather poorly if we first give over our money to Colombia with no mention of a quid quo pro in the way of defense rights to the south of the canal, and then hope to have Colombia, a little later on, give us something for nothing. The striking of a bargain in this fashion is a new invention of Yankee shrewdness which, in my plain way of looking at things, does not seem to me to hold out much promise of success. My vote for the treaty, therefore, does not mean that I approve of this theory as justifying the expenditure of our twenty-five million.

The senior Senator from Massachusetts also says that we ought to enter into the treaty and pay the money because our oil interests in Colombia are important; that already a few American companies are in Colombia exploiting her oil fields and if we purchase Colombia's good will by the payment of this $25,000,000, perhaps other American companies can acquire some oil concessions down there. If I understand his argument and its connotations, it is that Colombia might, in case we refuse to ratify the treaty and turn over this huge sum, take away the rights of American capital now invested in oil properties in her territory and refuse as well to allow any more American exploitation of that commodity which is so fast becoming a thing of vital necessity to national life. This argument is bolstered up by the Senator with a letter from Secretary Fall, whose judgment, added to that of the Senator, I suppose, ought to make is conclusive. I confess I have no patience with this contention. As to those American investments that are already in Colombia, I want to know why, in view of the frequent criticisms that Republican leaders have uttered in the past with respect to Mexico and our relations to that Republic and in view of the many protestations from the same leaders that under their rule American rights shall be guaranteed and protected in all parts of the earth, it becomes necessary to buy security for American oil properties in Colombia by the payment of $25,000,000? If Colombia should threaten the present investors with confiscation, the administration's attitude, if it squares with Republican pretensions, I would think would be that since the days when Jefferson broke up the business of the Barbary pirates we had abandoned the policy of paying tribute to those who would thrive by robbing American citizens. I am opposed, Mr. President, to paying tribute money to any nation as an inducement not to take from American citizens their property rights lawfully acquired.

But should we pay this money in order to prevail on Colombia to grant oil concessions to Americans in the future? I think not. The Senator from Massachusetts may vote for the treaty on that ground if he sees fit. My own notion is, that if oil promoters want the Colombian field opened to them and it becomes necessary to pay Colombia money as an aid to securing the concession, let the promoters put up the money themselves. They are reported to be well able to do so. At all events I can not see why the money of the people's Treasury should be donated to Colombia in order to put her in a mood which will enable private oil speculators to win her favor. I shall not vote for this treaty in order to help oil exploiters ply their trade.

Nor shall I vote against the treaty because oil interests may be incidentally benefited. I do not know that they will. The Senator from Massachusetts thinks they will. If they will, then for once, at least, in our history, Mr. President, the interests of speculators or pioneers in industry or whatever else you are pleased to call them will fall in line with what I conceive to be the requirements of right and justice, and I shall not refrain from doing the latter because of a fear of benefiting the former.

We are told further we ought to ratify the treaty, which means pay the $25,000,000, in order to regain the lost good will and friendship of Colombia. With respect to this contention, my view is determined by the question, Why have we lost that good will and friendship? If we lost it through fault or wrong of our own, then we ought to make the payment, for it is always honorable to strive to regain the friendship of another by making such compensation in terms satisfactory or acceptable to the other as will in the judgment of that other recompense him for the wrong done. And so, if we wronged Colombia, I agree that the money payment is an eminently proper one, for it will satisfy Colombia, who concedes that the sum is an adequate one.

But if it be that we did no wrong to Colombia, as is contended by some Senators who are supporting the treaty and who say that we ought, notwithstanding the absence of injury to her from us, pay her this money to regain her good will, then my view is that the payment is not only a waste of money but, in addition, an ignoble act. Friendship that is bought is worthless and the purchaser thereof is a dupe.

If we never wronged Colombia, and if, nevertheless, she chooses to cherish unfriendly sentiments toward us, then my judgment is that we ought to let her go her own way while we continue on ours. Certainly in such event, so far as I am concerned, I would not lay out one penny in the vain hope of buying her good will.

If Colombia has no reason in law or morals to feel aggrieved at us, then we can have no possible justification in paying her this money to regain her friendship.

We are further told that we ought to ratify this treaty and pay the $25,000,000 to Colombia because by the terms of the treaty Colombia agrees to recognize the independence of Panama, and such recognition is a very desirable thing for us to secure. I may say, Mr. President, that this obligation on Colombia's part to recognize the independence of Panama is the only obligation in the whole treaty that requires anything of Colombia. We agree to give Colombia $25,000,000, together with certain rights in the use of the canal, and in return therefor all that Colombia gives is a promise to recognize the independence of Panama. So valuable is this recognition of Panama's independence by Colombia that we ought, we are told, to enter into the treaty. Mr. President, those who so argue place more importance on Colombia's recognition of Panama's independence than I am able to place. I can not evaluate Colombian recognition of Panama at such a high figure. In view of our treaty with Panama by which we guarantee that Republic's independence and territorial integrity I rather fancy that Colombia will not venture to disturb the repose of that little Republic; and so it is not necessary, by payment of money, to induce Colombia to henceforth regard Panama as free of her, and thereby forfend our Army and Navy against Colombian armed hosts that may advance on our ward. If an American gunboat or so in the water and some 40 American marines on land intimidate Colombia's army and navy in 1903, it is reasonable to suppose that for a time in the future we are reasonably safe from Colombian aggression against Panama.

Recognition of a nation has the effect in international law of admitting such nation into the family of nations. It accords to the recognized nation the status of an international person, so far at least as the recognizing nation is concerned, and thereafter the new nation becomes possessed of the rights and burdened with the duties that inhere in the relationship which membership in the family of nations involves—a relationship whose terms are defined by that body of rules which we designate as international law.

Now, is Colombia's recognition of Panama so necessary to Panama's place in the family of nations as to warrant us in the expenditure of twenty-five millions of our money to secure it? I hardly think so, Mr. President. The other day we were reminded by the Senator from Pennsylvania [Mr. KNOX] that by January 5, 1904, the following nations had recognized the independence of Panama: United States, France, Germany, Great Britain, Austria-Hungary, Russia, Italy, Japan, China, Denmark, Sweden and Norway, Belgium, Switzerland, Peru, Nicaragua, Costa Rica, and Cuba. Of course, after we recognized the independence of Panama these other nations prudently followed our lead, for reasons that are manifest.

It would seem that recognition of Panama as an international State by all these nations ought to fix with a fair degree of firmness the position of Panama as a member of the great family of nations. Yet we are told that Colombia has not, by extending her recognition, joined this great group of nations in

according to Panama an international status, and so important is this that we should pay $25,000,000 and give certain canal privileges in order to induce Colombia to join the rest of the world in extending this recognition. Mr. President, this would be paying a big price for a doubtful advantage, for I incline to the view that Panama's membership in the family of nations will continue as it now is without much regard to Colombia's giving or withholding recognition. If your structure is sustained by strong foundations of stone and mortar, why pay a great sum of money to hire some one to buttress it with a reed? At least so far as the United States is concerned, recognition of Panama by Colombia would seem to be not sufficiently important to justify laying out the sum of $25,000,000 to secure. It is of more importance to Panama than to us. If it is worth spending money for, let Panama, the chief beneficiary, spend it.

In what I have thus far said I have attempted to recapitulate all but one of the reasons urged in behalf of this treaty by those who are supporting it. None of the reasons I have thus far mentioned appeal to me as having sufficient merit to command my approval. And so I want the record of this debate to show that when I vote "aye," as I shall, my vote has in no sense been controlled by any of the considerations I have previously adverted to.

Now, Mr. President, I shall in a very few words state why I shall vote for this treaty. I may say it is entirely possible for me to vote for some amendments that may be offered. I shall vote for the treaty because I conceive that Colombia has a just grievance against us. Our conduct toward her was such as to give her a claim for compensation against us founded, if not in technical right, yet unquestionably in good morals. This claim has a twofold source. It arises under the treaty of 1846, and it also arises because of our precipitate recognition of the new Republic of Panama.

I shall not elaborate these two points. They have been ably and fully discussed by other Senators. No needful purpose can be subserved by my going over the same ground. I shall content myself by saying with respect to the treaty of 1846 that no amount of clever construction and special pleading by eminent lawyers can blind my eyes to the fact that we had no right in 1903 to deny Colombia the privilege of entering upon a campaign in her own territory for the purpose of endeavoring to put down the comic-opera revolution which we claim endangered the free transit of the Isthmus, notwithstanding the fact that Colombia, our cosignatory in the treaty, was under an obligation to keep the transit open for us. By our own behavior on that occasion we deprived our obligor of an opportunity to attempt to make good its promise to us, and in substance we took under our protection the so-called revolutionists. I shall not recite the facts and considerations which lead me to this conclusion. I content myself with a bare statement of what that conclusion is.

After having done this we accorded recognition to the new Republic of Panama so speedily that Colombia had no opportunity in which to pursue other plans for subduing her supposedly rebellious Province. Within 1 day, 17 hours, and 41 minutes, as calculated by some, after the proclamation of Panama's declaration of independence we recognized the new State as an independent nation. Mr. President, history affords no precedent for such speedy recognition of a new State. It was nearly three years after Concord and Lexington and two years after our Declaration of Independence before France accorded us recognition in 1778. When the South American colonies revolted from Spain in 1810 we waited for 12 years and England 14 years before the revolted colonies were recognized as independent States. In these instances armies were in the field, campaigns were being fought, governments were set up and functioning. Yet down in Panama when the great campaign for liberty was attended in its mighty upheaval with the enormous total casualties of one Chinaman and a mule, we, before two suns could rise and set after the declaration of independence of Panama, hastened to recognize a little group of conspirators as the government of an independent nation. Mr. President, I can not recall the events attending that ludicrous uprising without escaping the conclusion that however technically correct we may have been in recognizing the new State, we wronged Colombia. Oppenheim in his work on international law states that "an untimely and precipitate recognition of a new State is a violation of the dignity of the mother State to which the latter need not politely submit." Colombia, if she had had sufficient strength to warrant, would have been justified by all the rules of that law which governs nations in making our untimely and precipitate recognition a cause of war. But her weakness prevented such course. I am convinced that if we had been dealing with Germany or some other State of like power, our action would have been less hasty. Shall we now decline to make just compensation for an act of which a sister nation justly complains, which in her weakness she was unable to resent? I think we ought to make the compensation. I shall vote for the treaty.

Mr. LENROOT. Mr. President, during the speech of the distinguished Senator from Louisiana [Mr. RANSDELL] he made the assertion several times that a part of the consideration of the $25,000,000 proposed to be paid by the treaty is to pay Colombia for 50,000 shares in the Panama Canal Co. I asked the Senator from Louisiana whether he was not aware of the fact that Colombia had been paid for those shares and paid $800,000 for them, out of the $40,000,000 that the United States paid to the Panama Canal Co. The Senator from Louisiana stated that he had never heard such a statement; he challenged its accuracy; and challenged me to produce any proof of the statement that I made. I wish to take a moment or two of the time of the Senate to produce that proof.

Mr. RANSDELL. Will the Senator permit me to say that I think he misunderstood me? I made no assertion about 50,000 shares in the new Panama Canal Co. It was the 50,000 shares in the new Panama Canal Co. supposed to belong to Colombia and still on the books of the French company that were referred to in the treaty between Panama and Colombia. I did not say that they had not been paid for by the $800,000. I said I had never heard of it. The Senator stated, if I recollect aright—and I think the RECORD will bear it out—that the $800,000 was a settlement of the interest of Colombia in the Panama Railway.

Mr. LENROOT. That is included. The Panama Canal Co. owned the railroad, and it is the same 50,000 shares.

Mr. RANSDELL. I did not so understand it.

Mr. LENROOT. It is.

Mr. RANSDELL. I hope the Senator will make that clear by the record proof.

Mr. LENROOT. I wish to read from Senate Document No. 474, Sixty-third Congress, second session, a letter from William Nelson Cromwell, counsel of the new Panama Canal Co., to Mr. Taft, then Secretary of War, as follows:

UNITED STATES-PANAMA-COLOMBIA TREATIES,
49 AND 51 WALL STREET,
New York, March 10, 1908.

HON. WILLIAM H TAFT,
Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: Referring to the protocol between the Republic of Colombia and the Republic of Panama, exchanged at Washington on the 17th of August last between the ministers of the Governments mentioned, and approved by you in behalf of the United States, under the direction of the President, I beg leave to advise you that since that date the new Panama Canal Co. and the Republic of Colombia have reached a satisfactory adjustment of the claims and interests of the Republic of Colombia in the 50,000 shares of capital stock of the new Panama Canal Co. standing on the books of that company in the name of the Republic of Colombia, and also that the litigation instituted by the department of fisc of the Government of France respecting registration and stamp duties has been adjusted.

Under this arrangement there has been paid to the Government of France 7,000,000 francs in satisfaction of its said claims, and the canal company has paid to the Republic of Colombia direct about 4,000,000 francs, the balance upon the cash distribution appurtenant to said 50,000 shares.

This subject, therefore, has been adjusted to the satisfaction of all parties; the Republic of Colombia has received from the canal company the sum of about $800,000 gold, and therefore there is no occasion to embody article 5 in the treaty consummating the protocol referred to.

I always assured the President, Secretary Root, and you that we would aid Colombia in getting the proceeds of these shares (part of the forty million payment), and you will see that the assurance is fulfilled. It should facilitate the pending treaty.

As you may wish to keep Secretary Root's files complete, I inclose a duplicate hereof for the purpose.

Respectfully, yours,

WM. NELSON CROMWELL, *Counsel.*

So, Mr. President, while Colombia to-day is insisting that the United States acquired no right in the Panama Canal Co., the fact is that the United States of Colombia has accepted $800,000 of the $40,000,000 paid by the United States to the canal company in settlement of the claims of Colombia for the shares that it owned in the canal company. I hope that hereafter no Senator will urge as a part of the consideration of the $25,000,000 now proposed to be paid the compensation of Colombia for the 50,000 shares of stock for which she has been paid out of the $40,000,000 paid by the United States.

Mr. RANSDELL. Will the Senator yield?

Mr. LENROOT. Yes.

Mr. RANSDELL. What is the date of the letter of Mr. Cromwell?

Mr. LENROOT. It is dated 1908.

Mr. RANSDELL. Will the Senator please state why Mr. Roosevelt, who certainly was not a man given to doing vain and foolish things, included in the tripartite treaty which on the part of the United States was ratified in the latter part of

1909 a distinct recognition of the right of Colombia to the 50,000 shares, for it is distinctly recognized in the treaty between Panama and Colombia and is referred to in the treaty between the United States and Colombia? It is distinctly provided that all three of those treaties must stand or fall one with the other. If there had been a complete adjustment, as Mr. Cromwell seems to set forth in his usually shrewd language, which has just been read by the Senator from Minnesota—if that had been settled, why refer to the matter in the three treaties between the three countries referred to? Can the Senator explain it?

Mr. LENROOT. No; I do not attempt to explain it.

Mr. RANSDELL. I do not think anybody can explain it.

Mr. LENROOT. I am only undertaking to show by this letter, which is an official document of the counsel of the Panama Canal Co., that Colombia has been compensated for her 50,000 shares; that she received $800,000 of the $40,000,000 paid by us to the French canal company.

Mr. RANSDELL. Just a word or two more. The Senator from Wisconsin cites what he says is an official document. I cite a statement contained in three formal treaties which were negotiated between this country and Panama and Colombia and between Colombia and Panama. Who was our agent in preparing those treaties? It was that great American citizen, Elihu Root, who never was known to do vain and foolish things.

In those treaties, which were ratified so far as we are concerned, recognition was made that Colombia owned the 50,000 shares in the New Panama Canal Co. Subsequent to that the reversionary interest of Colombia in the Panama Railroad was recognized by Mr. Du Bois, our minister to Colombia, who under the Taft administration in the latter part of 1912 and the beginning of 1913 sought to have an adjustment by arbitration of what he called the reversionary interest of Colombia in the Panama Railroad. Yet the Senator from Wisconsin would have the Senate believe that for the pitiful sum of $800,000, which is referred to by Mr. Cromwell, Colombia felt satisfied for all of her claims in the canal and in the railroad.

Mr. KELLOGG. Mr. President, will the Senator from Louisiana answer a question?

Mr. RANSDELL. I shall be delighted to do so, if I can.

Mr. KELLOGG. Is not the only recognition of the matter in the treaty between Panama and Colombia that Colombia had the shares for which she received $800,000?

Mr. RANSDELL. I do not quite understand the Senator's question.

Mr. KELLOGG. I ask is not the only recognition in the treaty between Panama and Colombia contained in a statement that Colombia owned 50,000 shares in the Panama Canal Co. and that Colombia had collected the money for those shares?

Mr. RANSDELL. I do not see why that recognition should have been made, if it please the Senator, if Colombia had received payment, according to the Senator from Wisconsin, prior to the tripartite treaties. Now, why was that recognition made so solemnly in those treaties if Colombia had been satisfied? What was the necessity for it?

Mr. KELLOGG. The only recognition is that Colombia owned 50,000 shares of stock; that is all; and she got her money for it.

Mr. RANSDELL. Why recognize the fact if she had already been paid? I can not see any necessity for doing that.

Mr. KELLOGG. Does the Senator from Louisiana deny that Colombia has been paid?

Mr. RANSDELL. I neither deny nor affirm anything on the subject, but I do deny—and it can not be proved—that Colombia has ever been paid for her rights in the Panama Railroad, which Mr. Bristow, a former Republican Senator in this body, said were worth sixteen million four hundred and odd thousand dollars. I do deny that Colombia has ever been paid for her right to receive $250,000 a year for the lease of the railroad.

Mr. KELLOGG. She had no such right.

Mr. REED. I should like to ask the Senator from Louisiana a question.

Mr. RANSDELL. I shall be delighted to answer if I can.

Mr. REED. I ask the Senator if he understands that there is still another claim of Colombia against us for $16,000,000?

Mr. RANSDELL. No; I do not understand that. I understand that this treaty will satisfy every claim that Colombia has against us. The treaty specifically provides in Article I that Colombia recognizes our absolute title to the canal and the railway, free from any claim or indemnities whatsoever. That is distinctly set forth in article 1.

Mr. LENROOT. I should like to ask the Senator from Louisiana if he will kindly point out where in the Root-Cortes treaty, to which he refers, there is any reference to the 50,000 shares of stock?

Mr. RANSDELL. I have sent my papers away, but if the Senator will let me have a copy of the treaty between Panama and Colombia I will turn to the language I have cited.

Mr. LENROOT. No; I refer to the treaty between the United States and Colombia.

Mr. RANSDELL. I referred to the treaty between Panama and Colombia, and I said that the three treaties concluded at the same time should be construed together. That is what I said. I refer now to article 5 of the treaty between Panama and Colombia, known as the Cortes-Arosemena treaty, which reads in this way:

> The Republic of Panama recognizes that it has no title or ownership of any sort to the 50,000 shares of the capital stock of the New Panama Canal Co., standing in the name of the Republic of Colombia on the books of said company at Paris, and the Republic of Panama confirms the abandonment of all right and title which, with respect to said shares, it made in the court of justice of France.

Mr. LENROOT. If the Senator will examine the matter he will find that there is nothing whatever inconsistent in the article in the treaty between Colombia and Panama and the letter of Mr. Cromwell that I read, because if it were not for that provision Panama might have contended that she succeeded to the 50,000 shares and the payment to Colombia made by the Panama Canal Co. was not effective in wiping out those shares. It was necessary in that aspect, but the Senator will find no reference to the 50,000 shares in the treaty between the United States and Colombia.

Mr. RANSDELL. If the Senator will look at the treaties, he will find in all three of them the following provision which I quote from article 10 of the treaty between Colombia and Panama:

> This treaty shall not be binding upon either of the high contracting parties, nor have any force until and unless the treaty signed on this same date between the Republic of Colombia and the United States of America and between the Republic of Panama and the United States of America are both duly ratified and ratifications thereof are exchanged simultaneously with the exchange of the ratifications of this treaty.

All three of the treaties went together.

Mr. LENROOT. Certainly.

Mr. RANSDELL. And the provision I have read was an essential part of the treaties.

Mr. LENROOT. But does not the Senator clearly see that but for that provision Panama might make a claim against Colombia for the $800,000, and that the purpose of the recital in the treaty was to foreclose any possibility of Panama making such a claim?

Mr. RANSDELL. No; I can not see that.

Mr. LENROOT. As a matter of fact, Mr. Cromwell's letter stands uncontradicted that Colombia received $800,000 for those shares.

Mr. RANSDELL. And for the settlement of her railroad claim, too?

Mr. LENROOT. No; I am speaking of the settlement in relation to the shares of stock referred to.

EXECUTIVE SESSION WITH CLOSED DOORS.

Mr. LODGE. It is now half past 5 o'clock, and I move that the Senate proceed to the consideration of executive business with closed doors.

The motion was agreed to, and the Senate proceeded to deliberate with closed doors. After 10 minutes the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate, as in open executive session, take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.), in open executive session, the Senate took a recess until to-morrow, Wednesday, April 20, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 19 (legislative day of April 18), 1921.

COLLECTOR OF CUSTOMS.

George W. Aldridge to be collector of customs, district No. 10, New York.

DIRECTOR OF THE WAR FINANCE CORPORATION.

Dwight Davis, of Missouri.

COLLECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF NEW MEXICO.

Benigno C. Hernandez, of New Mexico.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 19, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, as Thy children we wait in Thy presence. May we be deeply sensible of our obligations to the country and to ourselves. Impress us that purity is never so divine as when it appeals to the impure; that strength is never so strong as when it helps the weak; as wisdom is never so noble as when it stoops to the ignorant. May we seek Thy holy will in all things, and when we have found it may we love to obey it. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE PRESIDENT'S NEW YORK SPEECH.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the speech to be delivered by the President in New York City to-day.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the RECORD the speech to be delivered by the President in New York City to-day. Is there objection?

Mr. McCLINTIC. Mr. Speaker, reserving the right to object, I did not catch the gentleman's request.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks in the RECORD by printing the speech to be delivered by the President in New York to-day. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. BRAND. Mr. Speaker, I desire to ask unanimous consent for leave of absence for my colleague, the Hon. FRANK PARK, of Georgia, on account of the death of his grandchild.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. LAZARO. Mr. Speaker, I ask unanimous consent to print in the RECORD a eulogy delivered by Dr. Alfaro, secretary of state of Panama, on Dr Gorgas.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. WALSH. Mr. Speaker, what is the request?

Mr. LAZARO. It is a eulogy delivered by Dr. Alfaro, secretary of state for Panama, on Dr. Gorgas and his work in Panama.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO FILE MINORITY VIEWS.

Mr. JOHNSON of Washington. Mr. Speaker, as chairman of the House Committee on Immigration and Naturalization, I wish to say that I have filed a report in the basket on the bill H. R. 4075. I ask unanimous consent that the members of the committee opposing that report may have until midnight to-night to file their views, and that I may have until midnight to make any corrections in the report.

The SPEAKER. The gentleman from Washington asks unanimous consent that Members have until midnight to file their views on the immigration bill, and that he may have the same length of time to make any correction in the report. Is there objection?

Mr. SIEGEL. Mr. Speaker, in speaking of the minority, does the gentleman mean the minority of the House or the minority of the committee?

The SPEAKER. Doubtless the minority of the committee. The request is always for filing their views. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that April 18 they had presented to the President of the United States, for his approval, the following bill:

H. R. 3707. An act making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

EXTENSION OF REMARKS.

Mr. BLANTON. Mr. Speaker, referring to the matter about which I spoke yesterday, I wish to say that I submitted it to an American Legion representative here, who thinks it should be called to the attention of the Congress. Therefore, I renew my request to extend my remarks in the RECORD on the subject referred to.

Mr. KING. Mr. Speaker, reserving the right to object, will the gentleman include in his request permission for me to extend my remarks on the subject of fish rescue work in the Mississippi River?

Mr. BLANTON. I have no objection to that.

Mr. McCLINTIC. I object to the part relating to the fish rescue work.

Mr. BLANTON. Is there any objection to my request?

Mr. KING. I object, Mr. Speaker.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing was received from the President of the United States, by Mr. Latta, one of his secretaries, who also informed the House of Representatives that the President had, on April 18, 1921, approved and signed bill of the following title:

H. R. 3707. An act making appropriations for certain expenses incident to the first session of the Sixty-seventh Congress, and for other purposes.

RESIGNATION FROM COMMITTEES—REPRESENTATIVE DRANE.

The SPEAKER laid before the House the following communication:

WASHINGTON, *April 19, 1921.*

Hon. FREDERICK H. GILLETT,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby respectfully tender my resignation from the following committees:

Merchant Marine and Fisheries, Flood Control, Railways and Canals.

Yours, very truly,

HERBERT J. DRANE.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

MINORITY COMMITTEE MEMBERS.

Mr. GARNER. Mr. Speaker, I desire to offer the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 61.

Resolved, That the following Members be, and they are hereby, elected members of the standing committees of the House, as follows:

Naval Affairs: Mr. Daniel J. Riordan, of New York, and Mr. Herbert J. Drane, of Florida.

Immigration and Naturalization: Mr. Adolph J. Sabath, of Illinois.

Foreign Affairs: Mr. Adolph J. Sabath, of Illinois.

Insular Affairs: Mr. W. Turner Logan, of South Carolina.

Mr. MANN. Will the gentleman yield for a question?

Mr. GARNER. Certainly.

Mr. MANN. In reference to the two Members whose names were withdrawn temporarily on yesterday, the resolution does not indicate where they would be placed upon these committees. I assume the intention was to place them in the rank they held before?

Mr. GARNER. That was the intention, that they should take their rank as though they had been elected yesterday.

Mr. MANN. I suppose that statement will be sufficient.

Mr. GARNER. If it is necessary to ask unanimous consent that they take their place, if this resolution passes, as though they had been elected yesterday, I will ask it.

Mr. Speaker, the gentleman from Illinois [Mr. MANN] has called my attention to the fact that the resolution does not provide the position and rank that these gentleman shall take. I ask unanimous consent that the rank of these gentlemen, should this resolution pass, be the same as if their names had been included in the resolution of yesterday and in accord with their service in the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield two minutes to me?

Mr. GARNER. I yield.

Mr. GARRETT of Tennessee. Mr. Speaker, during the discussion on yesterday the gentleman from Illinois [Mr. MANN] referred to the organization of the Committee on Rules at the beginning of the Sixty-fifth Congress, stating that the majority placed one of the Republican Members on the committee. In order that the record may be perfectly straight and that we may understand it, I think it is fair to make this statement:

During the Sixty-fourth Congress the Committee on Rules consisted of 11 members, 7 of the majority and 4 of the minority. At the beginning of the Sixty-fifth Congress the membership was increased by 1; and I assume that the majority was responsible for the placing on that committee of one of the gentlemen from the Republican side, but it was not in any way an interference with the Republican organization, because they themselves put the man, their fellow Member, upon the committee to which they were entitled when they selected him, and

this Republican whom the majority put on was in addition to the regular Republican list.

Mr. GARNER. Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. KING rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. KING. I desire to withdraw my objection to the extension of the remarks of the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

REVISION OF OUR TAXATION SYSTEM.

The SPEAKER. By a special order for to-day the gentleman from Ohio [Mr. FESS] was granted leave to address the House for 40 minutes on the subject of taxation. The gentleman from Ohio is recognized.

Mr. FESS. Mr. Speaker and Members of the House, I would very much prefer addressing the membership of the House without resort to the manuscript I have prepared if it were not that the subject is that of taxation, which is somewhat technical and generally very uninteresting. I desire to address the Members of the House upon the foregoing resolution I have to-day introduced, to create a tax commission to report upon a revision of our entire tax system. I believe the one question of most commanding and imminent importance now before the country is our fiscal policy, which must lie at the foundation of our future prosperity. Upon our ability to solve this problem depends the welfare of our people. Upon its solution rests our ability to remove all unnecessary unemployment.

Our chief concern to-day is the welfare of all our people—the producer and the consumer, the employer and the employee, the capitalist and the wage earner, all together constituting the public. The necessity of opening the way for capital to fully invest in the employment of all our labor upon a basis of profit for capital and an American wage for labor is at the base of our prosperity as a Nation. To this end capital must be free to invest in productive industry. Without the chance of investment of capital at a profit there is no such thing as employment of labor at an American standard of wage.

WHY INDUSTRY IS RETARDED.

This possibility depends upon two essentials—the freedom of capital to invest and the possibility of finding a market for the product. The freedom of capital to invest is primary and largely governmental. The market depends upon the cost of production and is not governmental but economic. The removal of the handicaps of capital incident to the war is within the province of Congress, and the country has a right to look to us for such relief as is within our province. The lowering of the cost of production is not within the province of legislation, but is purely economic, and the laws of economics will operate to relieve the situation if allowed to function normally without governmental interference. Already the level of cost of production is lowering toward the normal. Some articles of consumption are now down if not below prewar prices, especially the farm product. The manufactured article at wholesale has materially dropped, but not so materially at retail. The latter must drop, since the public, willing to pay war prices during war, strikes against paying them two and one-half years after the war is over.

The manufacturer contends he can not reduce because he still pays war prices in the main for capital, rent, taxes, fuel, transportation, wages, and so forth. While this is true in a degree, it can not be overlooked that as the year 1920 was a year of dangerous inflation of industry, the year 1921 is bound to be our greatest year of deflation. These very facts forced the slowing down, if not the closing down, of industry at the close of 1920, as felt in every line of industry. It was the compulsion of the public demand for a lower cost level of articles of consumption.

The effort of industry to function after the abnormal activity in production induced by war demands which caused a degree of extravagance incredible to the average mind will gradually succeed in returning to a normal basis of production if allowed to operate upon economic lines. This will not call for legislation. The best thing we can do is to free industry of the baleful influence of governmental interference.

ELEMENTS OF GENUINE PROSPERITY.

The fine spirit shown by all interested parties in their efforts to relieve transportation of the war incumbrances largely due to unfortunate governmental meddling is but another evidence that our people are willing to reduce the cost of production in the interest of the public. This step will reach far toward the security of equilibrium in industry which never could be secured so long as an abnormal level of cost in one great industry was maintained through semigovernmental authorization. If our chief concern is, as I have said, the investment of capital in the employment of American labor at a good American wage to insure against unemployment and consequent suffering, then fundamentally capital must be free to invest. Handicaps that can be removed must be removed, not alone for the sake of capital, but primarily for the sake of employment of our labor.

Here we have all the elements of the most wonderful prosperity:

(1) The products of agriculture, our first and greatest industry, were last year above the average, and the promise of this year is very good. We can almost feed and clothe the world from the American farm. We have had no failure of crops, no famine, but food in abundance.

(2) Our transportation facilities have been greatly crippled by the war, but the prospects for the success of this, our second greatest industry, are assured. The one thing lacking is the billions of capital needed for necessary improvements to build and maintain a system commensurate with the needs of the country.

(3) Our manufacturing facilities, our third industry, and our greatest employing agencies are intact, but unable to secure the necessary capital to expand, while on the other hand they have been compelled to slow down to await the purchase of the finished article.

(4) Our fiscal system is first class, and we count more banking resources than all the balance of the world combined. The capital is here only awaiting the open door for safe investment. Our business ability is not wanting.

(5) It is well known that there is no superior ability in organization and management of industry in the world than in America.

(6) We have the most intelligent and highly skilled labor here of any place in the world. The American workman will do at least twice the unit of work of his foreign competitor.

In fact, there are now present in our country all the elements of great possibilities in production which are for the time deranged by a war that saw a period of a drunken spree which induced the habits of wild and inexcusable extravagance which in turn loaded capital down with deadening handicaps, and advanced the level of cost production where neither capital can invest on the one hand nor can the public buy on the other. Hence capital is seeking refuge against the dangers and uncertainties of productive industry and labor is going out of employment. This makes possible the anomalous condition of great suffering and want in the very midst of plenty. It must be corrected. The condition is here, the cause is not far to see, and the remedy should be forthcoming.

The high cost of Government for some years to come we are told must be at least $4,000,000,000 annually. This is five times greater than the annual cost for the 10-year period prior to the war.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. GARNER. Who told the gentleman it would be $4,000,000,000; the President or the gentleman from Wyoming [Mr. MONDELL]?

Mr. FESS. The former Secretary of the Treasury, Mr. Houston, so stated in his last report.

Mr. GARNER. The gentleman from Wyoming said it would be $2,500,000,000. He guessed it at $1,500,000,000 less. There seems to be a conflict of opinion between the distinguished gentleman from Wyoming and the Secretary of the Treasury. The leader on the gentleman's side said it will be $2,500,000,000 and the Secretary of the Treasury said it would be $4,000,000,000.

Mr. FESS. The former Secretary of the Treasury made that report and the present Secretary repeated the statement on the required revenue.

Mr. GARNER. Yes; but the other day the leader on the gentleman's side revised that statement and said it would be only $2,500,000,000.

Mr. FESS. I think the gentleman from Texas is laboring under a misunderstanding.

Mr. MONDELL. Mr. Speaker, will the gentleman yield there?

Mr. FESS. Certainly.

Mr. MONDELL. The former Secretary of the Treasury stated we would need $4,000,000,000 from internal-revenue sources, having in mind that he would pay out $1,000,000,000 a year out of that in the liquidation of the floating debt. I did say the other day I thought that before very long in the no distant future the ordinary expenses of the Government, not counting the postal

expenses, paid out of postal revenues, and not taking into consideration payments on the public debt, interest or otherwise, would be not to exceed $2,000,000,000.

Mr. GARNER. But the gentleman said——

Mr. FESS. The statement of the gentleman from Wyoming, I think, would be correct if those exceptions are made, but the exceptions made are pretty nearly as large as the estimate he has made. The annual interest on the public debt alone will be over $1,000,000,000.

Mr. MONDELL. The interest on the public debt and payments of the sinking fund are about a billion and a quarter.

Mr. FESS. $1,200,000,000.

Mr. MONDELL. The postal revenues balance themselves. We expend a certain amount, and that amount is received, so that if I were to total the estimates I have made it would be about three and one-quarter billions, probably a little more.

Mr. FESS. I sincerely hope—although I can not say "hope," because hope has the element of expectation in it—but I wish that we could find a basis of operation below these staggering figures that the officials of the Treasury have given. I think, however, that unless we find a place to cut, say, for example on the Army and Navy, there will be a tremendous drain on the Treasury which will not come much below the $4,000,000,000 mark. I fear it may reach above that figure.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield there?

Mr. FESS. Yes.

Mr. STEVENSON. Will it not to a certain extent relieve the burden if the floating debt, which is now being carried in certificates of indebtedness, can be funded at a good long term of years?

Mr. FESS. If the gentleman will permit me, I am going to deal with that question later on in my remarks.

Mr. STEVENSON. I did not wish to anticipate the gentleman. I was simply listening with great interest to his proposition.

THE COST OF GOVERNMENT EXCESSIVE.

Mr. FESS. The cost of Government is the measurement of the amount of taxes. Were there no cost of Government, there would be no tax required.

If the cost is high, the tax must be high. If we must pay five times the cost prior to the war, so must we have five times the tax. The situation clearly points our first an imperative duty to carve every appropriation to the bone. To this statement we are all agreed. Our second duty is to adopt a workable budget system to provide against future extravagance. This is only a matter of time. Our third duty is to avoid entering upon any new project which will demand great outlay except what is an imperative necessity. Our fourth duty is to proceed without delay to reorganize the departments of Government to eliminate duplication, avoid waste, and insure greater respect for economy in the bureaus here in Washington. A committee is already at work on this duty. Our fifth duty is to take immediate steps to induce Europe to compose her differences, cease to look to America as her permanent Santa Claus, get to work, and make provision for funding her debt of nearly $11,000,000,000, upon which she must care for the interest, little of which has yet been paid. This annual interest, if paid, will reduce our necessary annual appropriations by nearly one-half a billion dollars. So much for the reduction of the cost of Government.

THE SUPREME NEED.

Our supreme need now, as I see it, is to remove the unnecessary handicaps on capital, so that it will seek investment in productive industry rather than hide in unproductive investments. These handicaps which are distinctly governmental are (1) our uneconomic and unscientific taxation system adopted because of the exigencies of the war, but two and a half years after the war still persists, and (2) the locked-up funds of the banks in the form of the Government's short-term certificates, our floating debt of nearly three billions of dollars.

The excess-profits tax, justifiable in time of war, is hardly defensible to-day. It violates the fundamental principle of all sound taxation in that it admits of varied interpretations and is the basis of almost universal controversy. The same is true on determining the income tax. The Treasury authorities tell us that cases of dispute reaching as far back as 1917 are still unsettled. Only last week the public was informed that at least one-half billion of back taxes are promised.

The Treasury in making its estimates of revenue include vast amounts of money, close to a billion dollars, to come from the cases now in dispute. It is little short of a crime to continue a statute of such wide construction that a taxpayer can not tell to-day how much back tax he may be required to pay dependent upon the findings of a tax official. It has necessitated the employment of expensive accountants and legal advisers and is now the occasion of loss of the Government of its experts, who are being sought by managers to make out their tax bills.

It takes no great amount of acumen to see the deleterious effect upon business enterprise of such a statute. The varied interpretation makes possible a wide range of discrimination of operation. An expert recently presented an example which showed that two businesses with the same amount of income, viz, $150,000, doing business on the same amount of capital, one paid $26,860 tax, while the other paid $53,140, a discrimination which is quite common. This is indefensible. Our tax laws must be so simplified that the amount due the Government from a taxpayer is determined by law rather than the caprice of a tax official, and when once determined it should not be reopened unless fraud is practiced.

AN UNSOUND LAW.

While 8 per cent profit in a well-established conservative business is regarded a good profit, when applied to the development of any business in which the element of risk or hazard appears that amount of profit will not induce the investment. For example, here is a proposed enterprise which does not promise profit at once but which may involve a future profit in time, although a loss for a year or so is almost certain. This is a common business contingency. If the profit is limited to 8 per cent, no capitalist will risk the loss. The only way this enterprise can be induced is the assurance that years of loss can be recouped by future profits. This is true of all businesses of hazardous contingencies, and no such undertaking would be risked if limited to 8 per cent. Suppose limited profits had been the law of the land in times past, how many of our present great industries would now be what they have become? It also deters development. The law was an emergency. Its very terms showed it to be temporary, by the act of 1918 actually setting out one rate for 1919, a lower rate in 1920, and still lower year by year.

Mr. GRAHAM of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FESS. I yield to the gentleman from Illinois.

Mr. GRAHAM of Illinois. I am interested to know if the speaker believes that that principle that he is now talking of will also operate against the railroads; that is, if there is a limitation of the earning power, whether it will operate as the gentleman is now describing it as likely to operate in other business?

Mr. FESS. I think it will. I think that whenever you put a limit on the profit of any business which a business concern can make, if the element of hazard is in the business it will not be undertaken. I might divert by saying that the feature of guaranteeing the amount of profit never met with my approval, since I regard that feature unsound in economics. If you are assured so much profit anyway, there is not much use for you to lie awake at night to make it. But it seemed that that element was necessary to induce capital to loan to the railroad industry that had to be operated, and we were in a rather serious situation, since capital could not be secured for needed transportation.

EXCESS-PROFITS TAX AND HIGH LIVING COST.

Under such statute as the present excess profits will a timber cutter cut his timber this year or wait until a less tax burden is operative? Will a coal miner develop his plant this year or wait? Will a housebuilder erect his houses now or wait? Will industry as a whole flourish now or will it prefer to wait until this handicap is lifted? Such a law does not stimulate, but retards enterprise.

Whether the law adds to the high-cost level of living or not can not be in doubt. We boast that we made the "profiteer hog" pay the tax and we common folk escape it. It does not so operate. The manufacturer protects himself where possible by adding the item to the cost of the wholesaler, who adds it again to the jobber, who adds it again to the retailer, who in turn adds it again to the consumer. No one can be sure how many times the ultimate consumer has paid it. It has a deadening effect upon enterprise in the degree of discouraging capital investment in new or hazardous enterprise and further reduces the consumption ability by increasing the cost of production. This tax should go, because it retards production, increases the high-cost level of production, and distinctively hampers the work of industrial readjustment. It is no longer a great revenue producer, and from the character of its operation will continue to become less from year to year. I think it is not afield to say that it is very close to the explanation of the high-cost level of the production in the country. The law has a deadening effect upon enterprise generally.

PERMANENCY OF THE INCOME TAX.

The income tax has become and will continue to be permanent with us. Our system differs from other countries by higher exemptions and higher surtaxes. We may never reduce our ex-

emptions below $2,000, although there is argument in favor of it. But we should reduce the higher surtax, which under our law reaches 65 per cent, or nearly twice as high as that of England, which country has perhaps the best system of income tax yet known. The plea for a reduction of these high rates is not in the interest of the rich taxpayer. He can most likely pay without great hurt to himself. But human nature induces him to take refuge against exorbitant rates by investing his money in tax-exempt securities, a privilege which is his and for which he will not be condemned in times of peace. It is a right we can not deny him so long as there are tax-free securities, and these securities will exist because we have no constitutional authority to prevent their existence on the one hand or to tax them on the other.

I think I would vote for a reduction of the exemption in the belief that every citizen under the Government ought to be taught to pay some tax as a citizen's duty. The rate should go down gradually to a small minimum, so that it would not weigh heavily upon the smaller income. It puts all our citizens in the position of taxpayers without exempting any particular class. I think it is sound economically, if not expedient politically.

TAX-EXEMPT SECURITIES.

It is estimated that there now exist $16,000,000,000 tax-free securities in our own country, most of which are absorbed by the high surtax payers. These tax-free securities are of various characters. In addition to Federal, State, county, and municipal securities, we have the following classes:

1. Property styled public property.
2. Government instrumentality, greenbacks and national-bank notes, Federal reserve notes, farm-loan bonds, certain classes of Government bonds.
3. Schools, colleges, academies, hospitals, etc., local bonds representing these quasi-public utilities. Municipal bonds of various character and denomination.
4. Exemptions of industrial plants by special State arrangement.
5. Stocks and bonds of corporations whose property is already taxed.
6. The Federal income tax law exempts 13 classes of associations and interests from the operation of the law.

The enormous summation of tax-free securities offering protection from the almost confiscatory surtax operates to withdraw from productive industry an amount of funds almost as large as the total value of the entire manufacturing industries of the United States. The bonds for the erection of a schoolhouse or the building of a highway represent capital employed temporarily, and in that degree unproductive. The same amount of money invested in an industry of permanent and continuous operation is productive in the sense of permanent employment of labor in a profit-making concern.

Mr. BLACK. Will the gentleman yield?

Mr. FESS. I yield to my friend.

Mr. BLACK. The gentleman speaks of schoolhouses and public highways as being nonproductive. From his investigation of the subject does he think that we are overbuilding schoolhouses and highways in the United States?

Mr. FESS. No. I am simply showing the avenue open to the investment of capital, which will seek this avenue if the tax is so high that it must find a refuge. I am not condemning what the gentleman from Texas speaks of. I am referring to the penalties of capital.

Mr. BLACK. Will the gentleman permit one more question?

Mr. FESS. I yield to the gentleman.

Mr. BLACK. The gentleman has, in a very forceful way, spoken of the fact that on account of these higher surtax brackets certain capital goes into these exempt securities. Now, does the gentleman not think that at least to some extent the public get a compensating benefit by reason of the fact that the counties and the States and municipalities are enabled to market their bonds at a very much less rate of interest than they would be able to do if it were not for this condition that prevails?

Mr. FESS. The gentleman's cause, if true as stated by him, is the very effect I am discussing, that they can market their bonds cheaply if tax exempt and safe, and therefore the bonds are taken up by the capitalist who does not send his money into industry but ties it up in nonproduction.

Mr. OLDFIELD. Will the gentleman from Ohio yield for one question?

Mr. FESS. I yield to my friend.

Mr. OLDFIELD. Whom would the gentleman have to buy these tax-exempt securities? Somebody must buy them. It is very necessary that there be some one to buy them.

Mr. FESS. The gentleman is not complaining of the thing that I have in mind. Plenty of money is found for such investments. What I am trying to do is to show the necessity of lifting the penalty on capital, so that it will not seek these investments. I am talking about the superhigh tax that drives capital into such investments. It is not to close up the investment but it is to reduce the supertax.

Mr. OLDFIELD. I should like to ask the gentleman just one other question. I take it from the colloquy between the gentleman from Ohio [Mr. FESS] and the Republican leader [Mr. MONDELL]——

Mr. FESS. There is no colloquy.

Mr. OLDFIELD. The statement, then, that you are going to lose a good deal of money. If you reduce the surtaxes very much and repeal the excess-profits tax, where do you expect to get the money that you lose in that way?

Mr. FESS. If the gentleman will wait, I will come to that. I am going to cover it in my remarks.

Mr. OLDFIELD. Very well.

Mr. MILLS. Will the gentleman yield?

Mr. FESS. I yield to my friend from New York, who is an expert on the tax question.

Mr. MILLS. I should like to ask the gentleman whether it is not a fact that to-day municipalities and States are paying as high a rate of interest on securities issued by them as they ever paid in the history of the country?

Mr. FESS. I am rather impressed with the fact that the scale is as high, if not higher, than ever before.

Mr. MILLS. And therefore they are not getting the compensation which the gentleman from Texas [Mr. BLACK] indicated they might get.

Mr. FESS. I am very much obliged to Senator MILLS. The sure way to induce capital to enter productive lines in the employment of labor in my way of thinking is to remove the excessive rates. On such investments there would then be paid tax at the rate such businesses pay. The superhigh tax defeats its own purpose by killing the goose that lays the golden egg. The great falling off this year of the number of taxpayers in the higher ranges demonstrates that either they have ceased to be or the income is not reported, or else it is withdrawn from industry. The latter is most likely. If so the remedy is not denunciation of the "rich rascals," but legislation that will make it advisable to invest large incomes in productive industries, which in turn gives permanent employment to our workers, and thus increases the power of consumption of the product of the American producer.

A REMEDY.

This Congress is having unwise proposals presented. We are asked to expand the unproductive obligations, such as the exemption of mortgages for house building and further Government tax-exempt bonds for road building, and so forth. Every such step further complicates the problem of "frozen capital." Even from the standpoint of revenue from taxation it is a better tax producer to collect it from productive industries than from superhigh income rates.

The remedy here seems to me to be clear—a revision of the income tax fixing the minimum below a figure that drives capital into hiding.

Instead of 65 per cent, which is almost 40 per cent higher than other countries, why not say 40 per cent? I do not know what would be a safe figure.

GOVERNMENTAL INTERFERENCE.

There is another consideration, gentlemen, that the Congress ought to have in mind. The multiplied governmental permanent agencies created in the last 10 years designed to protect the public from high prices have operated oppositely, to increase the price instead of reduce it. The exactions placed upon business by inspectors and numerous officials have necessitated the employment of additional overhead, which in all cases is added to the cost of production. Business is not free to develop along the lines of economy and efficiency by the intermeddling of Government agencies. Government commissions continue to expand; Government officials constantly multiply, until we promise soon to experience the Prussian policy of meeting a Government agent at every turn of the road. Most of them, if not all, are nonproductive, and not only add that definite expense to the public, but by officialdom in interference with the laws of production and trade increase the cost of living beyond definite calculation. Wisdom would dictate less governmental interference with the laws of trade, greater freedom to pursue legitimate business along sound business lines. President Harding voiced a sound economic principle when he said: "More business in government and less government in business."

Mr. LAZARO. Will the gentleman yield?

Mr. FESS. I yield to my friend from Louisiana.

Mr. LAZARO. Following the signing of the armistice France and Great Britain created commissions composed of scientific nonpartisan men to study this whole subject, with the view of readjusting themselves to normal conditions and reducing taxes. I should like to know what the gentleman's opinion is relative to a commission.

Mr. FESS. I should like to state to my friend that I have introduced to-day a resolution for the appointment of such a

temporary commission, and a discussion of that is to be a part of this presentation here.

I think, gentlemen, that the exposés that have flourished, and the headlines, largely matters of advertising, have gone further to bring American business into disrepute throughout the world than all the propagandists could do—and this is largely governmental. It seems to me that instead of our activities being along the lines of persecuting business we ought to see the possibility of making business a success along business lines. I agree, and every Member here, I think, will agree, that if we permit concentration, which is the law of the time, we must of course hold control. Concentration and control must be a doctrine of the Government, but control does not mean penalizing, if not destroying, the industry that is honest.

The SPEAKER. The time of the gentleman has expired.

Mr. KELLEY of Michigan. How much time does the gentleman need to finish his remarks?

Mr. FESS. About 15 minutes.

Mr. KELLEY of Michigan. I ask unanimous consent that the gentleman from Ohio may have 15 minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the time of the gentleman from Ohio be extended 15 minutes. Is there objection?

There was no objection.

Mr. FESS. I want to thank the Members of the House, for when I reach what I think is a reasonable remedy, I should like to be able to finish what I have to say.

Mr. STEVENSON. Will the gentleman yield before he leaves the point in reference to governmental interference with industry and governmental control of industry?

Mr. FESS. I yield to my friend.

Mr. STEVENSON. What is the gentleman's idea as to the function of the proposed department of general welfare? Will not that be a further interference by Government with industry?

Mr. FESS. It will not interfere with industry. It will make an effort to take care of the products of industry and the results of industry.

THE FLOATING DEBT.

I call the attention of the Members of the House to the item of the floating debt. I have been reading in the press statements about it that very much distress me.

The floating debt of nearly $3,000,000,000 represents a further and most serious handicap on capital. So long as the banks must supply the Government with this enormous amount of credit which the Government does not pretend to pay, that much capital is permanently withheld by the banks from productive industry. This amount of bank resources, if free to invest, would represent at least double that amount in credit facility which would be made available for expansion of needed industry. As it now is tied up, it is dead capital. Needed improvements can not be made because of this financing. Money is not available at reasonable rates, although it is gradually becoming easier.

We noticed in yesterday's announcement that the Federal reserve bank at Boston, on approval of the Federal Reserve Board, has reduced the rate of interest about 1 per cent. That is a suggestion that capital is getting freer.

Houses are not built for that and other reasons, chief of which is the cost of production. Industries are hampered, financing is interrupted, largely because the flow of capital has been diverted away from productive to governmental and nonproductive channels. There is but one thing to do in the premise. As I see it, the remedy is to pay off this debt and release this capital. How can it be done? There are but two ways to do it. Either by further long-time Government loans or by an emergency tax limited to the payment of the debt.

As I see it, it would not do to attempt to fund it in long-time bonds. The country is not inclined to further Federal bond issue in the face of the Liberty bonds at 15 per cent discount. It would not be safe to make an attractive rate of interest for such bonds because that would further disturb our commercial credit and batter still lower the value of our Liberty bonds, which injustice we have pledged 20,000,000 people we would not do, but on the other hand we would bring them to par. We can safely refund the outstanding debt of $2,432,950,800 without disturbing the credit.

Mr. STEVENSON. Will the gentleman yield?

Mr. FESS. I will yield to the gentleman.

Mr. STEVENSON. Does the gentleman mean to include in that five billion the Victory bonds falling due in a year or two and which are hanging as a menace over the financial situation?

Mr. FESS. These issues can be taken up and new longer-time issues at perhaps a small increase in rates can be issued in exchange without additional outlay. This would inevitably bring the Liberty bonds to par, and would at once release the vast sums which otherwise would be required to take care of the Victory notes falling due in 1923. This problem is not difficult. However, this is not feasible with the floating debt, which must be satisfied if we hope to relieve the money market.

SALES TAX.

My hope is that we may be able to cut expenses enough to save the amounts which would be lost in the repeal of the excess-profits tax. That ought to be done in the Army and Navy bills. The loss in the lowering of the surtax could be made up either by a tax on undistributed profits of corporations or by an increase of the 10 per cent corporation income tax to about 16 per cent. I would then ask the American people, as we did in war time when we enacted emergency legislation to win the war, to agree to another emergency statute in the form of an emergency tax measure to pay off this dangerous floating debt, and thereby release this enormous capital for productive industry. I would suggest the passage of a general sales tax for one year, writing that limitation in the law. This plan would doubtless collect sufficient funds to wipe out that obligation. While a sales tax might be objectionable as a permanent policy, it can not be as an emergency measure. It opens the way at once for a refunding policy of the entire public debt. That would release the vast amount of banking resources now tied up in Government obligations for investment in productive industry. Then we are free to enter upon a complete revision of our entire taxation system as a permanent fiscal policy.

TAX COMMISSION.

The President should at once be authorized to appoint a temporary tax commission of 11 members, to be composed of 6 Congressmen, 3 Senators, and 3 Members of the House, and 5 outside members representing not only great lines of national interest but the best talent available. I have to-day presented such resolution. The commission to be headed by the Secretary of the Treasury. The commission should at the earliest convenience begin their studies and investigations to be reported to Congress, as was done with the Monetary Commission and also the Vocational Education Commission. The commission should be required to make its report by a given time. My resolution fixes the date not later than July 1 of this year. It is not best to confine the commission to Members of Congress for reasons too apparent to need comment in view of the work now before the Ways and Means Committee. While Congress is engaged in permanent tariff legislation, which when completed will enable it to better enter upon taxation, this commission can be at work with its recommendations for Congress when the latter body is ready. The commission idea seems necessary because of the wide divergence of opinion of students of the subject.

Mr. HUSTED. Will the gentleman yield?

Mr. FESS. Yes.

Mr. HUSTED. The floating indebtedness is now represented by short-term Treasury certificates.

Mr. FESS. Yes.

Mr. HUSTED. Does the gentleman think that the refunding of existing obligations of the Government represented by Treasury certificates would depress the value of other securities of the Government?

Mr. FESS. Unless you make the issue a part of the general refund you will have to discriminate between the present Liberty bonds and the bonds you propose, which would interfere and be dangerous.

Mr. HUSTED. It would not discriminate any more than the present Treasury certificates of indebtedness.

Mr. FESS. That is not a good reason for action; God knows it is bad enough now.

Mr. HUSTED. The idea I have is that the present certificates bear a comparatively high rate of interest and are largely held by banks; they are short-term obligations. I can not see any injustice or discrimination; I can not see any disturbance to our financial system by refunding such certificates on longer-term bonds, paying them serially perhaps.

Mr. FESS. I usually have the very highest respect for the opinion of my friend from New York, but it strikes me that that statement is rather serious that there would be no difference in the matter of injustice by long-term bonds taking up these short-term certificates and continuing them as they are now. You can not, in my judgment, sell a long-term bond without increasing the rate and making it attractive, and what effect would that have on the Liberty bonds?

Mr. HUSTED. It would not be necessarily for a long term. I think they could be paid in 10 years.

Mr. FESS. I think that would only add another scheme and would be discriminating against the other debts.

Mr. LONGWORTH. Will the gentleman yield?

Mr. FESS. I will.

Mr. LONGWORTH. I entirely agree with my colleague as to the unwisdom of funding the short-term obligations with a long-term bond. But does not the gentleman think there is more capital locked up in municipal bonds than in the floating debt?

Mr. FESS. There must be; there are $16,000,000,000 locked up somewhere, and this is vastly less than $3,000,000,000.

Mr. LONGWORTH. Does the gentleman think that the way to make inactive capital active is by some legislation which would take the enormous amount of money invested in municipal bonds and put it in something subject to taxation?

Mr. FESS. I think there is no doubt about it, and my idea is to relieve this penalty so that money will not seek refuge in unproductive securities.

Mr. LONGWORTH. Would not the remedy be in the nature of getting the capital out of municipal bonds rather than an emergency tax to pay off the debt?

The SPEAKER. The time of the gentleman has again expired.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman have five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. CABLE. Will the gentleman yield?

Mr. FESS. I will yield to the gentleman from Ohio.

Mr. CABLE. The gentleman alluded to the excess-profits tax of State corporations and stated that the tax is passed on to the ultimate consumer. What reason have the corporations to complain if the consumer pays the tax; how is he oppressed?

Mr. FESS. He is oppressed largely because he does not know how much he will be compelled to pay. Uncertainty must be avoided. I think there is no doubt about the consumer paying it. I heard a story which illustrates it. Some fellow was found on a train convulsed with laughter. The conductor said, "What are you laughing at?" He said, "I was thinking of the great joke I have played on you and this railroad." The conductor said, "What is the joke?" He said, "I have bought a round-trip ticket and I am not going back." [Laughter.] We talk about the excess-profits tax being placed on the profiteer. That is about on a line with the story.

Mr. GARNER. I think that is as good a defense of the excess-profits tax as I ever heard. You have no defense of it. The gentleman proposes to recover $16,000,000,000 that are supposed to be invested in municipal bonds, to take that capital out of that form of investment and put it somewhere else and make it active. To whom is it proposed to sell those bonds when you take the $16,000,000,000 out of them? If you take the capital out of them, some one has to put other capital into them. Somebody has to have the $16,000,000,000 invested in State and municipal bonds. The gentleman and my friend from Ohio [Mr. LONGWORTH] want to take the money now invested in them and put it somewhere else and make it active, but how are you going to replace the $16,000,000,000?

Mr. FESS. If the gentleman and I were in business and wanted to make a profitable investment and by the organization of this particular business we saw an opportunity to meet a demand of the purchaser, and in that way profit the gentleman and me, we would not invest our capital in something that was unproductive in order to avoid a high rate of taxation somewhere, but we would invest it in business where we would get a greater profit, for the same reason that you invest in anything—the element of profit.

Mr. GARNER. I admit the gentleman is correct about that, but there are now $16,000,000,000 invested in this particular kind of property, State and municipal bonds. If you are going to sell them and reinvest that money in some other class of property you must have somebody to whom you are going to sell those bonds, and after all you will have $16,000,000,000 of American capital invested in that proposition.

Mr. FESS. We certainly will have some one to invest this tied-up money if business is made sufficiently profitable to enlist the investment.

Mr. GARNER. As I understand the proposition advanced by the gentleman from Ohio [Mr. FESS] and the gentleman from Ohio [Mr. LONGWORTH], it must be their desire to very materially reduce the surtaxes. That seems to be the argument.

Mr. FESS. That is one argument.

Mr. GARNER. Let me discard that for a moment and come to the proposition of refunding your debt. If I understand the gentleman from Ohio, he is opposed to funding the present floating debt.

Mr. FESS. Yes; I think that is dangerous.

Mr. GARNER. Because it would depreciate the present outstanding bonds.

Mr. FESS. I think that would be the result, which would be a dangerous thing.

Mr. GARNER. Then, will the gentleman give us some recipe by which we can fund this debt without depreciating the present bonds except by funding and refunding the entire indebtedness?

Mr. FESS. I think that the gentleman's premise is correct. If we proceed to fund this floating debt we must include in that policy the refunding of the whole debt.

Mr. GARNER. Does the gentleman believe this country or any other country in the world, or for that matter the entire world, is capable of buying in one year twenty-odd billion dollars worth of paper?

Mr. FESS. Oh, I am surprised at the gentleman's question. If you refund you simply take up the bonds and reissue other bonds.

Mr. GARNER. Let us suppose that the gentleman owns some Government bonds.

Mr. FESS. Yes.

Mr. GARNER. I propose to refund them.

Mr. FESS. Yes.

Mr. GARNER. The gentleman says, "I do not care to exchange my bonds for these others." Is there any law to compel the gentleman to do that, or can you make a law that will compel him to do it?

Mr. FESS. It may be true that if the holder does not want to make the exchange, we could not force him to do it. However, that point has never been adjudicated.

Mr. GARNER. Admitting that premise, then you must make the bonds so attractive that the holder will voluntarily make the exchange, and in that way you are going to place an additional burden of two or three hundred million dollars upon the American people.

Mr. FESS. Not very much.

Mr. GOOD. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. GOOD. The gentleman, as I understand it, proposes to pay off the present short-term certificates of indebtedness by taxation.

Mr. FESS. Yes; by an emergency tax.

Mr. GOOD. In formulating that policy how much has the gentleman considered we still owe as a war hang over, that we will have to pay either by funding it or by taxation?

Mr. FESS. Very close to $3,000,000,000.

Mr. GOOD. Oh, I am advised to-day by the Director General of the railroads that we owe approximately $400,000,000, growing out of the 26 months of Federal operation of the railroads alone, that will have to be paid by direct appropriation out of the Treasury of the United States. There is still other indebtedness, and if it amounts to $3,000,000,000 in addition to that, there is an indebtedness of $7,000,000,000.

Mr. FESS. Oh, my friend from Iowa is still further disturbing me over the statement that the gentleman from Wyoming [Mr. MONDELL] made a while ago.

Mr. GOOD. Unfortunately I did not hear the gentleman's statement, but I am stating this for the gentleman's information, because when you come to placing the burden of taxation upon the backs of the American people we ought to know clearly what the demands upon the Government will be.

Mr. FESS. My friend is touching a sensitive point. It is better to place a burden of taxation upon people who are at work and who can pay than to put them out of work and starve them.

Mr. GOOD. I understood the gentleman to be in favor of putting a tax on the backs of those men, 5,000,000 of whom are out of employment, who will have to pay this tax when they buy bread, when they buy clothing, when they buy shoes, whether they are at work or not. [Applause.]

Mr. FESS. Oh, my friend, who feels the responsibility of government weighing very heavily upon his shoulders, in an unguarded moment some weeks ago, made a very unfortunate statement here on the floor of the House, and of course it is necessary for him to defend it.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. FESS. Yes.

Mr. COOPER of Wisconsin. I understood the gentleman from Ohio to declare himself in favor of imposing a sales tax for one year as an emergency tax.

Mr. FESS. Yes.

Mr. COOPER of Wisconsin. What was the special purpose for which the gentleman would impose that tax for one year?

Mr. FESS. To pay off the $3,000,000,000 of a hang-over from the war in the form of short-term certificates.

Mr. COOPER of Wisconsin. Has the gentleman any accurate data which he uses as a premise in respect to the amount of money which will be raised by a sales tax for one year?

Mr. FESS. There is a varied estimate in regard to that. Some give it as two and a half million dollars a year, and some have even gone to the figures of $5,000,000,000. I think the latter is too high.

Mr. COOPER of Wisconsin. Has the gentleman a definite opinion as to who in the final analysis will pay that two billion and a half of dollars?

Mr. FESS. It would be the consumer; that is the objection.

Mr. COOPER of Wisconsin. Would it not increase the cost of living?

Mr. FESS. It would in a sense, but I do not think materially, because it would be very small in the percentage. I am afraid, my friends, I am not going to get through——

The SPEAKER. The time of the gentleman has again expired.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent that the gentleman have five minutes——

Mr. BANKHEAD. Mr. Speaker, I desire to amend that request. This is a very interesting discussion, and I do not think we have any other pressing business, and I ask that the gentleman's time be extended until he concludes his address.

Mr. FESS. No; it would continue indefinitely in this exchange of interrogatories, I am afraid.

The SPEAKER. Is there objection to the request for the time for five minutes? [After a pause.] The Chair hears none.

Mr. STEVENSON. Mr. Speaker, I just want to direct the gentleman's attention to a statement he made a moment ago which I think is misleading. This will evidently go out to the country as an authoritative statement from a very prominent Member of Congress——

Mr. FESS. Oh, no.

Mr. STEVENSON. And that was that the Liberty bonds were now 15 per cent below par. Now, yesterday's sales, the very lowest were 87.20; that is only 12.80. I desire to make that correction, because the country will look with alarm upon that statement.

Mr. FESS. I am obliged to the gentleman.

Mr. JONES of Texas. Will the gentleman yield?

Mr. FESS. I will.

Mr. JONES of Texas. Does not the gentleman think that his plan would be pretty hard upon the average man, since he would repeal the surtax, the excess-profits tax, which do not apply to the common man, and at the same time would turn around and levy a sales tax which would apply to the average man?

Mr. FESS. Now, gentlemen, there is the difficulty; there is the difficulty in legislating. The fear which looks for votes when a measure is proposed. We have got to get to a place where we have got some courage. [Applause.] This idea we hear everywhere that you are taking it off the "profiteer hog" and putting it on the back and belly of the common people is nonsense.

Mr. JONES of Texas. Where do you put it on, then?

Mr. FESS. You put it on the people, where it always rests, whether it be a sales tax or an excess-profits tax.

Mr. JONES of Texas. That is what I am asking; do you put it on all the people——

Mr. FESS. Where it will always go.

Mr. JONES of Texas. You do not relieve any of the present taxes by increasing them by a sales tax.

Mr. FESS. That is good political pabulum which ought not to be heard here in the House of Representatives. [Applause on the Republican side.] The country has been fed on such talk for the past eight years and our present situation is sufficient comment without further statement from me. What I am trying to do is to release the necessary capital without which there is no business, so that it may be invested in productive industry in the employment of our surplus labor. For if you do not employ the labor of the country our country is going to be in a dangerous condition, and what I want to do is to make it possible for labor to be employed in industry whose product can be sold, for if you throw labor out of employment because of a shortage of capital there is no such thing as consuming power, for the greatest element of consumption is labor to-day. [Applause on the Republican side.] I have tried to put this upon a basis that is beyond cheap politics. I want to argue this situation as it is, and we have got to have the courage to stand here and take the gaff. [Applause on the Republican side.]

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. FESS. Now, if you will allow me—I will yield to the gentleman.

Mr. MASON. For one question. I was very much interested in the address of the gentleman from Ohio, but I was called out. I want to know if the gentleman has discussed, or if he is willing to discuss or explain, what, if any, credit he intends to get into the Treasury of the United States by reason of the notes we hold of our allied associates in the war. For instance, we are paying out now by direct taxation about $200,000,000 a year on the debt of one country which is just as able to pay its interest as we are, and has the gentleman in his argument or has he any suggestion to make as to how we can relieve ourselves of paying that?

Mr. FESS. Mr. Speaker, I did refer in the argument that it is our duty to proceed to induce, if possible, Europe to compose her differences, get back to work, and cease looking to us further as Santa Claus, and try to become productive and pay this interest.

Now, as to just our procedure, what we can do, not by legislation especially but by the administration, it is not clear in my mind what will be the best procedure.

Mr. MASON. But permit me to ask if it is not a practical suggestion that Congress ask the administration to change our indebtedness into long-time interest bonds which by the guaranty of the United States would become liquid assets?

Mr. FESS. I think that is a very good suggestion, for this reason.

The SPEAKER. The time of the gentleman has again expired.

Mr. FESS. Mr. Speaker, I am going to ask for five minutes, and then I must refuse to yield further?

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. I was about to say that the European situation has been very confused. The debt is not in a funded condition. We have nothing but receipts, I O U's, and I fear—I do not know whether I am violating the amenities of a Member of Congress here for saying this, but speaking purely upon my own responsibility—I am afraid that there will be a move on the part of Europe to defer payment of interest to begin only when the debt is funded. In other words, I think there will be a claim presented to us that no interest is due up to date, because——

Mr. MASON. Then is it not important that we immediately fund the debt?

Mr. FESS. I think that ought to be one of the first things to be done.

Now, gentlemen, I can not yield further, but with your indulgence I will continue for just a few minutes longer.

VARIED OPINION ON TAX REVISION.

Speaking of the great variety of opinion as to taxation by the students of the subject, I note that most of them agree on repeal or modification of the excess-profits tax. Most of them see the drift of tax-free investment due to the upper ranges of the surtax, and they recommend a reduction as the remedy. One group recommends additional taxes on excises, estates, and corporations to compensate the loss of revenue. Another group demands the sales tax, some of them a gross sales tax, others a commodity tax, and still others a final sales tax. Still another group denounces the sales tax, and instead asks for a tax on the undistributed profits of corporations. This appears to be the position of Dr. Adams, of Yale, one of the tax experts attached to the Treasury Department of the Government as adviser on tax matters. Prof. Fairchild, of Yale, recommends the following:

1. Retain the present individual income tax with reasonable revision of rates.
2. Abandon income tax on corporations, making all dividends subject to the individual income tax.
3. Interest on bonds and notes treated in same manner.
4. Repeal excess-profits tax.
5. Tax on undistributed income of corporations upon a graduated scale of rates.

Otto Kahn, regarded as an expert from the practical business standpoint, recommends as follows:

1. Reduce surtax to 33 per cent maximum, from which he estimates $1,000,000,000.
2. Increase corporate income tax from 10 to 15 per cent, estimate $850,000,000.
3. Increase estate tax, $100,000,000.
4. Commodity tax of one-third per cent, $550,000,000.
5. Increase customs duties rates so as to collect instead of $337,000,000 the sum of $550,000,000.
6. Internal revenue—tobacco, beverages, excises, transportation, stamps, and business taxes to the amount of $1,300,000,000.

There are quite a number of students that think we ought to enter upon a general stamp tax, including stamps on checks.

Secretary Houston urged repeal of excess profit, a lowering of surtax, and an increase upon various items to compensate for loss.

Mr. LAZARO. Will the gentleman yield?

Mr. FESS. I can not yield. I promised not to do so.

Mr. LAZARO. Relative to Mr. KAHN, he changed his opinion on the sales tax.

Mr. FESS. Secretary Houston urged repeal of excess profit, a lowering of surtax, and an increase upon various items to compensate for loss.

All these various phases of the subject are reflected in Congress by bills introduced and fugitive utterances by Members upon the subject. The great variety of opinion represents various angles of interest and various types of thinking. It is as varied as opinion upon the money question, which has always been a subject of dogmatic utterance in and out of legislative halls. The condition is here, the problem calls for a solution. It can not be solved in the special interest of any one class. Its discussion demands calm judgment and courageous decision.

The paramount duty just now is to secure necessary data, then by the aid of the country's best talent enter upon a complete revision of our present system, to be reported by the time we complete our tariff legislation. The foregoing facts show wide diversion of opinion. It is therefore proper to say that there is no agreement among the students of taxation on the best remedy, if a new system of taxation is to be adopted. This argues mightily the necessity of the commission as the most concrete movement to reach without delay the safest solution of the one problem that lies at the very foundation of our immediate prosperity. We have conclusive reasons for it in our past experience on various reforms whose agitation persisted for decades, only to be brought to a head and final action through the work of a commission. We have, as I have said before, all the elements within our midst for a wonderful period. They only await the proper readjustment through the freeing of capital for needed investment and the lowering of the cost of production by a better spirit of cooperation between labor and capital where business principles will again be in vogue by the policy of increased efficiency and decreased cost. The latest reports touching the necessity of the reduction of the operating costs of transportation point to this most desired attitude of interested parties toward the rights of the public, which, after all, will make the final decisions in these matters. All this tends to the assurance of a favorable response of both labor and capital to the needs of production so long retarded when we shall enter upon an era of our greatest prosperity. The Government's immediate duty is to release capital for productive investment, and economic sense in turn can and will reduce the cost of production. This done, our country will write a new chapter in our industrial prosperity. [Loud applause on the Republican side.]

I to-day presented the following resolution:

House joint resolution (H. J. Res. 59) to provide for a commission to inquire into the Federal taxation system and to recommend such revision as it may deem advisable.

Resolved, etc., That the President is hereby authorized to appoint a commission consisting of 11 members, 3 from the Senate and 3 from the House of Representatives and 5 additional members to be selected outside of Congress, whose duty it will be to consider the subject of taxation and report their findings and recommendations not later than July 1, 1921. The Secretary of the Treasury shall be chairman ex officio of the commission.

SEC. 2. That the members of said commission shall be paid their actual traveling expenses and subsistence while engaged upon the work of the said commission.

SEC. 3. That said commission shall have authority to employ necessary clerical assistance to make such investigations as they deem necessary, the entire expense of the commission not to exceed the sum of $25,000.

SEC. 4. That the sum of $25,000, or so much thereof as may be necessary, is hereby authorized to be appropriated to meet the expenses of said commission.

AVIATION (H. DOC. NO. 17).

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a special report of the National Advisory Committee for Aeronautics, prepared at my request and dealing with Federal regulation of air navigation, air routes to cover the whole United States, and cooperation among the various departments of the Government concerned with aviation.

The attention of the Congress is invited to the statement of general considerations on a national aviation policy, and to the committee's recommendations for legislative action, which have my approval.

WARREN G. HARDING.

THE WHITE HOUSE,
April 19, 1921.

CONSOLIDATION OF GOVERNMENTAL AGENCIES FOR EX-SERVICE MEN.

Mr. SWEET. Mr. Speaker, I ask unanimous consent to have printed in the RECORD for the information of the House the report made to the President by the volunteer committee on the consolidation of the governmental agencies that are now rendering service to the disabled ex-service men of the country. Gen. Charles G. Dawes was chairman of the committee.

The SPEAKER. The gentleman from Iowa asks unanimous consent to have printed in the RECORD the report of the committee referred to. Is there objection?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I want to ask the gentleman a question. There has been a good deal of talk about the Dawes committee. Did it make any recommendation except to make this a separate department—which I doubt if anyone believes in—beyond what the subcommittee, of which the gentleman is chairman, had already practically agreed upon?

Mr. SWEET. The Dawes committee practically covered the ground covered by the Committee on Interstate and Foreign Commerce, in regard to this particular legislation, during the latter part of the last session of Congress.

Mr. RAYBURN. Also as recommended to us by the bill that was introduced by the gentleman himself before the last session of Congress adjourned?

Mr. SWEET. Yes; it covers practically the same ground, and covers the same ground as the bill I have introduced at this session, bill No. 3.

Mr. RAYBURN. I have no objection, of course, to the printing of this report.

Mr. GARNER. If I understand the colloquy between my colleague from Texas [Mr. RAYBURN] and the gentleman from Iowa [Mr. SWEET], the Dawes committee has accomplished nothing. It has merely recommended what the gentleman and the Interstate Commerce Committee had already decided on in the last Congress?

Mr. SWEET. It practically covers that.

Mr. GARNER. And all of these headlines and all of this data is nil, because you had already determined to do that anyway?

Mr. SWEET. I would not want to say that.

Mr. GARNER. That is what the gentleman did say. I merely wanted to call attention to it.

Mr. SWEET. But I want to say as to that that we gave this class of legislation a good advertisement.

Mr. RAYBURN. Further reserving the right to object, what I wanted to get into the RECORD here was that the subcommittee, of which the gentleman is chairman, did not need the urge of the Dawes Commission to make it their duty.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. SWEET]? [After a pause.] The Chair hears none.

The following is a copy of the report:

THE PRESIDENT OF THE UNITED STATES:

The committee appointed by you to study and report upon the conditions as they now exist in the Government departments concerned with service for the ex-soldiers, sailors, and marines of the World War, and to propose a program to meet immediate needs as well as to provide for the future requirements, to the end that the intention of the Congress to give the full measure of justice to ex-service men may be adequately, promptly, and generously met, begs to submit the following report (which is concurred in by your personal representative, Brig. Gen. Charles E. Sawyer).

In order to accomplish the purposes above named, your committee has called before it the following organizations and individuals:

Consultants on hospitalization program appointed by the Secretary of the Treasury;
The Director of the Bureau of War Risk Insurance and other officers of this bureau;
The Surgeon General of the United States Public Health Service;
President board of managers of the National Home for Disabled Volunteer Soldiers;
The Director of the Federal Board for Vocational Education;
Representatives of the American Legion;
National Committee for Mental Hygiene;
National Tuberculosis Association;
The Surgeon General of the Army and the Surgeon General of the Navy; and
The American Red Cross.

And, after having considered the testimony and made further examination of the facts and conditions, has arrived unanimously at the following conclusions:

1. At the time the laws providing for the compensation, hospitalization, and vocational rehabilitation of the disabled were enacted, the situations which would successively arise could not be foreseen, with the result that the laws are not coordinated and do not proceed or work in harmony. As an example, three distinct and separate governmental agencies without a common authority were created for and are now engaged in executing the laws for the relief of the disabled, namely, the Bureau of War Risk Insurance, the Rehabilitation Division of the Federal Board for Vocational Education, and the United States Public Health Service. The result is that the ex-service person finds it extremely difficult to obtain the prompt, generous, and sympathetic treatment which the Congress and the country intended he should receive.

2. It is apparent that much confusion and inefficiency are the results of the present distribution of responsibility among the three main Government agencies designated by law to carry out the various services to veterans, and the utter lack of central control over these three agencies and such other cooperative governmental departments and bureaus as have been utilized in carrying out the purpose of legislation.

3. In spite of decentralization in two of the services concerned, the inability of the third agency (the Bureau of War Risk Insurance) under the law to make a corresponding decentralization of its work, has caused the failure of effective results from the decentralization which has already been carried into effect by the other two.

4. Not unwillingness to serve or reluctance to cooperate, but divergent provisions of laws and limitations placed by legal decisions have prevented effective coordination in these three respective services.

5. Limitations in the interest of presumed economy have been placed upon the authority of those responsible for these Government agencies in the employment of personnel, both as to number and quality. This has operated to the serious embarrassment of the various agencies engaged in obtaining and retaining the quality of personnel upon which the efficiency of their departments depends. If the statutory limitations upon the number and grade of the personnel in the Bureau of War Risk Insurance, as specified in the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1922, are not removed before the effective operation of this act (July 1, 1921), the embarrassment to the service of this bureau will be serious.

6. Lack of provision for hospital construction to provide facilities commensurate with the proved and declared needs of the immediate future and for some years to come, has been of such a degree as to prevent even the most willing cooperation among Government departments from providing hospital and medical care so distributed as to place and quality of service to accommodate the invalid wards of the Nation. It is clear that although additional beds in hospitals maintained by the several departments of the Government are available, complete use of them has not been possible by reason of certain fundamental limitations, chief of which is the lack of legal authority to secure adequate medical, nursing, and other hospital personnel.

7. The resources of the United States which were made available for the care of the men in the service have not yet been fully availed of or thoroughly mobilized so that the ex-service beneficiaries could have had at their disposal the best that the medical and associated professions could provide throughout the United States.

8. Three possible causes of abuse which may develop are the too generous or unjust payment of money as compensation, inadequate inspection of hospitalization and medical care, and the improper supervision of trainees of the Federal Board for Vocational Education, all combining to create a weaker rather than a stronger moral fiber in the beneficiaries. The prevention of abuses in these three directions is not possible by legislation, and only indirectly by regulation. They can be prevented only by the employment of reliable personnel in direct contact with the individual beneficiary, and held accountable by a single directing head. No regulations were called to the attention of the committee which indicated the possible correction of any one of these abuses. The extent of such abuses as were disclosed was not greater than might reasonably be expected in the uncoordinated operation of any such activities as those for soldier rehabilitation, involving so many Government officers and such a large proportion of the population.

The committee heartily approves the principle of vocational education for the disabled veteran, but it calls attention to the fact that an undertaking of this magnitude on the part of the Government for the upbuilding of our citizenry with the tremendous financial outlay involved, makes it essential that every care be taken that no abuses arise to cause injustice to the man or the Government.

9. Some existing regulations dealing with compensation and insurance have developed certain inconsistencies and possible injustices to the beneficiaries which should be corrected either by a more liberal interpretation of existing statutes or by the issuance of regulations modifying those in effect.

Your committee is unanimous in offering the following recommendations:

1. That there be created the Veterans' Service Administration, and that there be transferred to it the Bureau of War Risk Insurance, the Rehabilitation Division of the Federal Board for Vocational Education, and such part of the Public Health Service as is necessary in dealing with the beneficiaries of the War Risk Insurance and of the Rehabilitation Division of the Board for Vocational Education.

That there shall be at the head of the veterans' service administration a director general, who shall be responsible to the President for all the activities now authorized by law in the three agencies transferred; that he shall utilize all possible governmental agencies for the hospitalization and medical care of the disabled veterans of the World War, maintaining a strict inspection service thereof, and wherever and whenever the governmental facilities prove inadequate shall have full authority to secure the facilities necessary either by allotment of appropriations to governmental agencies or by contract with civilian agencies either for purchase, lease, or otherwise.

The relations of the director general and the veterans' service administration to the other governmental agencies upon which he may call for hospital and medical care and service, as well as the relation to organized private agencies in the medical, educational, and social supervision and care of the ex-service beneficiaries of the Government, are suggested on the chart of organizations of such proposed administration accompanying this report. (See chart on page 460.)

2. That the law creating this administration be so drawn that all of the present inconsistencies in the various laws creating and affecting the three agencies transferred shall be eliminated; that full authority be given to the director general to decentralize all activities, and particularly that no statutory limitations with respect to the number and salaries of the employees he is authorized to engage, within the limits of the appropriations, be incorporated.

3. That pending the passage of such law the Secretary of the Treasury shall issue orders to the Director of the Bureau of War Risk Insurance and to the Surgeon General of the United States Public Health Service transferring to the Bureau of War Risk Insurance all of the activities of the United States Public Health Service, together with the personnel engaged in providing medical services for the beneficiaries of the Bureau of War Risk Insurance and the Federal Board for Vocational Education, with the exception of the hospital and dispensary care.

4. That an immediate extension and utilization of all Government hospital facilities be put into effect, together with the mobilization of such civilian medical services as may prove practical.

5. That a continuing hospital building program to provide satisfactory care for the disabled veterans of the World War be entered upon at once. The committee of hospital consultants appointed by the Secretary of the Treasury, in cooperation with the Surgeon General of the United States Public Health Service shall submit recommendations as to the type of buildings and the location of same, the necessary appropriations to provide for such permanent program to be passed at the next session of Congress.

6. That in addition to the recognized medical and educational services now provided by the Government, such humanizing services be provided in the district offices and in cooperation with private agencies in the homes of the beneficiaries as will give these beneficiaries not only financial aid and the medical and educational services at present provided for by law, but such helpful neighborliness in their contact with the Government as will make them feel that the whole Nation is intimately concerned in their welfare and rehabilitation.

7. That the $18,600,000 appropriated by the Sixty-sixth Congress for the building of new hospitals and the enlargement of existing institutions be utilized for these purposes without any delay.

It can not be too strongly emphasized that the present deplorable failure on the part of the Government to properly care for the disabled veterans is due in large part to an imperfect organization of governmental effort. There is no one in control of the whole situation. Independent agencies by mutual agreement now endeavor to coordinate their action, but in such efforts the joint action is too often modified by minor considerations, and there is always lacking that complete cooperation which is incident to a powerful superimposed authority. No emergency of war itself was greater than is the emergency which confronts the Nation in its duty to care for those disabled in its service and now neglected.

The summoning of this committee by you is an earnest to the country that you are convinced of the vital nature of this problem and that you are determined to secure a prompt and effective solution thereof. The man to whom this important mission is intrusted by you will receive in the performance of his arduous duties the whole-hearted and enthusiastic support and cooperation of all veterans and all other patriotic Americans. No Cabinet officer or Assistant Secretary burdened with other duties should be the one to whom the man charged with the welfare of the disabled saviors of our country should report. He should report directly to the President. His place should be held in the public esteem as one of the greatest honors that the President can bestow, as the service he can render should be of untold value to the Nation.

CHARLES G. DAWES, *Chairman*.
F. W. GALBRAITH, Jr.
Mrs. HENRY R. REA.
THEODORE ROOSEVELT.
MABEL T. BOARDMAN.
THOMAS W. MILLER.
MILTON J. FOREMAN.
T. V. O'CONNOR.
FRANKLIN D'OLIER.
JOHN L. LEWIS.
HENRY S. BERRY.

APRIL 7, 1921.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, to-morrow the House will take up for consideration the immigration bill and dispose of it, either on Wednesday or some time on Thursday, after which we hope to be able to take up the Army bill.

Mr. Speaker, I move that the House do now adjourn.

Mr. GARRETT of Tennessee. Before the gentleman makes that motion, is there any particular reason why the gentleman can not now make a unanimous-consent request to fix the time for taking up the immigration bill to-morrow, so that the Committee on Rules will not have to meet in order to bring in a rule?

Mr. MONDELL. That might be done, except for the fact that I have not consulted recently with the committee, and I would not want to take that responsibility. I imagine there will be no difficulty about a rule on the subject.

Mr. GARRETT of Tennessee. There will be no difficulty about a rule, but I was trying to avoid a meeting of the committee.

Mr. MONDELL. If I was informed as to what the committee desired, I could do so, but I am not so informed.

ADJOURNMENT.

The SPEAKER. The gentleman from Wyoming moves that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 35 minutes p. m.) the House adjourned until Wednesday, April 20, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

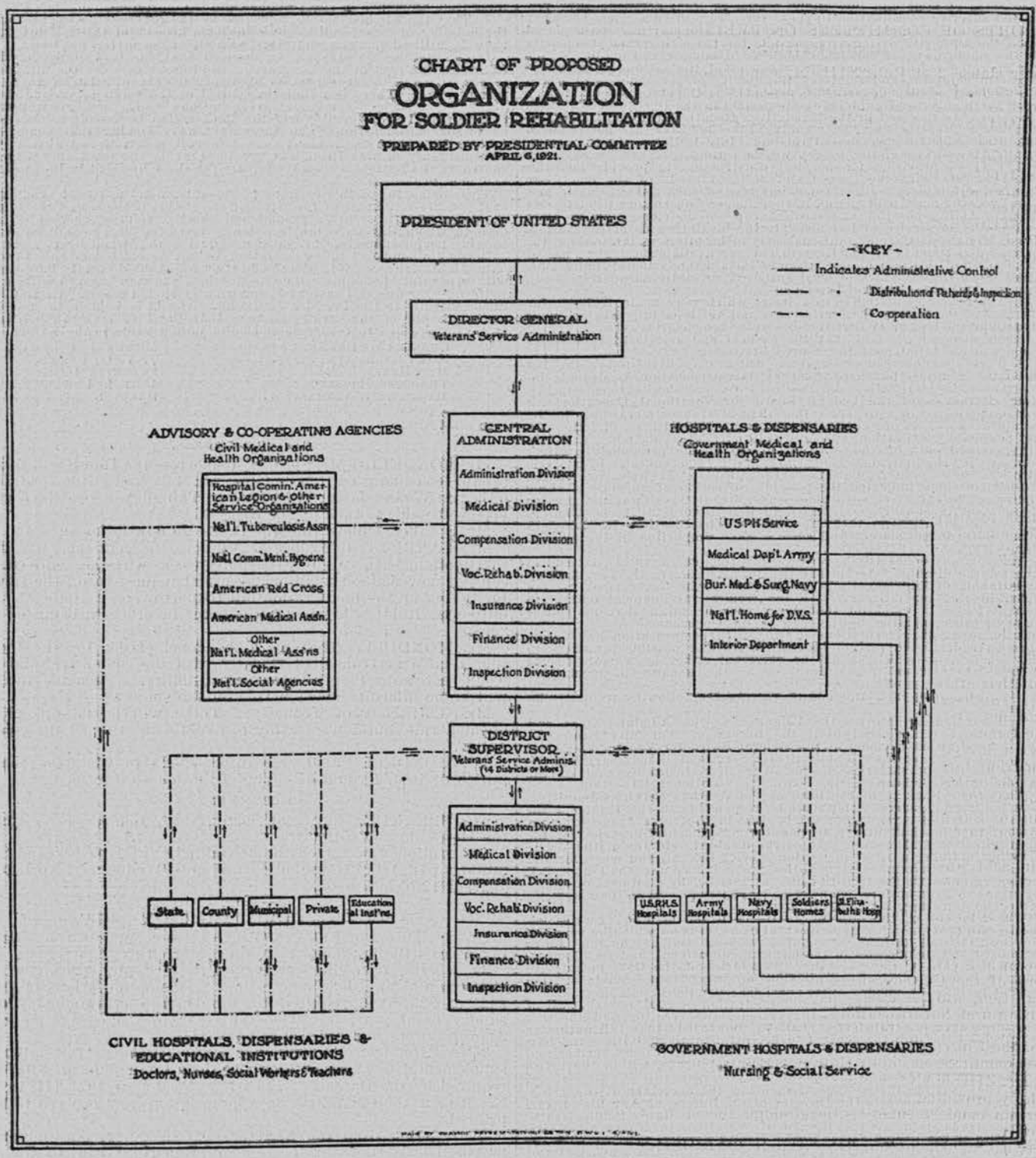
34. A letter from the Secretary of the Treasury, transmitting supplemental and deficiency estimates of appropriations in the sum of $35,554.46 required by the District of Columbia for sundry fiscal years (H. Doc. No. 18); to the Committee on Appropriations and ordered to be printed.

35. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriations in the sum of $10,000 required by the Bureau of Efficiency, fiscal year 1921 (H. Doc. No. 19); to the Committee on Appropriations and ordered to be printed.

36. A letter from the Secretary of the Navy, transmitting proposed legislation for the relief of Ruperto Vilche, of Guantanamo City, Cuba; to the Committee on Claims.

37. A letter from the Secretary of the Navy, transmitting draft of requested legislation for the relief of Chinese naval officers quartered at the naval proving grounds at Indianhead, Md., for loss of personal property by fire; to the Committee on Claims.

CHART APPEARING IN THE REPORT MADE TO THE PRESIDENT ON APRIL 7, 1921, BY THE COMMITTEE ON THE CONSOLIDATION OF GOVERNMENT AGENCIES FOR EX-SERVICE MEN, SUBMITTED BY MR. SWEET.



38. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to authorize the President to present certain ordnance and ammunition to the Portuguese Republic; to the Committee on Foreign Affairs.

39. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to amend existing law with regard to allowances for subsistence to be made employees of the United States while traveling on duty; to the Committee on Expenditures in the Navy Department.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Washington, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 4075) to limit the immigration of aliens into the United States, reported the same with amendments, accompanied by a report (No. 4), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEENERSON, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 2185) providing for a Pageant of Progress Exposition cancellation stamp to be used by the Chicago post office, reported the same with an amendment, accompanied by a report (No. 5), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANSORGE: A bill (H. R. 4378) to create a commission, in accordance with the President's recommendation to the joint session of Congress, to embrace representatives of the white and colored races to investigate the subject of lynching, and to report to the Congress legislative measures intended and designed to prevent, discourage, and to punish lynching; to the Committee on the Judiciary.

By Mr. FENN: A bill (H. R. 4379) for acquiring a site and erecting a public building thereon in Hartford, Conn., for the use and accommodation of the post office and other Government offices; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 4380) to authorize entry of the public lands by school districts for schoolhouse site and ground; to the Committee on the Public Lands.

Also, a bill (H. R. 4381) to authorize the Secretary having jurisdiction of the same to set aside certain public lands to be used as national sanitariums by fraternal or benevolent organizations, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 4382) to provide for the application of the reclamation law to irrigation districts; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 4383) authorizing any tribes or bands of Indians of California to submit claims to the Court of Claims; to the Committee on Indian Affairs.

Also, a bill (H. R. 4384) to encourage the reclamation of certain arid lands in the States of California and Idaho, and for other purposes; to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 4385) to provide for a library information service in the Bureau of Education; to the Committee on Education.

Also, a bill (H. R. 4386) to provide for the protection of the citizens of the United States by the temporary suspension of immigration, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. TYSON: A bill (H. R. 4387) to increase the limit of cost of the United States post-office building at Andalusia, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 4388) to promote the public health by providing for one day of rest in seven for employees in certain employments; to the Committee on the District of Columbia.

Also, a bill (H. R. 4389) to create a traffic court in and for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. DALLINGER: A bill (H. R. 4390) to save daylight in the first zone; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: A bill (H. R. 4391) to make the Star Spangled Banner the national anthem of the United States of America; to the Committee on the Judiciary.

By Mr. HUSTED: A bill (H. R. 4392) authorizing suits against the United States in admiralty, etc.; to the Committee on the Judiciary.

By Mr. TINKHAM: A bill (H. R. 4393) to amend an act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia; to the Committee on the District of Columbia.

Mr. STRONG of Kansas: A bill (H. R. 4394) to pension the survivors of Indian wars, disturbances, and campaigns from January 1, 1859, to January 1, 1891; to the Committee on Pensions.

By Mr. CURRY: A bill (H. R. 4395) to create a department of aeronautics, defining the powers and duties of the secretary thereof, providing for the organization, disposition, and administration of a United States air force, and providing for the development of civil and commercial aviation, the regulation of air navigation, and for other purposes; to the Committee on Military Affairs.

By Mr. DALLINGER: A bill (H. R. 4396) to stabilize the purchasing value of the dollar; to the Committee on Coinage, Weights, and Measures.

By Mr. JEFFERIS: A bill (H. R. 4397) to establish a mint of the United States in the city of Omaha; to the Committee on Coinage, Weights, and Measures.

By Mr. RAKER: A bill (H. R. 4398) authorizing examination, survey, and report to the War Department as a preliminary to the improvement, construction, and maintenance of a system of motor-truck highways to meet the transport requirements of heavy commerce in time of peace and heavy ordnance in time of war and to serve as post roads, with proper and sufficient laterals, in the States of California, Oregon, and Washington; to the Committee on Military Affairs.

By Mr. FESS: Joint resolution (H. J. Res. 59) to provide for a commission to inquire into the Federal taxation system and to recommend such revision as it may deem advisable; to the Committee on Ways and Means.

By Mr. LONDON: Joint resolution (H. J. Res. 60) providing for the recommendation of amnesty and pardon for political prisoners in the United States; to the Committee on the Judiciary.

By Mr. FLOOD: A resolution (H. Res. 62) requesting information in connection with Donal O'Callaghan from the Secretary of State; to the Committee on Foreign Affairs.

By the SPEAKER (by request): Memorial of the constitutional convention of Louisiana, asking suppression of illegitimate and injurious speculation in agricultural products; to the Committee on Agriculture.

By Mr. KENDALL: Memorial of the Legislature of Pennsylvania, for the adoption of legislation providing for the retirement of disabled emergency officers of the United States Army; to the Committee on Military Affairs.

By Mr. REED of West Virginia: Memorial of the Legislature of the State of West Virginia in reference to pensions; to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANSORGE: A bill (H. R. 4399) authorizing the Secretary of War to donate to Inwood, in upper Manhattan, to be placed in Isham Park, State of New York, six German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. APPLEBY: A bill (H. R. 4400) authorizing the Secretary of War to donate to the town of Woodbridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4401) authorizing the Secretary of War to donate to the town of Jamesburg, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4402) authorizing the Secretary of War to donate to the town of Oldbridge, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4403) authorizing the Secretary of War to donate to the city of Perth Amboy, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4404) authorizing the Secretary of War to donate to the city of South Amboy, State of New Jersey, one

German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4405) authorizing the Secretary of War to donate to the city of New Brunswick, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4406) authorizing the Secretary of War to donate to the town of Atlantic Highlands, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4407) authorizing the Secretary of War to donate to the town of Keyport, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4408) authorizing the Secretary of War to donate to the town of Matawan, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4409) authorizing the Secretary of War to donate to the town of Allentown, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4410) authorizing the Secretary of War to donate to the city of Long Branch, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4411) authorizing the Secretary of War to donate to the city of Ocean Grove, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4412) authorizing the Secretary of War to donate to the city of Asbury Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4413) authorizing the Secretary of War to donate to the town of Red Bank, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4414) authorizing the Secretary of War to donate to the town of Tennent, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4415) authorizing the Secretary of War to donate to the town of Freehold, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4416) authorizing the Secretary of War to donate to the town of Tuckerton, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4417) authorizing the Secretary of War to donate to the town of Point Pleasant, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4418) authorizing the Secretary of War to donate to the town of Toms River, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4419) authorizing the Secretary of War to donate to the town of Lakewood, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4420) authorizing the Secretary of War to donate to the Borough of Metuchen, county of Middlesex, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 4421) for the relief of John Albrecht; to the Committee on Claims.

By Mr. BOND: A bill (H. R. 4422) for the relief of Mary Flinn; to the Committee on Claims.

By Mr. BROOKS of Illinois: A bill (H. R. 4423) for the relief of Daniel D. Swick; to the Committee on Military Affairs.

Also, a bill (H. R. 4424) for the relief of Calvin S. James; to the Committee on Military Affairs.

Also, a bill (H. R. 4425) for the relief of John A. Bingham; to the Committee on Claims.

Also, a bill (H. R. 4426) for the relief of M. M. Hicks; to the Committee on Claims.

Also, a bill (H. R. 4427) for the relief of John Linanen; to the Committee on Military Affairs.

Also, a bill (H. R. 4428) granting a pension to Frederick Daggett; to the Committee on Pensions.

Also, a bill (H. R. 4429) granting a pension to Maggie Patterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4430) granting a pension to Eva Deck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4431) granting a pension to Lurana Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4432) granting a pension to Lavina F. Pritchett; to the Committee on Invalid Pensions.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 4433) granting a pension to Annie J. Haynes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4434) granting a pension to Lee F. Pixley; to the Committee on Pensions.

By Mr. DARROW: A bill (H. R. 4435) authorizing the Secretary of War to donate to the Lieutenant Henry H. Houston Post, No. 3, American Legion, Germantown, Philadelphia, State of Pennsylvania, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4436) authorizing the Secretary of War to donate to the Corporal Charles W. Hewitt, jr., Post, No. 154, Veterans of Foreign Wars, Philadelphia, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4437) for the relief of James H. Gordon; to the Committee on Naval Affairs.

Also, a bill (H. R. 4438) for the relief of N. H. Remstein; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 4439) granting a pension to Cynthia Luttrell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4440) granting a pension to Sarah A. Heck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4441) authorizing the Secretary of War to donate to the town of Mounds, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4442) authorizing the Secretary of War to donate to the town of Carterville, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4443) authorizing the Secretary of War to donate to the town of Herrin, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4444) authorizing the Secretary of War to donate to the town of Benton, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4445) authorizing the Secretary of War to donate to the town of Pinckneyville, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4446) authorizing the Secretary of War to donate to the town of Murphysboro, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4447) authorizing the Secretary of War to donate to the town of Chester, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4448) authorizing the Secretary of War to donate to the town of Mound City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4449) authorizing the Secretary of War to donate to the town of West Frankfort, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4450) authorizing the Secretary of War to donate to the town of Anna, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4451) authorizing the Secretary of War to donate to the town of DuQuoin, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4452) authorizing the Secretary of War to donate to the town of Sparta, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4453) authorizing the Secretary of War to donate to the town of Marion, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4454) authorizing the Secretary of War to donate to the town of Johnston City, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4455) authorizing the Secretary of War to donate to the town of Christopher, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4456) authorizing the Secretary of War to donate to the town of Carbondale, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4457) authorizing the Secretary of War to donate to the town of Cairo, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FUNK: A bill (H. R. 4458) authorizing the Secretary of War to donate to the city of Lincoln, State of Illinois, one

German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARRETT of Tennessee: A bill (H. R. 4459) for the relief of Lieut. Soloman J. Chapman, jr., Medical Corps, United States Naval Reserve Force, retired; to the Committee on Naval Affairs.

By Mr. GENSMAN: A bill (H. R. 4460) granting a pension to Thomas M. Stroud; to the Committee on Pensions.

Also, a bill (H. R. 4461) granting a pension to M. Davis; to the Committee on Pensions.

Also, a bill (H. R. 4462) granting an increase of pension to Maston Harris; to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 4463) for the relief of the city of Richmond, State of Kentucky; to the Committee on Public Buildings and Grounds.

By Mr. GLYNN: A bill (H. R. 4464) granting a pension to Walter J. Hawthorne; to the Committee on Pensions.

By Mr. GOODYKOONTZ: A bill (H. R. 4465) granting an increase of pension to Isaac M. Conley; to the Committee on Pensions.

Also, a bill (H. R. 4466) granting an increase of pension to William Weddington; to the Committee on Pensions.

Also, a bill (H. R. 4467) authorizing the Secretary of War to donate to the city of Alderson, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4468) authorizing the Secretary of War to donate to the city of Hamlin, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4469) authorizing the Secretary of War to donate to the city of Williamson, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4470) authorizing the Secretary of War to donate to the city of Logan, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4471) authorizing the Secretary of War to donate to the city of Bluefield, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4472) authorizing the Secretary of War to donate to the city of Union, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4473) authorizing the Secretary of War to donate to the city of Hinton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4474) authorizing the Secretary of War to donate to the city of Pineville, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4475) authorizing the Secretary of War to donate to the town of Welch, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4476) authorizing the Secretary of War to donate to the city of Wayne, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4477) authorizing the Secretary of War to donate to the city of Mullens, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4478) authorizing the Secretary of War to donate to the city of Bramwell, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4479) authorizing the Secretary of War to donate to the city of Princeton, State of West Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Massachusetts: A bill (H. R. 4480) granting a pension to Catherine R. McVay; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 4481) to authorize the President of the United States to appoint Marion C. Raysor an officer in the Army; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 4482) for the relief of Sophie Caffrey; to the Committee on Claims.

By Mr. JACOWAY: A bill (H. R. 4483) for the relief of Edgar Shinn; to the Committee on Claims.

Also, a bill (H. R. 4484) for the relief of the estate of James A. Frey, deceased; to the Committee on Claims.

Also, a bill (H. R. 4485) for the relief of the estate of George Byerly, deceased; to the Committee on War Claims.

Also, a bill (H. R. 4486) for the relief of Marion H. Henderson; to the Committee on Claims.

Also, a bill (H. R. 4487) for the relief of Reinman & Wolfort; to the Committee on Claims.

Also, a bill (H. R. 4488) for the relief of Mrs. Herbert Williams; to the Committee on Claims.

Also, a bill (H. R. 4489) for the relief of William D. Kirkland; to the Committee on Claims.

Also, a bill (H. R. 4490) for the relief of John W. Fein; to the Committee on Claims.

Also, a bill (H. R. 4491) for the relief of James Shook; to the Committee on Military Affairs.

Also, a bill (H. R. 4492) for the relief of R. W. Harris; to the Committee on Military Affairs.

By Mr. JEFFERIS: A bill (H. R. 4493) granting an increase of pension to Lewis Speie, alias Lewis Spady; to the Committee on Pensions.

By Mr. KINCHELOE: A bill (H. R. 4494) to carry out the findings of the Court of Claims in the case of Horace H. Walpole; to the Committee on Claims.

By Mr. KISSEL: A bill (H. R. 4495) for the relief of Mary O'Grady; to the Committee on Claims.

Also, a bill (H. R. 4496) granting a pension to Ernestine Jacob; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 4497) granting a pension to Clara Estelle Sollers; to the Committee on Invalid Pensions.

By Mr. PATTERSON of New Jersey: A bill (H. R. 4498) authorizing the Secretary of War to donate to the borough of Wenonah, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4499) authorizing the Secretary of War to donate to the city of Camden, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 4500) granting a pension to Mary M. Wentworth; to the Committee on Invalid Pensions.

By Mr. RADCLIFFE: A bill (H. R. 4501) granting an increase of pension to John H. Doremus; to the Committee on Pensions.

By Mr. RAKER: A bill (H. R. 4502) for the relief of George F. Reid; to the Committee on Military Affairs.

Also, a bill (H. R. 4503) for the relief of Peter Bur; to the Committee on Claims.

Also, a bill (H. R. 4504) for the relief of Annie M. Lepley; to the Committee on Claims.

Also, a bill (H. R. 4505) for the relief of John C. Howard; to the Committee on Claims.

Also, a bill (H. R. 4506) authorizing the Secretary of War to donate to the city of Corning, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4507) authorizing the Secretary of War to donate to the city of Downieville, State of California, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4508) authorizing the Secretary of War to donate to the city of Dunsmuir, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4509) authorizing the Secretary of War to donate to the city of Adin, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4510) authorizing the Secretary of War to donate to the city of Angels Camp, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4511) authorizing the Secretary of War to donate to the city of Anderson, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4512) authorizing the Secretary of War to donate to the city of Weaverville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4513) authorizing the Secretary of War to donate to the city of Portola, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4514) authorizing the Secretary of War to donate to the city of Cedarville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4515) authorizing the Secretary of War to donate to the city of Susanville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4516) authorizing the Secretary of War to donate to the city of Cottonwood, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4517) authorizing the Secretary of War to donate to the city of Greenville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4518) authorizing the Secretary of War to donate to the city of Jackson, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4519) authorizing the Secretary of War to donate to the city of Quincy, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4520) authorizing the Secretary of War to donate to the city of Mariposa, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4521) authorizing the Secretary of War to donate to the city of Auburn, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4522) authorizing the Secretary of War to donate to the city of Westwood, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4523) authorizing the Secretary of War to donate to the city of Grass Valley, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4524) authorizing the Secretary of War to donate to the city of Markleeville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4525) authorizing the Secretary of War to donate to the city of Sonora, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4526) authorizing the Secretary of War to donate to the city of Redding, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4527) authorizing the Secretary of War to donate to the city of Alturas, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4528) authorizing the Secretary of War to donate to the city of Nevada City, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4529) authorizing the Secretary of War to donate to the city of San Andreas, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4530) authorizing the Secretary of War to donate to the city of Yreka, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4531) authorizing the Secretary of War to donate to the city of Red Bluff, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4532) authorizing the Secretary of War to donate to the city of Placerville, State of California, two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. RICKETTS: A bill (H. R. 4533) granting a pension to Elmer E. Finley; to the Committee on Pensions.

Also, a bill (H. R. 4534) authorizing the Secretary of War to donate to the town of Pleasantville, Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4535) granting an increase of pension to Louisa White Spurgeon; to the Committee on Pensions.

By Mr. ROBSION: A bill (H. R. 4536) granting a pension to Gellgoo Wells; to the Committee on Pensions.

Also, a bill (H. R. 4537) granting a pension to George D. Hendrickson; to the Committee on Pensions.

Also, a bill (H. R. 4538) granting a pension to James H. Hornsby; to the Committee on Pensions.

Also, a bill (H. R. 4539) granting an increase of pension to James T. Page; to the Committee on Pensions.

Also, a bill (H. R. 4540) granting a pension to Catherine Howard; to the Committee on Pensions.

Also, a bill (H. R. 4541) granting an increase of pension to George W. Mason; to the Committee on Pensions.

Also, a bill (H. R. 4542) granting a pension to William R. Neal; to the Committee on Pensions.

By Mr. SHELTON: A bill (H. R. 4543) authorizing the Secretary of War to donate to the city of Marshfield, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4544) authorizing the Secretary of War to donate to the city of Mountain Grove, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4545) authorizing the Secretary of War to donate to the city of Hartville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4546) authorizing the Secretary of War to donate to the city of Lebanon, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4547) authorizing the Secretary of War to donate to the city of Cabool, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4548) authorizing the Secretary of War to donate to the city of Steelville, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4549) authorizing the Secretary of War to donate to the city of Salem, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4550) authorizing the Secretary of War to donate to the city of Vienna, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4551) authorizing the Secretary of War to donate to the city of Eminence, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEPHENS: A bill (H. R. 4552) for the relief of James Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 4553) granting a pension to Marie Hirt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4554) granting a pension to Martha J. Purdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4555) for the relief of John P. Jennings; to the Committee on Claims.

By Mr. STRONG of Kansas: A bill (H. R. 4556) granting an increase of pension to Mary J. Willey; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 4557) granting an increase of pension to Anna S. Elgin; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 4558) for the relief of W. J. Berry; to the Committee on Claims.

By Mr. SWING: a bill (H. R. 4559) for the relief of John R. Monteith; to the Committee on Claims.

By Mr. VAILE: A bill (H. R. 4560) granting a pension to William Maguire; to the Committee on Pensions.

Also, a bill (H. R. 4561) granting an increase of pension to William V. Seifert; to the Committee on Pensions.

Also, a bill (H. R. 4562) granting a pension to Adelia A. Dell; to the Committee on Pensions.

Also, a bill (H. R. 4563) granting a pension to Raymond A. Zehnder; to the Committee on Pensions.

Also, a bill (H. R. 4564) granting a pension to Glen L. Jones; to the Committee on Pensions.

By Mr. WEAVER: A bill (H. R. 4565) for the erection of a post-office building at Rutherfordton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WHEELER: A bill (H. R. 4566) granting a pension to Francis M. Phares; to the Committee on Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 4567) granting a pension to Rachel Going; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4568) granting a pension to Claude S. Kellogg; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

172. By the SPEAKER (by request): Petition of the Federal International Banking Co., in connection with relief of the cotton situation; to the Committee on Ways and Means.

173. Also, 54 petitions, bearing 1,620 signatures, from the American Association for the Recognition of the Irish Republic, of Louisiana, asking recognition of Ireland; to the Committee on Foreign Affairs.

174. Also, petition of inmates of the Confederate Home at Little Rock, Ark., favoring the Tillman bill for pensioning Confederate soldiers through the return of the so-called cotton tax; to the Committee on Invalid Pensions.

175. By Mr. ARENTZ: Petition of the Gardnerville Women's Literary Club, of Gardnerville, Nev., indorsing the Fess bill; to the Committee on Education.

176. By Mr. BYRNS of Tennessee: Papers to accompany House bill 4177, granting an increase of pension to Augusta Louise Benzing; to the Committee on Invalid Pensions.

177. Also, papers to accompany House bill 4178, granting a pension to John A. Tuttle; to the Committee on Pensions.

178. By Mr. CAREW: Petition of the Ushers' Club, Featherbed Lane Presbyterian Church, New York, favoring further

relief for wounded veterans; to the Committee on Interstate and Foreign Commerce.

179. By Mr. DENISON: Petition of various citizens of Bush, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

180. Also, petition of various citizens of Cairo, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

181. Also, petition of various citizens and voters of Murphysboro, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

182. Also, petitions of various citizens and voters of Duquoin, Ill., in favor of beer and light wines and opposed to Sunday blue laws; to the Committee on the Judiciary.

183. Also, petition of citizens of Jonesboro, Ill., protesting against any revisions of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants, such as creosote, phenol, napthalene, and such other materials used in making insecticides; to the Committee on Ways and Means.

184. By Mr. KISSEL: Petition of Frederick Douglass Council, of New York City, protesting against recruiting of colored troops for French army; to the Committee on Foreign Affairs.

185. Also, petition of Balch Price & Co., in connection with sales tax; the Federal Sugar Refining Co., in connection with Cuban sugar; and George Schneider & Co., protesting against tax on carbonated beverages; to the Committee on Ways and Means.

186. Also, petition of the New York State League of Women's Voters, urging the passage of the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

187. By Mr. LINTHICUM: Petition of Daniel Miller Co., Baltimore, Md., protesting against certain features of tariff law; petition of Brotherhood of Railroad Trainmen, Baltimore, Md., protesting against proposed sales tax; to the Committee on Ways and Means.

188. Also, petitions of Baltimore Tube Co. and American Wholesale Corporation, Baltimore, Md., seeking proper protective legislation for the products manufactured by said concerns; to the Committee on Ways and Means.

189. Also, petition of Burt Machine Co., Baltimore, Md., favoring Nolan Patent Office force and salary bill; to the Committee on Patents.

190. By Mr. NEWTON of Minnesota: Petition of Mr. M. E. Ryan, Minneapolis, Minn., and sundry citizens of Minneapolis, petitioning the Congress of the United States to take the necessary action toward recognizing the republic of Ireland; to the Committee on Foreign Affairs.

191. Also, petition of Mr. M. H. O'Brien, Minneapolis, Minn., and other citizens of Minneapolis, petitioning the Congress of the United States to take the necessary action toward recognizing the republic of Ireland; to the Committee on Foreign Affairs.

192. By Mr. RAKER: Petition of secretary Mare Island Local, A. N. A. of Supervisors, of Mare Island, Calif., urging the support of an appropriation for dry dock at Mare Island, etc.; to the Committee on Appropriations.

193. Also, petition of the Yolo County Board of Trade, of Woodland, Yolo County, Calif., urging tariff on tobacco; to the Committee on Ways and Means.

194. Also, petition of the Motors Car Dealers' Association, of Sacramento, Calif., relative to antidumping; to the Committee on Ways and Means.

195. Also, petition of the State board of directors of the Better America Federation of California, of Los Angeles, Calif., protesting against the bill offered by Senator BORAH relative to free speech; to the Committee on the Judiciary.

196. Also petition of Local Union No. 538, International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, of Roseville, Calif., on the release of Eugene V. Debs; to the Committee on the Judiciary.

197. By Mr. REED of West Virginia: Petition of West Virginia Consistory No. 1, Ancient and Accepted Scottish Rite of Freemasons, urging passage of the Smith-Towner bill; to the Committee on Education.

198. By Mr. WARD of North Carolina: Petition of New Hanover Teachers' Association, favoring Smith-Towner bill; to the Committee on Education.

199. By Mr. YATES: Petition of General Federation of Women's Clubs, by Mrs. Edward Franklin White, chairman legislative department, Indianapolis, favoring the Sheppard-Towner bill; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *April 20, 1921.*

(Legislative day of Monday, April 18, 1921.)

The Senate, in open executive session, met at 12 o'clock meridian, on the expiration of the recess.

WILLIAM H. KING, a Senator from the State of Utah, and TASKER L. ODDIE, a Senator from the State of Nevada, appeared in their seats to-day.

TREATY WITH COLOMBIA.

The Senate, in open executive session and as in Committee of the Whole, resumed the consideration of the treaty with Colombia.

Mr. NORRIS. Mr. President, most of the discussion that has taken place on the treaty has been in regard to the $25,000,000 appropriation that is involved in it. While I consider the payment of that money as indefensible, I do not believe it is the most important proposition involved in the treaty. Much as I dislike the payment of that money, and I think it would be a sufficient reason, if standing alone, for the rejection of the treaty, yet I believe that the payment of that money is of comparatively small importance.

I wish to discuss, briefly, some of the other provisions of the treaty. I wish, if I can, to point out to the Senate just what is meant by the other provisions of the treaty, what it means to our Government, what it means to the world, and what it means to the taxpayers of the country.

First, there are provisions in the treaty giving to Colombia certain rights and privileges which, in my judgment, can not be defended. They are indefensible. They are inexcusable. I can not myself comprehend how any Senator can approve them, and that is true if they applied only to Colombia, but they have a much broader application, as I think will appear to every Senator who will give it careful and honest consideration.

The treaty provides, among other things:

> The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war without paying any charges to the United States.

What defense can be made of that provision in the treaty? Why should we construct and build a canal at an expense of more than $400,000,000 and spend millions of dollars annually in its maintenance and its upkeep, and then transport for Colombia her ships of war, the soldiers, the troops, the materials of war through the canal absolutely free? I have not made a computation, but it will cost the taxpayers of the Government of the United States a large sum of money every time it puts a ship through the canal. Is there any reason why we are called upon to pay the expense even of putting Colombian troops through the canal? Shall we give to Colombia rights that are superior to those of our own people?—and I shall show later on that we are doing that in the treaty. Can anyone give an excuse or a reason why we should take that course? Are we willing to go before the people of the United States and tell them frankly what we have done?

Let me read further from the treaty:

> The products of the soil and the industry of Colombia passing through the canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject.

That would prohibit us from passing American ships through the canal free of tolls without giving the same privilege to Colombia. In practical effect that clause carries her mails through the canal free whether we take any further action beyond the approval of the treaty or not. Because we carry the mails of the United States through free, we will have to carry their mails through the canal free.

Again, the treaty provides:

> The products of the soil and industry of Colombia, such as cattle, salt, and provisions—

And that includes everything, the products of the soil—

> shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied by the United States as auxillary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

Mr. President, it might in the wisdom of Congress later be decided that the products of Colombia and all other countries should be admitted to the Canal Zone free of duty. Our Government might some time decide upon that as a wise economic policy to pursue, but do we want to bind ourselves that when we admit the products of the United States in the Canal Zone free we shall be compelled on account of the provisions of the treaty to admit the products of Colombia free? Why should we thus extend the hand to Colombia? Who has offered any

reason for these provisions of the treaty? It is true there are Senators who believe Colombia has been wronged, but they are going to heal that wrong by the payment of $25,000,000, provision for which is contained in the treaty.

I read again:

Colombian citizens crossing the Canal Zone shall, upon production of paper proof—

Remember it says paper proof, and we shall have to accept whatever is presented—

paper proof of their nationality, shall be exempt from every toll, tax, or duty to which the citizens of the United States are not subject.

To my mind it would be just as fair to say to the State of Virginia or the State of New York or some other part of the United States that we should extend a specific privilege and admit into their ports and their cities goods, provisions, and individuals on an entirely different basis from the balance of the country.

Again:

Whenever traffic by the canal is interrupted or whenever it shall be necessary for any other reason to use the railway, the troops, materials of war, products and mails of the Republic of Colombia, as above mentioned, shall be transported on the railway between Ancon and Cristobal, or any other railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products and mails of the United States.

So that if the canal even is put out of business we must extend this same privilege and transport upon the railway the troops, munitions of war, and products of Colombia on the same basis that we transport our own. Since we own the railway I assume we do not charge for carrying our soldiers or materials of war and our mails. It follows therefore that we must carry those of Colombia absolutely free.

Again I read from the treaty:

The officers, agents, employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on said railway on the same terms as officers, agents, and employees of the Government of the United States.

Mr. President, I think it is true that practically every officer and official connected with the Government of the United States whose duty keeps him in Panama rides on a pass on that railroad. It is owned by the Government and it would be foolish to charge because we would only take it out of one pocket and put it in the other. It follows therefore that we must perform the same thing—we are obliged to do the same thing—in regard to all the officials of Colombia and all the officers of her army. No matter who, where, or what business they may be on, in effect we must carry them free of charge.

I read again:

Coal, petroleum, and sea salt, being the products of Colombia, for Colombian consumption, passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall, whenever traffic by the canal is interrupted, be transported over the aforesaid railway free of any charge except the actual cost of handling and transportation, which shall not in any case—

Now, listen to this—

which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the railway and in transit from one port to another of the United States.

We go further there than putting Colombia on an equality with the United States. We transport these products not exceeding in any case the actual cost of transportation, and in no case shall that charge exceed one-half what we charge the American citizen for the same thing. Can anyone defend that? Have we been misrepresenting the thing to the American people, since we have been telling them that the canal was constructed for their benefit primarily and a world benefit incidentally? Can we go before the American people and defend the use of the taxpayers' funds in saying that we are going to transport over this railway the products of Colombia at one-half what we would charge an American citizen to transport the same thing over the same railway?

I can not understand that the ingenuity of men can concoct a defense for that kind of conduct. It cost us something to do this. Colombia paid nothing for the construction of the canal. Colombia paid nothing for the construction of the railway. She pays nothing for the maintenance of either the canal or the railway. That is all paid for out of the money of the United States Treasury; and now we propose by treaty to utilize these transportation facilities in some instances to carry the products of Colombia at one-half that which we shall charge the American who built the canal and who furnished the money not only to build it but to keep it up.

If that were the end of it, Mr. President, it would not be so grave; if that were all, we might by a stretch of imagination charge it up to our desire to be liberal; but that is only the foundation for something much more in the way of a sacrifice that must be borne by the American people. We have with every civilized nation on earth treaties of peace and amity, and I think, without exception, in every one of them is the clause which is known as the favored-nation clause, by which it is agreed that if we give in commerce to any other nation not a party to that treaty any right or any privilege, ipso facto that same right and privilege will be extended to the other party to the treaty; which means that if we extend to Colombia any privilege or any right we thereby, by virtue of the favored-nation clause of those other treaties, extend it to every country on earth with which we have such a treaty, which practically means all of them. So, while by the terms of the pending treaty we are extending special privileges to Colombia, in legal effect we are extending them to all the world. England, France, Spain, Norway, Sweden, and all other countries will demand, and will have a right to demand, that every privilege we have given in this treaty to Colombia shall be extended to them.

Mr. POINDEXTER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. POINDEXTER. I suppose the Senator from Nebraska is aware that Great Britain, which claims a special interest in the canal under the Hay-Pauncefote treaty, has filed a protest against this treaty for the very reason just stated by the Senator from Nebraska. It is true that, at the special request of our Government, Great Britain waived her protest, but she did not agree, and never has agreed, that she may not renew it at any time in the future.

Mr. NORRIS. I thank the Senator from Washington for his interruption. It reminds me of another treaty stipulation which exists between this Government and Great Britain in the so-called Hay-Pauncefote treaty, by which it is expressly stated when the canal shall be built—the treaty having been made before the canal was constructed—that the rules and regulations provided for the government of the proposed canal by the Government of the United States shall extend equal privileges to all the nations of the world. So when we extend this privilege to Colombia there are two reasons why we must extend it to every other nation.

Mr. President, the effect of this treaty is practically to turn the canal over to the world, retaining in the United States only the sacred privilege of paying the expenses of the canal and of keeping it up. The effect is to make it free to everybody at the expense of the taxpayers of the United States, not for to-day, not for to-morrow, not for this year only, but through all time. Do you want to take that proposition to the taxpayers and the voters of the United States? Can you give some reason why we should do that? If so, you must go further than anybody else has gone who has offered any reason here on this floor for the approval of the treaty. So that, as time shall come and pass, the expenditure will not be merely $25,000,000, but it will be hundreds of millions of dollars, to be paid by the taxpayers of the United States for the benefit of the commerce of other nations.

I do not believe that a fair and honest consideration of the treaty can lead any American citizen to the conclusion that we should give all these special privileges to the balance of the world. I know that it might be said that these privileges are given to Colombia on the theory that in this same treaty Colombia gives something to the United States; that any other nation desiring to take advantage of the provisions of the treaty must give the same things which Colombia gives. Now let us see what she does. She does just two things: She acknowledges the independence of Panama and the title of the United States in the canal. Every other nation on earth has already done that. So there will be no delay, so far as other nations are concerned, in complying with the same conditions that Colombia is required to comply with in order to get the benefit of these privileges. We will keep the canal up through all time. It costs millions of dollars every year to maintain the canal; it cost more than $400,000,000 to construct it; it cost $40,000,000 to buy the rights of the French Canal Co.; it cost $10,000,000 in the shape of a payment to Panama; it afterwards cost $250,000 a year in annuities to Panama. All that comes from the Treasury of the United States; and yet this treaty, in effect, turns the canal over to the world. What particular benefit is it to own something that everybody else uses without paying anything for it, while you must keep it up? What particular benefit would it be to a farmer to own a fine team if he had to feed it and pay for it and take care of it and let his neighbor use it all the time for nothing?

Mr. President, we are starting out in a new Congress the watchword of which was economy. In very beautiful and

forceful language, in which I think we all concurred, we were advised by the President to be economical; and yet when we are assumed to be carrying out economy, in every concrete proposition that has so far been proposed the expenditures of the Government have been increased rather than diminished. We are urged to inaugurate an area of economical administration of Government, and we start it by giving away $25,000,000 at once and agreeing to keep up at our expense forever, at a cost of many million dollars, a canal that has involved the expenditure of millions upon millions for the benefit of the balance of the world, and in some instances we give the balance of the world privileges that we do not give to our own citizens. I can not comprehend how such a course can be defended.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Iowa?

Mr. NORRIS. I yield to the Senator.

Mr. CUMMINS. Before the Senator from Nebraska passes altogether from the subject he was discussing a moment ago, I desire to ask him whether he has in his mind not only our general treaties of peace and amity and commerce, in which there is contained the favored-nation clause, but another treaty under which, in effect, the Panama Canal was built, made with Great Britain, namely, the Hay-Pauncefote treaty?

Mr. NORRIS. I have already referred to that treaty.

Mr. CUMMINS. I was not aware of that fact.

Mr. NORRIS. Yes; I had them both in mind, I will say to the Senator.

Mr. CUMMINS. In that treaty we specifically agreed with Great Britain, and, through Great Britain, with the rest of the world, that the ships of all nations shall pass through the Panama Canal "on terms of entire equality." The only question that has ever arisen here, as I understand, in connection with that provision, is whether the United States is included within the term "all nations." I have always contended, and I think it is the right position, that we were saying this to the rest of the world, and that we have a perfect right to pass our own ships through upon such terms as we may determine. I can not understand how anyone can escape the conclusion that the pending treaty is a positive, plain, palpable violation of the Hay-Pauncefote treaty.

Mr. POINDEXTER. Mr. President——

Mr. NORRIS. I yield to the Senator from Washington, but I hope the Senator will be brief.

Mr. POINDEXTER. I will be very brief. I can hardly refrain from pointing out at this juncture in the Senator's able discussion and in support of the suggestions which he has made and which the Senator from Iowa has just made, a letter from Mr. Whitelaw Reid, American ambassador to Great Britain, addressed to Mr. Elihu Root, then Secretary of State of the United States, from the American Embassy in London, dated January 11, 1909, in which our ambassador quotes Sir Charles Hardinge, who was acting as the minister of foreign affairs in the absence of Sir Edward Grey, as making the statement, "We shall have to enter a protest" under the Hay-Pauncefote treaty against the proposed concession to Colombia which the Senator from Nebraska has just been discussing.

Mr. NORRIS. I thank both Senators. I had, however, I will say to the Senator from Iowa, already alluded to the Hay-Pauncefote treaty and had called attention to the particular clause to which he has referred, although I did not have the treaty before me, and did not quote it. I will say, however, that I agree with the Senator from Iowa also that, under the Hay-Pauncefote treaty, we have a right to do anything we please in regard to our own ships. That, in my judgment, is the correct legal conclusion to reach, and, although I voted in favor of exacting a toll upon American shipping, believing that it was justified, I said at the time when that question was before the Senate, that I believed we had a right to pass our ships through absolutely free if we wanted to, and I think that is the general American viewpoint. It is borne out by reason and logic, I think, and I assume that practically all Americans who have studied the subject have reached that conclusion.

Mr. President, there are several reasons given why we should approve this treaty. One given by those who concur with the Senator from Ohio [Mr. POMERENE] is that, whereas we have done a wrong to Colombia, therefore we should pay for it. Those Senators are logical in supporting this treaty, but they are illogical when they want to strike out the apology that was originally contained in the treaty. If we have wronged Colombia, we ought not only to pay the damages, but we ought to apologize for the wrong.

Then comes the Senator from Pennsylvania [Mr. KNOX], who gives us in a logical and forceful manner a review of what happened in Panama and demonstrates, I think, to a practical mathematical certainty that we did no wrong at Panama; that our title to the canal is clear and honest, without a cloud. That far I go with the Senator from Pennsylvania in his able address; but after he has demonstrated that, he then says: "We ought to pay Colombia something because she lost something, and we gained something. Colombia," he says, "by her own wrongful act lost a good deal of money. We ought to pay it back."

Mr. President, I have not very much sympathy for Colombia under the circumstances. If I had time to go into the original conditions down there in Panama when she seceded from Colombia, I think I could show that Colombia is not entitled to any sympathy. But let us assume for the sake of the argument that she is: Are we going to give Colombia $25,000,000 because she lost some money, and, in addition thereto, expend from the Treasury of the United States for her benefit other hundreds of millions of dollars as the years go on, to make good what we have given her outside of the cash payment? Are we going to do that because we sympathize?

Why, Mr. President, if we are in the business to that extent, we must not stop with Colombia. We can take up half of the nations; yes, practically all of the nations of the world to-day. Many of them have done wrongful things and have suffered terribly. Shall we pay the bills so that they will not suffer loss? Are we under any more obligation to pay Colombia because by her wrongful act she lost some money than we are to pay any other nation or any other people because they lost some money, sometimes without committing a wrongful act?

The Senator says we made some money by the transaction. As a matter of fact, Mr. President, the United States from the very beginning has paid more than she ought to have paid for every concession that she ever got in regard to the Panama Canal, unless it be the money that was paid to the French company, with the details of which I am not so familiar. Instead of our paying for the privilege of making a yellow-fever pesthole a healthful and beautiful place, the right thing would have been to pay us for doing it. Without the canal, without the railroad down there on the Isthmus of Panama, that country would amount to nothing. It was practically worthless. It was a place where civilized men could not live. We have made it one of the healthiest places on the globe, and every time we did something to help it we paid somebody for the privilege of doing it. I am tired of doing that. I believe the taxpayers of America are tired of doing it; and we are going to have a hard time to make the taxpayer—who is now overburdened and bowed down to the earth, almost, with taxation—assume this load and feel happy about it.

But, Mr. President, there is another class of people who are for this treaty besides the two I have mentioned, and that is the class over here on the Republican side who are for it because the President wants it.

I listened yesterday to the very eloquent and forceful speech of the junior Senator from California [Mr. SHORTRIDGE], about half of which was devoted to that particular proposition: Our President has asked for it, and in a beautiful message he had requested us to approve this treaty.

Mr. President, are we to approve the treaty because the President wants it? Is it any disrespect to the President of the United States if a Senator votes against it. Are we so handicapped here by party affiliation that I, being a member of the same party with the President, will not dare vote against this treaty without being properly censured for doing so? Have we come to that stage of our political existence? If we have, Mr. President, then not only ought we to put an apology in the treaty that we are considering, but the Republican membership of the Senate ought to meet at once and send an apology over to the Democratic side for what we said about them when Mr. Wilson was President, and when we charged them with being rubber stamps.

Is it a crime to disregard your own convictions and follow the President when he is a Democrat, and a virtue to do the same thing when he is a Republican? If that is true, Mr. President, all of us being pledged to economy, we ought to take another step. We ought to amend the Constitution and abolish the Senate. If every man must follow the President regardless of what he thinks, then, instead of paying the salaries of 96 Senators, we ought to invest $4 or $5 in 96 rubber stamps and send them up to the White House and save the salaries of all these statesmen here who are only obeying the command of somebody at the other end of the Avenue.

I protest that in my opposition to this treaty I am not disrespectful to the President, and that I am under no obligation of any kind to support this treaty or any other legislation simply because he wants it approved.

The President was a Member of this body. He was on the Committee on Foreign Relations. He had given some consideration, I presume, to this treaty that was pending before that committee while he was a member of it. I have never heard him say that he was against it, but until he became President I never heard him say that he was for it; and as far as the control of the vote of any Member of the Senate is concerned, why should the wish of a man who has been a Member of this body, and who is put into the White House as President, be any more forceful than it was when he was a Member of this body?

To my mind it is not paying the President the proper respect to say that we are going to vote for a treaty or a law just because he wants it; and yet the Senator from California [Mr. SHORTRIDGE], when he was making that argument, was giving the reason that, in my judgment, controls a large number of votes in this body.

I think the Senators who take that position are wrong. But it is true that a large number of Senators who were originally against this treaty are now for it. This number includes the illustrious Republican leader on this side. They changed because the President requested them to change, but not until Roosevelt was dead. I have heard some of them argue, and I have not myself heard any of them give a reason that seemed to me to be sufficient or logical. So I believe it can be truthfully said that we are presented now with this condition—that the request of the President that this treaty be ratified by the Senate is sufficient in itself to change a minority into a majority, and I presume we are going to have it ratified for that reason.

If that is the right kind of government, I repeat that we ought to abolish Congress and elect a President who has legislative powers, as well as executive powers. If that theory of government is the right one, then we should abolish the Republic and establish upon its ruins an absolute monarchy.

I listened to the Senator from Massachusetts [Mr. LODGE], the very able chairman of the Foreign Relations Committee, who before was very bitterly opposed to this treaty, and who is on record and who has signed a minority report in which it is severely condemned. It is condemned more severely in that report than I have condemned it. That report has been read to the Senate, and I am not going to repeat it; but the Senator devoted considerable time to showing, and in fact said in answer to a question that I propounded to him, that one of the reasons for the approval of this treaty was to get the good will of Colombia; that a vast amount of oil existed in Colombia, and investors could go in there and be protected if Colombia were friendly.

Again, Mr. President, before I refer to a map that the Senator from Massachusetts offered in evidence, let me say, as he said when he signed the minority report, "We can not afford to buy the friendship of any country." We want the friendship of all countries, but if we are going to establish the precedent that we will pay $25,000,000 for the good will of Colombia, how much ought we to pay for the good will of Great Britain? If Colombia's good will and smiles are worth $25,000,000, then how much should we give to France for her good will? How much to Brazil? How much to Japan? And, mark you, we are not only paying $25,000,000 to Colombia, but we are obligating ourselves to pay hundreds of millions of dollars in the years that shall come in the maintenance of this canal for her benefit and the benefit of the balance of the world. Ought we to establish a schedule and pay for the good will of other governments according to the population or according to the geographical extent of the country or according to the amount of oil that they have in their bosoms? Upon what basis shall we build up a schedule? Shall we say that we will pay nations alike $25,000,000 and that we will give to Liberia just the same as we will give to Great Britain?

We should have some trouble with that schedule. Great Britain would object to that, and I think properly. If it is worth $25,000,000 to be paid to Colombia to get her to smile at us, it ought to be worth at least $250,000,000 to insure always the good will of Great Britain; and when we get through with the schedule where will we be, and, for God's sake, where will the American taxpayer be?

Mr. NELSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. NORRIS. I yield to the Senator.

Mr. NELSON. I am surprised that the Senator should ask the question where the American taxpayer will be. We will make it up in Colombian oil.

Mr. NORRIS. Oh, yes. Mr. President, the Colombian oil which the Senator speaks of will not reach the Treasury of the United States. It is doubtful if that will ever get beyond Wall Street, and if the oil interests of the country are anxious to develop that country, and it is necessary to pay some Government to have the Government good, let the oil, rather than the Treasury of the United States, pay for the smiles we are trying to get.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. NORRIS. I yield.

Mr. BORAH. It would not be so bad, Mr. President, if this treaty actually settled the oil question. But if there are ever controversies over the oil situation in Colombia, we will have to pay for it again, because this treaty does not purport to deal with the thing which they say it is intended to settle.

Mr. NORRIS. No; Mr. President, that is true; oil is not mentioned; it only comes in incidentally, and I believe when the oil business comes up we will have to pay again. In fact, you never paid blackmail in your life but what, when the fellow got out of money, he came back for some more; and I am justified in using the word "blackmail," because the great Senator from Massachusetts used it, as I remember, in his minority report. If we buy Colombia to-day, how long will she stay bought; and if we pay $25,000,000, how much of it is ever going to get to Colombia?

Mr. President, the Senator from Massachusetts [Mr. LODGE] gave us a world map of the oil situation, centering in Great Britain, controlling the oil of the world, and I do not know why he offered us that and talked about it unless he believed that if we approve this treaty either one of two things must happen—Great Britain would lose her control of the oil fields of the world or we would get more oil fields in our control. About as many of the lines on this beautiful map, which run out from London to all parts of the world, come into the United States as any other place. If this map proves anything, it proves that England is controlling the oil output of America now, and who has been bold enough to say that if we approve this treaty England will withdraw from the oil fields of America and let us have them ourselves? And if we pay $25,000,000 to Colombia to oust Great Britain of oil control in Colombia, how much must we pay to deprive her of oil control in Mesopotamia; how much in Mexico; how much in South America; how much in our country? And so with the other countries. The oil map of the Senator from Massachusetts shows that Great Britain controls the oil of the world. If the Senator's argument has any application to this treaty, which I question very much, it is that we may buy enough of the nations of the earth to get that control away from Great Britain, and that we should commence with Colombia by approving this treaty.

Mr. President, it does seem to me that we ought to hesitate before we ask the American people to assume this new burden, a burden that is not measured by $25,000,000, a burden that is going to rest upon the backs and the shoulders of American citizens yet unborn, at a time when Congress is hunting for every possible source of taxation, at a time when the people are crying out because of being overburdened with taxation, at a time when we have promised to the people of America that we would call a halt on extravagance and administer the Government and its affairs with economy and efficiency.

You can not measure the actual cost in dollars and cents which will result when we have to turn the canal open to the world. You can not measure it, Mr. President, short of billions, instead of millions; and it is no defense for us that a good share of the burden will be paid by those who shall follow.

I can see how those who feel that Colombia was wronged might desire to do something; but even those men, it seems to me, ought to assist in striking out of this treaty every one of these special concessions I have read, and I can not see how those—and they constitute a large majority of the Senate and of the American people—who feel we have done no injustice to Colombia can now at this date, when we are confronted with a bonded indebtedness the interest on which amounts to more than the entire cost of the Government before the war, dare go before the American people and try to justify this outrageous expense.

There is no defense, Mr. President, on the surface, and none that has appeared in the light. The President in his message, with due respect to him, gave no reason. Mr. President, we can not afford to do this. The money we are dealing with is not ours. We are occupying a position of trust. We ought to be more careful with the public funds than with our own individual money. We have no license from the people to approve this treaty. We have no license from the men who must bear the burden and pay the money to squander this great sum. We have no license from the American people to take that canal practically out from American control and throw it open to the

commerce of the world. If the American people want to do that, it ought to be after that has been an issue and when they have had an opportunity to be heard.

I think we are violating our pledges when we ruthlessly, without cause and without reason, in this manner not only squander American funds but surrender American rights in the canal, a canal built with the approval of the American people, with their money, at their risk, supposed to be an American proposition. Nobody else paid anything toward its construction; nobody else did anything toward its construction; the greatest engineering feat of the world, the pride of every American citizen. Yet we are now upon the verge of an action which, if carried into logical effect, will turn it over to the world, and we will have nothing but a naked title, with an obligation through the centuries which are to come to raise millions and hundreds of millions of dollars by taxation to keep it open and keep it in repair for the benefit of the world.

That may be the wish of some; but, Mr. President, if that is the idea, then why not do it openly and aboveboard? Why not pass a law in which we say, "This canal, the result of American toil and American genius, is turned over to the world free, and we will guarantee through all time to come to keep it running and to put your ships through for nothing"? Why do it in an indirect way? Why not do it aboveboard, so that the people of the United States can see at once just what we are doing?

I think, Mr. President, we ought to hesitate, and we ought to hesitate long, before we take this step, which, in my judgment, will bring consequences of disaster not only to individuals but to our country through many, many years of the future.

Mr. POINDEXTER. Mr. President, I offer the following amendment. I ask that it may be read and remain pending until the hour for a vote upon it has arrived.

The VICE PRESIDENT. The proposed amendment will be read.

The ASSISTANT SECRETARY. In the fourth line of section 2 of article 1, on page 2, strike out the words "the United States may be subject" and insert in lieu thereof "nations other than the United States may be subject under the treaties and laws of the United States."

Mr. POINDEXTER. I ask that the clause be read as it would read as proposed to be amended.

The VICE PRESIDENT. The Secretary will read as requested.

The ASSISTANT SECRETARY. As proposed to be amended it would read:

2. The products of the soil and industry of Colombia passing through the canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of nations other than the United States may be subject under the treaties and laws of the United States—

And so forth.

Mr. POINDEXTER. I offer the following amendment and ask that it be read and lie over until the time for voting has arrived.

The VICE PRESIDENT. The amendment will be read.

The ASSISTANT SECRETARY. In the last line on the second page, in article 2, strike out the word "twenty-five" and insert in lieu thereof the word "fifteen." The article, if amended as proposed by the committee, reads:

The Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $25,000,000, gold, United States money, as follows—

And so forth. As proposed to be amended it would read:

The Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $15,000,000, gold, United States money, as follows—

And so forth.

Mr. POINDEXTER. I offer the following amendment and ask that it be read and lie over until the hour for voting arrives.

The VICE PRESIDENT. The proposed amendment will be read.

The ASSISTANT SECRETARY. Strike out section 1 of Article I on page 2, in the following words:

The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war, without paying any charges to the United States.

The VICE PRESIDENT. The amendments will lie on the table for the present.

Mr. WADSWORTH. Mr. President, I think no one can exaggerate the importance of the relations of the United States with the Republics to the south of us in Central and South America. There can be no doubt that by a gradual process of development there is being built up in that great continent a civilization which will ever, in increasing measure, make its impress upon the world. The South American Continent and Central America, so called, are to-day dotted with self-governing Republics, many of which have had stormy experiences, it is true, but all of which, I am inclined to believe, are slowly but surely reaching a condition where their Governments are stable, and will be enabled in the future to go ahead in a progressive and sane manner.

During the years that have passed the relations of the United States to those Governments have been exceedingly peculiar. We have been a great, strong, stable Republic founded upon a philosophy of politics and social existence which to many of them was unknown or little understood. Due to the fact that we have succeeded, measurably, at self-government and also the fact that we are endowed with immense riches and powers, our relation to them has been, perhaps, somewhat paternal. I imagine that expression coming from a Senator of the United States is not entirely pleasing to all the people who inhabit the Republics to the south of us. Nevertheless that has been the fact and it has been the attitude which the people of this country have very generally taken, especially when one comes to consider the Monroe doctrine and its application.

These relations, as I said, have been most peculiar, and it has been exceedingly difficult for the United States from time to time to make its attitude thoroughly understood among those Republics. I think I am not very far wrong when I say that upon more than one occasion we have bungled in maintaining those relations and upon more than one occasion have injured the sensibilities of proud peoples who have failed to understand, and I do not blame them for failing to understand, our attitude with respect to certain matters.

The result has been, and everyone knows it, that a feeling of suspicion and antagonism is prevalent throughout large areas of Central and South America, suspicion and antagonism against the United States, much of which I believe unwarranted and undeserved by us, but some of it warranted and deserved. I said a moment ago that we had bungled, in my judgment, in some of our undertakings, and I am going to refer to them very briefly and then ask my colleagues in the Senate if they do not think this treaty is another instance of bungling in much the same way that we have bungled upon former occasions.

Shortly after I became a Member of this body the American administration negotiated a treaty with the Republic of Nicaragua. The treaty was ratified and is now binding upon the two Republics. Let us look back a moment and see what led up to that treaty and then what followed upon its heels. At the outset let me say that I voted for it, and I confess to my colleagues that I did not understand all that it meant or what would follow upon its heels. Had I so understood at the time I should not have voted for it, and if a modification of it should be presented to the Senate by this or any other administration I should vote for its substantial modification.

Back in 1911, I think it was, the United States felt it absolutely necessary to intervene in the internal affairs of the Republic of Nicaragua. Probably that intervention was necessary. There had continued a distressing state of affairs in that Republic for some time, one revolution following upon another until there was no security of life or property and the legitimate interests of Americans as well as the legitimate interests of other foreigners were jeopardized to an extreme degree. In any event a substantial force of American marines was landed—I think ultimately they amounted to something like 2,000 men—and made what was the equivalent of an invasion of that country, finally taking possession of the city of Managua, its capital, quelling the disturbances with a strong hand—and I have no criticism of that whatsoever—and setting up a Government headed by a president.

The creation of that Government, it was well known at the time and must be conceded now, was entirely dependent upon the support of the United States, and as bearing out that assertion may I remind the Senate that ever since that time there has been a garrison of American marines in the city of Managua. I think there are only 100 of them, but the number is unimportant. Their mere presence indicates the necessity for continued support by the United States of that Government which we set up in Nicaragua. It may be a good government. I do not know. It may be that some other government chosen more freely by the people of Nicaragua would be a better government. I do not know about that. I am not competent to pass upon it. But the fact is that we set up the Government at the time and we have maintained it ever since to a large extent regardless of the opinions of the people of Nicaragua.

Having set up the Government we proceeded to make a treaty with it, the treaty to which I referred a moment ago. Under that treaty the United States paid to the Republic of Nicaragua

a substantial sum of money. Perhaps some of my colleagues can remind me of the amount; I can not remember it just now. This was to be applied, as I recollect, upon its national debt and in the satisfaction of various debts owed or incurred by the Government which had preceded the one which we set up. In return for the payment of that money Nicaragua undertook to cede to the United States certain things of value. One of the things which she ceded to the United States under that treaty was the exclusive right vested in this country to use the so-called Nicaraguan canal route using the San Juan River as part of that route. In addition to that under the same treaty Nicaragua ceded to the United States certain most important rights in the Gulf of Fonseca upon the western coast of Central America, and those rights indicate very clearly that we would have a right at any time to make use of that gulf as a naval station for the use of our own naval vessels.

This treaty, made with the government which we ourselves set up and for which we were entirely responsible, was a treaty really made with ourselves. It was undoubtedly of tremendous advantage to the United States; certainly we received value for the money which we spent under it. It turns out, however, that while that treaty was under consideration Costa Rica, through the appropriate diplomatic channels, protested against the right of Nicaragua to make any such cession of the San Juan River without her consent, contending, as she had a perfect right to contend, that the San Juan River was the boundary between Nicaragua and Costa Rica, and that Nicaragua had no right to give the United States a 99-year lease on the river without the consent of the other riparian owner. The American Government and the American Senate paid no attention to that protest and went ahead and ratified the treaty.

It turns out that about the same time the Republic of Honduras, which owns a part of the littoral of Fonseca Bay, on the west coast, protested to the United States, as I recollect, that Nicaragua had no right, acting entirely by herself, to cede to the United States naval-station rights on Fonseca Bay without the consent of Honduras. It may be, although my recollection is somewhat inaccurate, that the Republic of Salvador joined in that same protest. Salvador, like Honduras, owned a part of the littoral of Fonseca Bay. No attention was paid to those protests and the treaty went through.

It so happens also that some years prior to this time the American Government very properly and very wisely gave great encouragement to the Central American Republics in the proposal to set up an international Central American court. Those Republics had been at swords points for many, many years, and it was charged one against the other upon many an occasion that they were guilty of unneutral acts in harboring revolutionists and inspiring insurrection within the territories of their neighbors. The United States, I think I am correct in saying, led the way in helping the Central American Republics to set up an international court which should settle the disputes which might arise between the Central American Republics. That court was in existence at the time the United States made the treaty with Nicaragua.

Following the making of the treaty the Republic of Costa Rica appealed to the court, brought its case before the court, and the court listened to the case. The International Court of Central America handed down a decision sustaining the protest of Costa Rica and the United States paid no attention. The court promptly disbanded.

Now, that is the kind of thing that hurts the reputation of the United States all over Central and South America. The blow which we delivered indirectly against international arbitration in Central America was a heavy one, and to-day we stand possessed, in my judgment, of rights ceded to us by Nicaragua which Nicaragua had no right to cede to us, and the Central American court handed down a decision to that effect.

There are other instances——

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Utah?

Mr. WADSWORTH. I yield.

Mr. KING. I should like to ask the Senator whether or not, assuming the treaty to which the Senator refers did grant naval rights in the bay, the United States ever attempted to assert those rights?

Mr. WADSWORTH. I think not.

Mr. KING. Has not the United States acted passively and taken no part in the decision and not controverted it?

Mr. WADSWORTH. Yes; but the treaty still stands. And the same may be said about the San Juan River. We have not started to build a canal through the San Juan River and Lake Nicaragua along the so-called Nicaragua route, but we believe ourselves to-day to be the owners of a 99-year lease on that canal route. We acquired that lease or that cession from a country which the international court of Central America said had no right to give it to us. We had helped to set up the court, were largely responsible for it. Those things hurt.

Mr. KING. If the Senator will pardon me, if we had asserted any right under the treaty and had proceeded to establish a naval base or had asserted a claim under the 99-year lease, a proprietary interest thereunder, I think the Senator's contention would contain very much merit.

Mr. WADSWORTH. Mr. President, my criticism is against the making of any such treaty without having the cooperation of the other parties in legitimate interest. We might just as well have taken into consideration the people of Costa Rica, the people of Honduras, and the people of Salvador and made a joint treaty with them all. We declined to do that. They protested here against our making a treaty with Nicaragua alone, but we paid no attention to the protest.

The time may come when the United States will desire to avail itself of the advantages given to it under the treaty with Nicaragua. It may be that we shall desire to establish a coaling station for our Navy at Fonseca Bay. That is a most valuable privilege and one which I sincerely hope the United States will possess. That bay is the one sheet of water along that whole western coast of Central America—a coast thousands of miles in length—which is suitable for a naval base to shelter a fleet. It may be needed to protect the western approaches to the Panama Canal. Strategically it is of enormous value. When we do come—if we ever do come—to use Fonseca Bay as a naval station, it may be that then Honduras and Salvador will again protest that we have not a clear title. If they do, I hope the administration in power at Washington at that time will take into consideration the history of this transaction and see to it that those people are dealt with fairly and squarely.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Florida?

Mr. WADSWORTH. I yield.

Mr. FLETCHER. May I suggest to the Senator from New York that it is not quite accurate, possibly, to say that Nicaragua had no right either in the river or in the bay?

Mr. WADSWORTH. Yes; she had a right.

Mr. FLETCHER. She certainly had some right.

Mr. WADSWORTH. She did, but she did not have the whole thing.

Mr. FLETCHER. And under the treaty we obtained whatever right Nicaragua had. Whether Costa Rica and San Salvador also have rights is a matter which might arise when we undertook to exercise the authority given us under the treaty; but, at present, anyway, we have done no more than get, as it were, a quit-claim deed from Nicaragua for whatever right she may have had, both in the river and in the bay.

Mr. WADSWORTH. I am not familiar with all the technicalities concerning the rights Nicaragua may or may not have ceded to us, but the fact is that when the treaty was pending Costa Rica protested, and we would not even listen; and when Costa Rica took her case to a court which we helped set up and the court brought in a verdict in her favor we would not listen.

Mr. FLETCHER. That is quite true; but at the same time Costa Rica did not have any right to say that Nicaragua could not do what Nicaragua was attempting to do. We could proceed with Nicaragua, as we did proceed, without interfering with the rights of Costa Rica. Costa Rica has rights and can take care of them when the time comes.

Mr. WADSWORTH. Of course, one of the elements which added more to the suspicion and resentment which arose against us was that we were really making a treaty with ourselves.

Mr. President, those things hurt. I am impelled to speak frankly about it here, because such matters are seldom frankly discussed. They hurt the reputation of this country. They hurt us throughout those vast regions to the south of us. There are other incidents that have occurred that have hurt us tremendously. I say these things because I respect the people to the south of us. I do not despise them; I do not ignore them. They represent a great and growing civilization which is becoming more and more important, and more important to the people of the United States than to any people on the face of the earth.

I do not intend and I shall not attempt to bring up a partisan discussion of any kind, but another thing that hurt was the forcible intervention at Vera Cruz, which seemed to all South America like an attempt upon the part of the Government and the people of the United States by force of arms, with a fleet of battleships and thousands and thousands of sailors and

marines, to control the internal affairs of a so-called friendly neighbor. The news of that act swept everywhere and added to our difficulties in dealing with those people.

I am not familiar with what has been going on in Santo Domingo; indeed, I must confess, Mr. President, that I am not familiar with all the things that led up to our intervention in Santo Domingo. In my humble judgment that intervention was necessary and wise in the last analysis, but somehow or other we have not known how to explain it to the South American people; and to-day Santo Domingans, wherever they may be found in South or Central America, are challenging the representatives of the United States, be they diplomatic or commercial, to state our policy as to Santo Domingo. We have not handled these matters well. We have injured the feelings of thousands and hundreds of thousands of intelligent, civilized people. I have encountered the reaction from this situation in my conversations with members of our own Diplomatic Service. We have many ministers who are accredited to South American and Central American countries; we have in those countries secretaries of embassy and secretaries of legation. Occasionally it has been my privilege to encounter a returning secretary of an embassy or a legation, an American, and to ask him to tell me how fares the reputation of the United States in those countries; and in many instances the report comes back that, for one reason or another, the United States is suspected. I think it is true, probably, that interested politicians in those countries fan that flame for their own purposes upon occasions, capitalize it politically within their countries. But that it exists can not be denied.

To my mind the strange thing about this situation is—although it is perhaps not so strange; it is human on their part—that many of the men who have served the United States in diplomatic capacities in Central or South America come back and say, "For heaven's sake, pay Colombia some money and that will ease the situation; settle this controversy with Colombia and we shall be less embarrassed in our negotiations and in our conversations, official and otherwise, with the peoples to whom we are accredited."

More than one of them—and perhaps some Senators have had the same experience—while contending that we do not owe Colombia one penny, still say, "Oh, well, let us pay them the money and bring about a better feeling toward us." I can understand how an American diplomatic officer is annoyed and distressed by what he may encounter upon occasion in a South American or Central American capital. Figuratively speaking, around the corner from the American legation is the Colombian legation, and the American minister, anxious to advance the interests of his own people and charged with that duty under the instructions of the State Department and the President, is very apt to find that the Colombian minister around the corner is always doing his best to poison the mind of the Government to which he is accredited against the Government and the people of the United States. Information has come to me recently that the Dominicans are endeavoring to do that very thing, and that whenever any systematic effort is made by our Government—sincerely made—with the best of motives, to establish a better understanding, the Dominicans are doing their best to destroy that understanding.

Of course, that is a very disagreeable experience for an American minister or secretary of legation to encounter, and upon every occasion as to which I have made inquiries along that line I have found that there is a strong body of opinion in the American Diplomatic Service accredited to South America that the $25,000,000 should be paid to Colombia, stating frankly that they hope that that payment will relieve them of this annoyance and make their lives and the lives of an ordinary American in those countries a little more comfortable.

Mr. President, I think you will find that a large number of the officers of our own State Department argue exactly along that line. That is the plea which they have made to more than one person clothed with authority in the matter of treaties, but it is a plea which I believe if acceded to will simply add one more blunder to the long list of which we are already guilty.

Let us leave out of this discussion for just a moment the right and wrong of the incident that occurred on the Isthmus in 1903 and suppose that we do ratify the treaty. It is said we will get the good will of the people of Colombia by paying them this money, and it is further argued that it will help our standing all over South America by not only paying the money but by giving Colombia the special privileges in the canal which it is proposed to give her. Mr. President, what we will get from the people of Colombia will be a smile of a somewhat jeering kind. It can not possibly add to the respect which the people of Colombia will have for this country to pay them $25,000,000; and, after all, what we are after is the respect of these people. We do not want them to fear us; we do not want them to dread us; we do not want them to truckle to us. We want them to respect us, and no man can tell me that the Colombian people are going to respect the Government and people of the United States for $25,000,000 or any other sum. We gain nothing along the line which has been suggested here by the payment of this money. We will simply add one more mistake to the ones we have already made.

And what will the other countries of South America think about this thing? This treaty gives the right to Colombia to pass her ships of war, her troops, and her war materials through the canal at all times free of charge. In other words, we give to the Republic of Colombia the same thing that Germany demanded of Belgium—the right to transport troops, guns, munitions, and ships in time of war, to be used against some neighbor of Colombia. Germany demanded the right to send her armies through Belgium to attack France, violating the neutrality of Belgium, putting France at the mercy of Germany. But the world stood aghast at the proposal; it brought the British Empire into the war against Germany; it put all the moral forces of the world against Germany. But here we propose to make the Canal Zone, the canal and the railroad which we built, a pathway along which Colombia, and Colombia alone, may transport troops free of charge to be launched against any enemy of Colombia.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from New York yield to the Senator from Massachusetts?

Mr. WADSWORTH. I yield.

Mr. LODGE. Of course the Senator has noted that the clause granting the privilege of such transportation in time of war is stricken out of the treaty?

Mr. WADSWORTH. But the treaty still says, may I suggest to the Senator from Massachusetts, "at all times."

Mr. BORAH. That is precisely, if I may be permitted to say so, what has not been done.

Mr. WADSWORTH. That is the point. If it said "in peace times only," it would be thoroughly understood; but let me read it. The treaty provides that—

> Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war without paying any charges to the United States.

Mr. LODGE. The clause "even in case of war between Colombia and another country" is stricken from the treaty.

Mr. WADSWORTH. Yes.

Mr. McKELLAR. That clause was mere surplusage.

Mr. WADSWORTH. The sentence that was sticken out was mere surplusage.

Mr. LODGE. It was not surplusage.

Mr. WADSWORTH. The words "even in case of war between Colombia and another country" are proposed to be stricken out, but the words "at all times" remain. Those words mean peace times and war times, and Colombia will have a right to make that claim.

Mr. BORAH. Why would it not be just as logical to say that she could not send her ships and materials through in peace times, but could only send them through in war times?

Mr. WADSWORTH. That, it seems to me, would be equally logical.

Mr. BORAH. Precisely, because she can send them "at all times," and that includes any time.

Mr. POINDEXTER. Mr. President——

Mr. WADSWORTH. I yield.

Mr. POINDEXTER. It seems to me that illustrates another one of the embarrassments that would come to the United States through this treaty. If we should make any such claim as is now suggested under this language, after having made a solemn compact with Colombia that at all times she could send her munitions of war and troops of war through the canal, then if we should come to the application of it and say, "Oh, this did not mean when you are at war," it would make the United States perfectly ridiculous.

Mr. WADSWORTH. Mr. President, of course we can not tell what may happen in South America in the years that are to come. I wish I could announce to the Senate my solemn conviction that war would never break out again anywhere, but I can not. I am afraid it will, some time. Colombia may be a party to it, one of the belligerents. Her antagonist may be a South American neighbor. Suppose, for example, it were Venezuela. Look at the map. Colombia could transport her troops and ships of war and war materials from the western coast through the American canal, expedite them on their way, with American help, to be launched upon the shores of Venezuela upon the Atlantic coast of South America. Venezuela would not be permitted to send her troops free of charge from the

Atlantic coast to be launched against Colombia on the Pacific coast.

Mr. President, this matter of neutrality, the rights of neutrals and the duties of neutrals in time of war, is a matter of exceeding importance. This Government of ours has always taken a very strong, high stand about the duty of a neutral. It never has permitted itself to give advantage to one belligerent as against another, and I hope it never will. All international law forbids it as a general principle, and the failure to live up to the principles and ideals of neutrality when the world is afire is a thing which is apt to bring down upon the head of the country which fails to do it a great deal of trouble and suffering in the end. Now, I say, we can not tell what may eventuate in this poor old world, but I dread the day when the United States gives to one nation the right to use its territory—the territory of the United States—as a highway over which to attack another nation. There is nothing that is better calculated to drag the United States into trouble than a treaty provision such as that.

We are accustomed to look at these things in a rather casual manner, because Colombia and Panama and Venezuela and these Central American Republics are far away, and they are comparatively small; but much of the world's history is going to be written in South and Central America during the next century, and if there is one thing that the United States should do in anticipating the great events and the great developments which will take place in that part of the world, it is to keep its skirts clean of unneutral acts.

The Panama Canal is the great military as well as commercial asset of this country. It should be the great military asset of this country and of no other country; for the instant we begin parceling out military advantages to special favorites, our character among the nations of the earth is lost, and the uses of the canal are prostituted. So I ask Members of the Senate to consider this matter; and can any one tell me that this provision, which gives Colombia an immense advantage against any antagonist with which Colombia may find herself at war, will be liked by the other nations of South America? Are we not bungling once again? We have made too many mistakes, Mr. President, in our relations with these people, and I hope we shall not make another.

Mr. President, I do not intend to discuss just now or at any time, as I said a little while ago, the incidents that occurred in 1903. At that time I was very familiar with them. I learned of them from the lips of a man who bore an important part in them. Having learned all the facts from him, I have been firmly convinced all these years that the Government of the United States bore its part in that incident in an absolutely honest, straightforward, and unassailable manner; and I have seen no evidence submitted since that time, and especially have I seen no evidence submitted in this debate, which would lead me to change my opinion as to what the American Government did, and why it did it, back in 1903.

There can be no excuse whatsoever for the payment of the money unless we have done Colombia a grievous injury. It is futile to talk about assuaging people's feelings when their feelings were self-hurt. That does not carry conviction.

That is not going to satisfy the people who are going to receive the money; much less will it satisfy the American people who are to pay it. This matter was discussed in 1918. It has been discussed again during the last week, and much of the old story has been told again and again, and it is in the RECORD of the Congress during the last two or three days. The whole story has been recited, and not one item of proof has been adduced that the United States stole anything from Colombia, directly or indirectly.

I have been convinced of this for years, and I am still convinced of it; and feeling as I do about the error that is being made in this treaty with respect to the discriminations in it against every other nation in favor of Colombia, and the inexcusable payment of money to these people who have no right to ask it from us, I can not vote for the treaty. I am not sufficiently nimble-footed to change my position.

Mr. KENYON. Mr. President, I desire to take only a moment or two of the time of the Senate, not with any hope of doing any particular good in the discussion, but in order that I may have in the RECORD for my constituents to read, at least, my reason for opposing this treaty.

Mr. BORAH. Mr. President, will not the Senator permit me to call for a quorum?

Mr. KENYON. No, no. There is no use of disturbing Senators who are at lunch.

I should think, Mr. President, in view of the questions raised here by the distinguished Senator from New York [Mr. WADSWORTH], that Senators would pause and consider well before they vote for this treaty. I am not, however, going to discuss the matter from that angle.

In the campaign of 1918 I heard many splendid addresses in this country from the leaders of the Republican Party. Nearly every one I heard denounced the Colombian treaty as the crowning infamy in the attempt of Woodrow Wilson to slur the life and character of Theodore Roosevelt. The people of the country were not for the Colombian treaty. They did not believe that Theodore Roosevelt had done a wrong act; and it is most extraordinary and most amazing that three years later, after that issue had helped to win a campaign for the Republicans, Republican leaders have now turned a complete somersault, and what was an infamous crime under Woodrow Wilson becomes a very divine proceeding under the administration of the Republican Party.

In the last campaign I had the pleasure, as other Senators did, of campaigning throughout the country and speaking at various places nearly across the Continent. I do not claim that had anything to do with the result; but I took a good deal of pleasure in pledging my party, as far as I could in my humble way, to economy in government, against the extravagance we had had, that was chargeable undoubtedly to both parties. The people believed in what we said upon the stump about economy, about making a public dollar go as far as a private dollar in the administration of the Government. I believed in it. Yet our very first act as Republicans in power is to vote $25,000,000 to a set of bandits by a treaty that was denounced in a report filed in this body in 1917, signed by the Republican leaders, as a blackmail proposition!

I do not want to hear much more about economy in this Congress. I have been getting telegrams yesterday and to-day from men representing farming organizations, farmers on the brink of bankruptcy in this country, saying that if we have any money to throw away we might loan it to the farmers of the United States. I have wondered where the voice of the Senator from Utah was, who is always preaching economy and working for it, on the proposition to squander $25,000,000—not only to squander it, but to pay it out as blackmail.

When the Americanization bill passed the Senate, carrying five or six million dollars a year, it was fought here as an extravagant thing. Senators who now are supporting this measure were against that because it was a waste of public money. It went to the House and was torpedoed there in the interest of economy.

When the maternity bill was here, a bill providing for Federal aid to help in teaching mothers how to raise babies, it was jeered at in the cloakrooms and voted for on the floor, as so many measures are. It carried a million dollars a year. That went to the House and was torpedoed there in the interest of economy.

I wonder what these gentlemen who have raised their voices so loudly about economy are going to say when the soldier bonus bill comes here, and they have the record of voting away $25,000,000 in a blackmail proposition. What are they going to say to the soldiers of the country who ask compensation? Are you going to talk economy then? Your economy in this Congress has gone. Let us not hear anything more about it.

We have heard a good deal here about people being the friends of Roosevelt. There are different kinds of friends, of course. Nearly everybody now claims to be the friend of Roosevelt. He had millions of friends in life; he has millions of them in death. Why did they not bring this treaty forward during the life of Roosevelt? It would have had no chance in the Senate.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. KENYON. Certainly.

Mr. NORRIS. In defense of those friends of Roosevelt, I think the Senator ought to see that they had not changed their minds, and they did not change their minds until after Roosevelt died.

Mr. KENYON. No; they never would have dared in the life of Theodore Roosevelt to place this stigma upon his life; because if we did wrong in Panama, Roosevelt did it. If we stole this land, Roosevelt stole it; if we did steal it, and if it was wrong, we ought to apologize—not only pay the money, which is a halfway apology, a half-baked apology, but apologize like a manly nation. That is the issue.

I do not mean to say, of course, that this ought to be determined on any consideration of Theodore Roosevelt, but I do say that he never appealed to his countrymen to follow a sickly, pusillanimous policy of buying friendship. Bought friendship is not worth a cent on the thousand dollars. Judas Iscariot sold friendship. I think it is as contemptible to buy friendship as it is to sell friendship. If we are going to start in that kind of a proposition, we will not have many friends.

I want to put in the RECORD, not for anybody here, but for the folks at home—for I represent in part a State that believed in Theodore Roosevelt—what he himself said about it. I wish to read a few extracts from his book Fear God and Take Your Own Part. He said:

In 1903 a shameless and sordid attempt was made by the then dictator of Colombia and his subordinate fellow politicians at Bogota to force the United States, by scandalously improper tactics, to pay a vastly larger sum for the privilege of building the Panama Canal than had been agreed upon in a solemn treaty. As President of the United States I resisted this attempt, and prevented the United States from being blackmailed.

That is similar to what the minority members of the Foreign Relations Committee said in the minority report in 1903. He—Roosevelt—said further:

Had I not successfully resisted the attempt, the Panama Canal would not now be built and would probably never have been built. The attempt was blackmail then, and to yield to it now is to yield to blackmail.

Is it any different in 1921 on the subject of blackmail from what it was when Roosevelt wrote this book? I continue reading from his book:

Yet the present administration now proposes to pay Colombia $25,000,000 and to make what is practically an apology for our conduct in acquiring the right to build the canal. Apparently this is done on the theory of soothing the would-be blackmailers and making them forget the mortification caused them by the failure of their initial attempt to hold up the United States.

Then he goes ahead to prove that Panama had the right to do exactly what she did, and Colombia had no claim. We paid $10,000,000 to Panama and forty million more to the French company, some of which, as the Senator from Wisconsin pointed out last night, went into the coffers of the Colombian Government.

Roosevelt said further:

Let it be remembered that this $10,000,000 was the price stipulated by Colombia herself as payment to those in possession of the Isthmus, and it was the price we actually did pay to those who actually were in possession of the Isthmus. The only difference was that, thanks to the most just and proper revolution which freed Panama from the intolerable oppression and wrongdoing of Colombia, we were able to give this $10,000,000 to the men who themselves dwelt on the Isthmus instead of to alien taskmasters and oppressors of theirs.

The proposal now is that after having paid $10,000,000 to the rightful owners of the Isthmus, we shall in addition pay $25,000,000 to their former taskmasters and oppressors, a sum two and a half times what these tricky oppressors originally asked, a sum which is to be paid to them merely because they failed in carrying to successful completion what must truthfully be characterized as a bit of international villainy as wicked as it was preposterous. In point of good sense and sound morality the proposal is exactly on a par with paying a discomfited burglar a heavy sum for the damage done his feelings by detecting him and expelling him from the house.

I wish this whole chapter might be published in the RECORD.

The Secretary of State, John Hay, who was in the wrongdoing, if any wrongdoing was done, said officially:

The action of the President in the Panama matter is not only in the strictest accordance with the best precedents of our public policy, but it was the only course he could have taken in compliance with our treaty rights and obligations.

Roosevelt further said:

If we pay $25,000,000 to Colombia now, then there is no reason why we should not at some future time pay her another $100,000,000; or pay Mexico ten times that sum for having taken Texas and California, Arizona, and New Mexico; or pay a hundred times that sum to Great Britain because our ancestors deprived her of the thirteen colonies.

On page 339, Mr. Bonaparte, the Attorney General at that time, is quoted by President Roosevelt, and I ask that that part of the book be inserted without reading it.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

By the treaty we promise to pay Colombia, as a compensation for an alleged injury, a much larger sum of money than we paid France for Louisiana, or Mexico for California, or Spain for the Philippines, or Panama for the Canal Zone, or than Great Britain paid us in settlement of the Alabama claims; if we acknowledge that we have so wronged her as to make it proper for us to buy her forgiveness, it is consistent and appropriate to add to this acknowledgment of wrong an apology, or, in other words, an expression of sorrow; if we have nothing to apologize for, because we have done her no wrong, then it is utterly unworthy of a great Nation and a forfeiture of our right to self-respect for us to pay her a red cent.

Mr. KENYON. Now, Mr. President, if Colombia had demanded such a sum as this, it is entirely probable that the canal would never have been built on that route; it would have gone to some other route. The ten million was the amount which Colombia itself fixed, and which we were then willing to pay.

Under the constitutions of 1858 and 1861, it has been conceded here that Panama reserved the right to secede, to nullify any act inconsistent with its own autonomy.

But the remarkable thing, which I have not been able to understand, not being as wise as some, is the change in the conditions now from what they were when the report of the minority was filed.

I know consistency is the virtue of small minds, and the United States Senate may not be a good place for consistency. But I fail to understand from any of these speeches the difference between the situation in 1921, when we are asked to ratify this treaty, and the situation in 1917, when the Republican minority of the Foreign Relations Committee denounced this as blackmail.

I understand that there are oil concessions in Colombia; that they may be affected by this; that the Government there may go down if the money is not paid; and that the oil concessions may be canceled. Senators have had attorneys of oil interests talk to them about that matter. I am not citing that as a wrongful thing particularly. That may be one of the new things that has gotten into this matter. It may be, in the minds of some, perfectly proper.

In the minority report it is said:

This payment, then, can only be predicated on the assumption that we are indebted to Colombia, either morally or legally, and no combination of words, no niceties of diplomatic language, can hide the naked truth that this treaty is an admission that the conduct of this country in acquiring the right to construct a canal across the Isthmus of Panama was a wrong committed against Colombia. On no other hypothesis could Colombia ask for this indemnity.

Then they speak of the attempt in words to veil this disagreeable aspect. But they say:

There is a clear admission that we are paying this sum to settle a claim for damages. By making the payment we admit the claim.

* * * * * * *

The minority declare that our conduct in securing an agreement from Panama was just and proper in every respect and that the Colombian Government has no just or equitable claim against this Nation for any act on our part in connection therewith.

If they had no claim then, under the doctrine of the Republican leaders, where do they get the claim now? They say:

This treaty is, in effect, not only a plea of guilty to the charge made against us by Colombia, but an agreement that, in addition to the payment of $10,000,000, the price for which the Government of Colombia had agreed to convey to us the right of way over the Isthmus, while she claimed sovereign rights over that territory, we shall also pay $15,000,000 to Colombia as exemplary damages.

What do we pay exemplary damages for in the law? Exemplary damages are not recoverable unless there has been a wanton invasion of right. They are given as "smart" money. They are given as punishment where the tort is committed, with actual malice or deliberate violence or oppression, where the wrong partakes of a criminal character.

So we are told it was $15,000,000 then—it must be $15,000,000 now—of exemplary damages, damages by way of punishment to our own country, which are only recoverable in law where the act has been so outrageous that it shocks the consciences of men, and they are given as a punishment for a quasi-criminal act.

We find ourselves in the humiliating spectacle of indorsing the giving of "exemplary damages" against our own country. We had better apologize in a manly way than to submit to exemplary damages. There is no compromise. There is no purchase of good will and good friendship by exemplary damages. Put up the sign, little nations, "Friendship for Sale," and let Uncle Sam be the only buyer.

Now, Mr. President, I know the hours are passing by and it would not be fair for me to take up much of the time of the Senate. The matter has been argued on every hand. I confess to a very deep feeling about it, to the unjust branding of our country as doing such a thing as it is charged with having done. The object of the treaty apparently is to settle a claim which we do not owe for the purpose of buying friendship in order that certain oil concessions may stand.

Roosevelt wrote, as I have called attention here, that it was at that time a shameless and sordid attempt to compel the United States to pay a larger sum for the purpose of building the canal than had been agreed upon in a similar treaty. If it was shameless and sordid in 1903, is it not shameless and sordid in 1921? He wrote that soothing them in 1903 would be blackmail. I am not using that term as my own. He uses it, and if the distinguished leader of the Republican side wrote the minority report, which I do not know, he used it or whoever wrote that report used that nasty word "blackmail." If it was blackmail then, what is it now? If it was acknowledgment of a wrong to pay this money then, what is it now? If it was paying a sum to settle a claim for damages then and admitting the claim, what is it now?

Those signing the report now try to impress upon newly initiated Senators, who view with wonderment the proposition that in following leaders you must turn a complete somersault in three years, and carry them along with the doctrine that something has happened. The Senator from North Dakota [Mr. MCCUMBER] indicated yesterday there was something mysterious, something we were going to get eventually out of

Colombia that we ordinary mortals in the Senate were not entitled to know.

If there had been no international misconduct in the acquisition of this territory, as the committee then said, what has changed their minds about it now? If Colombia had no just or equitable claim, as they said then, when does the equitable claim come now? If it were humiliating and belittling, as was said in that report, to pay exemplary damages in 1917, is it any the less humiliating and belittling to pay exemplary damages in 1921? If the demand in 1917 was blackmail, as they said, why is it any the less blackmail now? If the committee were right in saying in 1917 that once we responded to such a demand we would be held up for every fancied wrong by other countries, why is it any less an invitation now to those countries to proceed on the holdup theory?

What a benevolent Santa Claus old Uncle Sam is anyhow to place this $25,000,000 in the hands of a lot of grafters who care nothing about this country. I think it was in open session, otherwise I should not refer to it, late at night one time when the distinguished former Senator from Michigan, William Alden Smith, spoke of the treaty and pictured where the money went and how gentlemen were standing outside with their gripsacks just ready to take it to New York for distribution.

Now, I think I shall take no more of the Senate's time. I have felt that the treaty was everything that the committee said about it in 1917 and everything that Roosevelt said about it in his book. I feel now that it is a slight and an insult to his memory, perhaps not intentional, and certain it is that no such treaty as this could pass the Senate if that virile character was still alive. The American people are going to understand it. They are going to wonder about pleas of economy. They will swallow the dose; they will have to, for undoubtedly it is going through. They will do it with an unpleasant countenance, and it will not be any easier for them to swallow it because the bottle may bear the brand, "Taken in oil."

Mr. LODGE. Mr. President, I had not intended to trouble the Senate again with any words of mine, and now I shall be extremely brief. I have one statement that I wish to lay before the Senate. Before I begin on that I wish to state that I listened to the Senator from New York [Mr. WADSWORTH], as I always do, with great interest and with great respect for his ability. He made a point, which is not a very important one, but which I think worth considering, with reference to giving Colombia the right to transport over the canal troops and munitions of war at all times without paying charges of any kind.

I wish to call attention to the fact that the clause he so strongly condemned occurs in a treaty for which I voted, which was sent to the Senate by President Roosevelt, as follows:

> The Government of Colombia shall have the right to transport over the canal its vessels, troops, and munitions of war at all times without paying charges of any kind.

That was in the treaty signed by John Hay and Thomas Herran. In 1909 President Roosevelt sent in a treaty in which, in article 2, it is said:

> The Republic of Colombia shall be at liberty at all times to convey through the ship canal now in course of construction by the United States across the Isthmus of Panama ships, materials for war, and ships of war of the Republic of Colombia without paying any duty to the United States, even in the case of an international war between Colombia and another country.

I voted for that treaty. I am unable to see why what was virtuous then should be a crime now. This is a more guarded clause, if possible, than that in either of the two treaties from which I have read.

I desire also to say that in listening to my friend the Senator from Iowa [Mr. KENYON], I noted that he continually speaks as if the pending treaty were the same as the treaty of 1917. Of course, the reiteration of a fact is useless at any time, and certainly at this late hour. It is not the treaty of 1917. It is that treaty very much amended, removing one entire article which I thought contained the only apology in it, and think so still, and modifying it in other respects. When one denounces the pending treaty he is denouncing a very different treaty from that of 1917, as reported by Senator Stone to the Senate.

Something has been said also about what Colombia would do with the money. Of course, I can not pretend to say just what Colombians are thinking. We have to take some of their official statements. I have been reminded of a letter which I received in 1919 from Mr. Polk, at that time Counselor for the State Department, containing an extract from a note from Mr. Hoffman Philip, the American minister at Colombia, and quoting the Colombian minister for foreign affairs, who wrote to Mr. Philip as follows:

> With reference to the treaty of 1914, pending between Colombia and the United States, I have the honor to inform your excellency that my Government accepts the modifications proposed by your excellency's Government and communicated in your excellency's note of February 27, 1919, and that it will do everything within the reach and sphere of its power to have them approved in the next Colombian Congress.
>
> I avail myself of this occasion to reiterate what the Colombian Government has already unofficially declared, viz, that the indemnity proceeding from the treaty will be employed in public works and improvements of international benefit and of utility to international commerce, such as port works and transportation facilities. I now add that from the indemnity no sum will be deducted for the payment of commissions or fees for services in connection with the negotiation and ratification of the treaty. Contracts for public improvements will be granted to Colombian citizens and to foreigners in accordance with Colombian laws, and public treaties, there being conceded, naturally, to citizens of the United States the consideration which corresponds to the extraordinary importance of the relations between the two countries.

I merely offer that to show what intention they expressed when they accepted the modifications proposed by the United States. This treaty, I am informed officially, has been agreed to as it stands by the Colombian Government. It has been so presented to the Senate, it being a draft made in the Senate originally.

Mr. President, I am not going over the old ground which has been gone over so fully in arguments on both sides. I regret that so much bitterness should have been imported into the debate. It seems to me that it is possible to differ as to the advisability of the treaty without impugning motives which only Omniscience can know.

It has seemed to me—it seemed to me in 1919—that it would be an advantage to the United States to secure the recognition by Colombia of Panama and her boundaries. That has been attempted by four administrations. It was attempted by the Root-Cortes treaty in 1909, when $2,500,000 was offered for that recognition; by the Taft administration later, when $10,000,000 was offered for the recognition of the boundaries and the independence of Panama; then by the Wilson administration, when $25,000,000 was offered; and now the same offer is proposed for the same chief purpose by the present administration. In other words, it was the desire of all those administrations, and they believed it for the interest of the United States, to close that outstanding difference with Colombia. I do not think we can take the position that because we have had a quarrel—not a war—with any country we can never therefore come into any relations with her.

The ratification of the pending treaty is asked for by the President as part of a great major policy which he believes will be of very large value and importance to the people of the United States and for the benefit of the entire American hemisphere. It has seemed to me that that policy on his part was correct.

I think there is room for difference of opinion as to whether this treaty constitutes a humiliation or a reflection on Theodore Roosevelt or a reflection on the United States. That is a matter of opinion. There are those who think so and there are those who do not think so. Those who do not think so are just as patriotic and just as devoted to their country as are those who do think so. No man has a right to lay down his own rule for the determination of the patriotism of others and to condemn them if there is an honest difference of opinion. I have served in the Senate for 28 years and for 6 years in the House of Representatives. I have never before been accused of not loving my country and not desiring to serve it. In my humble way I have tried to do so, and I think I have been as jealous of her rights and honor as any man could be. I should never for a moment think of doing anything that I thought could be in any way distorted into a reflection on the honor of the United States. I do not think, I can not think honestly that there is any such reflection now possible.

I may easily be mistaken; we all may be mistaken and are liable to mistake, but I believe that it is for the advantage of my country to ratify this treaty and—perhaps at the cost of a very large sum, if you please—try to cure and heal an open sore which exists in the relations between this country and the country which adjoins the Panama Canal. I think it is for the interest of our security, of our defense, of the safety of the canal, which is a very insecure possession from a military point of view. I believe it will be helpful not merely to business but to the best interests of the United States and of the whole American hemisphere, in which we have not only a great interest but a certain degree of protection to give. It is for that reason that I support the President in his policy, of which this is the initial step.

Mr. BORAH. Mr. President, I quite agree, in part, with the suggestions just made by the able leader of the majority, the Senator from Massachusetts [Mr. LODGE]. I do not intend to depart from the rule which he lays down that this is not the place to question men's motives. In my brief experience here I have seldom, if ever, indulged in the practice of questioning the motives of my colleagues. That leaves me all the more

free to question their logic; and it is with that I have to do at this particular time rather than the question of motive.

The Senator from Massachusetts has advised us that this is a part of a great policy upon the part of the President, and that he is disposed to support the measure because it is a part of a great policy. Possibly, if that policy were unfolded and I could find any particular place in the policy where the admission by the United States of wrongdoing, of which it is innocent, would have anything to do with advancing the policy, I might be so convinced of the worth of the policy that I would be willing to make that admission. But it is a fearful admission to make, and before I make it I must be convinced of the great worth of the policy for which I exchange the honor of my country. I recall when we were once before dealing with the question of the Panama Canal in reference to the question of freedom from tolls that we were also advised at that time that the President would not know how to deal with matters of immediate concern unless the canal were thrown open to all the nations of the earth upon equal terms with our own.

I am bound to assume that the President had in mind at that time a policy something similar perhaps to the policy which is now, in a nebulous way, suggested to us by the Senator from Massachusetts. Some eight years have passed since we repealed the tolls provision of the Panama Canal act, and we have yet to learn what the policy was which was immediately concerned with the question of repeal. I suggest, therefore, Mr. President, that in justice to the Senate and in justice to those who sincerely believe that this treaty is an injustice to our country and to its taxpayers, we can not be criticized if we fail to follow when the way has not yet been pointed out nor the program revealed. To follow blindly is a very difficult habit for a man of self-respect to acquire. I shall be exceedingly pleased to follow any program which our President has with reference to Central America and South America if I find it to be in the interest of this country, but I can not follow until I am advised what it is. I am particularly favorable to some of the statements which he made in the city of New York on yesterday as to our policy with reference to the people to the south; but I have yet to hear any argument which advances a reason why the United States in the initiatory step of that policy should make confession of a crime of which it is not guilty. Furthermore, Mr. President, I assume that the President does not expect us to follow where our conscience and our reason do not take us.

Mr. President, a few days ago the able Senator from Pennsylvania [Mr. KNOX] addressed the Senate upon this question and announced the policy upon which he sought, with great ability, to justify his vote for this treaty. I regret that he is absent, but I desire, nevertheless, to ask the Senate for a short time to consider the remarks made by the Senator, and especially circumstances and facts omitted by him, which it seems to me ought to be taken into consideration in connection with the facts which he stated in his speech, and the rule of adjustment which he promulgated.

He proceeds in the first instance to show conclusively that the United States Government was wholly innocent of any wrongdoing touching the secession of Panama. He was at the time, if I remember correctly, a member of the administration which was then in power, its legal adviser, and entirely familiar with all the facts and circumstances relating to the secession of Panama. He recounts the history, calls our attention to the documents, construes them in his able manner, and must have convinced all who listened to him that the United States was wholly innocent of any wrongdoing. After having concluded himself upon the proposition that our own Government was innocent, he announced the principle upon which he felt himself justified in supporting the treaty. He said:

> Our entire course from the beginning to the end of the whole transaction squared to our rights and duties and to the governing rules and principles of international law. * * *
>
> As a matter of law therefore we are and have been under no obligation whatsoever to make amends to Colombia for the action which we took. If through her own acts she deprived herself of something which she would have obtained had her course been different, the resulting loss must as a matter of law lie where it falls.

If Colombia has been guilty of an act which has resulted in injury to herself, says the Senator, and if she has received injury it is by reason of her own act, and the damage must be permitted to lie where it fell. A fairly sound proposition and pretty well embedded in all the systems of jurisprudence with which I am familiar. But he further said:

> But for reasons of state and looking to all the circumstances of the case it would appear that the people of the United States ought not to permit the loss to lie where it fell, and that on the contrary we ought to make to the Colombian Government and people some suitable compensation for the self-inflicted loss which they sustained, at least to the extent that we were direct gainers by that loss.

We ought to understand that one who was a part of the administration, its legal adviser, entirely familiar with the whole transaction, has wholly exonerated us, and, secondly, that the only basis upon which we can ratify the treaty is that of compensating Colombia for her self-inflicted loss, a proposition which involves some hazard. When we consider that we are dealing with Central and South American countries and bear in mind their capacity to inflict injury upon themselves, I can see no limit to it.

It was said by some gentleman during the recent campaign that our Secretary of the Treasury during the war would go out upon the street and meet a man who spoke a foreign tongue, give him a check upon the Treasury of the United States, and tell him to go over to Independence Hall, in Philadelphia, and organize a republic and come back and get another check. The Republicans, after having made a campaign for economy, announce a principle which is infinitely worse, to wit, our willingness to compensate the South and Central American Republics for any loss which they may inflict upon themselves, provided some possible argument to be adduced should show any resulting benefit, without our connivance, to ourselves. This will require a rare system of bookkeeping, and a vigilance in which we will not dare to nod, much less to sleep.

The taxpayers of the country, who expected relief through a change of administration, will scarcely spell any of it out of that situation.

But the Senator says, "To the extent, at least, to which we have gained by that loss."

Very well; let us see. The Senator puts the two parties in a court of equity—not in a court of law, but in a court of equity. They are to equalize their losses and compensations with the purpose of arriving at the ethics of the situation.

The first thing which will suggest itself to all lawyers is, How does Colombia get into a court of equity at all under the Senator's rule and the facts he presents? A man can not go into a court of equity except with clean hands. When he is in the wrong, when he has inflicted a loss upon himself, and especially when the self-inflicted loss results from an evil motive, no system of jurisprudence, no theory of government, no policy of international law would ever admit him into a court of equity or a court which might be called, figuratively speaking, a court of equity. But in some way or other the Senator pulls them into his court of equity, and I am pleased they are there. It gives us an opportunity to review again just precisely the situation with reference to these parties in a court of equity. Having got them into a court by rules known to no court of equity, we must examine the equities.

Let us go back just a moment, therefore, to the treaty of 1846.

Under the treaty of 1846 between Colombia or New Granada and the United States, New Granada or Colombia dedicated this right of way to canal purposes. Extremely anxious to have the canal constructed, unable to construct it themselves, they initiated the negotiations by which they asked the United States to take upon herself the burden of protecting the neutrality of the zone and the moral obligation to build a canal.

In a court of equity, never after the signing of the treaty of 1846 had Colombia the right to ask for a single dollar for that right of way. So when Colombia came here in 1901 and 1902 and again initiated negotiations for the purpose of closing a treaty John Hay and the then administration, of which the Senator from Pennsylvania was a part, advised Colombia that under the treaty of 1846 they were not in a position to ask for a single dollar in the way of compensation; that if the United States would take the responsibility of constructing the canal, a matter of such stupendous advantage to Colombia, in view of the dedication which was made in the treaty of 1846, they had no right to ask for the $7,000,000 which they did ask for at that time, now raised to $25,000,000. Objection was made at that time to any compensation at all; but finally, according to John Hay, by reason of the fact that Colombia insisted upon it, and being interested in the proposition of satisfying her to the full, they yielded to the demand for $7,000,000. In other words, Colombia violated the rules of equity and fair dealing in the very inception by demanding money for that which she had dedicated to canal purposes.

What has happened since then? Who has profited by the building of the Panama Canal more than Colombia? Bear in mind we are in a court of equity. In 1904 ex-Senator Root, then a member of the administration and Secretary of War, if I remember correctly, made a speech before the Union League Club in Chicago in which he also dealt with the equities of the situation or the ethics of the Panama Canal transaction. Strangely enough, both of these great lawyers entitled their speeches "The equities of the transaction" or "The ethics of the transaction." In that speech, Senator Root surveyed the

entire ground, massed the evidence, gathered the records, weighed the equities, and pronounced it as his judgment that instead of Colombia being damaged by the building of the canal no nation upon the face of the earth had benefited by the canal so much as Colombia.

Let me quote two paragraphs from the ex-Senator's speech:

Colombia stood to profit more by the building of that canal than any other nation upon earth. Her territory stretching across the northwestern end of South America was without internal communication or unity. Her principal towns upon her Atlantic and her Pacific coasts were separated by ranges of lofty mountains not traversed by any railroad, and for the most part without roads of any kind. The building of a canal would, for the first time, establish practical and easy communication between her different Provinces. The work of construction would bring enormous sums to be expended in her territory, and the operation of the canal would set Colombia upon a great highway of the world's commerce with incalculable opportunities for development and wealth. She had acknowledged the world's right to the canal. She had specifically granted the right of way to the United States. She had induced the United States to assume the moral obligation for its construction by excluding all other nations from the Isthmus for her protection. When she came to settle the terms of this "supplementary convention," the detailed arrangements under which this enormous benefit might be conferred upon mankind, and especially upon herself, she demanded to be paid.

Reluctantly, and with a sense that it was an unjust exaction, the United States agreed to pay $10,000,000 down and $250,000 per annum in perpetuity—substantially the entire amount exacted by Colombia. We were not going into the enterprise to make money, but for the common good. We did not expect the revenues of the canal to repay its cost, or to receive any benefit from it, except that which Colombia would share to a higher degree than ourselves. Against the hundreds of millions which we were obligating ourselves to expend, Colombia was expected only to permit the use of a small tract of otherwise worthless land already, in substance, devoted to that purpose. We were not seeking a privilege which Colombia was entitled to withhold but settling the method in which the acknowledged right of mankind over a portion of her soil should be exercised, with due regard to her special interests. It was not just that we should pay anything, but it was better to pay than to coerce a weaker nation.

What was the situation when we started to build this canal? Colombia, as ex-Senator Root said, lay upon two oceans, with her territory disconnected, with no means of transportation between the different parts of her country, and herself wholly unable to build the canal. We expended $400,000,000, in round figures, to construct it. We are under obligations to maintain it for all time. Colombia expends not a dollar, and yet it is of more benefit to her than to any other nation in the world. Where do the equities in this court of equity lie?

Not only that, Mr. President; as has been said here by the Senator from Georgia [Mr. WATSON], and also the Senator from Missouri [Mr. REED], we went further and cleaned up a pesthole in the very front yard of Colombia, a condition with which she was unable to deal, which she had not the means to take care of. We spent millions of dollars for the purpose of making it a safe place into which human beings could go, and to relieve her from the constant and everlasting threat and menace of disease in her own territory. Disease lurked under every leaf of that swamp, and death rode the wind of the entire Canal Zone, and the people of the United States expended their money and their means that people might dwell there in health, and thus Colombia greatly benefited. Now, I ask you, my friends, if you were a Colombian, and were going to estimate the value of that to you, how would you estimate it? How can you estimate the value of that which would save the lives of thousands of your people? It is not subject to be estimated in dollars and cents. It was of incalculable value to the people of Colombia. Not only did we clean it up, but we are obligated to keep it so for all time. Colombia is indebted to us beyond any sum she could ever pay for this work, this practical skill which cost her not a dollar.

If you are going to measure the equities in this case, where are the equities? If you are going to adopt the theory of compensating others for injury to the extent to which we have gained, must you not also estimate the extent to which the other party has gained?

So, Mr. President, if you will weigh the equities upon this side and upon that you will find that the equities of this transaction are upon the side of the United States, and that Colombia is indebted to the United States in hundreds of millions of dollars.

But furthermore, Mr. President, the able Senator from Pennsylvania says that the Hay-Herran treaty was an unworkable treaty, and that it was to the interest of the United States to have a workable treaty, so that we could build a canal and have there this great transportation system. Well, who was more interested in having a workable treaty than Colombia? The Senator from Pennsylvania weighs all upon the side of the United States that weighs against us, and weighs nothing that weighs in our favor, in order to construct a theory which enables him, in this exigency in which we find ourselves, to find a reason for voting for this treaty.

If it was an unworkable treaty for us, it was an unworkable treaty for Colombia; and if we could not construct a canal under it, Colombia could not be benefited by the canal. So it was just as much to the interest of Colombia to have the Hay-Herran treaty reconstructed as it was to the interest of the people of the United States.

Mr. President, I trust, I sincerely trust, that the statute of limitations will be permitted to run against this class of claims. I sincerely trust the rule laid down will be regarded for Colombia and this dire exigency alone. When we secured Texas it was charged that we connived at the revolution which brought about the secession of Texas from Mexico. Foreign writers and historians still so assert.

If you go down into Mexico you will find in the schools of Mexico that the Mexicans still teach their children that we connived at the revolution which separated Texas from Mexico, and that the time will come when Mexico will be strong enough and powerful enough to regain the territory which was unjustly taken from her. Reflect for a moment what we gained by the secession of Texas. It is a perfect case within the rule.

But there is a case closer home, Mr. President. In 1911 we went into Nicaragua. We landed some several hundred troops in Nicaragua. We shot and killed some 200 Nicaraguans. We marched clear across their country from the bay to the capital. We took possession of their capital. We installed as President against the wishes of 80 per cent of the people of Nicaragua an agent of corporations in the United States, and then we surrounded the White House at Managua with marines, who are still there, who have been there from 1911 to 1921; and the present Government of Nicaragua would not exist for a fortnight if it were not for the fact that our armed forces surround the White House in Nicaragua and maintain the Government.

What did we do during that time? We made a treaty with Nicaragua, arranged to pay her a certain sum of money which her people insisted was too small but which we insisted was enough, and closed a treaty of a great deal of importance to Nicaragua, which the people of Nicaragua propose, so we are informed, if they are ever given back their Government, to repudiate; and when we closed that treaty, as the able Senator from New York [Mr. WADSWORTH] very well said, we were both ends of the treaty-making power. The man who sat in the White House at Managua was nothing but the agent of the United States, who had been placed there by armed force and held there by force.

Infinitely better than this transaction for a large sum of damages is the transaction in Nicaragua.

What will we do with reference to Santo Domingo? We know that when Secretary Colby visited the South American countries upon his last trip a delegation of San Dominicans traveled throughout that country ahead of him, and wherever they went they asked in advance of his coming, "What do you propose to do with reference to Santo Domingo? You having occupied our territory and destroyed our sovereignty and shot and killed our people. You profess friendship for the people to the south. What do you propose to do with reference to Santo Domingo?"

If we ever adopt the rule laid down by the Senator from Pennsylvania [Mr. KNOX], the taxpayers of the United States will have cause to repent the hour that we do so

Mr. President, there is only one rule to adopt with reference to South American countries, large or small, and that is the rule of justice; that is the rule of square dealing. If the supporters of the Colombian treaty were able to disclose that the United States had in fact wronged Colombia, that we had taken that which was hers without compensation, it would undoubtedly be our solemn duty to pay for it and to accompany it with an apology. But if you lay down the doctrine that you propose to compensate for demands made, when you stand before your people and say that the demands result from the wrongful action of those making them, there is no end to our trouble in the Central and South American countries.

But the singular and startling feature of the rule of liability and settlement, with which our future is imperiled, is yet to be stated. The Senator from Pennsylvania further declares in his speech:

No man can read fairly the record of our course during those literally fateful October days of 1903 and escape the conviction that at any rate we were not illy disposed toward revolution.

One would naturally surmise that we were about to have fastened upon us some evil deed following these evil thoughts. But not so. Our evil is confined to our evil thoughts. For the Senator immediately follows in his speech with this statement:

There is no intention of even hinting at a suggestion that the United States took a collusive part in fomenting or inciting the uprising upon the Isthmus of Panama * * * and charges to that effect are calumnious.

So, sir, the beginning of our responsibility now, and in the future, under this rule of settlement, is the merely not thinking illy of the revolution. We have heard much about being neu-

tral in thought as well as act in these late years, and many have ridiculed and many have criticized it. But if the principles announced by the Senator from Pennsylvania are to have their place in future jurisprudence or international law no President was ever wiser or more patriotic than the President who warned us to be neutral in thought as well as in act. For being unneutral in thought is henceforth to be the beginning of responsibility for whatever follows. Think of what we are now loading upon the taxpayers of this country because we did not think illy of the Panama revolution. We did not have a part in it, and we did not even connive at it, and to say so is slander. But we did not think illy of it. And thus began our winters of discontent.

Mr. President, what a slave we make of the human intellect that it may drag us out of the moral mire into which we so often plunge. I doubt if the taxpayers of this country, worried and burdened almost to the point of distraction, will appreciate this new system, this new standard of responsibility. It may be that it will serve all right as a luxury or to afford an escape from a dire exigency, but certainly it would not be desirable for daily consumption.

Now, just a word with reference to what we are giving Colombia in addition to all we have done for her. I do not dare to discuss at length the $25,000,000, because in these times you can hardly get your consent to reflect upon $25,000,000. We are doing business now in billions, and it is more or less a manifestation of local prejudice and provincial narrowness for a man to discuss the impropriety of appropriating $25,000,000 for anything. He can never hope to acquire the reputation of a statesman by discussing such petty things. Therefore, rather than to forfeit my standing before the Senate and my colleagues, I am not going to dwell at length upon the question of paying $25,000,000.

But it is well worth while remembering, as we pass, that at the last session of Congress we had to curtail our appropriations to take care of the wounded boys who had come back from the war broken in body and shattered in mind because it was said we did not have money enough to provide for their proper care. One of the arguments made against a bonus is we can not afford it.

It is well to bear in mind that the people who were asking us to appropriate for the building of public roads were advised that we did not have the money with which to build them; and the people who petition us to-day to relieve them from taxes, from the stupendous burdens under which they are bending, are advised by our financial leaders in the Senate and in the executive department that it will be impossible to do so, as there is no place where we can cut. Those things perhaps are permissible to be considered even when we are appropriating only $25,000,000.

But that is not the worst feature of this treaty. The worst feature of the treaty are these special privileges which will be granted, and I do not care how often they have been written in previous treaties. That is no answer at all. The point is they are here now, and it is our business, under our oaths, to deal with them now, and not invoke precedents of the past, which may have been as erroneous, and founded on just as erroneous reasons, as the one which we are about to establish.

We propose to give Colombia the right to transfer her ships of war, and her munitions, over our territory—not in time of peace but in all times, and that means in time of war. Suppose the other South American countries come to you next week and say, "Do you propose to discriminate against the other South American countries?" What are you going to say? What answer are you going to make to them? They will cite the Hay-Pauncefote treaty, and you will be under a treaty obligation to treat them the same as you treat Columbia. They will refer to the favored-nation clause, and you will be under the obligation to treat them the same.

The able Secretary of the Interior, Mr. Fall, made a speech here on the 7th of June, 1918, and dealt with this question, and no man understands the South American situation better than Secretary Fall. He stated then that this provision in this treaty instead of making for peace would make trouble throughout Central America and South America, because we would either have to grant the rights to all the nations or else be charged with discriminating in favor of Colombia. The other three provisions are likewise discriminatory in favor of Colombia.

The other special provisions are equally obnoxious, equally discriminatory. My limit of time forbids my going into them, but they are all of the same nature, the same import. These special rights and privileges are unjust, unwise, and will come back to plague us.

Mr. President, what all have we done? We have taxed our people $400,000,000 to build a canal of more advantage to Colombia than any other nation in the world. We have cleaned up a pesthole which had been a threat to the health of her entire people, and we have agreed to maintain that for all time. If an earthquake comes and destroys it, we must renew it. The burden is upon us. Do you not think the equities of this situation have been pretty thoroughly met?

It seems to me, Mr. President, that even according to the doctrine laid down by the able Senator from Pennsylvania [Mr. KNOX], we have nothing upon which we can fairly ask our own people and our taxpayers to respond to this demand. Innocent, says the Senator, of all wrongdoing, nevertheless after the great advantages Colombia derives from the canal, we must give her special rights and ask the taxpayers to pay her $25,000,000.

Mr. President, notwithstanding it has been referred to, I do not want to close this debate without referring to another matter ever present in this discussion and always to be considered.

It constitutes another and a final reason—to me a commanding reason—why I must vote against this treaty. I can not upon any facts revealed by this record or any arguments adduced record my vote where it will stand for all time as a solemn impeachment of the veracity, the right conduct, and the honor of two very great Americans. One of them I never knew, except as every American knows him—reared in the school of Lincoln, never recreant in all his public service to the high principles of his early training, and whose dispatches under two Presidents did honor to the office which Jefferson and Webster and Seward once graced. The other, whose friendship I enjoyed, but by no means so intimately as some who sit about me, was for 40 years the relentless adversary of wrongdoing in public place, twice our President, and always after entering public service a leader. The lives, characters, and public services of these men are now the common treasure, the common heritage, and should be the common pride of us all. I can not, upon these facts, help to write down in the archives of our Government a judgment that both were false and each without truth, both devoid of the first essential of an American gentleman. This treaty, this payment, can not be just to the American people unless these two men were men without truth and without honor. We have no right to take this vast sum of money from the taxpayers of this country and turn it over to the agents of Colombia, except upon the ground that these men not only acted iniquitously but lied incontinently. There is no escape from this conclusion.

If we ratify this treaty, we write theft in black letters across the entire record, which shall in future years recount to American youth the story of this brilliant achievement, and we inscribe above the names of Roosevelt and Hay the ugly terms—false, mendacious, unreliable. There can be no other inference drawn by the historian, and there will be no other judgment rendered by the world at large.

The incessant debate throughout these long years has been over the questions of the usurpation of power, of the alleged moral obliquity, of the truthfulness or untruthfulness of these men. The very basis, the sole foundation of the claim, in the beginning and now, rest upon these charges. If the charges be false, we owe Colombia nothing. The charges not only include wrong to Colombia, but they go to the extent of declaring, because of the acts and the unveracious words of these men, we violated international law and forfeited before the world our national honor. Hay and Roosevelt forfeited our national honor! They accentuated it and added to its splendor! What is the treaty about, if not about these things, and these alone? Why do we grant these special privileges in the canal? What are these millions being paid for if the then President acted honorably and spoke truthfully, and if the then Secretary of State did not, by his acts and words, belie every precept and abandon every principle inculcated in that school of those old heroic days? Why are we called upon to treat with these people at all? If this payment is not for reparation for a wrong done, then it is a holdup. If this is not a payment for a wrongful and indefensible injury, then it is blackmail. What the treaty in fact does is to insult the memory of Theodore Roosevelt and John Hay and to unjustly take from the American people the money they do not owe. To ratify this treaty is to admit the truth of the charges, and they are not true.

You may wind and turn and differentiate as you will, but this haunting, accusing fact meets you at every double, to wit, that this $25,000,000 is a fine imposed after a plea of guilty. Let us put it plainly, and put it to ourselves. Suppose it was your individual conduct which was under fire. Suppose it was by reason of your dereliction in public service, your hazard of your country's honor, that the people were asked to tax themselves and pay this large sum of money. Suppose, feeling you were unjustly assailed, you had asserted over and over again that you had done no unseemly thing, were guilty of no unrighteous act, and that our people should not be mulcted because

of your supposed lawlessness. Would you feel you had been vindicated if, notwithstanding some language of the treaty had been changed, nevertheless the Senate, passing upon the matter, declared the money should be paid? Would you not feel, would you not know, that the payment of the money was of itself your denunciation, your condemnation, your disgrace? Take it home to yourself, and what comfort, what consolation, would you get out of this treaty? And feeling, as I know you would, how do you think, knowing him as you did, the sensitive, fighting soul of Roosevelt would feel? He looked upon the building of this canal, in many respects, as the greatest achievement of his career—a monument reared to himself which would not crumble, but rather augment in greatness and glory with the flight of time. Shall we now, that he is dead, unable to speak for himself, be less jealous, less determined, in defending the integrity of his great deed than was he while alive?

Bear in mind this is not the condemnation of a policy, differing with some former great leader as to the wisdom or unwisdom of party action. Upon such things it is not only permissible but it is the duty of Senators and all men to record their views, regardless of differences. No man, living or dead, has any right divine to govern either the minds or consciences of his fellows on questions of policy or of statecraft. I quickly concede that every policy, every question, every party action must, in the interest of the whole people, be tested by the test of inherent worth and not by individual indorsement or mere party stamp. But that is not what we are doing here. We approve the policy. We point with pride to that great monument there in the southern seas. We boast of the fruits of these endeavors. We are fond of recounting how this enterprise had languished, how it had baffled the genius and dissipated the fortunes of others, and how, at last, it came to a superb realization under the bold leadership and resourceful talents of a great American. Our country claims it all as the crowning achievement of the daring nineteenth century. But, rejoicing over the achievement, we condemn the veracity, the sense of justice, the conception of honor of the men to whose masterly talents we owe it all. We join in great pride in claiming the gathering of the burglary, but we seem to think we save our reputation by denouncing the way the burglar used the "jimmy." What a strange and unholy mixture of impudence and insincerity such a record will reveal. As Mr. Roosevelt said in regard to this particular treaty—

> if we are justified in paying the $25,000,000, it is proof positive that in opening up the canal we are engaged in the dedication of stolen goods.

It has been said, and if I remember correctly, by a gifted son of Massachusetts, "It is a grave thing when a State puts a name among her jewels." So it is. Grave, because a State is judged by the men whom it places among its idols. Grave, because once there and placed there through the affections and esteem of a people, they are part of the State's wealth, a part of that for which the State is organized, and for which it lives, and without which it can not endure. Embedded in its traditions, interwoven in its every fiber, the justification of its being, the prophecy of its future, the promise of its perpetuity, the character and achievements, the good names and the honor of a nation's great, are certainly equally to be defended with its material wealth or its dominions. If some sleazy island, inhabited by wandering mongrels, or not inhabited at all, over which the flag had been raised, were assailed, we would sound a call to arms, and, if need be, blood would flow and men would die. If the slanderer, the venal lobbyist, the foreign traducer, invades our Capital and on our very streets and in our public places seek to sanctify their sordid appetities by basely libeling our honored dead, speaking for myself, I treat them, too, as our Nation's enemies, and deal with them as such. If Colombia has business to transact with the United States, or if our citizens have legitimate interests there which should be protected by treaty, we can afford to be both gracious and generous. But when she comes seeking to encompass the dishonor and the degradation of our own, the impeachment of an American President, and the discrediting of a great Secretary of State, so far as my voice and vote have sway and effect, I reject the whole proposition. I reject it in full. I will not act upon this base and groundless slander. Yes; it is a grave thing when a State places a name among her jewels, but is a more serious thing, a wicked and reckless hour, when we shall conclude there is no duty devolving upon us here to shelter against unjust and unconscionable assailment those to whom our country owes an everlasting debt of gratitude.

There are occasions, Mr. President, which seem to summon men of a superior order for some great enterprise. Cautious men, men of limited vision and timid souls would falter and the enterprise would die. How well our own history reveals this. The old confederacy is crumbling, Washington sounds the call for a conference, and a Republic is born. Napoleon is in distress, Jefferson tramples upon provincial prejudice, flies in the face of almost universal objection, Louisiana is purchased, and that Republic is given dominion over a continent. Civil War rends our people, doubt is upon every hand, the clouds of adversity lower upon the Nation, Lincoln invokes the benediction of a just God by giving liberty to a race, and that Republic emerges purged, disenthralled, and reunited. A great enterprise languishes, seems to circumvent human skill and thwart human energy. Roosevelt grapples with it, conquers obstacles which seemed insuperable, and that Republic becomes the master of two oceans and secure in its dominancy of a continent. What a pathetic story this Western Continent would tell; what a tragedy this effort to build here a new nation would have been had it not been for these men of daring, men of action, men of faith. Mr. President, I have no doubt of the integrity of all acts in connection with this great enterprise and the honor of all our deeds touching the secession of Panama; but if I had a doubt, I confess to you, I would resolve that doubt in favor of the men who dedicated their lives and gave the full devotion of their great hearts to the upbuilding and strengthening and honoring of the Republic they loved.

Mr. STERLING obtained the floor.

Mr. WADSWORTH. Will the Senator yield to me a moment?

Mr. STERLING. Certainly.

Mr. WADSWORTH. I offer one amendment, which I think under the rules should be read. May I say that the amendment is simply for the purpose of preventing the United States from doing a potentially unneutral act.

The VICE PRESIDENT. The proposed amendment will be read.

The ASSISTANT SECRETARY. In line 1, section 1, of article 1, strike out the words "at all times" and insert the words "except during war between Colombia and another country with which the United States is at peace," so it will read:

> The Republic of Colombia shall be at liberty, except during war between Colombia and another country with which the United States is at peace, to transport through the interoceanic canal its troops, materials of war, and ships of war, without paying any charges to the United States.

Mr. STERLING. Mr. President, I think perhaps I should state briefly my reason for supporting the Colombian treaty and why I can not agree with the position so eloquently and forcefully maintained by those who are opposed to it. I am not much concerned with the alleged inconsistencies of some who now urge the ratification of the treaty. Whatever statements to the contrary they may have made in the past, we must at least give them credit for some moral courage when, in anticipation of being confronted with the record of previous reports and speeches, they now stand for a treaty which at one time they criticized or condemned.

The future historian, looking back on the events which have at last led up to the consideration of this treaty by the United States Senate, will take little note of the criminations and recriminations which have arisen out of the diplomatic efforts of this Government to secure the right to construct a canal across the Isthmus of Panama. That record will recite little more than that in January, 1903, a treaty was negotiated under authority of an act of Congress, between the representative of the United States on the one hand and of Colombia on the other hand; that the treaty was rejected by the Colombian Senate; that immediately following there was a bloodless revolution in Panama and the establishment of a Panaman Republic; that there was prompt recognition of that Republic by our Government, and then a treaty which gave the United States more and better-defined rights for the purposes of the construction and operation of a canal across the Isthmus than had been given by the terms of the proposed treaty with Colombia in the same year, the money consideration for whatever rights and concessions were granted to be the same in the latter as had been proposed in the earlier treaty with Colombia.

Of course, the historian will recognize the powerful and dominating influence behind these efforts. To Theodore Roosevelt and the Roosevelt administration he will rightfully give the credit for the successful accomplishment of the great enterprise for which the civilized world had been eagerly waiting. In another age, under another school of diplomacy, in order to gain an end half so great and beneficient as the Panama Canal, all the devious methods with which the Roosevelt administration has ever been charged would have escaped criticism. The end would have justified the means. The desire to treat with Colombia could have been pretended while secret influences were at work to breed discontent and opposition to the treaty on the part of the Colombian people, know-

ing that such opposition would lead to rejection, and that rejection would be followed by the revolution in Panama, for which preparation had already been made.

But these were not the days nor this the country of a Talleyrand or a Metternich. It was the best period of American diplomacy. John Hay was Secretary of State. It was but a short time before the negotiation of the Hay-Herran treaty, when, in speaking of the triumphs of American diplomacy, he said:

I think I may say that our sister Republics to the south of us are perfectly convinced of the sincerity of our attitude. They know we desire the prosperity of each of them and peace and harmony among them. We no more want their territory than we covet the mountains of the moon.

Having spoken of our insular possessions as destined to "indefinite development," he said:

Next in order will come a Pacific cable and an Isthmian Canal for the use of all well-disposed peoples, but under exclusive American ownership and American control, of both which great enterprises President McKinley and President Roosevelt have been the energetic and consistent champions.

In that same address he epitomized our foreign policy in these words:

The briefest expression of our rule of conduct is perhaps the Monroe doctrine and the golden rule. With this simple chart we can hardly go far wrong.

With such a creed and such expression of interest in the welfare of the South American Republics on the part of our great Secretary, I must conclude that all that he attempted or achieved in either the Colombian or Panaman treaty was in good faith, without diplomatic pretense and without any violation of the "golden rule." And likewise, I acquit his chief of wrong or connivance at any wrong on the part of any official or citizen of the United States, at any stage of the events, from the negotiation of the Hay-Herran treaty until the exchange of ratification with Panama finally sealed our right to begin and carry on to conclusion the splendid enterprise.

There is no proof of duplicity or of international wrongdoing of any kind. This Government was within its rights in urging ratification of the Hay-Herran treaty by the Colombian Senate; within its rights under the circumstances in giving that Government to understand that the "friendly understanding" between this country and Colombia depended on ratification by the Colombian Senate. It was within its rights in sending troops to protect free transit across the Isthmus; within its rights in not intervening to suppress the revolution of November 3 in Panama; in later recognizing the Republic of Panama, and then making the Hay-Bunau Varilla treaty granting the right of this Government to construct the canal, with all the other rights specified in the treaty.

Mr. President, I believe Colombia presents a case for tolerance rather than denial or defiance. It is not a Great Britain with her power and prestige with whom we treat, nor a France, conspicuous for her patriotism and endurance in war, nor an Italy, or even a Germany. Neither are we considering a treaty with either a Brazil or an Argentine. But the case is that of Colombia. She is without power or prestige. She is without fame for any long-continued or united loyalty on the part of her people toward any Government, and I think that up to the time of the defeat of the Maroquin régime she had been without capacity to maintain a real Republic. While she has great natural resources, they are largely undeveloped. Her population is barely 5,000,000, of which 10 per cent only are whites, 15 per cent Indian, 40 per cent mestizos—white and Indian, and 35 per cent Negroes, with their mixtures of the other two races. It is said of the whites that they are chiefly composed of the descendants of the Spanish colonists. They live for the most part in the highlands of the interior.

The isolation of these distant inland settlements has served to preserve the language, manners, and physical characteristics of these early colonists with less variation than in any other Spanish-American State. They form an intelligent, high-spirited class of people, with all the defects and virtues of their ancestry. Their isolation has made them ignorant to some extent of the world's progress, while a supersensitive patriotism blinds them to the discredit and disorganization which political strife and misrule have brought upon them.

Ninety per cent of the population of Colombia are illiterate, due to the long period of political disorder and the indifference of the ruling class to the welfare of the common people.

I confess that as against such a people I can entertain no feelings of rancor or resentment for their attitude toward the Hay-Herran treaty. "They stand in their own light," is an expression often applied to individuals and peoples more advanced than they.

That the people, so far as they were capable of expressing themselves through the elections of members of the Colombian Congress and through the press, were opposed to the treaty is, I think, manifest from the correspondence between Mr. Beaupre, our minister to Colombia at the time, and Mr. Hay. I beg to call attention to a part of that correspondence. I can not, of course, take the time to read it all. On April 15 Mr. Beaupre writes Mr. Hay from the legation at Bogota as follows:

SIR: I have the honor to advise you that within the last month there has been such a sudden outburst of controversy, both in the Bogota press and among the public in this city, with regard to the Panama Canal convention that I feel it my duty to report on what I regard as the chances for and against its passing Congress.

After narrating certain events he further says:

Since then a complete revolution in feeling has taken place. From approbation to suspicion and from suspicion to decided opposition have been the phases of change in public sentiment during the last month. The newspapers of the city are full of strongly worded articles denouncing the convention, and in general these articles show the most bitter hostility to a scheme which they represent as being the attempt of a strong nation to take an unfair advantage of the crisis through which Colombia is passing, and for a paltry sum rob her of one of the most valuable sources of wealth which the world contains.

I call attention to another passage. On May 4 Mr. Beaupre writes Mr. Hay as follows:

SIR: I have the honor to advise that the opposition to the ratification of the canal convention is intensifying. The press is teeming with articles rancorous in enmity to the proposed treaty, while public opinion is veering into a current of extreme bitterness against the authors of the pact, especially Mr. Herran.

Again on May 7 he writes, referring to the fact that he has met a gentleman of prominence and influence:

His views are interesting and entitled to consideration, and from them I gather that the tremendous tide of public opinion against the canal treaty is appalling to the Government, and there is, in consequence, a diversity of opinion among its members as to the proper course to pursue. Some are in favor of forcing confirmation through Congress, while others, dreading the effect of such action in the present state of the public mind, counsel moderation and delay, and the adoption of measures to change public sentiment into a more favorable channel.

Can we wonder, Mr. President, under these circumstances, with public opinion apparently united against the ratification of the treaty, that the Colombian Congress should hesitate and delay, notwithstanding the assertion often made that the Colombian Government could, had it so desired, have secured the ratification of the treaty? I read from the dispatch of June 10, from Mr. Beaupre to Mr. Hay, merely these words:

SIR: Evidently a decided effort is being made to change public opinion into a more favorable consideration of the canal convention. Many strong men are now supporting it who but a short time ago were with the opposition. The great majority of people still continue to believe, however, that the convention will not be ratified.

After alternate hopes and fears on the part of Mr. Beaupre in regard to the ratification of the treaty, it was finally, of course, made conclusive that the treaty would not be ratified by the Colombian Senate. While Mr. Beaupre conveys the idea in some of his dispatches that the Government, if in earnest, could procure the ratification of the treaty, others show clearly that the Government itself was solicitous concerning the state of the public mind, as it might well be.

Under such conditions, Mr. President, as to race—I particularly call attention to this—environment, state of civilization, and I may say, too, medieval and racial notions of diplomacy, is it a matter of wonder that there was no adequate appreciation of their own best interests, no very fine sense of international obligation, and that the Colombian people and Government made their great mistakes and "stood in their own light, and as a result lost out in 'The great adventure of Panama'"?

She lost; and in great degree her loss was our great gain. How and wherein we gained was shown in the able address of the Senator from Pennsylvania, and I adopt with him the maxim exæquo et bono as applicable to the case.

Mr. President, we are referred to the many revolutions, insurrections, riots, disturbances in Panama prior to 1903, "53 of them in 53 years," it has been said. Yet when the Hay-Herran treaty was negotiated, and during all the time its ratification was being considered by the Colombian Senate, Panama was a part of Colombia. The very terms of the treaty recognized that fact. The whole theory of the treaty was based on the sovereign and territorial jurisdiction of Colombia over Panama. We are estopped, therefore, from raising any question as to the sovereignty of Colombia. Revolutions were of frequent occurrence and of long duration in other parts of her domain, due in large part to the conditions of race, environment, and state of civilization to which I have already alluded.

Mr. President, referring to the language quoted from Mr. Hay, we can hardly say now that "our sister Republics to the south of us are perfectly convinced of the sincerity of our attitude." They see Colombia's loss; they know our great gain. They are Latin-American; we are Anglo-Saxon, or American, if you please, without any hyphen. They are more or less suspicious; and until this matter is adjusted American trade, commerce, and business will not find cordial reception there. Our

commercial relations with South American countries should be extended and developed both for their good and ours.

But there is that one cloud on the horizon—the unadjusted controversy between the United States and Colombia. Why not end the controversy? We shall have, I hope, the treaty of amity and commerce following the ratification of this, with the opportunities for the investment of American capital which will follow that; but whether we do or not, we shall have forever ended all cause of grievance and paved the way for our proper high place in the confidence of all our sister Republics to the south of us.

Mr. President, I hope we shall never again have a world war, and that the Panama Canal may bear upon its bosom only ships of trade—"trade, the calm health of nations," and not ships of war for purposes of war. But while I hope this, the day may come when the preservation unimpaired of the canal, the maintenance of its fortifications, will be essential to our very life. At such a time I shall want to see the nation whose territory so nearly borders the Canal Zone on cordial terms of friendship with the United States and her people. It seems to me that this is a consideration worth while.

Mr. President, we are a great nation of nearly 110,000,000 people; there is none more powerful or resourceful in all the world. We can afford to be tolerant, even generous, to the weaker republics of the Western Hemisphere. We shall by so doing lose the respect of none, but, as I verily believe, win the admiration of all. If in our toleration we may seem to bend or stoop, it will be but to conquer, and that conquest will be one of amity and good will, one that will greatly advance the prestige of our great country in that part of the world where it is most needed.

Mr. DIAL. Mr. President, I merely desire to take a few moments to explain my position upon this "mental anguish" treaty. There are three or four reasons why I can not support it. One is that by ratifying it we are casting reflections upon the Government of the United States; another is that we owe Colombia nothing; another is that, if there is anything due, certainly the amount of $25,000,000 is excessive; and another reason is that the treaty as proposed is full of the seeds of trouble.

Mr. President, I do not feel it incumbent upon me to defend the memory of Col. Roosevelt; it is not necessary on my part to do that; but, on the other hand, I am not disposed gratuitously and voluntarily to heap ignominy upon his name. He accomplished one of the greatest achievements of modern times.

I have listened to most of the arguments which have been presented on this floor, but I have heard no reason advanced why the majority of this Chamber should change their position from that formerly taken by them. The Senator from Michigan [Mr. TOWNSEND] made a very clear speech on this point. He said he investigated the transaction when the incidents were fresh, about 1903, and that he had seen no reason since then to change his mind. That statement has very great weight with me.

Mr. President, as I have said, one of the reasons why I oppose this treaty is that we owe Colombia nothing. Without trying to go into the details of the concession granted to the French company, I can not believe that those representing our Government at the time the French concession was acquired would be so far forgetful of the interests of the people of this country as to throw away $40,000,000 for nothing. It seems to me by buying that hole in the ground down there for $40,000,000 we also acquired the right to go ahead and complete it, and that we succeeded to all the rights of the French company, for it would be an absolute waste of money to buy something that we could not use and which we had no right to complete.

In the next place, we donated or appropriated and paid Panama $10,000,000. Now, without going through all the history of the matter—we have all heard that—we know that that money was paid, and paid to a people who were in possession of that territory at that time. We have made those people down there rich; we have made them prosperous; and they ought to be happy if they can get out of this mental state that they are in and stop asking for more money. The taxpayers of this country have to be considered, and I do not know when we are going to call a halt if this administration is going to start out with this payment.

It would well pay those people if they had even given the franchise, without any compensation whatever. Their country was inaccessible, without roads, without communication, and when we took charge of it these lakes and lagoons were there, breeding sickness. We made it a prosperous country; we showed them how to improve their health and how to live happily and contentedly if they would go along and do so; so, as I have said, they could well have donated that privilege, and they would have been handsomely paid by our going on and completing the canal.

Mr. President, I feel that the earth was made for the habitation of man, and the fact that some people get possession of some particular part of it is no reason why they should forever keep back progress and prosperity in this world. I respect small nations and weak people. Their rights should be carefully guarded and we should be willing to compensate the weak. Not only should we be just to them, but we should be willing to be even liberal with them, as I feel that we have been with the people down there. But this great enterprise was needed, and now for us to go back and try to undo what was done and find out all about the details of it and who was guilty, this man or that man, and try to heap shame upon the memory of some of our people, is more than I propose to undertake to do.

If a majority of my colleagues over on this side want to undertake to correct all the sins and the wrongs of the Republican Party they are assuming a good deal more than I am willing to join with them in doing. We have heard them talk on the other side of the aisle here for the past few years about entangling alliances, and if you will read this treaty I do not see how it could be much more entangling. So I am going to accord them the credit of being conscientious and not wanting to become entangled, and I must confess that I am a little confused as to why they want to ratify this treaty.

Any schoolboy lawyer will tell you, just from looking at the paper on its face, without knowing anything about the history, that it is full of the seeds of trouble.

The idea of a great country like this buying a piece of property and expending $400,000,000 on it and not having a good title to it, but allowing the other fellow to come back and use it whenever he sees fit, as it were! It is like buying a house and letting the seller reserve the right to use a room in it, come and visit and stay as long as he pleases, and all that kind of thing. Why, we will have endless trouble.

There is no use in going through all the concessions that are made here to them, or the grants or the rights or the privileges. If we do this, we can not manage our own property, and this Government should be too big for a thing like that. We should manage our affairs according to our own ideas, without having to consult Colombia or anybody else.

For these reasons, briefly, I propose to vote against the ratification of the treaty.

Mr. CUMMINS. Mr. President, I do not share the apprehension which seems to prevail in the minds of some of my friends upon this side of the Chamber. The fame of Theodore Roosevelt is secure for all time. His place in the history of the world is established, and nothing that we can do or say at this moment will either lessen the one or disturb the other.

If I believed that the Government of the United States, through the instrumentality of Theodore Roosevelt, had wronged Colombia, I would not hesitate, notwithstanding my friendship for that great man in his life and my reverence for his memory now that he has gone, to acknowledge the wrong and make reparation for it. I am not concerned either in the consistency or the inconsistency of the Senator from Massachusetts [Mr. LODGE]. I have this to assure me: I believe he did what he regarded as his duty when this treaty was first reported to the Senate, and I assume that he intends to do his duty now as he understands it.

Like the Senator from Idaho [Mr. BORAH], it is exceedingly repugnant to me to challenge the motives of any of my brother Senators—indeed, to challenge the motives of any man—unless I have conclusive evidence that he is evilly disposed. Consistency or inconsistency ought not to have the least influence upon Senators as they come to vote upon this important subject.

Mr. President, it is far from my purpose to present an argument covering the infinite detail of the controversy between the United States of America and the United States of Colombia which has been stated and restated, debated and redebated with increasing bitterness for more than 17 years. My sole purpose is to put on the record in the briefest possible way the reasons which have impelled me to the conclusion which I will presently express in my vote. Three principal arguments have been submitted to the Senate in favor of the treaty under consideration. They illustrate three wholly different views, entirely irreconcilable with each other, having but one point of agreement, namely, that the treaty should be ratified. The Senator from Ohio [Mr. POMERENE], has convinced himself that the treaty should be ratified because the United States, through Theodore Roosevelt, then President, fomented and encouraged the revolution which occurred in the State of Panama on November 3, 1903, and by armed force prevented Colombia from suppressing the revolution, and with indecent haste recognized Panama as an independent nation, and immediately thereafter

entered into negotiations with the Republic of Panama looking to a treaty granting to this country the rights and privileges which enabled it to construct the Panama Canal.

If this position is sound, then, in my judgment, the proposed treaty with Colombia is in the last degree dishonorable, both as respects that country and as respects our own. If Theodore Roosevelt, as President of the United States, was guilty of the charge laid at his door by the Senator from Ohio, the United States not only grossly violated the treaty obligations existing between it and Colombia but repudiated the fundamental principles of international morality, and the only atonement commensurate with the crime is a public confession of our wrongdoing, the restoration of Panama to the sovereignty of Colombia by our Army and Navy, and the delivery to Colombia of the Panama Canal, accompanied by a surrender of all our rights for its use and operation, and all our property incidental to the great enterprise in which we have engaged.

I can not accept the view of the Senator from Ohio, simply because a somewhat careful study of the subject has convinced me that the United States in no instance failed to observe with meticulous nicety all the obligations imposed by our treaty of 1846 with Colombia, and all the requirements of international law, and that we stand before the world without a stain upon our honor in our dealings with that unfortunate country. I do not overlook our anxiety to proceed promptly with the construction of the canal, and I do not doubt that having failed to reach an agreement with Colombia and having abandoned all hope of arriving at any understanding with that country the President, and with him all the people of the United States, were gratified to find that a situation had arisen which gave us the privilege of treating with Panama as the successor of Colombia upon the Isthmus. It is, however, a grievous injustice to our country to insist that simply because a situation which arose was to our advantage that therefore we conspired to bring it about.

The Senator from Pennsylvania, justifying in the most conclusive way everything that the United States did in its relations to Colombia and to the revolution in Panama and establishing beyond any controversy whatever that when we recognized Panama as an independent State and entered into a treaty with her for the construction of the canal we were pursuing a lawful and upright course, nevertheless favors the ratification of the treaty upon the ground that we ought to be generous and compensate Colombia in whole or in part for an injury that she inflicted upon herself—inflicted upon herself not because of a mistake in judgment or in policy but because she was avaricious and wanted to extract from the United States the last penny which our necessities might prompt us to pay.

The Senator from Pennsylvania expressly disclaims any liability, either legal or moral, to Colombia on account of anything we did in our relations with that country, and he places his argument in behalf of the treaty distinctly upon the outcome of our subsequent dealings with Panama. It is to be inferred from his argument that if the United States had not secured better terms in our treaty with Panama than we would have secured if the Hay-Herran treaty had been fully ratified, the moral obligation to pay something to Colombia would not exist. I quote very briefly from his address:

> What we gained is the difference between the proposed Hay-Herran treaty with Colombia and the Hay-Bunau Varilla treaty with Panama, which I have heretofore summarized.
>
> The value of these differences to us is the measure of our moral liability.
>
> It has been frequently asked what we are getting under this treaty. That is not the point; it is what we have already received that makes the treaty conscionable and just.

At the close of his address I made the following inquiry:

> As I understand the position of the Senator from Pennsylvania, it is that Colombia has a moral claim against the United States, not for what Colombia has lost but for what the United States has gained. Does the Senator mean for what the United States has gained by the construction of the canal, or does he mean what the United States has gained in comparing the terms of the treaty proposed with Colombia and the treaty actually consummated with Panama?

Senator KNOX replied:

> I think I would prefer to state my proposition just the other way, not that Colombia has a moral claim against the United States for what she has lost, but that the United States is under moral obligation to Colombia for what she has lost. In saying what she has lost I tried to make it perfectly plain that the measure of our obligation was the difference in value to us of a charter, as it were, and the foundation upon which the canal was built.

I find it wholly impossible to bring my mind into agreement with the reasoning of the Senator from Pennsylvania if this country did no wrong to Colombia and it was able thereafter to make better terms with Panama. Assuming all this, we were perfectly free to contract with Panama. The altruism which would transfer to Colombia the advantages which belong to the people of the United States is perilously near infidelity to our own Government. I can not believe that we would be justified in paying to Colombia this vast sum of money and increasing accordingly the burdens of taxation, already well-nigh insuperable, simply because Panama was willing to be fair and Colombia was not.

Furthermore, the real object which the Senator from Pennsylvania seeks to accomplish would not be accomplished. It is a matter of judgment, of course, but it is my opinion that this treaty instead of enhancing among the South American countries our reputation for honor and justice would have just the contrary effect, and this is especially true of Colombia. In this respect our last estate would be infinitely worse than it is now.

The Senator from Massachusetts [Mr. LODGE] proceeds upon an entirely different theory. He agrees with the Senator from Pennsylvania [Mr. KNOX] that the United States did no wrong to Colombia, and that it is impossible for men of honest minds to honestly differ with respect to that phase of the subject. He states the foundation of his support of the treaty in the following paragraph:

> The question of the amount of the indemnity, to which I was strongly opposed, I became convinced carried with it no admission as to the past of any kind, but was simply a question of money and of the amount to be paid in consideration of the recognition by Colombia of the independence of Panama and of the boundaries and for the extinction of certain money claims resting upon treaties made long prior to 1903.

Mr. President, it is my opinion that Colombia has a money claim against the United States, with respect to the validity of which or the merit of which men may honestly differ. I refer to the claim arising out of the building and operation of the Panama Railroad. Colombia granted to a New York corporation the right to build and operate a railroad across the Isthmus of Panama long prior to any thought, or immediate thought, of building the Panama Canal. That company agreed to pay to the State of Colombia $250,000 each year—at least that sum—for the privilege of operating the railroad, and at the end of the franchise, or 99 years, the property itself was to revert to Colombia.

We guaranteed, in the treaty of 1846, not only the sovereignty of Colombia over the Isthmus of Panama, but we guaranteed the property of Colombia in that territory. There is a vast difference, as every lawyer knows, between guaranteeing sovereignty and guaranteeing property. This railroad was built and was in operation long before we took up with Colombia the matter of negotiating the Hay-Herran treaty. While I do not think that the claim is valid, I believe that the subsequent transfer of the new Panama Canal Co. to the United States obliterated the claim that Colombia had for the annual payment. Nevertheless, I conceive it to be a question upon which men might differ. If this treaty was founded upon a compromise between the United States and Colombia for the settlement of the claims arising out of the railroad which we afterwards secured and which we always intend to retain, I would not find it difficult to vote for the treaty.

But the difficulty is that the ground upon which the Senator from Massachusetts places in part his support of the treaty is not covered by the treaty at all. When this treaty is ratified Colombia will have against us precisely the same claim which she has now, and we will be compelled either to arbitrate or to compromise it. It is idle for anyone even to suggest that this treaty settles or adjusts this, the only claim which Colombia can in good faith make against the United States. Why it was not introduced into this treaty so that we might reach an end of the controversy I do not know. But so far as I am concerned I do not intend to be put in the position of paying this claim twice, or paying Colombia $25,000,000 with the knowledge that the next day she can assert again precisely the claim which she has been asserting for the last 17 years. How anyone can do it is a mystery to me and beyond my power of understanding.

The only thing which Colombia gives to the United States is an agreement to recognize the State of Panama, and I say of that, as I said of the basis suggested by the Senator from Ohio [Mr. POMERENE], that for the United States to buy from Colombia a recognition of the State of Panama is to dishonor the United States and to dishonor Colombia as well. That is not a subject of purchase or sale. The world will repudiate the policy or the principle which leads to a result of that character.

One more word and I have finished. We grant to Colombia in this treaty special privileges in the Panama Canal that are palpably, obviously, I was about to say admittedly, in violation of the Hay-Pauncefote treaty, under which the canal was built, and equally in violation of the treaties which we have with every country in the world, substantially. Why anybody ven-

tures to proceed in violation of these obligations I can not understand. If we ratify this treaty, we are simply surrendering the Panama Canal to the world upon the terms that are provided in the treaty now under consideration. I for one can not bring myself to do that thing, much as I would like to follow the President of the United States.

Mr. SMITH. Mr. President, I had not intended to have anything to say in reference to this treaty. But the circumstances are such that I feel it to be my duty to state the compelling reasons why I shall vote for this treaty, and those compelling reasons are those which were written in the year 1903, both in word and in act.

I have taken pains at former times and during this discussion to study closely the acts of our Government in reference to this matter, and I hail with delight the position we now take and which certain of us have always held. Being the strong Nation that we are, we are making reparation for having taken advantage of a weak nation in the hour of its extreme weakness.

It is needless for me to say, Mr. President, that in taking the position I am taking I am doing it not because any of the late and subsequent reasons that have actuated others to change their positions. In recounting the history of our obtaining the Panama Canal, for the sake of charity we may say it was done under the impulse and desire to accomplish the most stupendous engineering feat that was ever accomplished. But the ends did not justify the means. We had an option to go forward and build the canal. We could have negotiated with another country to build the canal. The manner in which we took it and the manner in which we have held that domain is not to the credit of America, and I say here to-day, now that this vote is about to be taken, that if we ratify this treaty it will be in a measure to reestablish a relation that America should never have broken. We did that over which for 17 years there has been a storm of protest, both from this country and from the country that was wronged. I take no stock in the statement that we are trying to pay for a wrong that Colombia did herself; but we are in a measure trying to make restitution for a wrong we did Colombia.

I shall vote for the treaty because of the position I took at the time that the act was committed, as I see no reason to change at the present time.

The VICE PRESIDENT (at 4 o'clock p. m.). Under the unanimous-consent agreement the treaty will be proceeded with article by article without further debate. The Secretary will read the first amendment reported by the Committee on Foreign Relations.

The ASSISTANT SECRETARY. The Committee on Foreign Relations propose to strike out all of Article I, in the following words:

ARTICLE I.

The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, in its own name and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations.

The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accepts this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear.

Mr. RANSDELL. Mr. President, I gave notice that I would offer certain amendments to the treaty. One of my amendments proposes a substitute for the preamble. I do not know the proper form in order to present the amendments.

Mr. LODGE. The committee amendments should be disposed of first.

Mr. RANSDELL. Very well.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the Committee on Foreign Relations, to strike out the language just read by the Secretary.

The amendment was agreed to.

The ASSISTANT SECRETARY. The committee propose, on page 2, to strike out the Roman numerals "II," after the word "Article," and insert the Roman numeral "I."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY. Article I reads as follows:

The Republic of Colombia shall enjoy the following rights, in respect to the interoceanic canal and the Panama Railways—

On line 2, after the word "Railways," the committee propose to strike out the colon, insert a comma and the following words:

the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever.

The VICE PRESIDENT. Without objection, the amendment will be agreed to.

The ASSISTANT SECRETARY (reading):

1. The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war—

In line 3, after the words "ships of war" and after the comma, the committee propose to strike out the words "even in case of war between Colombia and another country."

The VICE PRESIDENT. The question is on agreeing to the amendment. Without objection, it is agreed to.

The ASSISTANT SECRETARY (reading):

without paying any charges to the United States.

2. The products of the soil and industry of Colombia passing through the canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject. The products of the soil and industry of Colombia, such as cattle, salt, and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

3. Colombian citizens crossing the Canal Zone shall, upon production of paper proof of their nationality, be exempt from every toll, tax, or duty to which citizens of the United States are not subject.

4.—

In line 1 the committee propose to strike out the words "during the construction of the interoceanic canal and afterwards whenever" and insert the single word "whenever."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

Whenever traffic by the canal is interrupted or whenever it shall be necessary for any other reason to use the railway the troops, materials of war, products, and mails of the Republic of Colombia, as above mentioned, shall—

After the word "shall" the committee propose to strike out the comma and the words "even in case of war between Colombia and another country."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

be transported on the railway between Ancon and Cristobal or on any other railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products, and mails of the United States. The officers, agents, and employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on the said railway on the same terms as officers, agents, and employees of the Government of the United States—

After the words last read the committee propose to strike out the sentence "The provisions of this paragraph shall not, however, apply in case of war between Colombia and Panama."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

Coal, petroleum, and sea salt, being the products of Colombia—

After the word "Colombia" the committee propose to insert the words "for Colombian consumption."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

Passing from the Atlantic Coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall—

After the word "shall," in line 4, the committee propose to insert the words "whenever traffic by the canal is interrupted."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

be transported over the aforesaid railway free of any charge except the actual cost of handling and transportation, which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the railway and in transit from one port to another of the United States.

The VICE PRESIDENT. The question is on agreeing to Article I as amended.

Mr. WADSWORTH. Are we to understand that the question is now that the articles as amended shall be agreed to?

The VICE PRESIDENT. The one article.

Mr. WADSWORTH. Is it possible to offer amendments subsequent to that agreement?

The VICE PRESIDENT. Amendments may be offered to the article by individual Senators.

Mr. BORAH. I understand we are about to vote on the entire article?

The VICE PRESIDENT. On Article I as amended.

Mr. BORAH. We would therefore be supposed to offer amendments, if we had any amendments to offer to that article, before we vote on the entire article?

The VICE PRESIDENT. Such amendments are now in order.

Mr. POINDEXTER. Mr. President——

Mr. BORAH. I yield to the Senator from Washington.

Mr. POINDEXTER. I ask that there may be presented to the Senate the amendment which I have already had read.

The VICE PRESIDENT. The amendment proposed by the Senator from Washington will be read.

The ASSISTANT SECRETARY. In line 4 of section 2 of Article I, page 2, the Senator from Washington proposes to amend by striking out the words "the United States may be subject," and to insert in lieu thereof the words "nations other than the United States may be subject under the treaties and laws of the United States."

Mr. POINDEXTER. I ask for the yeas and nays on that.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I understand that I am relieved on all votes on the treaty, and therefore I am at liberty to vote. I vote "nay."

Mr. HALE (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. SHIELDS]. I understand, however, that I am released from the pair on all votes on the treaty. I will therefore vote. I vote "nay."

Mr. TRAMMELL (when his name was called). I am paired with the senior Senator from Oklahoma [Mr. OWEN] and the junior Senator from Montana [Mr. WALSH] upon the final vote only on the treaty, I am advised. I am therefore at liberty to vote on the pending amendment. I vote "yea."

The roll call was concluded.

Mr. EDGE. I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. I am informed, however, that if he were present he would vote on the pending measure as I propose to vote, and I am therefore released from the pair for all votes concerning the treaty. With that understanding I vote "nay."

Mr. HARRISON. I have a pair with the junior Senator from West Virginia [Mr. ELKINS] and I withhold my vote. If he were present, he would vote "nay." If at liberty to vote, I would vote "yea."

The result was announced—yeas 30, nays 59, as follows:

YEAS—30.

Ashurst	Jones, N. Mex.	McKellar	Simmons
Borah	Jones, Wash.	McNary	Townsend
Capper	Kellogg	Nelson	Trammell
Caraway	Kendrick	Norbeck	Wadsworth
Cummins	Kenyon	Norris	Watson, Ga.
Dial	La Follette	Pittman	Wolcott
Gerry	Lenroot	Poindexter	
Johnson	McCormick	Reed	

NAYS—59.

Ball	Frelinghuysen	McLean	Smoot
Brandegee	Glass	Moses	Spencer
Broussard	Gooding	Myers	Stanfield
Bursum	Hale	New	Stanley
Calder	Harreld	Nicholson	Sterling
Cameron	Harris	Oddie	Sutherland
Colt	Heflin	Overman	Swanson
Culberson	Hitchcock	Penrose	Underwood
Curtis	Keyes	Phipps	Walsh, Mass.
Dillingham	King	Pomerene	Warren
Edge	Knox	Ransdell	Watson, Ind.
Ernst	Ladd	Robinson	Weller
Fernald	Lodge	Sheppard	Williams
Fletcher	McCumber	Shortridge	Willis
France	McKinley	Smith	

NOT VOTING—7.

Elkins	Newberry	Page	Walsh, Mont.
Harrison	Owen	Shields	

So Mr. POINDEXTER'S amendment was rejected.

Mr. POINDEXTER. I offer an amendment to the second paragraph of the first article of the treaty.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out section 1 of Article I as amended, which reads as follows:

1. The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war, without paying any charges to the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Washington.

Mr. BORAH. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). I have a pair with the junior Senator from West Virginia [Mr. ELKINS]. I understand that if he were present, he would vote "nay." If at liberty to vote I should vote "yea." I withhold my vote.

The roll call having been concluded, the result was announced—yeas 28, nays 61, as follows:

YEAS—28.

Ashurst	Johnson	Lenroot	Poindexter
Borah	Jones, N. Mex.	McKellar	Reed
Capper	Jones, Wash.	McNary	Simmons
Caraway	Kellogg	Nelson	Townsend
Cummins	Kendrick	Norbeck	Trammell
Dial	Kenyon	Norris	Wadsworth
Harris	La Follette	Overman	Watson, Ga.

NAYS—61.

Ball	Gerry	Moses	Stanfield
Brandegee	Glass	Myers	Stanley
Broussard	Gooding	New	Sterling
Bursum	Hale	Nicholson	Sutherland
Calder	Harreld	Oddie	Swanson
Cameron	Heflin	Penrose	Underwood
Colt	Hitchcock	Phipps	Walsh, Mass.
Culberson	Keyes	Pittman	Warren
Curtis	King	Pomerene	Watson, Ind.
Dillingham	Knox	Ransdell	Weller
Edge	Ladd	Robinson	Williams
Ernst	Lodge	Sheppard	Willis
Fernald	McCormick	Shortridge	Wolcott
Fletcher	McCumber	Smith	
France	McKinley	Smoot	
Frelinghuysen	McLean	Spencer	

NOT VOTING—7.

Elkins.	Newberry	Page	Walsh, Mont.
Harrison	Owen	Shields	

So Mr. POINDEXTER'S amendment was rejected.

Mr. POINDEXTER. I ask unanimous consent to have printed in the RECORD a brief extract from——

Mr. LODGE. I think at this stage of the proceedings that is out of order.

Mr. POINDEXTER. Of course it is out of order, but I am asking unanimous consent.

Mr. LODGE. I have no objection to the extract being printed, but I think it is out of order at this stage of the proceedings.

Mr. PENROSE. The Senator can ask to have it printed after the treaty is ratified.

Mr. POINDEXTER. I ask permission that it be printed at such time as is considered proper at the conclusion of the proceedings on the treaty.

Mr. WILLIAMS. Mr. President, I do not know whether that is an immediate request for unanimous consent or not.

The VICE PRESIDENT. The Chair does not understand that it is.

Mr. WILLIAMS. I object to any request for unanimous consent now.

Mr. WADSWORTH. I offer the amendment which I send to the desk and ask the Secretary to read it.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. In line 1 of section 1 of Article I it is proposed to strike out the words "at all times" and to insert in lieu thereof the words "except during war between Colombia and another country with which the United States is at peace," so as to read:

The Republic of Colombia shall be at liberty, except during war between Colombia and another country with which the United States is at peace, to transport through the interoceanic canal its troops, materials of war, and ships of war without paying any charges to the United States.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. WADSWORTH and Mr. BORAH asked for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). Again announcing my pair with the junior Senator from West Virginia [Mr. ELKINS], I understand if he were present he would vote "nay." If permitted to vote, I should vote "yea." I withhold my vote.

The roll call having been concluded, the result was announced—yeas 39, nays 50, as follows:

YEAS—39.

Ashurst	Harris	La Follette	Poindexter
Borah	Heflin	Lenroot	Reed
Capper	Hitchcock	McKellar	Simmons
Caraway	Johnson	McLean	Townsend
Culberson	Jones, N. Mex.	McNary	Trammell
Cummins	Jones, Wash.	Nelson	Wadsworth
Dial	Kellogg	Norbeck	Watson, Ga.
Ernst	Kendrick	Norris	Willis
Gerry	Kenyon	Overman	Wolcott
Harreld	Knox	Pittman	

NAYS—50.

Ball	Frelinghuysen	New	Stanfield
Brandegee	Glass	Nicholson	Stanley
Broussard	Gooding	Oddie	Sterling
Bursum	Hale	Penrose	Sutherland
Calder	Keyes	Phipps	Swanson
Cameron	King	Pomerene	Underwood
Colt	Ladd	Ransdell	Walsh, Mass.
Curtis	Lodge	Robinson	Warren
Dillingham	McCormick	Sheppard	Watson, Ind.
Edge	McCumber	Shortridge	Weller
Fernald	McKinley	Smith	Williams
Fletcher	Moses	Smoot	
France	Myers	Spencer	

NOT VOTING—7.

Elkins	Newberry	Page	Walsh, Mont.
Harrison	Owen	Shields	

So Mr. WADSWORTH'S amendment was rejected.

The VICE PRESIDENT. There are no further amendments to Article I. The question is on agreeing to Article I as amended.

Mr. BORAH. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. WOLCOTT. Mr. President, a parliamentary inquiry. What is the question?

The VICE PRESIDENT. The question is on agreeing to Article I as amended.

Mr. UNDERWOOD. This is not a vote on the ratification of the treaty as yet.

Mr. LODGE. If I may say so, a yea-and-nay vote on the ratification of the treaty is required by the rule.

Mr. PENROSE. Let us have a roll call.

The VICE PRESIDENT. The question is on agreeing to Article I as amended.

Mr. REED. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). Again announcing my pair with the junior Senator from West Virginia [Mr. ELKINS], I withhold my vote. I understand that if the Senator from West Virginia were present he would vote "yea." If at liberty to vote, I should vote "nay."

The roll call having been concluded, the result was announced—yeas 65, nays 24, as follows:

YEAS—65.

Ashurst	Frelinghuysen	McLean	Spencer
Ball	Gerry	Moses	Stanfield
Brandegee	Glass	Myers	Stanley
Broussard	Gooding	New	Sterling
Bursum	Hale	Nicholson	Sutherland
Calder	Harreld	Oddie	Swanson
Cameron	Heflin	Overman	Underwood
Caraway	Hitchcock	Penrose	Walsh, Mass.
Colt	Kendrick	Phipps	Warren
Culberson	Keyes	Pittman	Watson, Ind.
Curtis	King	Pomerene	Weller
Dillingham	Knox	Ransdell	Williams
Edge	Ladd	Robinson	Willis
Ernst	Lodge	Sheppard	Wolcott
Fernald	McCormick	Shortridge	
Fletcher	McCumber	Smith	
France	McKinley	Smoot	

NAYS—24.

Borah	Jones, N. Mex.	McKellar	Reed
Capper	Jones, Wash.	McNary	Simmons
Cummins	Kellogg	Nelson	Townsend
Dial	Kenyon	Norbeck	Trammell
Harris	La Follette	Norris	Wadsworth
Johnson	Lenroot	Poindexter	Watson, Ga.

NOT VOTING—7.

Elkins	Newberry	Page	Walsh, Mont.
Harrison	Owen	Shields	

So Article I as amended was agreed to.

The ASSISTANT SECRETARY (reading):

Article III—

The committee proposes to strike out the Roman numerals "III" and to insert in lieu thereof the numerals "II."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

The United States of America—

After the word "The," the first word of Article II, it is proposed to insert the words "Government of the."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

The United States of America agrees to pay—

After the word "pay" it is proposed to insert the words "at the city of Washington."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

To the Republic of Colombia—

After the word "Colombia" and the comma it is proposed to strike out the words—

within six months after the exchange of the ratifications of the present treaty.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

The sum of $25,000,000, gold, United States money.

After the word "money" the committee proposes to strike out the period and insert a comma and the following words:

as follows: The sum of $5,000,000 shall be paid within six months after the exchange of ratifications of the present treaty, and reckoning from the date of that payment, the remaining $20,000,000 shall be paid in four annual installments of $5,000,000 each.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

Mr. REED. Mr. President, a parliamentary inquiry. We are voting upon this treaty article by article. Is it not necessary to have the same vote to adopt it article by article as on the final vote? I am raising the question as to Article I, I believe, on which we have had a record vote. The vote was 65 to 24, and I want to reserve the point that it requires a two-thirds vote to adopt the treaty article by article, exactly the same as it does to adopt the whole treaty on the final vote.

Mr. LODGE. Mr. President, on the point of order, of course, the vote to which the Senator refers is more than two-thirds; but the only vote requiring two-thirds is the one on the resolution which ratifies the treaty. None of these votes ratify the treaty.

The VICE PRESIDENT. The question is on the last amendment read. Without objection, it is agreed to.

Mr. RANSDELL. Mr. President, before putting the vote on the adoption of that article, I wish to propose a substitute for the article.

Mr. LODGE. Mr. President, a parliamentary inquiry. What became of the amendment just read?

The VICE PRESIDENT. It was agreed to.

Mr. RANSDELL. Before voting on the article itself as agreed to, I wish to offer a substitute for it; and in order that Senators may vote intelligently on my substitute, I ask that the two very brief articles preceding my substitute may be read, as well as the substitute itself.

Mr. PENROSE. I object, Mr. President.

Mr. LODGE. I think anything that can be classified as debate or explanation is out of order.

The VICE PRESIDENT. The Secretary will state the amendment.

Mr. RANSDELL. What is the objection to having it read? These are simply articles that will be offered afterwards.

I ask, then, that the substitute be read. The amendment is to strike out Article II of the treaty and to insert in lieu thereof an article to be known as Article III.

The Assistant Secretary read as follows:

ARTICLE III.

In consideration of the above concessions and benefits accruing to the United States of America, and in consideration of expenditures which Colombia must make if she is to be in a position to cooperate and assist the United States of America in the defense of the Panama Canal, as provided in Article I of the treaty, the Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $30,000,000, gold, United States money, as follows: The sum of $5,000,000 shall be paid within six months after the exchange of ratification of this treaty, and reckoning the date of that payment, the remaining $25,000,000 shall be paid in five annual installments of $5,000,000 each; and further, the Government of the United States of America obligates itself to loan to the Government of Colombia a sum not to exceed $25,000,000 to aid in the improvement of its harbor and waterways, and to complete railroad connections between its principal centers of population and the Atlantic and Pacific seaboards.

The VICE PRESIDENT. The question is on the adoption of the amendment, in the nature of a substitute, offered by the Senator from Louisiana [Mr. RANSDELL].

Mr. NORRIS. A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. NORRIS. The Senator from Washington [Mr. POINDEXTER] has offered an amendment to the text. Should not that be voted on before the substitute is voted on, and will it not be out of order after the substitute is voted on? I call the attention of the Senator from Washington to the fact that his amendment striking out "twenty-five" and inserting "fifteen" before the word "million" ought to be voted on first, before a vote is taken on the substitute.

The VICE PRESIDENT. The Senator from Washington has not yet offered his amendment.

Mr. POINDEXTER. Mr. President, I offered it, or at least I understood that it constituted an offer. It was presented and read, and I would like to make a parliamentary inquiry. I do not desire to offer any amendment to the substitute proposed by the Senator from Louisiana. I desire to offer an amendment to the article as amended by the Senate, as it is now pending. My parliamentary inquiry is, Whether it is necessary to vote upon my amendment before we vote upon the substitute?

The VICE PRESIDENT. It is.

Mr. BRANDEGEE. Mr. President, I assume that the ordinary rule prevails in the consideration of amendments to the

treaty, just as if it were a bill or a resolution, in which case any article would have to be perfected before a substitute for the preamble would be in order.

Mr. LODGE. There is no doubt of that.

The VICE PRESIDENT. The amendment of the Senator from Washington, if offered, is in order prior to the amendment proposed by the Senator from Louisiana to the preamble.

Mr. POINDEXTER. I offered the amendment.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. The Senator from Washington moves to amend by striking out the words "twenty-five," on the last line of the printed amendments, before the words "million dollars," and inserting in lieu thereof the word "fifteen," so that it will read:

The Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $15,000,000 gold, United States money, etc.

Mr. POINDEXTER. Upon that I ask for the yeas and nays.

The yeas and nays were ordered and taken.

Mr. HARRISON. I find that I can vote on this question notwithstanding the pair I have with the junior Senator from West Virginia [Mr. ELKINS]. I understand that if he were present he would vote "nay." I vote "nay."

The result was announced—yeas 22, nays 68, as follows:

YEAS—22.

Borah	Kellogg	Nelson	Townsend
Capper	Kenyon	Norbeck	Trammell
Cummins	La Follette	Norris	Wadsworth
Dial	Lenroot	Poindexter	Watson, Ga.
Johnson	McKellar	Reed	
Jones, Wash.	McNary	Simmons	

NAYS—68.

Ashurst	Frelinghuysen	McCormick	Shortridge
Ball	Gerry	McCumber	Smith
Brandegee	Glass	McKinley	Smoot
Broussard	Gooding	McLean	Spencer
Bursum	Hale	Moses	Stanfield
Calder	Harreld	Myers	Stanley
Cameron	Harris	New	Sterling
Caraway	Harrison	Nicholson	Sutherland
Colt	Heflin	Oddie	Swanson
Culberson	Hitchcock	Overman	Underwood
Curtis	Jones, N. Mex.	Penrose	Walsh, Mass.
Dillingham	Kendrick	Phipps	Warren
Edge	Keyes	Pittman	Watson, Ind.
Ernst	King	Pomerene	Weller
Fernald	Knox	Ransdell	Williams
Fletcher	Ladd	Robinson	Willis
France	Lodge	Sheppard	Wolcott

NOT VOTING—6.

Elkins	Owen	Shields	Walsh, Mont.
Newberry	Page		

So Mr. POINDEXTER'S amendment was rejected.

Mr. BORAH. Mr. President, I desire to offer an amendment, which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment.

The ASSISTANT SECRETARY. After the word "each," in the last line of Article II, insert a semicolon and the following words:

That neither said payment nor anything contained in this treaty shall be taken or regarded as an admission that the secession of Panama in November, 1903, was in any way aided or abetted by the United States of America, its agents, or representatives, or that said Government in any way violated its obligations to Colombia.

Mr. LODGE. I ask that the amendment be read again, Mr. President.

The Assistant Secretary again read the amendment.

The VICE PRESIDENT. The question is on the adoption of the amendment offered by the Senator from Idaho.

Mr. BORAH. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HARRISON (when his name was called). I understand that my pair, the junior Senator from West Virginia [Mr. ELKINS], if present would vote "nay." I therefore feel at liberty to vote, and I vote "nay."

The roll call having been concluded, the result was announced—yeas 39, nays 49, as follows:

YEAS—39.

Borah	Johnson	McCumber	Spencer
Brandegee	Jones, Wash.	McKinley	Sterling
Calder	Kellogg	McNary	Sutherland
Capper	Kendrick	Moses	Townsend
Cummins	Kenyon	Nelson	Wadsworth
Dillingham	Keyes	Norbeck	Watson, Ga.
Edge	Ladd	Norris	Watson, Ind.
Ernst	Lenroot	Poindexter	Weller
Fernald	Lodge	Reed	Willis
Hale	McCormick	Smoot	

NAYS—49.

Ashurst	Bursum	Colt	Fletcher
Ball	Cameron	Culberson	France
Broussard	Caraway	Curtis	Frelinghuysen
Gerry	La Follette	Pittman	Swanson
Glass	McKellar	Pomerene	Trammell
Gooding	McLean	Ransdell	Underwood
Harreld	Myers	Robinson	Walsh, Mass.
Harris	New	Sheppard	Warren
Harrison	Nicholson	Shortridge	Williams
Heflin	Oddie	Simmons	Wolcott
Hitchcock	Overman	Smith	
Jones, N. Mex.	Penrose	Stanfield	
King	Phipps	Stanley	

NOT VOTING—8.

Dial	Knox	Owen	Shields
Elkins	Newberry	Page	Walsh, Mont.

So Mr. BORAH's amendment was rejected.

The VICE PRESIDENT. The question recurs on the substitute offered by the Senator from Louisiana.

Mr. ASHURST. Let it be read.

Mr. CUMMINS. I ask that the substitute be read.

The VICE PRESIDENT. The Secretary will read the substitute offered by the Senator from Louisiana.

The ASSISTANT SECRETARY. In lieu of Article II, the Senator from Louisiana proposes to insert the following:

ARTICLE III.

In consideration of the above concessions and benefits accruing to the United States of America, and in consideration of expenditures which Colombia must make if she is to be in a position to cooperate and assist the United States of America in the defense of the Panama Canal, as provided in Article I of the treaty, the Government of the United States of America agrees to pay at the city of Washington to the Republic of Colombia the sum of $30,000,000 gold United States money, as follows: The sum of $5,000,000 shall be paid within six months after the exchange of ratifications of this treaty, and reckoning from the date of that payment the remaining $25,000,000 shall be paid in five annual installments of $5,000,000 each; and further the Government of the United States of America obligates itself to loan to the Government of Colombia a sum not to exceed $25,000,000 to aid in the improvement of its harbors and waterways and to complete railroad connections between its principal centers of population and the Atlantic and Pacific seaboards.

The VICE PRESIDENT. The question is on the substitute offered by the Senator from Louisiana. [Putting the question.] The substitute is rejected. The question now is on agreeing to the article as amended.

The article as amended was agreed to.

The ASSISTANT SECRETARY (reading):

Article IV—

The committee proposes to strike out the Roman numerals "IV" and insert the Roman numerals "III."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

The Republic of Colombia recognizes Panama as an independent nation, and taking as a basis the Colombian law of June 9, 1855, agrees that the boundary shall be the following: From Cape Tiburon to the headwaters of the Rio de la Miel and following the mountain chain by the ridge of Gandi to the Sierra de Chugargun and that of Mali going down by the ridges of Nigue to the heights of Aspave and from thence to a point on the Pacific half way between Cocalito and La Arvita.

In consideration of this recognition, the Government of the United States will, immediately after the exchange of the ratifications of the present treaty, take the necessary steps in order to obtain from the Government of Panama the dispatch of a duly accredited agent to negotiate and conclude with the Government of Colombia a treaty of peace and friendship, with a view to bring about both the establishment of regular diplomatic relations between Colombia and Panama and the adjustment of all questions of pecuniary liability as between the two countries, in accordance with recognized principles of law and precedents.

The VICE PRESIDENT. The question is on agreeing to the article.

The article was agreed to.

The ASSISTANT SECRETARY (reading):

Article V—

The committee proposes to strike out the Roman numeral "V" and insert the Roman numerals "IV."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The ASSISTANT SECRETARY (reading):

The present treaty shall be approved and ratified by the high contracting parties in conformity with their respective laws, and the ratifications thereof shall be exchanged in the city of Bogota as soon as may be possible.

In faith whereof the said plenipotentiaries have signed the present treaty in duplicate and have hereunto affixed their respective seals.

The VICE PRESIDENT. The question is on agreeing to the last article.

The article was agreed to.

Mr. LODGE. There is an amendment in the preamble that must now be made.

The ASSISTANT SECRETARY. The committee proposes an amendment to the preamble, as follows——

Mr. RANSDELL. Mr. President, is it in order to introduce other proposed articles before taking up the preamble? I have

two proposed new articles, and I wish to know whether it is in order to take them up now or after the preamble is acted on.

The VICE PRESIDENT. They should be taken up now.

Mr. RANSDELL. I send to the desk two new articles, which I offer. Let the two be read together.

The VICE PRESIDENT. The Secretary will read the articles.

The Assistant Secretary read as follows:

ARTICLE I.

Colombia agrees to cooperate with and assist the United States in defending the Panama Canal, both by land and by sea, to the end that the canal and its approaches may be protected from aggression by any other nation or country in contravention of the obligations now impressed upon the canal by existing treaties to which the United States of America is a party.

ARTICLE II.

Colombia agrees that a canal between the Atlantic and Pacific Oceans by the Atroto River Valley route, or by any other route within its territory, shall not be constructed except with the assent, approval, and cooperation of the United States of America.

Colombia cedes to the United States of America the islands known as Providence and St. Andrew Islands, in the Caribbean Sea, and such contiguous islands as may be deemed by the United States and Colombia useful for the protection of the Panama Canal.

The VICE PRESIDENT. The question is on agreeing to the two articles offered as an amendment by the Senator from Louisiana.

The amendment was rejected.

The ASSISTANT SECRETARY. The committee propose the following amendment to the preamble: After the words "Government of the United States" strike out the words "is constructing" and insert in lieu thereof the words "has constructed."

The VICE PRESIDENT. The question is on agreeing to the amendment to the preamble reported by the committee.

The amendment was agreed to.

The VICE PRESIDENT. This completes the committee amendments.

Mr. RANSDELL. Mr. President, if it is in order, I should like to offer a substitute for the preamble.

Mr. BORAH rose.

Mr. RANSDELL. If the Senator from Idaho wishes to amend the preamble, I think he should have precedence.

Mr. BORAH. No; I simply desire to give notice that I reserve the right to offer in the Senate the amendment which I offered a few moments ago.

Mr. WADSWORTH. I give the same notice with reference to the amendment I offered.

The VICE PRESIDENT. The Chair understands that no notice is required.

Mr. RANSDELL. I offer the substitute for the preamble which I send to the desk, and I ask to have it read.

The ASSISTANT SECRETARY. In lieu of the preamble as printed the Senator from Louisiana moves to insert the following:

A TREATY OF ALLIANCE BETWEEN THE UNITED STATES OF AMERICA AND THE REPUBLIC OF COLOMBIA.

The United States of America and the Republic of Colombia being desirous of reestablishing that ancient and cordial friendship which throughout the greater part of their history has characterized the relations between the two countries, and being convinced that the most potent assurance of peace and good feeling lies in that Christian amity which has hitherto attended their international association, have determined to enter into a treaty of alliance for protection and preservation of certain common interests and for the reestablishment and perpetuation of the friendship of the two countries. It being apparent that the objects so earnestly desired by both countries can not be attained by any system of reparations, and that firm friendship can not be established by insistence of either party upon acceptance by the other of their respective judgments as to the propriety of policy exercised from time to time by their respective administrations, and it being the desire of both countries that in a spirit of forbearance the past policies of both countries shall be left to the judgment of history, and it now being the ardent desire of both countries that they shall in a spirit of friendship and cooperation go forward to the greater accomplishment of their destinies under a beneficent Providence; in order, therefore, to conclude a treaty of alliance for mutual protection of common interests and in aid of a lasting understanding, the Government of the United States and the Government of Colombia have appointed as their plenipotentiaries—

* * * * * * *

Who after communicating to each other their respective full powers, which were found to be in due and proper form, have agreed upon the following:

The VICE PRESIDENT. The question is on the adoption of the amendment to the preamble, in the nature of a substitute, offered by the Senator from Louisiana.

The amendment was rejected, and the preamble was agreed to.

The treaty was reported to the Senate as amended.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. BORAH. After the amendments are concurred in I desire to offer my amendment.

The VICE PRESIDENT. In the opinion of the Chair, the amendment should be offered before the amendments are concurred in.

Mr. BORAH. Very well. I offer the amendment, and ask that it be read.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. After the word "each" in the last line of Article II it is proposed to insert a semicolon and the following words:

that neither said payment nor anything contained in this treaty shall be taken or regarded as an admission that the secession of Panama in November, 1903, was in any way aided or abetted by the United States of America, its agents or representatives, or that said Government in any way violated its obligations to Colombia.

Mr. BORAH. Upon that I ask for the yeas and nays.

The yeas and nays were ordered, and, being taken, resulted—yeas 30, nays 58, as follows:

YEAS—30.

Borah	Johnson	McNary	Townsend
Brandegee	Jones, Wash.	Moses	Wadsworth
Calder	Kellogg	Nelson	Watson, Ga.
Capper	Kendrick	Norbeck	Watson, Ind.
Cummins	Kenyon	Norris	Weller
Edge	Lenroot	Poindexter	Willis
Ernst	McCormick	Reed	
Hale	McCumber	Smoot	

NAYS—58.

Ashurst	Gooding	McLean	Smith
Ball	Harreld	Myers	Spencer
Broussard	Harris	New	Stanfield
Bursum	Harrison	Nicholson	Stanley
Cameron	Heflin	Oddie	Sterling
Colt	Hitchcock	Overman	Sutherland
Culberson	Jones, N. Mex.	Penrose	Swanson
Curtis	Keyes	Phipps	Trammell
Dillingham	King	Pittman	Underwood
Fernald	Knox	Pomerene	Walsh, Mass.
Fletcher	Ladd	Ransdell	Warren
France	La Follette	Robinson	Williams
Frelinghuysen	Lodge	Sheppard	Wolcott
Gerry	McKellar	Shortridge	
Glass	McKinley	Simmons	

NOT VOTING—8.

Caraway	Elkins	Owen	Shields
Dial	Newberry	Page	Walsh, Mont.

So Mr. BORAH's amendment was rejected.

The VICE PRESIDENT. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The VICE PRESIDENT. The treaty is still in the Senate and open to amendment. If there be no further amendment, the question is on agreeing to the resolution of ratification, which the Secretary will read.

The Assistant Secretary read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty signed at Bogota April 6, 1914, between the United States and the Republic of Colombia, for the settlement of their differences arising out of the events which took place on the Isthmus of Panama in November, 1903, with the following amendments:

(1) In the preamble strike out the words "is constructing" and insert in lieu thereof the words "has constructed."

(2) Strike out all of Article I, which is in the following language:

"ARTICLE I.

"The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, in its own name and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long existed between the two nations.

"The Government of the Republic of Colombia, in its own name and in the name of the Colombian people, accepts this declaration in the full assurance that every obstacle to the restoration of complete harmony between the two countries will thus disappear."

(3) Change the number of Article II to Article I.

(4) In the first paragraph of Article II, in the original text of the treaty, strike out the colon after the word "Railway" and insert in lieu thereof a comma and the following: "the title to which is now vested entirely and absolutely in the United States of America, without any encumbrances or indemnities whatever."

(5) In clause 1 of Article II, in the original text of the treaty, strike out the following: "even in case of war between Colombia and another country."

(6) In clause 4 of Article II, in the original text of the treaty, strike out the words "during the construction of the interoceanic canal and afterwards whenever" and insert "whenever" in lieu thereof; strike out, after the word "shall," the following: ", even in case of war between Colombia and another country,"; and strike out the last sentence, which reads as follows: "The provisions of this paragraph shall not, however, apply in case of war between Colombia and Panama."

(7) In clause 5 of Article II, in the original text of the treaty, after the words "products of Colombia," insert "for Colombian consumption," after the words "vice versa, shall" insert a comma and the following: "whenever traffic by the canal is interrupted."

(8) Change the number of Article III to Article II.

(9) In Article II of the original text of the treaty, before the words "United States of America," insert "Government of the"; after the word "pay" insert "at the city of Washington"; strike out, after the word "Colombia," the words "within six months after the exchange of the ratifications of the present treaty"; strike out the period after

the word "money" and insert a comma in lieu thereof and add the following: "as follows: The sum of $5,000,000 shall be paid within six months after the exchange of ratifications of the present treaty, and reckoning from the date of that payment the remaining $20,000,000 shall be paid in four annual installments of $5,000,000 each."

(10) Change the number of Article IV to Article III.

(11) Change the number of Article V to Article IV.

Resolved further, That the Senate advise and consent to the ratification of the treaty signed by the plenipotentiaries of the United States and the Republic of Colombia on April 6, 1914, providing for the settlement of differences between the United States and the Republic of Colombia, with the understanding to be made a part of such treaty and ratification, that the provisions of section 1 of Article I of the treaty granting to the Republic of Colombia free passage through the Panama Canal for its troops, materials of war, and ships of war shall not apply in case of war between the Republic of Colombia and any other country.

Mr. BRANDEGEE. Mr. President, as the Secretary read the resolution of ratification I understood him to use the word "railway" instead of "railways," in line 2 of Article I. It is printed in the copy which I have in the plural, as "railways," and then there is a punctuation mark which apparently has been changed; I do not know what it is meant to represent now. I should like the Secretary to look in the resolution of ratification and see whether the word is in the plural or in the singular.

The VICE PRESIDENT. As printed it is in the singular.

Mr. BRANDEGEE. In the print which I have it is in the plural.

Mr. LODGE. That must be a printer's error, which ought to be corrected. I have not the original treaty here, but can send for it.

The VICE PRESIDENT. The word is in the singular in the print at the desk.

Mr. BRANDEGEE. I do not know what the intention is, but I notice in a succeeding paragraph it refers to the "railway between Ancon and Cristobal or on any other railway substituted therefor"; so I did not know whether or not the plural was proper, whether it was intended to refer to all railroads that may be constructed; and I wondered whether the title "Panama Railway" was the corporate name of the company and whether it was "railway" or "railroad."

Mr. BORAH. I should think, Mr. President, it should be "railways," so that there will be nothing that escapes.

The VICE PRESIDENT. In Article I it is "railway." The question is on the adoption of the resolution of ratification. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. CUMMINS (when his name was called). Upon this question I am paired with the Senator from Vermont [Mr. PAGE] and the Senator from Tennessee [Mr. SHIELDS]. If they were present, they would vote, as I am informed, for the ratification of the treaty. If I were at liberty to vote, I should vote "nay." I withhold my vote.

Mr. TRAMMELL (when his name was called). I have a pair with the Senator from Oklahoma [Mr. OWEN] and the Senator from Montana [Mr. WALSH]. If they were present, they would vote "yea" and I should vote "nay."

The roll call having been concluded, it resulted—yeas 69, nays 19, as follows:

YEAS—69.

Ashurst	Gerry	McKellar	Smoot
Ball	Glass	McKinley	Spencer
Brandegee	Gooding	McLean	Stanfield
Broussard	Hale	Moses	Stanley
Bursum	Harreld	Myers	Sterling
Calder	Harris	New	Sutherland
Cameron	Harrison	Nicholson	Swanson
Caraway	Heflin	Oddie	Underwood
Colt	Hitchcock	Overman	Walsh, Mass.
Culberson	Jones, N. Mex.	Penrose	Warren
Curtis	Kendrick	Phipps	Watson, Ind.
Dillingham	Keyes	Pittman	Weller
Edge	King	Pomerene	Williams
Ernst	Knox	Ransdell	Willis
Fernald	Ladd	Robinson	Wolcott
Fletcher	Lodge	Sheppard	
France	McCormick	Shortridge	
Frelinghuysen	McCumber	Smith	

NAYS—19.

Borah	Kellogg	Nelson	Simmons
Capper	Kenyon	Norbeck	Townsend
Dial	La Follette	Norris	Wadsworth
Johnson	Lenroot	Poindexter	Watson, Ga.
Jones, Wash.	McNary	Reed	

NOT VOTING—8.

Cummins	Newberry	Page	Trammell
Elkins	Owen	Shields	Walsh, Mont.

The VICE PRESIDENT. On this question 69 Senators have voted in the affirmative and 19 in the negative. More than two-thirds of those present having voted in the affirmative, the resolution prevails.

Mr. POINDEXTER. Mr. President, I repeat the request which I made some little time ago for unanimous consent to have printed in the RECORD a brief extract from a letter of Mr. Hay to Gen. Reyes, and another brief extract from a letter of Mr. Knox to Mr. Du Bois.

The VICE PRESIDENT. Is there objection?

Mr. WILLIAMS. Mr. President, I have not understood the request.

Mr. POINDEXTER. It is a request to print in the RECORD extracts from letters regarding the controversy out of which this treaty arose.

Mr. WILLIAMS. Whose letters?

Mr. POINDEXTER. A letter from Secretary of State Hay and a letter from Secretary of State Knox.

Mr. WILLIAMS. I have no objection to that.

The VICE PRESIDENT. Without objection, the letters will be printed in the RECORD.

The matter referred to is as follows:

[From Senate document, vol. 15, No. 474, Diplomatic History of Panama Canal; 63d Cong., 2d sess., 1913–14, p. 502—Mr. Hay to Gen. Reyes. Department of State, Washington, Jan. 5, 1904.]

* * * * * * *

"The United States has done more than this. It has assumed and discharged, as if primarily responsible, duties which in the first instance rested on Colombia. According to the language of the treaty, the right of the Government and people of the United States to a free and open transit across the Isthmus was guaranteed by New Granada; but the United States has been able to secure the benefits of it only by its own exertions; and in only one instance, and that as far back as 1857, has it been able to obtain from Colombia any compensation for the injuries and losses resulting from her failure to perform her obligation. The department deems it unnecessary now to enter into particulars, but is abundantly able to furnish them.

"Meanwhile, the great design of the treaty of 1846 remained unfulfilled; and in the end it became apparent, as has heretofore been shown, that it could be fulfilled only by the construction of a canal by the Government of the United States. By reason of the action of the Government at Bogota in repudiating the Hay-Herran convention, and of the views and intentions disclosed in connection with that repudiation, the Government was confronted, when the revolution at Panama took place, with the alternative of either abandoning the chief benefit which it expected and was entitled to derive from the treaty of 1846, or of resorting to measures the necessity of which it could contemplate only with regret.

"By the declaration of independence of the Republic of Panama a new situation was created. On the one hand stood the Government of Colombia invoking in the name of the treaty of 1846 the aid of this Government in its efforts to suppress the revolution; on the other hand stood the Republic of Panama that had come into being in order that the great design of that treaty might not be forever frustrated but might be fulfilled. The Isthmus was threatened with desolation by another civil war, nor were the rights and interests of the United States alone at stake; the interests of the whole civilized world were involved. The Republic of Panama stood for those interests; the Government of Colombia opposed them. Compelled to choose between these two alternatives, the Government of the United States, in no wise responsible for the situation that had arisen, did not hesitate. It recognized the independence of the Republic of Panama, and upon its judgment and action in the emergency the powers of the world have set the seal of their approval.

"In recognizing the independence of the Republic of Panama the United States necessarily assumed toward that Republic the obligations of the treaty of 1846. Intended, as the treaty was, to assure the protection of the sovereign of the Isthmus, whether the government of that sovereign ruled from Bogota or from Panama, the Republic of Panama, as the successor in sovereignty of Colombia, became entitled to the rights and subject to the obligations of the treaty.

"The treaty was one which in its nature survived the separation of Panama from Colombia. 'Treaties of alliance, of guarantee, or of commerce are not,' says Hall, 'binding upon a new State formed by separation'; but the new State 'is saddled with local obligations, such as that to regulate the channel of a river or to levy no more than certain dues along its course.' (International Law, 4th ed., p. 98.) To the same effect it is laid down by Rivier 'that treaties relating to boundaries, to watercourses, and to ways of communication' constitute obligations which are connected with the territory, and follow it through the mutations of national ownership. (Principes du Droit des Gens, I, 72–73.) This Government, therefore, does not perceive that in discharging in favor of the present sovereign of the Isthmus its duties under the treaty of 1846 it is in any way violating or failing in the performance of its legal duties.

"Under all the circumstances the department is unable to regard the complaints of Colombia against this Government, set forth in the 'Statement of grievances,' as having any valid foundation. The responsibility lies at Colombia's own door, rather than at that of the United States."

[From Document No. 1, 65th Congress, sp. sess.; Senate in executive session; p. 47. (9) Mr. Knox to Mr. Du Bois.]

* * * * * * *

"Before attempting to outline for your information the kind of proposals that this Government would entertain from the Government of Colombia, it will be well to emphasize here certain axiomatic rules which should guide you at every step in this mission.

"First of all, the Government of the United States will not for a moment consider the use of any language which would impugn in any way the past attitude, acts, or motives of the United States in connection with this matter.

"On his point I may call to your attention the language of the department's note to the Colombian minister, dated February 10, 1906, in which Mr. Root, then Secretary of State, said:

"The real gravamen of your complaint is this espousal of the cause of Panama by the people of the United States. No arbitration could deal with the real rights and wrongs of the parties concerned unless it were to pass upon the question whether the cause thus espoused was just—whether the people of Panama were exercising their just rights in declaring and maintaining their independence of Colombian rule. We assert and maintain the affirmative upon that question. We assert that the ancient State of Panama, independent in its origin and by nature and history a separate political community, was confederated *with the other* States of Colombia upon terms which preserved and continued its separate sovereignty; that it never surrendered that sovereignty; that in the year 1885 the compact which bound it to the other States of Colombia was broken and terminated by Colombia, and the Isthmus was subjugated by force; that it was held under foreign domination to which it had never consented; and that it was justly entitled to assert its sovereignty and demand its independence from a rule which was unlawful, oppressive, and tyrannical. We can not ask the people of Panama to consent that this right of theirs, which is vital to their political existence, shall be submitted to the decision of any arbitrator. Nor are we willing to permit any arbitrator to determine the political policy of the United States in following its sense of right and justice by espousing the cause of this weak people against the stronger Government of Colombia, which had so long held them in unlawful subjection.

"There is one other subject contained in your note which I can not permit to pass without notice. You repeat the charge that the Government of the United States took a collusive part in fomenting or inciting the uprising upon the Isthmus of Panama which ultimately resulted in the revolution. I regret that you should see fit to thus renew an aspersion upon the honor and good faith of the United States in the face of the positive and final denial of the fact contained in Mr. Hay's letter of January 5, 1904. You must be well aware that the universally recognized limitations upon the subjects proper for arbitration forbid that the United States should submit such a question to arbitration. In view of your own recognition of this established limitation, I have been unable to discover any justification for the renewal of this unfounded assertion."

"Again, you should at all times bear in mind the principle that the political acts of governments are in their very nature not justiciable."

Mr. LODGE. Mr. President, I desire to call the attention of the clerks to what I think is an obvious mistake in order to be sure that it is correct in the original text. On page 2, line 2 of the third section of Article I, the words "paper proof" occur. The words must be "proper proof," as stated in section 4, I think. I should like to have the clerks compare that with the original treaty. It will have to be compared with the original text. I think there must be a mistake. I ask unanimous consent that the clerks may be authorized to make the change to correspond.

The VICE PRESIDENT. Without objection, the authorization will be given.

Mr. LODGE. I do not assert that it is not correct, but I want to have it examined and compared with the original treaty sent in by the President.

The VICE PRESIDENT. That will be done.

Several Senators addressed the Chair.

Mr. LODGE. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a resolution adopted by the New Mexico Cattle and Horse Growers' Association at its annual convention held at Albuquerque, N. Mex., March 29, 1921, favoring the enactment of legislation for regulation of the packing industry, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of White City, Parkerville, Wilsey, Delavan, and Council Grove, all in the State of Kansas, remonstrating against any increase in tariff on coal-tar products used in the manufacture of dips and disinfectants by farmers and stock raisers, which was referred to the Committee on Finance.

He also presented a resolution adopted by the National Shippers and Consumers' Association, at Chicago, Ill., March 4, 1921, favoring an amendment of the transportation act in order that the law may be administered by the Labor Board so that wages shall be just and fair and the railroads shall not be compelled to pay more than will permit them, under economical management, to move traffic under just and reasonable rates to the farmers and stock raisers, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a resolution of the Detroit Auto Dealers' Association, of Detroit, Mich., favoring legislation which will equalize marketing of salvaged equipment from the war area of Europe, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Melvin and Silverwood, Mich., remonstrating against the enactment of legislation increasing the tariff on coal-tar products used in the manufacture of dips and disinfectants by farmers and stock raisers, which was referred to the Committee on Finance.

He also presented a resolution of the Rotary Club, of Sault Ste. Marie, Mich., favoring legislation to compel cessation of the persecution of the Jewish population in certain foreign countries, which was referred to the Committee on Foreign Relations.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 1018) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918;

A bill (S. 1019) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children;

A bill (S. 1020) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States; and

A bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii; to the Committee on Military Affairs.

A bill (S. 1022) to carry into effect the findings of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 1023) permitting certain employees of the Government to purchase supplies from the commissary stores of the Army and Navy; to the Committee on Military Affairs.

A bill (S. 1024) to provide for the storage of certain grain under Federal custody, the issue of receipts therefor, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. WILLIS:

A bill (S. 1025) granting an increase of pension to Joana Boone (with accompanying papers); to the Committee on Pensions.

A bill (S. 1026) for the relief of Albert E. Magoffin (with accompanying papers); to the Committee on Claims.

By Mr. RANSDELL:

A bill (S. 1027) to quiet the title to certain lands in the State of Louisiana; to the Committee on Public Lands and Surveys.

By Mr. SUTHERLAND:

A bill (S. 1028) for the relief of the widow and minor children of Gordon H. Meek, deceased; to the Committee on Post Offices and Post Roads.

A bill (S. 1029) granting an increase of pension to James P. McClintock; and

A bill (S. 1030) granting a pension to Miller Kincaid; to the Committee on Pensions.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 33) permitting Chinese to register under certain provisions and conditions; to the Committee on Immigration.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. BALL submitted the following resolution (S. Res. 54), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia, or subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses

thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 21, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 20 (legislative day of April 18), 1921.

COLLECTOR OF CUSTOMS.

George W. Aldridge, of New York, to be collector of customs for customs collection district No. 10, with headquarters at New York, N. Y., in place of Byron R. Newton, resigned.

UNITED STATES ATTORNEY.

John Foster Symes, of Colorado, to be United States attorney, district of Colorado. Mr. Symes is now serving in that position under appointment by court.

COLLECTOR OF INTERNAL REVENUE.

Albert B. White, of Parkersburg, W. Va., to be collector of internal revenue for the district of West Virginia in place of Samuel A. Hays.

PUBLIC HEALTH SERVICE.

To be assistant surgeons.

Dr. Ralph D. Lille to be assistant surgeon in the Public Health Service, to take effect from date of oath.

Dr. Thomas S. Love to be assistant surgeon in the Public Health Service, to take effect from date of oath.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

To be majors with rank from July 1, 1920.

Capt. Archie Wright Barry, Air Service.
Capt. George Cornelius Charlton, Infantry.
Capt. Charles Harrison Corlett, Infantry.
Capt. William Korst, Quartermaster Corps.
Capt. Robert Louis Moseley, Infantry.
Capt. George Horton Steel, Quartermaster Corps.
Capt. Harry Franklin Wilson, Finance Department.

MEDICAL CORPS.

To be captains.

First Lieut. Edward Cleveland Hagler, Medical Corps, from September 10, 1920.

First Lieut. Harry Gardner Johnson, Medical Corps, from February 27, 1921.

First Lieut. John Murray Welch, Medical Corps, from March 6, 1921.

First Lieut. John Adams Logan, Medical Corps, from March 11, 1921.

REAPPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

FIELD ARTILLERY.

To be major with rank from April 13, 1921.

Herbert Spencer Struble, late captain, Field Artillery, Regular Army.

To be first lieutenant with rank from April 13, 1921.

John Michael Johnson, late first lieutenant, Field Artillery, Regular Army.

AIR SERVICE.

To be first lieutenant with rank from April 2, 1921.

Julian Buckner Haddon, late second lieutenant, Air Service, Regular Army.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

QUARTERMASTER CORPS.

First Lieut. Deane Childs Howard, jr., Cavalry, with rank from September 20, 1919.

ORDNANCE DEPARTMENT.

First Lieut. John Joseph Breen, Infantry, with rank from October 30, 1919.

First Lieut. Kenneth Willey Leslie, Infantry, with rank from November 7, 1919.

FIELD ARTILLERY.

Maj. John Burhyte Wilmot Corey, Quartermaster Corps, with rank from May 15, 1917.

AIR SERVICE.

Capt. Harry Batten Flounders, Cavalry, with rank from October 12, 1917.

CHEMICAL WARFARE SERVICE.

Capt. Geoffrey Marshall, Coast Artillery Corps, with rank from July 1, 1920.

UNITED STATES NAVY.

Capt. Charles F. Hughes to be a rear admiral in the Navy from the 11th day of February, 1921.

Commander Earl P. Jessop to be a captain in the Navy from the 8th day of December, 1920.

Commander Thomas C. Hart to be a captain in the Navy from the 7th day of February, 1921.

Commander Cyrus R. Miller to be a captain in the Navy from the 11th day of February, 1921.

Lieut. Commander Charles W. Densmore to be a commander in the Navy from the 23d day of November, 1919.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of January, 1921:

Robert A. Dawes.
Clyde S. McDowell.

Lieut. Louis H. Maxfield to be a lieutenant commander in the Navy from the 1st day of July, 1919.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of January, 1921:

Frederic T. Van Auken.
Guy C. Barnes.
Laurance S. Stewart.
Samuel S. Payne.
Franklin P. Conger.

Lieut. (Junior Grade) George S. Gillespie to be a lieutenant in the Navy from the 1st day of July, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 6th day of June, 1920:

Sherrod H. Quarles.
Thomas F. Downey.
Benjamin S. Killmaster.
Robert W. Cary.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1920:

Archie E. Glann.
Otto Nimitz.
Alan Barnett.
Elmer R. Henning.
Harold O. Hunter
Theodore E. Chandler.
Allan R. Wurtele.
John L. McCrea.
John S. Farnsworth.
Albert R. Stephan.
Russell S. Berkey.
Willard A. Kitts, 3d.
Gail Morgan.
Van H. Ragsdale.
T. DeWitt Carr.
Sidney W. Kirtland.
Paul W. F. Huschke.
Donald B. Duncan.
William P. O. Clarke.
Robert C. Tobin.
Harold B. Sallada.
Collin DeV. Headlee.
Ralph Wyman.
Ben H. Wyatt.
Leonard P. Wessell.
Joseph H. Currier.
Thomas B. Inglis.
Daniel W. Tomlinson, 4th
George C. Hawkins.
Roy T. Gallenmore.
Robert B. Parker.
Junius L. Cotten.
John W. Rowe.
Guy D. Townsend.
George E. Ross, jr.
Thomas J. Haffey.
Robert A. Awtrey.
Clinton H. Havill.
Boyd R. Alexander.
Gilbert W. Sumners.
William J. Forrestel.
Isaiah Parker.
Frank H. Dean.
Andrew G. Shepard.
George T. Howard.
Adolph P. Schneider.
Carl F. Holden.
Wilbur V. Shown.
George M. Keller.
William G. Ludlow, jr.
Donald R. Evans.
Thomas L. Sprague.
James D. Jacobs.
Clifton A. F. Sprague.
Herman E. Halland.
George G. Breed.
Gordon Rowe.
Christopher C. Miller.
Henry D. Stailey.
Olton R. Bennehoff.
William A. S. Macklin.
William K. Phillips.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of March, 1920:

John E. Ostrander, jr.
William P. O. Clarke.
Paul W. F. Huschke.
Harold B. Sallada.
Benjamin O. Wells.

Acting Ensign Joseph H. Currier to be a lieutenant (junior grade) in the Navy, from the 26th day of May, 1920.

Ensign Otto Nimitz to be a lieutenant (junior grade) in the Navy, from the 5th day of June, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 29th day of June, 1920:

Thomas L. Sprague.
James D. Jacobs.
Clifton A. F. Sprague.
Herman E. Halland.
George G. Breed.
Gordon Rowe.
Christopher C. Miller.
Henry D. Stailey.
Olton R. Bennehoff.
William A. S. Macklin.
Thomas B. Inglis.
Daniel W. Tomlinson, 4th.

George C. Hawkins.
Roy T. Gallenmore.
Robert B. Parker.
Junius L. Cotten.
John W. Rowe.
Guy D. Townsend.
George E. Ross, jr.
Thomas J. Haffey.
William K. Phillips.

The following-named acting ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Sidney B. Blaisdell.
Richard C. Bartlett.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Arthur S. Adams.
Thomas P. Jeter.
Harry R. Thurber.
Lyle N. Morgan.
Logan C. Ramsey.
Henry R. Herbst.
Charles L. Andrews, jr.
Charles J. Rend.
Marshall R. Greet.
Frank N. Sayre.
Paul D. Dingwell.
Carleton McGauly.
John R. Redman.
William E. Hilbert.
Festus F. Foster.
James B. Sykes.
Douglas A. Powell.
William E. Clayton.
Bayard H. Colyear.
Walter D. Whitehead.
Robert L. Boller.
Paul H. Talbot.
John B. McDonald, jr.
James G. Atkins.
John L. Reynolds.
Herbert S. Woodman.

Asst. Surg. Joy A. Omer to be a passed assistant surgeon in the Navy with rank of lieutenant from the 22d day of April, 1918.

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant from the 6th day of June, 1920:

Brython P. Davis.
Donald H. O'Rourke.
Robert B. Miller.
Robert B. Team.
Ernest A. Daus.
Walter J. Spencer.
Paul T. Crosby.
Harold S. Sumerlin.
Leslie B. Marshall.
Lloyd B. Greene.
Claude R. Riney.

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant from the 1st day of July, 1920:

Nelson W. Sheley.
John H. Robbins.
Howard H. Montgomery.
Oscar Davis.
Charles P. Archambeault.
Anthony M. Menendez.
Rex H. White.
Carlton L. Andrus.
Edwin Peterson.
Joseph L. Schwartz.
Roger A. Nolan.
William H. Wynn.
George U. Pillmore.
Francis P. Gardner.

The following-named citizens to be assistant surgeons in the Navy with the rank of lieutenant (junior grade) from the 30th day of March, 1921:

Ben Hollander, a citizen of California.
Joseph C. Flotte, a citizen of Pennsylvania.

Asst. Paymaster Harry W. Rusk, jr., to be a passed assistant paymaster in the Navy with the rank of lieutenant from the 5th day of June, 1917.

The following-named assistant paymasters to be passed assistant paymasters in the Navy with the rank of lieutenant from the 1st day of July, 1920:

Ralph W. Swearingen.
Robert B. Huff.
Rufus B. Langsford.
James P. Jackson.
Malcolm G. Slarrow.
Michael J. Stubbs.
Phillip A. Caro.

Professor of Mathematics Guy K. Calhoun, an additional number in grade, to be a professor of mathematics in the Navy with the rank of commander from the 28th day of July, 1920.

Professor of Mathematics Theodore W. Johnson to be a professor of mathematics in the Navy with the rank of commander from the 28th day of July, 1920.

Naval Constructor George C. Westervelt to be a naval constructor in the Navy with the rank of commander from the 24th day of September, 1920.

The following-named naval constructors to be naval constructors in the Navy with the rank of commander from the 1st day of January, 1921:

Charles W. Fisher, jr.
Alexander H. VanKeuren.
Waldo P. Druley.
Holden C. Richardson.
Roy W. Ryden.
Herbert S. Howard.

The following-named machinists to be chief machinists in the Navy, to rank with but after ensign, from the 28th day of December, 1920:

John P. Millon.
Will S. Holloway.
Arthur A. F. Alm.

Harold J. Hill, a citizen of California, to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 2d day of April, 1921.

The following-named passed assistant surgeons, for temporary service, to be passed assistant surgeons in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

John B. Bostick.
Bathune F. McDonald.
James K. Gordon.
Frederick N. Pugsley.

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Walter P. Dey.
Richard W. Hughes.
John T. O'Connell.
Henry DeW. Hubbard.
Preston A. McLendon.
Melvin S. Stover.
Harrison L. Wyatt.

Passed Asst. Dental Surg. Thomas White, for temporary service, to be a passed assistant dental surgeon in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named passed assistant dental surgeons of the United States Naval Reserve Force to be passed assistant dental surgeons in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Fred A. Batkin.
Patrick A. McCole.
Frederick W. Mitchell.

Chaplain Herbert Dumstrey to be a chaplain in the Navy with the rank of lieutenant from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named chaplains, for temporary service, to be chaplains in the Navy with the rank of lieutenant from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Harrill S. Dyer.
Allison J. Hayes.
Albert N. Park, jr.
George S. Rentz.
Bart D. Stephens.
Charles V. Ellis.
Clinton A. Neyman.
Harry M. Peterson.
Reuben W. Shrum.
William N. Thomas.

The following-named chaplains of the United States Naval Reserve Force to be chaplains in the Navy with the rank of lieutenant from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

James S. Day.
William P. Williams.

The following-named chaplains, for temporary service, to be chaplains in the Navy with the rank of lieutenant (junior grade) from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

John H. S. Putnam.
John H. Hyde.
Lewis D. Gottschall.
William T. Holt.
Roman M. Peil.

Chaplain Alfred de Groot Vogler, of the United States Naval Reserve Force, to be a chaplain in the Navy with the rank of lieutenant (junior grade) from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named officers of the United States Naval Reserve Force to be passed assistant surgeons in the Navy with the rank of lieutenant from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Edward H. Sparkman, jr.
Elwin C. Taylor.

MARINE CORPS.

To be first lieutenants from June 4, 1920.

Leonard E. Rea.
Rees Skinner.
Arthur F. Sennholtz.

To be second lieutenants from June 4, 1920.

Howard N. Feist.
Edwin U. Hakala.
Irving G. Hamilton.
Max D. Smith.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 20 (legislative day of April 18), 1921.

ASSISTANT ATTORNEY GENERAL.

William D. Riter.

FIRST ASSISTANT SECRETARY OF THE INTERIOR.

Edward C. Finney, of Kansas.

GENERAL LAND OFFICE.

COMMISSIONER OF THE GENERAL LAND OFFICE.

William Spry, of Salt Lake City, Utah.

REGISTERS OF LAND OFFICE.

Spencer E. Burroughs, of California, at Susanville, Calif.
Alfred M. Bergere, of New Mexico, at Santa Fe, N. Mex.
James Frederick Drake, of Pueblo, Colo., at Pueblo, Colo.
Charles D. Voris, of Monte Vista, Colo., at Del Norte, Colo.
Joseph Montgomery, of Lewistown, Mont., at Lewistown, Mont.
Albert Halen, of Vernal, Utah, at Vernal, Utah.

RECEIVERS OF PUBLIC MONEYS.

William Ashley, of Sandpoint, Idaho, at Coeur d'Alene, Idaho.
Mrs. Caroline S. King, of Minnesota, at Cass Lake, Minn.
William O. Ligon, of Gloster, Miss., at Jackson, Miss.
Roy Henry Fuller, of Havre, Mont., at Havre, Mont.
Harry R. Grier, of Tonopah, Nev., at Carson City, Nev.
Mrs. Addie Longhurst, of Vernal, Utah, at Vernal, Utah.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 20, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. J. Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, at the front door of Thy Holy Bible Thou hath said, "In the beginning, God." This is the most majestical word ever uttered. At the call of this day give unto us a realization of Thy presence, and crown our labors with richest success, which is achievement, and make goodness and gratitude be the flowers of our daily conduct. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO WAYS AND MEANS COMMITTEE TO SIT DURING SESSIONS AND RECESSES.

Mr. IRELAND. Mr. Speaker, I ask the consideration of the following privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Illinois asks for the consideration of a privileged resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 40.

Resolved, That the Committee on Ways and Means is authorized to sit during the sessions and recesses of the present Congress; to employ such expert, clerical, and stenographic services, and to gather such information, through Government agents or otherwise, as to it may seem fit, in connection with the consideration and preparation of bills for the revision of the present tariff law and of other revenue legislation; to purchase such books and to have such printing and binding done as it shall require, in addition to requiring the attendance of the committee stenographers; and to incur such other expenses as may be deemed necessary by the committee. All expenses of the committee incurred for any such purposes shall be paid out of the contingent fund of the House on the usual vouchers approved by the chairman of the committee and the chairman of the Committee on Accounts.

With committee amendments, as follows:

On line 14, page 1, strike out the word "approved" and insert in lieu thereof the word "submitted," and in line 15, strike out the words "the chairman of the" and insert "approved by the."

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, will the gentleman explain the effect of the amendments?

Mr. IRELAND. Mr. Speaker, will the Clerk please read the resolution again as amended—that clause?

The Clerk read as follows:

So that the resolution will read, as amended, "All expenses of the committee incurred for any such purpose shall be paid out of the contingent fund of the House on the usual vouchers submitted by the chairman of the committee and approved by the Committee on Accounts."

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question?

Mr. IRELAND. Certainly.

Mr. BLANTON. I notice that the resolution provides that the committee may employ experts to gather statistics and information. I want to ask the gentleman if it is not a fact that our Tariff Commission, which sits at a great expense to the Government, is able to furnish all information, or if it is not, it should be able to furnish all information—such information as the committee might want to acquire through the employment of experts?

Mr. IRELAND. Well, the gentleman might better direct that inquiry to the Committee on Ways and Means.

Mr. BLANTON. Well, does not that feature of the resolution appeal to the chairman of the Committee on Accounts?

Mr. IRELAND. I am not offering any opinion on that. It is a matter resting with the Committee on Ways and Means.

Mr. MONDELL. Mr. Speaker, the gentleman will realize that there are lines of inquiry which the committee should enter into and take up which are not necessarily taken up by the Tariff Commission.

Mr. BLANTON. The gentleman from Wyoming realizes that he can call on that Tariff Commission chairman this morning for definite information on any particular item that is concerned with the tariff, and he can get that information within a very reasonable time.

Mr. MONDELL. And as far as they have investigated the matter, and in so far as they have the facts—and they have investigated many matters quite thoroughly—the information will be promptly forthcoming. But that commission can not cover all the fields of information.

Mr. BLANTON. My inquiry was just along the line of duplication of effort which we have been trying to stop here, and which we had hopes we would stop when our distinguished friends got into power.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Yes.

Mr. GARRETT of Tennessee. This resolution, as well as I can tell from memory, is similar to the resolutions that have been passed here before?

Mr. IRELAND. It is almost identical.

Mr. GARRETT of Tennessee. Except as to the matter of how the accounts shall be approved, it is without change?

Mr. GREEN of Iowa. It is a little more strict, a little more hedged about, than the resolutions that have been passed before, I will say to my friend from Tennessee.

Mr. GARRETT of Tennessee. How is it hedged differently?

Mr. GREEN of Iowa. I think the resolutions that have been passed before did not have that last provision with reference to the approval by the Committee on Accounts, although it was perhaps understood that that would be done.

Mr. GARRETT of Tennessee. I referred to that in my statement.

Mr. IRELAND. Whether or not it is so stated, that would be a necessity.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. IRELAND. Mr. Speaker, I move the adoption of the amendments.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

CLERKS TO COMMITTEE ON REVISION OF THE LAWS.

Mr. IRELAND. Mr. Speaker, I ask for the consideration of the further resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 22.

Resolved, That the Committee on Revision of the Laws of the House of Representatives of the Congress of the United States is hereby authorized to employ competent persons to assist in compiling, codifying, and revising the laws and treaties of the United States under the direction and supervision of the committee and the chairman thereof; that the persons so employed shall be known as revisers and assistants; and that the Clerk of the House of Representatives is authorized and directed to pay to the said persons from the contingent fund of the House of Representatives the amounts designated for each by the chairman of said committee upon vouchers by the said chairman, not to exceed the sum of $5,000 per annum until otherwise provided, beginning March 4, 1921.

With a committee amendment as follows:

After the word "chairman," in line 12, insert "and approved by the Committee on Accounts," so that the resolution will read: "That the Clerk of the House of Representatives is authorized and directed to pay to said persons from the contingent fund of the House of Representatives the amounts designated for each by the chairman of said committee upon vouchers by the said chairman, not to exceed the sum of $5,000 per annum until otherwise provided, beginning March 4, 1921."

Mr. GARRETT of Tennessee. Mr. Speaker, is the gentleman asking unanimous consent for the consideration of that resolution?

Mr. IRELAND. No; it is not necessary. It is a privileged resolution.

Mr. GARRETT of Tennessee. It is a privileged resolution?

Mr. IRELAND. Yes.

Mr. GARRETT of Tennessee. Well, does the gentleman intend to make a statement about the matter?

Mr. IRELAND. Yes; but I will answer the gentleman's inquiry first.

Mr. GARRETT of Tennessee. Mr. Speaker, I am wondering what the necessity is for this resolution at this time. At the last session of the last Congress the House passed the completed work of this committee. The Senate did not pass it. Is there any reason why to-day or to-morrow that committee can not report that same proposition which we passed here by unanimous consent, practically, without reading?

Mr. IRELAND. With very few additions, I think that is possible. This is the situation as it has been given to me by the chairman of that committee: You will recall that last session we appropriated $9,000 additional for this work. They turned back into the contingent fund about $3,200 out of that appropriation. The chairman of the committee assures the Committee on Accounts that it is necessary to make certain corrections in the bill that he presented at the last session before presenting it again. I do not know how much that will amount to. The corrections are largely of clerical and typographical errors, but will require considerable work. There may be some slight additions to be made, and there is an index to be compiled as well. The chairman of the Committee on Revision of the Laws has been so economical in his work heretofore that he has gained our confidence, and we did not think this amount unreasonable; and in view of what was done in the last session I think we may expect that he will save a considerable sum out of it.

Mr. GARRETT of Tennessee. Mr. Speaker, my inquiry certainly carries no thought of reflection upon the chairman of the committee.

Mr. IRELAND. I did not mean to intimate that.

Mr. GARRETT of Tennessee. But here is what I fear about this matter. There was a completed work that we passed four or five months ago. Now, why not pass that at once in the same way that we passed it then? I think there will be no objection. If this authorization is given to employ these revisers, the work of revision having been brought up to date in the bill presented by the chairman of the Committee on Revision of the Laws in the last Congress, the state of business will become such here that probably it will go on during this Congress and come up at the last of the short session. I should like to see the gentleman from Kansas [Mr. LITTLE] bring in the same bill that he brought in before, and secure its passage now in these early days of the session and cut off all these employees.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. IRELAND. Certainly.

Mr. LITTLE. Mr. Speaker, the gentleman from Tennessee [Mr. GARRETT] labors under a misapprehension as to the work of this committee, and that is surprising to me in view of his always accurate recollection. This resolution is, in effect, the same one that has been in force for a great many years.

Mr. GARRETT of Tennessee. There has been a necessity for it for a great many years, but I do not see the necessity now.

Mr. LITTLE. I think I can explain that to the satisfaction of the gentleman. For the last seven years there has been what was considered and was a continuing resolution, adopted in 1914, allowing the sum of $4,000 per annum for revision. Revision does not necessarily mean an overhauling of the entire code, and it has not been so held for many years. I am informed by my predecessor that prior to the administration of the House in 1912 the allowance was $5,000 a year for a reviser of the statutes. A reviser was employed first at $5,000 and then at $4,000 by what was considered a continuing resolution. For many years they never attempted to do such work as the committee did in the last Congress. They would pick out one subject, like the Judicial Code or the Penal Code, or interstate commerce, and revise it and bring it before the House, and many bills have passed the House in that way—the Penal Code, the Judicial Code, and the interstate commerce law, and some were passed by both Houses. The work of this committee for many years was to take up the laws, subject by subject, and revise them and bring in separate bills of a revisionary character. I thought it was best not to try to make so many bites of a cherry, but to compile one great code and get it all up, and the House was good enough to pass it. It will be presented very soon, and as soon as our committee is able to bring it out I think we can bring in a report, and I hope to have it passed promptly; but still, the gentleman must remember that that will only bring us down to the Sixty-sixth Congress. We are two years behind now. At the end of this Congress we will be four years behind. My own theory is that from now on we ought to be able to keep the revision up to date, or nearly so, so that there always shall be a complete edition and that we shall never be more than one Congress behind. Having the work of so many years now brought so nearly up to date, it is not going to be so hard next time. But by the end of this Congress we will have the work of two Congresses to bring up. Besides codifying the laws, this committee, in the Sixty-sixth Congress, discovered errors in the appropriations for one department by which discovery enough money was saved to pay all the expenses of this legislation and make the Government a net gain of $250,000. We have already saved the money we are asking for.

But that is not all. Not only do we have to keep the Revised Statutes up to date, but we have to follow it up. I have not in mind any particular thing that we want to revise.

What we have done has been to make a codification. Heretofore, when they brought up the Judicial Code, this committee reported that bill which did away with the circuit judges. I wish to suggest another thing, and I think this will specifically answer the gentleman's question. It is our duty to revise the statutes of the District of Columbia. In 1874, when the Revised Statutes of the United States were passed by Congress, that work was accompanied cotemporaneously by a revision of the statutes of the District of Columbia. Then the District Code was passed, but since that time there have been a great many amendments to it. The work of our committee in the last Congress was so extensive that we could not cotemporaneously bring up the codification of the laws of the District, and it is the purpose of the committee now to bring together a revision of all the laws relating to the District of Columbia.

We have considered various other projects; for example, a codification of the laws of the Territories and of our insular possessions. Then we hope, possibly before this Congress finishes its work, to present a codification of the treaties in such shape as to put them all into one volume, so that by the end of this Congress we will have not only this code but a revised statutes of the District of Columbia—not done since 1874—and possibly of the treaties. Under the rules this also is the work of our committee, and I propose now, if I have the approval of the House, to do what has not been done for 47 years, in addition to the codification of all the general laws, which our committee did in the Sixty-sixth Congress.

This resolution is practically the same as the one adopted for a good many years, and it provides for revision, just as they revised the laws for many years. A similar one was in force in the Sixty-sixth, Sixty-fifth, Sixty-fourth, and I do not know how many more.

Mr. GARRETT of Tennessee. Mr. Speaker, it looks to me as though this is simply a resolution to authorize the continuance of an employment the present necessity for which is not clearly evident.

Mr. LITTLE. I want to do just what the committee did in the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses under the former Democratic majority here. This is just such a resolution in effect as they adopted, and, having now disposed of the great work of general codification, we propose to do what is necessary to do in order to keep these things up to date.

Mr. GARRETT of Tennessee. The big proposition was then involved of the work upon which the revisers were supposed to be engaged.

Mr. LITTLE. They never attempted it for 47 years, and did not do what we did in the last Congress. They gave attention to various laws, one at a time, except, of course, when a commission spent $180,000, and from 1897 to 1906, to prepare a Revised Statutes.

Mr. GARNER. I hope the gentleman does not limit his activities to what happened in the Sixty-third, Sixty-fourth, and Sixty-fifth Congresses. If he does I shall certainly vote against this resolution, because we appropriated $4,000 a year during those Congresses and accomplished nothing, and there is no reason why we should keep up that process.

But I want to say to the gentleman from Kansas [Mr. LITTLE] that his work has been remarkable, and I think he should be commended for it. I am in hearty accord with what he hopes to accomplish, and I hope that at as early a date as possible he will bring in his code and get it passed and send it over to the Senate, and see if they can get some action on it there.

Mr. LITTLE. We are making a few changes, typographical and otherwise, and as soon as the printer gets it done I shall call the committee together.

Mr. HUSTED. Will the gentleman yield?

Mr. LITTLE. I will yield to the gentleman.

Mr. HUSTED. Some time ago my attention was called by the librarian of the Bar Association to the fact that certain executive orders in certain countries had the force of law, and that they have never been published. I would like to call the attention of the chairman of the committee to that fact and suggest that those be published because they are law and it is necessary that the American lawyers who wish to consult them should have a place where they are available.

Mr. LITTLE. I am obliged to the gentleman for reminding me of that fact.

Mr. BLANTON. Mr. Speaker, I call for the regular order.

Mr. LITTLE. The committee has had that under consideration, but those are not statutes and we can not codify them.

The SPEAKER. The gentleman from Texas demands the regular order. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question now is on the resolution as amended.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were 136 ayes and 61 noes.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point of no quorum, and the Chair will count. [After counting.] Two hundred and fifteen Members are present, a quorum, and the resolution is agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Cravens, one of its clerks, announced that the Senate had passed joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, in which the concurrence of the House of Representatives was requested.

ATTENDANT FOR LADIES' RECEPTION ROOM.

Mr. IRELAND. Mr. Speaker, I present the following privileged resolution.

The Clerk read as follows:

House resolution 44.

Resolved, That the Doorkeeper of the House of Representatives be, and he is hereby, authorized to appoint an attendant for the ladies' reception room of the House of Representatives during the Sixty-seventh Congress, at the rate of $100 per month, beginning on the 11th day of April, 1921, to be paid out of the contingent fund of the House of Representatives.

Mr. IRELAND. Mr. Speaker, this is the usual resolution, identical with that adopted at the last session, and is to continue the appointment of the person named.

The resolution was agreed to.

CANCELLATION STAMPS, CHICAGO POST OFFICE.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2185) providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to furnish to and direct the use of cancellation stamps by the Chicago post office, bearing the following words: "Pageant of Progress Exposition, Chicago, July 30 to August 14, 1921."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Chicago post office of special canceling stamps bearing the following words and figures: 'Pageant of Progress Exposition, Chicago, July 30 to August 14, 1921.'"

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask if the Post Office Department has not authority to permit the use of this stamp?

Mr. STEENERSON. Yes; but the requests for this privilege became so numerous that the department in 1901 found it necessary to issue the following order:

It is hereby ordered that post-marking dies shall not be used for advertising purposes except upon special permission from the Post Office Department, application for which should be made to the Fourth Assistant Postmaster General, and which will not be granted unless it be for some national purpose for which Congress shall have made an appropriation.

The "Pageant of Progress Exposition" at Chicago, while of national importance, fails to come within the exception. Hence the department could not consistently grant the request, and it became necessary for Congress to do so. We passed a similar bill in the last Congress in behalf of the Roosevelt Memorial Association. The bill as amended will not put any expense on the Government, for the cost of the dies will be paid for by the exposition.

Mr. WALSH. If it is discontinued under Executive order, why does not the committee report a general authority?

Mr. STEENERSON. We did not think it would be advisable. The department has made an exhaustive report on the subject, and we thought we would leave it to the wise discretion of Congress to determine in what cases permission for cancellation stamps could be made.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

IMMIGRATION.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present a privileged resolution.

The Clerk read as follows:

House resolution 56.

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 2, entitled "A bill to limit the immigration of aliens into the United States." That there shall be not to exceed four hours of general debate, the time to be divided equally between those favoring and those opposing the bill. That after general debate the bill shall be considered under the 5-minute rule. That upon the completion of such consideration the committee shall automatically rise and report the bill to the House with the amendments thereto, if any. Whereupon, the previous question shall be considered as ordered on the bill and all amendments thereto to final passage without intervening motion except only the motion to recommit.

The following committee amendment was read:

Page 1, line 4, strike out "H. R. 2" and insert "H. R. 4075."

Mr. CAMPBELL of Kansas. Mr. Speaker, I move the previous question on the resolution and amendment.

The previous question was ordered.

Mr. CAMPBELL of Kansas. Mr. Speaker, I have no disposition to take the time of the House in discussing this resolution. The subject matter was discussed in the last Congress at length and in many other Congresses. A bill passed the House in the last Congress and another bill on the same subject passed the Senate. A conference agreed upon a bill which was sent to the President. There the bill failed. This matter comes up thus early in this session because of the failure to enact a law in the last Congress. Four hours of general debate is provided under the rule. It is thought that in that time the House will be fully advised as to the provisions of the bill, the difference between this bill and the bill which passed the House in the last session, and whatever differences there may be between this bill and the conference bill as agreed to.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARNER. It occurs to me that the gentleman from Kansas might occupy five minutes of his time in enlightening the new Members of Congress why it is necessary to have a special rule in order to consider this legislation, and explain to them whether or not it is the beginning of legislating in this House under a special rule, or if it is expected to pass the Republican program under the general rules of the House of Representatives.

Mr. CAMPBELL of Kansas. Mr. Speaker, the very ingenuous gentleman from Texas is never at a loss. On this occasion, however, I have no difficulty in answering his question. This ordinarily is Calendar Wednesday. It was desired to call the bill up to-day. Calendar Wednesday business has been set aside. Under the business in order on Calendar Wednesday the bill could have been called up on the call of the calendar, and under the rules of the House we would have had two hours of general debate. Then the bill would have been uncompleted and it would have gone over until next Wednesday. It is desired to have the bill taken up to-day under a rule, to have general debate for four hours, and pass the bill probably to-morrow or the next day.

Mr. GARNER. To-day is not Calendar Wednesday. Calendar Wednesday has been set aside. Under the rules of the House the gentleman from Washington could have called the bill up under a call of the calendar. Why not consider this bill under the general rules of the House?

Mr. CAMPBELL of Kansas. Because he thought it proper to consider it in this way. [Laughter.]

Mr. GARNER. That answers the question.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LONGWORTH. The gentleman from Texas is insinuating that it is the purpose of the majority of this House to pass all of its program under a special rule. I suggest that the gentleman from Kansas point out to the gentleman from Texas the fact that we passed a very important part of our program the other day, a tariff bill and an antidumping bill, without any special rule whatever.

Mr. GARNER. Yes; and I want to commend the Republicans for doing that, and I want them to keep up the good work. It seems to me that now you have no good reason for changing that good resolution.

Mr. MANN. Does not the gentleman from Kansas think it might be a very good time to demonstrate to the gentleman from Texas and the other new leaders on that side of the House what we can do if we want to? [Laughter.]

Mr. GARNER. There is no doubt about what you can do when you want to do it.

Mr. MANN. And we are going to do it.

Mr. GARNER. You have the might, and of course that makes the right, according to your philosophy.

Mr. CAMPBELL of Kansas. We thought it proper to show to the country that we could pass an immigration bill through this House in about eight hours.

Mr. GARRETT of Tennessee. Mr. Speaker, since the gentleman has stated that, and since the gentleman from Illinois [Mr. MANN] has said it is well to show what the Republicans can do when they desire to do it, let me ask the gentleman from Kansas if it is not a fact that this particular bill, like the tariff feature of the revenue bill which was passed a few days ago, has been ordered passed by the Senate, and if they have not said to the gentleman from Washington [Mr. JOHNSON] and to the organization upon the Republican side of the House, "Sign upon the dotted line"? Else why is it that the gentleman from Washington did not bring in the bill under the general rules of the House.

Mr. MONDELL. Does the gentleman want an answer to that?

Mr. MANN. The practice to which the gentleman from Tennessee refers has not prevailed since the incumbency of the last President, and when the Democrats were in the majority in Congress.

Mr. MONDELL. If the gentleman from Tennessee puts that as an inquiry, and if he wants an answer, I would say to the gentleman that nothing of the sort has occurred.

Mr. GARRETT of Tennessee. That is rather surprising in view of the attitude taken on the tariff question.

Mr. MONDELL. That is the gentleman's theory of the attitude we took on tariff legislation, and he is probably just as wrong about that as he is about this.

Mr. GARRETT of Tennessee. Oh, I do not want to get the gentleman into a quarrel with the gentleman from Michigan [Mr. FORDNEY].

Mr. BLANTON. Mr. Speaker, will the gentleman from Kansas yield for a question?

Mr. CAMPBELL of Kansas. Yes.

Mr. BLANTON. The gentleman from Ohio [Mr. LONGWORTH] indicated that it was not necessary to have a rule to pass the emergency tariff bill. He forgot to state at that time that the tariff bill is in a class by itself under special rules of the House, and that not a single new item, for instance, such as hides, could be offered to it without its being out of order. The tariff bill was in a class by itself, and therefore was in the nature of being passed under a special rule.

Mr. CARTER. At least under a special order.

Mr. BLANTON. Under a special order of the House.

Mr. CAMPBELL of Kansas. I reserve the remainder of my time.

Mr. POU. Mr. Speaker, I must confess that I see no particular reason for considering this bill under a special rule, and yet being heartily in favor of the bill, I shall not oppose the adoption of the rule. Just why it became necessary to provide for the consideration of the bill in this way has not very definitely appeared. Being heartily in favor of the bill, I shall not oppose the adoption of the rule. I reserve the remainder of my time and now yield five minutes to the gentleman from North Carolina [Mr. WARD].

Mr. WARD of North Carolina. Mr. Speaker, I rise with the greatest respect possible for the conventionalities of the House, one of which is that a new Member should be seen and not heard, as far as possible, until his convictions shall be seriously opposed and he shall see practically irresistible reasons why he shall speak. It is especially becoming that he shall receive counsel and not assume to instruct; but as a Representative of the new membership of this body, I feel greatly surprised that this particular measure should be, as it seems to me about to be, railroaded through the House. The word is most respectfully used. I recognize the custom and the right and probably the wisdom of the custom so to conduct strictly partisan measures. I came from the people knowing that the Republican caucus would rush through this emergency tariff bill. It is a political measure, and rapidity of action is demanded by the interests which the Republicans represent, as they see it, and important as it was and as anxious as I was to put upon record my objections to it, I entered them not then, nor do I propose to enter them now, because politics must have its way, whether right or wrong.

If this particular bill is to be taken up under a special order, instead of under the general rules of the House, I ask the new membership of the House, how they are to ever know what is being passed and what is the duty they owe to the country, except by following their leaders, if there be any on this nonpartisan question. As I understand it, the doctrine of arbitrarily following leadership is getting a little taboo in this country just now, and probably ought to be. I have had opportunity to read to the middle of the second page of this great measure. I feel my constituents are intensely interested in it. Usually I shall be found following the lead of the gentleman on my right, the gentleman from North Carolina [Mr. POU], but I am not committed to his leadership here, and it does not become me to follow his leadership or any other partisan leadership on this question, for in no respect does it partake of politics. I know there are vastly different views on my side of the Continent from those held upon the western side of the Continent upon the great question of immigration, which touches the economic life of that country most vitally.

But I have only been able to read to the middle of the second page. How am I to get information upon this important question if four hours of debate are to be allowed only, and that debate properly assigned to those most experienced in this body—members of the higher committees and leaders of the caucus? If I am to get it, I must go over into a committee of which I am not a member or into the Republican caucus, if it is or was there considered, and in that presence I would be decidedly contraband. I would be entirely out of place. Speaking politically, and I assure you I am not speaking personally, I would be quite as much out of place as a vestal virgin in a Turkish harem. [Laughter.] But permit me to say that is purely political and not personal. I have viewed the present Republican side of this House with much admiration. I have looked upon their faces, looming with intelligence and beaming with the qualities of strong Americanism. [Applause.] And especially have I noticed and been impressed with the evidence of the magnificent mentality and qualities of strong analytical power, discrimination, and logic in the trained mind of the gentleman from Illinois [Mr. MANN] [applause on the Republican side], but, as a lawyer, as a man capable of appreciating those qualities of mentality and of manhood, I address my remarks to him and appeal to such a mentality as that: Why I, as a Member, shall not have at least opportunity to read a bill of indictment before I know what the defendant is indicted for——

The SPEAKER. The time of the gentleman has expired.

Mr. POU. I yield two additional minutes to the gentleman.

Mr. WARD of North Carolina. At least to read the complaint before I assume to know what the plaintiff's cause of action is. I appeal to the gentlemen in charge of this bill for some intelligent, satisfactory explanation of why this haste. Now, gentlemen, I come from a school of political education which instructed me that this House of Congress was a great body of deliberation, the popular branch of the National Legislature; that it was here where the popular sentiment of this Nation was voiced by debate, by exchange of views, yet I heard it said on the floor of this House during the consideration of the emergency tariff bill that it was expected that the Senate would give the necessary time to that measure, so I presume the policy is to be adopted that it shall be in the other end of the Capitol where consideration shall be given to this and similar measures, and this great, popular branch of the National Legislature shall be no more than a suggestive body, and send these great measures over where debate is not so limited, making of the Senate not what it was intended by the fathers of the Government to be, a representative of the States, but making it a great, popular body, where measures are considered, and this House merely an inquisition. Most respectfully, gentlemen, do I as a young Member protest against the consideration of this bill under this special rule, for the reason that it seems to me that it is not demanded, especially considering the fact that you are not yet hurried; business has not yet accumulated on your calendar, and

there is no demand for a drive nor for a rush. Let us take it along easier, more slowly, and intelligently. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman has again expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote on the amendment.

Mr. POU. Mr. Speaker, I will yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker and gentlemen of the House, before giving my objections why this resolution should not be adopted I can not help from extending my appreciation to the membership of this House for the courtesy extended by electing me on the two committees to which I was designated by the minority, as otherwise I know I would have been precluded from giving expression to my views on the immigration question.

Mr. Speaker, I have at all times opposed legislation by special rule. Like the gentleman from North Carolina [Mr. WARD], I do not see any reason for this haste. The gentleman from Kansas [Mr. CAMPBELL] states that this measure was considered in the last Congress and passed by a large majority, and therefore there is no need for us to waste a great deal of time in its consideration. I am of the opinion, Mr. Speaker, that the reasons that were assigned in the last session do not now exist. They did not exist then, and they do not exist now. At that time gentlemen who had demanded haste for the passage of this legislation were fearful that within three or four months millions of immigrants who were declared to be undesirable would be flooding our country. To-day, I am sure, after three months have passed, that in justice to themselves they can not again make the same charges and sway the House in favor of this legislation. Instead of these millions, whom you feared, only a small number did enter the United States this year. For that reason I feel it is not necessary to rush this legislation, and the Members at this time should have a chance to consider the provisions of this bill. You have no bills ready, and will not have any to-morrow or the day after, so why not afford opportunity to the new Members, yes, and some of the old Members, to familiarize themselves with the provisions of the bill. I believe if the membership of this House would thoroughly acquaint themselves with all its unjustifiable provisions that many who voted for the bill heretofore and many of those who intend to vote for it would hesitate before they would cast their vote for it. I think this legislation should not be considered so hastily. It is important legislation, and due consideration should be given it, and it is for that reason I feel a special rule should not be adopted.

Mr. HUDSPETH. Will the gentleman yield for a question?

Mr. SABATH. I will.

Mr. HUDSPETH. Is this the same identical bill passed by this Congress, adopted by the conference committee, and vetoed by the President?

Mr. SABATH. In the main, yes. The committee has adopted several amendments which, however, are not of great importance.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4075.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States, with Mr. STAFFORD in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4075) to limit the immigration of aliens into the United States.

Be it enacted, etc., That as used in this act—

The term "United States" means the United States and any waters, territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

The term "immigration act" means the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States"; and the term "immigration laws" includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens residing in the United States who return from a temporary visit abroad; (3) aliens in continuous transit through the United States; (4) aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; (5) aliens visiting the United States as tourists or temporarily for business or pleasure; (6) aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration; (7) aliens from the so-called Asiatic barred zone, as described in section 3 of the immigration act; (8) aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands; or (9) aliens entitled to readmission to the United States under the provisions of the joint resolution entitled, "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces," approved October 19, 1918.

(b) For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration was made in the United States census of 1910.

(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the creation of new countries, the Governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were born within the area included in such new countries or in such territory so transferred, and revise the population basis as to each country involved in such change of political boundary. For the purposes of such revision and for the purposes of this act generally aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants, may if otherwise admissible be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall (unless visiting the United States as tourists or temporarily for business or pleasure) be counted in reckoning the percentage limits provided in this act: *Provided further*, That in the enforcement of this act preference shall be given so far as possible to the parents and minor children of citizens of the United States, and to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the passage of this act and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the passage of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between May 10, 1921, and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

SEC. 4. That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

SEC. 5. That this act shall take effect and be enforced on and after May 10, 1921 (except sections 1 and 3 and subdivision (c) of section 2, which shall take effect immediately upon the passage of this act), and shall continue in force until June 30, 1922, and the number of aliens

of any nationality who may be admitted during the time between May 10, 1921, and the close of the current fiscal year shall be limited to one-sixth of the number who are admissible annually as provided in section 2 of this act.

During the reading of the bill the following occurred:

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. SABATH. Reserving the right to object, this is a short bill and will take only about five minutes to read. I think we ought to have it read.

The CHAIRMAN. The gentleman from Illinois objects, and the Clerk will read.

The Clerk concluded the reading of the bill.

Also the following committee amendments were read:

Page 3, line 14, after the word "islands," strike out the word "or."
Page 3, line 20, after the figures "1918," strike out the period and insert a semicolon and the following: "or (10) aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are seeking admission to the United States to avoid religious persecution in the country of their last permanent residence, whether such persecution is evidenced by overt acts or by laws or governmental regulations that discriminate against the alien or the race to which he belongs because of his religious faith."
Pages 5 and 6, in line 24, strike out "visiting the United States as tourists or temporarily for business or pleasure" and insert in lieu thereof the words "excluded by subdivision (a) from being counted."
Page 7, line 20, strike out the word "subdivision" and insert in lieu thereof the words "subdivisions (b) and."

Mr. JOHNSON of Washington. Mr. Chairman, an understanding has been reached among the members of the Committee on Immigration and Naturalization that this four hours of general debate is to be divided into quarters, one-fourth of the time to be controlled by myself, on the majority side, for the bill; one-fourth by the gentleman from California [Mr. RAKER], on the minority side, for the bill; one-fourth by the gentleman from New York [Mr. SIEGEL], on this side, against the bill; and one-fourth by the gentleman from Illinois [Mr. SABATH], on the other side, against the bill, making a fair distribution for both sides of the question and for both parties. The division is not on party lines.

Mr. RAKER. That will be satisfactory.

The CHAIRMAN. The Chair will respect the wishes as stated by the gentleman from Washington, and will now recognize him for one hour.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, a little more than four years ago the Congress of the United States, in extraordinary session, by solemn vote declared the entrance of the United States into the World War. The fourth anniversary of that momentous event occurred but a couple of weeks ago, and on the day of that anniversary I was here in the city of Washington awaiting the assembling of this extraordinary session of Congress. I reflected on the assembling of that extraordinary session of the Sixty-fifth Congress, with its many new Members, for the purpose of making that declaration of war. I reflected how hard was the first vote of those new Members. I ran over the four years that have passed since that entry of the United States into the great World War and reviewed the world events in which the United States had participated. I thought of the many war laws, the things done, the things to be undone.

I contemplated the debts to be paid. I tried to think of the burdens placed not only upon this generation but the next generation—all for our country's good and our country's honor—and I could not help but think, my friends, that our children's children may not live to see the settlement of the problems brought about through our entry into the World War. Members of Congress knew then, as Members of Congress know now, that the first duty of an American Congressman is to his own country, the United States of America. [Applause.]

Then I fell to thinking about all of the attempts that have been made to restrict immigration, running for these many years past. I remembered how, shortly after the armistice, more than two years ago, our late lamented friend from Alabama, John L. Burnett, who was then chairman of the committee, introduced a bill suspending immigration, containing certain exemptions. That bill was debated and discussed in the committee, reported out, and took its place on the calendar. But it could not be acted upon for want of time. And in the last Congress numerous bills were introduced to restrict or suspend immigration. And I reviewed the action of the last House of Representatives which by an overwhelming vote passed that bill, the action of the other body of the Congress in passing a substitute bill after long hearings, the action in conference, and the final sending of the bill to the President a few days before the final adjournment of the Congress, his failure to act, and the death of the bill. I saw the forces in opposition then; I see them now. And now to-day, ready as a new Congress to leap into action, we are met here with the statement that we need more time; that there must be more discussion, must be more hearings; that gentlemen have not time to consider a problem which, my friends, whatever way you may decide it finally, is so important that it will affect this generation of the people of the United States, their children and their children's children, as much as any legislation which can be placed upon the statute books.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of Washington. I will ask the gentleman to excuse me for a few moments.

Much consideration has been given to the measure now placed before you. I hope Members, and particularly the new Members, who come here desiring to pitch into the work of the Congress of the United States, will realize what the passage of such a bill will mean to the Government of the United States in the future. I hope the new Members will come to a quick knowledge of why delays occur in the attempt to pass legislation of this kind, why it is that committees act slowly; then they can tell their constituents why we have been all these years engaged in an effort to slow down the streams of immigration from other countries into the United States.

Mr. WARD of North Carolina. Will the gentleman yield?

Mr. JOHNSON of Washington. I ask not to be interrupted just now. In a few minutes I will yield.

I ask the Members to study carefully the report that accompanies this bill, which carries statements both for and against the measure.

Mr. WARD of North Carolina. I wish to make a suggestion.

Mr. JOHNSON of Washington. If the gentleman insists, I will yield to him.

Mr. WARD of North Carolina. I wish to say as to the suggestion of the gentleman about pitching into the work of Congress that the speech made by me was not in reference to pitching into the work of Congress, but merely suggesting that, as Congress was not yet hurried, it should take more time.

Mr. JOHNSON of Washington. I ask that the Members pay some attention to Report No. 4, in which will be found, as an appendix, a letter from the Secretary of State submitting to me, as chairman of the Committee on Immigration and Naturalization, a paraphrase of reports made to the State Department and containing facts and statistics concerning the situations in the various places in central Europe from which immigrants are coming or trying to come to the United States.

I desire at this time to express my appreciation of the fairness of the views of the minority as expressed in this report signed by the dissenting members of the committee. I believe they are moderately stated and properly stated from their viewpoint. There are two sides to this great problem. However, I am firmly convinced that the United States must act and act very soon for its own protection and for the protection of those who would enter whom we can neither feed nor support nor assimilate. I disagree, of course, with the statement that there has been no time for study or for investigation or for hearings. We have been at it for two years. The newspapers have been full of it. I judge that if we listened to all those demands for time, for hearings, for inquiry we would be holding hearings until eternally too late.

Mr. Chairman, I trust that all the Members will realize that it is almost impossible to discuss this great subject of immigration without making statements that may seem offensive to certain people or classes of people or even to certain countries. I hardly need to say that neither myself nor any member of the Committee on Immigration has any animus or prejudice in the matter. It is our desire to get the facts and place them before the House with the least possible offense to any race, any people, or any country, remembering always that we are trying to act for the best interest of the United States now and for all the years to come.

I was sorry to note in the morning papers, particularly the New York newspapers—I have not seen the others, except the city papers—that the Associated Press, in giving out a statement in connection with this report of the committee, speaks of the appendix, which will be found on page 9, as embracing the views of the Secretary of State, the Hon. Charles E. Hughes. Apparently the newspaper men have drawn that conclusion from

the fact that a letter from the Secretary, dated April 16, submits certain data to me as chairman of the committee. The Secretary's letter reads as follows:

DEPARTMENT OF STATE,
Washington, April 16, 1921.

Hon. ALBERT JOHNSON,
Chairman Committee on Immigration and Naturalization,
House of Representatives.

SIR: I have the honor to acknowledge receipt of your letter of April 8, 1921, addressed to Mr. Carr, Director of the Consular Service, requesting the latest available information concerning the numbers and nationalities of aliens who are contemplating emigrating to the United States from abroad.

In reply I beg to inclose a list, accompanied by certain explanatory notes, showing by countries the total number of visés granted each quarter by consular offices in Europe during the year ended December 31, 1920. There are also inclosed paraphrased abstracts of reports concerning immigration received from officials of this Government who have been abroad. The reports are listed under the country and place from which they originated.

Copies of the information sheets inclosed have also been sent to the Hon. LEBARON B. COLT, chairman Committee on Immigration, United States Senate.

I have the honor to be, sir,
Your obedient servant, CHARLES E. HUGHES.

I would take that to be a letter of transmittal. Further, let me say that I may be a bit old-fashioned about our Government and the functions of the legislative and executive branches of it, and that while I desire exceedingly to see restrictive immigration legislation of any kind passed and become a law, I feel that it is not my duty as a Member of this body to see personally and to appeal to the Secretary of State, or the Secretary of Labor, or to our President, or to anyone else for this legislation except the Members of this body. To you I present, with the approval of the Committee on Immigration and Naturalization, this bill and ask for its passage.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

Mr. JOHNSON of Washington. Yes.

Mr. RAKER. There may be some comment relative to the exhibits attached to this report of the chairman of the committee. I will ask the gentleman if it is not a fact that the reports as attached have been modified as much as possible, so that the facts present only about half of the reasons that actually exist?

Mr. JOHNSON of Washington. I can not undertake to determine the degree of modification. These reports are paraphrases of reports which are written in other words, and I think it will be admitted that they have been reduced in an effort not to be offensive to the people of foreign countries, to foreign Governments, or to people of foreign birth in the United States.

Mr. Chairman, I shall not have time to read these several reports of consular agents and others who made reports to the State Department. It is for the gentlemen of the House to read them.

I ask unanimous consent, Mr. Chairman, to insert in the RECORD portions of the report.

The CHAIRMAN. The gentleman asks unanimous consent to insert in the RECORD the document referred to. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. As an appendix to Report No. 4 on this bill, H. R. 4075, appears a copy of the letter of Mr. Secretary Hughes transmitting the documents asked for and copies of the documents, as follows:

APPENDIX A.

Following is a letter from the State Department submitting visé statistics and reports from Government officials concerning conditions in Europe:

DEPARTMENT OF STATE,
Washington, April 16, 1921.

Hon. ALBERT JOHNSON,
Chairman Committee on Immigration and Naturalization,
House of Representatives.

SIR: I have the honor to acknowledge receipt of your letter of April 8, 1921, addressed to Mr. Carr, Director of the Consular Service, requesting the latest available information concerning the numbers and nationalities of aliens who are contemplating emigrating to the United States from abroad.

In reply I beg to inclose a list, accompanied by certain explanatory notes, showing by countries the total number of visés granted each quarter by consular offices in Europe during the year ended December 31, 1920. There are also inclosed paraphrased abstracts of reports concerning immigration received from officials of this Government who have been abroad. The reports are listed under the country and place from which they originated.

Copies of the information sheets inclosed have also been sent to the Hon. LEBARON B. COLT, chairman Committee on Immigration, United States Senate.

I have the honor to be, sir,
Your obedient servant, CHARLES E. HUGHES.

Alien visés granted.

Country.	Quarter ended— Mar. 31, 1920.	June 30, 1920.	Sept. 30, 1920.	Dec. 31, 1920.
Austria	39	286	490	2,052
Belgium	1,638	1,972	2,101	1,325
Bulgaria	8	22	24	166
Czechoslovakia	902	3,161	9,689	14,313
Danzig	.....	10	1,812	399
Denmark	1,334	1,330	2,138	1,435
Finland	177	305	671	1,190
France	2,993	4,060	4,911	4,909
Germany	10	518	1,130	1,814
Great Britain and Ireland	16,839	24,907	27,228	21,870
Greece	5,183	8,323	7,665	9,497
Italy	56,154	78,603	62,879	47,335
Jugo-Slavia	.....	.....	1,638	4,227
Malta	1,230	1,620	814	135
Netherlands	2,603	3,177	3,512	[1]775
Norway	1,501	2,016	2,436	1,825
Poland	995	8,252	14,860	20,013
Portugal	3,567	3,932	4,093	3,797
Rumania	355	1,717	4,099	6,371
Russia	5	87	351	1,156
Serbia	1,181	2,500	3,344	(1)
Spain	5,787	10,189	9,955	7,540
Sweden	1,603	2,508	3,420	3,333
Switzerland	1,436	1,829	2,389	2,076
Trieste	.....	.....	.....	1,411
Turkey	796	2,581	2,745	2,703
Total	106,335	163,905	174,394	161,658

[1] Incomplete; December reports not received from Belgrade and Rotterdam. Total 4 quarters, 1920, 606,292.

NOTES ON ALIEN VISÉS GRANTED IN EUROPE.

It should be noted that the foregoing figures of visés granted to aliens coming to the United States are for Europe alone. Figures for the December quarter are incomplete, as reports have not yet been received from several posts. The total will reach about 170,000.

There have been continued and decided increases from nearly all countries where no unusual restriction occurred. In the December quarter visés in Italy fell off to the number of 16,000 because of the action of the Italian Government in refusing passports to would-be emigrants. The number of visés at Danzig was less because in the September quarter Polish passports were viséed at Danzig for a few weeks, and this was discontinued when the Warsaw office was reopened. Spanish visés decreased because of reports in Spain about employment in the United States.

In using the figures of visés granted to aliens by American consuls abroad in connection with the subject of immigration, there are two features of outstanding importance:

1. The totals of these figures in reality show only a movement of emigration from about one-third of the European territory. Aliens are not allowed to come freely to the United States at the present time from Germany, Austria, Hungary, Turkey, and Russia, and the small figures indicated from these countries represent very unusual and extremely urgent cases which have been permitted by the department. The total figures would be very much larger (probably much more than double) if there were free transit between these countries and the United States.

2. As a rule the movement of immigration falls off very considerably in the December quarter, and this has not been the case in 1920, when so many thousands of Europeans are desirous of emigrating to the United States. It was only the enforced restriction in Italy that prevented a considerable increase in the number of visés granted in the December quarter.

The comparatively low figure for the March quarter was due to the lack of transportation facilities, as it was not until May or June that steamship schedules were back to normal.

Following are paraphrased abstracts of reports to the State Department from officers of the United States Government:

POLAND.

Warsaw, March 9, 1921: Steamship companies in Warsaw are beginning to sell second and even first class passenger tickets with a view to obtaining earlier consideration for emigrants desiring to come to the United States. This is due to the tremendous pressure of some 35,000 waiting emigrants or third-class passengers who have been given scheduled dates for the filing of their applications. It is recommended that the health authorities scrutinize carefully all passengers.

Warsaw, February 25, 1921: The Jewish weekly publication Der Emigrant, issue of February 10, contains references to the activities of the Hebrew Sheltering and Immigrant Aid Society. According to this paper the H. I. A. S. has paid out to 3,100 people an amount of $1,045,000 in cash and $590,000 in orders for steamship tickets. The information department of the H. I. A. S. accepted during January 12,000 people; 4,800 telegrams were sent to America, and the Polish visé department accepted 5,000 persons; 5,500 affidavits were registered and filed by the H. I. A. S.

Warsaw: A Jewish newspaper entitled Der Emigrant, issue of December 15, of Warsaw, which purports to be published for the purpose of assisting immigrants and which states that it has no connection with any party or group, contains data concerning immigration.

The following points are brought out in this issue:

Jewish economic life has been destroyed by the Great War. The years 1919 and 1920 are considered the worst years. They have been compelled by war to emigrate. "The numerous emigration streams do not acknowledge any limit or any regulation." The emigration stream flows especially from the Ukraine, and many Jews from other countries and districts have already made preparations to start. The paper characterizes passport formalities as "difficult and troublesome." The paper recommends that emigration committees handle these formalities,

Special reference is made to the Hebrew Sheltering and Immigrant Aid Society.

The paper describes the duties of this committee as supplying emigrants with lodging, food, and necessary information to protect them from swindlers.

The recent reports that emigration to America is to be stopped is characterized by Der Emigrant as over exaggerated or false and attempts to point out that this country will not stop immigration because of its economic needs. In this connection Der Emigrant says that the "American Government can only regulate immigration so that the immigrants should not get gathered in the port towns as in New York," etc. According to this paper, 80,000 Ukranian Jews have been obliged to leave their homes, but are unable to settle in Eastern Galicia and must continue their wandering. Very many of these persons are sick and numerous are in bad circumstances. The joint distribution committee supplies these persons with food. Those that have relatives in America are registered by the H. I. A. S. (Hebrew Sheltering and Immigrant Aid Society), which telegraphs to the United States for funds and documents. According to Polish authorities the paper states there are fifty to sixty thousand Ukranian Jews in Warsaw ready to depart for America. In Galicia there are one hundred or one hundred and twenty thousand Ukranian Jews. The most difficult thing for the emigrant to comply with formalities is to get personal documents, but the H. I. A. S. assists the emigrant in doing so.

In commenting upon the present conditions in America Der Emigrant gives the opinion of a Dr. Unterman, in which he says that the American Federation of Labor, with Mr. Samuel Gompers at its head, as well as "Wall Street interests," are desirous that immigration be stopped. While the paper admits that there are a large number of people out of employment, it states that this will not affect Jewish immigrants, as they are not employed in the big steel and iron factories where there is no work. The tailor shops, where many Jews are employed, are, according to the paper, not employing, but the paper optimistically expresses the hope that this will not last. The paper suggests that Jewish immigrants engage in the occupation of washing. The report in Poland that steamship tickets to America have been sold out is discounted by the paper.

Warsaw: Passport-control statistics indicate that the following percentage of classes of persons emigrated between December 10, 1920, and January 8, 1921: Forty-three per cent emigrated to join brothers and sisters; 13 per cent emigrated to join husbands and wives; 16 per cent joining parents (however, there are a relatively small proportion of this number minor children); 9 per cent emigrating to join children; 16 per cent emigrating to join distant relatives, including cousins; and 2 per cent of those emigrating have other connections.

Warsaw, March 24, 1921: During February the average number of visés granted daily were 219. The average number for March to date is 222. It is estimated that approximately 40,000 persons have been granted appointments to file their visé applications between March 24 and September 15.

Warsaw: Attention is directed to the character of the majority of the persons who are now leaving Poland for the United States. Only by a visit to the Ellis Island station will it be possible for one in the United States to comprehend the nature of these people, if he has never seen them in their native environment. At the present time it is only too obvious that they must be subnormal, and their normal state is of very low standard. Six years of war and confusion and famine and pestilence have racked their bodies and twisted their mentality. The elders have deteriorated to a marked degree. Minors have grown into adult years with the entire period lost in their rightful development and too frequently with the acquisition of the perverted ideas which have flooded Europe since 1914 * * *.

At the present time the average number of persons visiting the visé section of the consulate general at Warsaw is 1,000 daily.

A second predominant feature in the whole movement of these emigrants of all classes is their reason for proceeding to the United States. A pitiably small percentage is moving with a fixed purpose. Hundreds, both Jewish and Christian, or those of no religious profession, have been asked why they wish to go to America. The answer almost invariably is, "Please, mister, we have rich relatives there. We can find an easier life." These are not the Europeans of a sturdier day, who in family conference sternly resolved on the great adventure and set forth on unknown wastes to the new America across the seas. These are not those who hewed the forests, founded the towns, fought the savages, breasted the storms of wilderness, conquered the wastes, and built America. These are beaten folk, spirits broken, in effect driven from their European habitat into the west. They have no desire to form and build. They will exist on what has been prepared for them by a better people. They are in search of an easier life.

General conditions and a phase of the character of the people here form a very fertile soil for the growth of petty graft and scalping. One of the chief things to oppose is petty and grosser graft in passport and visé matters. This vice takes different turns and twists and touches people in more varied walks of life than is usually imagined. It may be considered as beginning with the fabrication of false passports by persons in Poland, which are sold to other persons unable to obtain regular documents for some reason or other. Several gangs engaged in this practice have been broken up. Of similar nature is the forging of visés of foreign officials in Warsaw. When authorities anywhere manage to break up one system here, and disperse one gang, another of different sort immediately appears.

Warsaw is filled to overflowing with people. Before the war a city of between 600,000 and 700,000, the population to-day is estimated at a million or more. With the coming of these mobs have come also thousands of criminals. The Warsaw police, military, do their best to protect the innocent emigrant, but their task is hard.

A number of organizations and individuals operate in Warsaw as relief societies. Chief among these is H. I. A. S. (the Hebrew Sheltering and Immigrant Aid Society). H. I. A. S. does all the detail work in connection with procuring passports for Jews from the Polish Government, up to the actual issuance of the passports themselves. H. I. A. S. has a station in Lemberg, where emigrants are assisted and sent on toward Warsaw.

Numerous private individuals from the United States, usually described as "delegates" representing some organization or group of persons in the United States, ordinarily New York City, have come to Europe loaded with American dollars to send people to their relatives or friends in the United States.

The political unrest in Poland is driving many emigrants to other lands. Bolsheviki disorders, oppression, and the policy of the Government itself are all contributing factors.

Warsaw: Extracts from articles appearing in the press of Warsaw show that propaganda favoring unrestricted immigration is contemplated. According to these articles this spring great celebrations will take place in New York, with a view to showing in what measure immigrants took part in the general development of the country. A great exhibition will be opened in which different races will take part. The exhibition will attempt to prove that America has profited more from the immigrant than the immigrant from America.

FREE CITY OF DANZIG.

January 31, 1921: Most of the emigrants passing through Danzig are en route from Poland to the United States. Of the 28,499 who were deloused at the Troyl camp during the period from July 3, 1920, to January 1, 1921, 23,895 came from Poland, 1,031 from Czechoslovakia, 758 from Ukrania, 749 from Lithuania and the Baltic States, and 730 from other countries.

Of the 13,646 who left the Troyl camp during the period from October 23, 1920, to January 1, 1921, 12,299 embarked for the United States, 160 for South America, and 1,187 for other countries, principally Canada.

Since practically all of the citizens of Poland must get their visés for the United States in Warsaw, most of the emigrants come directly from that place to Danzig.

BALTIC STATES.

Riga, Latvia, January 14, 1921: In considering the question of emigrants leaving the Baltic States it is important to remember that the recent land laws in all of these States and the present conditions have given to the small peasant a desire to cultivate the land, an opportunity which they have never before enjoyed. Few of these people are, therefore, leaving the country, and this is the class from which desirable emigrants have been drawn. The class of Letts and Lithuanians who are leaving are the people from the slums of the cities and towns and are of an undesirable type.

RUMANIA.

Bucharest: A large number of undesirable aliens are applying for permission to proceed to the United States. Besides being as a class economic parasites, tailors, small salesmen, butchers, etc., they are not unsympathetic with bolshevik ideas. Emigrants from Bessarabia fall within the above-mentioned class. While continued rumors concerning the exaggerated opportunities for employment and salaries in the United States are heard, no real evidence of any organized propaganda encouraging emigration has been found. It is thought that any rumors concerning propaganda for encouraging emigration originates from advertisements of steamer sailings published by steamship agencies, from general dissatisfaction with local conditions, and from comments thereon from returning emigrants and their comparison with conditions in America. This "natural" propaganda can not, of course, be traced but the Rumanian authorities are opposed to propaganda for encouraging emigration to America. To investigate conditions at the source of emigration by way of establishing a basis for reasonable suspicions against emigrants on criminal grounds is at present impracticable. The class of persons who form the majority of emigrants from Bessarabia offer no particular value to our country as productive labor, but rather increase our burden of petty middlemen with ideals of moral and business dealings difficult to assimilate with our own. While some of the large relief organizations are doing good work in relieving the distressed people in this country, a large part of their work consists in transmitting funds and furnishing material assistance to persons who have decided to emigrate. There is reported considerable smuggling of refugees from the Ukraine into Bessarabia, and it is claimed that many of these are able to obtain Rumanian passports.

Bucharest, January 8, 1921: The director general of police of Rumania has issued an order excusing all Jews from military service and permitting their discharge from the army if they desire to emigrate to America. While these persons and others of Russian origin who may be residents of Rumania have no difficulty in obtaining permission to depart, Transylvanians on the other hand, who for the most part are agricultural laborers, encounter great difficulty in obtaining the authorization to emigrate.

Bucharest, March 19, 1921: There are on an average 1,500 persons waiting examination for permission to leave for the United States. The increase is due to the fear of anti-immigration laws and to present good weather. From January 16 to March 15 the daily average was 103.06 visés granted by the consulate.

SERBIA.

Belgrade: There has been a tendency in Jugoslavia to look unfavorably upon any large emigration from that country, as it is thought that the new Kingdom needs all its citizens for its own proper future development.

Polish emigrants in transit through Jugoslavia constitute a sanitary menace.

Zagreb: It is estimated that under present regulations 15,000 emigrants will proceed to the United States before July. This number will be doubled if the restrictions against former Austrian soldiers are abolished.

RUSSIAN CAUCASUS.

Tiflis: The monthly average of visés granted at Tiflis is about 10. It is roughly estimated that at least 1,000 persons in the Tiflis district, which include Armenians, Georgians, Azerbaijans, and such Russians and Persians as reside in the Caucasus, are now awaiting an opportunity to emigrate to the United States, but should the soviet government continue in Armenia and should Georgia be invaded by the Turkish nationalists or soviet Russia the number is likely to very greatly exceed this estimate. It may be accepted as nearly literally true that every Armenian family which has enough money to get away or is not impregnated with bolshevism will ultimately endeavor to emigrate to America. Russians and Georgians are likely more and more to emigrate to the same haven, as permission to go to England, France, and Italy is made constantly more difficult.

The great bulk of emigrants to the United States from this district are highly undesirable as material for future American citizens. They are not only illiterate, but the years of unsettled conditions in which they have been forced to live have caused them to lose the habit of work. Their physical and moral courage is greatly depleted, as well as their physical constitutions. The bulk of them have been habituated either to lawlessness or to the exercise of violence in the name of the law for so long that if not actually impregnated with bolshevism they are good material for bolshevik propaganda. Our restrictions on immigration should be so rigid that it would be impossible for the most of these people to enter the United States. Reference is especially made

to Armenians, Jews, Persians, and Russians of the ordinary classes, all of which have been so driven hither and thither since 1914 that they can not be regarded as desirable populations for any country. There are, of course, many individual exceptions.

MESOPOTAMIA.

Bagdad: It is estimated that 5,000 Armenians and 20,000 Assyrians would proceed immediately to the United States but for the lack of funds and present restrictions. Rigid restrictions are recommended in view of the fact that the present population of the United States is becoming too heterogeneous.

GERMANY.

Berlin: The January issue of the Allegemeine Deutsche Auswanderer Zeitung states that 9,154 Germans have emigrated overseas in the period from the end of the war until October, 1920, and all except 616 sailed from Hamburg and Bremen. Further, that despite difficulties adverse to emigration, such as passport formalities and depreciation of the German mark, the number of emigrants almost doubled in the second year.

AUSTRIA.

Vienna: While there are no Government restrictions on emigration from Austria, the great depreciation of Austrian currency—at present about 10,000 per cent—make the cost of passage far too high to be within the reach of those who would be tempted to try their fortune in the United States if the steamship ticket could be bought in crowns at the prewar rate of exchange.

Nearly all persons now emigrating to the United States travel on tickets sent to them by relatives in the United States.

BELGIUM.

Antwerp, January 24, 1921: Emigration from Belgium to the United States in 1920 was very small, the total being 7,402, of whom practically 5,220 went to the United States; 31,984 emigrants embarked at this port in 1920, out of which 23,453 went to the United States, Mexico, and Central America. A large percentage of those leaving for Canada merely passed through that country in transit. The Belgian emigrants were largely farm laborers, industrial workers, and a desirable class. They were mostly destined for the Middle West. Poles and Czechoslovaks of the Jewish race made up the greater number of emigrants from this port. These emigrants passed through Antwerp and Rotterdam, as Antwerp and Rotterdam are the natural outlets of this traffic. The monthly emigration statistics from April, 1919, to December 31, 1920, show a steady increase of emigration from central Europe passing through this port. Belgian emigration is decreasing rather than increasing.

The prospects for 1921 are that there will be a small emigration from Belgium proper but an increased number of Poles and Czechoslovaks and other central Europeans passing through its ports, practically all bound for the United States. The severest kind of control should be exercised over these emigrants from central Europe, as this type of immigrant is not desirable from any point of view at this time.

SPAIN.

Santander, January 25, 1921: During the year 1920 alien passports to the number of 3,552 were viséed by the consul at Santander, as against 903 in 1919. Most of the emigrants were stonemasons, miners, and tobacco workers, who went to Vermont, West Virginia, and Florida. While the greater number were bound for the United States, there were a number destined for Porto Rico and the Philippines. The increase in passport fees apparently had no effect on the movement of persons from this port of Spain.

Bilbao: The emigrants from the Spanish Basque Provinces to the United States are principally of the shepherd class who are proceeding to sheep ranches in Idaho, Nevada, and California. They are in general a thrifty, sturdy people, of little education, and not possessed of a high order of intelligence.

Corunna: The principal newspapers of Corunna have published an official bulletin to the effect that on account of the present industrial crisis large numbers of Spanish immigrants are without work and are applying for repatriation. Since the publication of the news and warnings concerning labor conditions in the United States emigration from the Corunna district have practically ceased. In consequence of the suspension of passenger sailings from Corunna and Vigo direct to New York and of the diversion of Spanish emigration to Cuba, Mexico, and South America the alien visé work at Corunna has practically ceased.

There has been a heavy falling off in the emigration to Cuba, owing to the present economic crisis in that country. Only 1,121 passengers have embarked at Corunna for Cuba in January, compared with 3,881 in December. The emigration to Argentina has also diminished, but not to the same extent as to Cuba. During the month of January only 11 emigrants embarked at Corunna for the United States, and these passengers were landed at New Orleans. Since December 1 of last year no passenger steamers have sailed from either Vigo or Corunna to New York, and any resumption of service will depend upon the movement of Spanish emigration, which is controlled by industrial and labor conditions in the United States, Cuba, and South America. The following numbers of Spanish emigrants embarked at Corunna during January: For Cuba, 1,121; for Mexico, 73; for Brazil, 20; for Argentina, 870; and for the United States, 11.

Madrid, March 15, 1921: The Gaceta de Madrid of March 15, 1921, contains a royal order, which appropriated the sum of 500,000 pesetas for the repatriation of Spanish emigrants who are at this time in the United States without work or means of subsistence, preference being given to those who have a large family.

PORTUGAL.

Lisbon: During the past two months there has been a very noticeable falling off in Portuguese citizens who apply for permission to proceed to the United States. Exchange has fluctuated to an extent that it now takes 10 escudos to buy an American dollar, and as the passenger fares to America are calculated on a dollar basis this means that in Portuguese money fares are two-thirds higher than they were four months ago. Many disquieting letters, some of which have been published in the local newspapers, have lately been received from former Portuguese emigrants to America. These letters describe the closing down or going on short time of many New England factories and of new immigrants finding themselves strangers in a foreign land, with whose language, with manners and customs they are not fully acquainted, out of work, and many without any funds or resources and with no prospect of getting work in the near future, in the most deplorable circumstances. Portuguese emigration to the United States is governed by the law of supply and demand, and this emigration from the nearness of Portugal to America and the communications which the Portuguese in America keep up with friends and relatives in the land of their birth is probably much more sensitive to and reacts much more readily from financial and labor conditions than does that from many other lands. In view of the more recent announcements of labor conditions in the textile factories of New England stating that these factories are now reopening but at reduced wages, the emigration from Portugal may revive.

Funchal, Madeira: Emigration from Madeira to the United States during the quarter ended December 31, 1920, showed a great decrease as compared with the three previous quarters, the total visés granted by the American consulate being only 103, as compared with 1,251 during the September quarter and 878 and 828 during the June and March quarters, respectively. The total to the United States for the year 1920 was 3,060, as compared with 1,052 in 1912, 1,580 in 1913, 2,268 in 1916, 571 in 1917, 46 in 1918, and 364 in 1919.

The emigration to the United States in 1920 almost equaled the total emigration from the island in 1912 and 1913, which was 3,249 and 3,296, respectively. Total figures for 1920 are not yet available, but it is believed that the number will exceed 6,000, as approximately the same number of emigrants went to Brazil as to the United States.

The principal reason for the decrease to the United States during the last three months of the year was the closing down of many of the New England textile factories which had employed large numbers of Portuguese workmen.

BRITISH GUIANA.

Georgetown: During the year 1920, 453 individuals departed for the United States from Georgetown. Two hundred and eighty-three of these persons were of African descent, and 175 whites. Of the total number going to the United States, 309 declared their intention of remaining more or less permanently, while 144 indicated their intention to remain for a short period only. Practically all of the emigrants of African extraction intended to remain in the United States permanently, while the whites, with the exception of a few Portuguese, visited the United States only for a vacation or in transit to Canada or England. Two hundred and seven of these persons expressed their intention to reside in New York, and by far the greater proportion in a district on the West Side between One hundred and thirty-fifth and One hundred and fiftieth Streets. There appears to be a small but constant volume of emigration from British Guiana to the United States, consisting largely of persons of African descent, who settle for the most part in New York City.

WEST INDIES.

Barbados: There are a large number of persons of African extraction leaving Barbados and other islands in the West Indies for the United States. The majority of them are going to New York, Boston, and Philadelphia. Their chief occupation is servant, barber, elevator boy, etc.

MEXICO.

Vera Cruz, February 12, 1921: Attempts are being made by emigrants to reach the United States through Mexico, and it is quite evident that this port will be the base of a concerted movement to be the back door entrance to the United States. A number of immigrants have applied at Vera Cruz for visés for the United States, but upon being advised that it was necessary to procure permission from the Department of State at Washington, they failed to return and complete the necessary arrangements.

[NOTE BY CHAIRMAN.—Reports concerning immigration from Italy have not been received by the State Department, since the Italian Government, on December 15 last, announced that it would withhold passports to its nationals desiring to emigrate to the United States.]

Mr. HICKS. Will the gentleman yield?

Mr. JOHNSON of Washington. I hope to be able to yield shortly.

You will note that the reports are of two kinds. They refer to those who would come in and those who would go out. Note the report from Madrid, with this intelligence:

Madrid, March 15, 1921: The Gaceta de Madrid of March 15, 1921, contains a royal order, which appropriated the sum of 500,000 pesetas for the repatriation of Spanish emigrants who are at this time in the United States without work or means of subsistence, preference being given to those who have a large family.

When this committee was before Congress only last December with a bill which proposed to suspend immigration partially we called your attention to the fact that Italians were coming to the United States in solid shiploads seeking what they thought would be high wages, a new form of immigration, comparatively speaking, to the United States. We called attention also to the fact that the Spanish Government was issuing accident insurance for its emigrants, giving them extra insurance in case of death or accident while they were emigrating to another country. The situation is changed, and that country is now paying for the support of its people now here, and is aiding them to get back to that country.

So the emergency seems to be past, so far as that immigration is concerned, but the consular reports will call your attention to some other immigration of broken peoples, who can only come with assistance. I shall discuss that phase of it later in the debate.

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. In a moment. Let me explain the bill briefly. This is a bill to limit the immigration of aliens of various nationalities into the United States to 3 per cent of the number of foreign-born persons of such nationalities, foreign residents in the United States, as determined by the United States census of 1910. That is what is known as the Dillingham plan. This bill is not the bill that passed the House in December last. It is not the bill which passed the Senate. It is not the bill accepted in conference. But this bill has that

plan. It follows paragraph by paragraph the framework, but nearly every paragraph has been amended by your committee. We have modified the plan for the working machinery. We have undertaken to make the bill easier of operation. The bill is broadened in several particulars. The Senate bill was much more of a restrictive measure than the original House bill of last year. We have gone on the theory that it is desirable to limit immigration to 3 per cent of the number of foreign born in the United States according to the census of 1910, and the gross number that might be admitted on that percentage basis would be about 350,000, that we should make the plan of counting such that about that number might be admitted. We have assumed that it would hardly be fair to then count those aliens leaving the United States, who are entitled to return to the United States from a temporary visit abroad. Therefore, your committee has stricken that class from the number that might be counted, and provided that those aliens who go out and are entitled to return under present immigration laws shall return without being counted, thus leaving the maximum number of new aliens who might come in at 3 per cent, or about 355,000 odd.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. I yield.

Mr. SINNOTT. In case more than 3 per cent apply to come to our country from some foreign country; in case, say, 5 per cent apply, who makes the selection of the 3 per cent?

Mr. JOHNSON of Washington. Incoming aliens come with passports. They must have passports from their Governments and visés of those passports by our consular agents. Should there be a surplus from any country undertaking to seek passport visés, the consular agent at that particular place would have, on the information here of the number which can be received, to refuse further visés.

Mr. SINNOTT. Would the consular agent calculate on the 3 per cent from the foreign country?

Mr. JOHNSON of Washington. No. His power to visé would not go beyond the number that might be permitted to proceed to the United States.

Mr. ROSSDALE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. ROSSDALE. I would like to know what would be the effect if we took it on the basis of the 1920 census instead of the census of 1910.

Mr. JOHNSON of Washington. I can not answer exactly until we get the census figures of 1920. They are not now available.

Mr. ROSSDALE. You have not got the figures?

Mr. JOHNSON of Washington. But I will say this, that the immigration to the United States from certain countries was so large prior to the taking of the census of 1920 that if it is desired to use the figures of the 1920 census it will then be desirable to reduce the percentage for an admission base.

Mr. ROSSDALE. Did not the gentleman just say that he did not have those figures?

Mr. JOHNSON of Washington. The gentleman asked me for the exact figures of the 1920 census. They are not available.

Mr. ROSSDALE. Not the exact figures, but the approximate figures.

Mr. JOHNSON of Washington. I might be able to give those.

Mr. ROGERS. The gentleman's report states that the majority of the immigrants coming to-day are physically deficient, economically undesirable, of low standards of living, and not the most desirable sort. Yet everyone of those immigrants under the present system had to have his passport viséed. I know the gentleman believes that our consular officers abroad ought to have a measure of discretion in viséing passports. Does the gentleman think that such an amendment, granting that discretion to them, would be germane to this bill; and second, would the gentleman approve such an amendment if it were held in order?

Mr. JOHNSON of Washington. Let me say that one objection to the so-called suspension bill, exempting blood relatives, which passed this House December 15 last, was that it undertook to combine the immigration laws and passport regulations. This bill is an immigration bill. It says nothing about passports.

Mr. ROGERS. But does not the gentleman think that the consular officers abroad ought to have the right to decline to visé the passport of an intending immigrant if he is a syphilitic, or a degenerate, or a leper, or anything of that sort?

Mr. SABATH. Will the gentleman yield?

Mr. JOHNSON of Washington. I will yield to the gentleman from Illinois in a moment.

Mr. ROGERS. Will the gentleman, so far as he is able to do so, accept an amendment giving consular officers some broader authority in that respect?

Mr. JOHNSON of Washington. I would like to reserve the right to examine the amendment. It is clearly apparent that the time is coming soon when one committee or the other will have to make the passport situation fit the immigration situation. This is a temporary measure, designed primarily and brought before this House in the hope that we may have 14 months' time in which we may perfect the immigration laws and properly fit passport regulations to them. That will not be an easy task.

Mr. ROGERS. But the gentleman knows that it is exceedingly difficult to get legislation through Congress.

Mr. JOHNSON of Washington. Indeed, I do.

Mr. ROGERS. It would be very easy, with the gentleman's assistance, to get through as a part of this bill such an amendment as I propose.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. JOHNSON of Washington. I yield to the gentleman.

Mr. SANDERS of Indiana. I would like to inquire if it is not true that our consuls abroad now have discretion with reference to viséing passports? I have never understood that a consul abroad granted a visé as a matter of right. In fact, I have had many cases for my own constituents, and the State Department have said they could not give any advice in advance as to what action would be taken by the consul on the other side, and that the action of the consul in viséing a passport was not conclusive on the immigration inspectors when the immigrant arrived here.

Mr. JOHNSON of Washington. Quite so. A visé is not permission to enter the United States, but no visé is a decided bar.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Let me yield first to my colleague from Illinois [Mr. SABATH].

Mr. SABATH. Is it not a fact that the class of immigrants to whom the gentleman from Massachusetts [Mr. ROGERS] alluded, suffering with all kinds of ailments, are now excluded by the present immigration law?

Mr. JOHNSON of Washington. Certain of them are. I prefer to take that up later.

Mr. LAZARO. The gentleman further spoke of a provision to prevent the sick, such as syphilitics, from coming here.

Mr. JOHNSON of Washington. Yes.

Mr. LAZARO. We already have a law.

Mr. JOHNSON of Washington. Yes.

Mr. LAZARO. But is it not a fact that we have been short of medical men over there to do this work properly?

Mr. JOHNSON of Washington. Perhaps short of men, perhaps short of opportunity, and in some places short of permission.

Mr. TEMPLE. In answer to the gentleman who has just spoken [Mr. LAZARO] and to the gentleman from Illinois [Mr. SABATH], I wish to say that the class of persons spoken of are excluded by the immigration authorities after they reach American ports.

Mr. JOHNSON of Washington. Yes; supposed to be excluded, but often sent to hospitals on the appeal of relatives.

Mr. TEMPLE. The gentleman from Massachusetts [Mr. ROGERS] is inquiring whether it would not be wise to authorize our consuls abroad to see that persons of that kind never reach American ports by refusing to visé their passports, and the consul does not have that authority now.

Mr. LAZARO. We have always been short of medical officers on the other side.

Mr. JOHNSON of Washington. Mr. Chairman, I must decline to yield any further. I can see that it would be impossible to attempt to answer all the questions which I would like to answer without devoting my whole hour to that, and I do not desire to take up the hour. Under the five-minute rule the bill will then be thoroughly discussed.

Before closing let me say again that those who seek a restriction of immigration because of the situation in the United States are met openly with an organized opposition. I have here a bulletin to members from the Interracial Council, which, if I am not mistaken, includes as one of its branches the organized foreign-language newspapers. The council issued an appeal for the defeat of the last bill, the one which died at the White House. I believe the Interracial Council holds that its appeal to President Wilson did the business. With the appeal which goes to thousands of the members of the Interracial Council, including many big employers of common labor, goes a personal letter. It asks members to get busy and to work on Congressmen and Senators in an effort to defeat this bill. They would try to defeat any bill. They talk about careful selection

and intelligent distribution. Most such opponents really want neither. They want selection of the unintelligent and distribution in lots of 1,000, f. o. b. at the factory door. I have many letters calling attention to the fact that the foreign-language newspapers themselves are a force and a power against the passage of any legislation tending to restrict immigration into the United States. As a rule foreign-language newspapers thrive on foreign-language readers. Talk about assimilation. A speaking and reading knowledge of English is the key to assimilation. The processes of assimilation and amalgamation are slow and difficult. We have millions on hand now needing assimilation.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. JOHNSON of Washington. Briefly.

Mr. BLANTON. The gentleman has stated that Congress is overwhelmingly in favor of a proper bill. Why is it that the gentleman's committee can not bring before us and let us vote for the kind of a bill that the gentleman himself would like to see passed?

Mr. JOHNSON of Washington. The gentleman is himself a member of committees of the House, and probably knows the difficulty of bringing out any particular desired legislation. However, speaking for myself personally, I am for any kind of legislation to restrict immigration into the United States from all countries until we have cleaned house here and know what we are going to do with the millions of unnaturalized aliens who are now here. [Applause.]

My friends; this is a serious matter from any point of view, in addition to a viewpoint concerning those poor starving people in central Europe driven from pillar to post. Who does not sympathize with them? I would to God that this country could hold out its hands to all of those millions and say, "Come here." But we can not do it. Can not you see the signs of trouble? Oh, it would be better that we give the half of all that we possess in means to help sustain them where they are than to bring them here. That, of course, applies to peoples in other countries, too, in our present condition. Distress is here; discontent is here; world problems are here to make mischief right here.

Mr. BRIGGS. Will the gentleman yield?

Mr. JOHNSON of Washington. I can not yield now. An article in the World Outlook by the Rev. Panunzio is similar to matter put out by him through the federated churches which reach sympathetic people in the United States. It is one of three or four articles. He dresses as an emigrant, buys his ticket to go abroad, and mingles with the outgoing people and asks them in their languages why they are going away. Some of their reasons are dislike of America; America is all right for a single man, but not a place to bring up a family; children are treated like beasts in the streets; no room to bring them up here; it is work, work, work, and no play; it is not a free country, and so on. From an Italian comes the complaint that the wine was taken away; and one says, "The labor union made me wear a red tie for $2 a month." I wish I had time to read it all. Dr. Panunzio favors immigration; he opposes deportations. He does not like things here; he is going to reform things by making more discontent.

Recently a friend of mine went on a ship bound for a Scandinavian country and interviewed 200 as to why they were going out of the United States. Many of them had been here 20 years, made money, and they made these statements without knowing that it would reach me: That the United States was not what it used to be; that it was not now a place for them; that conditions which you know and I know, and which I need not describe here, exist in the cities, even the smaller cities. They see the unrest, they hear the agitators, native born and foreign, and as they go out they say they want none of it. Gentlemen, I think we are coming to a real danger and that we should not feed fuel to it. Let us get on an even keel before we again permit a million a year to come in.

Mr. ROSSDALE. Does the gentleman want us to take the discontented remarks of a few outgoing emigrants as the ideas of the great body of immigrants?

Mr. JOHNSON of Washington. Oh, no.

Mr. BRIGGS. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. BRIGGS. Will the gentleman indicate to the House just what difference there is between this measure and the one adopted in conference at the last session?

Mr. JOHNSON of Washington. The report states it briefly at the beginning. We have added to those exempted. The gentleman will understand that in addition to the 3 per cent admitted travelers for business or pleasure are exempted and may come at will. We have added to the exemptions those returning to the United States from temporary visits abroad. You will find a committee amendment also which exempts those fleeing from religious persecution, using the exact language in the present immigration act. Certain alien soldiers who went from here are exempted. I think those are the principal changes; the other changes are merely verbiage to perfect the text. In the report you will find the figures of the number of immigrants that might be permitted under the 3 per cent basis. I will insert that table and the table of recent immigration.

I would like to call attention to the fact that I have here under the date of March 15 a statement that the United States is called on to aid 400,000 unemployed in New York City alone. This report develops Secretary Davis's plan to formulate a relief plan in order to help 400,000 people out of work in the city of New York. Every Member of Congress from every district in the land knows something about the condition of labor in his district, and there is no need of discussing that. Mr. Chairman, I reserve the balance of my time.

The table referred to is as follows:

Admissions permissible on 3 per cent basis.

The 3 per cent immigration based on the 1910 census will permit in one year the following immigration from the various countries of Europe, in addition to the immigration permitted by the liberal exemption clauses referred to in a preceding paragraph:

Northwestern Europe:	
Belgium	1,482
Denmark	5,449
France	3,523
Germany	75,040
Netherlands	3,624
Norway	12,116
Sweden	19,956
Switzerland	3,745
United Kingdom	77,206
Total northwestern Europe	202,212
Outside northwestern Europe:	
Austria	50,117
Bulgaria	345
Serbia	139
Greece	3,038
Montenegro	161
Italy	40,294
Portugal	1,781
Rumania	1,978
Spain	663
Russia	51,974
Turkey in Europe	967
Turkey in Asia	1,792
Total outside northwestern Europe	153,249
Total northwestern Europe	202,212
Grand total	355,461

Should the bill become a law prior to the date contemplated, May 10, additional immigration to the amount of one-sixth of the figures given will be permitted.

Immigrant and nonimmigrant aliens admitted to the United States since July 1, 1920, by months.

Month.	Immigrant.	Nonimmigrant.	Total.
1920.			
July	62,832	21,127	83,959
August	67,369	18,062	85,431
September	76,031	18,821	94,852
October	74,800	26,200	101,000
November	65,900	23,100	89,000
December	68,100	23,900	92,000
1921.			
January	70,500	15,500	86,000
February	65,000	15,000	80,000
Total	550,532	161,710	712,242

Exact figures later than September not yet available. Those given for later months are estimated.

Figures for March immigration show an influx at all ports of approximately 70,000, with departures numbering 28,000. At Ellis Island alone the immigrant movement for March was: Inward, 43,100; outward, 18,900.

The CHAIRMAN. The Chair will recognize the gentleman from California [Mr. RAKER] in favor of the bill for one hour.

Mr. RAKER. Mr. Chairman, at this time I yield 10 minutes to Mr. WILSON, of Louisiana, one of the members of the committee.

The CHAIRMAN. The gentleman from California yields 10 minutes to the gentleman from Louisiana [Mr. WILSON] and reserves the remainder of his time.

Mr. WILSON. Mr. Chairman, the present bill proposes to limit immigration from any foreign country during the next fiscal year to 3 per cent of the number of foreign-born persons

of such nationality resident in the United States as shown by the United States census of the year 1910.

This would make permissible an annual influx of 355,461 persons from all European countries. This is about one-third of the number coming in normal times before the war. All indications now point to an inflow from the various countries in Europe in excess of any of the prewar years.

While I am going to support and vote for this bill, I prefer the original House bill which provided for the suspension of immigration for the period of two years. My own judgment is that the period of suspension should be longer.

I do not like to assent even temporarily to the proposition that any foreign nation shall be given the right and privilege of having admitted to this country any fixed number of its population during any prescribed period. Again, the percentage plan, as adopted in this measure, is objectionable for the reason that it opens up the way for too great an influx from our enemy countries of central Europe. For instance, under this bill 75,040 Germans and 50,117 Austrians could be admitted annually. Should these come to America, as they surely will, it is seriously to be doubted that they would ever become very much attached to the United States and its institutions. Former experience will create in the minds of American citizens a state of uncertainty as to why and for what purposes they might come. But without this or some other restrictive measure being enacted, as soon as the state of war between the United States and these countries is declared to be at an end and peace is concluded, which is likely to occur at an early date, then their nationals might come here in unlimited numbers. Hence all who favor restriction of immigration can readily support this measure, at least as an alternative temporary proposition, and probably the best obtainable at this time. This, with slight modifications, is the former Senate bill which had the almost unanimous approval of that body after the rejection of the House suspension bill.

Mr. ROSSDALE. Mr. Chairman, I could not hear the gentleman very distinctly, and I just want the gentleman to repeat it. Did the gentleman say that it was logical to assume that immigrants who were about to come to this country would not make American citizens and would not be much attached to our country?

Mr. WILSON. I said it is seriously doubted that the immigrants coming to this country from Austria and Germany now would be in full spirit and sympathy with our institutions.

Mr. ROSSDALE. Has the gentleman in mind figures to show that these men were not very much attached to this country, judging from the way that they supported this country during the war?

Mr. WILSON. The old immigrants were, but the gentleman must remember several things have occurred since those came here. I decline to yield further.

Mr. MASON. Under this bill the gentleman gave a very much larger number, some 77,000.

Mr. WILSON. No; 75,040.

The conditions making necessary legislation either suspending or radically restricting immigration are imperative, and just as compelling at this time as at any period since the close of the war. Conditions of unemployment are more aggravated. Conservative estimates place the number of unemployed in this country at this time at more than 4,000,000, and no program has yet been proposed for immediate action that insures that business revival and general prosperity necessary to provide for their reemployment.

We should keep in mind the fact that there is a limit to the capacity of this country to absorb people of other nationalities. The Republican platform adopted at Chicago says:

> The immigration policy of the United States should be such as to insure that the number of foreigners in the country at any time shall not exceed that which can be assimilated with reasonable rapidity.

If that platform declaration is to be further taken into consideration, the correct thing to do would be to suspend immigration completely for at least a period of 10 years, or for an indefinite period. If we mean by "assimilation" that the foreigner shall become a homogeneous part of the American population, in full sympathy and accord with the character and spirit of our institutions, with undivided loyalty to our Constitution and the flag of the Republic, then the mass of aliens now in this country present a problem that will require a number of years to solve. There are now some 10,000,000 aliens in America unnaturalized and who have taken no steps to become a part and parcel of the American people. In addition to these it is quite well known that there are several million others who in the proper acceptation of the term are unassimilated and who belong to those groups of foreign birth and extraction, many of whom may be naturalized and have American citizenship, but who still belong to that class designated by Gen. Pershing as those who "attempt to decide American questions for a foreign reason."

Our work of assimilation will not be complete and our system of Americanization will continue to be a failure until the condition to which Gen. Pershing so strenuously objects is removed. It makes no difference whether an attempt is made to decide American questions for foreign reasons in mass meetings, in the press, or at the ballot box. The man who attempts to shape American questions to foreign standards and to settle them upon the basis of beneficial results to some foreign country can not be a good American citizen. Hence the work of assimilation is so far behind in this country that every means should be adopted to prevent any further complications.

In his address to Congress on April 12, 1921, President Harding said:

> The surest procedure in every government is to put its own house in order.

The essential basic condition necessary for this procedure is unity and accord in that house—concert in sympathy and in action toward one ultimate purpose and without reference to any other habitation.

We hear and read constantly about "Americanization." Existing conditions have brought the thoughtful American citizen to a very earnest consideration of this question, and a general public demand has arisen for some practical solution. Bills are now pending in Congress, and others will no doubt be introduced, calling for many millions in appropriations from the Federal Treasury to carry on the work of Americanization by cooperative action by the Federal Government with the public-school systems of the several States. In my judgment, the Committee on Immigration can offer a solution of this question, in so far as the foreign element is concerned, and that such solution can be reached without any further charges on the Federal Treasury.

I do not believe that a condition now exists, or will ever exist, to justify any measure that may eventually lead to control of the public-school systems in the various States by the Federal Government. Participation by the National Government with appropriations from its Treasury will eventually lead largely, if not completely, to such control.

In speaking of appropriations for public highways in his message to Congress of April 12 the President said:

> Large Federal outlay demands a Federal voice in the program of expenditure.

Few will dispute the correctness of that proposition, and yet it must carry with it a Federal voice and finally Federal control of the program of procedure and execution.

If the Committee on Immigration can devise some practical means of carrying on the work of Americanization of aliens without demanding appropriations from the National Treasury and without endangering the public-school systems of the various States and cities by Federal interference and control, it will have to its credit constructive legislation that should win the approval and applause of the entire country.

Another phase of this problem, which is now a live question before the public, is the proposal of the present Commissioner General of Immigration to divert immigrants to the farms. The entire country has become intensely interested in this program. If it can be successfully worked out, lasting good will be accomplished for the United States and for her immigrant population. Here I venture to suggest that it is not necessary in connection with this program to open wide the gates for a new influx of foreigners. In this work of assimilation and distribution there is already a full supply in our cities and congested centers to meet all agricultural demands if they can be induced to go to the farms and become a permanent part of our agricultural industry. It will not add much to the situation to make a temporary farm laborer out of the immigrant and it is hardly possible to make a farmer out of an immigrant or anyone else overnight. Placing a man on a farm does not make a farmer out of him. I believe it is practicable and feasible, however, to induce a portion of the present population now congested in the great centers to go to the agricultural districts, provided there is some practical way offered by which they may become home owners and proprietors of the farms on which they are to live. Many of them have had experience in agricultural pursuits, but city wages are deemed preferable to tenant life on a farm.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. I will yield the gentleman two additional minutes.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. WILSON. No system can be devised by which any governmental department can say to the immigrant when he arrives in this country, or to any certain per cent of them, "You shall go to a certain place in the United States and engage in farming." The only practical solution of the problem would be to have a selective system under which immigrants who were engaged in agriculture in the home country might be admitted to this country on their application for the purpose of following like pursuits here. This system would involve the adoption of a policy which would apply to all immigration requiring the selection to be made before securing passage to this country. The qualifications and admissibility of the immigrant should be settled on the other side and his fitness for entrance here fully determined before he sails from the home port.

Under this kind of system the Commissioner General could have the farm located and ready and could know that he was securing a farmer from the other side, and the immigrant could come assured in advance that he would find a home in a free country where he might pursue his chosen occupation.

During the period covered by this temporary measure such a selective system should be worked out and adopted as the permanent policy of this country. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, I desire to yield three minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I rise for the purpose of asking the gentleman in charge of the bill a question or two. In his report he gives a list of the countries from which immigration will be permitted and states the number, based on the 1910 census returns, and in that it states that from Serbia there can come, in case this bill passes, 139, based on the provisions of this measure. As a result of the war the territorial area of Serbia has been increased very materially. The population of Serbia in 1910 was 3,500,000, whereas to-day the population of Serbia is about 13,500,000. I realize that there is a provision, on page 4, which is intended to cover this. It provides that officials of the Government shall prepare a statement showing the number of persons resident in the United States who were born within the area included or annexed to such countries, when such transfer of territory has been recognized by the United States, and that this estimate shall then be the basis for admittance.

Now, I assume that the increase of the Serbian territory taken from Austria has been recognized by this country, because we have accepted a minister from that country and have sent one to it. So I presume that provision has been met. But I want to ask the gentleman from Washington if in estimating the number of people born in that country which has been taken into Serbia it provides for the nationality of those people, whether they are Austrians, Serbians, or what they are, or is it merely the territory which is to be considered?

Mr. JOHNSON of Washington. I think the gentleman, if he will study the paragraph which we have written in this bill, and which is entirely different from the paragraph in the previous bill, will find the place of birth controls. That is to say, if a part of Austria has been taken into Serbia, and the Serbian quota is full, he comes in on account of his Austrian birth.

Mr. HICKS. So it will automatically reduce the Austrians who will be admitted and increase the number of Serbians.

Mr. JOHNSON of Washington. Remembering all the time that it is a temporary measure, intended to cover 14 months of time. Judging from the appeal that comes from people that we may make a treaty, it would indicate that all of these people in Europe are bending this way, whether we want them or not.

Mr. HICKS. The main point with me is that Serbia, with increased boundaries, will be given a larger number of immigrants than stated in this report would be allowed her. This I understand will be the case.

Mr. JOHNSON of Washington. I think so.

Mr. SIEGEL. Mr. Chairman, I have prepared a full list showing the number of visés that have been granted during 1920, the number of immigrants who have arrived during 1920, and how it would operate under the 3 per cent provision. If we take Belgium, for example, the total number of visés granted for the year 1920 is 7,036, but under this 3 per cent provision only 1,482 could enter the United States in one year. If we take Bulgaria, the number of visés is 220, and the number that can enter will be 345. If we take Denmark, the number of visés is 6,237, and the number that can enter is 5,449. If we take France, the number of visés granted were 16,864, and the number to come here is 3,523 inside of a year, or one-fifth of the number. If we take Germany, the number of visés granted is 3,472, and the number that would come over under the 3 per cent provision is 75,040.

The table is as follows:

Alien visés granted.

Country.	Quarter ended—				Total, 1920.	Under 3 per cent provision.
	Mar. 31, 1920.	June 30.	Sept. 30.	Dec. 31.		
Austria	39	286	490	2,052	2,867	[1] 50,117
Belgium	1,638	1,972	2,101	1,325	7,036	1,482
Bulgaria	8	22	24	166	220	345
Czechoslovakia	902	3,161	9,689	14,313	28,065	.....
Danzig	.....	10	1,812	399	2,221	.....
Denmark	1,334	1,330	2,138	1,435	6,237	5,449
Finland	177	305	671	1,190	2,343	.....
France	2,993	4,060	4,911	4,900	16,864	3,523
Germany	10	518	1,130	1,814	3,472	75,040
Great Britain and Ireland	16,839	24,907	27,228	21,870	90,844	[2] 77,205
Greece	5,183	8,323	7,665	9,497	30,668	3,038
Italy	56,154	78,603	62,879	47,335	244,971	40,294
Jugo-Slavia	.....	.....	1,638	4,227	5,865	.....
Malta	1,230	1,620	814	135	3,799	.....
Netherlands	2,603	3,177	3,512	[3] 775	10,067	3,624
Norway	1,501	2,016	2,436	1,825	7,778	12,116
Poland	995	8,252	14,860	20,013	44,120	.....
Portugal	3,567	3,932	4,093	3,797	15,389	1,781
Rumania	355	1,717	4,099	6,371	12,542	1,978
Russia	5	87	351	1,156	1,599	[4] 51,974
Serbia	1,181	2,500	3,344	([5])	7,025	139
Spain	5,787	10,189	9,955	7,540	33,471	663
Sweden	1,603	2,508	3,420	3,333	10,864	10,956
Switzerland	1,436	1,829	2,389	2,076	7,730	3,745
Trieste	.....	.....	.....	1,411	1,411	.....
Turkey	796	2,581	2,745	2,703	8,825	[5] 2,759
Total	106,335	163,905	174,394	161,658	.....	.....

[1] Includes Austria-Hungary.
[2] Includes entire United Kingdom.
[3] Incomplete. December reports not received from Belgrade and Rotterdam.
[4] Includes Poland.
[5] Includes Turkey in Europe and Asia.

Total, four quarters, 1920, 606,292.

Mr. BLACK. The gentleman stated that there were some 16,864 visés from France.

Mr. SIEGEL. For 1920.

Mr. BLACK. Does that necessarily mean that all of these numbers who secure these visés were immigrants to this country?

Mr. SIEGEL. Oh, yes.

Mr. BLACK. That means that actually there were that number of immigrants?

Mr. SANDERS of Indiana. Why does the gentleman say the number of visés indicates the number of immigrants?

Mr. SIEGEL. For this reason: That the total number of visés granted were 606,292 from Europe alone. The total number, according to the estimate of the Secretary of State, from the whole world, including South America, was 189,000. That, of course, does not take into consideration the number that have left that country. The average number leaving is practically 37,000 per month, with the exception of March, that sent approximately forty-odd thousand through Ellis Island alone, which takes in 87 per cent of all immigration.

Mr. SANDERS of Indiana. Do the number of visés which you have given as coming from France mean the number of immigrants coming from France to this country?

Mr. SIEGEL. Correct.

Mr. SANDERS of Indiana. What happens to those who come as visitors or on business? They must have visés.

Mr. SIEGEL. These are supposed to include the immigrant visés which have been granted.

Mr. SANDERS of Indiana. If the gentleman will revise his statement and say that the visés of the immigrants amounted to so much, of course, that will show the number of immigrants.

Mr. SIEGEL. But so far as entering the United States is concerned, every one counts, in the 3 per cent, except commercial travelers or tourists or actors. Now, we find a peculiar condition. We find that during 1920 245,000 visés were granted in Italy. Under this proviso 40,294 would come into this country. In regard to Poland and Russia combined they granted approximately 44,000 visés during the entire year 1920. If we take the entire country of Russia, with the little Georgian Republics, the Baltic Republics, and Poland combined, the total number coming to this country would be 51,000. Now, I shall insert this report, because it is the only one that has been gathered together up to this time.

Mr. RAKER. Will the gentleman yield for a question there?

Mr. SIEGEL. Certainly.

Mr. RAKER. What relation does he make relative to the number of visés that have been granted and those persons who have been admitted into the United States as immigrant cases?

Mr. SIEGEL. I do not think the gentleman states it very clearly.

Mr. RAKER. What effect can it have on the legislation as to the number of visés to immigrants in 1920?

Mr. SIEGEL. You mean the difference in number, or increase of numbers? Let me explain. The effect is as follows: If we take the number of visés, that shows the number of people that ostensibly can come to this country in one year, and my second table shows the number that could come in under the 3 per cent proposition.

On that question I quote further——

Mr. RAKER. Mr. Chairman, will the gentleman yield again? I yield to the gentleman a minute, for a question, out of my time.

The CHAIRMAN. The gentleman from California yields to the gentleman from New York one minute.

Mr. RAKER. It would not make any difference, would it, as to the number of visés granted in the foreign countries—as to the number that might be admitted into the United States?

Mr. SIEGEL. If the 3 per cent provision is in effect?

Mr. RAKER. If any provision is in effect.

Mr. SIEGEL. It would. The State Department at this hour controls the number who can come into the United States through its control of the visé system. It determines each month how many people shall come from Poland, how many shall come from Italy, and from each of the other countries. As evidence of that, I say to you there came a limited number each month from Poland. In Italy 245,000 visés were granted inside of a year, and for the whole of Poland, which took in Lithuania and other countries, only 44,000 visés. The reports of the State Department show that 98 per cent of the people who came from Poland were parents, women, children, and other relatives coming here to join their families. That is the proposition. The report, at page 11, gives the exact proportions of each.

Mr. HUSTED rose.

Mr. SIEGEL. I yield to my colleague.

Mr. HUSTED. I would like to ask the gentleman a question. As a matter of fact, does he consider the Jews of Poland as subjects of religious persecution?

Mr. SIEGEL. There is a difference of opinion about that.

Mr. HUSTED. Is it not generally considered by the Jews in the United States that all of the Jews in Poland are subjects of persecution at this time?

Mr. SIEGEL. The State Department, whose report the chairman of the committee placed in this committee report, used the word "oppression" in reference to that situation. I want to say this, however, that so far as Poland is concerned, Poland is making every effort at the present time to stabilize conditions. It admits that there has been persecution, but it is trying to change conditions. But only 14 people were admitted in eight months under the same provision which we now find in the law. That conditions are deplorable over there we all know.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. GRAHAM of Illinois. I want to know and be advised about this: Are they having pogroms over in that country now?

Mr. SIEGEL. Well, according to the reports, they say yes.

Mr. GRAHAM of Illinois. Well, that is religious persecution, is it not?

Mr. SIEGEL. It is very difficult for me to answer that question. When I offered that amendment in the committee it was intended to apply to all creeds and nationalities.

Mr. GRAHAM of Illinois. Yes; I know that.

Mr. SIEGEL. I want to say that that was my motive in offering it originally in 1916, when the present law was under consideration. The Armenians were bitterly persecuted then. The 1917 act carries on its pages, and on nearly every page, amendments to the bill, which I helped to perfect. I consider it a masterpiece of immigration law, and its provisions have been copied by Canada and other countries.

Now, I use the language that the State Department uses, and I will state also that I did not think and do not think now that it was advisable to issue that statement, because Poland is struggling very hard.

Mr. JOHNSON of Washington. Well, now, how about that? If a newspaper in one of these places in Poland——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Washington?

Mr. SIEGEL. I yield to my chairman, although this is taking up my time.

Mr. JOHNSON of Washington. If a newspaper published in one of these Polish cities, such as Der Emigrant, published under the authority of an official society, issues the statement——

Mr. SIEGEL. One moment. I want to emphasize very strongly that the organization of the Hebrew Sheltering and Aid Society has nothing to do with the publication of that paper, either directly or indirectly. It is a private enterprise, published by itself——

Mr. JOHNSON of Washington. For the benefit of those who are trying to become immigrants into the United States?

Mr. SIEGEL. No. That is an ordinary newspaper, published in that city. It has nothing to do with any organization or any association. That organization publishes no newspaper at any time in any language.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. HILL. Under this bill there are 51,974 immigrants permitted from Russia?

Mr. SIEGEL. Yes.

Mr. HILL. Does the gentleman, as a member of the committee, know how many immigrants would be permitted from what is now Poland? I am interested in two classes of immigrants, the native Pole and the Polish Jew. I would like to know how the immigration from the present Poland would be affected.

Mr. SIEGEL. It would be practically on the 3 per cent basis. The best calculation one could make would be that you would receive about 35,000 people a year, although there are about 40,000 applications at Warsaw alone right now for the whole of Poland, because we have no other consulate in that country.

Mr. HILL. What I wanted to get was this: Out of the 51,974 credited to the Russia of 1910 has it been approximated how many could come from Russian Poland?

Mr. SIEGEL. It is all approximation, but we are trying to get the facts.

Mr. SABATH. Is it not a fact that under the provision adopting the 1910 census it is impossible for anybody to say how many would come?

Mr. SIEGEL. That is true. Now, I would say——

Mr. KINDRED. Mr. Chairman, will the gentleman yield for a brief question?

Mr. SIEGEL. Yes.

Mr. KINDRED. The gentleman has stated that the State Department has discriminated against Poland in the interest of other countries.

Mr. SIEGEL. I have not stated that they discriminated. I do contend, however, they have not given her the same deal. I have given the facts simply as they are. I have not used the word "discriminate."

Mr. KINDRED. I am in sympathy with the gentleman's attitude in this measure. Does he regard that as a violation on the part of the State Department of the existing immigration law?

Mr. SIEGEL. I personally think it is a violation of what Congress understood when it passed the visé law. I have repeatedly said so, and I repeat it now. Now, on page 12 of this report of the committee, which I hold in my hand, I find this:

> The political unrest in Poland is driving many emigrants to other lands. Bolsheviki disorders, oppression, and the policy of the Government itself are all contributing factors.
>
> Warsaw.—Extracts from articles appearing in the press of Warsaw show that propaganda favoring unrestricted immigration is contemplated. According to these articles this spring great celebrations will take place in New York with a view to showing in what measure immigrants took part in the general development of the country. A great exhibition will be opened, in which different races will take part. The exhibition will attempt to prove that America has profited more from the immigrant than the immigrant from America.

Now, there are many other things in these so-called dispatches which have been edited and doctored by certain officials before they became public, and it is a remarkable thing, when you look through this report here of these extracts, that you do not find references made to other countries from whence larger immigration came here during 1920 than came from Poland. I call attention right now to the fact that in the report to Congress in the Sixty-sixth Congress, first session, when the bill was reported, similar extracts were offered. I leave it to every man in the House to make his own deductions and his own inferences therefrom.

Now, there has been some discussion here as to whether the 1920 census will be ready so that we can act upon it. I say authoritatively right now that the 1920 census figures giving the foreign-born population will be ready before the end of this week. A letter was written to me on the 15th of April

by the acting director, telling me they would be ready by the middle of this week. This letter is as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, April 15, 1921.

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

MY DEAR MR. SIEGEL: We hoped to be able to furnish you the statistics you desire in regard to the foreign-born population of the United States by the close of this week, but unforeseen difficulties have developed, and I now find it will be impossible for us to give them to you before the middle or latter part of next week. Certainly they will be in your possession by not later than the 23d instant.

Trusting that this will answer your requirements, I am,

Very truly,

W. M. STEUART, *Acting Director.*

This morning there was delivered to me a statement containing the figures for a certain number of States, and they embodied the countries, localities, and places to which reference has been made here.

They are as follows:

Country of birth of foreign-born white for certain States, 1920.

	Alabama.	Arizona.	Arkansas.	Delaware.
Total foreign-born white	17,662	78,099	13,975	19,810
England	1,942	2,882	1,137	1,497
Scotland	975	595	316	411
Wales	145	192	90	44
Ireland	509	1,206	676	2,895
Norway	215	337	99	65
Sweden	748	859	331	316
Denmark	191	398	180	77
Belgium	73	60	94	24
France (including Alsace-Lorraine)	616	394	387	198
Luxemburg	8	22	8	5
Netherlands	83	69	116	37
Switzerland	174	293	736	76
Germany	2,427	1,516	3,979	1,632
Poland	394	261	529	3,847
Austria	585	484	636	615
Hungary	372	212	108	226
Czechoslovakia	232	148	491	122
Jugo-Slavia	155	1,167	117	25
Ruthenia	.....	.....	1	.....
Russia	1,582	816	662	2,244
Finland	74	407	18	52
Lithuania	12	16	27	90
Portugal	4	30	4	18
Spain	70	1,013	22	142
Italy	2,732	1,261	1,314	4,136
Greece	915	329	277	286
Bulgaria	18	28	17	.....
Rumania	120	51	62	110
Turkey, Europe	22	93	1	3
Other Europe	31	14	11	9
Asia	575	397	253	27
Africa	23	22	16	9
Australia	21	81	25	12
Canada, French	52	90	58	23
Canada, other	840	1,872	822	423
Newfoundland	3	16	20	8
Cuba and other West Indies[1]	201	41	15	28
Mexico	132	60,242	259	50
Central America	38	16	1	5
South America	27	56	22	10
Atlantic islands	7	1	4	1
Pacific islands	5	26	7	6
At sea	11	21	26	7
Country not specified	3	65	1	.....

	District of Columbia.	Florida.	Georgia.	Indiana.
Total foreign-born white	28,548	43,008	16,186	150,868
England	2,930	4,451	1,593	8,522
Scotland	793	1,068	530	3,707
Wales	103	136	86	1,103
Ireland	4,320	1,304	1,112	7,271
Norway	219	610	132	544
Sweden	481	1,399	299	4,942
Denmark	237	575	127	930
Belgium	76	130	45	2,530
France (including Alsace-Lorraine)	687	731	376	3,247
Luxemburg	13	24	7	101
Netherlands	127	357	78	2,018
Switzerland	358	357	161	2,334
Germany	3,382	3,534	1,936	37,377
Poland	716	428	917	17,791
Austria	525	525	401	9,099
Hungary	219	383	246	9,352
Czechoslovakia	122	189	123	3,934
Jugo-Slavia	43	88	84	4,471
Ruthenia	.....	.....	.....	7
Russia	5,181	1,243	3,452	7,673
Finland	104	311	42	237
Lithuania	38	13	72	1,445
Portugal	11	222	39	14
Spain	108	4,091	123	467
Italy	3,764	4,745	700	6,712
Greece	1,207	1,408	1,473	4,103
Bulgaria	5	16	5	431
Rumania	86	472	111	2,731

[1] Except Porto Rico.

Country of birth of foreign-born white for certain States, 1920—Contd.

	District of Columbia.	Florida.	Georgia.	Indiana.
Turkey, Europe	72	6	21	70
Other Europe	25	25	61	149
Asia	382	672	586	1,256
Africa	46	54	22	37
Australia	25	57	26	77
Canada, French	147	277	50	405
Canada, other	1,541	3,844	905	4,690
Newfoundland	18	75	22	44
Cuba and other West Indies[1]	114	8,700	89	51
Mexico	65	158	53	661
Central America	51	94	1	11
South America	103	113	43	69
Atlantic islands	7	81	9	7
Pacific islands	6	12	8	26
At sea	16	27	11	133
Country not specified	12	3	9	43

[1] Except Porto Rico.

There is no reason in the world why the 1920 census should not be taken. If it is prejudice, if it is bigotry, if it is hatred, then let us understand it once for all and let us face it, so that the American people may understand thoroughly what is behind this legislation. If it is American legislation, then adopt the census of 1920. When you called the boys to arms under the selective draft law you did not use the census of 1910. You called them under the latest figures which were obtainable at that time, and put the burden upon those States where there were foreign-born people.

Mr. RAKER. Will the gentleman yield?

Mr. SIEGEL. No; I decline to yield further unless the gentleman will give me some time.

Now, there has been repeated discussion here by the chairman of the Committee on Immigration in regard to naturalization. In the first place, on page 8 of a speech delivered by him on the 14th of January, he said that four States—Wisconsin, Indiana, Missouri, and Texas—allowed people to vote without becoming citizens. I assume that he referred to Arkansas instead of Wisconsin. The people of Wisconsin have been protesting to me about the matter.

On page 9 of the same speech he said:

> Four hundred thousand young aliens waived all rights of their own and fought with our troops and the troops of the Allies. We have offered to make citizens of every one, and rightly so. To put on Uncle Sam's uniform, to be willing to die for a country which has not yet adopted one, must be regarded as the supreme test of citizenship.

I agree with him most heartily that it is the test by which to judge these men as to their devotion and love to our country.

Now let us see. Away back in 1910 the census figures showed that there were approximately 13,515,886 foreign-born people in this country who had not become citizens, and since that time about 1,500,000 have become citizens, and when they became citizens it meant that their wives and children also became citizens. In addition thereto there must be considered the number who died since 1910. We gave to our Army and Navy from the entire country 4,600,000 men. The foreign-born population were approximately 10 to 12 per cent. There are 400,000 men who waived exemption and went in to fight for Uncle Sam when they were not required to do it, proving conclusively that they appreciated the benefits and opportunities they found here. That is a test of citizenship, and they have demonstrated to you their fitness.

Who is responsible for the failure of many people to become naturalized citizens of this country? This Congress right here is responsible. You have neglected and failed in every instance to provide sufficient courts and clerks. At this very moment 24,000 cases are ready for final hearing in New York alone, and we have not the judges and the clerks to handle those cases, and they are increasing every day to the number of 400. The same thing is true in Chicago, where there are a little over 10,000 cases pending. The clerk of the United States district court of New York in a letter which he wrote to the Attorney General, and which I will insert in the RECORD, very aptly showed that it is of no use to accept more applications if you do not provide the judges, and that the judges can not hear any more cases than they are hearing at the present time. They set one day in the week in the United States court and, of course, it is limited to that number.

The clerk of the court in this letter to the Attorney General says:

DEPARTMENT OF JUSTICE,
CLERK'S OFFICE,
DISTRICT COURT OF THE UNITED STATES,
SOUTHERN DISTRICT OF NEW YORK,
New York City, April 8, 1921.

The ATTORNEY GENERAL,
Washington, D. C.

SIR: In reply to your telegram of March 31 last, requesting the views of this office as to the necessity of appointing two additional

assistants to care for naturalization matters in this court, I have the honor to advise you as follows:

It is so easy for the alien public and as well those of our citizenry who have become interested in naturalization matters to lose sight of the fact that the filing of a petition for naturalization is merely the means to an end and that this end is accomplished only upon the final hearing had.

The number of petitions which can be filed in the clerk's office is, of course, limited only by the number of clerks employed, but the accomplishment of the alien's purpose, namely, to become a citizen, is fulfilled only through the action of a judge of the court. It follows, therefore, that the number of aliens that can be naturalized depends upon the number of judges who have time to give to naturalization hearings. The judges of this court have been consulted in this matter and they are convinced that they can give no more time to naturalization matters than they have been giving, so that it seems that to employ more naturalization assistants in the naturalization bureau of this office would be a useless expenditure of public funds.

There are now pending in this court upward of 2,500 petitions, 1,200 of which are pending cases of enemy aliens, which will be disposed of en bloc the first week in June next. The remaining will be heard on the regular hearing days, which are had once every week, which means that the court keeps abreast of its calendars, but it can do no more, especially when it is considered that in the six months ending March 31 last there were pending cases as follows:

Equity	224
Law	764
Admiralty	1,000
Information in cases under selective service act	7,500
Other criminal cases	1,458

Very respectfully,

ALEX GILCHRIST, Jr., *Clerk*.

Now, of course, our supreme court judges are sitting a week every month and an additional judge will sit for at least three weeks between now and July.

Mr. CONNALLY of Texas. Will the gentleman yield right there?

Mr. SIEGEL. I certainly will.

Mr. CONNALLY of Texas. How do these conditions compare with similar conditions prior to the war? Did the war stimulate applications for citizenship?

Mr. SIEGEL. The war undoubtedly has stimulated the applications for citizenship and made men, regardless of age, realize that they have no right to remain in this country unless they determine to become American citizens as quickly as possible.

Mr. CONNALLY of Texas. Can the gentleman state what percentage of aliens who served in the armed forces of the United States took advantage of the special act which we passed permitting them to become naturalized?

Mr. SIEGEL. We passed that act in 1918, and a large number of these men had gone over to the other side at that time. Of those who were in this country I think 260,000 applied for citizenship. One of the objections raised by the men who returned was that each one of these men must pay $4 in order to become a citizen, although he risked life and limb in our defense.

Mr. KINDRED. Will the gentleman yield?

Mr. SIEGEL. How much time have I used, Mr. Chairman?

The CHAIRMAN. The gentleman has used 19 minutes.

Mr. SIEGEL. I yield to the gentleman for a brief question.

Mr. KINDRED. The gentleman has called attention very aptly to the inadequate machinery with which to deal with aliens who desire to be naturalized. I would like to ask the gentleman in that same connection if he has investigated personally—I presume he has—the conditions in Warsaw? Conditions there would seem to indicate that if adequate machinery were provided very much less injustice would be done to the aliens who are waiting there to come to this country.

Mr. SIEGEL. I admit that. I will say this to you gentlemen, that never before in our history have we enacted a law and provided an insufficient force of men to handle the work, although from this visé system we have made a profit to the United States Government over and above the appropriations of a little over $10,000,000. From what I hear, our consul at Warsaw, Mr. Leo J. Keena, is doing the best he can with his limited force.

We have turned this visé law into a money-making revenue proposition, instead of using the money for the purposes for which it was originally intended that it should be used. The great Government of the United States appropriates the sum of $100,000 for Americanization work, although naturalization alone has brought in over $800,000 and immigration has brought in over $6,000,000 above all appropriations.

Now, I hold in my hand a composition on Col. Theodore Roosevelt. The prize winner lives in my congressional district. The boy was 15 months in America and 12 years of age when he wrote it. I say right now that none of us can possibly point to any other boy of that age who has so energetically devoted himself to getting an understanding of our institutions and the lives and biography of our great men as this boy has done. It is the most remarkable piece of school work that I have ever seen. It is as follows:

[William Marconi School, public school 85 Man., 346 E. 117th St., New York.]

6 A.

Lessons from Roosevelt's life.
December 10, 1920. Salvatore Montenero.
P. S. No. 85 Man. 6 A.

OUTLINE.

Birthplace and boyhood.
After life.
What he stood for.
Lessons he left to boys.
His end.

Theodore Roosevelt was born October 27, 1858, at 28 East 20th St., city of New York. He was the son of a merchant descendant from the Dutch. He was a very delicate boy, but became a very strong and powerful man by taking constant exercise. He loved to read, was brave, honest, and did many brilliant things for his country, which he dearly loved. He was honorary vice president of the Boy Scouts of America, lovingly known to them as "Teddy." Not only these boys, but all boys, can learn from his example to be industrious, honest, thrifty, and determined to conquer every difficulty that may come in their way.

He received his early education in the public schools of New York and later graduated from Harvard University. He was a New York City assemblyman, member of the U. S. Civil Commission, president of police commission of New York City, Assistant Secretary of the Navy, colonel of the "Rough Riders" during the Spanish-American War, governor of New York State, and the youngest Vice President and President that the United States of America ever had. He conducted a hunting expedition in Africa and South America and was the author of many books. In later years he was "contributing editor" to the Outlook.

Roosevelt stood for a square deal for everybody, for punishment for all enemies of the Government. He encouraged people to govern themselves. He loved nature, animals, and children.

Roosevelt left his thoughts with the American boys when he said, "Of course what we have to expect of the American boy is that he shall be a good American man. Now, the chances are strong that he won't be much of a man unless he is a good deal of a boy. He must not be a coward or a weakling, a bully, a shirk, or a prig. He must work hard and play hard. He must be clean-minded and clean-lived, and able to hold his own under all circumstances and against all comers. It is only on these conditions that he will grow into the kind of a man of whom America will be really proud."

This lover of his fellow men had four sons, and he encouraged them all to fight in the great World War of 1914, and received with grief, but proudly, the news that one of them had given his life for his country. He did not live long after the death of his son in France. He died early in the morning of January 6, 1919, the greatest proved and most loved American of our generation.

The reason why I point to this composition is because it is repeatedly said that the boys grow up and do not become Americans. Our committee has been to New York and has seen the schools, and they know of the great work our teachers and pupils are doing. The reason that I make the reference is that in another one of these dispatches before you from the State Department, and which is false and untrue, is the following:

Extracts from articles appearing in the press of Warsaw show that propaganda favoring unrestricted immigration is contemplated. According to these articles, this spring great celebrations will take place in New York with a view to showing in what measure immigrants took part in the general development of the country. A great exhibition will be opened in which different races will take part. The exhibition will attempt to prove that America has profited more from the immigrant than the immigrant from America.

Gentlemen, read between the lines and decide for yourselves whether you could trust any such authority to send a dispatch of that kind. What is the truth of the proposition? In our schools in New York we teach history as follows: We take a certain period of the country and we have the children learn its full details, not merely by rote, by reading it, but by proceeding to get up a play, and the members of the committee who were with us saw the history of the country up to date in school 83, and all remarked that it was a favorable and wonderful piece of work. Speaker GILLETT commended the boys' orchestra at this school. They saw the work in school 72 and other schools at the same time. That goes on in every school in the city of New York. There are no exceptions, and we take great pride in that work. There is not a scintilla of truth in that dispatch. If that is a criterion by which we are to judge the rest of the information, I am very sorry that we have people employed in the State Department who are imbued with certain perverted ideas so that they send out stuff of that kind to be used in the Congress of the United States.

Now, there has been something said in regard to disease of immigrants in New York. I hold in my hand the statistics of the Census Bureau, which I got yesterday. That contains the record of Greater New York, it shows 13 plus out of 1,000 every year of people who pass away of all kinds of diseases. We have fought the battle of reducing the death rate and we have won. We have brought it down from 18 out of 1,000, and I think that record is as good as any other part of the country having anywhere near an equal population with us. We are not worried; we are not frightened. We fought the Spanish influenza in the camps around New York and we won. Because five or six cases of disease appear on a ship arriving at New York every effort is made to get our people unnerved. What is the object?

Propaganda; nothing else except propaganda. Spread the report that New York is threatened with disease and thus push through a restrictive immigration bill.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. JOHNSON of Washington. Did not the commissioner of health of New York come to Congress and appeal for money?

Mr. SIEGEL. The health commissioner came to me and said that the island had been taken under the jurisdiction of the United States and they required $200,000. I asked him why he came to me. He said, "Because you were responsible for getting the Federal Government, with the assistance of Mr. Magee, of Syracuse, to take over the quarantine station in New York, and now it is up to you to get $200,000." I told him to leave it to the Public Health Service of the Federal Government, for they were in charge. I had him talk to both my colleague, Mr. MAGEE, and to our distinguished chairman of the Appropriations Committee, Mr. GOOD, of Iowa. That conditions are bad at Hoffman Island are fully shown in the following statement by one of our ex-service men, who served in the war. It was dictated by him, as follows:

ACCOMMODATIONS AT HOFFMAN ISLAND.

On the *Lancaster*, where the crew of the *Mongolian* quartered, no sheets on the bed, no running water, no bathing of any kind, water distributed to the crew in cans only, the toilets are not flushed, and the lighting system very poor.

The quarters where the immigrants are stationed at Hoffman Island is divided into two parts; the men and women are separated; the men sleep in one section and the women and children in another. There are no chairs or benches, so the immigrants sit on their beds. There is no place for them to wash their clothes; they borrow buckets here and there in order to keep their clothes clean and dry them on lines which they fix up themselves. Telephone service was very inadequate and outgoing calls could only be obtained by explaining that it was very urgent and that some immediate member of your family was either seriously sick or dying.

No amusements, no Jewish services for the members of that religion. Post-office service very poor; could not send a registered letter out. There are no park benches on the outside, although there is ample space for them if furnished.

Immigrants have a hard time to bathe themselves, as hot water is very scarce.

Passengers sent to be deloused are kept waiting for their meals. Passengers were put to bed on board the *Lancaster* before they were given a bath. The employees are given a position, whether they are citizens or not, because most of them do not speak the English language.

The crew of the *Mongolia*, which did not include the officers—some are licensed officers and some are not—did not go to Hoffman Island, but they roamed around New York City.

The dining room is run by a Miss Osbourne, dietitian; the metal plate was dirty and wet and greasy. I called her attention to it, and she blamed it on the washing machine. The tin cups from which we drank our coffee were rusty. There is no canteen on the island, and cigarettes and newspapers are hard to get.

The reason that the *Mongolia* was put in quarantine was that one case of typhus was discovered, an 8-year-old girl, at Boston, where the passengers were quarantined.

Mr. KINDRED. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. KINDRED. May I interrupt the gentleman a moment to suggest that the board of health in the city of New York has done eminently efficient work throughout many years, and that it was only because of conflict of authority between State and Federal power that the commissioner of health of the city of New York yielded to the national authority in this matter?

Mr. SIEGEL. Let me say this about the commissioner: He understands now the difference between city power, State power, and Federal power. He and I are not quarreling about the proposition, I can assure you. We know how hard it is to get anything for New York.

To show you how the visé system works, let me say that here is a boy who went to the other side; he was a little over 15 years of age. He was in 14 actions, and on the 2d day of August, 1918, he was gassed in action. Two other brothers were in the service. The widowed mother was over on the other side; they tried to bring her here before the war, but did not succeed. She wrote to a cousin of hers. She did not know what had happened to the boys, but she had traveled 400 miles afoot to make her way to get through. She writes as follows:

CHISINAU, RUMANIA.

TO MY BEST BELOVED: I beg of you to learn where the family of Archango are. Are they in the city where they used to be? It is now four months since I am on the way. I have written letters and have received no answer. I wander about in the synagogues. I beg of you to find my children as quickly as possible, and have them come to bring me, their mother. If it is not possible for one of them to come, send some one over to bring me. I hope that you are all well.

Lovingly,

——— ———.

The second letter reads as follows:

CHISINAU, RUMANIA.

DEAR FRIEND: I have written to you that I have arrived in Kishinev. It is very bad off with me. I have nothing with which to exist, even for a day. How is it for me to have had eight children and to have fallen as low as I have?

It is an unforgivable sin for one not to come from America to bring me. It is three months now since I have heard from my children. I have not had a warm meal for the last three months. I have nothing with which to buy it. I sleep at nights in the synagogues. Send me help as quickly as possible.

Both of these letters were addressed to cousins, as, apparently, the addresses of her children had not been known to the mother, who appears to have been wandering from place to place.

This woman is over 60 years of age, and although three of her boys were in the service she could not get a visé to come over here. At last I said to one of the boys, "You go over there yourself," and we were finally able to obtain a passport for him a few days ago and he has started on the way.

I will tell you another story that will interest Col. HILL, of Baltimore. He knows of a boy in Baltimore who has been in the service. He has tried to get his widowed mother and sister over here for four and a half months. He has been trying to get that visé during all of that time, and although a dispatch from the consul at Riga states that the papers were sent in January, yet the State Department insists that they never were sent on. This boy has been ground in between one side and the other, sending on every dollar that he could possibly make, and now finds himself in the position such as he is—here—with his widowed mother and young sister over there unable to get here. That is the result of your visé system. If I had the time I could point out to you numerous other cases. We put the visé system in force in time of war, when we said that it was necessary as a war measure in order to keep out all of the bolsheviki, if there were any. We all wanted to keep out every scoundrel that was opposed to our form of government. The trouble is that it has been perverted into the most cruel, unkind, and inhuman instrument that any government on the face of the earth or any legislative body throughout the world has ever enacted, because it is being used against innocent women and children. That is the story of the visé system.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BLANTON. The warm sympathy of the gentleman's heart is commendable, but is his sympathy for these people, who want to come here because of the necessities and who can not, greater than his sympathy for the several hundred thousand people in the United States who are now suffering because of the want of jobs?

Mr. SIEGEL. Mr. Chairman, let me answer the gentleman in this way: My life's record is an answer to him. Long before the gentleman ever held public office my civic work in New York City was well known. My record during the whole of that time is one of which I am proud. It is a record of service to my country, because I have considered men for what they are worth and what they consist of. And let me say to the gentleman also that on the very day when the reapportionment bill was under consideration the gentleman himself went to New York on a very busy purpose, and that particular subject we will discuss at some other time.

Mr. BLANTON. I was trying to help out the conditions that exist there now with reference to bread lines.

Mr. SIEGEL. There are no bread lines in New York at this hour. We have a number of strikes in New York, and there is a big strike now as to whether or not men shall work 42 or 46 or 48 hours a week, and hundreds of thousands of men who are worth considerable money are out on strike. They are attending the theaters and the moving-picture houses, riding around in machines galore, and these men are not suffering. We have not a bread line in New York City.

Mr. BLANTON. Who is paying for all this?

Mr. SIEGEL. The gentleman is paying for it and I am paying for it—we are all paying for it. They all made money during the war, and they have the money to spend and are spending it. They want to work 42 hours a week, and the manufacturers say that the public at large, including the gentleman from Texas, that the people want clothing cheaper, and you can not have any clothing, ladies' suits, and furs cheaper if you are going to pay $75 and $85 a week for 42 hours' work. That is the answer to the proposition in New York, and any time my friend wants to look into it any further I should be very glad to answer his questions.

Mr. BLANTON. The gentleman has not caught the question yet. The question is, Is the gentleman for the necessities of this country first or for the necessities of Europe first?

Mr. SIEGEL. I want to say to the gentleman once more that I once said on the floor of this House that the gentleman from Texas could ask more questions and give less information than any man in the House. The House agreed with me then, and the House has agreed with me ever since, including the entire delegation from Texas. [Applause.]

Mr. BLANTON. It depends entirely upon the viewpoint.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. HILL. In reference to the case the gentleman mentions, I want to say that is not the only case. There are at least a dozen cases of that kind that I know of that I am working on, where the wives and families of soldiers can not be gotten to this country. There has been something said about Italy. Let me quote the following:

> Italy is so beautiful, it is so rich in the treasures of art and the glories of nature, it is so gemmed and jeweled by the hand of man and the hand of God, it is altogether so exquisite and delectable, that it is not easy to treat it quite like the rest of this hard, prosaic, practical, materialistic, latter-day Europe. For generations Italy has been the chosen haunt of the sentimental traveler, the paradise of the literary and artistic holiday maker. It is the Italy of Byron and Shelley, of Goethe and Heine, of Stendhal and George Sand, of Landor and Browning, that we know best, the Italy of the pictures and the palaces and the Vatican galleries, the Italy of the purple hills and sapphire seas; the land of song and music and verse, the "woman country" that inspires her alien lovers with an undying passion.
>
> "Open my heart and you shall see
> Graved upon it Italy."
>
> Yes; but the Italy of the past, the Italy of a dream—of many dreams. (From Italy in the War, by Sidney Low, pp. 4, 5.)

Mr. SIEGEL. Mr. Chairman, I could go on and discuss this subject much longer, Debate is limited, and there are others who desire to speak. I think I have made as good a study of Ellis Island as any man ever has. I have studied this immigration proposition, and I say to you that if we enforce our law we will have no difficulty. We can not enforce our law until we provide proper appropriations; and when we do we will have no problem on our hands. There is none except in the minds of the prejudiced, skillful agitator, who every year and every month is excited over the immigration question. It has become a part of his existence. He sees red everywhere he turns. It is his hobby in life. Put an Assistant Secretary of Labor at Ellis Island and let him pass on these appeals. Provide sufficient money for these inspectors and enforce our amendments which were put into the act of 1917 and we will have no complaint.

Let us proceed and provide sufficient courts and judges, and we will have no trouble about naturalization. Let us face the question squarely. Let us look at it in the way it should be looked at. Let us analyze it as it should be analyzed, and let us not be carried away by oratory which waves the American flag all of the time. I, too, could have been a major in the Army, and have trotted around here in a uniform if I had wanted such a distinction. My then colleague, Mr. LaGuardia, who is at present the president of the Board of Aldermen of New York, came to me and said, "Shall I go on the other side, and will you look after my matters here?" I answered him yes, that he could go. In the summer of 1918 I went over to the other side as the chairman of the overseas commission, and whether there was a battle on or otherwise, I went where I could do the most good.

I was married and had a family, too, and yet I did not come back and deliver speeches about it broadcast, because I recognized, as I have said, from boyhood, everywhere that the person who is a citizen of the United States, whether native or foreign born, owes everything he possesses to our country, and when the emergency comes, it is his duty to do his most and utmost for our common country. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears no objection, and it is so ordered.

Mr. JOHNSON of Washington. Mr. Chairman, I yield 15 minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman and gentlemen of the committee, I think every man in this room must have felt touched by the very eloquent appeal just made by the gentleman from New York [Mr. SIEGEL] in behalf of the unfortunate people in central Europe who are waiting for a chance to get over here. I know I was so touched. The letter appearing on page 5 of this report, signed by the Assistant Secretary of State, is a letter which was addressed to me. It concerns a family in my district who have been endeavoring to get over here. They are good people, but notice what the Assistant Secretary says, under date of April 5, that there are 40,000 aliens in Warsaw alone desirous of making application for American visés. I agree entirely that for people who are entitled to come there ought to be some more speedy and humane way of permitting them to come. But, gentlemen, what in the world has all this proposition to do with the matter of who should be entitled to come? That is the question we are arguing here to-day. We are discussing a matter which is vital to the American Nation, a question involving our national ideals and our national history, the stock from which Americans in the future are to be made. Of course, if we admit only half the number which might be admitted under this bill we should still furnish the means to admit them promptly and avoid this hardship, but the question is aside from the one we are discussing. I call attention, however, to a fact that exposes the singular inconsistency in the position of the minority. They argue in their report that there are very few coming, and in the same breath they get up and tell us how pitiful it is, and it is pitiful, that there are so many now who want to come who can not get visés. In the city of Warsaw alone, one city in central Europe, 40,000 are waiting. That would put that city alone in the third place among the countries whose people could come to the United States under this bill.

Mr. ROSSDALE. Will the gentleman yield?

Mr. VAILE. I will.

Mr. ROSSDALE. Does the gentleman realize that 40,000 seeking visés in Warsaw means that it would take 340 days for the State Department's representatives there to visé those 40,000 respective immigrants?

Mr. VAILE. Not quite that, according to the report.

Mr. ROSSDALE. The State Department in a letter to me tells me that they can only visé 250 a day, and 40,000 would make 240 days for those 40,000 immigrants alone to get visés; where is the flood coming from?

Mr. VAILE. The letter says in the month of September. But how is the gentleman hurt in that case? No more would be admitted, anyway, without this legislation. On page 19 of the minority report they say there arrived in the year ending April 1, 1921, 652,000 aliens; during the same period 336,000 left here. On that calculation the remainder who could come without this bill would be only about the number who would be admitted under this bill.

Mr. ROSSDALE. Does the gentleman mean to say it is fair to say that our Government shall install a system that compels an immigrant——

Mr. VAILE. I have expressly stated I do not think it is fair to require these visés in this manner.

Mr. ROSSDALE. Then why make it worse by a bill of this kind?

Mr. VAILE. I can not see how this bill makes it worse. But what we are discussing is the question of a policy of who shall be admitted to the United States. Now I want to address myself——

Mr. SIEGEL. Will the gentleman yield just a moment?

Mr. VAILE. Very well.

Mr. SIEGEL. The gentleman understands that Warsaw covers a portion of Lithuania?

Mr. VAILE. I assume that it covers a great many people outside of that one city.

Mr. SIEGEL. It covers the entire population of——

Mr. VAILE. Suppose it covered the whole of Poland?

Mr. SIEGEL. We have a consul at Warsaw for the whole of that territory, while every other country has dozens.

Mr. VAILE. I hope the gentleman understands that I have expressed the view that our facilities over there should be better, and I hope the business will be dispatched more promptly.

Mr. TEMPLE. Will the gentleman yield?

Mr. VAILE. I will.

Mr. TEMPLE. Many of those from Lithuania go to Riga as well as Warsaw and their passports are viséed at Riga. The report from the consul at Riga, which is contained on page 12 of the majority report, points out the class of Letts and Lithuanians who are leaving——

Mr. VAILE. I can not yield further. How much time have I consumed, Mr. Chairman?

The CHAIRMAN. The gentleman has consumed eight minutes.

Mr. VAILE. There is one argument which I do want in these few minutes that remain to call to the attention of the House, and it is an argument that is frequently presented before the committee. It is presented on the floor of the House every time the question comes up. And that is that we should loosen the restrictions of immigration because we need labor. That is presented by people who represent almost every conceivable kind of interests. We have had before our committee delegations of cotton growers from the Southwest and wheat growers from the Middle West, and of clothing manufacturers and of building trades from New York and other large cities. We have had organizations presenting the same argument, such as the Interracial Council closely identified with the Association of Foreign Language Newspapers and financed to a considerable extent, at least, by large manufacturers, among them Du Pont, the great powder king.

On the other hand, those whom my friend speaks of as "eloquent propagandists," who are in favor of enforcing strictly the present immigration laws and of tightening the restrictions, are for the most part—I might say entirely—people who have no personal interest to be served by tightening the restrictions. These people, patriotic societies, and patriotic individuals, are doing their work practically without means. But these people, guardians of the public weal, moved by no self-interest, have presented the American argument that we should preserve American ideals in morals, law, and government, and they have no financial interests of their own to serve. Of course, there are also some on the other side who are not moved by self-interest but by humanitarian sentiments, such as my friends here in the House.

Now, let us examine the arguments a little.

I readily concede that many of the delegations appearing before us in behalf of particular industrial or agricultural interests made very forcible arguments for the necessity of additional labor in those industries. They presented overwhelming figures, they made a very compelling appeal for the prosperity of particular districts largely dependent upon the prosperity of particular industries, and they pressed home the argument that we need increased production especially at the present time to relieve high prices and to restore normal economic conditions throughout the country.

These are strong considerations. They are addressed both to our national interest and to our local interest. Certainly, as a general proposition, increased national production is of vital importance to the whole country, and increased local production is of vital importance to your own district. But if increased production of goods could only be secured by reduction of Americanism, by lowering our standards of living, by replacing the English language with a medley of other tongues, by substituting for American communities polyglot colonies where our Constitution and laws are neither respected nor understood, by changing the character of our race—then production is bought at too great a cost. When the cost is in dollars and cents we feel it, but, after all, we can pay it. The other cost we could not pay, for in paying it the American Nation would lose its soul. [Applause.]

Let me say to my friends of my own party: We are advocating a tariff to protect American industry. We argue justly and truly that this means primarily the protection of American labor. But if we erect a tariff wall to keep the underpaid labor of foreign countries from competing in foreign factories and on foreign farms with well-paid and self-respecting American labor, and if at the same time we let the foreign labor in to compete with our people, in their own yard, the American workingman would have a perfect right to complain that our tariff was made to protect the employer and not the employee and that our platform promises were a fraud and a snare.

Now, here is an interesting thought culled from the testimony of those who have appeared before us demanding foreign labor for their industries. It is that they need an ever renewed crop because the second generation will not work under the same conditions or for the same wage.

If we are to adopt the policy of increasing or even maintaining our production by a never-ending supply of foreign labor we enter a vicious circle from which we never can escape.

I believe that other ways can be found of increasing the production of our farms and factories. But if increased immigration is the only way, then, in my judgment, we would better get along as best we can without the increased production.

But, gentlemen, we are now proposing a temporary restriction of immigration. Those who argue that we need more hands in our industry must therefore prove that we need them now, at the present day, during the short period that this bill is to be in operation. The figures completely disprove any such contention.

There has been a steady increase of unemployment in most though not all parts of the United States during the past year, and it is very marked to-day.

The Department of Labor has prepared tabulated figures from 65 industrial centers based on the actual pay rolls of 1,424 firms, which, in January, 1920, employed 9,402,000 people. In January, 1921, these same firms employed only 6,070,648 people, a decrease during the year of 36.9 per cent. The 65 industrial centers are in every part of the country and are located in 27 of the 48 States. They include nearly every class of productive industry except farming, which is treated separately, namely, (1) metals and metal products, machinery, electric goods, and foundry products; (2) the building trades; (3) packing-house and food products; (4) textile products, clothing, hosiery, and underwear; (5) boots and shoes, leather and leather products; (6) automobiles and accessories; (7) house furniture, boxes, lumber and lumber products; (8) clay, glass, cement, and stone products.

The Labor Department in addition to the pay rolls of these 1,424 firms in 65 industrial centers has data sufficient upon which to base an estimate of the unemployment in a total of 182 industrial centers, having an aggregate population of 32,560,953 under the 1920 census. That comprises nearly one-third of the whole people of the United States. Well, the estimated unemployment among that population of thirty-two and one-half millions was 1,802,755 in January. In other words, three months ago in 182 cities and towns, comprising practically one-third of the United States, 5½ per cent of the people were out of employment. This is a heavy economic burden for any community, and it means much individual suffering and privation.

And since January this condition has grown worse. Taking the pay rolls of the 1,424 firms, which I think must be regarded as fairly indicative of the whole, while some firms and some cities reported an increase of employment in February, the net result in that month was a decrease of 15,523, or 1 per cent. In March the net result showed a further decrease of 24,825, or 1½ per cent. It will be observed not only that there was an increase in the total of unemployment but that there was a very alarming increase in the rate of increase. There was also an increase in the number of cities reporting worse conditions. Whereas in February 36 of the 65 cities reported a loss in employment, in March 44 of them so reported.

Of course, it is an ill wind, indeed, that blows nobody any good. Unemployment is driving many workers to the country, and for the first time in several seasons it looks as though it might be possible to secure some help on the farm in most parts of the country, though it is not for the most part very experienced farm help. This, however, will not be relieved by immigration, because the reports from the other side are well-nigh unanimous that it is not the farmers who are emigrating, but the city dwellers. The reports show that the farmers among immigrants are less than 3 per cent.

Now, it is possible that there may be a labor shortage in some particular industry in your own district. There is such a shortage in at least two of the principal industries in Colorado, for reasons which I will not now take time to discuss. But we are here to legislate for the whole United States of America. In the United States as a whole there is certainly no labor shortage. On the contrary, there is a great and growing shortage of jobs.

Mr. ROSSDALE. Will the gentleman explain to me at just this point? Do you think a measure of this kind, which implies that this country has reached a saturation point, that we have reached that point where we can no longer permit but a limited number of immigrants, is a better bill than one that would give us an intelligent distribution of immigration? Does not the gentleman believe there is enough of vacant land in these United States to support a population of two or three additional millions?

Mr. VAILE. Not without a great deal of expense in improving that vacant land. I come from a country where that so-called vacant land is located.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAILE. I ask for one minute more.

Mr. RAKER. I yield, Mr. Chairman, two minutes to the gentleman. If the gentleman from Washington [Mr. JOHNSON] will give him one, then he will have three.

Mr. JOHNSON of Washington. I yield to the gentleman one minute.

The CHAIRMAN. The gentleman from Colorado is recognized for three minutes more.

Mr. VAILE. I thank you both, gentlemen. All I have to say is this, that I have tried to refrain in these remarks from discussing what I consider the great controlling facters and considerations in immigration legislation, and those are the social, racial, and political questions. I have tried to limit myself to the discussion of the labor problem, and I merely want to say that if there ever was a time or if there may be a time when immigration should be let in in an increased amount on account of labor conditions, that time is not the present time, when American citizens are idle and American soldiers are walking the streets in search of work. [Applause.]

Mr. RAKER. Mr. Chairman, has the gentleman yielded back any time?

The CHAIRMAN. The gentleman has used his full two minutes.

Mr. SABATH. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

The CHAIRMAN. The gentleman from Alabama is recognized for 10 minutes.

Mr. HUDDLESTON. Mr. Chairman, history repeats itself. After every foreign war comes a resurgence of chauvinism. It is the scum that boils up out of the caldron of disorder, bloodshed, and national hatreds. As it came after the War of the Revolution, it was evidenced by hostility toward the aliens and strangers, by a drive against the freedom of speech, and by opposition toward many of the things for which our ancestors had laid down their lives. It was evidenced by the alien act of 1798 and by the sedition act of the same period, two measures which have come down in the history of our country as the cause of the utter defeat and destruction of the Federalist Party.

The same cause has produced the same effect to-day. During the recent Congress there was a determined effort to put over a strenuous prohibition on the freedom of expression of opinion, traditional in American life. The Sterling sedition bill passed the Senate and in the still more obnoxious form of the Graham bill was favorably reported by the Committee on the Judiciary of this House, and was placed on the calendar ready for passage. Perhaps it will be brought forward during the present Congress. Political considerations of a petty partisan nature——

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. The gentleman will excuse me, if he please. I have only got a few minutes.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUDDLESTON. Political considerations, based on the fear of the dominant party that the passage of that sedition measure would cause the condemnation of the American people to be visited upon them, even as the Federalists were condemned on account of the sedition act of 1798—that fear alone caused the failure to pass that bill.

We had during the last Congress several of these drives on aliens. During the last days of the Congress, under the leadership of the gentleman from Massachusetts [Mr. ROGERS], who happened to be in a position of influence as conferee, a rider upon the Diplomatic and Consular appropriation bill was put over in this House which makes it necessary for any alien, before he may come to this country, to obtain a passport from his own Government and the visé of his passport by the Department of State. That was made a permanent law for the use of the present Republican administration. By means of that rider, fathered by Mr. ROGERS, an oppressive war law was made of permanent operation and lasting effect.

And I am reminded also that the drives against aliens and against freedom of speech which have characterized the backwash of war have not always had their origin and their entire support among the most patriotic elements of our people. They have not always come from those who are most concerned about the preservation of real Americanism. To the contrary, the alien and sedition laws of 1798 represented what was left of Tory sentiment in the United States, not the sentiment of the people who had won the Revolution, had fought for it at Lexington and Yorktown, but of those who cherished un-American ideals and believed that wealth and class and prestige should dominate this country and that the common people existed for no higher purpose than to maintain a privileged upper class.

The visé law to which I have referred is closely akin to the alien act of 1798. Under the latter the President could order to be deported any alien whom he might deem dangerous to the peace and safety of the United States. Under the visé law the President has still more arbitrary powers—he can prevent any man, woman, or child, whomsoever he chooses, from coming to the United States.

That law was passed originally as a war measure. It is not an immigration measure. It was not passed in the interest of keeping immigrants out of this country. It was passed originally under the guise of a war measure. Our Republican brethren went to the people of the United States and promised them that they would repeal the restrictive war laws. Yet we find, soon after the election, instead of repealing that law it was made permanent. A resolution repealing numerous war laws, including the passport control act, the visé law, was actually passed, but within a few days the visé law was again enacted as a permanent law. The pretense of redemption of the Republican campaign promise degenerated into a mere jest. They gave with the left hand and snatched it back with the right. The Republican majority is responsible for making this visé act a permanent law in the United States, with the absolute power in the hands of the President, delegated, of course, to the Secretary of State, and by him in turn delegated to numerous consular officers throughout the world, to say whether a particular alien may or may not come to America.

This measure that we have before us is just a political bluff. That is all that it is. It is merely a political bluff. It purports to have effect for only 10 months, and in the meantime half of the expected immigration may come into this country. At the end of that period we all know that there will be the same rush to come to this country that there would be had this law not been passed. It will make no difference. It is merely a political bluff. We are fighting one of those sham battles that frequently occur in this House.

But that is not what I meant to talk about. I make no quarrel with the bill under consideration. I want to talk about the visé measure. I want to talk about the law which holds thousands of persons, who are entirely worthy to come to the United States under our immigration laws, outside the doors of our consular offices, and which forbids them even to take passage to come, although their admission is authorized by law, until they obtain the consul's visé.

I am in favor of proper and reasonable immigration laws. That is not the point. The point is that whatever laws are to control the admission of aliens should be passed by the Congress of the United States. Congress is the only law-making power that our Constitution recognizes. Congress ought not to have abdicated its sacred function. It ought not to have shirked its high responsibility. Congress ought not to have delegated to the Executive the power to shut the door of our country upon deserving people. If we do not want aliens in the United States, let the Congress have the courage to meet its responsibility and say so. If there be in America a majority which would shut and seal the door of immigration, let it be shut and sealed by the constitutional authority of our country. Let us not hark back to the old Federal spirit of 1798, and delegate to the President and to his subordinates of the executive branch the power of saying who shall come to the United States. Oh, that power may not be fairly exercised. It may not be wisely exercised. Under it thousands of persons who are eligible to come to this country as immigrants according to laws which Congress has passed are now actually being arbitrarily excluded and will be arbitrarily excluded permanently.

Discrimination is being practiced now in the viséing of passports. Applications for visés are not being considered by our consuls in the order in which they are made. They are not being granted or refused on the ground of their merit or lack of it. The Department of State is assuming to say who shall and who shall not come, not on the ground of eligibility under the immigration laws, not with relation to their character, but with relation to some arbitrary and fanciful standard which the department has adopted. I have only to-day received a letter from the Department of State in which Mr. Adee says that our consuls are discriminating, to the extent that they do not consider the applications of eligible immigrants in the order of their application, but that preference is being given to the wives and minor children and elderly parents of those who are now here. Perhaps if there must be a discrimination, that is a discrimination along proper lines; I make no question of that; but I do say that Congress is the body that ought to say who shall come to this country, and we ought to repeal the visé act.

The letter of the Department of State to which I have referred is as follows:

DEPARTMENT OF STATE,
Washington, April 19, 1921.

HON. GEORGE HUDDLESTON,
House of Representatives.

SIR: I have the honor to acknowledge the receipt of your letter of April 7, in which you asked to be informed whether American consular officers in the Baltic States and in central Europe are authorized to discriminate in viséing passports between applicants for visés who are parents of American citizens and other younger relatives, with a view to obtaining for such parents the transportation facilities available. You also asked whether such discrimination may be practiced when the applicant has a steamship ticket sent to him by an American relative.

In reply, I have the honor to inform you that in view of the great number of persons desiring to come to this country from abroad, American consular officers have been instructed to give preference, until the present situation has improved, to the most urgent and deserving cases, such as the wives and minor children or the elderly parents of persons already in the United States. The fact that a steamship ticket has been sent to the applicant by a relative in this country should have no bearing on the case. Those persons to whom visés are refused are being advised to renew their applications for visés at some later date when the restrictions now deemed necessary may perhaps be relaxed.

I have the honor to be, sir,
Your obedient servant,
ALVEY A. ADEE.

The operation of the visé law causes indescribable hardships. Thousands of immigrants are waiting at the doors of our central European consular offices to obtain visés. The process is slow and tedious. Weeks and months are consumed in the immigrant's effort to comply with the consul's requirements for proofs and other formalities. Immigrants wait many weary weeks without ever being able to get an interview with the consul. They do not know what is required of them, and hence

are unable to anticipate the consul's wishes. The work is done so slowly that it is estimated that it will take more than a year to act on the applications which have already been filed at some consular offices. There seems to be an intentional delay and shilly-shallying, seemingly intended to break down the patience of the applicant, to discourage him, and to drive him away from his purpose to come to the United States.

These difficulties and hardships, while primarily due to the law, are largely the fault of its administration. Persons desiring to come to the United States are entitled, as a matter of justice and right, to prompt action, prompt refusal, or grant of permission. They should be informed at once what they may expect. It is the responsibility of the President and of the majority party to provide an ample force of clerks in our consular offices to see to it that applications for visés are promptly acted on. They must stop the heartbreaking delays. American relatives of aliens wishing to come to the United States have the right to hold the majority party, which is in control both of Congress and the executive branch of Government, responsible for delays.

Perhaps the greatest hardship worked by the visé law is upon those being persecuted for political opinions or upon racial or religious grounds. These unfortunates, not being in harmony with their governments or the ruling classes, dare not appear at consular offices, dare not linger in public places, dare not wait until their visés may be granted. In some cases to appear in public would mean that they would be mobbed or imprisoned by the authorities. Yet if they slip away and come to the United States without a viséed passport they violate our laws and may be sent to the penitentiary.

One of the most shocking illustrations of the oppressive effect of the visé law is the case of the Irishman, O'Callaghan. He dared not ask for a British passport or to apply to our consul for visé. To do so meant prison, perhaps death. He slipped away and succeeded in reaching the United States. But he violated our visé law and committed a crime by coming to the United States. Because of the visé law our authorities must choose between putting O'Callaghan in prison and deporting him into the hands of his English enemies. The Secretary of Labor has decided to deport him if he is still in the country after the few days which have been given him to depart. It is thought he will go away voluntarily and secretly. But he may not do so. He may choose rather to be crucified by Ireland's enemies for its effect upon public opinion in America and the world. It will put our country in a sorry plight if as the result of the visé law we shall turn O'Callaghan over for execution by a firing squad.

Many citizens can not understand why O'Callaghan is being deported. They know that he is eligible to admission as an immigrant under our laws, and now that he is here, wonder why he is not regularly admitted as an immigrant. They do not know that it is because of the visé law. It will give the American people a shocking but clear idea of the forces of reaction now at work and the oppression inherent in the visé law, a war law now made permanent for purposes of peace, if as the result of it O'Callaghan should be deported and executed.

I again appeal to the majority in control of this House. The last Congress was elected with the war at high tide. The present Congress is an after-the-war Congress—a peace Congress—elected by constituencies ardently desiring peace and normal conditions. To obtain their seats, Republican Members generally pledged their faith to repeal the war laws and to restore peace conditions. The last Congress reenacted the visé law. I call upon this Congress to repeal it. I call upon the Republican majority to redeem their solemn campaign pledge by repealing this law. I place upon our Republican friends the responsibility for such repeal. I have to-day introduced a resolution providing for such repeal. If you fail to repeal the visé act you will take upon your shoulders the responsibility for maintaining the conditions which I have pointed out.

My resolution is as follows:

Joint resolution repealing the passport control act of March 2, 1921.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act of March 2, 1921, entitled "An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1922," as follows, "That the provisions of the act approved May 22, 1918, shall, in so far as they relate to requiring passports and visés from aliens seeking to come to the United States, continue in force and effect until otherwise provided by law," be, and the same is hereby, repealed.

Mr. RAKER. I yield six minutes to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, my only regret in supporting this bill is that it is not sufficiently rigid to protect fully the rights of the American people. When I study the figures showing the number of immigrants who have actually come into this country since the signing of the armistice in 1918, and observe in that connection the rapid increase per month of the number of immigrants, I am more and more impressed with the necessity for the most stringent immigration laws.

To illustrate, during the last half of the calendar year 1919, 124,952 immigrants were admitted, or an average of 20,825 per month; in the first half of the calendar year 1920, this number was increased to 267,118, or an average of 54,519 per month, and in the last half of the calendar year 1920, 548,511 more immigrants were admitted to this country, or an average of 91,418 per month. It has been conservatively estimated that 350,000 have come into this country since this bill was passed in December of last year.

These figures show a tremendous increase in the number of immigrants who are now coming into this country, and this is true, notwithstanding the fact that we are still technically at war with Germany and Austria, and no immigrants from those countries have been admitted since 1914, and none from Russia since 1917. If peace is declared, and the rate of increase of the past six months is kept up, it is not at all unreasonable to expect that the number of immigrants coming to this country in the fiscal year ending June 30, 1922, will exceed 2,000,000 persons.

We have heard much about emergency of late, but in my judgment this is one of the greatest emergencies that has ever confronted the representatives of the people of the United States. I, for one, believe most earnestly that this is the time to awake and protect the American people against the ceaseless tide of immigrants flowing into this country.

A study of the character of these immigrants discloses that many of them are restless, adventurous, and poverty stricken. Some of them have criminal habits and dispositions, and others are afflicted with the most terrible diseases known to the Old World, and to turn them loose into this country under the lax rules and regulations now in force is but to invite crime, dissension, disorder, and suffering.

Mr. ROSSDALE. Will the gentleman yield?

Mr. PARRISH. I am sorry I can not.

The CHAIRMAN. The gentleman declines to yield.

Mr. PARRISH. We should stop immigration entirely until such a time as we can amend our immigration laws and so write them that hereafter no one shall be admitted except he be in full sympathy with our Constitution and laws, willing to declare himself obedient to our flag, and willing to release himself from any obligations he may owe to the flag of the country from which he came.

It is time that we act now, because within a few short years the damage will have been done. The endless tide of immigration will have filled our country with a foreign and unsympathetic element. Those who are out of sympathy with our Constitution and the spirit of our Government will be here in large numbers, and the true spirit of Americanism left us by our fathers will gradually become poisoned by this uncertain element.

The time once was when we welcomed to our shores the oppressed and downtrodden people from all the world, but they came to us because of oppression at home and with the sincere purpose of making true and loyal American citizens, and in truth and in fact they did adapt themselves to our ways of thinking and contributed in a substantial sense to the progress and development that our civilization has made. But that time has passed now; new and strange conditions have arisen in the countries over there; new and strange doctrines are being taught. The Governments of the Orient are being overturned and destroyed, and anarchy and bolshevism are threatening the very foundation of many of them, and no one can foretell what the future will bring to many of those countries of the Old World now struggling with these problems.

Our country is a self-sustaining country. It has taught the principles of real democracy to all the nations of the earth; its flag has been the synonym of progress, prosperity, and the preservation of the rights of the individual, and there can be nothing so dangerous as for us to allow the undesirable foreign element to poison our civilization and thereby threaten the safety of the institutions that our forefathers have established for us.

Now is the time to throw about this country the most stringent immigration laws and keep from our shores forever those who are not in sympathy with the American ideas. It is the time now for us to act and act quickly, because every month's delay increases the difficulty in which we find ourselves and renders the problems of government more difficult of solution. We must protect ourselves from the poisonous influences that are threatening the very foundation of the Gov-

ernments of Europe; we must see to it that those who come here are loyal and true to our Nation and impress upon them that it means something to have the privileges of American citizenship. We must hold this country true to the American thought and the American ideals.

Mr. ROSSDALE. Will the gentleman yield to me one minute of his time to allow me to correct a statement in the speech of the gentleman from Texas [Mr. PARRISH]?

Mr. RAKER. I yield to the gentleman one minute.

Mr. ROSSDALE. Mr. Chairman, the gentleman from Texas [Mr. PARRISH] has stated that the indications are that 2,000,000 or possibly more people will enter the United States in the coming year. The estimated steamship facilities for bringing people from all over the world for a year are 809,000. Now, why this hysteria? The gentleman also assumes that all of these people over there are antagonistic to American ideals and interests. Has the gentleman ever come in contact with a lot of these immigrants and does he really know that they are of that type? I come from The Bronx, where there are a great many of these so-called foreigners, and I have an intimate knowledge of their political opinions and ideals, and I can say to the gentleman from Texas that if he had even a speaking acquaintance with them he would quickly learn that they breathe higher and purer ideals than he had any previous knowledge of. I invite the gentleman from Texas to come to The Bronx and find out for himself what splendid American citizens they make. [Applause.]

Mr. RAKER. I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman and gentlemen, while we are discussing this question of immigration I think it is well to determine what we are going to do with a lot of the folks who are already here. A delegation is to-day canvassing this Congress in behalf of what is called amnesty for political offenders. They are placing in the front rank of the heroes who should be released one Eugene V. Debs, who is confined in the Federal prison at Atlanta. I want to speak a few minutes about that proposition, which I consider more dangerous than the flooding of this country with a lot of people who want to work for a living and who are starving where they are.

What did Mr. Debs do when the boys who have been spoken of here were at the front, and why is he in prison in Atlanta, and why this propaganda around here to get him out, which is being circulated in our offices to-day? When our boys were facing the crisis of the war, and when men from your districts and mine were going down by the thousands every day, Mr. Debs was out in Ohio preaching to the workingmen, asking them to cut off the supplies for our boys and to break up the instrumentalities of this country with which to prosecute the war. He said to them, "Do not work on anything that will assist the boys at the front." He was in the same position as the fellow who comes along and finds a fire set by some incendiary and cuts the hose of the fire company that is the only connection with the water plug, and thereby paralyzes the power of the fire department that is endeavoring to save the property by putting out the conflagration.

And yet but a few weeks ago it was intimated that he was to be pardoned. He was accorded a remarkable privilege of divesting himself of his prison garb and going to Washington to present his case to the Attorney General in person, going back unguarded, an unprecedented thing it was, as the Attorney General admitted, because when asked if there was any such precedent he said there is one now, because we made it. I note that the Attorney General at Columbus two or three nights ago made a speech in which he said we propose to teach these people who are unpatriotic "that they must either love this country or leave it." [Applause.] I rise to ask if that was the intention of the Attorney General when he had them turn Debs out and let him travel 700 miles without a guard—was that an attempt to induce him to love his country or leave it—was he expected to jump the game or fall in love with this country? [Laughter.]

Gentlemen, you can say what you please, but that proceeding foreshadowed the pardon of Debs, and he has all the infamy that was wrought in that line while the war was going on. We had a great deal of fervid eloquence over Grover Cleveland Bergdoll the other day, and passed a resolution to spend $10,000 investigating his case. Grover Cleveland Bergdoll was a big baby with more money than brains, who was made the dupe of Debs and his crowd by advice that they must not obey the draft law, and by standing out and evading the draft law he became a criminal. And yet we talk about pardoning Debs and proposing to give him perhaps a victory medal and special consideration and then spend $10,000 to get the dupe of Debs back here from Germany and turn him loose under an amnesty proposition.

I regret that the Attorney General has made the statement that he has established a precedent, one that he would not give to a man from my district who happened to make a little moonshine liquor and put down at Atlanta—I say they have established a precedent that will rise up to curse them in the future, because I know men who are in that position.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. Will the gentleman give me one minute more?

Mr. RAKER. Under the circumstances I will give the gentleman two minutes more.

Mr. STEVENSON. I know a rather prominent citizen——

Mr. HERRICK. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. HERRICK. The gentleman will recognize that Mr. Debs was man enough to go back to prison.

Mr. STEVENSON. Yes; and I can bring plenty of moonshiners that will do the same thing, and who would bring you something good if you would let them come up here. If they will accord that privilege to some men I know in the mountains of the South who have not considered that there was any harm in making a little liquor and who have been sent to Atlanta, who have boys who went over the seas and stood at the front of the line and helped to break the Hinderburg line—if you will give them the privilege which you gave Debs, they will come up here and go back, and if the Attorney General will allow them to sit down on one side of the table and he on the other, perhaps if they bring along a little something of their manufacture they might get pardon when the time comes. [Laughter.] I say give it to us all alike. [Applause.] I am opposed to the moonshiner and his product, but he is entitled to as much consideration as Debs, and I regret that the Debs precedent has been made by this administration.

Mr. RAKER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BOX].

Mr. BOX. Mr. Chairman and gentlemen of the committee, the question whether or not the United States will protect itself by the restriction of immigration is not a new one. It does not represent a temporary spirit of hysteria. It represents a feeling in the heart of the American people which first manifested itself actively some 70 or 80 years ago, and which has grown in volume and intensity up to now. The movement has come from the people. The demand for restriction was first heard and acted on by the State governments—Massachusetts, New York, and California first undertook to deal with it. Their power to do that was successfully denied in the Supreme Court of the United States. Then by petition, by the voice of their representatives elected and sent here, pledged thereto, they began to urge their fears and apprehensions and their demand for the enactment of restrictive laws. They have found that it is easier to get action in their States than here, and easier to get legislation in this body, which is closer to them, than it is from the one a little further up. They found that if they could get through this body and the Senate it was still harder to get by the White House. There have been five or six of these measures which have run the gantlet, moving from the people through this House and through the other body, which finally died by action of the President.

In 1879 President Hayes vetoed the first Chinese exclusion act. In 1882 President Arthur vetoed an act suspending Chinese immigration for a period of 20 years. President Cleveland vetoed an immigration act excluding illiterates. President Taft vetoed an immigration bill in 1913 containing a restriction against the admission of illiterates. In 1917 President Wilson vetoed an act excluding illiterates, but Congress passed it over his veto.

A bill similar to this one went to the White House at the end of the last session of the Sixty-sixth Congress, and died for want of approval by President Wilson. So much for the statement that this bill represents merely a spurt of hysteria.

It is said by gentlemen opposing this and all restrictive legislation that our laws are not being properly administered and enforced because our appropriations are not sufficient. The organization for the enforcement of our immigration laws is insufficient. It is not properly sustained by Congress. I agree with the gentleman from New York on that point, and have supported his action in this House with a view of helping to remedy that situation. There are two courses presented—two horns of a dilemma. If we can not get the force needed to inspect and otherwise handle the present volume of immigration, we can reduce the immigration and protect our ports and borders with the force that we have. If we are going to handle

business on the present scale, we should increase the appropriation and enlarge the force, because the laws are not properly enforced. They are not in New York. I venture the assertion that they are not in Boston. They are not on the Canadian border. Neither are they on the Mexican border. The present system is largely a farce. I wish the country knew the extent to which this is true and realized how serious may be the consequences. I wish Congress and the executive department knew and fully appreciated both.

There are two ways to meet the situation. One is to reduce the volume of immigration and another is to greatly increase the machinery by which it is to be handled. Congress for the present appears to have decided not to increase the force. Then we must pursue the other course and reduce the number coming, thus making it easier to handle and giving the country the protection it demands and needs.

I do not look with favor on all of the provisions of this bill; it is not such a bill that I would like to help enact. I believe many of my colleagues on this committee feel that way. I especially reserve my position as to many of its provisions. I do not want to commit myself to the percentage plan. There are many things in it to which I do not commit myself permanently, but as a member of the committee and of this House I have studied the situation. I have reviewed and observed the efforts of the country to get legislation of this kind, and have come to the deliberate conclusion that it is this or nothing. It is proposed as an emergency measure. As such I support it. I can not get all that I want, but this promises a part of it. Though much more is needed and though I object to some of its provisions, I shall support it. Not because it is all it should be, but because it is my duty to help protect the country as far as I can, and because I believe this will give us some measure of protection, do I join with the chairman of this committee and the Members of this House in its enactment. I sincerely hope that we will promptly pass the bill; that the other body will pass it and that it will receive Executive approval. [Applause.]

Mr. RAKER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, no Member can discuss a question of this importance in five minutes, but I am sure that to the 121 new Members of this House it must appear remarkable that members of a committee, after admitting that a great majority of this body is heartily in favor of restricting immigration to properly protect the interests of the American citizens, yet have to apologize for the emasculated bill which they bring before us to vote upon. Why is it that the distinguished chairman of the committee, who is heartily in favor of an adequate and proper bill, and who is one of the ablest men in this House, who thoroughly understands the question and thoroughly understands the need of this legislation, who has given much of his time to investigating this question, can not get the kind of bill out of his committee that he wants?

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. JOHNSON of Washington. The gentleman has been here long enough to know the difficulty of reaching actual legislation in conference.

Mr. BLANTON. Yes.

Mr. JOHNSON of Washington. The gentleman knows that it took 12 years to get water-power legislation.

Mr. BLANTON. Oh, yes; but if a majority of the Members here are in favor of a proposition, then bring it in here and let us vote upon it, and let us pass the kind of measure that we want to pass. Of course, always somebody objects to a measure of this kind. There are divergent interests. I was surprised to hear the distinguished orator from the great metropolis of the Nation the other day state that with the 6,000,000 people in New York City who are forced to get their living in that great city, the only reason that kept bread lines out right now is that it is not wintertime.

And after hearing the other distinguished gentleman from New York, who forms a minority of one party in this House [Mr. LONDON], tell what he thinks of suffering conditions in New York, I was more surprised when I called attention to that fact in my question to the gentleman from New York [Mr. SIEGEL] as to whether he had more sympathy and more interest in the horde of people in foreign Europe who wanted to come to this country than he had in the hundreds of thousands of American citizens who were out of jobs to find that he was unable to answer the question. I wanted to know how he stood on that question, but he could not answer it, and then endeavored to resort to impertinent personalities. However, he intimated that there is no suffering in New York, because he said that the few who were out of jobs had plenty of money, that they had made plenty of money during the war and that they were going to theaters and still having a good time. Is that the real situation that now confronts thousands of men who are out of employment in New York? I have no patience and no sympathy with men out of employment who are out of it because they refuse to work a good honest day's work for a good honest day's pay. I have no sympathy with the thousands of citizens who say, "We will work if you will let us work 42 hours a week and pay us war prices, but we will not work 48 hours a week and we will not work for reasonable prices." I have no patience with that sort, and much of the unemployment in this country now is due to that situation; but I want to say this: That regardless of those facts there are 3,000,000 people now out of employment in the United States, many of whom were loyal soldiers who fought for our flag in France, and as long as that condition exists I am going to vote for any measure that will keep the foreign population from pouring into this country and further competing with them. I want time for our country to get its breath; I want time for readjustment. The great reconstruction period is upon us now, and we are confronted with these conditions. I wish this bill were ten times as stringent as it is.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RAKER. Mr. Chairman, the American people are in favor of this legislation, at least 95 per cent of them. The American Congress, acting two years ago, demonstrated that fact by their Representatives on the floor of this House and in the Senate, for economic and American reasons. Gentlemen who have opposed this bill before and who are opposed to it to-day are constitutionally opposed to all legislation that will restrict immigration. They cite the special cases of hardship which would apply to any condition or circumstance, and hold them up as arguments that there should be no legislation so far as restricting immigration at the present time is concerned. We must look the condition squarely in the face. We find the reason presented by the committee in its report in November, 1920, justified by the facts, and again justified by the present conditions of the country, which are more urgent and important now than they were at that time. The conditions are becoming worse in respect to those who desire to come to this country than they were even a year ago. It behooves the American Congress to heed the voice of the American people, who know what they want, who have been putting up for the support of this Government, and who believe that those who are here should look to their own homes rather than to their neighbor's back door. It is a duty that the people owe to this country to protect their own, to see to it that the principles of this Government are maintained and that the fountain cause of the unstable condition, the wandering thoughts that have been generated for the last five years, are not further inoculated into the populace of this country.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. SABATH. Does the gentleman think that the wives and children of 98 per cent of those who are here will endanger our institutions?

Mr. RAKER. I believe with those who are already here that it has been demonstrated during the last three years that America is in more danger from within than she is from without and that we should not admit any more of these people who have the same idea, who have the same determination to destroy this country at the present time, until we assimilate those who are here and until we provide for those who are trying to tear down our own Government and make them realize that they are in America and that if they want to stay here they must abide by our laws and our principles.

Now, to illustrate the conditions abroad to show why this legislation ought to be enacted: In addition to what has been stated in the report we had a letter from the Secretary of State, Mr. Hughes, which comes from the consular agent, which we must recognize as stating the facts, because there can be no possible reason for a misstatement of those facts. I want to read that part of it which generally applies not only to the country from which they come but all over that devastated country, and you will find it reads as follows:

A second predominant feature in the whole movement of these emigrants of all classes is their reason for proceeding to the United States. A pitiably small percentage is moving with a fixed purpose. Hundreds, both Jewish and Christian, or those of no religious profession, have been asked why they wish to go to America. The answer almost invariably is, "Please, mister, we have rich relatives there. We can find an easier life." These are not the Europeans of a sturdier day, who in

family conference sternly resolved on the great adventure and set forth on unknown wastes to the new America across the seas. These are not those who hewed the forests, founded the towns, fought the savages, breasted the storms of wilderness, conquered the wastes, and built America. These are beaten folk, spirits broken, in effect driven from their European habitat into the west. They have no desire to form and build. They will exist on what has been prepared for them by a better people. They are in search of an easier life.

And on in other parts it is given that they are full of bolshevism.

Mr. SABATH. Will the gentleman tell the House——

Mr. RAKER. Not for the present.

Mr. SABATH. Who makes this statement he has read from?

Mr. RAKER. This is a statement coming from the Secretary of State——

Mr. SABATH. I mean who wrote it?

Mr. RAKER. Who was once governor of the State of New York and at one time a great Associate Justice of the greatest court in the world; again, a candidate for President of the United States, and now the premier of the present President of the United States and of this country.

When refugees from war-stricken Europe are mentioned, there naturally arises in our minds the thought, "Is it right to prevent any of these people from coming here?" Is it not un-American, contrary to our traditional policy of providing "A refuge for the oppressed"? Sentiment can never solve great national problems. The indiscriminate kindness which we may seem to be able to show to the coming millions of European and Asiatic immigrants can in no conceivable way counterbalance the harm that these people may do to our race, especially if large numbers of them are mentally and physically unfit.

It appears from the reports which have been presented to the Committee on Immigration and a part of them which have been submitted to the House that—

Indiscriminate hospitality to immigrants is a supremely short-sighted, selfish, ungenerous, un-American policy. It may give some of us for the moment a comfortable feeling that we are providing a "refuge for the oppressed." But that is as now a state of mind as that which indiscriminately gives alms to any person on the street who asks for money. Such "charity" may truly produce a warm feeling of personal generosity in the giver himself. But alms giving of this sort does more harm than good. It is likely to pauperize him who receives, and it inevitably increases the burden of pauperism which future generations will have to bear. We have no right to saddle any additional burdens upon the already overburdened coming generations of Americans. It is in the highest degree un-American for us to permit any such influx of alien immigrants as will make the process of assimilation and amalgamation of our foreign population any more difficult than it already is. The situation is discouraging enough already.

Now, it seems to me that that sentiment answers the question that we have a haven for the oppressed and that we should open our doors entirely. We intend to give them every opportunity, but until we are able to assimilate, until we are able to digest, until we are able to provide for those who are already here, we ought not to throw the doors open to those who desire to come in—not a million, but all reports and all indications are that they want to come in by the millions. The last report seems to indicate that there are already those who desire to come in in the number of about 15,000,000 from these war-stricken territories of the Old World. We have some 10,000,000 already here, many of them who do not understand or receive the idea of our form of government. The purpose is to take a rest. The purpose is to allow ourselves and this country to digest that which we already have, and then, after the year and two months have passed, or if conditions change, we can in the meantime pass an immigration law that will be more selective than it is to-day, and if this law shall work any hardship at that time by its own operation it will end, or if it works beneficially at that time it can be extended until such time that conditions change so that there will be no danger of the commingling of too many voices, too many languages, and too many peoples who have never thought of the purposes and principles of this country. So we brought in a report and a bill here, not a bill that originally passed the House, but a bill that was placed upon the House bill as an amendment by the Senate, and in conference during the last six or seven days of the Sixty-sixth Congress the committee of the House, not being in favor of the percentage plan but knowing the importance of legislation of some kind that would restrict, adopted with several amendments the Senate amendment, and the conference report was then submitted to the two Houses and was passed by both Houses by a very large vote.

It seemed to many of us we ought to come back to restriction at the present time, admitting only the husband or the wife or the child, unmarried, male or female, under 16 years of age, then let it work for two years, and we would have had some better results, excepting those excepted classes which are provided for in this bill and practically all others. The only amendment that has been placed on this different from that which passed the House is in fact relating to soldiers, and while it is in here it is not necessary because the law authorizes them to come, as they are American citizens, by declaring their intentions, or they may be naturalized abroad and come here, so the only thing is that it relates to those who are fleeing from religious persecution, and the testimony before the committee, not only on this bill but for the last three years, demonstrated practically beyond a doubt that so far as religious persecution is concerned there is to-day none in the Old World at this time, as was clearly stated by my distinguished friend and colleague on the committee [Mr. SABATH].

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. RAKER. I do.

Mr. NEWTON of Minnesota. The regular immigration law exempts those who are persecuted for religious reasons?

Mr. RAKER. Yes.

Mr. NEWTON of Minnesota. Then why should this emergency act exclude them from the computation of 3 per cent? Why should it not be included in the 3 per cent rather than excepted?

Mr. RAKER. Well, it really makes no difference, as in the last few years only about 14 have tried to come to the United States who claimed that they were fleeing from religious persecution. So we have excluded them from the 3 per cent. Why, my dear sir, if we had had the votes—we lacked a few in the committee—we would have adopted the old bill striking out the blood relatives and permitting only the husband or the wife to send for each other, as the case might be, and bringing in the minor children under 16 years of age.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Chairman, I regret that there should be any dispute concerning these reports which are entered in this report of the committee as Appendix A, transmitted to me for the use of the committee, and later for the use of the House.

I suspect that if this committee, of which I have the honor to be chairman, had taken advantage of the very broad powers given to it in the last Congress, to sit where it pleased and make inquiries where it pleased, we might have gone into the very heart of central Europe to investigate personally and make report to Congress, we could not have done so in written or spoken words which would have pleased all the people. Facts are facts. Exactly as the gentleman from New York [Mr. CHANDLER] who preceded me has said, what can you expect to exist in central Europe after such a war? It is with no exultation that I as chairman bring forth a bill from our committee in an effort to suspend or restrict or check immigration. I do so with sorrow. I sympathize with broken people everywhere. Our majority of that committee brings the bill forth because it is thought to be a necessity to cover an emergency.

The gentleman who preceded me in his very able speech spoke of Texas and its area. I hold in my hand a letter, only one of many of its kind which pour into our committee room daily. This happens to be from Cleveland, Ohio, which has had its influx of aliens who are now out of work, and where there are more foreign-language newspapers than there are English papers. This writer contends that the immigration question is the most vital problem before the American people to-day. He says in part:

CLEVELAND, OHIO, *April 17, 1921.*

HON. ALBERT JOHNSON,
Representative from Washington, Washington, D. C.

DEAR SIR: I have always contended that the immigration question is one of the most vital, if not the most vital, problem facing the American people to-day. It is a problem that strikes at the very roots of our social, economic, and political welfare; but the American public, with characteristic laxity, have almost ignored the question entirely; and, what is more important, the voice of the American people as represented in the Nation's English-language periodicals and publications has almost ignored the question, while the foreign-language press and foreign racial societies have been feverishly engaged in a campaign of spreading broadcast propaganda in favor of a free and open immigration policy, unrestricted in any manner, shape, or form. And, of course, they are not pursuing this course entirely out of patriotism and devotion to America. There are many ulterior motives behind their campaign, and most of them are personal and mercenary. What has been the result of this campaign? It has succeeded in partly clouding the issue and in befuddling the minds of the few Americans who really gave some serious thought to this question. The foreign-language press is always at it for the foreigner. They usually wind up with a strong condemnation and villification of any American who has the temerity to advocate any form of restricted immigration. As far as the economic side of the question is concerned, they have carefully and tactfully ignored it entirely.

In my humble opinion, the immigration policy of this country should be based almost solely on the economic situation of the Nation. It is not so much a question of whether we should be the saviors of humanity and receive with open arms any and all of the world's surplus population as it is a question of whether we can take care of them or "assimilate" them after we receive them. By that I mean whether we can find places for them in our industries, in our already overcrowded cities, and in our scheme of national existence. With

approximately 4,000,000 workers unemployed, with a scarcity of homes in our cities, with our schools overcrowded, with many of our unemployed driven to crime and suicide by their desperate situation, etc., it seems to me that America has a man-sized job on her hands to look after her own people without also taking care of the surplus population of the rest of the world. It would seem to the unbiased observer that the present economic situation of the country is surely not a very strong argument in favor of unrestricted immigration.

I have read the opinion of one of our so-called foremost editorial writers of the country. He maintains that we could place 10,000,000 immigrants in the State of Texas alone and still have lots of breathing space left. This may be true. But what would those 10,000,000 souls do once they arrived there? How would they exist? Since many of them are unsuited for farming pursuits and since most of them absolutely detest and refuse to do farming, how would they get the food and clothing to live at all? They could starve in Texas just as easily as they could in Europe. "Charity begins at home," says the old proverb, and this saying is applicable to the present situation. America should first put her own house in order and take care of her own people before trying to take in the rest of the world. To give a helping hand is a fine, humane policy, but when that helping hand means to take in the strangers and have them "eat" you out of home, job, and country it is foolishness and not charity.

Yours, truly, L. S. S.

What my correspondent says regarding English-language periodicals and publications is not true as to all, but it is a fact that many papers do gloss over the situation, because they are in the same position that some of us are in—they want to stand up for the United States, but they do not want to be placed in the attitude of opposing any alien peoples or offending any of the foreign born; but they should realize that the children of all of us will have this problem to face, and will find it still harder to meet and still harder to solve.

Mr. SABATH. By whom was that letter written?

Mr. JOHNSON of Washington. It is one of many letters received by our committee.

This bill is advocated as a temporary measure, my friends, because we have actual unemployment to the number of probably 4,000,000 people. We heard the distinguished gentleman from New York [Mr. COCKRAN] the other day in a discussion of the tariff state something of the situation in his city.

This House the other day passed an antidumping clause of a tariff bill, antidumping for the products of the hands. This is an antidumping bill of another kind, for the antidumping of the hands themselves, and I contend that it needs passage by the House and Senate and the signature of the President. [Applause.]

By unanimous consent, Mr. MADDEN, Mr. KINDRED, and Mr. ROSSDALE were given leave to extend their remarks in the RECORD.

Mr. JOHNSON of Washington. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from California [Mr. RAKER] has consumed all his time, the gentleman from Washington [Mr. JOHNSON] has 7 minutes remaining, the gentleman from New York [Mr. SIEGEL] has 8 minutes remaining, and the gentleman from Illinois [Mr. SABATH] has 28 minutes remaining.

Mr. SABATH. I yield three minutes to the gentleman from New York [Mr. LONDON]. [Applause.]

Mr. LONDON. Mr. Chairman and gentlemen, I have no hope of presenting even an outline of this subject. The world is still crazy. The war is not over. After preaching for thousands of years the fatherhood of God and the brotherhood of man, and then engaging for five years in slaughter, it is but natural that we should be in an abnormal state. While the killing of men's bodies has stopped, the poisoning of minds has just begun. This bill is a continuation of the war upon humanity. It is an assertion of that exaggerated nationalism which never appeals to reason and which has for its main source the self-conceit of accumulated prejudice.

At whom are you striking in this bill? Why, at the very people whom a short while ago you announced you were going to emancipate. We sent 2,000,000 men abroad to make the world "safe for democracy," to liberate these very people. Now you shut the door to them. Yes. So far, we have made the world safe for hypocrisy and the United States incidentally unsafe for the Democratic Party, temporarily at least. [Laughter.] The supporters of the bill claim that the law will keep out radicals. The idea that by restricting immigration you will prevent the influx of radical thought is altogether untenable. You can not confine an idea behind prison bars. You can not exclude it by the most drastic legislation. The field of thought recognizes no barriers. The fact that there was almost no immigration during the war did not prevent us from importing every abominable idea from Europe. We brought over the idea of deportation of radicals from France, not from the France of Rousseau, Jaurés, and Victor Hugo but from the France of the Bourbons. We imported the idea of the censorship of the press and the passport system from Russia, not from the Russia of Kropotkin and Tolstoy but from the Russia of Nicholas II. We have imported the idea of universal military service from Germany, not from the Germany of Heine, Boerne, and Freiligrath but from the Germany of the Kaiser.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SABATH. I yield to the gentleman two minutes more.

Mr. LONDON. Ideas can neither be shut in nor shut out. There is only one way of contending with an idea, and that is the old and safe American rule of free and untrammeled discussion. Every attempt to use any other method has always proven disastrous.

While purporting to be a temporary measure, just for a year or so, this bill is really intended to pave the way to permanent exclusion.

To prevent immigration means to cripple the United States. Our most developed industrial States are those which have had the largest immigration. Our most backward States industrially and in the point of literacy are those which have had no immigration to speak of.

The extraordinary and unprecedented growth of the United States is as much a cause as the effect of immigration.

Defenders of this bill thoughtlessly repeat the exploded theory that there have been two periods of immigration, the good period, which the chairman of the committee fixes up to the year 1900, and the bad period since. The strange thing about it is that at no time in history has any country made such rapid progress in industry, in science, and in the sphere of social legislation as this country has shown since 1900.

The new immigration is neither different nor worse, and besides that, identically the same arguments were used against the old immigration.

By this bill we, who have escaped the horrors of the war, will refuse a place of refuge to the victims of the war.

I repeat, this is an attempt at civilization. Progress is by no means a continuous or uninterrupted process. Many a civilization has been destroyed in the tortuous course of history and has been followed by hundreds or thousands of years of darkness. It is just possible that unless strong men who love liberty will everywhere assert themselves, the world will revert to a state of savagery. Just now we hear nothing but hatred, nothing but the ravings of the exaggerated I—"I am of the best stock, I do not want to be contaminated; I have produced the greatest literature; my intellect is the biggest; my heart is the noblest"—and this is repeated in every parliament, in every country, by every fool all over the world. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of Washington. I will yield the gentleman two minutes.

Mr. SABATH. I yield to the gentleman one minute.

Mr. JOHNSON of Washington. Let me take a little time to say that I think time will be offered to-morrow very liberally under the 5-minute rule for the serious discussion of some of these important questions.

Mr. RAKER. Will the genteman allow me, not to be taken out of his time, to say that Members have spoken to me, and I understood the gentleman from Washington to say that when we get through with general debate we will not take it up under the 5-minute rule to-day.

Mr. JOHNSON of Washington. No.

Mr. LONDON. The unemployment question has been referred to by gentlemen who preceded me in this discussion. Gentlemen, I tried in the Sixty-fourth and Sixty-fifth Congresses to present the problem of unemployment a half dozen times. Unemployment is incident to the present system of industry. One can not have competition in industry without having unemployment. Competition involves the constant shifting of jobs, the frequently occurring separation from employment.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. CAMPBELL of Kansas. Have they not unemployment in Russia, and no competition?

Mr. LONDON. There is entirely too much misinformation about Russia, and I will say to those who think they have definite opinions about Russia that there is a proverb that is applicable to them. "Do not show to a fool an unfinished job." Russia has just begun her great revolution, and it is a new and unfinished job. Let us leave Russia alone for the moment. [Laughter.]

Mr. CAMPBELL of Kansas. I think they have finished Russia.

Mr. LONDON. I hope not.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. SIEGEL. Mr. Chairman, I yield to the gentleman two minutes more.

Mr. LONDON. It took the American people from 1783 to 1787—four years—to make a Constitution, and here are 140,000,000 people in Russia, with complicated problems to solve, and it may take them three, four, ten years or more to do so. Incidentally, I am also opposed to this bill because it will keep out political rebels. With the aid of the visé system we admit only those who are approved by the King of Rumania, the King of England, the Queen of Holland, and the rest of Europe's royalty. What strange times, indeed.

To come back to the subject of unemployment. In Europe they killed off 10,000,000 people. They disabled 20,000,000 people, and they should have very much employment, but they have not. Unemployment does not depend on the number of persons, on the number of men. Unemployment shows a state of chaos in industry, a lack of relation between the job and the job seeker, between the worker and his job. It is a case of maladjustment. The problem of unemployment should be taken up as a great industrial problem, for the problem is ever present. In the near future I hope to present the subject in all of its ramifications to this Congress.

Mr. MORGAN. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MORGAN. Is not the admission of the immigrant you are seeking a case of charity?

Mr. LONDON. Charity is a very broad term. I despise charity in its philanthropic sense, because if there were justice in the world there would be no necessity for charity.

Mr. MORGAN. If you have charity for the suffering humanity in this country, why should you increase it by the presence of such immigration?

Mr. LONDON. I insist that the prosperity and growth of the United States can not be separated from the question of immigration. When the United States was formed its flag had only 13 stars, and it is due to the immigrants and their offspring that 35 stars were added to the flag. Every American problem is a problem of humanity.

Mr. SABATH. Mr. Chairman, I have but one more gentleman to speak on my side. It seems to me that we ought to have a quorum present, and I make the point of order that there is no quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of order that there is no quorum. The Chair will count. [After counting.] One hundred and nineteen Members present, a quorum.

Mr. SABATH. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. COCKRAN]. [Applause.]

Mr. COCKRAN. Mr. Chairman, I doubt very seriously if the full significance of this measure is fully appreciated by the gentlemen who are supporting it. I think it is of more far-reaching importance than any bill that has been considered in Congress since the Civil War, if not since the organization of the country. Because it is no exaggeration to say that if enacted it is the deliberate renunciation and final abandonment of the policy which has fixed the position of this great Nation in the forefront of civilization, which has made it a bulwark of peace and a light of progress to the whole world. I do not know whether gentlemen here appreciate the fact that practically every great convulsion in history—all the movements of races that have produced the cataclysms in which ancient political systems have perished—have been caused by an imperative, inexorable necessity of every possessor of human hands to seek the field on which he can employ them to the utmost profit for himself. The hordes of barbarians who swept over the Roman provinces were not cruel men seeking blood; they were hungry men seeking through conquest pasture for their flocks and herds. That is equally true of the crowds that followed Genghis Khan and Tammerlane. One of the reasons why wise men and philosophers have held a condition of permanent peace in this world to be absolutely impossible was that same unpoised desire for better fields of labor, which could not be repressed, to gratify which men threw themselves freely against ramparts and frontiers and phalanxes, preferring to risk death in battle rather than submit passively to want or danger of want in places which could no longer afford them adequate support.

This country ever since its discovery has furnished the means by which the flux of the human race was given a peaceful and even a profitable vent. I wonder if gentlemen here realize that since this Government was established more Gauls and Goths, Ostrogoths, Visigoths, Huns and Vandals, Burgundians, and Lombards have entered this country than ever entered forcibly the provinces of old Rome? But instead of meeting them with weapons in our hands at the frontier and resisting their entrance, we have welcomed them, placed implements of industry in their hands, and set them to work on our soil. And if ever a national policy was vindicated by successful results, the whole history of this country attests the splendor of the wisdom which opened our ports to all the children of men who were willing to live by cultivating the land. I think I may say without fear of contradiction that the experience of this country shows that nothing so valuable can enter our ports as a pair of human hands eager to cultivate our soil and by their labor contribute to the resources of our country. It has been that tide of laborers flowing through our ports which has made this land a smiling garden of plenty.

Mr. Chairman, I realize the force of what has been said here by several gentlemen who are supporting this bill, that the first, the main obligation of an American Member of Congress is to look out for the welfare of the American people. If the admission of immigrants to this country, however it might ease conditions abroad, could in the slightest degree imperil not merely the safety of our institutions, but the prospects of employment for our own laborers or of prosperity for the American people, I would be the first to advocate not lessening immigration, but preventing it. But because I believe the immigrant who cultivates our soil contributes to the welfare of the country as much, even more, than he derives from it, I am opposed to restricting a source of benefit so important to our country. What must be the effect, the economic effect, of admitting men from all over the world? Against everything that has been said concerning the admission of insane persons, persons who are depraved, persons who are diseased, persons against whom any objection can be made on the score of their capacity for citizenship, I have no objection to make. Precautions can not be too elaborate in that direction. Indeed, I doubt if any precaution could be added to those that have already been established, because you now provide that no man can come in who is diseased, who is depraved, whose political opinions even are in conflict with those principles, political and ethical, which underlie the stability of our Government. More than that, you require that he must be able to read a language, which is not a requirement imposed on American citizenship. And you require that he be a man of established good character. What more desirable person can come here? What more desirable addition to our citizenship can be made than a man who meets all these requirements? We can not suspect for a moment that these requirements will not be vigorously applied. Several gentlemen here have done me the honor to quote what I said a few days ago about the unemployment that is actual in New York and the graver unemployment that is impending in every great city of this country and of the world. How is that grave condition to be remedied? We are suffering from an unparalleled destruction of commodities in war, an annihilation of wealth more extensive than has ever been known in the history of nations. How in the name of all that is sensible can that dreadful waste be repaired except by production? Production, I think everybody will concede, is the method by which this waste of war can be repaired. But production can be effected only by labor. How can any man come into this country and live except by his labor?

Why, some gentlemen here spoke as though these immigrants were coming here for no other purpose than to blow up the Constitution, if they could get their hands on it. [Laughter.] Conceive for one moment the character of such a statement. That a man will come 5,000 or 6,000 miles, suffering the utmost hardships of a transatlantic voyage, parting with the last penny he owns in order to obtain passage, and all the time he is moved not by a desire to benefit himself but by a desire to blow up our Constitution! Now, think of that for a serious argument addressed to sensible men! Can there be a higher proof of devotion to our Constitution conceivable than that a man to come under its blessings will take all the risk, the discomforts of a long journey to a country of whose language he is ignorant, to whose customs he is a stranger, leaving his home and his fireside, the associations of all the generations that preceded him? One gentleman read a statement here as though it were an objection to that class of immigrants that they wanted an easier time. In the name of common sense, does anyone believe they came here for a harder time? How now is he to get the easier time? He is not likely to be received at the port where he lands with bouquets offered him by strangers, with presents from the bystanders to make his pathway easy. There is but one way he can keep himself from starving, and that is by labor. I think the record of immigration to this country shows that the immigrant takes to labor immediately on landing, if not from choice certainly from necessity. I think I may

say he takes to it from choice; otherwise, he would not have undertaken the journey. Now, labor leaders tell me that every laborer who comes here from a foreign country deprives a native laborer of employment. If that were true, I would be the last to countenance any measure that tolerated the admission of immigrants to this country. But the immigrant laborer, far from depriving the native laborer of employment, furnishes him with employment.

Apply your common sense to this problem and you will see at once there is no way by which any man can work without creating employment for others. Can a man mine coal and bring a ton to the surface of the earth without giving employment to other men in transporting it, and still others in applying it to the different industrial purposes it may serve in its consumption? Can a man sow a field of grain without giving employment to another man to reap the crop, and though he should be the sower and reaper himself must not other men transport the grain to the mills, and still other men convert that raw material into the finished product—the bread—essential to the support of human life? Again it must be remembered that no man can exercise skilled labor on the surface of the earth. Skilled labor can only be employed and exercised on some product of the earth. And that product must first be drawn from the earth by a cheaper labor or the skilled laborer can not draw the high wages that he enjoys in this country. Picture to yourself the daily work of a bricklayer. I believe he gets $10 a day. Does anybody believe that he could earn that $10 a day if there were not some cheaper laborer to carry the brick so that his skilled, muscular energies can be employed on that higher form of production? Suppose it were the case that he must carry his own brick. Does anybody believe he could then earn $10 a day? There is no production in which human hands can be exercised that the field of employment does not widen for other hands and the volume of commodities available to support existence does not increase.

We are now at this moment turning around almost helplessly, wondering how production shall be increased. And we find this majority—it is not a party measure but it is still a majority of the House—I do not mean a political majority, but none the less a majority—actually arguing a measure to exclude the hands that are essential to production of commodities after another measure has been passed to exclude the product that is so urgently needed for the support of our crowded populations in great cities. My friends, this measure, if it passes, extinguishes the light of hope and progress to humanity throughout the world.

No man can estimate the degree to which conditions throughout the world have been improved, the degree to which men have been induced to bear patiently conditions unutterably hard in the hope of reaching this asylum, where by labor upon the soil they could transform these conditions of misery to a measure of comfort which they could never dream of attaining in their own lands.

We are told free admission of immigrants would make our country unsafe. There could be no contribution to the safety of our institutions, to the reinforcement of the foundations on which our Constitution stands, equal to this army of labor-seeking men eager to benefit their own conditions by improving and stimulating the growth of wealth in this country. Are you aware that the people who own property in this country are not over 10 per cent of the population? To what, then, must we trust the safety of that property? If we trusted defense of it to its possessors, it would be in serious danger; it would not be secure for 30 days. But while there are but 10 per cent of the population owning property, there are 80 or 90 per cent who hope to own property, and those who hope to own property and those who own property together make an overwhelming majority of the people of this country. It is that hope of acquiring property which has made this country the wonderful Nation it is, where a contented because hopeful population formulates the laws that make property secure by making justice universal. These thousands, these millions, if you will, who are hastening to this country now to perform the essential basic labor without which the higher forms of labor can not be performed at all are performing the part which the Helots of old performed in the old Spartan system. There the Helots gained admission to citizenship and liberty for themselves and their children by service on the battle field. These hosts of prospective laborers coming here are the modern Helots of American industry, seeking to gain admission for themselves and their children to our citizenship by service in the industrial field. Without them the progress of this country would suffer not merely arrest for a while or to some degree, but, in my judgment, a total collapse. Were it not for the immigrants, where could you obtain that basic labor without which skilled labor can not be exercised? Where would it come from? No educated American will perform what is called the baser form of labor. And if all Americans are not educated, with the blessing of God they soon will be. For it is a fundamental necessity of our system that its rulers—that is to say, its citizens—must be educated to the degree where exercise of their sovereign powers will be governed by wisdom and judgment, which would be impossible without adequate instruction.

Mr. JOHNSON of Washington. But is not there some point to the statement, so often made, that many immigrants come here to find opportunity and, failing to find it, charge mistreatment and are quick to listen to assaults on the Government?

Mr. COCKRAN. Any chance to labor is to him the greatest opportunity in the world. He never dreamed of any other. He does not come here with the hope that he will be chosen to administer the Government unless, indeed, he be among some of those who are admitted under your limitations to the effect that only the educated can enter. I opposed that idea of a literacy test bitterly in Congress, on the ground that what we wanted here were not linguists but laborers. We wanted men not with glib tongues, but with calloused hands. I would value the man with the calloused hands that show he is habituated to labor more than one who could display the utmost didactical ability in answering questions of United States examiners. We have plenty of speakers; we do not need any more to come along and help us rule. What we want is men who will cultivate the earth. The native American will supply all the political capacity that is necessary to run this Government. [Laughter and applause.] We need the foreign laborer to make our soil fruitful, to make it fruitful of the basic raw materials on which skilled labor is exercised, without which, I venture to say, the great city of New York would not to-day be half its size. There is not a building that has arisen in any great city which has not owed far more than half its growth to the common, unskilled labor that carried the brick and other materials to the skilled labor, and to the labor that carried the pail out of which the skilled labor drank the water that refreshed its parched lips. Without that great stream of unskilled labor which keeps our skilled labor in operation you will abolish—certainly restrict, but probably abolish—the prosperity of which we are so proud. Above all, in this crisis of the world's history, even if there were no such absolute necessity for recruiting the volume of our unskilled labor here, the dictates of humanity, as the gentleman from New York [Mr. CHANDLER] has well said, would urge us to give the victims of war an asylum from the conditions which we ourselves aided to produce. It should not be forgotten that men who are suffering to-day the terrible conditions prevailing in Europe are victims of a war which we carried to a successful conclusion.

We are hearing every day of appeals to aid those war victims by charity. No man ever ate the bread of charity without suffering demoralization of character. Our proper rôle is to let them gain their own bread by honorable employment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JOHNSON of Washington. The gentleman from New York [Mr. SIEGEL] yields to the gentleman six minutes.

The CHAIRMAN. The gentleman from New York yields to his colleague from New York six minutes.

Mr. COCKRAN. I am very grateful indeed to the gentleman.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Texas?

Mr. COCKRAN. With great pleasure.

Mr. BLANTON. What effect will these incoming hordes that the gentleman would like to see come in have upon the bread lines about which the gentleman spoke the other day so feelingly?

Mr. COCKRAN. They would help to dissipate these bread lines, help to give willing men work, so that they will not have to join the bread lines. I tried to make it clear and thought I had made it clear to most gentlemen. Let me repeat it to this gentleman of Texas [laughter], that no man can work without creating employment for others.

Mr. BLANTON. Surely with the 3,000,000 idle men now there are some hod carriers and some ditch diggers that want work.

Mr. COCKRAN. There are; but they are not employed because the whole machinery of production has been dislocated and disarranged, largely by the total suspension of immigration during the war and the restriction of production, which was its consequence. The more that come here and go out into the country and toil, the more commodities there will be for those who dwell in the cities. [Applause.] We can not exchange

commodities until we produce them. One thing that impressed me in listening to the debates on the emergency tariff bill is the strange belief entertained by some gentlemen here that commodities can be summoned from the bosom of the earth by legislation. [Laughter.] There seems to be a general idea among gentlemen on the other side that in some way or another miracles can be wrought by legislation. Although I do not think that any one of them would attempt to play the part of necromancer if he were alone, yet the moment they go into committee, especially into the Committee on Ways and Means, they seem to imagine that in their aggregate capacity they can perform miracles which not one of them can pretend to accomplish in his individual capacity. [Laughter.] And so, perhaps, it is natural that having undertaken to remedy the scarcity of commodities which now makes it difficult to support life by excluding the products of foreign hands, they should now proceed to exclude the hands themselves. But it is difficult to reconcile with hope or common sense. I want especially to thank the gentleman from Washington [Mr. JOHNSON], who so courteously extended my time, and to say this in conclusion: That so far as measures to restrict immigration to the really worthy are concerned, nobody would support them more warmly than I.

But do you not realize the high standard for admission already established by law; that already you have provided in effect that no one can come in here unless he is a soldier, a sailor, a potential statesman, a scholar, and a gentleman? [Laughter.] That was applied in his day to Sir Walter Raleigh, the knightliest figure of a great age. Under existing law the immigrant must be a scholar, because he must know how to read and write. He must be a sailor, for he must cross the ocean. He must be a soldier, for he is liable to the draft. He must be a statesman, for he will be given the vote, and he will be unable to use it unless he is at least a potential statesman; and he must be a gentleman, because good conduct is one of the qualifications that we exact. And while you provide that those who come in to till the soil must meet that standard of excellence, how can you apprehend any damage to come from their admission? The immigrant gives you the guaranty of love for our country by coming here. Surely the gentleman from Washington [Mr. JOHNSON] will not say for a moment that of the 10,000 that debark from vessels at our ports every week there is any considerable number who would want to blow up our Constitution, even if they could find out where it is located. [Laughter.] They do not come here to destroy the Government that they are eager to join. Do you not see what a contradiction there is between the actions of these men and the motives that you impute to them? They have to "go broke" to come here, to use a familiar colloquialism. They usually have to spend for passage not only what they themselves can raise, but all that their friends can spare in the hope that when the efficient worker gets settled on this soil he will be able to bring over his family to join him. And what could more conduce to the welfare of this country than admission of human beings who want to come here for the purpose of tilling the land in order to obtain the means by which their own condition of life can be improved, with that of their families, and thus secure a prosperity the like of which they had never hoped to attain on their own soil?

The gentleman from Washington [Mr. JOHNSON] said they can not always obtain opportunity for well-paid labor. Well, the $2 or $3 a day that they can obtain for unskilled labor is four times what they could obtain under the most favored circumstances in their own country. What they can obtain here is affluence sufficient to satisfy their wildest dreams of avarice.

To us, I repeat, immigration yields the incalculable advantage of affording the means by which the skilled labor of the country can be kept employed. Yes, Mr. Chairman, it is true that the foreign laborer does displace the American laborer, but he displaces him by lifting him on his shoulders up to a higher plane of employment, where his wages are larger, his hours of labor shorter, and his conditions immeasurably improved. [Applause.]

For that reason, for the welfare of the American laborers, for the prosperity of our country, for the security of our Government, for the welfare of humanity, for the peace and progress of the whole world I believe this measure should be rejected.

The CHAIRMAN. The gentleman from Washington [Mr. JOHNSON] has five minutes and the gentleman from Illinois [Mr. SABATH] two minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I am sure we have all been interested in the remarks of the distinguished gentleman from New York [Mr. COCKRAN], who has given as much time and study to this subject, probably, as any other citizen of the United States, and who has appeared before all of the Senate and House committees in recent years that have held hearings on the subject.

The gentleman's line of argument does not admit that an emergency exists. I think an emergency does exist. I do not charge that the average alien is coming here to assault this country, but I do charge that before the war when he came here he was taken advantage of in a lowered wage. I charge that often he belongs to alien associations which undertake to affect the affairs of this Government, although the associations are made up of those who can not themselves vote. I contend also that a very considerable amount of the organized labor troubles in this country, particularly among the common laborers, has been caused by the "boring-from-within" process, by the taking into the ranks of organized labor of aliens without a vote in the United States, who do vote in those organizations, which in turn influence affairs in the United States. [Applause.] Organized labor does not desire to be all alien, but if the aliens come too fast and organized labor makes members of them, all can see what will happen.

Mr. COCKRAN. If the gentleman will allow me, that is a serious matter.

Mr. JOHNSON of Washington. It is indeed a serious matter.

Mr. COCKRAN. Will the gentleman give the facts on which that statement is based, because it goes to the very root of the matter?

Mr. JOHNSON of Washington. Does the gentleman mean as to whether aliens are members of organized labor associations?

Mr. COCKRAN. Oh, no; but that they are organized for the purpose of making trouble for the Government.

Mr. JOHNSON of Washington. We had a complete exposé of the organization in New York City of the Russian Workers' Union, with not a single naturalized American in it, and every member had taken the oath that he was an anarchist, a destructionist, and against all government.

Mr. COCKRAN. What is the proof of that?

Mr. JOHNSON of Washington. I think that was amply proved.

Mr. COCKRAN. I never heard of it, and I have lived in New York for some time.

Mr. JOHNSON of Washington. Many members of the Russian Workers' Union were deported on the *Buford*. I can read the translations, or, at least what purported to be translations, of their constitution. I am able also to read the Third Internationale Manifesto, and I think those who pay dues and who are in that organization in the United States know what it means, and I am sure it means no good to the United States.

Mr. COCKRAN. Can the gentleman state as to the number of persons affected by that?

Mr. JOHNSON of Washington. I do not care whether it is 2,000 or 10,000 or 20,000.

Mr. COCKRAN. Does not the gentleman think the number is a matter of some importance?

Mr. JOHNSON of Washington. I do indeed. I do not think that one alien member should be permitted to remain here. I do not care whether the number is 1 or 100 or 1,000; all aliens who outrageously defame this Government of ours have no right to try to remain in the United States; and I notice that, as a rule, the people who stand up and defend them and protest sending them out of the country are usually the people who themselves want more and more aliens to come into the United States.

Mr. SABATH. Will the gentleman yield?

Mr. JOHNSON of Washington. I yield to the gentleman from Illinois.

Mr. SABATH. Is it not a fact that the present immigration law excludes all such people as the gentleman has designated?

Mr. JOHNSON of Washington. Certainly, but they are here.

Mr. ROSSDALE. Will the gentleman yield?

Mr. JOHNSON of Washington. Not now. My contention is that much of this immigration that has crowded itself upon us in the last 12 or 13 years has come here in the hope of a quick return, and too often not finding it, they are quick to charge that they have been deceived, and are quick to turn against this Government. And my friends, I am sorry to say it, but my belief is that if that is so in this great country of ours which has used up its natural resources so rapidly, we had better slow up production, slow the turning of the wheels, mine less coal, cut less trees, all to employ and to feed more and more people pouring in from other countries, only to complain that they toiled to enrich the few. Those who are coming in now, I am certain, are not like the distinguished gentleman from New York [Mr. COCKRAN] and others who made the adventure years ago. Those who come now are the broken down. They do not have their own initiative and are unable to make

a start for themselves. They are assisted and promoted all along the line from one war-stricken country to another war-stricken country, and as far as I am able to learn, in every country the cry is "move on," and every country, even France, helps to send them to this country. All assist and aid and urge them on. They shove them on to the United States, and that is why we offer this bill. [Applause.]

The CHAIRMAN. The gentleman from Illinois has two minutes remaining.

Mr. SABATH. I hope that the gentleman from Washington [Mr. JOHNSON] who has preceded me will in the near future furnish to the House evidence that he may have against these aliens whom he alleges are conspiring against our Government. I will say to him and to the House that, notwithstanding the four trying years, he nor any other man can point out where any of these men have been convicted of any of the crimes or offenses of which he complains and charges them with. He states that the present immigration is not made of the same stuff as the immigration that we have been receiving in the past. The charges he makes against the present immigration were made against the immigrants who came here 100 years ago, 80 years ago, 60 years ago, 40 years ago, and 10 years ago. Time, however, has shown that the charges were unfounded against the people of that time, and history will prove that the charges that are being made against the present immigration are again unfounded, unjustifiable, and unfair. The truth is they have and are making good and proving their worth.

The CHAIRMAN. The time of the gentleman from Illinois has expired, all time has expired, and the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That as used in this act—

The term "United States" means the United States and any waters, territory, or other place subject to the jurisdiction thereof except the Isthmian Canal Zone and the Philippine Islands; but if any alien leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

The word "alien" includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

The term "immigration act" means the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States"; and the term "immigration laws" includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

During the reading of the first section the following occurred:

Mr. JOHNSON of Washington. Mr. Chairman, I desire to move that the committee do now rise.

The CHAIRMAN. Will the gentleman withhold that for the present until the Clerk finishes the reading of the section? This bill will be considered by section and not by paragraph.

Mr. RAKER. That is the ruling of the Chair, is it, that it is to be considered by sections?

The CHAIRMAN. Under the rules of the House a bill of this character is considered by sections and not by paragraphs.

The Clerk completed the reading of the section.

Mr. JOHNSON of Washington. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STAFFORD reported that that committee had had under consideration the bill (H. R. 4075) to limit the immigration of aliens into the United States, and had directed him to report that it had come to no resolution thereon.

LEAVE TO ADDRESS THE HOUSE.

Mr. POU. Mr. Speaker, I ask unanimous consent that on to-morrow, immediately after the approval of the Journal, I may have leave to address the House for 20 minutes.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to address the House for 20 minutes immediately after the reading of the Journal to-morrow. Is there objection?

Mr. MONDELL. Reserving the right to object, I think it would hardly be fair to the committee having this bill before the House to give unanimous consent to a speech on another subject after the House has proceeded to the consideration of a bill under the five-minute rule. I hope the gentleman can make his speech later.

Mr. POU. Mr. Speaker, I ask unanimous consent that I may have 25 minutes day after to-morrow after the approval of the Journal.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MONDELL. Reserving the right to object, we granted the gentleman from Ohio [Mr. FESS] an opportunity to address the House on yesterday when we had no other business before the House. In the last Congress I announced that, meeting what I believed was the view of the majority of Members, I would not, except for very compelling reasons, grant unanimous consent for speeches at specified times when there might be other business before the House. I have not made that statement in this Congress, and in view of the fact that the gentleman from Ohio did have an opportunity to address the House at a time fixed in advance I think perhaps I would not be justified in objecting now. But I desire to repeat what I said in the last Congress touching this matter of the announcement of speeches, that except in very unusual cases I do not think the request should be granted. I think that is the view of the majority of gentlemen on both sides of the House.

Mr. POU. I think this is the first time in 20 years that I have preferred such a request.

Mr. JOHNSON of Washington. If we should find that amendments offered to this bill should cause it to be discussed all day to-morrow and the vote should come on the next morning——

Mr. POU. I would not object. Any act of mine that will promote the passage of this bill I will gladly perform, and I would not throw any obstacle in its way.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE BERGDOLL COMMITTEE.

The SPEAKER. The Chair will appoint as the committee on the Bergdoll investigation Mr. PETERS, Mr. MCARTHUR, Mr. LUHRING, Mr. FLOOD, and Mr. JOHNSON of Kentucky.

LEAVE OF ABSENCE.

Mr. BANKHEAD, by unanimous consent, was given leave of absence for three days, on account of important business.

ADJOURNMENT.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until to-morrow, Thursday, April 21, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

40. A letter from the chairman of the Federal Trade Commission, transmitting report on combed cotton yarns in response to House resolution 451, Sixty-sixth Congress; to the Committee on Interstate and Foreign Commerce.

41. A letter from the Secretary of the Navy, transmitting draft of proposed legislation for the relief of the Kailan mining administration of Tientsin, China; to the Committee on Claims.

42. A letter from the Secretary of the Navy, transmitting draft of proposed legislation for the relief of Creeden & Avery (Ltd.); to the Committee on Claims.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 2739) granting a pension to Sarah J. Thompson, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EVANS: A bill (H. R. 4569) to amend an act entitled "An act to provide revenue and for other purposes," approved February 24, 1919; to the Committee on Ways and Means.

Also, a bill (H. R. 4570) to repeal section 500 of the revenue act of 1917 as amended by the act of February 24, 1919; to the Committee on Ways and Means.

Also, a bill (H. R. 4571) authorizing the Winnebago Tribe of Indians of Wisconsin and Nebraska to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. GRAHAM of Illinois: A bill (H. R. 4572) to authorize the Secretary of War to lease United States nitrate plant No. 2, at Muscle Shoals, Ala., with its appurtenances and dam in the Tennessee River; to the Committee on Military Affairs.

By Mr. HICKEY: A bill (H. R. 4573) to establish a fish-cultural station at some point in the State of Indiana on Lake

Michigan; to the Committee on the Merchant Marine and Fisheries.

By Mr. JOHNSON of Mississippi: A bill (H. R. 4574) to prohibit the intermarriage of persons of the white and Negro races within the District of Columbia, to declare such contracts of marriage null and void, to prescribe punishment for violation and attempt to violate its provisions; to the Committee on the District of Columbia.

By Mr. MASON: A bill (H. R. 4575) authorizing the payment of stationary engineers and others for service performed on Sundays and legal holidays; to the Committee on the District of Columbia.

By Mr. BURKE: A bill (H. R. 4576) to provide legal-tender money without interest for public improvements, market roads, building homes for its citizens, needs, employment of discharged soldiers, sailors, marines, unemployed, and other citizens of the United States; to the Committee on Banking and Currency.

By Mr. MONTOYA: A bill (H. R. 4577) to authorize the addition of certain lands in the State of New Mexico to a national forest in said State, and for other purposes; to the Committee on the Public Lands.

By Mr. RAKER: A bill (H. R. 4578) to provide for the protection of the monetary gold reserve by the maintenance of the normal gold production of the United States to satisfy the requirements of the arts and trades, by imposing an excise upon all gold used for other than monetary purposes, and the payment of a premium to the producers of newly mined gold, and providing penalties for the violation thereof; to the Committee on Ways and Means.

Also, a bill (H. R. 4579) to create a national department of highways and a national highway commission therein, to promote and organize a national system of highways, to increase the economy and efficiency of transportation, to assist industry and commerce, to improve the facilities for postal service, and to provide additional means for national defense; to the Committee on Roads.

Also, a bill (H. R. 4580) to prohibit the coming of Asiatic laborers into the United States, and for other purposes; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 4581) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913, and for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

Also, a bill (H. R. 4582) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

Also, a bill (H. R. 4583) for the establishment of a probation system in the United States courts, except in the District of Columbia; to the Committee on the Judiciary.

By Mr. SMITH: A bill (H. R. 4584) to provide for the erection of a Federal building at Burley, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. SWANK: A bill (H. R. 4585) to establish a new judicial circuit of the United States with a circuit court of appeals, hereafter to be called the tenth circuit; to the Committee on the Judiciary.

By Mr. VOLSTEAD: A bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. FOCHT (by request): A bill (H. R. 4587) to regulate pawnbrokers and their business in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 4588) to provide pensions for all soldiers and marines of the War with Spain, the War with Mexico, and the war with Germany, who now receive pensions, at a minimum rate of $50 per month; to the Committee on Pensions.

Also, a bill (H. R. 4589) to limit the immigration of aliens into the United States; to the Committee on Immigration and Naturalization.

By Mr. WASON: A bill (H. R. 4590) for the appropriation of additional funds for the erection and completion of a Federal building at Franklin, N. H.; to the Committee on Pubilc Buildings and Grounds.

By Mr. WEAVER: A bill (H. R. 4591) for the purchase of a site and the erection of a post office at Canton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. EDMONDS: A bill (H. R. 4592) to prohibit the payment of gratuities to the masters of vessels or other persons for the purpose of inducing or securing contracts for repairing vessels or furnishing vessels with supplies or other necessaries; to the Committee on the Merchant Marine and Fisheries.

By Mr. PADGETT: A bill (H. R. 4593) for the purchase of a post-office site at Lawrenceburg, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4594) for the purchase of a post-office site at Dickson, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. BROOKS of Illinois: A bill (H. R. 4595) authorizing and empowering the President to invite all nations to send delegates to a convention to provide for disarmament; to the Committee on Foreign Affairs.

By Mr. HUDSPETH: A bill (H. R. 4596) to provide for the disposal of certain waste and drainage water from the Rio Grande project, New Mexico and Texas; to the Committee on Irrigation of Arid Lands.

By Mr. KAHN: A bill (H. R. 4597) to provide for the payment of six months' pay to the widow, children, or other designated dependent relative of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct; to the Committee on Military Affairs.

Also, a bill (H. R. 4598) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 4599) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918; to the Committee on Military Affairs.

Also, a bill (H. R. 4600) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children; to the Committee on Military Affairs.

By Mr. VOLSTEAD: A bill (H. R. 4601) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

By Mr. SPEAKS: A bill (H. R. 4602) authorizing the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Military Affairs.

By Mr. PARK of Georgia: Joint resolution (H. J. Res. 61) authorizing the Secretary of War to loan to the city of Albany, Ga., tents and cots for use of Confederate veterans in their State convention May 11 and 12, 1921; to the Committee on Military Affairs.

By Mr. KING: Joint resolution (H. J. Res. 62) to reerect the statue of Abraham Lincoln upon its original site; to the Committee on the Library.

By Mr. HUDDLESTON: Joint resolution (H. J. Res. 63) repealing the passport control act of March 2, 1921; to the Committee on Foreign Affairs.

By Mr. RIDDICK: Joint resolution (H. J. Res. 64) to appropriate out of the funds of the Blackfeet Tribe of Indians the sum of $10,000, or so much thereof as may be necessary, to bring test suits in the United States court, district of Montana, to determine the right of the Government to issue patents in fee to members of the Blackfeet Tribe, and for other purposes; to the Committee on Indian Affairs.

By Mr. FLOOD: Resolution (H. Res. 63) directing the Secretary of War to furnish to the House certain information; to the Committee on Military Affairs.

By Mr. WHEELER: Resolution (H. Res. 64) to provide for the appointment of a clerk to the Committee on Railways and Canals; to the Committee on Accounts.

By Mr. LAMPERT: Memorial of Wisconsin Legislature memorializing the Congress of the United States to enact such legislation as may be necessary to construct, erect, build, and maintain a bridge across the Mississippi River between the city of Prairie du Chien in the State of Wisconsin and the cities of McGregor and Marquette (North McGregor) in the State of Iowa; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Wisconsin Legislature memorializing the Congress of the United States to refrain from placing a duty on lumber imported from the Dominion of Canada; to the Committee on Ways and Means.

By Mr. PARRISH: Memorial of the Legislature of the State of Texas, in connection with return of so-called cotton tax; to the Committee on Ways and Means.

By Mr. VARE: Memorial of the Legislature of the State of Pennsylvania, asking for full pension for emergency Army officers under same conditions as they are granted to members of the Regular Establishment; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS: A bill (H. R. 4603) for the relief of F. H. Abbott; to the Committee on Claims.

By Mr. BACHARACH: A bill (H. R. 4604) granting an increase of pension to William J. Webb; to the Committee on Pensions.

Also, a bill (H. R. 4605) granting a pension to James M. Howard, alias William C. Howard; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 4606) authorizing the Secretary of War to donate to the town of Luckey, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BELL: A bill (H. R. 4607) authorizing the Secretary of War to donate to the city of Gainesville, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4608) authorizing the Secretary of War to donate to the city of Homer, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4609) authorizing the Secretary of War to donate to the city of Dahlonega, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4610) authorizing the Secretary of War to donate to the city of Jefferson, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4611) authorizing the Secretary of War to donate to the city of Blue Ridge, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BLAND of Indiana: A bill (H. R. 4612) granting a pension to Nancy Cochran; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4613) granting a pension to Mary Lee Love; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4614) granting a pension to Frank R. Wall; to the Committee on Pensions.

By Mr. CABLE: A bill (H. R. 4615) granting a pension to Lydia E. Krugh; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 4616) granting an increase of pension to George Lappin; to the Committee on Pensions.

By Mr. DARROW: A bill (H. R. 4617) for the relief of James H. Gordon; to the Committee on Naval Affairs.

By Mr. DAVIS of Minnesota: A bill (H. R. 4618) authorizing the Secretary of War to donate to the city of Saint Peter, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DEAL: A bill (H. R. 4619) for the relief of the Link-Belt Co., of Philadelphia, Pa.; to the Committee on Claims.

Also, a bill (H. R. 4620) for the relief of Th. Brovig as owner of the bark *Bennestvet;* to the Committee on Claims.

Also, a bill (H. R. 4621) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris;* to the Committee on Claims.

Also, a bill (H. R. 4622) for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania;* to the Committee on Claims.

Also, a bill (H. R. 4623) for the relief of the Atlantic & Pacific Shipping and Brokerage Corporation of Norfolk, Va.; to the Committee on Claims.

By Mr. DREWRY: A bill (H. R. 4624) authorizing the Secretary of War to donate to the county of Greensville, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4625) authorizing the Secretary of War to donate to the city of Hopewell, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4626) authorizing the Secretary of War to donate to the city of Petersburg, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4627) authorizing the Secretary of War to donate to the town of Farmville, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4628) authorizing the Secretary of War to donate to the town of Waverly, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4629) authorizing the Secretary of War to donate to the county of Brunswick, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4630) authorizing the Secretary of War to donate to the county of Nottoway, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4631) authorizing the Secretary of War to donate to the county of Lunenburg, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4632) authorizing the Secretary of War to donate to the county of Mecklenburg, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4633) authorizing the Secretary of War to donate to the county of Dinwiddie, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4634) authorizing the Secretary of War to donate to the county of Surry, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4635) authorizing the Secretary of War to donate to the county of Amelia, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4636) authorizing the Secretary of War to donate to the county of Prince George, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4637) authorizing the Secretary of War to donate to the county of Powhatan, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4638) authorizing the Secretary of War to donate to the county of Sussex, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DUNBAR: A bill (H. R. 4639) granting a pension to Mary E. Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4640) granting a pension to Jennie Turner; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 4641) for the relief of Charles B. Beck; to the Committee on Claims.

Also, a bill (H. R. 4642) to carry out the findings of the United States Court of Claims in the case of Benjamin F. Hasson; to the Committee on War Claims.

By Mr. EVANS: A bill (H. R. 4643) granting a pension to Emerette McKernan; to the Committee on Invalid Pensions.

By Mr. FAIRFIELD: A bill (H. R. 4644) granting a pension to John Nighswander; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4645) granting a pension to Laura A. Bishop; to the Committee on Pensions.

By Mr. FESS: A bill (H. R. 4646) granting a pension to George F. Savage; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 4647) to carry out the findings of the Court of Claims in the case of Joseph D. Wyatt; to the Committee on War Claims.

By Mr. FISH: A bill (H. R. 4648) granting a pension to Emma A. Palmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4649) for the relief of Martha E. Conklin; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 4650) granting a pension to Mary A. Spatch; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 4651) for the relief of Chesley Thurber; to the Committee on Military Affairs.

By Mr. GAHN: A bill (H. R. 4652) authorizing the Secretary of War to donate to the city of Cleveland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARRETT of Texas: A bill (H. R. 4653) for the relief of Allie Melinda Outterside; to the Committee on War Claims.

Also, a bill (H. R. 4654) for the relief of the heirs of Frank Boddeker; to the Committee on Claims.

By Mr. GENSMAN: A bill (H. R. 4655) granting an increase of pension to Michael Balenti; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 4656) granting an increase of pension to Archie S. Blackmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4657) granting a pension to Nicholas Schiller; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 4658) for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Shaeffer, deceased; to the Committee on Claims.

By Mr. HICKEY: A bill (H. R. 4659) granting a pension to Thomas N. Swearingen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4660) granting a pension to Napoleon Bonaparte Corns; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4661) granting a pension to Albert H. Ellwood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4662) granting a pension to Mary Jane Miller; to the Committee on Invalid Pensions.

By Mr. HUDDLESTON: A bill (H. R. 4663) granting a pension to Mary E. Coss; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 4664) granting a pension to Emilie Draves; to the Committee on Pensions.

Also, a bill (H. R. 4665) granting a pension to Lewis E. Phillips; to the Committee on Pensions.

Also, a bill (H. R. 4666) granting a pension to Benjamin H. Britton; to the Committee on Pensions.

Also, a bill (H. R. 4667) for the relief of the First National Bank of New Carlisle, Ind.; to the Committee on Claims.

Also, a bill (H. R. 4668) for the relief of Clara Percy; to the Committee on Claims.

Also, a bill (H. R. 4669) for the relief of Belle Piatt Whyler; to the Committee on Claims.

Also, a bill (H. R. 4670) for the relief of the heirs of Lewis J. Blair; to the Committee on Claims.

Also, a bill (H. R. 4671) to carry out the findings of the Court of Claims in the case of Joseph P. Leslie; to the Committee on Claims.

Also, a bill (H. R. 4672) for the relief of Joseph Santucci; to the Committee on Claims.

By Mr. HOUGHTON: A bill (H. R. 4673) granting a pension to Stephen L. Tobey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4674) granting a pension to Levi S. Seeley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4675) granting a pension to George Pendergast; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4676) granting a pension to Philo Lewis Kelsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4677) granting a pension to Wesley Sweet; to the Committee on Pensions.

Also, a bill (H. R. 4678) granting an increase of pension to Percy D. Ganung; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4679) granting an increase of pension to Theodore Walker; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 4680) for the relief of Stephen W. Bates; to the Committee on Military Affairs.

Also, a bill (H. R. 4681) for the relief of George W. Beavers; to the Committee on Military Affairs.

Also, a bill (H. R. 4682) for the relief of W. M. Middleton; to the Committee on Military Affairs.

Also, a bill (H. R. 4683) for the relief of John Davis; to the Committee on Naval Affairs.

Also, a bill (H. R. 4684) for the relief of John P. Willard; to the Committee on Military Affairs.

Also, a bill (H. R. 4685) authorizing the Secretary of War to donate to Hendrix College, of Conway, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4686) authorizing the Secretary of War to donate to the Confederate Park at Charleston, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4687) authorizing the Secretary of War to donate to the town of Perryville, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4688) authorizing the Secretary of War to donate to the town of Danville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4689) authorizing the Secretary of War to donate to the town of Morrillton, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4690) authorizing the Secretary of War to donate to the town of Dardanelle, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4691) authorizing the Secretary of War to donate to the city of Little Rock, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4692) authorizing the Secretary of War to donate to the town of Clarksville, State of Arkansas, two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4693) authorizing the Secretary of War to donate to the town of Russellville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4694) authorizing the Secretary of War to donate to the town of Conway, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 4695) for the relief of the dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States; to the Committee on Military Affairs.

Also, a bill (H. R. 4696) granting six months' pay to Alice C. Pomroy; to the Committee on Military Affairs.

By Mr. DEMPSEY: A bill (H. R. 4697) for the relief of Mason B. Crary; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 4698) granting a pension to James B. Mulford; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 4699) granting a pension to Sarah Haddiman; to the Committee on Invalid Pensions.

By Mr. KLINE of Pennsylvania: A bill (H. R. 4700) granting a pension to Mary A. Adams; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 4701) for the relief of Delia Russell McNamee; to the Committee on War Claims.

By Mr. LONGWORTH: A bill (H. R. 4702) granting a pension to Eugene C. Dempsey; to the Committee on Pensions.

Also, a bill (H. R. 4703) granting an increase of pension to Sarah J. Nagel; to the Committee on Pensions.

Also, a bill (H. R. 4704) for the relief of Thomas H. Burgess; to the Committee on Military Affairs.

By Mr. MASON: A bill (H. R. 4705) for the relief of Gabriel Roth; to the Committee on Claims.

Also, a bill (H. R. 4706) to award a medal of honor to Ivory Pike; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 4707) to reimburse Earl V. Larkin for injuries sustained by the accidental discharge of a pistol in the hands of a soldier in the United States Army; to the Committee on Claims.

By Mr. MONTOYA: A bill (H. R. 4708) granting a pension to Mrs. Mattie Grimes; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 4709) granting a pension to Juliet Ratchford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4710) granting a pension to Elmer Coe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4711) authorizing the Secretary of War to donate to Oswego Sanatorium, in the village of Orwell, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 4712) granting a pension to Elizabeth Ellen Bealer; to the Committee on Pensions.

Also, a bill (H. R. 4713) granting an increase of pension to John Coyne; to the Committee on Pensions.

By Mr. OLPP: A bill (H. R. 4714) for the relief of Kate Coffin, Thomas Webster, and Herbert Liverani; to the Committee on Claims.

By Mr. PADGETT: A bill (H. R. 4715) granting an increase of pension to Margaret Story; to the Committee on Pensions.

Also, a bill (H. R. 4716) granting an increase of pension to Roy R. Hart; to the Committee on Pensions.

Also, a bill (H. R. 4717) granting an increase of pension to William H. Williams; to the Committee on Pensions.

Also, a bill (H. R. 4718) granting an increase of pension to William Gilbert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4719) granting an increase of pension to Albert Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4720) granting an increase of pension to Frederick Christy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4721) granting a pension to Israel W. Bennett; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 4722) to carry out the findings of the Court of Claims in the case of Frank T. Foster; to the Committee on Claims.

By Mr. RAKER: A bill (H. R. 4723) for the relief of William M. Phillipson; to the Committee on Naval Affairs.

By Mr. RAMSEYER: A bill (H. R. 4724) granting an increase of pension to Ella Broderick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4725) to correct the military record of Purdy Trager; to the Committee on Military Affairs.

By Mr. REAVIS: A bill (H. R. 4726) granting a pension to Alice Haskins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4727) granting a pension to Mary J. Cordon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4728) granting a pension to Frank C. Lee; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 4729) authorizing the Secretary of War to donate to the city of Chillicothe, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4730) authorizing the Secretary of War to donate to the town of Hallsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4731) authorizing the Secretary of War to donate to the town of Carbon Hill, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4732) authorizing the Secretary of War to donate to the town of Frankfort, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4733) authorizing the Secretary of War to donate to the town of Clarksburg, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4734) authorizing the Secretary of War to donate to the town of Bainbridge, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4735) authorizing the Secretary of War to donate to the town of Londonderry, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4736) authorizing the Secretary of War to donate to the town of Lithopolis, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4737) authorizing the Secretary of War to donate to the town of Stoutsville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4738) authorizing the Secretary of War to donate to the town of Murray, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4739) authorizing the Secretary of War to donate to the town of Baltimore, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4740) authorizing the Secretary of War to donate to the town of Kingston, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4741) authorizing the Secretary of War to donate to the town of Richmondale, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4742) authorizing the Secretary of War to donate to the town of Junction City, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4743) authorizing the Secretary of War to donate to the town of Roseville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4744) authorizing the Secretary of War to donate to the town of Thornville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4745) authorizing the Secretary of War to donate to the town of Tarlton, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4746) authorizing the Secretary of War to donate to the town of Rushville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4747) authorizing the Secretary of War to donate to the town of Ashville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4748) authorizing the Secretary of War to donate to the town of Carroll, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4749) authorizing the Secretary of War to donate to the town of Amanda, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4750) authorizing the Secretary of War to donate to the town of Laurelville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4751) authorizing the Secretary of War to donate to the town of Adelphi, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4752) authorizing the Secretary of War to donate to the town of New Holland, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4753) authorizing the Secretary of War to donate to the town of Basil, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4754) authorizing the Secretary of War to donate to the town of Darbyville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4755) authorizing the Secretary of War to donate to the town of Williamsport, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4756) authorizing the Secretary of War to donate to the town of Union Furnace, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4757) authorizing the Secretary of War to donate to the town of Haydenville, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 4758) to reimburse Hill County, State of Montana, for money expended for the support of the Rocky Boy Band of Chippewa Indians; to the Committee on Indian Affairs.

By Mr. ROSENBLOOM: A bill (H. R. 4759) granting a pension to Sarah M. J. Bertram; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 4760) granting an increase of pension to Kate Momper; to the Committee on Pensions.

By Mr. SNYDER: A bill (H. R. 4761) authorizing the Secretary of War to donate to the town of Clark Mills, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4762) authorizing the Secretary of War to donate to the town of Hinckley, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4763) authorizing the Secretary of War to donate to the town of Dolgeville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4764) authorizing the Secretary of War to donate to the town of West Winfield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SPEAKS: A bill (H. R. 4765) granting an increase of pension to Thomas J. Reynolds; to the Committee on Pensions.

Also, a bill (H. R. 4766) granting a pension to Dustin D. Elsie; to the Committee on Pensions.

By Mr. STEENERSON: A bill (H. R. 4767) authorizing the Secretary of War to donate to the Northwest School of Agriculture, of Crookston, county of Polk, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWEET: A bill (H. R. 4768) authorizing the Secretary of War to donate to the city of Hazleton, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAGUE: A bill (H. R. 4769) for the relief of Mrs. John Hanlon; to the Committee on War Claims.

By Mr. THOMAS: A bill (H. R. 4770) for the relief of Joseph Woosley; to the Committee on War Claims.

Also, a bill (H. R. 4771) for the relief of C. M. Cole; to the Committee on Claims.

By Mr. TINCHER: A bill (H. R. 4772) granting a pension to Anna L. Boggs; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 4773) granting an increase of pension to Fred O. Hamilton; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 4774) granting a pension to Helen F. Young; to the Committee on Invalid Pensions.

By Mr. VOLK: A bill (H. R. 4775) for the relief of Theresa M. Shea; to the Committee on Claims.

Also, a bill (H. R. 4776) for the relief of Margaret Speir; to the Committee on Claims.

By Mr. WHITE of Maine: A bill (H. R. 4777) granting a pension to Grace E. Howard; to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 4778) granting a pension to Eddie C. Long; to the Committee on Invalid Pensions.

By Mr. WOOD of Indiana: A bill (H. R. 4779) to correct the military record of Patterson Mehaffie; to the Committee on Military Affairs.

By Mr. WRIGHT: A bill (H. R. 4780) authorizing the Secretary of War to donate to the town of Cusseta, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4781) authorizing the Secretary of War to donate to the town of Bowdon, State of Georgia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4782) for the relief of Preston Brooks Massey; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

200. By Mr. APPLEBY: Petition of the Citizens' Building & Loan Association, of Perth Amboy, N. J., recommending that the income tax law be amended so as to exempt income of profit derived from local building and loan investments to the extent of $500; to the Committee on Ways and Means.

201. By Mr. BARBOUR: Petition of members of Fresno Post, No. 4, American Legion, Department of California, urging enactment of the Kenyon bill (S. 4643) for the rehabilitation of disabled soldiers, to extend training to citizens serving in allied armies during the war, to allow training of all vocationally handicapped, to grant training to widows of soldiers, and relating to medical treatment and time limit for filing applications; to the Committee on Interstate and Foreign Commerce.

202. By Mr. COCKRAN: Petition of the Lest We Forget Committee, the City Gardens Club, and Women's Municipal League, of New York, favoring further legislation for the bene-

fit of disabled veterans; to the Committee on Interstate and Foreign Commerce.

203. By Mr. COLE: Petition of Bucyrus, Ohio, Division No. 193, Order of Railway Conductors, protesting against sales or turnover tax legislation; to the Committee on Ways and Means.

204. By Mr. CURRY: Petition of Messrs. W. J. Nicholson, A. G. Prouty, and E. H. Amstutz, jewelers of Napa, Calif., indorsing a 1 per cent gross sales tax; to the Committee on Ways and Means.

205. By Mr. GALLIVAN: Petition of Conrad & Co., E. T. Slattery Co., A. Stowell & Co., and C. Crawford Hollidge, all of Boston, Mass., favoring a sales tax; to the Committee on Ways and Means.

206. By Mr. LAMPERT: Petition from voters of Oshkosh, Wis., desiring the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

207. By Mr. MACGREGOR: Petition of residents of forty-first district of New York, protesting against tax on yachts; to the Committee on Ways and Means.

208. Also, petition of Brotherhood of Railroad Trainmen, protesting against proposed sales tax; to the Committee on Ways and Means.

209. Also, petition of Wildroot Co., of Buffalo, N. Y., protesting against proposed tax on tin; to the Committee on Ways and Means.

210. Also, petition of the Lest We Forget Committee of New York, protesting against tax on tin; to the Committee on Ways and Means.

211. By Mr. MONTOYA: Resolution by New Mexico Cattle and Horse Growers' Association, regarding State control of public domain and Indian live stock; to the Committee on the Public Lands.

212. Also, petition of the New Mexico Wool Growers' Association, asking suspension of existing freight rates until July, pending permanent readjustment of same; to the Committee on Interstate and Foreign Commerce.

213. Also, petition of the New Mexico Cattle and Horse Growers' Association, regarding appropriation for destruction of predatory wild animals and range-destroying rodents; to the Committee on Appropriations.

214. Also, petition of the New Mexico Cattle and Horse Growers' Association, favoring pure-fabric legislation; to the Committee on Interstate and Foreign Commerce.

215. Also, petition of the New Mexico Cattle and Horse Growers' Association, regarding long-time loans to owners of breeding stock; to the Committee on Agriculture.

216. By Mr. MORIN: Twenty-four petitions bearing hundreds of names of citizens of Pittsburgh, Pa., in favor of beer and light wines and in opposition to Sunday blue laws; to the Committee on the Judiciary.

217. By Mr. SPROUL: Petitions of 308 citizens of the third congressional district of Illinois, protesting against the enactment of so-called Sunday blue laws and asking the amendment of the prohibition act to permit the sale of beer and light wines; to the Committee on the Judiciary.

218. By Mr. TAGUE: Petition of S. H. Reynolds Sons Co., of Boston, Mass., concerning Senate bill 4927; to the Committee on Ways and Means.

219. Also, petition of Lockwood, Brackett & Co., of Boston, Mass., concerning ad valorem duties on imports; to the Committee on Ways and Means.

220. Also, petition of F. C. Henderson Co., of Boston, Mass., concerning revision of existing tax laws; to the Committee on Ways and Means.

221. Also, petition of sundry citizens of Boston, Mass., for repeal of 10 per cent tax on yachts; to the Committee on Ways and Means.

222. Also, petition of Ancient Order of Hibernians, through its national secretary, petitioning for recognition of the republic of Ireland by the Government of the United States; to the Committee on Foreign Affairs.

223. Also, petition of sundry citizens of Boston, Mass., for the recognition of the republic of Ireland by the Government of the United States; to the Committee on Foreign Affairs.

224. By Mr. TEMPLE: Petition of New Castle Division, No. 326, Order of Railway Conductors, representing the railway conductors employed on the Erie and Ashtabula division of the Pennsylvania Railroad, protesting against the repeal of the excess-profits tax and the enactment of a sales or turnover tax; to the Committee on Ways and Means.

225. Also, protest of Tin City Division, No. 565, Mahoningtown, Pa., against the enactment of a sales-tax law and the repeal of excess-profits tax; to the Committee on Ways and Means.

226. Also, petition of F. C. Doeschner, of Pittsburgh, Pa., requesting the repeal of tax on furs and advocating the adoption of the proposed sales tax or turnover tax law of 1 per cent; to the Committee on Ways and Means.

227. Also, petition of Edwin R. Dodge, Philadelphia, Pa., requesting repeal of tax on fur goods and supporting the enactment of a gross sales tax; to the Committee on Ways and Means.

228. Also, resolution of the Chamber of Commerce of Pittsburgh, Pa., supporting the proposal to incorporate in tariff legislation what are known as bargaining provisions, in order that the Executive may have the means of taking defensive measures against the products of any country which discriminates against American products; to the Committee on Ways and Means.

229. Also, resolution of the Chartiers Valley Central Labor Union, of Canonsburg, Pa., indorsing the American Association for the Recognition of the Irish Republic; to the Committee on Foreign Affairs.

230. Also, resolutions of Chartiers Valley Central Labor Union, Canonsburg, Pa., demanding the immediate release and the granting of amnesty to all persons whose political beliefs formed the basis of their imprisonment; to the Committee on the Judiciary.

231. Also, petitions from Henry Newman and others, of Cross Creek Township, Washington County, Pa., and American Flint Glass Workers' Local Union, No. 25, Rochester, Pa., protesting against the enactment of the Capper-Fess bill; to the Committee on Education.

SENATE.

THURSDAY, *April 21, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that Thou hast told us in Thy Word that they that wait upon the Lord shall renew their strength, they shall mount up with wings as eagles, they shall run and not be weary, they shall walk and not faint. Grant that this may be to us not simply an expression of Scriptural truth but a realization in our hearts and lives, so that we may realize that as the day is so shall our strength be. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, April 18, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Assistant Secretary of Labor, containing a statement of files of papers which are not needed in the transaction of business of the Department of Labor and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. KENYON and Mr. JONES of New Mexico members of the committee on the part of the Senate and ordered that the Secretary of the Senate notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 2185) providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FLETCHER presented a memorial of St. Johns Division, No. 196, Order of Railway Conductors, of Jacksonville, Fla., remonstrating against the passage of a sales tax law and the repeal of the excess-profits tax, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Anthony, Ocala, Kendrick, and Sparr, all in the State of Florida, remonstrating against any increase in tariff on coal-tar products used in the manufacture of dips and disinfectants by farmers and stock raisers, which was referred to the Committee on Finance.

Mr. LODGE presented petitions of 251 citizens of New York and New Jersey praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

Mr. MOSES presented a petition of Abigail Webster Chapter, Daughters of American Revolution, of Franklin, N. H., praying for the enactment of House bill 2412, known as the Daughters of the American Revolution old trails act, which was referred to the Committee on Post Offices and Post Roads.

Mr. KEYES presented a petition of Abigail Webster Chapter, Daughters of American Revolution, of Franklin, N. H., praying for the enactment of House bill 2412, known as the Daughters of the American Revolution old trails act, which was referred to the Committee on Post Offices and Post Roads.

Mr. CAPPER presented a resolution adopted by the American National Live Stock Association at its recent convention held in El Paso, Tex., favoring the abolition of war and excess-profits taxes and surtaxes on the income of individuals, which was referred to the Committee on Finance.

Mr. WALSH of Massachusetts. Mr. President, I present a communication from the Cape Cod Chamber of Commerce, of Hyannis, Mass., with reference to the Cape Cod Canal. It is a very short communication, and I ask to have it printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the communication was ordered to be printed in the RECORD and referred to the Committee on Commerce, as follows:

ADOPTED BY CAPE COD CHAMBER OF COMMERCE.

Voted that the Cape Cod Chamber of Commerce, in general meeting of membership at Hyannis, April 14, 1921, are of the opinion that the development of the Cape Cod Canal is a project of the greatest potential importance to the welfare of Cape Cod, and therefore our representatives in the Congress, the Hon. CALVIN COOLIDGE, Vice President; Hon. HENRY CABOT LODGE and Hon. DAVID I. WALSH, United States Senators; and the Hon. JOSEPH WALSH, Congressman, be requested to take this matter under consideration, with a view to hastening such pending action of the Federal Government, whose delay is adversely affecting this whole region.

It is of the utmost importance that boats passing through the canal on daily trips between New York and Boston should stop near the western entrance of the canal, and this, we understand, can not be arranged until the final disposition of the canal is determined.

Mr. WALSH of Montana presented a joint resolution of the Legislature of Montana, which was referred to the Committee on Public Lands and Surveys, as follows:

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the following is a true and correct copy of senate joint resolution No. 3, enacted by the seventeenth session of the Legislative Assembly of the State of Montana and approved by Jos. M. Dixon, governor of said State, on the 23d day of February, 1921.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 24th day of February, A. D. 1921.

[SEAL.]

C. T. STEWART,
Secretary of State.
By CLIFFORD L. WALKER,
Deputy.

Senate joint resolution 3.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas there was granted to the State of Montana by the United States large tracts of timberland within said State for educational purposes; and

Whereas by the terms of said grant it was provided that said lands "shall be disposed of only at public sale and at a price not less than $10 per acre, the proceeds to constitute a permanent school fund"; and

Whereas pursuant to the laws of the State of Montana the State has sold and disposed of the timber from a large acreage of the said timberlands, and the lands so cut over are valuable only as timberlands and for timber culture and have no value for agriculture or other purposes, and that it is to the interests of the State of Montana and the educational institutions for which said lands were granted that said cut-over lands be reforested; and

Whereas said cut-over lands are widely scattered and in most cases isolated, and by reason thereof it is impracticable and uneconomic to undertake the reforesting and care thereof, and that in order that this important work may be successfully carried on the State should be permitted to exchange said cut-over lands that are valuable only for timber culture for other lands of like character and of the same value, to the end that the State may acquire or secure its holdings in a compact body in order that reforesting may be undertaken in a businesslike and economic manner: Now, therefore, be it

Resolved (the house of representatives concurring), That we, the Seventeenth Legislative Assembly of the State of Montana, do hereby petition the Congress of the United States to immediately enact such legislation as will permit the State of Montana to dispose of the cut-over timberlands heretofore granted by exchange, so that a reforesting program may be successfully and economically carried out by said State of Montana; and be it further

Resolved, That a copy hereof be transmitted by the secretary of state of the State of Montana to the Senators and Representatives of the State of Montana in Congress, and that they be urged to use their best efforts to obtain congressional action herein indicated.

NELSON STORY, Jr.,
President of the Senate.
FRED L. GIBSON,
Speaker of the House.

Approved February 23, 1921.

JOS. M. DIXON, *Governor.*

Filed February 23, 1921, at 3.20 o'clock p. m.
C. T. STEWART, *Secretary of State.*

CENTENNIAL OF THE INDEPENDENCE OF PERU.

Mr. LODGE, from the Committee on Foreign Relations, to which was referred the message of the President of the United States in relation to the celebration of the centennial of the independence of Peru, reported a joint resolution (S. J. Res. 34) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru, which was read twice by its title.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HEFLIN:

A bill (S. 1031) for the relief of Eugene K. Stoudemire; and

A bill (S. 1032) for the relief of Maj. Francis M. Maddox, United States Army; to the Committee on Claims.

By Mr. POMERENE:

A bill (S. 1033) regulating the issuance of checks, drafts, and orders for the payment of money within the District of Columbia; to the Committee on the District of Columbia.

By Mr. MYERS:

A bill (S. 1034) to establish a game sanctuary in the watershed of the South Fork of the Flathead River, in the Flathead National Forest, to perpetuate a breeding place for game animals; to the Committee on Public Lands and Surveys.

By Mr. STANFIELD:

A bill (S. 1035) authorizing the Secretary of War to donate to the town of Pendleton, Oreg., one German cannon or field-piece; to the Committee on Military Affairs.

By Mr. TRAMMELL:

A bill (S. 1036) to extend the provisions of the existing bounty land laws to the officers and enlisted men and officers and men of the boat companies of the Florida Seminole war; to the Committee on Public Lands and Surveys.

A bill (S. 1037) to designate Tampa, Fla., as a port at which a marine school may be established and maintained under the act of Congress approved March 4, 1911; to the Committee on Naval Affairs.

By Mr. BURSUM:

A bill (S. 1038) granting a pension to Francisco Giron; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States; to the Committee on Education and Labor.

By Mr. BORAH (by request):

A bill (S. 1040) authorizing the appointment of Anthony John Tittinger as captain of Cavalry; to the Committee on Military Affairs.

A bill (S. 1041) to provide for the establishment, operation, management, and control of an agricultural capital or central clearing house for the scientific distribution and marketing of agricultural products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. CAPPER:

A bill (S. 1042) to provide for the incorporation of cooperative associations in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 1043) granting a pension to James Green;

A bill (S. 1044) granting a pension to Mary Ann Sheffler;

A bill (S. 1045) granting a pension to Brittian Capril Smith;

A bill (S. 1046) granting an increase of pension to Anna J. Shepherd;

A bill (S. 1047) granting a pension to James Reynolds;

A bill (S. 1048) granting a pension to Elizabeth Ross;

A bill (S. 1049) granting a pension to Mattie Florence Sinclair;

A bill (S. 1050) granting a pension to Lydia Roach;

A bill (S. 1051) granting a pension to Kate Lamaster;

A bill (S. 1052) granting a pension to William McClure;

A bill (S. 1053) granting a pension to James H. Pipes;

A bill (S. 1054) granting an increase of pension to John Hiet;

A bill (S. 1055) granting a pension to Claude H. Johnson;

A bill (S. 1056) granting a pension to Anna B. Tegler; and

A bill (S. 1057) to pension survivors of certain Indian wars, disturbances, and campaigns from January 1, 1859, to January 1, 1891; to the Committee on Pensions.

By Mr. WILLIS:

A bill (S. 1058) granting a pension to Dennis B. Shuey (with accompanying papers); to the Committee on Pensions.

A bill (S. 1059) for the relief of J. B. Waterman; to the Committee on Claims.

By Mr. NELSON:

A bill (S. 1060) to amend an act entitled "An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce," approved October 29, 1919; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 1061) to amend an act entitled "An act to provide for the promotion of vocational education, to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries, to provide for cooperation with the States in the preparation of teachers of vocational subjects, and to appropriate money and regulate its expenditure," approved February 23, 1917; to the Committee on Education and Labor.

A bill (S. 1062) to declare Lincoln's birthday a legal holiday in the District of Columbia; to the Committee on the Judiciary.

By Mr. GERRY:

A bill (S. 1063) for the relief of the owners of the schooner *Charlotte W. Miller;* to the Committee on Claims.

A bill (S. 1064) granting a pension to James Moran; to the Committee on Pensions.

Mr. JONES of Washington. I have just received a bill from the Treasury Department with reference to the Coast Guard, which I introduce for reading and proper reference. I ask that the letter accompanying it may be printed and also referred to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 1065) to distribute the commissioned line and engineer officers of the Coast Guard in grades in the same proportions as provided by law for the distribution in grades of commissioned line officers of the Navy, and for other purposes (with an accompanying paper ordered to be printed); to the Committee on Commerce.

By Mr. BALL:

A bill (S. 1066) to authorize the Commissioners of the District of Columbia to close Piney Branch Road, between Seventeenth and Taylor Streets and Sixteenth and Allison Streets NW., rendered useless or unnecessary by reason of the opening and extension of streets called for in the permanent highway plan of the District of Columbia; to the Committee on the District of Columbia.

By Mr. KNOX (by request):

A bill (S. 1067) to carry into effect the findings of the Court of Claims in the case of Henry A. Laughlin and others; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 1068) for the relief of Ingvald A. Knudsen;

A bill (S. 1069) for the relief of Federal Line (Inc.);

A bill (S. 1070) for the relief of Federal Line (Inc.); and

A bill (S. 1071) for the relief of Harold Bentsen; to the Committee on Claims.

By Mr. PHIPPS:

A bill (S. 1072) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. WILLIS:

A bill (S. 1073) for the relief of Lewis Clarke Lucas; to the Committee on Military Affairs.

By Mr. DIAL:

A bill (S. 1074) to prescribe the method of capital punishment in the District of Columbia; to the Committee on the Judiciary.

By Mr. GERRY:

A bill (S. 1075) giving permanent rank to district superintendents of the Coast Guard on the retired list; to the Committee on Naval Affairs.

By Mr. HARRISON:

A bill (S. 1076) establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BORAH (by request):

A joint resolution (S. J. Res. 35) to provide for the reimbursements to the Eastern and Emigrant Cherokees by blood for lands allotted to the Negro freedmen (among the Cherokees) from the lands granted to the Eastern and Emigrant Cherokees by blood under treaty of 1835, and for other purposes; to the Committee on Indian Affairs.

FOREIGN TRADE ZONES.

Mr. JONES of Washington. Mr. President, the other day I introduced a bill (S. 597) providing for the establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes, and asked that it might lie over as the Senator from Pennsylvania [Mr. PENROSE] was absent. I have conferred with him, and he has no objection to the reference of the bill to the Committee on Commerce. A similar bill was introduced in the Fifty-third Congress and another of like import in the Fifty-fourth Congress, and both were referred to the Committee on Commerce. It seems to be the usual practice to refer bills of this character to that committee. The Senator from Pennsylvania has no objection to such a reference in this case, and I ask that it may be so referred.

The VICE PRESIDENT. Without objection, the bill will be referred to the Committee on Commerce.

HOUSE BILL REFERRED.

The bill (H. R. 2185) providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office was read twice by its title and referred to the Committee on Post Offices and Post Roads.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

The VICE PRESIDENT. There is on the table the bill (S. 13) to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes, which has been read twice by its title. The question is on the reference of the bill.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	Lodge	Sheppard
Ball	Hale	McCormick	Shortridge
Borah	Harris	McCumber	Smith
Brandegee	Harrison	McKinley	Smoot
Bursum	Heflin	McNary	Spencer
Calder	Hitchcock	Myers	Stanfield
Cameron	Johnson	Nelson	Sterling
Capper	Jones, N. Mex.	New	Trammell
Caraway	Jones, Wash.	Nicholson	Underwood
Culberson	Kellogg	Norris	Wadsworth
Curtis	Kendrick	Oddie	Walsh, Mass.
Dial	Kenyon	Overman	Walsh, Mont.
Dillingham	Keyes	Pittman	Warren
Ernst	King	Poindexter	Weller
Fernald	Knox	Pomerene	Willis
Fletcher	Ladd	Reed	
France	La Follette	Robinson	

Mr. GERRY. I desire to announce the absence of the senior Senator from Virginia [Mr. SWANSON], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Alabama [Mr. HEFLIN], the junior Senator from Virginia [Mr. GLASS], and the Senator from South Carolina [Mr. DIAL] on official business.

Mr. HARRIS. I desire to state that my colleague [Mr. WATSON of Georgia] is necessarily absent from the Senate because of suffering occasioned by an accident to his arm.

Mr. STERLING. I wish to announce the absence of my colleague [Mr. NORBECK] on official business.

The VICE PRESIDENT. Sixty-six Senators have answered to their names. A quorum is present.

CONFIRMATION OF GEORGE HARVEY.

Mr. HARRISON and Mr. SMOOT addressed the Chair.

The VICE PRESIDENT. The Senator from Mississippi.

Mr. HARRISON. Mr. President, on Saturday the Senate in executive session considered the nomination of Col. George Harvey as ambassador to the Court of St. James, at London.

Mr. STERLING. Mr. President, will the Senator permit an interruption?

Mr. HARRISON. I yield for a question.

Mr. STERLING. I merely wish to know the present situation here, and whether the Senator from Utah yields to the Senator from Mississippi?

Mr. HARRISON. I was recognized by the Chair and have the floor in my own right.

Mr. SMOOT. The Chair recognized the Senator from Mississippi.

Mr. HARRISON. Mr. President, ordinarily under the rules of the Senate I would not be permitted to discuss what took place in that executive session or explain the vote that I cast on the confirmation of that nomination. By the action of the Senate, however, while in executive session, it was unanimously agreed that the votes of Senators on that confirmation

be printed in the CONGRESSIONAL RECORD, and, since the lids of secrecy have been removed to that extent, I am therefore at liberty to state the reasons that prompted me to vote in the negative on the confirmation.

The nomination of Col. Harvey to this very important post was of such interest to the country that I was of the opinion that it should be considered in open executive session. Accordingly, not only did I ask unanimous consent that it be considered in open executive session but when an objection was made to that request I moved that it be considered in open executive session. I know not, except that the custom and precedents of the Senate should be followed, why objection was made.

It is well known that to this nomination there was very strong opposition, not only upon the part of Senators in the minority but there was a smoldering opposition upon the part of many Senators on the other side of the aisle. It was a nomination of such peculiar making and such potential import that the country had a right to know the underlying facts that prompted the nomination and the influence that brought about its confirmation.

In ordinary times when the countries of the world were not entangled by delicate international complications the appointment of ambassador to this high diplomatic post would be a matter of great concern not only to the American people but to the peoples of the world. It is natural, therefore, to suppose that a greater exercise of prudence, a more careful discretion, a more painstaking consideration should be exercised in the consideration of such an appointment at this time when the whole international structure of the world is being adjusted, when our diplomatic associations are most strained, and in international affairs we are looked upon with suspicion. I know of no official position in the life of this Nation to-day, with the exception of the Presidency and the Secretary of State, that carries with it greater import to the peoples of the world than the ambassadorship to the Court of St. James.

From the foundation of our Government until this good hour America has had just cause to feel proud of the character of men that have represented her in the capitals of the world. Especially has it reason to be proud of the great men, so well equipped and qualified for the peculiar tasks to which they had been assigned, who have been designated throughout our history to represent us at the Court of St. James. It has been an extraordinary succession of polished gentlemen, able diplomats, and distinguished statesmen—James Monroe, John Quincy Adams, Albert Gallatin, Martin Van Buren, Edward Everett, George Bancroft, Abbott Lawrence, James Buchanan, Charles Francis Adams, John Lothrop Motley, James Russell Lowell, Edward J. Phelps, Thomas F. Bayard, John Hay, Joseph H. Choate, Whitelaw Reid, Walter Page, and John W. Davis.

It is a long and distinguished list of brilliant names that have reflected honor upon the country.

It is my purpose, Mr. President, to give my reasons briefly why I did not believe in the confirmation of this nomination and thereby adding to the list the name of George Harvey.

I shall not in this discussion question the journalistic ability of Col. Harvey—a ready talker, and a fluent writer whose words and expressions are at times as violent as the raging gusts of a tornado or the angry waves of a storm-swept sea. Educational qualifications and strong intellectual attainments are attributes that might qualify one for service in one field of labor, but when those qualities are influenced by other attributes they may destroy their effectiveness in other fields. Few men in the history of journalism have possessed to a more remarkable degree qualities of genius for violent expression, caustic criticism, and the power through fair or foul means to employ cogent phrases intended to appeal to prejudice and to arouse hatred and resentment. He is a remarkable man in that his whole life has been one of inconsistency and vacillation. He never remained true to any purpose, loyal to any friend, or steadfast to any conviction. He is wedded to no principle and bound by no conscience. He is a writer of the most cunning and dangerous species and a past master in fomenting trouble and aggravating delicate situations. As a creator of prejudice and a stirrer of strife he has no equal. He is a vindictive, self-anointed, intolerant political accident. He has been constant only in one thing, and that to attain high place in the councils of political leaders and to realize his life's ambition, political preferment. There is not a renowned statesman of this generation who has not been praised and abused, glorified and maligned, elevated and debased, eulogized and "cussed" at one time or another by George Harvey, the violence or mildness of his expressions being controlled by the exigencies of the moment and his temperamental condition. There never was such an unsuited and unfit individual in all the history of mankind by training, temperament, and environment to take up the important duties as our representative at the Court of St. James as Col. Harvey.

I need not trespass upon the time of the Senate by refreshing your minds in reading the many malignant attacks of this man upon ex-President Wilson. They are known to you, and the suggestion only recalls to your minds the mendacious, unwarranted, inexcusable, and scurrilous assaults, by expressions and caricatures that he has constantly and persistently employed to destroy Woodrow Wilson, not only in the minds of the American people but throughout the world. His criticisms have been unrelenting, his pursuit of him through his journals and otherwise are only comparable to Milton's "hell hounds" that were stationed at the gates of the infernal regions. Not satisfied with becoming expression and judicious arguments to oppose the views of this man and his policies as President of the United States, he went further than the unfairest partisan would go and placed his fight almost on personal grounds. Not content in heaping personal abuse upon the President when in health, he pursued him with his scurrilous attacks to his sick bed and there misrepresented his ailment, trying to create in the public mind the impression that the President had lost his mind. Let me read from his own periodical and from his own pen expressions conceived in his own distorted imagination:

The issue of Harvey's Weekly of February 21, 1920, has a picture on the front page entitled "Lansing Gets His." Of course, he attacks, through this cartoon, Lansing the same as others, on whom he gives vent to his abnormal expressions. Lansing appears in the cartoon to be crying, his grip is up in the air, and his hat is falling to the ground. I may remind Senators, in passing, that that is the way Harvey got his some nine years ago.

He says in his leading article of this issue:

> President Wilson has not gone crazy. Let the people who jumped to that conclusion when he discharged Secretary Lansing put any such notion out of mind. He has simply become normal. Again he is himself, his old self, his true self.

A little further on:

> No; Mr. Wilson is not crazy. He is just mad; not as a hatter, but as a hornet that has been sat upon; so mad that he can't bear it without stinging.

I see before me certain reactionary gentlemen, some of whom sat in room three hundred and some odd at the Blackstone Hotel at the time of the Republican convention—the room that was rented by Col. George Harvey, and in which it was boasted afterwards that the late Republican candidate for President and the now President was nominated—wearing a broad smile upon their faces as I read from the mendacious pen of this man these scurrilous remarks, trying to give to the country the impression that the President had lost his mind.

He goes further. He does not stop there, Senators. I can not print in the RECORD these cartoons that I have here. I wish I could. You can refresh your memory by seeing them if you desire. The people of the country will remember them. One of them portrayed him as a man of grief; but he was not satisfied with that disreputable conduct. He tried to draw the fire of indignation and condemnation upon the wife of the sick President.

I shall read some of those utterances, just to show you the kind of imagination of this man whom you voted to confirm as ambassador to the high Court of St. James. He says, in Harvey's Weekly of February 21, 1920:

> True, there was nothing unusual in this, because we hear upon excellent authority practically all of Mr. Lansing's official correspondence during the past four months has been with "Mrs. Woodrow Wilson." Nevertheless, may we not—never mind, let it go—naturally surmise that the name Lansing served as the traditional red rag? Anyhow, the first letter was indited—oily, crafty, insinuating, and utterly false in all its implications; in a word, as we have remarked, wholly normal.
>
> * * * * * * *
>
> What he will do the good Lord may know, we don't, and we doubt if Mr. Wilson himself has the faintest suspicion. The doctors have disagreed or lied about his malady from the beginning. "Nervous exhaustion" was all Rear Doctor Grayson has ever admitted, to our knowledge, and the others have either contradicted one another or poohpoohed every report. The only person who had it right almost from the start was Senator MOSES, who wrote to a constituent that he understood the ailment was a lesion of the brain, which had inflicted paralysis of the left side, including the arm and leg, and he was promptly jeered at by the doctors and sneered at by the President himself. And yet, if Dr. Hugh H. Young, of Johns Hopkins, can be believed, that was and is the real affliction.

From Harvey's Weekly of March 20, 1920, from this man's pen, I read:

> There remains only Mrs. Wilson, and it is she whom our inquisitive contemporary, Collier's, finds upon investigation to be the country's "Executive by proxy." It is she who reads to him "such letters as she believes will interest her husband"; she who has been present invariably "whenever the President has admitted any member of his official family or any other visitor"; she "with whose assistance he reviews much of the official business before him and signs documents"; she to whom he "outlines letters and memoranda which she later writes and dispatches to Cabinet officers and others," with the result that

"numerous department heads to-day display with pride letters which clearly and concisely outline the President's position on various questions—letters signed Edith Bolling Wilson"; she who "takes from her husband's shoulders problems in tactful letter writing" bearing upon "proposed and effected Cabinet changes"; she who is "called upon to digest long pardon pleas, with their puzzling legal technicalities, department reports," etc.; she whose discussion "touches everything from current topics to friends and foes"; she through whom those in the know "seek assistance for personal or political favors from the President"; she, in a word, who "has not only proved herself a real mistress of the White House, but mistress of a situation unique in American political life."

* * * * * * *

That the difficult tasks thus imposed upon or assumed by Mrs. Wilson as "Executive by proxy" are performed most intelligently and with full appreciation of the tremendous responsibility involved, we are assured both by Collier's and others in a position to know.

Whether, however—

Says the new ambassador to Great Britain—

the natural inclination of a loving wife to shield an invalid husband from vexation of spirit which might tend to aggravate his malady can be so fully restrained as to permit the presentation of differing and antagonizing views essential to clear understanding of a situation is perhaps a question.

* * * * * * *

It is inconceivable that a direct descendant of Pocahontas, and consequently the purest American in the administration, and, with the possible exception of Senators CURTIS and OWEN, who also are part Indian, in public life, would not welcome the protection afforded her native land by the Senate's reservations.

And, sirs, why, I am asked, was this policy pursued against Woodrow Wilson and all that was dear to him? Was it on the high elevation and broad grounds of statesmanship? Was it because of an honest difference of opinion? Was it because of a conviction against the theories and policies of Woodrow Wilson? Was it because he had no faith in his character, ability, and statesmanship? No, Mr. President; I wish that I might believe that were true; I wish that this Senate and the country could believe that the brilliancy of this man's style, the persistency of his efforts, the constancy of his writings against the policies of Woodrow Wilson could be placed upon that ground.

But, sirs, reluctant as I am to conclude, it is to the shame and dishonor of his name that the views of Col. Harvey toward Woodrow Wilson were born of disappointment, nurtured in envy, and kept alive through bitterest hate.

Why, sirs, what was the opinion of Col. Harvey toward Woodrow Wilson in 1912 and in the years preceding? I prefer to accept his estimate of him at that period, when his mind had not become distorted by hatred and his heart hardened through disappointment.

Sirs, it was he who was one of the first to discern the latent powers of greatness in Woodrow Wilson. It was he who was one of the first to reveal to the country the matchless qualities of his great intellect and statesmanship. It was he who was one of the first to point out to the people of America the high ideals and wonderful vision of Woodrow Wilson. It was he who was the first at the Lotos Club, in the city of New York, on the 3d day of February, 1906, who suggested him as the strongest Democrat for the Democratic nomination for President and the best-equipped American for the Chief Executive of the Nation. Let me read to the Senate a part of the speech that was made by Col. Harvey at that time.

I read from Col. George Harvey's book entitled "The Power of Tolerance." In speaking to this club on Woodrow Wilson 15 years ago he said:

When last summer a Princeton man, a famous Princeton man—

Says George Harvey—

and as honest a man as ever achieved commercial success, was harassed into resigning his well-earned position as the president of a great insurance company, there was another ready and fully equipped to assume the chief responsibility.

* * * * * * *

For nearly a century before Woodrow Wilson was born the atmosphere of the Old Dominion was surcharged with true statesmanship. The fates directed his steps along other paths, but the effect of growth among the traditions of the fathers remained.

Says George Harvey:

That he is preeminent as a lucid interpreter of history we all know. But he is more than that. No one who reads understandingly the record of his country that flowed with such apparent ease from his pen can fail to be impressed by the belief that he is by instinct a statesman. The grasp of fundamentals, the seemingly unconscious application of primary truths to changing conditions, the breadth in thought and reason manifested on those pages, are as clear evidences of sagacity worthy of the best and noblest of Virginia's traditions as was that truly eloquent appeal which last year he addressed to his brethren of the South that they rise manfully from the ashes of prejudice and lethargy and come back into their own.

It is that type of men—

Says George Harvey—

we shall, if, indeed, we do not already, need in our public life. No one would think for a moment of criticizing the general reformation of the human race in all of its multifarious phases now going on by Executive decree, but it is becoming increasingly evident that that great work will soon be accomplished to the complete satisfaction, of course, of all concerned. When that time shall have been reached the country will need at least a short breathing spell for what the physicians term perfect rest. That day, not now far distant, will call for a man combining the activities of the present with the sobering influences of the past.

* * * * * * *

If one could be found who, in addition to those qualities, should unite in his personality the finest instinct of true statesmanship as the effect of his early environment and the no less valuable capacity for practical application achieved through subsequent endeavors in another field, the ideal would be attained. Such a man, I believe, is Woodrow Wilson, of Virginia and New Jersey.

Says George Harvey:

As one of a considerable number of Democrats who have grown tired of voting Republican tickets, it is with a feeling almost of rapture that I occasionally contemplate even a remote possibility of casting a ballot for the president of Princeton University to become President of the United States.

In any case, since opportunities in national conventions are rare and usually preempted, to the enlightened and enlightening Lotos Club I make the nomination.

But that is not all. I read further from Col. Harvey's book on Tolerance. He pays a more glowing tribute to this man against whom he has now turned. He was speaking in Savannah, Ga., to the Hibernian Society, on March 17, 1911, and this was his estimate of Wilson at that time. This was, sirs, before he was disappointed by being refused political preferment:

But I hear you say responsibilities should be divided. True. Let the apportionment be even. The West, through the present leader of our party, has supplied us as well as the opposition with the majority, though not the greatest, of our issues. The South, through you, your statesmen, and your journalists, is to harmonize and amalgamate the party, if necessary, by force. What less in common fairness can the East do than produce the man? Gentlemen, we have him, and he is yours. He is Woodrow Wilson, the highly Americanized Scotch-Irishman, descended from Ohio, born in Virginia, developed in Maryland, married in Georgia, and now delivering from bondage that faithful old Democratic Commonwealth, the State of New Jersey.

Great occasions find great men. Here is one who, if he had lived in the days of Jefferson and Madison, would have rivaled the one as a champion of the people and would have equaled the other in comprehension and lucid expression of fundamental law. No other living personality so happily combines the dominant traits of those two great statesmen; no other has evidenced so perfect a blending of profound knowledge and simple devotion to humanity; no other has shown so clearly how quickly the old truths spring into new light and power when touched by the magic wand of full sincerity.

Beautiful words!

No other more surely embodies the authority of sustained thought, of unremitting labor for unselfish ends, the spirit of sacrifice and devotion, the instinct of independence, the love of perfect freedom.

Mr. McCORMICK. Mr. President——

Mr. HARRISON. Yes; I am quoting from Col. George Harvey, the gentleman whom the Senator from Illinois only last Saturday voted to confirm as the ambassador to the high Court of St. James.

Mr. McCORMICK. May I ask the Senator the date of the address?

Mr. HARRISON. This was in 1912.

Mr. McCORMICK. That was before the colonel came to the conclusion in which 6,999,999 other Americans joined.

Mr. HARRISON. This was before Col. Harvey was disappointed by not obtaining an ambassadorship from Woodrow Wilson, the President of the United States.

Now, I read further:

Born a polemic and controversialist, intellectually combative and self-reliant, fearless to the verge of temerity, indifferent to applause or censure for its own sake, incapable of intrigue, prompt to accept conclusions based upon right versus wrong without inquiring or caring whether they be politic or even expedient, persuasive in oratory, but devoid of artifice, too intent, too earnest to employ cheap and paltry devices, his pockets filled with moral dynamite, his every thought springing from knowledge that all of the basic principles in our political order, including conservatism, emerged from the well of the most radical democracy, and that democracy itself is only letting in light and air, at the height of his powers of intellect and judgment, upon the high plateau of middle life, best adapted to noble and enduring achievement, stands the man, the liberal, the progressive, the radical, if you will, wide-eyed, open-minded, calm, resolute, exact in thought, effective in action, the most vivid and virile personality, save one, developed on American soil in half a century. Such, gentlemen, without exaggeration or undue emphasis, is Woodrow Wilson.

The old South has bred great statesmen from the beginning of the Republic. To her greatest, the peerless son of Virginia, we owe the political emancipation of the people from oligarchical rule and the establishment of the political party which has survived the assaults of a century. Now let the new South give to the new Democracy another true leader, armed with the power of his faith in the people and their faith in him, and the quickened spirit which enabled Jefferson to break the bonds of paternalism will again become the glory of the Nation.

But, splendid as was that encomium, great as were those expressions touching this man against whom he afterwards turned, they do not compare with the expressions of greatness touching him which appeared throughout his writings along during that time.

It is not to be wondered, Mr. President, that this man who once held Woodrow Wilson in such high esteem and paid such glowing tributes to his character and statesmanship should, during the last few years, have employed his unrivaled genius in

caustic criticism of him. The reason is simple. The cause is apparent. Col. Harvey knows it. You know it. And the country knows it. You will recall how every newspaper in America, in glowing headlines, carried the news in the early part of 1912, just when the memorable campaign was beginning to wax warm for Democratic and Republican nominations for President, that Woodrow Wilson had repudiated George Harvey and requested him to cease his activity for him. You will recall how Woodrow Wilson took the American people into his confidence and told them that the support of George Harvey was not desired, that he was simply an errand boy for Wall Street and the tool of the special interests of the country.

Let me read to you what George Harvey himself said on this proposition. I read from Harper's Weekly of January 20, 1912, which he then controlled and edited. Here is what he said:

We make the following reply to many inquiries from readers of Harper's Weekly:

The name of Woodrow Wilson as our candidate for President was taken down from the head of these columns in response to a statement made to us directly by Gov. Wilson, to the effect that our support was affecting his candidacy injuriously.

The only course left open to us, in simple fairness to Mr. Wilson no less than in the consideration of our own self-respect, was to cease to advocate his nomination.

We make this explanation with great reluctance and the deepest regret. But we can not escape the conclusion that the very considerable number of our readers, who have cooperated earnestly and loyally in advancing a movement which was inaugurated solely in the hope of rendering a high public service, are clearly entitled to this information.

So spoke the gentleman whom you have honored as the new ambassador to the high Court of St. James.

Can anyone doubt the reasons for the opposition of George Harvey to Woodrow Wilson? Can there be any question of the motive that prompted him since that day in his scurrilous and persistent opposition to Woodrow Wilson and his policies?

And, Mr. President, because of this change of front, because of the constant unwarranted misrepresentation and inexcusable attacks upon the part of George Harvey against Woodrow Wilson and his policies, the American people will not be shaken in the belief that his nomination as ambassador to the Court of St. James by the present President of the United States is the reward for his efforts.

And, sirs, may I venture the suggestion, while I have no disposition to criticize the present President of the United States in the manner of his appointments or in the motives that underlie these appointments, I do not believe that there is any act exercised up to date by Warren Harding that is less popular and has aroused more resentment in this country than the nomination of the subject of this discussion. The American people believe in gratitude. They do not offer criticism of those in authority who appoint friends to offices, provided they are capable and qualified for the position, but the American people will not stand for the appointment of inefficient, incompetent, and unsuited men to high places simply in order to compensate them for waging an unwarranted warfare upon the character and policies of another man.

If this nomination did not come to the Senate for confirmation because of the services that George Harvey had rendered in his scurrilous and unjust and unwavering attacks upon Woodrow Wilson, then on what is it based? Is it because of fealty to the Republican Party? Is it because of any great service that he has in the years gone by rendered to the leaders of that great party? No, Mr. President, not that.

It did not come because of fealty to the Republican Party, nor for services to its leaders, because the same unfair and mendacious attacks have been employed by his pen against that party and its leaders as against Woodrow Wilson and the Democratic Party. That you may see the vacillating attitude of this man touching men and measures, let me read what he said in his periodical, Harper's Weekly, on the 21st day of February, 1920, about Theodore Roosevelt:

Proposals for Roosevelt memorials are being made in various States, and official commissions are being appointed to plan and execute such works. There is little danger of thus paying too much attention and respect to the memory of one of the foremost Americans of our age, and every tasteful and appropriate project to that end is to be encouraged. But the memorial of him that would be most in keeping with his own desires will be the popular cherishing and triumphant development of the spirit of true Americanism, of which he was the finest and most aggressive exponent in his day and generation.

Great is his praise of President Roosevelt at this time. It was not because of any fixed opinion that he possessed on the subject, it was not because of an honest conviction that he held touching President Roosevelt, but it was because, due to disappointment in not being appointed to a high ambassadorial position by Woodrow Wilson and by not being taken into the fold of Democratic leadership, he was trying to obtain entrée into the good graces of the Republican Party, and he felt that this was the best and safest avenue of approach.

But, sirs, Harvey's true estimate of Theodore Roosevelt was expressed in 1912 and in the years preceding. It was then that he gave vent to his unbiased views. It was then that he expressed himself in the same unrelenting and caustic manner that he employed in future years against Woodrow Wilson. Let me read some of the passages from the pen of this man respecting the character and standing of Theodore Roosevelt.

In Harper's Weekly of January 27, 1912, he said:

Roosevelt stands for perpetuation of barbaric methods. * * * Mr. Roosevelt would have the law fit the case, invariably to his own political advantage. * * * He has been notably successful, truly; but only when in power. Given all the weapons of authority and utter lack of scruple in using them he has proven himself invincible. Witness his forcing of money out of corporations, his terrifying of individuals, his robbery of Panama. But as a fighter from outside the breastworks he has won little renown. * * * If Mr. Roosevelt were in the White House to-day he would be irrepressible. He will be if he ever gets there again. * * * If Roosevelt, by chicane or chance, should steal the nomination from the man who is entitled to it by party precedent and well-intentioned service, 2,000,000 Republicans would voice their resentment at the polls.

In Harper's Weekly of February 3, 1912, he said:

If any chapter in American history is more discreditable than the one which Dr. Leander T. Chamberlain has told in his North American Review article on ex-President Roosevelt and the Panama imbroglio of 1903, we hope that Dr. Chamberlain himself will record it without loss of time. We recall no chronicle since the interview of Nathan with David that has left less to be said.

In proclaiming that every action taken in that adventure was not only proper, but also "was carried out in accordance with the highest, finest, and nicest standards of public and governmental ethics," he tempted Providence and historical criticism beyond the line of overstrain. The fine propriety of warning an independent Republic with which you have a treaty of friendship and cooperation that she must ratify a new convention or prepare to experience regret, the moral attitude of a mandate forbidding a sovereign Government to put down insurrection in one of its own Provinces, and the punctilious delicacy of entering "into relations" with a new Republic one day and three-quarters after she had blushingly announced herself—these are elements in his ethical performance which the gentleman who "took" the real estate desired, and consecrated it to "collective civilization," asks us to admire.

Dr. Chamberlain has used descriptive and characterizing phrases which will appeal strongly to Mr. Roosevelt's feeling for style, but the "deep damnation" which the record accords lies not in the language employed; it inheres, unhappily, in the documentary sources.

In Harper's Weekly of March 2, 1912, he said:

Hate is at the bottom of Roosevelt's candidacy. He knows he can not get the Republican nomination. He knows he would be beaten out of his boots if he did. Consequently he doesn't want it. His one purpose in life at this time is to beat Taft.

Meanwhile he will continue to pose as the only real "champeen of the peepul," and will never miss a chance to stab Taft. If necessary to misrepresent his views and lie about him—

says Col. George Harvey in speaking of the idol of the Republican Party—

he will do that, as he did in Columbus, when he stamped the President as one of "those eminent lawyers who more or less frankly disbelieve in our entire system of American Governmert," who "believe and sometimes assert that the American people are not fitted for popular government."

In the same issue he said:

If the ticket should be Roosevelt and LA FOLLETTE, what a gorgeous campaign cry could be made of Theodore and Pompadour!

On April 6, 1912, he said in the same paper:

If last week the Republicans had renominated Mr. Taft upon a platform unsatisfactory to the "rump candidate" and his following, and the Democrats were to assemble in convention next week, the nomination of Speaker Clark would be a virtual certainty, for the reasons succinctly set forth by our sagacious friend.

Speaking of Theodore Roosevelt—

Naught now remains for the cry baby and his satellites but to demand the acceptance of some of his notions as party principles.

Cry babies, too, those gallant Progressives throughout the country who followed the leadership of Theodore Roosevelt, who are reviled by this man whom you have honored as ambassador to Great Britain, as "cry babies," as "rump followers."

Further, he said in Harper's Weekly of April 20, 1912, in speaking of Roosevelt carrying Illinois in the campaign for delegates to the Republican convention:

When the time came to seek delegates from Illinois, however, Mr. Roosevelt not only utterly ignored the facts relating to President Taft's attitude, but deliberately misrepresented it to the people of Illinois. The inevitable consequence was that Mr. Taft was forced to bear the burden thus falsely and maliciously placed upon his shoulders.

Of all the base acts of which Mr. Roosevelt has been guilty, in his frantic endeavors to discredit his former friend, this probably is the basest. What further he can do to satisfy his wicked vindictiveness must needs depend upon the extent of his desperation.

And in the same issue, at its masthead, he has a call to arms in which in big letters he says, in speaking of Roosevelt:

Down with the demagogue! Save the Republic.

It was an insult to the intelligence of the American people who believed in the high ideals of Theodore Roosevelt to have

paid this man at this time the tribute that you have, in view of these utterances of George Harvey in 1912 against Theodore Roosevelt.

And, sirs, he did not stop at that. Not only did he employ his pen to prejudice the popular mind against Roosevelt and arouse the prejudice of the people against him at that time, but in every issue of the periodical that he controlled, and the policies of which he dominated, there Roosevelt was cartooned and caricatured as mercilessly and unfairly almost as Wilson was later.

I wish you would look at some of the cartoons that I have here of Taft and of Roosevelt, showing the way this man has misrepresented them to the American people, and tried to create a false impression touching them in the country. They are here.

I shall not take up the time of the Senate in reading excerpts from his Weekly during the last two years against William Howard Taft. Here are a few of the cartoons carried in it, making light of this man who is respected the country over and who has been honored by high place in the Republican Party. The excerpts that I might read to you from the writings of George Harvey touching William Howard Taft during the past two years—full of scurrilous import and unwarranted, unfair misrepresentations—are so unlike the tribute and encomiums that were written touching Taft 10 years ago.

You know what he said about him. You know how he criticized his views on the League of Nations. You know what he said about the association of Taft and Wilson in trying to promote that great scheme for humanity. There are cartoons here galore that put Taft, the great leader of your party, in a false light, cartoons wrought by a cartoonist under the direction of George Harvey, whom you have placed at the high Court of St. James as your ambassador.

But these leaders of American thought are not the only ones who have fallen under the knife of this journalistic surgeon. These cartoons and excerpts which I shall not read, because I do not want to trespass too much upon the time of the Senate, are evidence of the same wordy warfare, the same intolerant disposition and unyielding attack made on Herbert Hoover. I hold no brief to defend him against the assaults of the new ambassador to Great Britain, who has just been honored by the party in which Herbert Hoover now plays a very commanding part. I merely cite it to show the traits of his character, the manner of his expression, and the unusual eccentricities of the man.

Herbert Hoover is cartooned, misrepresented, maligned, and criticized. He who has been honored by the present President by appointment as Secretary of Commerce, who sits at the council table and advises what the policies of the Republican Party should be—Herbert Hoover, who has friends in the country by the hundreds of thousands, maligned and defiled by George Harvey, the new ambassador to the Court of St. James.

Let me read from his writings what he says about one of the leaders on the other side of the aisle, a Senator of long service and of great influence in the councils of his party. Let me see if I can find that. That is quite interesting, but I have so much good stuff here.

In speaking of the senior Senator from Wisconsin [Mr. LA FOLLETTE] in Harper's Weekly, February 10, he said—and I do not know whether the distinguished Senator from Wisconsin voted for his confirmation or not:

> In our desire to be wholly fair to the gentleman most concerned, we feel constrained to say that we do not believe Mr. LA FOLLETTE is merely a mask for Mr. Roosevelt. The great unterrified would never stand for a mask with its hair standing on end.

Then from Harper's Weekly of February 10 I read in speaking of the same Senator—I am reading from his editorial on LA FOLLETTE.

> Dear, dear!
>
> Said George Harvey—
>
> What a trial it must be to be a frantic candidate! We have never regarded LA FOLLETTE as even a possibility. A hopelessly one-sided egotist, without balance or bottom, hacking about from pillar to post, merely scratching the surface of things, and, of late, scolding, scolding, scolding, to no purpose and with no perceivable purpose except to reach the White House.

I shall not continue reading this infamous article written against one of the distinguished Senators here by the new ambassador to the Court of St. James. He talks about him and employs language more emphatic, more scurrilous than he has ever employed about anyone else among the leaders of the Republican Party.

Mr. President, these citations to which I have called the attention of the Senate, these cartoons and expressions, reveal stronger than any words I might employ the unfitness of this man for high diplomatic place. They portray his intolerant disposition and temperamental unfitness. But, conclusive as they are to show the manner of man that he is, unwise, biased, and unfair as were his attacks upon Woodrow Wilson and other statesmen while in the full vigor of life, unjustifiable as they were on the ex-President while lying prostrate on the bed of sickness—his life hanging as it were by a delicate thread—inexcusable as they were in bringing Mrs. Wilson's name into the controversy, they do not compare to his action when obsessed with such opposition to the League of Nations that his personal journal entered the sacred precincts of religion and blasphemed the holy name of the blessed Virgin Mary, scoffing at the religious convictions of people, and holding up the Immaculate Conception to jest and mockery.

This cartoon which I have here, and which Senators have seen and the country has seen in Harvey's Weekly of October 23, is one of the blackest pages of the last campaign.

This one act as portrayed in this cartoon that I hold in my hand as carried in his periodical on October 23, 1920, was the crowning feat of his journalistic infamy.

I know that there was not a reputable Christian man or woman who allied themselves in the fight against the League of Nations and the Democratic Party in the recent campaign who did not bow their heads in shame and condemned in their hearts such an unspeakable method to win votes.

I know that you Senators on that side of the aisle realized when you saw it carried as a Republican campaign cartoon that you felt it an outrage and insult to the intelligence of the American people and an assault upon religious convictions.

There you are. I have exhibited it to you. You can see it and refresh your memory. You saw it in the campaign, because periodical after periodical and newspaper after newspaper throughout the country condemned this and the man who got it out.

There you are, Senators; the vilest, most dastardly, and sacrilegious cartoon ever conceived and published in America.

When the mind of a journalist has become so deranged and distorted, when the heart of a cartoonist has become so devoid of reverence for the spirit of the Virgin Mary, when hate has become a disease and has driven from the mind of man the finer qualities embodied in Christianity, then that person has no right to represent a Christian, tolerant, and just people in any position of trust in the world. But some one may say that Mr. Harvey afterwards apologized for this cartoon. Yes; he did. He was forced to do so. And at that it was more of a disclaimer than an apology.

I read from Harvey's Weekly of November 6, 1920, where he says, "I will not disclaim responsibility for the appearance in my paper; I am simply telling how it happened," and he tells how it happened.

Yes; he disclaimed when he was forced to do it. On November 6, four days after the election, was the first expression that this man gave to the country touching this scurrilous cartoon.

Mr. President and Senators, let me impress upon you the fact that Harvey's Weekly was the mouthpiece of the opposition to Woodrow Wilson and the League of Nations in the late campaign. Week by week appeared cartoons on the League of Nations that carried out the idea that he conceived and which he believed advanced the cause of the opposition. Every editorial of a political nature during this time was written by him. The circulation of it increased by the thousands. It was thought and understood to be the greatest exponent of the opposition to the League of Nations and Wilson of any weekly or periodical in the country. It is inconceivable to imagine when that campaign had reached the height of interest, the very peak of bitterness, the point of strongest antagonism and contention, that the editor did not plan every article that went into it, formulate every policy of it, and approve every cartoon that went into it. Why, it was no secret that during the three months immediately preceding that election George Harvey was a frequent visitor to Marion and a guest in the home of the Republican nominee. It was known to all men that no one in America was in closer touch with the Republican nominee and on the inside of what was going on in those stirring days when the campaign was at fever heat than George Harvey.

Why, it was no secret, and you Senators on the other side know that it was published in all the papers at the time—during the three months immediately preceding his election.

Mr. McCORMICK. Mr. President——

Mr. HARRISON. I yield to the Senator from Illinois.

Mr. McCORMICK. Is that an additional reason against the nomination of Mr. Harvey by the President, whose guest he was and whose supporter he was?

Mr. HARRISON. Oh, I suppose that he did have the biggest hand in "putting the President over," as I called to the atten-

tion of the Senate a few moments ago. I do not know whether the Senator from Illinois was present that night in the room at the Blackstone Hotel, which was paid for by George Harvey, when it was planned that the present President was to be "put over" the next day on a certain ballot.

Mr. McCORMICK. The Senator from Illinois pleads guilty to the soft impeachment.

Mr. HARRISON. The Senator from Illinois pleads guilty. I thought he would, for he is one of the real leaders of the Republican Party, and I feel sure that the ordeal could not have been accomplished, that the nomination could not have been made, even though the influence of Col. Harvey was great, without the distinguished senior Senator from Illinois being present and taking part in the arrangements.

Mr. President, it was common rumor that many of the phrases employed by the Republican nominee in his speeches in that campaign were the product of the peculiarities of this man's mind. Notwithstanding these facts, George Harvey never entered a disclaimer at any time of responsibility for the appearance of the cartoon in his periodical on October 23 and offered no apology until four days after the election.

Let me cite to the Senate and the country another remarkable fact connected with the incident of this cartoon. Will Hays, as chairman of the Republican national committee, issued a statement expressing regret for its appearance. The Republican nominee, Mr. Harding, on the 29th day of October, in a statement to the press disclaimed responsibility and condemned it.

Neither of these statements, I might say in passing, were issued by either of these gentlemen until the sacrilegious cartoon had been read by hundreds of thousands of people and condemned by Christians everywhere. When the managers of the Republican Party, both Mr. Hays, its chairman, and Mr. Harding, its presidential nominee, saw the fires of indignation sweeping over the country because of its mendacious import—I will not say they were forced—mildly speaking, they were influenced because of the fear of condemnation by the people at the polls, to issue the statements. But, mind you, Senators, not one word of apology from George Harvey was heard touching that cartoon from the date of its appearance in Harvey's periodical on October 23, up to and including the day of the election, November 2.

Rumors had it that Republican leadership had importuned George Harvey to disclaim it and offer an apology; but they told us that he was obdurate and tenaciously clung to the idea that, so far as he was concerned, he would allow the cartoon to speak for itself and results take care of themselves. He knew how he felt toward the League of Nations. He felt that it was a damnable proposition, and, to arouse the people of the country against it, he was willing, without protestation on his part, for the mouthpiece of the Republican Party, as edited by him, to carry a cartoon of such nature as to make a mockery of Christianity and a sacrilege of the mother of Jesus.

It was impossible, sirs, for him not to have known that it was appearing in Harvey's Weekly on October 23, or in the days that followed up to the day of election that it had appeared in his periodical. You will note from the statement issued by the Republican nominee, President Harding, that he says, and this statement was issued on October 29:

> My attention has been called to the cartoon published in Harvey's Weekly portraying the Democratic nominee in a difficult task of hanging a portrait of Uncle Sam, but I did not only disapprove of this cartoon but weeks ago I came in possession of an advance copy in my capacity as a publisher and immediately asked our boys at Marion—

Referring to his newspaper office—

> to wire and ask its suppression.

As will be seen from that statement, weeks before October 29 the cartoon had been called to the President's attention, and he had condemned it and had asked the "boys in his office" to suppress it and not to use it. If weeks before it had appeared in Harvey's Weekly it was known to the Republican nominee that this cartoon was being sent out, then certainly the Republican nominee had thought it sufficiently outrageous to talk the matter over with the man who controlled the policies of the paper in which it was to appear. There was no reason why he should not. They all were at Marion or in Republican headquarters conferring over political matters and campaign policies. I do not know of whom the President requested the suppression of the cartoon.

His statement says he requested the boys in the office; but whether the boys were to ask the headquarters to suppress it is not revealed by this statement. If the President made the request of the owner of Harvey's Weekly, in which paper it first appeared as a campaign document, and George Harvey refused to accept the suggestion of the Republican nominee, then it makes the offense more reprehensible. If this was a campaign document issued by the Republican management, and the President requested, as he said he did, in his statement on October 29, "its suppression" three weeks before, and his managers continued to send it out and have it appear as a campaign document, then their conduct, too, is reprehensible. I care not which horn of the dilemma this situation may fall upon, it is a remarkable fact connected with this incident that Albert T. Reid, the cartoonist who wrought the design, was the duly appointed, regularly constituted cartoonist of the Republican Party.

Mr. Reid was in that campaign and is now in the employ of the Republican management doing cartoon work. Why, sirs, I care not how much Mr. Harvey may disclaim, how much he may apologize for this infamous assault on the religion of thousands of Christians in this country, they will never forget it and the appointment of this man as ambassador to the high court of St. James is an insult to their intelligence and an assault upon their religion.

In a lecture on "Journalism and the university" at Yale University on March 12, 1908, George Harvey delivered a very interesting address. In that address he expressed in very glowing language, most beautiful phrases and pleasing style, his estimate of certain great journalists of this country. In that discussion he pointed out the strong qualities as well as the weakness of these men, and told what, in his opinion, was the line of duty that journalists should follow, and the qualities of greatness in various journalists. I wish to read briefly what he says about some of the great men of that profession. I read from this remarkable book, entitled "The Power of Tolerance," edited by George Harvey. In the lecture referred to he says:

> The master journalist must have stability of purpose and coolness of judgment.

As I read from this remarkable address I would have Senators follow his language and his estimate of men to see how little he corresponds to the measurement of greatness which he applies to men of the journalistic profession. He continues:

> Greeley had neither. Impulsive, erratic, heedless in thought, violent in expression, eager to lead, no matter whither, impatient of restraint of any kind, the mighty influence acquired by his undoubted genius, reinforced by public faith in the purity of his intentions and the worship even of his obvious faults by the multitude of his followers, was wielded for ill almost as frequently as for good, and more than once seriously imperiled the very existence of the Nation which he loved with the fervor of a votary.
>
> The master journalist must have perspective as well as perception: his is a jealous calling, demanding the exercise of every mental and moral fibril, and exacting above all that consistency which is inseparable from conviction.

Whoever paid the compliment to George Harvey that he was consistent in any purpose or in his affection or respect for any man?

> Keen and brilliant as he was, Raymond could make no discrimination between essentials and nonessentials when opportunity for contention offered. Peddler or archbishop could draw his fire by the merest allusion; no threat of controversy was too absurd, no source thereof too insignificant to distract his attention from public affairs and absorb his entire interest. Yet more serious was his subordination of a great journal to the petty purposes of a political party, in the machinery of which he most prided himself upon being one of a hundred cogs; hence his variableness of policy which became a byword and sapped his authority.

He goes further and says:

> The master journalist must have conscience, character, conviction—

Whoever complimented him by saying he had convictions about anything—vacillating in his course, praising to-day a man whom he had maligned yesterday, and advocating things to-day that he had denounced the previous day—

> his aim must be to uplift humanity, not to profit by its degradation. Bennett had personal integrity; he never sold an opinion—

Says George Harvey of this great journalist. When he delivered that lecture and when he uttered those words it was a virtue that this great journalist, Bennett, had never sold an opinion. He thought that one of the greatest of virtues; and yet the facts revealed, which fasten themselves around George Harvey, show that he constantly employed his talents for political purposes—in other words, bartered his opinions—

> he never cheated or lied or bowed before mammon; and he was the most energetic and successful gatherer of news the world has produced.
>
> The master journalist—

Says George Harvey—

> must cherish no personal animosities.

Oh, he could see the virtues in other men; he could discriminate between the good and the bad qualities; and in this remarkable lecture, as revealed in this book, entitled "The Power of Tolerance," before that great audience, he said, "The master journalist must cherish no personal animosities."

> Though relentless in pursuit of wrongdoers, he must be just and forbearing when vindictiveness could only inflict pain upon the innocent and serve no useful purpose. Dana was the prince of his craft, the

skilled workman, the artist, the developer of style, the first, and, so far the last, hand at the loom from which spins the finished product. To the intensity of his nature must we attribute the unforgiving spirit which marred a professional career otherwise unmatched in proficiency.

The master journalist is suggestive, constructive. Godkin's talent was great and facile, but his instrument was the rapier; his hand never knew the trowel.

And, in this same lecture, he says:

Herein we find a lesson. If it be true that Bowles outranked his gifted contemporaries, retaining to the end a truer perspective and sounder judgment, his preeminence obviously can not be attributed to either mental or moral superiority; it must have sprung necessarily from another underlying cause. Such, in truth, is the fact. Bowles was free. Almost all of the others at some stage in their careers wore the shackles of personal political ambition.

And that is one of the vices in his estimate of this man at that time; and now, to a more remarkable degree than ever man possessed before, he holds now a virtue that at that time he condemned in that man.

Greeley was a fitful aspirant to public office from the day his journal became a power, and he died, finally, broken-hearted by his inability to attain the Presidency, for which hardly a man then living was less fitted.

Yes; and this man Harvey probably would have died broken-hearted, too, from the ambition to hold political office, if he had not, perchance, had a room in the Blackstone Hotel at the time of the Republican convention, and invited there distinguished Republican leaders, including the distinguished senior Senator from Connecticut [Mr. BRANDEGEE], and fixed upon this program that ushered the present President into the White House.

He further says:

Raymond, after years of active participation in practical politics, perceived the folly of his course and forswore further entanglements, only, however, to discover that the habit had become irresistible, and at the time of his death he was chairman of a State committee. Dana's life was embittered and his judgment clouded by the refusal of a President and a governor to recognize his personal claims. Even the incorrigible Bennett was hushed by the offer of a diplomatic mission.

He held that a vice to the student body of that great university, and condemned a great journalist, employing this strong yet succinct language:

Even the incorrigible Bennett was hushed by the offer of a diplomatic mission.

And now the faults that he points out in Bennett he possesses in this remarkable degree himself.

From the day when the first note of independence was sounded to the very present, the bane of journalism has been the political ambitions of the journalists themselves. Politicians have profited steadily and increasingly, and the public has suffered correspondingly, from this insatiable craving for public position. Nor have our foremost statesmen hesitated to avail themselves of the opportunities thus presented. President Lincoln may have been warranted in considering that the end justified the means when he offered to Bennett the ministry to France, but his act served only to silence criticism of Johnson when that President tendered the Austrian ministry to Raymond in return for support which could not otherwise have been obtained.

Oh, yes; George Harvey knew when he accepted a post of honor, such as the ambassadorship to the Court of St. James, that the people of America would criticize it; and yet he cares so little about the proposition, he is so well following the consistency of his course touching gratitude, that he did not care how it might affect the present President of the United States. He wanted this position, he went in for it, and he got it. He forgot all about the virtues about which he had waxed enthusiastic and spoken eloquently.

To this day—

Says George Harvey—

not only has the custom been maintained, but, judging from the fact that never before have so many editors and writers held appointive political positions as at present, it seems by no means to be waning.

The fitness or unfitness of those selected is not a point in issue. It is the practice only which we deprecate. And, call it what we may—a bribe to insure a continuance of allegiance or, less obnoxiously, a reward for services rendered—the outcome of every one of such transactions is the same—the people's loss of a champion and a newspaper's sacrifice of its birthright for a glittering bauble.

Those are the words of the new ambassador to the high Court of St. James.

What, then—

Says he—

shall we conclude? That an editor shall bar acceptance of public position under any circumstances? Yes; absolutely; and any thought or hope of such preferment else his avowed purpose is not his true one; his policy is one of deceit in pursuance of an unannounced end.

Could stronger language be employed to show Harvey up in his true light than the language he himself employed in condemning journalists who turn over the pages of their newspapers or journals in order to obtain political preferment?

His guidance is untrustworthy, his calling that of a teacher false to his disciples for personal advantage, his conduct a gross betrayal not only of public confidence, but also of the faith of every true journalist jealous of a profession which should be of the noblest and the farthest removed from base uses in the interest of selfish men.

There is but one conceivable conclusion in logic or in morals, namely, that true journalism and the politics that seek personal advancement are not and can not be made cooperative; from the radical difference in their very natures and the impossibility of reconciling what should be the idealism of the one with the practicalism of the other, they must be essentially antagonistic.

Mr. President, these facts which I have laid before the Senate are sufficient in themselves to show that this nomination should not have been made by the President nor confirmed by the Senate, but I shall not rest the case upon those facts alone—glaring and sufficient as they are. There are other and graver reasons why George Harvey should not at this time go as our ambassador to the Court of St. James.

Few periods, if any, in the history of America approach the present in the stupendous and difficult and delicate problems with which our country is now confronted. In the solution of the many complex and intricate economic questions affecting our domestic affairs the wisest of our statesmen should be employed. Those problems, many as they are, are related to and interwoven with the complex international affairs of the world. Certainly there was never a period in the world's history when established institutions were more threatened, international affairs more deranged, and our foreign relations more delicate. To meet these problems not only at home but abroad our constituted authorities must be not only statesmen of ability but endowed with a spirit of tolerance, tact, and forbearance that will make their efforts count in the adjustment that is needed and must come.

There is not a foreign power to-day with which we must not build anew an amicable understanding. There is not an important foreign power with which differences have not arisen that must be settled. Some of these problems are greater and more numerous with one foreign country than another. They are all interwoven, and the solution of problems with any one will affect the settlement of the problems of the world. This is due to the fact that many of our treaties have been abrogated, many of our promises have not been kept, and many of our pledges have been broken. The problems connected with the World War, the settlements effected at Versailles, and the action of the United States Senate and American authorities have created in certain countries distrust instead of confidence, suspicion instead of faith, despair instead of hope.

The representative of this Government at the Court of St. James at this time will have a hard and difficult task. It will devolve upon him more than upon any other authority to revive faith in us and restore our formerly commanding and happy position. The representative of this Government, therefore, not only to the Court of St. James but to France, Italy, Japan, Belgium, and other countries should be characters against whom no finger of suspicion can point and no feeling of distrust can be manifested. They should be men trained in the arts of diplomacy, endowed with ability, tact, poise, temperament, and discretion, so that they can win for themselves commanding influence and gain anew for the American people its dominant place in the diplomatic affairs of the world.

It would seem to me and I am sure to you, sirs, not only an unwise but a very indiscreet thing to send as our ambassador to Italy a man who had criticized constantly its leaders and opposed consistently and injudiciously its policies. It would be equally as unwise and an act of indiscretion for this country to send as its representative to France one who had spoken intemperately of that country, criticized its policies, and abused its leaders. It would be equally as unwise and certainly as indiscreet to send as our ambassador to the high Court of St. James a man who had made himself obnoxious through his utterances or writings to the leaders of English thought in opposing their policies and criticizing its leaders.

The subject of this discussion has made himself offensive or he will become offensive to the people of Great Britain as soon as they have been informed of his constant opposition and his injudicious expressions touching some of its policies and the character of its leaders. Some of you may think that he won popular favor in Great Britain through the strong terms that he employed in his writings against certain elements of the Irish people. Some of you may believe that he is held in popular esteem by certain people of Great Britain because he pictured Sinn Fein leaders and the Sinn Feinners of Ireland as sympathizers of Germany and unworthy of the respect of believers in stable government. While I admit that in season and out his strong talents as a caustic and virile journalist were employed to combat the influence and destroy the power of that element of Irishmen and Irish sympathizers, I assure you that the great number of the people of Great Britain are familiar with like assaults that he has made against the character and the policies of Lloyd-George.

Let me quote, if you please, some of the things he has said about this distinguished leader of Great Britain. In Harvey's Weekly of March 30, 1920, he said:

The new Irish bill in the British Parliament surpasses all its predecessors in one important respect. It pleases nobody. Every other one has been acceptable to some party or faction, but this appears to be offensive to everybody from Sir Edward Carson to Mr. Eammonn de Valera. Mr. Lloyd-George has been an immensely adroit opportunist politician, but something more than dexterous opportunism is needed to settle the Irish problem.

Then, in Harvey's Weekly of February 21, he employed this language:

Great Britain—or at least her prime minister—has at last a Russian policy. After two years of indecision, hesitancy, and inconsistency a determination has been made. And, as is not unusual in cases of such paltering and delay, it is wrongly made. The man who sits on the fence too long is very likely to tumble down on the wrong side.

Last week we still supposed that what has now happened was too much for even the complacent Allies to endure. But we were mistaken, at least so far as one of them was concerned. Or we did not make sufficient allowance for the exigencies of a desperate political campaign. For the latter is, of course, the explanation of Mr. Lloyd-George's abject surrender to Lenin and Trotski. This agile opportunist realizes that he is confronted with the struggle of his life to hold his place in British politics and that the decisive factor in the conflict is the Labor Party. He must placate as much as possible of it at no matter what cost. He can not yield to its nationalizing demands for British industries, for that would alienate more support in other directions than he would thus gain from the Laborites. But he can sacrifice his foreign policy. That will lose him few votes and may gain him many. Therefore, as a considerable faction of the Labor Party is more or less tarred with the bolshevist stick and is clamoring for friendly relations with the soviet government, he yields to its demand.

The antecedent circumstances of this event need to be recalled. A little while ago there was a widespread desire to send relief to the suffering masses of the Russian people, who were hostile to bolshevism, but who because of lack of supplies were unable to make any effective stand against it. But as the bolshevists controlled the entire coast it was impossible to get supplies to them without permission of the bolshevists and without their passing through bolshevist hands. The soviet government openly announced that anything shipped into Russia, no matter to whom consigned, would be seized by it and would be devoted to the uses of the bolshevists first, leaving for the nonbolshevists only what they might not want, which, of course, would be nothing. That moved the Allies for a time to drop the thought of sending any supplies to Russia. But a fortnight ago the matter was revived, and it was said that arrangements could be made to get supplies intact to the nonbolshevists. Close upon this, however, came the official notice that no trade with Russia would be permitted unless it was conducted with the soviet government. That, we were rash enough last week to assume, would prevent the Allies from resuming trade.

But it seems that it is no barrier to Mr. Lloyd-George when he is out for Laborite votes. So he announces that normal trade relations will at once be established with the soviet government of Russia. He will not recognize that government politically; oh, no. He is no bolshevist. He is quite ready to fight against it, if need be. But he will trade with it and will ship to the gentle bolshevists all the supplies they need. That will make them so contented and prosperous that they will stop being bolshevists and perhaps become bourgeois conservatives. Incidentally, it will win for him a lot of Laborite votes and may secure the support of many non-Laborites who will find profit in trading with the bolshevists.

It is doubtful if a more flagrant piece of tergiversation was ever effected in British politics or a more hopelessly illogical performance. To say, as Mr. Lloyd-George does, that abandonment of the blockade and resumption of complete trade relations will not constitute making peace with the soviet government.

In Harvey's Weekly, June 19, 1920, he says:

Mr. Lloyd-George appears to prefer traffic with bolshevists to friendship with France.

* * * His (Lloyd-George's) reception of the bolshevist envoy in Downing Street just as though he were the ambassador of a respectable Government.

* * * Made an agreement to enter into trade relations with him * * * for the purpose of saving the soviet régime from utter collapse. This is, of course, offensive to France and may seriously imperil the confident relations between her and Great Britain.

In the issue of June 19, 1920, under the caption "Two Dispatches," Col. Harvey tells the story of two critical times in the history of the Great War. He tells how on the second critical occasion—

* * * The British war office—in brief, Mr. Lloyd-George—telegraphed peremptorily to Sir Douglas Haig orders which practically read "Go slow. Don't press 'em too hard."

* * * Two dispatches which never should have been written * * * So Britain may forget the funk of French and the folly of Lloyd-George in the indomitable energy of Kitchener and the serene resolution of Douglas Haig.

Again, on July 10, 1920, in a paragraph criticizing Mr. Lloyd-George's attitude on Mesopotamia, Col. Harvey asks, "Is Lloyd-George among the contemptible quitters?"

In Harvey's Weekly, August 14, 1920, under caption "The Polish Crisis," he says:

Great Britain, however, opposed it (the erection of an independent Polish State) for reasons which may be surmised. One was the strange obsession of deference to Germany. * * * And, second, was a jealous disinclination to permit the rise of a great industrial and commercial power fronting on the Baltic. The third * * * the influence of that portion of British organized labor which even then sympathized with bolshevism.

On August 28, 1920, under the caption "The Concert of the Powers," he says:

* * * Mr. David Lloyd-George is, like President Wilson, a thorough opportunist, shaping his course by no fixed principles but adapting it day by day to whatever temporary and adventitious circumstances may occur.

In the same periodical on August 8, 1920, under caption "America in Europe," he says:

Mr. David Lloyd-George expresses an earnest hope that after this year's elections "America will again take part in European affairs." * * *.

The other reason, * * * for this change of European tone is an ulterior if not sinister design to obtain a quid pro quo. That is to say, America is to be invited, inveigled, or dragged into European affairs in order to give European powers a pretext for intruding into American affairs.

* * * Still, we shall not say that that is what Lloyd-George has in mind.

I shall not burden the RECORD by inserting more, but there are many other utterances that he has made criticizing and antagonizing the policies of Lloyd-George and of Great Britain.

Lloyd-George is to-day the towering figure in the affairs of Great Britain. It has been his tact, his power, and ability that have held his people together and forced the policies that he advocated through the Parliament of that country. Is there any Senator here or any person of ordinary common sense in this country who believes that one who has spoken in the intolerant spirit that George Harvey has manifested in his writings about Lloyd-George and the policies of Great Britain before and during and since the war should be sent as our representative to that country? Is there anyone who could possibly believe that Lloyd-George could ever welcome this representative of America into his confidence? Do you for a moment believe that there could be a happy reception tendered to him upon the part of Lloyd-George and his Government? Is it not reasonable to suppose that in view of these strictures in the utterances of this man touching Lloyd-George, of Great Britain, they will look upon it more as an insult than as an olive branch of friendship and good will? Under what reasoning can one imagine that this individual can exert any influence and win any favor in that country?

Mr. President, there were hundreds of thousands of men and women in the last campaign who voted the Republican ticket not because they believed that the League of Nations should be scrapped but because as they were told by Secretary of State Hughes, Secretary of Commerce Hoover, George W. Wickersham, ex-President William Howard Taft, and thousands of other Republican leaders that the best way to obtain the League of Nations and the ratification of the treaty of Versailles was through the Republican ticket. And there are thousands of men possessing sufficient ability, endowed with the qualities of statesmanship and the arts of diplomacy, who could represent this country at the Court of St. James who would not have made violent and unwise utterances against that country and its leaders that would rise up to plague them.

England, France, Italy, and Belgium, our late allies in the war, whose sons were sacrificed and coffers drained that victory against the entente powers might be won, have agreed to the treaty of Versailles. They have believed that the League of Nations idea, as incorporated in that treaty, was the best means by which wars could be prevented and through which peace be preserved. That institution is now set up. It is functioning. Forty-two other nations have joined hands with them and pledged themselves to uphold it and make it a success. That alliance is growing stronger day by day and those nations are bein welded together closer and more securely in the passing of every hour.

Great Britain is one of the most, if not the most, powerful member of that league. Is it possible that no one in America could be found to represent this Government and London except one whose every talent has been employed against the League of Nations idea and who has worked unceasingly not only to prevent our entrance into it, but to misrepresent it and oppose it and destroy it in the minds of the people of the world? Is there any Senator here who would for a moment believe that when George Harvey arrives at the Court of St. James that he can be discreet enough to restrain his feelings in diplomatic conference against the league and that he will not seek the opportunity to force his opinions upon others and use the power of his position to destroy it? I am not unmindful of the word spoken by the President in his inaugural day address and in his first message to the Congress of the United States, virtually saying that we turned our backs on the League of Nations.

I recognize that the last glimmering ray of hope for this country to enter the League of Nations, if his influence prevails, disappeared when he spoke those words. I do not know to what extent he will employ the power of his great office in promoting the association of nations to which he has alluded. I sincerely hope, however, Mr. President, and I shall refuse to believe until I know more about it, that he intends by promoting the proposition of an association of nations to set it up in competition to the workings of the 46 nations of the world who have entered into the League of Nations. I shall refuse to believe that he,

by promoting the association of nations idea, will believe that its success is dependent upon the failure of the League of Nations. I shall refuse to believe that in order to obtain success for his association of nations that he intends to employ the power of his office to disrupt the League of Nations. But I fear very much, Mr. President, that when George Harvey as the ambassador of this country to the Court of St. James arrives in London that there will grow in the minds of the people of that nation, as well as the peoples of the other 45 nations belonging to the league, the idea that he will use whatever influence he may possess and the power of his position in attempts to destroy the League of Nations. It does seem to me, Mr. President, that some man of all the brilliant and well-equipped diplomatists that are enlisted in the ranks of the Republican Party could have been found and nominated for this high post, some man on whom distrust and suspicion would not be fastened.

It may be, Mr. President, as has been suggested in some quarters, that President Harding would rather have George Harvey across the Atlantic than to remain here at home, with the ever-threatening prospect that the friend of to-day might overnight become an unrelenting critic and foe; but, be that as it may, there are millions of patriotic Americans, regardless of party affiliations, who will regard the appointment as a crowning affront to the sick man who recently vacated the White House.

Let me say in conclusion, Mr. President, that if this appointment is indicative of what is to follow, if the foreign affairs of this country are to be placed in the hands of such men as George Harvey, and its domestic policies are to be controlled by those tariff barons who favor erecting a barrier against the trade and commerce of other nations, then the future of America is dark, indeed.

Mr. REED. Mr. President, I did not have an opportunity to hear the opening portion of the speech of the Senator from Mississippi [Mr. HARRISON], but I think I have heard quite enough of it to gather its full import, and to be able to measure it with justice, and to in no manner criticize where criticism is not due. As I listened to this carefully prepared address, every line of which seemed to indicate that the Senator had been burning the midnight oil and lighting his taper at the fires of venom, I wondered what good purpose was to be served by this address. Mr. Harvey has been appointed ambassador to Great Britain and his appointment has been confirmed. Certainly, to use a much abused but very apt expression, I hold no brief for Mr. Harvey. I have met him but once in my life, and I was then impressed with the fact that he is probably one of the great intellects of this country. I think no man can truthfully challenge his patriotism, and if you combine intellectuality and patriotism, you come very nearly having what is necessary to make a good representative of this Government at the Court of St. James.

I have not agreed with Mr. Harvey in hundreds and thousands of things he has said. I have not agreed with the present President of the United States in many things he has said. I am very seldom able to agree with a rock-ribbed Republican on any policy which gets into matters political. But I recognize the fact that this is a Government by political parties, and it being a Government by political parties, I recognize the right of a President to appoint members of his own party to represent this country in the various courts of the world. Indeed, I think any other policy would be a mistake, and so when he appointed Mr. Harvey, as a Republican, he was within his rights. But I am not obliged, when I say that Mr. Harvey was a proper appointee, to say by that that I personally agree with all Mr. Harvey has ever written.

I was trying, as the Senator proceeded, to find out what his object was. I think I discovered his purpose in the closing sentences of his speech. He declared that our minister to Great Britain ought to be a man acceptable to Great Britain, one in whom the British people would have confidence, whom they would respect, and whom they would receive with cordiality if not affection. That is not his language, but that is his thought. So I presume in an earnest desire that this might be the case he has made the speech to-day in order that when Mr. Harvey goes to the Court of St. James he may bear with him this senatorial indorsement. Clearly the speech was made for the purpose of introducing Mr. Harvey in a very happy way to the British Government so that he might have influence with them as the Senator said he ought to have influence with them.

Mr. President, it is alleged that no newspaper man ought ever to take a political appointment, and the proof of it is that Mr. Harvey, some years ago in delivering an address, said that newspaper men ought not to place themselves in the position of men writing for the purpose of securing political office. That was a very noble sentiment when it was uttered. It was in fact so exalted that it was like some other theories I have heard of in this world. It does not work out in practical life. If it is to be applied to Mr. Harvey, then it ought to be elsewhere applied. If it applies to him, it ought to apply to Democrats as well as Republicans. How many distinguished journalists did President Wilson send abroad? How many men did he select from that profession? Quite a number; and it was said that it was a very noble thing and a very happy change to quit appointing men to foreign ministries who had simply contributed to campaign funds and to go into the intellectual world and recognize the service of men who with pen or with tongue had rendered a public service. So far as I am concerned I would rather see a man appointed to high office because with his pen he had done brilliant work or with his tongue in the forums of the land he had rendered skillful service than to see him sent to a foreign country because his name appeared at the head of campaign contribution papers.

We may take all the flights of fancy we desire, but the cold truth of the matter is that nearly every man who is ever appointed to public office has done something for a political party. Let me say to you that the man who has never done anything for a political party is, in my judgment, never fit for a political office, because a man who has the interest of his country at heart is always to some extent active in politics. When I find a man who has been too good to help elect a President, I always think he is entirely too worthless to be appointed to office by that President.

Taking part in politics is hardly a crime. Taking part in politics, if it be a crime, is one that has been committed by every Member of this body. If partisanship be a crime, then the Senator from Mississippi could be indicted on a million counts and tried in a thousand forums to-morrow. Taking part in politics is a high virtue and a high duty. When I hear a man say of another that he is a mere politician I recognize the fact, if he means to denounce him simply because he has been active in the politics of the land, that he is denouncing a man who has given to the public his service, his thought, his time, his attention, who has had some interest in his country. The criticism of such a man by a man too indolent, too lazy, too indifferent, or too holy to take part in the affairs of his country is something like a sacrilege itself.

Why do men take these interests in the public life of their country? Do they start out for the purpose of getting office? I suppose there is not a man in this body of politicians, as some people call us, who when he began to take an active interest in politics ever thought of holding office himself. I suppose that is true of the other House. I suppose, and I very earnestly believe, that nearly all of these men took an interest in their country because they loved their country. Having taken that interest, having manifested it actively and efficiently, the time came when there was some demand that they should take their places in the forums of debate and in the halls of legislation, and so they are here not because they covertly schemed from the first for places here, but because they rendered services that proved them qualified for their places.

Of course, there comes a time when a man must say whether he is a candidate or not, and when that time does come he then acts in response to two things—his desire to serve his country, and, of course, his desire to get elected after he has allowed his name to be entered.

About the worst thing we can have in a republic is a lot of men who are too good to take an interest in public affairs. The women of the country sought the right to vote. I did not think they were wise in seeking it, but they obtained it. I say to the women of the country that they have assumed a great duty and a great obligation; that it is no longer a right, it is a high duty, and that it is the business of all women in the country now as patriotic daughters of America to inform themselves about public affairs and take part in public affairs, and when they do so I am not going to refer to them sneeringly as politicians nor assert that they want something for themselves because they do take a public interest.

So, when we boil this thing down, men get their positions for public service. Some of them render it with money, and that is all right if the money is paid in decent amounts. Some of them render it by great speeches, some of them render it by great organizing ability, some of them render it with the mastery of their pen. I have no objection to a newspaper man being recognized any more than I have a man who has made speeches on the platform. I would rather see both of those classes recognized than to see men recognized who have put up nothing but coin of the realm.

Mr. President, let me take up one of the chief charges against Mr. Harvey. It is that he once supported President Wilson and that he afterwards supported the opposite party; that he

supported the opposite party particularly because of a great international question which involved the welfare of the Republic and which affected the welfare of the world. If that was Mr. Harvey's view, did he have a right to express it or did he not? Did he have the right to write against the League of Nations? Has the Senator from Mississippi had the undoubted right to speak for it? Are we to politically excommunicate every man who was against the League of Nations and who did not agree with the Senator from Mississippi? Well, if so, we would exclude one-half of the American people and then 8,000,000 in addition. Are we to exclude everybody who ever said anything against Mr. Taft? I am not going to say anything against him here to-day. I have said a good many things against him in the past, but there has been no tongue more bitter against Taft than the tongue of the Senator from Mississippi.

Are we to exclude everybody who has ever said anything against Roosevelt or who changed from an opinion adverse to Roosevelt to one of kindliness? The Senator's own expression was that Harvey had attacked the high ideals of Roosevelt; therefore he was to stand excommunicate. Because he changed his views he is to be excommunicated. But when Roosevelt was running for the Presidency, the Senator from Mississippi went over the country with his strident voice and denounced Roosevelt in terms that were so bitter they literally sizzled as they came through his lips, and yet he is now talking about the high ideals of Roosevelt. If Mr. Harvey is to be condemned because he said something bitter of Mr. Roosevelt some years ago, then the Senator from Mississippi is in his class and must be crucified on the same cross beside him. If he is to be criticized because he afterwards had a kindlier view of Roosevelt, then the Senator from Mississippi must be impaled on a stake just beside him, for he is now prating of the high ideals of Roosevelt and denouncing all who ever said anything against Roosevelt. When he draws that indictment he will have to put himself in as a particeps criminis. That will not do.

But Mr. Harvey said something against Taft, too. So have I; so has the Senator from Mississippi.

Mr. KING. So has everybody.

Mr. REED. So have we all on this side. Taft has come out and said some things about me in political debate.

But among other crimes Harvey has committed, he has said something against Herbert Hoover. [Laughter.] Nobody who has ever said anything against Herbert Hoover can be the minister to any place; he is not entitled to the services of a minister even as the shadow of death hovers around his head. He is forever excommunicate and lost.

There comes the Senator from California, HIRAM JOHNSON; he never could be minister anywhere at any time because he has not agreed with Hoover. [Laughter.] The whole people of California, except a few thousand, could also be herded in the same building and burned with the same fire, for they did not take very warmly to Hoover. I have forgotten how many delegates Hoover received in the convention.

Mr. McCORMICK. Which convention?

Mr. REED. Any convention. It is an awful thing to say something about Hoover. If he had been nominated on the Democratic ticket, my friend the Senator from Mississippi [Mr. HARRISON] would have gone over this country and would have proclaimed him the greatest man save one since the crucifixion. If he had been nominated on the Republican ticket, the Senator from Mississippi would have denounced him as the greatest villain unhung. It just depends with Brother HARRISON on which side of the political fence you are. If you should put the Savior of mankind and the Twelve Apostles in a sanctum and run the Republican banner up over it, no matter who put the banner up, the Senator from Mississippi would probably denounce them. [Laughter.]

Say something against Hoover! I have said a good many things against Hoover, and I may say more.

Again Mr. Harvey is denounced because he changed his politics. He supported President Wilson with his powerful pen practically up to the time he was nominated. After a period of quiescence he concluded that he would oppose some of the policies of President Wilson, and he finally supported President Harding, because President Harding had announced he was against the things that Mr. Harvey and his paper were against and that the American people were against.

So you must not nominate a man to any office who ever changed his politics. How about Colby? Colby had been the most radical of Republicans. He had marched with the "old guard" until if he heard a fife play at night he would get up in his nightshirt and start a parade. [Laughter.] He had been one of the most venomous critics of the Democratic President, but he changed his politics.

It is true he was like the Swede in the old story who was on the vessel moving out from the dock and somebody said, "Jump, Ole; you can make it in two jumps." [Laughter.] Colby made it in two jumps. He landed over first with the Progressives; then he jumped from that shaky and uncertain platform over into the Democratic ranks; and just as he jumped into the Democratic corral he landed in a seat as Secretary of State. He was not long enough in the corral to get "city broke" before he was made Secretary of State.

Is it a crime to change one's politics? Let us see about it. I remember a letter that was written expressing the devout hope that "somebody would knock Mr. Bryan into a cocked hat"; and I recall the fact that the same gentleman who wrote that letter yanked him into his Cabinet. I do not criticize the late President for that. I think his language was a little intemperate with regard to knocking Bryan into a cocked hat. That was perhaps a little harsher treatment than Bryan had deserved; but the President had a right to change his mind and to conclude that Bryan was a great and good man and the best man he could find in all the country to perform in the dual capacity of Secretary of State and Chautauqua lecturer. [Laughter.] It is all right; he had a right to do it; but does it lie in our mouths to denounce any President who may see fit to appoint a man because that man at some time or other supported a man of a different party on wholly different issues?

Nobody has challenged the personal honor of Mr. Harvey here; no one has challenged his intellectuality. The whole thing rests upon the fact, after all, that he is a virile, fighting Republican, and that he is not for the League of Nations. Well, why should he be? [Laughter.] Why should anybody except a political idiot go around hugging to his bossom a corpse that has been interred? [Laughter.] There is told an old, old story—and I never think of anything but old stories—of two Irishmen who were teasing a snapping turtle with a stick. The turtle would grab on and hold very tightly until finally one of them cut the turtle's head off, but still the jaws shut in the stick and hung on. One Irishman said: "Mike, look at him; he is holding on after he is dead." The other replied, "Of course he is dead, but the fool don't know it." [Laughter.]

We are talking about the League of Nations yet. Let us see about it. We lost every State north of the Mason and Dixon line, and we lost by about 150,000 majority the good old State of Missouri, that, with one exception, has been solidly in the Democratic column ever since they let the people vote down there. We lost the State of New York by about two million—or was it two and a half million? We lost Tennessee; we lost Oklahoma; we lost Kentucky.

Mr. STERLING. And New Mexico.

Mr. REED. New Mexico has always been a little uncertain. There are so many "greasers" down there that it is no wonder it sometimes goes Republican. [Laughter.]

Mr. SMOOT. And Nevada and Arizona.

Mr. REED. We lost Arizona, and we would have lost Georgia if it had not been that Hardwick was nominated for governor and WATSON for the Senate; and it took all their personal appeals to save that State going into the Republican Party, although the Republican Party had made the idiotic blunder of appointing a colored gentleman as a member of the Republican national committee from that State, and that gentleman was the man who got $9,200 of swag and was known all over Georgia as the "Georgia $9,000 peach." Wipe out the question of color, and I do not know what State we would have carried down South, although perhaps we would have carried some of them.

Now, there may be some who want to make the race again with that old corpse tied on their backs as a handicap and follow the lead of this disembodied and discredited ghost, but, so far as I am concerned, I have had quite enough of it.

It is said this man is sent over to discredit the League of Nations. He is undoubtedly sent over to say to Great Britain what President Harding has said to the American people and the world in two great utterances, that we will not go into the League of Nations; that if they want a League of Nations they can have it; that if they have 46 nations in it, and if it is any good, the 46 nations can run it to suit themselves; but a League of Nations that has 46 nations in it and that can not stand up unless the United States puts its arms around it and holds it up and totes it home, like you would an imbecile drunkard at 2 o'clock in the morning, is not worth holding up; it costs too much money.

The astonishing thing is that this question should be brought before this body again under the circumstances. We have witnessed the performance of these 46 nations, members of the league, who were going to take charge of the whole world,

and almost all of the universe, and run it in accordance with high ideals; under which there was to be no selfishness, no heartlessness, no cupidity; in which all were to meet around the table and settle everything in accordance with the very right of every matter. We have watched them perform, and we have witnessed since the war a spectacle that ought to cause every man who has ever been for that instrument to be now convinced by the eternal logic of indisputable facts that he was mistaken.

How has the league functioned and how have the countries in it performed? In the name of absolute equity, and prating of the rights of weak peoples, they seized the continent of Africa at the point of the bayonet. Declaring that they desired nothing except the protection of their own rights, they invaded the rights of every people, everywhere, who are not able with force to repeal their invasion. The northern portion of Africa was divided between Italy, France, and England, and 22,000,000 of our allies in Egypt who furnished armies for the allied cause found as they laid down their arms and shouldered their banners that the manacles of British slavery were put upon their wrists; and when their representatives started to this high court—the league—where equity was to rule and justice was to control, they were imprisoned and denied the right either to a hearing or to a trial.

It was manifested again when in the Shantung we turned over to Japan the very heart of China, with her 38,000,000 protesting Chinamen, who uttered their protest to the deaf ears of those who had been their allies; and we took this from China even while her yellow men were digging trenches beneath the hail of German shrapnel and were dying from the poison of German gases in the trenches they were digging for the English and the French. And to-day the invasion of China goes on. Step by step and inch by inch and day by day and mile by mile it proceeds, until gradually the whole of that country is being brought beneath the silent but the determined enthrallment of Japan.

How else did we act? Russia lay there. She had been under an autocratic form of government, the vilest that had defaced the modern world. From four to six million of her people had been killed in the war. They overthrew their Government and finally quit the fight. They set up a government which I abominate, because I do not believe in its principles; but it came nearer being a government of the people of Russia than the people of Russia ever had, bad as it is. The old Government of Russia represented 1 per cent of the people, and they held 99 per cent of the property. The new government of Russia, bad as it is, represents a much larger element of the people, and they have taken over some of the property of their former oppressors. But there they were, engaged in their own struggle, and they were invaded from four sides by four armies—one of them under the banner of France, one under the banner of Japan, one under the Union Jack, and one under the Stars and Stripes—and to what purpose? In order to aid somebody to set up some other kind of a government over a people that did not want that government, and that have demonstrated that they did not want that kind of a government on many a bloody field from that day to this.

How has this spirit of equity worked out? We gave Poland her liberty, a free gift. We fed her, and we helped to arm her. We fixed her boundaries, and the next day after we had fixed them her soldiers marched 300 miles into territory to which they had no claim on earth, and undertook to take it by the force of the sword. And so you find everywhere that the very men who were to sit about this board and deal justice and equity, who were to relieve every weak people and strike from their wrists their shackles, have been all the time busy with anvil and hammer rewelding the chains upon their arms; and still men talk about a league of nations!

We talk about self-determination by small peoples. That hope was held out to the world, and that was one of the things that was to be accomplished by this league; but the first thing Great Britain did was to take article 10, as carried over to them, and change it. That article as it was filed directly pledged to every small people the right to a hearing and release upon a two-thirds vote by the international tribunal. All those clauses were stricken out of it, and it was left an absolute guaranty that the armies and navies of the United States and of the world would stand ready to slaughter any people that dared strike for their liberties.

That is the thing we are prating of now; and because a man opposed that, he can not go to represent us in a foreign country. That is the sum total of this man's offending. If, having announced his doctrine that we would not go into the League of Nations, President Harding has sent a proleague man to Great Britain, he would have stood before the country convicted by his act of the insincerity of his words.

They say Mr. Harvey blasphemed the Holy Virgin. I have here the cartoon which the Senator from Mississippi produced. There is not a man in this body who would recognize in it any blasphemy of anything holy or sacred. He would not even know what picture it was supposed to be copied from except that there is at the top of this cartoon the legend, "Prof. Wilson's League of Nations, the Immaculate Conception."

I admit that the cartoon was a bitter cartoon, but of what? Of the Immaculate Conception of the Holy Virgin? By no means. It was a cartoon of the claim made by some people that the League of Nations was an inspired thing—a sentiment that had been sacrilegiously promulgated by the proponents of this league on every platform in America. Everywhere the people were told that this was almost of divine origin; and so Harvey's cartoonist—whom I happen to know, for he used to live in my little town of Kansas City—conceived the idea that he would satirize that, and he drew a picture of Uncle Sam in the middle of a portrait scattering dollars out to Europe, and below him Brother Cox trying to hang a picture on the wall, and so the picture bears the legend, "Prof. Wilson's League of Nations, the Immaculate Conception; Having Difficulty in Hanging the Masterpiece."

Now, that was seized on in the political campaign. An attempt was made to give it the cast before the public mind that Mr. Harvey had undertaken to cast aspersions upon the virginity of Mary, the mother of Christ. Of course, it was cheap political claptrap then, as it is cheap political claptrap now; but, of course, it was a dangerous thing, and so no doubt Mr. Harvey disclaimed it, and afterwards, in order to make himself perfectly plain, after the election was over and he had nothing to gain, Mr. Harvey printed a statement in which he disclaimed any such purpose, expressed astonishment that that construction was given, and made an abject apology, if you please to term it that, to the American people that anything got in his columns that anybody could torture into a reflection upon the Christian religion; and after that it is dragged in here in the Senate!

I confess that I think the cartoonist made a tactical mistake, but that anybody meant to offend against religion is ridiculous.

Mr. President, I have only a word or two more to say.

We are told that Mr. Harvey criticized Lloyd-George, and we had the criticisms read here, and they are just about the same kind of criticisms that you read in every newspaper in this land, Democratic and Republican. They said that Lloyd-George was confronted with difficulties; that he was shifting his position; that he was a clever and adroit manager of public opinion, and things to that effect. Is there anybody who doubts that that is true? Lloyd-George would not deny it. Nobody can deny it. He has had a hard time to keep his feet under him, and I think he has shown a great deal of genius in the way he has accomplished results; and he could not have done it if he had stood hard and fast upon some particularly fixed position. I have no brief for him, either. I have a good many things against Lloyd-George, and the worst one against him is what he is doing in Ireland to-day.

But what is the object of this speech? England has already accepted this man. Lloyd-George is already content with him. If he had not been, his name never would have been sent to the Senate, because inquiry is always made before a man is appointed as ambassador or minister to these countries. I do not know the facts in this case; I simply infer it because it is a custom that I think is never varied from.

Mr. President, I am sorry to differ from a Democrat. I have been differing from them on occasions, and I would like to get where I would not have to differ from them. I can see no reason for this assault on this man, when he goes there, in my opinion, with an intellectual equipment the equal of any possessed by any minister at the Court of St. James in the last 50 years, a thoroughgoing American patriot, a man who proposes to help keep us out of European entanglements, who, if he has not always agreed with some gentlemen, at least has kept true to the faith of George Washington and Thomas Jefferson upon that great question. It seems to me it would be well, if we are concerned in promoting amity and good will in Europe, in having our ministers exercise a great influence there, that we should not send them away with three hours' defamation trailing after them.

Mr. LODGE. Mr. President, in the course of my service here I have on one or two occasions been opposed to the confirmation of a Justice of the Supreme Court, but if the Senate decided in favor of the man selected, when he became a justice my lips were absolutely closed, as those of all other opponents

should be, for after his selection is perfected he no longer represents a party; he becomes a representative of the country in the administration of justice. In the same way, when a man is appointed by the President and confirmed by the Senate for a post abroad, he ceases to be the representative of a party and becomes the representative of the United States; he represents all Americans in the foreign country to which he goes.

I think that it is very unfortunate that the Senate, which has just confirmed Mr. Harvey, should be forced to listen to this attack upon him, because the attack is leveled at a man who represents the United States of America, and while he does he should receive, especially in this body which confirmed him, the respect which his great office commands.

Mr. President, I reported the nomination. I did so with great pleasure. Mr. Harvey had been all his life, until the last few years, a very strong Democrat, a very bitter Democrat, if you please, for your native State, Mr. President, does not breed many Democrats, but those it produces are apt to be very strong in what they are pleased to call their political faith. Mr. Harvey for years fought the battles of the Democratic Party. He assailed vigorously the candidates of the Republican Party.

The Senator from Mississippi [Mr. HARRISON] has taken pains to quote here what Mr. Harvey said about President Roosevelt and about President Taft. There is no occasion to enter on any defense of President Roosevelt. His fame is secure; his monument is a noble part of our history. Mr. Harvey then said things about him very repellant to me, but when in later days he came to know Col. Roosevelt he recognized very fully, before the colonel's death, the greatness of the man whom he had formerly attacked. What he said in earlier days was only what other Democrats were trying to say, but what he said was remembered, because it was said better and more effectively than what the other Democrats said. He had the faculty of writing in a way to be remembered.

The other charge, which seems to be serious, is that Mr. Harvey changed his party, and changed it on account of the treatment he received from Mr. Wilson. I suppose he did as much as, if not more than, any man in the country, or perhaps any group of men, to bring Mr. Wilson into the presidential field and to make him the candidate of the Democratic Party, and Mr. Wilson selected that moment, when the nomination was coming within his grasp, to tell Mr. Harvey, in language not too polite, that his services were no longer needed. I suppose it rather surprised Mr. Harvey. He was then and in that way entering upon the voyage of discovery in regard to Mr. Wilson which the country entered upon, and is he to be blamed because he found out a little earlier than the rest of the country about Mr. Wilson and his peculiarities?

The vote at the last election was not delivered against Mr. Cox; he was merely a name. The huge Republican, I might say American, majority in the last election was directed at Mr. Wilson and all that he represented.

Mr. Harvey, after Mr. Wilson discarded him for two years, sustained the administration, which I think was not a little surprising under the circumstances. But Mr. Harvey knows now that he was only the first of many conspicuous instances of men who had been loyal and helpful, but who, venturing to disagree with Mr. Wilson, were pushed out into the highways and byways of politics with a coolness of ingratitude which I think has been rarely equaled. You can find examples, from Mr. Garrison and Mr. Bryan on through a long list concluding with Mr. Lansing, of men who had served Mr. Wilson with the utmost fidelity and even with subserviency, as people said, but who had dared at some point to hold a different opinion, and whether they were in the Cabinet, where they were easily reached, or in some other appointive office, or whether they held places in the Senate or the House, they were pursued with the same vindictiveness everywhere.

Mr. Harvey happened to be the earliest of the victims of Mr. Wilson's methods, and, as I said, he delayed for two years before he opposed Mr. Wilson, and when he did it was not then on any personal ground, in my judgment, but because he believed that Mr. Wilson was entering upon a policy abroad which he thought was fatal to the interests of the United States; and he left him, and he had two or three million go with him before the thing was over.

He fought a good fight against the league. He was one of the powerful influences, beyond doubt, against it. He joined the Republican Party and supported its candidates, and when the election came he was of great service to the present President of the United States. The high office to which he has been called went to him without a suggestion or an application on his part, because Mr. Harding, like some of our other Presidents in the past, prior to Mr. Wilson and the "new freedom," was not unmindful of those who had served the cause and supported him in the contest.

Mr. President, one of the other attacks made upon Mr. Harvey was in relation to the unfortunate cartoon which appeared in his paper, and appeared without his knowledge, though he did not shirk responsibility, and which some Democrats undertook to use as an issue, although it was disclaimed not only by Col. Harvey, but, of course, by President Harding and by the chairman of the Republican national committee. Those, however, who attempted to use it in that way as an issue overlooked the fact that the cartoon, which was obnoxious to all Christians of all sects, was less offensive than the attempt to make political capital out of it. In those States where they vote and have elections and an unrestrained public opinion the attempt to make political capital out of that cartoon reacted upon those who did it.

Mr. HARRISON. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Mississippi?

Mr. LODGE. I yield.

Mr. HARRISON. The cartoon originally was a political cartoon, was it not?

Mr. LODGE. It certainly was.

Mr. HARRISON. It was a cartoon gotten up by Mr. Reid, who was in the employ of the Republican national campaign committee, was it not?

Mr. LODGE. That is absolutely true, and, I repeat, it appeared by a mistake; it was disclaimed by all; but the Senate will find what I have just said about the election to be true, that the people whom that deplorable cartoon shocked—and it shocked everybody—disliked even more the attempt to make political capital out of such a subject.

Mr. President, just one word more. Mr. Harvey is a man of great ability, and no one denies it. He is a man of wide reading and an unusual knowledge of foreign relations. He is a thoroughly patriotic American and he is an American through and through. He has rendered great services in a cause which he had at heart and in sustaining the policies of Washington and Monroe, and in this the American people, by about 7,000,000 majority, agreed with him. It seems to me such ability and public service fit him to represent this country abroad. He was nominated by the President and confirmed by an overwhelming majority in this body. He has been accepted by the country to which he was accredited, formally and officially, and I think it is a sorry piece of personal or party hatred to make the Senate a vehicle of attacking a man of that character, fitted for the office which he is going to assume in another country, where he represents the United States of America, and trying to injure him as the representative of the United States, for what purpose I do not pretend to say. I think it is a nomination in all ways fit to be made; I am glad the Senate confirmed him. I trust, at least, it will be understood abroad that the voice of the Senator from Mississippi [Mr. HARRISON] does not represent the opinion of the Senate of the United States.

Mr. HARRISON. Mr. President, will the Senator before he takes his seat permit a question? His last expression evidently was intended as a criticism of me in making the speech at this time after the confirmation of the nomination.

Mr. LODGE. I am glad the Senator caught my meaning. That was my intention.

Mr. HARRISON. The Senator will recall that when the nomination came before the Senate in open session of the Senate, I asked unanimous consent that it be considered in open executive session, and that when the Senator himself objected to that I moved that it be considered in open executive session, and was voted down by the other side of the Senate.

Mr. LODGE. Only one objection was needed.

Mr. HARRISON. Yes; but the Senator made it.

Mr. LODGE. There was no need of a vote. The Senator made the request. My objection, one objection, was enough to deny it. I do not think nominations ought to be discussed in public, and, although what has happened to-day does not come strictly within the rule as to executive sessions, it violates the spirit of the rule. It is to prevent just such scenes as these that nominations have always been considered in secret session, and until this time, so far as I am aware, no attempt has been made to depart from that policy, directly or indirectly, in the Senate of the United States.

Mr. HEFLIN. Mr. President, I shall occupy a few moments of the time of the Senate. What we may say now about Mr. Harvey will not affect his possession of the position that he holds. I voted against his confirmation because I did not think him truly a great representative of the great American people. I wondered in my own mind who wished him on the President.

I doubt seriously if we had polled this body of Senators, Democrats and Republicans, and had asked them what man should be selected to represent us at the Court of St. James, if there is a Senator on either side who would have selected George Harvey. There is not a Senator on either side, I dare say, who would have thought of him. But he has been appointed and the President had a right to appoint him. We all concede that. I am not criticizing the appointment now. I voted against him for the reason that I have stated.

The Senator from Massachusetts [Mr. LODGE] is mixed up in his history about the difference between President Wilson and Mr. Harvey. He suggested, as I understood him, that Mr. Harvey differed with the President, because he saw him leading out on certain foreign policies that he could not agree to. The fact is that Mr. Wilson and Mr. Harvey had their falling out before Mr. Wilson was nominated the first time for President.

Mr. LODGE. I was aware of that. I stated that. It was just at the time of the nomination that Wilson threw him overboard, but he supported him in his publications for two years after that.

Mr. HEFLIN. He did support him?

Mr. LODGE. He did, for nearly two years.

Mr. HEFLIN. But the difference that arose between them was before Wilson was first nominated and prior to his election.

Mr. LODGE. Certainly it was. It was so stated by the Senator from Mississippi, and correctly stated.

Mr. HEFLIN. My recollection of the explanation of the difference between them at that time was that Mr. Harvey undertook to bring certain influences to bear upon President Wilson from a source of special interests which the President would not stand for, and that the difference grew out of that, and that he practically told Mr. Harvey he could not dictate his policies or control him. I remember hearing reports to that effect at the time.

Mr. LODGE. That is perfectly true. That was all stated by the Senator from Mississippi. What I said was that Mr. Harvey continued to support him until he believed that he was betraying his country, to put it in plain English, and then he left him.

Mr. HEFLIN. It may be that he was supporting him with the same enthusiastic ardor that Mr. Lansing was when he kept his diary all the time while he was at the peace conference in Paris. How ridiculous the position that he occupied, this Secretary of State, supposed friend and confidential adviser of the Chief Executive at the peace conference in Paris, keeping a diary, getting up data to write a book attacking his chief, when he got back home, and the whole gist of his story is "How and why the President got rid of me."

I think Mr. Harvey supported President Wilson with just as much sincerity as Lansing supported him while at Paris, and no more. If I had been the President, I should have gotten rid of Lansing long before he did. He never was big enough to be Secretary of State. If you will read his book, I think you will agree with me. He has a grievance that he is trying to show to the American people. He is trying to free himself from the serious indictment of being unfaithful to the man who had honored and trusted him.

Mr. Harvey has rendered valuable and very valiant service to the Republican Party, and the Republican Party has the right to reward him if it wants to do so. We all concede that. It has rewarded him. It has given him a very high and honored position, and I trust that he will make good in it. I am not criticizing the President. I repeat, I wonder who wished him on the President. I wonder what members of the political machinery of the Republican Party singled this man out back yonder when the campaign was on and designated him as a fit subject for special favor. It may be that they decided to profit by the experience of President Wilson, and rather than say or do anything to ruffle Mr. Harvey's feelings they would "soft soap" him and get him out of the country, because he has been known to quickly change his views and turn his back upon a proposition if it did not suit him or if he wearied of a consistent course. They wanted the rolling ocean between them and George Harvey while the steam roller of the Republican Party was working in the United States.

Well, he is over there, and he has my good wishes as an officer of my country. I want him to make a good ambassador. I have not anything against him personally. I spoke with him once at a banquet. We sat side by side at the banquet table. He is an able man in a way. I do not regard him as being the great man that the Senator from Missouri [Mr. REED] seems to think he is. I think that we have a great many men more capable than he is of representing this great Government as ambassador to Great Britain. I did not send him there, and I am not criticizing the President for appointing him. I am still curious to know who wished him on the President. The Senator from Missouri seems to have some sort of grievance against the League of Nations. We rarely ever hear him make a speech that he does not mount that old league nag and ride him around and around in this Chamber. Whenever I see him throw his spurs into the flank of that helpless old horse I know just about what is going to happen. This habit is getting a little old. He talks about the Democrats losing Missouri. There are a good many reasons why we lost Missouri. The fact is, Mr. President, that if the Republicans had been in power during the World War they would have lost in the election last fall, and the Democrats would have been placed in charge of the Government. I think a great many Republicans will agree to that. There were so many people who had grievances, so many people who were disappointed and sore about one thing and another that they naturally wanted a chance to hit something or somebody. We happened to be in power, and they hit the Democratic Party.

Now your troubles begin. You went to every disappointed and disgruntled group of people in the country and you said to them, "You have been mistreated by the Democrats; you are weary and heavy laden; lean on me." To each and every group you said, "We have the panacea for all your troubles, and just as soon as we get in we will use the balm of Gilead and all will be well with you." You said, "These Democrats do not know how to handle the situation. They have made a botch of the whole thing."

Now, you Republicans are in and what have you done? You come along and indorse the President's Mexican policy. You indorse his Russian policy. You have indorsed his Yap Island policy, while many "yaps" are still running at large. You have indorsed his Colombian treaty, and the able and eloquent Senator from Idaho [Mr. BORAH] came mighty near precipitating a panic in this body yesterday afternoon when he introduced his amendment. He had some of them changing on that side as quickly, one position to another, as the old fellow said the weather changed in Texas. He wrote a letter to his brother back in Alabama and said, "If you have not started to Texas, don't. This is the most hellacious climate in the world. On yesterday while driving a yoke of steers across the prairie one of them had a sunstroke and while I was skinning him the other one froze to death."

So when the Senator from Idaho introduced the amendment stating that we had not done anything wrong to Colombia, and almost succeeded in getting it adopted, there was more mental anguish on the other side of this Chamber than I have seen over there in a long time. He even had the Senator from Massachusetts [Mr. LODGE] changing his position as quickly as the weather changed in Texas. He did it even more quickly than George Harvey did when he forsook the standard of President Wilson and wandered off in the wilderness.

But you Republicans are in now and you are going to tear down the last vestige of the Wilson administration. In the speech of the senior Senator from Massachusetts [Mr. LODGE] at your convention he used these words, as I recall his speech, "We intend to wipe out the last vestige of the Wilson administration." Well, Mr. President, I have cited four vestiges that you have retained and still you hold on to them.

Mr. MCKELLAR. The Senator omitted Mesopotamia.

Mr. HEFLIN. Yes.

When, let me ask, is this tearing down to begin? You have destroyed the greatest hope of the human race for peace on earth and good will to men. You have failed to accept the greatest peace program ever submitted to the civilized world and helped to cripple and break down the greatest peace advocate since Christ walked the dusty highways of Judea. They may slander and traduce him. Mr. President, he may be lame and halt, God bless him, health broken in his efforts for world peace, but Woodrow Wilson will live in the hearts of the American people and live on the brightest pages of American history long after his slanderers and traducers are dead and forgotten.

I know that the gun and munition makers rejoice that the league of nations is defeated. I know that they made their millions and hundreds of millions out of this business during the war. We needed that material and implements to win the war, and I rejoice that we were able to get them. But I think that the gun and munition makers should have been content with the great profits that they made during the war and that they should not have favored a program that opposed a movement in the interest of a tribunal to prevent war in the future. This Government, we are told, is to-day seeking to provide itself with the deadliest war implements known.

Germany is doing the same thing. France, Great Britain, all other countries that are able to do so, are seeking to provide something that will be an improvement over the terrible poisonous gases and liquid fire which were used in the war just ended. What does it all mean? Instead of working for peace we are getting ready for another war.

The League of Nations contained a provision for disarmament; it contained a provision for arbitration. When this Nation failed to enter the league we failed to take advantage of the opportunity that was ours to employ these two mighty international agencies to prevent war. The league has here been defeated; I am not going into a discussion of that question now; but I want to tell you, briefly, what you did when you defeated it. You lost the greatest opportunity that this Nation has ever had to go out and get the trade of the world. There we were upon a mountain top that overlooked the world, enshrined in the affectionate regard of the nations of the earth. They loved America. They said, "Look at her, that giant force of the western world! She is not out for military conquest; she is out for the good of the human race and peace in the world; she desires, above all things, to prevent war; she wants an international tribunal to settle disputes without murdering men by the millions and tearing out the heartstrings of the wives and mothers of the countries of the world." But we said, "No; we will not go into the league; we will stay out of it, for we are afraid you might try to lead us off into some path of internationalism that we do not want to travel." Then President Wilson said, "We will fix it so that we can retire from the league in two years' time." Mr. Root, of New York, I believe, suggested five years, but President Wilson said, "No; two years is long enough." So we had the opportunity, after being in the league for two years, to retire from it if we chose so to do. We had our boys over there fighting for more than two years. Surely we could put our signature to a document that would bind us to a movement that looked toward peace and nonparticipation in war that held for only two years, but the opponents of the league said no.

Now, in what position do we find ourselves? The league was not accepted by this country. Our trade relations with the Old World are torn to pieces. The farmers of America are selling their produce below the cost of production, while others who enjoy special privileges as they manufacture implements for another war clip their coupons in their places of business.

What would have happened if we had gone into the league? We would have had trade relations established with Russia; we would have had trade relations established with Germany; we would probably have extended credits to both; all of our agricultural products would have sold above the cost of production, aye, at a profit to our farmers, and we would not have been suffering as we are suffering to-day. So when Senators rejoice in their work that resulted in defeating the League of Nations, I want them to remember that they helped to produce the wreck and ruin seen around us here at home.

The Senator from Missouri [Mr. REED] talks about the great State of Georgia almost going for the Republican Party last fall. I live down in Alabama, side by side with dear old Georgia, and I never heard of that all during the campaign. I do not know how the Senator from Missouri got such an impression.

Mr. REED. I received it from the present governor of Georgia.

Mr. HEFLIN. Does the Senator refer to Mr. Hardwick?

Mr. REED. Yes; who will be inaugurated as governor of Georgia next month.

Mr. HEFLIN. Mr. Hardwick is a very clever, bright gentleman, and he was elected governor. It frequently happens, however, that a fellow thinks that if he had not been nominated the ticket would have been defeated. There is a good deal of human nature in a thing like that. I do not think that the ticket would have been defeated even if his opponent had been nominated. I think the Democratic ticket would have been elected in Georgia, anyway. The League of Nations had nothing on earth to do with the ticket in Tennessee. I do not think it figured much in Oklahoma. We carried Kentucky, although the Senator from Missouri says we lost it. Gov. Cox carried Kentucky; I want the Senator from Missouri to keep his figures straight while he is lambasting the League of Nations almost every time he makes a speech in the Senate.

Mr. REED. Mr. President, the Democrats lost a Senator in Kentucky, which was the thing that counted.

Mr. HEFLIN. Yes; I am very sorry we lost the Democratic Senator, Senator Beckham; able, fine man he is. A great Democrat and statesman.

But, Mr. President, the falling price of farm products at that time hurt the party in power much more in Oklahoma and Tennessee than did anything else.

I wish to say this to Senators before I take my seat: I stand ready to help the Republican Party do something that will aid our people here at home. I want to say further that we have got to establish some sort of relationship with the outside world. We can not live to ourselves alone. God Almighty intended that this great Republic of the West should lead in the family of nations. We are the richest Government on the globe and the greatest nation in all the world; and yet here we are folding our hands and drawing up into a shell while the Old World is staggering and dying of starvation. They want to have trade relations established with us, and our bankers were ready to form associations to extend credits to Germany and to other European countries for from three to five years, thus giving them a chance to get on their feet, and this would have been helpful to our people here at home. When we did not go into the league, the bankers of America would not put a dollar over there in Europe any more than they would stand and pitch dollars into Niagara Falls. Why? Because with us out of the league they did not know what was going to happen; whether it would be chaos, anarchy, bolshevism, or whatnot. However, if we had gone into the league, at the first meeting the League of Nations would have said to Russia, "We want you to have an election and decide what manner of government you want; you were an ally; we are your friends; set up some sort of an orderly government and we will recognize it." We would have recognized it over here and extended credits to it. We would have extended credit to Germany. There would not have been the distress and suffering that we now witness abroad nor in the United States.

Cotton would have sold for a good price, as would also corn and wheat.

I talked to-day to a northern gentleman who was at the White House to-day with me and others in a gathering which called upon the President in the interest of the farmers of the United States. He said, "I saw the other day a carload of potatoes sell at 7 cents a bushel, and I know the man who produced them paid more than $4 a bushel for the seed potatoes he planted from which that carload of potatoes grew." Seven cents a bushel! My heart goes out to the farmer who suffers such losses. I can say to Senators here to-day that I have seen the farmers in my section who produced cotton at a cost of 30 cents a pound, in 1920, haul it to the market place and sell it for 12 cents a pound—18 cents below the cost of production. If we had been in the League of Nations, Russia and Germany would have taken every bale of cotton that we had to sell; they would have taken everything to eat that we had to sell; and the farmers of America, who are suffering to-day, would not have had to bear the awful burden that is now upon them. The failure to go into the League of Nations cost the farmers, merchants, and bankers of the South and West billions of dollars.

Mr. President, I hope to see something done that will relieve these people. I do not care whether you call it a League of Nations or not. If the President wants to call it "an association of nations," all well and good. If it is desired to strike out article 10, strike it out; but let us do something; let America take her place in world affairs and play her part. We are the only nation on earth whose highest judicial authority has declared it to be a Christian Nation; and it is the duty of this Nation under God to lead on and on in the interest of peace on earth and good will to men. [Applause in the galleries.]

The VICE PRESIDENT. If there are further demonstrations in the galleries, the galleries will be cleared.

Mr. NORRIS. Mr. President, if I could have had my way I would have preferred that this discussion had not taken place. That which has brought it about, the nomination of Mr. Harvey, is in the past, and I would not now intrude myself upon the Senate if it were not for the fact that I believe I am the only Senator on this side of the Chamber who voted against his confirmation. If I had come into the Chamber before the debate had closed in executive session, I would have said there what I should have liked to have said when I entered the Chamber while the roll was being called. No good can come now from a discussion of his qualifications, and I am not going to indulge in that kind of a discussion. He has been confirmed, properly and legally, and I only hope that he will "make good."

It has been said here by the Senator from Massachusetts [Mr. LODGE] that Woodrow Wilson was possessed of a temperament that led him, where he was able to do so, to drive to destruction, with all the power at his command, every man in public life with whom he did not agree. I coincide with that opinion. I do not agree with the Senator from Mississippi in his defense of the ex-President. It may be that some things have been said in criticism of him that I would not approve,

but I confess that of all the criticisms I have ever heard or read about him, I have no fault to find with any of them, and believe that everything that I have ever heard or read was justified under the circumstances. Mr. Harvey, in my judgment, is of the Wilson type. A great many good things can be said about him, but Mr. Harvey has pursued with the same venom every man who has not agreed with him and has done the best he could to disgrace him and drive him out of public life by methods which I believe are disreputable and dishonorable.

It is said in his defense that he is a highly intellectual gentleman and is patriotic. I agree with both of those suggestions, Mr. President, and I think the same thing could be said about President Wilson; but there are many men possessing those two attributes; in fact, thousands of them, in insane asylums. I do not mean to say that either one of those attributes tends toward insanity, but a man possessing no other attributes than those two may lack in a great many other respects qualifications that he ought to have in order to make an acceptable ambassador.

I believe Mr. Harvey lacks in some of those respects. I am satisfied that my opinion is concurred in by a vast majority of the Senate. A great many Members of the Senate have talked to me since I have voted against his confirmation and have said that they thought his nomination was a mistake; they would have preferred that it had been somebody else. But there seems to be a general feeling that the President ought to have a free hand—and I am rather inclined to concur in that—in selecting these nominees. Certainly Mr. Harvey has no claim upon the Republican Party, unless his brief service in that party entitles him to outstrip those who have spent their lives in the advocacy of its principles. It does not follow from that, however, that he would not make a good diplomat. I myself am not urging any objection to him on that ground.

I could not, Mr. President, even if I were inclined to do so, go now into the discussion of what I believe to be the reasons why he will not make a good diplomat. I hope I was not influenced in my vote by personal reasons. If I was, I was unconscious of the influence, although I realize that we are sometimes influenced unconsciously by personal reasons. I certainly had them, but I thought I was built on a broader plan. They are not of any particular importance, however, especially now; and I would not have burdened the Senate by saying anything about the matter if it had not been that this discussion has led to some of the things that Mr. Harvey has done.

For instance, he was an opponent of the League of Nations, and it is said that he did great service in that fight. I think he did. I agreed with him in that fight. I think that in that fight these few Senators here whom I followed and who led in that great contest performed a service not only for this country but for the world the magnitude of which the people will realize in future years. I think they saved not only our Nation but humanity, and Mr. Harvey did everything that he could in that contest. But, Mr. President, again I might say that there are thousands of men who were opposed to the League of Nations who have perhaps committed crime and gone to the penitentiary before this time. That attribute alone is not enough to qualify a man for this great place.

Admitting that Mr. Harvey has done valiant service, admitting his patriotism, admitting his great ability, I believe that he possesses the same attributes that are possessed in a superlative degree by Woodrow Wilson that unfit either one of them for the position of the diplomat.

Mr. ASHURST. Mr. President, the Senate of the Sixty-seventh Congress is proceeding upon a strange hypothesis. The objections to the Colombian treaty were discussed mainly from the viewpoint that its ratification would be a reflection upon the memory of Theodore Roosevelt. The confirmation of Col. Harvey has proceeded upon the viewpoint of what may or may not be the view of former President Wilson. I protest against dragging personalities into these questions and thereby obscuring the main issue.

It has been insinuated that in the Harvey-Wilson episode in 1911 and 1912 there was something savoring of impoliteness on the part of Woodrow Wilson, then governor of New Jersey. In order that the country may have, if it be interested, the whole correspondence that ensued between these two gentlemen at that time, I am going to read it all; and the conduct of President Wilson was that of the accurate gentleman, and the same was true of Col. Harvey.

It will be remembered that the following memorandum was made by Col. Henry Watterson, who was present at the interview where the former President is alleged to have requested Col. Harvey to cease support of him, Gov. Wilson:

GEORGE HARVEY. Is there anything left of that cheap talk during the gubernatorial campaign about my advocating you on behalf of "the interests"?

WOODROW WILSON (with great positiveness). Yes; there is. I lunched to-day with two of the young men in my literary bureau, and they both declared it was having a serious effect in the West. I did not ask them for the information. They volunteered it.

GEORGE HARVEY. Have you thought of any way to counteract this harmful effect?

WOODROW WILSON. I have not. In fact, I am greatly perplexed to know how to do it. I have been able to satisfy those I could reach, but there are thousands, of course, whom we can not reach. I have not yet been able to devise a way to meet the situation.

GEORGE HARVEY. Is there anything I can do, except, of course, to stop advocating your nomination?

WOODROW WILSON. I think not. At least, I can't think of anything.

GEORGE HARVEY. Then I will simply sing low.

(Pause. Silence from Woodrow Wilson.)

Col. HENRY WATTERSON. Yes; that's the only thing to do. The power of silence is very great. For myself, too, I shall not say a word for the present.

(Quite a long pause.)

WOODROW WILSON. Good day, gentlemen.

(Henry Watterson and George Harvey nod responses.)

(Exit Woodrow Wilson.)

Some days later the following letter was sent by Gov. Wilson to Col. Harvey:

(Personal.)

UNIVERSITY CLUB,
FIFTH AVENUE AND FIFTY-FOURTH STREET,
December 21, 1911.

MY DEAR COLONEL: Every day I am confirmed in the judgment that my mind is a one-track road and can run only one train of thought at a time! A long time after that interview with you and Marse Henry at the Manhattan Club it came over me that when (at the close of the interview) you asked me that question about the Weekly I answered it simply as a matter of fact, and of business, and said never a word of my sincere gratitude to you for all your generous support, or of my hope that it might be continued. Forgive me, and forget my manners!

Faithfully, yours,

WOODROW WILSON.

To which letter Col. Harvey sent the following reply:

(Personal.)

FRANKLIN SQUARE,
New York, January 4, 1912.

MY DEAR GOV. WILSON: Replying to your note from the University Club, I think it should go without saying that no purely personal issue could arise between you and me. Whatever anybody else may surmise, you surely must know that in trying to arouse and further our political aspirations during the past few years I have been actuated solely by the belief that I was rendering a distinct public service.

The real point at the time of our interview was, as you aptly put it, one simply "of fact and of business," and when you stated the fact to be that my support was hurting your candidacy, and that you were experiencing difficulty in finding a way to counteract its harmful effect, the only thing possible for me to do, in simple fairness to you, no less than in consideration of my own self-respect, was to relieve you of your embarrassment so far as it lay within my power to do so, by ceasing to advocate your nomination. That, I think, was fully understood between us at the time, and, acting accordingly, I took down your name from the head of the Weekly's editorial page some days before your letter was written. That seems to be all there is to it.

Whatever little hurt I may have felt as a consequence of the unexpected peremptoriness of your attitude toward me is, of course, wholly eliminated by your gracious words.

Very truly, yours,

GEORGE HARVEY.

To Col. Harvey's letter Gov. Wilson replied honestly, like the gentleman that he is. This letter is dated January 11, 1912:

HOTEL ASTOR,
New York, January 11, 1912.

MY DEAR COL. HARVEY: Generous and cordial as was your letter written in reply to my note from the University Club, it has left me uneasy, because, in its perfect frankness, it shows that I did hurt you by what I so tactlessly said at the Knickerbocker Club. I am very much ashamed of myself, for there is nothing I am more ashamed of than hurting a true friend, however unintentional the hurt may have been. I wanted very much to see you in Washington, but was absolutely captured by callers every minute I was in my rooms, and when I was not there was fulfilling public engagements. I saw you at the dinner but could not get at you, and after the dinner was surrounded and prevented from getting at you. I am in town to-day, to speak this evening, and came in early in the hope of catching you at your office.

For I owe it to you and to my own thought and feeling to tell you how grateful I am for all your generous praise and support of me (no one has described me more nearly as I would like to believe myself to be than you have); how I have admired you for the independence and unhesitating courage and individuality of your course; and how far I was from desiring that you should cease your support of me in the Weekly. You will think me very stupid—but I did not think of that as the result of my blunt answer to your question. I thought only of the means of convincing people of the real independence of the Weekly's position. You will remember that that was what we discussed. And now that I have unintentionally put you in a false and embarrassing position you heap coals of fire on my head by continuing to give out interviews favorable to my candidacy! All that I can say is that you have proved yourself very big, and that I wish I might have an early opportunity to tell you face to face how I really feel about it all. With warm regard,

Cordially and faithfully, yours,

WOODROW WILSON.

This letter, written by Gov. Wilson, is such a letter as one gentleman always sends when he realizes that he has unintentionally been abrupt or brusque in conversation with another gentleman.

These letters were first published, by the mutual consent of Col. Harvey and Gov. Wilson, in the New York Evening Post under date of January 31, 1912.

UNVEILING OF STATUE OF SIMON BOLIVAR.

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed in the RECORD the notable address delivered by the minister of foreign affairs of Venezuela, Dr. Esteban Gil Borges, upon the occasion of the presentation of the statue of Simon Bolivar in the city of New York, April 19, 1921, together with the letter of Dr. L. S. Rowe, Director General of the Pan American Union, transmitting it.

Mr. MOSES. I ask the Senator from Florida if he will not be willing to have printed in the same document the President's address, delivered on the same occasion?

Mr. FLETCHER. I would be very glad to have that done. I have not a copy of it, but would be very glad to have the President's address also printed.

The VICE PRESIDENT. Without objection, both requests will be granted.

The addresses referred to are as follows:

ADDRESS BY PRESIDENT HARDING IN NEW YORK, APRIL 19, 1921, AT THE UNVEILING OF THE STATUE OF GEN. SIMON BOLIVAR.

President Harding said:

"Fellow citizens of America, there is significance in dates, as though some days were destined for a high place in the history of human progress, also an abiding place in human affections. This day is the anniversary of the Battle of Lexington, when the Colonies of North America made their first sacrifice in blood for independence and new standards of freedom. On this same day, a generation later, Venezuela's struggle for freedom had its immortal beginning.

"To-day, in befitting celebration of freedom's triumphs, we are met to unveil this monument to Simon Bolivar, in whom the South American movement for liberty found its soul and inspiration, and to whom the liberty-loving heroes of Venezuela turned for triumphant leadership, just as the North American Colonies pinned their faith in Washington.

"There is further and highly interesting coincidence in dates and significance in achievement. Bolivar was born in 1783, the year in which our North American Revolutionary War was ended by the treaty which recognized our national independence; and the independence of Venezuela was formally proclaimed on July 5, 1811, on the day following the anniversary of a like proclamation by the North American Colonies 35 years earlier. April and July have valid claim to our liberty-loving reverence.

"I wish April 19 might have an added significance from this day on. Similarly born and dedicated to New World freedom, I would like this date to mark anew for North and South America not alone the avowal of mutual trust in the fellowship of freedom and democracy but a new confidence and a new mutuality of purpose in achieving the things which independence and fellowship so naturally inspire.

"Having sacrificed in arms to establish the human inheritance belonging to free men, the American Republics may well touch elbows to prove their unselfishness and show to mankind that righteous achievement does not mean anybody's destruction, individually or nationally, but that real victory lies in that human progress wherein every contender, individual or national, may share as it is sought to merit it.

"It is an interesting thing to compare the careers of the two great fathers of American liberty—these stalwart founders of representative democracy in the Western Hemisphere—Bolivar and Washington. Each wrought an empire of freedom, and builded more vastly than he dreamed. Each was brilliant and heroic in war, but vastly more concerned with the constructiveness of peace.

"Their concept of liberty was not inspired in individual unrest. Each was wealthy, each rated among the personally fortunate, but a people's freedom was impelling. Each was accused of undue ambition, but it was a people's welfare that ever inspired.

"Each knew the essentials of freedom, that liberty itself is the state of just restraint, and the fruits of revolution in the cause of freedom are garnered only in constitutional establishment and preserved only when government is strong enough to guarantee them.

"Both Bolivar and Washington were eminent in genius on the field of battle, both were rich in wisdom when it came to the more difficult problems of peace. War has its inspirations when patriotism is aflame. Peace has its problems, where construction or reconstruction must be wrought in conviction and consecration.

"Each of these national heroes, when his military tasks were finished, preferred retirement and the repose of private life. Each was promptly called to civic construction and administration through which alone the triumphs for which men sacrifice and die may be commemorated with the outstanding monuments of permanent institutions.

"It is not too much to say that out of the liberations wrought by Washington and Bolivar grew the republican constitutional system which is America's gift to mankind. Our constitutions are the models after which are fashioned the fundamental laws of a world won to democracy. Whether they looked to the north or south, or whether the beacon fire was Pan America, in the New World burned the great torch to light the way to constitutional freedom, and hope was assured by outstanding example.

"These things are said with due deference to the older civilizations and the longer-established systems from which all America came and to which we may trace back the inspiration which gave conception to the institutions of freedom to which we are dedicated. It is fine to be able to say that New World temples of liberty were not wrought in destruction of the old. We speak historically of revolution, when in reality we mean severance and freedom for evolution. The world is not calling to-day for destruction; it needs reconstruction, where the test of justice is applied to the things which were as well as the things which are to be.

"The western continents afforded a favoring soil for marvelous developments. God had bestowed with limitless bounty, nature was prodigal with her offerings. The Americas held their virgin riches, conserved against the day when science, intellect, and spiritual ambition should impel men to seek new fields for endeavors, new sites for new construction, new opportunities for new enterprises.

"Trade was calling, learning encouraged, the adventuring navigators explored, and wherever they touched they stood only at some gateway, never dreaming of the reality. We do not measure the possibilities of the Americas even now, though more than four centuries have come and gone. But the great coincidence was in discovery revealing the opportunity for planting new States and trying new methods at the very time when the human mind was opening, or reopening, to new truths, new conceptions, and new motives.

"Perhaps the miracle was in the divine plan, and the New World marvel was an inevitable part in the supreme scheme for developing civilization. But we were when Washington and Bolivar uttered American aspirations and battled for them, and are now, so interlocked with the Old World from which our founders came that independence does not make for aloofness, but the developments of civilization have brought us more closely together. Where ours has been the greater fortune, ours has become a greater responsibility, and the endurance of our institutions is no less important than their creation.

"Liberty without security would be a barren boast, and inspiration without stabilization would challenge every claim of democracy. Nothing the Americas can do, nothing Pan America may aspire to do will surpass the contribution of our youth and resources and our steadfast allegiance to our newer institutions to help steady the world and prove the right of present-day civilization to go on.

"Probably we see to-day the engrossing drama of mankind on the world stage as intimately as Gen. Bolivar saw the struggles of South America only a little more than a century ago. He could meet the problems of that day and look well to the future with such vision that a third of South America acclaims him liberator, and we join to-day to do reverence to his memory. Perhaps our greatest tribute lies in noting the world, war wearied but more free than ever before, and resolving that where liberty inspires peace and justice are the supreme fulfillment.

"The struggles for independence in North and South America had differing backgrounds. The Colonies north of the Rio Grande had developed under liberal institutions. They had enjoyed a large measure of autonomy and self-direction. Their grievances against European domination were small compared to the grievances of the South American Colonies. North American Colonies revolted against the exasperating assumption of a reactionary king; South America against the tyrannies of a vicious, despotic, perpetual, and self-perpetuating system. Where the North American Colonies were irked by minor impositions, those of the southern contingent lived under a grinding oppression that sought to extract every particle of wealth that could be taken without literally destroying the capacity to produce more.

"The South American revolution was a desperate attempt to escape at whatever cost from a state of intolerable, unlivable oppression. Union and independent greatness were possible following the northern revolt. Geographical conditions and the long-time isolation of the southern colonies from one another made it well-nigh impossible to effect union among them. It was the dream of Bolivar; but even his genius was not equal to its accomplishment. Consequently, our thirteen Colonies, when their revolt had succeeded, set themselves up, not as thirteen independent nations, but as one nation comprised of thirteen federated States. The sheer force of gravity has caused their union to expand.

"But we would make a grave mistake, I think, if we concluded too readily that our North American experience had all the advantage on its side. While we of the northern continent have been demonstrating one great truth about the democratic form of government—that through representative institutions it can be expanded successfully to include a vast imperial dominion and indefinitely increasing populations, the southern continent has been proving another equally important hypothesis. It is, namely, that a family of States, entirely sovereign and independent, may live together in the same continental area, in prosperity and progress.

"Neither continent has escaped from the misfortunes of war and revolution. We have had our contests, international and civil; but on the whole the tendency under our republican institutions has been toward establishment of those means of conciliation, arbitration, and judicial determination by which the menace of war is lessened. No American State succumbed to the temptation of that militaristic system which laid ever increasing burdens upon nations elsewhere, and which at last brought them to crisis in the Great War. In the last half century our American Commonwealths have not only been able to hold themselves aloof from competitions in armament, but they have built up a system of international arbitration and adjudication which has constantly lessened the danger of armed conflict. There is too little realization of the progress that has been made toward judicial and arbitral settlement of international differences by the American nations. It presents an example well worthy earnest consideration, and affords us an assurance which will justify our purpose to invite the present-day civilization to cast aside the staggering burden of armament.

"Much of the New World accomplishment is largely due to democratic institutions. We have not known the conflicting ambitions of dynasties. We have had little experience with secret alliances and devious diplomacies. In their very nature our democratic institutions have tended to keep us aloof from these things.

"With all humility, but in all sincerity and earnestness, I feel that we Americans, North and South, are entitled to hold that our democracy has come as a light into the world of international relations, and that it will show us a way out of the world's present troubles into a day when mankind may know peace and plenty and happiness, and when the first duty of organized society may be to promote the welfare of its members rather than to array itself in power against the threat of its destruction.

"The doctrine proclaimed under Monroe, which ever since has been jealously guarded as a fundamental of our Republic, maintained that these continents should not again be regarded as fields for the colonial enterprises of Old World powers. There have been times when the meaning of Monroeism was misunderstood by some, perverted by others, and made the subject of distorting propaganda by those who saw in it an obstacle to the realization of their own ambitions. Some have sought to make our adhesion to this doctrine a justification for prejudice against the United States. They have falsely charged that we sought to hold the nations of the Old World at arm's length, in order that we might monopolize the privilege of exploitation for ourselves. Others have protested that the doctrine would never be enforced if to enforce it should involve us in actual hostilities.

"The history of the generations since that doctrine was proclaimed has proved that we never intended it selfishly; that we had no dream of exploitation. On the other side, the history of the last decade certainly must have convinced all the world that we stand willing to fight, if necessary, to protect these continents, these sturdy young democracies, from oppression and tyranny.

"Surely, we may contemplate with some satisfaction the vindication that our American system has won. Under it, in a period so brief that history records no parellel for the achievement, we have filled two continents with splendid and prosperous States. We have maintained ourselves independent of the older systems, aloof from their differences and struggles. We have erected in these continents a great power which, when civilization was at stake, we dared to cast into the scale on the side of right; and we have seen its weight have a deciding part in the cause of human justice.

"This much our American system has wrought by way of its own justification. Surely we may look upon our work and decide for ourselves whether it has been good. Believing it has been good, we may well decide there can be no departure from the standards that were raised for us by the founding fathers.

"If we could consult our Washington and our Bolivar to-day, and if they could advise us out of their wisdom and experience, they would tell us to go forward in firm confidence that ours is the right course. I believe they would admonish us to cling to that which has been tried, to hold fast to the institutions of moderation, of independence, of gradual but sure progress. If they, and all the other patriots who gave their blood, their genius, and their lives to establish free institutions upon this continent should be summoned to our council, they would survey what our system has accomplished for our own countries and for the world in the hour of its uttermost agony, and they would tell us that our generation had wrought into the substance of splendid achievement that which in their day was but hope's vision of a better world.

"We have created no Utopia here in the New World, and I have small hope that we shall. We have accomplished something toward betterment of mankind, toward peace, prosperity, and security; but we have yet far to travel. I bespeak mutual confidence and cooperation in dealing with these problems which are American problems, to be dealt with by us as Americans. We have gone far toward effective cooperation and we ought to go farther and record greater accomplishment.

"I know I may speak the spirit of the United States. No selfishness impels, no greed is urging, no envy incites, no hatred is actuating. There are here to-day the same aspirations as those which won enthusiasm of Simon Bolivar when he came to breathe his admirations for Washington in 1806. Washington was his inspiration, and after Gen. Bolivar had made his surpassing contribution to country and humanity, an American naval surgeon attended and consoled him in his last hour. Perhaps there is the suggestion of an indissoluble tie in his wearing at his death a medal which Washington had given Lafayette, who in turn had given it to Gen. Bolivar. The United States salutes Venezuela and the South American nations born of Gen. Bolivar's offerings on the altars of freedom, and plights its devotion to the same liberty, the same justice, the same aspirations of national independence, the same forward look, in touching elbows while we advance to greater fulfillment.

"We do not forget that in the United States to-day we have Latin American devotion to the Stars and Stripes. Porto Rico is a part of us, under a permanent policy aimed at her prosperity and progress, and we see in our Latin American State the splendid agency to help interpret the Americas to one another.

"Our thoughts are mainly of the Americas to-day. They cluster about this statue of the great Bolivar, and the good omen it brings as the gift of a nation, which utters its gratitude to him, to another nation which has ever revered him, and joins Venezuela in protecting and perpetuating the work of free men. I rejoice in this testimony of the gratitude of Venezuela, and acclaim the statue as a symbol of the deep-lying sympathy and shared regard which cements the nations of these two continents. Let it stand out as an earnest of more effective cooperation and better understanding, and more intimate and ever-assuring friendship!

"But we must also have a thought for all mankind. The world is torn and harassed, and Pan Americanism means sympathetic and generous Americanism. The world needs the utmost of production, of restoration, of rehabilitation, of steadying influence, all that we can contribute to it. Our greatest service lies in standing firmly together, making ourselves strong that we may give our strength, rich that we may contribute of our riches, and confident that we may inspire others with confidence.

"The world needs, in order that its economic balance may be redressed, peace, enterprise, industry, frugality, and commercial development. Here we have two rich and mighty continents which, as a whole, have felt far less the effects of the Great War than have the older continental areas. To us the world is turning, with the plea that we draw upon the resources which nature and our common good fortune have assured to us, to aid those who have suffered more grievously than we.

"Herein lie for us both duty and opportunity; duty to those whom we may help; opportunity, in helping others, also to help ourselves. The Great War has brought to us of the Americas a new conception of our place in the world, a larger apprecia-

tion of the opportunity which is ours. We are blessed with natural wealth, with industrious populations, with every variety of soil and climate and opportunity. We have developed more nearly a realization of interdependence, a conception of something like economic, political, and spiritual solidarity, than ever before. We need to know each other better; to understand institutions and peoples and methods more accurately; to develop the great producing and commercial possibilities of our own countries; to encourage the larger exchanges of our products, the most sympathetic appreciation of our varied relations to one another and to the rest of the world. By accomplishing these things we shall mightily strengthen ourselves to carry forward our tasks of to-day and of all the to-morrows."

PAN AMERICAN UNION,
Washington, D. C., U. S. A., April 21, 1921.

Hon. DUNCAN U. FLETCHER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: I am sending to you herewith the notable address delivered by the minister of foreign affairs of Venezuela, Dr. Esteban Gil Borges, upon the occasion of the presentation of the statue of Simon Bolivar to the city of New York, April 19, 1921.

Very sincerely, yours,

L. S. ROWE.

ADDRESS OF THE VENEZUELAN MINISTER OF FOREIGN AFFAIRS AND SPECIAL ENVOY DR. E. GIL BORGES UPON THE OCCASION OF THE DEDICATION OF THE EQUESTRIAN MONUMENT TO THE LIBERATOR SIMON BOLIVAR, CENTRAL PARK, NEW YORK CITY, TUESDAY, APRIL 19, 1921.

Dr. Gil Borges said:

"The verdict of history, which for the memory of Bolivar began at the very moment when, at the early close of his career, he fell asleep forever and his work suffered a passing eclipse, on that mournful evening at Santa Marta, has now reached its climax, and justice has been done. This bronze monument bears witness to that fact, and this very spot would have been the one selected by him to appear before the bar of posterity. The people who have done the greatest things in the present age bestow a definite place in the hall of fame upon the man who performed the greatest deeds in the past; and his statue rising opposite the one which, at the entrance to the harbor of New York, lifts its torch on high like a never-ending dawn casting its glow over this land of the free is but a twin symbol of the ideal of the American continents.

"On this hill, wrapped in flags, there rises again the prophet of Chimborazo riding forth to future ages. Beside the Venezuelan tricolor appears the Union flag, like another wing coming to complete his dream of American confraternity; it is as if the entire sky of the American hemisphere were hovering over that bronze like a glorious mantle on which the stars of the north are brought closer—as Bolivar dreamed—to the stars of the south.

"There at the foot of this monument silence would be the only eloquent tribute; thus the bronze itself would ring like a glorious peal whose echoes have filled America's past and now from this hill are wafted from country to country over all this continent, like the mighty voice of the aspirations of liberty and justice rising to the Almighty from the hearts of men, and ringing from century to century a hymn of triumph of the Republic in the American world.

"These glories of our American past are but sacred flames where petty interests and petty differences are consumed and disappear, leaving only the light, ever brighter and more serene, that will shed its rays over the future of this New World.

"Those two symbols rising upon their two heights represent not alone our past; they are also harbingers of the future. They see with eyes accustomed to look upon infinite space; they speak in the accents of an eternal language; they point with hands long trained in creative work to the destiny of the American world by them foreseen in the far-off realms of futurity, a destiny that we see rising over us like the dawn of day to shed its light to-morrow, even as the sun, over the path of coming generations.

"The insight of men of genius, penetrating deeper than others into the soul of people, observing farther than others the path that lies before them in times to come, is often but a preconception of the loftiest aspirations of the spirit of a race and the deeper tendencies of their life. When such aspirations are but a mere chrysalis in the mind of the average man, in that of the man of genius they have put forth wings and have spread these in their flight to the highest summits of the future. When such tendencies are as yet merely a force that has reached in the life of the people but the uncertain and fleeting stage of a dream, in the mind of the man of genius they have attained the energy and body of a living reality.

"Bolivar is the living embodiment of such aspirations and forces—latent but not yet visible at the dawn of the last century, except to the penetrating eye of genius—which have gradually developed and now control the life of the peoples of America. Bolivar's military idea, Bolivar's political idea, from the first to the last day of his life, was no other than the realization of the ideals of liberty and democracy as a form of government and the realization of the ideal of unity in America. From Carabobo to Ayacucho his military plans are secondary and complementary to his purposes as a statesman. Each battle is but the laurel-covered cradle of a new democracy. At Carabobo the Republic of Venezuela was born; at Boyaca, the Republic of New Granada; at Pichincha, the Republic of Ecuador; at Junin, the Republic of Bolivia; at Ayacucho, the Republic of Peru. Each new victory is a new country, a free country in America!

"But even as each one of these victories was merely a new step to fame—and from Pichincha Bolivar rises to gather the higher laurels of Junin, and from Junin rises again to gather the wreath of Ayacucho—each of these new countries was but an element in the scheme of creation he had planned, of a greater country grouping all the smaller ones under the same rooftree, uniting the spirit and the forces of the several countries into one great continental motherland. For the great soul of America, Bolivar could conceive of but one home as vast as a world.

"This ideal of continental solidarity is the brightest guiding star of his life. From 1815 in the famous Jamaica letter this idea grows clearer in his mind until it becomes the goal of his military and political activities. In Ayacucho his cry of victory is a song of annunciation of the greater American motherland. Ayacucho is reality rising to the heights of the dream that Bolivar's fancy created on the summit of Chimborazo. The conception of the statesman is about to close the curve drawn by the brain of the soldier, and the invitation to the Congress of Panama gives material form to his dream of an American confederation. Bolivar will ever cherish through all his disappointments that dream of his soul, and when, out of all the new countries created by him, the countryseat of San Pedro is the only home left to him, upon the ruins of those crumbling nationalities and above the flight of his soaring ideals there will always shine the light of that idea, even as a star over a Calvary, pointing to future resurrection.

"And that resurrection of ideals has been consummated. The ideal of democracy has become a reality in the Republics of the New World. The ideal of continental unity from the Congress of Panama in 1826 to the last Pan American conference in Buenos Aires in 1910 has changed in form, but it has preserved the essence of the idea of solidarity. And this very act of homage, gentlemen, is a most spontaneous and expressive demonstration of the fact that in the American soul the union of sentiments and spiritual harmony has been accomplished. Our hands clasped to offer this tribute, our hearts beating as one in this act of veneration, our admiration carried by our emotion to the heights of those heroic lives, our thoughts rising from this pedestal with a common feeling of solicitude and hope in contemplation of the future, will remain united, gentlemen, in an enduring alliance, and, triumphing over geographical conditions and historical vicissitudes, will continue to mold American character until it attains the abiding moral unity, the cooperation of effort and solidarity of interests, which will cause to arise, clear and forceful, that new civilization which, starting on this continent, must needs be the future of the world.

"Washington and Bolivar are the two noblest figures in the history of the peoples of America. They are the embodiment of common aspirations which, in quest of liberty at the dawn of the last century, materialized at the beginning of the present century in the democracies that are now enjoying, from one end of the continent to the other, the fullness of material and political development, and, extending their hands in a truly fraternal grasp, they give to the world an example of civilization based on peace, law, and justice.

"This is a fitting place for Bolivar, in the midst of a people who have in the short space of a century carried out a work of progress which represents the most stupendous effort of human energy; a fitting place for the man whose entire life was the most remarkable and brilliant example of the influence of the force of the mind and the force of the will. There was in his nature that eminent quality of constancy and unwavering faith which has carried your people to the highest place in history. Vainly did adversity strive to overpower his good fortune. Misfortune fired his spirit, which never soared higher than when rising above the tragic reverses of his life. His glory shines even brighter in the dark days of defeat than in the bright days of victory. Even greater than at Carabobo was Bolivar in 1812 when he rose in the ruins of the cities demolished by an earthquake, and the ruins of the earlier dreams

of independence, and mounting a tribune, said: 'If nature itself opposes our will, we shall fight against nature and shall conquer her.' Even greater than at Boyaca, where the liberty of Colombia was established, was he at Casacoima, when, defeated and almost a prisoner, he conceived the plan which, carried out in all its details, secured the liberty of the continent. Greater than at Junin, where he established the independence of Bolivia, greater than at Pichincha, where he established the independence of Ecuador; greater than at Ayacucho, where he established the independence of Peru, was he at Pativilca, when, at the eclipse of his fortunes, his disheartened generals asked what his plans were, and he simply replied, 'To win.' Great in prosperity, greater in misfortune, he had but one weakness—glory.

"It is fitting that he should be among you—the man who, at the zenith of his triumphal career, when a victorious army and five countries, liberated by his sword, tender him the offer of a crown, prefers to the mantle of the Caesars the simple title of citizen among his contemporaries, and the name of Liberator for coming generations.

"It is fitting that here among you should be the man who won and lost over 400 battles, rode his war horse from the mountains of Avila in Venezuela to the peaks of Ayacucho in Peru, the longest distance ever traveled by a conqueror, and then built upon the democratic system the foundations of civil life of five nations, and in Panama proclaimed arbitration as the basis of peace and international justice among the peoples of the American Continent.

"It is most fitting that he should be with you in this country, which offers its territory as a new home to all mankind, which has opened its heart to all sentiments of justice, and its mind to all ideas, transforming them into instruments of progress and happiness for man. It is well that he should be among this people that has attained all human greatness by an heroic effort of thought and action—the man who cherished for 20 years through the bitterest days of misfortune and through the greatest joys of triumph, the dream that has materialized in five Republics. This city of the future is a fitting pedestal for so great a hero, and this day will be considered in my own country and all over the American Continent as the last stage of the hero's journey to the halls of fame.

"When I have seen the greatest people on earth uncover its head and rejoice before the statue of Bolivar, and with thunderous applause greet the Liberator of South America, when the voice of your eminent President is about to set the seal of historic justice on this memorable occasion, when I think that, away to the south, on the other side of the Caribbean, my own people are raising the memory of Washington to the lofty pedestal of public admiration, it seems to me as if by the alliance of brotherly hands, which at two distant points of the world of Columbus, have erected these twin symbols of liberty on this continent—by this alliance is proclaimed the unanimity of sentiment of all the peoples, united hand and heart in the task of building the future of America.

"A woman's hand molded this statue that my country presents to the United States as a token of unending friendship. A woman's hand gave eternal form in bronze to that life that was a prodigious dream of heroism, beauty, and love. In giving to one of your women the privilege of that motherhood of glory, my country wished to enhance the significance of this token of friendship, welding together in one single piece the greatness of a heroic thought and the intellectual grace of the American woman, whose tender heart and great energy have been a priceless contribution in the building up of this home of civilization which your country is.

"Could I but adequately interpret what that immortal bronze says to the American people from the crest of this hill!

"'All hail! brothers of the north,' says the liberator. 'From this lofty hill, more glorious to me than the diamond-like frozen crest of Chimborazo, my soul breathes in the liberty of a world. I know how much man owes to your magnificent country. You have given the most striking example in history by founding the perfect Republic. You have given comfort in your homes to all the wanderers in quest of rights, from Kosciusko to Marti. You have placed at the service of all just causes in both hemispheres the strength of your arm and the courage of your heart. You have undone at Panama the knot that once my sword wished to cut, opening the interoceanic route beside which I dreamed of founding the capital of the world, to give a seat to the society of nations. You have raised higher than any other people in history the flag of liberty, and although strong, you have loved peace, and though great, you have loved justice. Americans of the north, Americans of the south! The time has arrived for that union which was the ideal that inspired my work, the hope that soothed my death, and the dream that my immortal eyes have followed during a century, the realization of which will be the crowning glory of the liberators and of America's greatness.'

"In dedicating this monument my country offers not only a symbol of her historic past, but also a symbol of her national friendship as firm and stanch as that granite pedestal, as lasting as that bronze, pure and noble as Bolivar's glory, which henceforth will rise under the light of the stars that in your skies and on your flag are the beacons that guide the world toward a freer, greater, and happier future."

FREIGHT RATES.

Mr. SMITH. Mr. President, I desire to call the attention of the Senate to certain existing facts, conditions which are set forth in some communications I have had from my State as to the present disastrous freights rates, and with the permission of the Senate I shall read some extracts from these letters. I do not care to have them go into the RECORD in toto, because they are not all pertinent to the question, but I shall read from them merely for the purpose of putting certain facts into the RECORD so that Senators can see just the condition in reference to our transportation.

I have a letter here from Sumter, S. C., under date of April 19, in which a large lumber dealer states that he shipped a carload of pulpwood from Lynchburg, S. C., my old home, to Sumter, S. C., a distance of 19 miles, 5 cords to the car, and the freight charge for the distance of 19 miles was $140.

I also have a letter from another individual shipping pulpwood into Sumter from another angle, a distance of 13 miles, and the charge on the carload of pulpwood was $90. The charge was $140 for the 19 miles and $90 for the 13 miles. The Bynum Lumber Co., of Sumter, is the one which writes me in reference to the 19-mile shipment.

Mr. Warren Durant, of Alcolu, S. C., is the one who wrote in reference to the Alcolu shipment.

In addition to that, I have a letter from the M. H. Lazarus Co., of King and Hasell Streets, Charleston, S. C., in the southeastern tariff division, in reference to the shipment of truck from the great trucking industry along the coast to the eastern cities, and he writes me the following, which I want to have go into the RECORD:

> For the past year and particularly for the first four months of this year, the losses and hardships which have been incurred by the farmers of this section in marketing their products in the eastern markets have become so acute that the agricultural committee of the Charleston Chamber of Commerce feels constrained to approach our representatives in Congress with a view of securing their cooperation in bringing about a reduction in the freight rates on vegetables from the Charleston district to eastern cities.
>
> A comparison of the rates in effect in 1914 with the rates at present in effect from the Charleston district shows the following.

I shall not quote it all, but just a few of the figures to indicate what disastrous effects these rates are having, not only upon the producers but upon consumers of these articles.

This shows the rates from Charleston to New York and Philadelphia, as follows: Cabbage in standard barrels or barrel crates—in 1914 the rate per carload lot was 46 cents; in 1921 it was 76½ cents. In less than carload lots the rate in 1914 was 48 cents, and in 1921 it was 80 cents.

On potatoes in standard barrels or in sacks the carload lot rate in 1914 was 29½ cents; in 1921 it was 49½ cents. In less than carload lots in 1914 it was 31 cents, and in 1921, 52½ cents.

For vegetables not otherwise specified, per bushel box, basket, or crate, the carload lot rate in 1914 was 30 cents, and in 1921 it was 50 cents. In less than carload lots, in 1914 it was 32 cents, and in 1921 it was 53½ cents.

Vegetables per standard barrel, or barrel crate, the carload lot rate in 1914 was 57 cents, and in 1921, 95½ cents. The less than carload lot rate in 1914 was 61 cents, and in 1921 it was $1.02.

Mr. President, there was a meeting this morning of farmers, representing every district in the United States, calling the attention of the Chief Executive to the freight conditions which exist in this country, and he very wisely told them that the whole economic system at the present time was out of joint, and he promised to do all that was in his power to see that something might be done to relieve the situation.

The reason I am calling attention to this just at this time is because I consider the first thing essential to bring about a restoration of anything like prosperity is for us to address ourselves to this question of transportation. It is needless for me to state that with the prices of farm products far below the cost of production, with wages being reduced throughout the country, except in certain places, with everything seeking a lower level, these rates have been maintained as high as or higher than they were during the period of the war. They say that the railroads are going rapidly into the hands of receivers and

into bankruptcy, and one of the prime causes is that the rates are so high as to be prohibitory and people can not do business. It is analogous to the situation brought about by the tax on oleomargarine, which is so high that the article can not find a market, and, of course, the producers suffer.

I understand there is to be a thorough investigation of the railroad conditions by the Interstate Commerce Committee, and I wanted Senators to be informed specifically of information such as I have given them this afternoon, showing that $90 was charged for hauling a carload of pulp wood 13 miles, and for 19 miles $140, and a 100 per cent raise in the rate of vegetables from the semitropical and temperate zone or section of our country to the near-by eastern cities.

So that one of the prime reasons for the high cost of living is the difference between the low cost of production and the high cost of transportation which is pouring into the railroads. It is true they are carrying less, and perhaps the return is less. But as far as the shipper is concerned, it means bankruptcy for him or prohibition of his entire business.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. LODGE. I move that the Senate adjourn until Monday at noon.

The motion was agreed to; and (at 4 o'clock p. m.) the Senate adjourned until Monday, April 25, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 21, 1921.

ASSISTANT SECRETARY OF COMMERCE.

Claudius H. Huston, of Tennessee, to be Assistant Secretary of Commerce, vice Edwin F. Sweet, resigned.

COMMISSIONER OF INTERNAL REVENUE.

David H. Blair, of Winston-Salem, N. C., to be Commissioner of Internal Revenue, in place of William Martin Williams, resigned.

COLLECTOR OF INTERNAL REVENUE.

Frank W. Howbert, of Denver, Colo., to be collector of internal revenue for the district of Colorado, in place of Mark A. Skinner, resigned.

UNITED STATES DISTRICT JUDGE.

Arthur F. Odlin, of Florida, to be United States district judge, district of Porto Rico, vice Peter J. Hamilton, term expired.

CHIEF OF THE WEATHER BUREAU.

Charles F. Marvin, of the District of Columbia, to be Chief of the Weather Bureau of the United States Department of Agriculture. A reappointment.

REAPPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

CORPS OF ENGINEERS.

To be first lieutenant with rank from April 18, 1921.

Marcus Prevost Taylor, late first lieutenant, Corps of Engineers, Regular Army.

INFANTRY.

To be major with rank from April 15, 1921.

Joseph Caldwell Morrow, jr., late captain Infantry, Regular Army.

To be first lieutenant with rank from April 15, 1921.

Kameil Maertens, late first lieutenant, Infantry, Regular Army.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

INFANTRY.

Maj. Frank Blair Kobes, Cavalry, with rank from July 1, 1920.

PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES.

To be majors with rank from July 1, 1920.

Capt. Archie Wright Barry, Air Service.
Capt. George Cornelius Charlton, Infantry.
Capt. Charles Harrison Corlett, Infantry.
Capt. William Korst, Quartermaster Corps.
Capt. Robert Louis Moseley, Infantry.
Capt. George Horton Steel, Quartermaster Corps.
Capt. Harry Franklin Wilson, finance department.

MEDICAL CORPS.

To be captains.

First Lieut. Clarence Ulm Snider, Medical Corps, from April 2, 1921.

First Lieut. John Bunting Haines, Medical Corps, from April 14, 1921.

First Lieut. Philip Lewis Cook, Medical Corps, from April 15, 1921.

First Lieut. George Edward Lindow, Medical Corps, from April 16, 1921.

UNITED STATES NAVY.

Capt. Ashley H. Robertson to be a rear admiral in the Navy from the 8th of December, 1920.

Capt. Samuel S. Robison to be a rear admiral in the Navy from the 1st of January, 1921.

Commander Edward H. Watson to be a captain in the Navy from the 23d of April, 1920.

Commander Ivan C. Wettengel to be a captain in the Navy from the 8th of June, 1920.

The following-named commanders to be captains in the Navy from the 1st day of January, 1921:

Arthur Crenshaw.	Arthur J. Hepburn.
Harry E. Yarnell.	Arthur MacArthur.
Amon Bronson, jr.	

Lieut. Commander John Rodgers to be a commander in the Navy from the 4th of November, 1920.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of January, 1921:

William D. Greetham.	David M. Le Breton.
Andrew C. Pickens.	Prentiss P. Bassett.
Husband E. Kimmel.	Paul E. Dampman.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1919:

Louis F. Thibault.
Ellis Lando.
Alfred H. Miles.

Lieut. Henry T. Markland to be a lieutenant commander in the Navy from the 1st day of February, 1920.

The following-named lieutenants to be lieutenant commanders in the Navy from the 8th day of June, 1920:

George H. Emmerson.
Philip Seymour.

Lieut. David F. Ducey to be a lieutenant commander in the Navy from the 4th day of November, 1920.

Lieut. Donald T. Hunter to be a lieutenant commander in the Navy from the 13th day of November, 1920.

Lieut. Cary W. Magruder to be a lieutenant commander in the Navy from the 8th day of December, 1920.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of January, 1921:

William H. Pashley.	William R. Purnell.
Kinchen L. Hill.	Thomas C. Kinkaid.
Lee P. Warren.	Charles M. James.
Harry G. Donald.	Leland Jordan, jr.
Worrall R. Carter.	Robert R. M. Emmet.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of June, 1919:

Ellsworth Davis.
William G. B. Hatch.

Lieut. (Junior Grade) Frank Hindrelet to be a lieutenant in the Navy from the 30th day of July, 1919.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 6th day of June, 1920:

John H. Buchanan.	George F. Neiley.
William A. Corn.	Philip W. Yeatman.
Robert A. Dyer, 3d.	Charles H. Mecum.
George T. Howe.	Robert S. Wyman.
William C. Burgy.	Frank P. Thomas.
Marion Y. Cohen.	John F. Moloney.
Delorimier M. Steece.	

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1920:

Merrill T. Kinne.	Allan E. Smith.
Vincent H. Godfrey.	Homer H. H. Harrison.
William J. Lorenz.	Archer E. King, jr.
Donald M. Dalton.	Dewitt C. Watson.
Burton W. Chippendale.	Preston Marshall.
Robert T. Darrow.	Osborne B. Hardison.
John B. Kneip.	Conrad A. Krez.
Dallas D. Dupre.	Arthur T. Emerson.
Byron S. Dague.	Francis T. Spellman.
John H. Carson.	Carl L. Hansen.
Arthur W. Radford.	Volney O. Clark.

Jesse L. Kenworthy, jr.
William R. Casey.
Benjamin F. Perry.
Scott Umsted.
Hubert E. Paddock.
Nelson J. Leonard.
John D. Small.
James P. Brown.
Irving R. Chambers.
Stuart A. Maher.
Ralph Kiely.
George C. Kriner.
Raymond Burhen.
John J. Mahoney.
Albert Osenger.
Frank W. Wead.
Paul R. Glutting.
Bartley G. Furey.
Augustus J. Selman.
Robert B. Carney.
Edwin S. Earnhardt.
Albert E. Schrader.
Arnold H. Bateman.
Henry L. Phelps.
George P. Brewster.
John Wilkes.
William P. Bacon.
Bruce P. Flood.
Henry C. Merwin.
James M. Steele.
Calvin T. Durgin.
George F. Chapline.
Richard E. Webb.
Thomas V. Cooper.
Richard H. Jones.
Carlyle Craig.
Fred W. Connor.
Randall E. Dees.
Alexander D. Douglas.
Julian L. Woodruff.
Lisle F. Small.
Nicholas Vytlacil.
Robert L. Randolph, jr.
Herbert B. Knowles.
Joseph W. Gregory.
Benjamin F. Staud.
Felix B. Stump.
Stanwix G. Mayfield, jr.
Franklin S. Irby.
Merrill Comstock.
Paul U. Tevis.
Andrew G. Reaves.
John H. Keefe.
John E. Reinburg.
Adolph J. Merkt.
Homer L. Grosskopf.
Wilbur W. Feineman.
Oscar W. Erickson.
Fred D. Kirtland.
Charles P. Cecil.
James A. Scott.
John D. Price.
Edwin F. Cochrane.
Martin B. Stonestreet.
Cassin Young.
James P. Compton.
Roman J. Miller.
Edward A. Mitchell.
Earle E. Muschlitz.
David C. Fox.
Charles L. Hayden.
Theodore M. Waldschmidt.
Robert R. Ogg.
John T. Metcalf.
John J. Twomey.
Kingsland Dunwoody.
Frederick W. Neilson.
Allen I. Price.
Richard W. Gruelick.
Ralph U. Hyde.
Edward J. Moran.
Francis W. Benson.
Ford L. Wilkinson, jr.
Leroy W. Busby, jr.
Ralph S. Riggs.
John M. Haines.
Earl W. Morris.
Kenneth L. Coontz.
Robert E. Keating.
Allen R. McCann.
John H. Jenkins.
John G. M. Stone.
Guy W. Clark.
James P. Conover, jr.
Peyton H. Park.
Isidore Lehrfeld.
Forrest P. Sherman.
Oscar H. Holtmann.
Frank R. Dodge.
Vincent R. Murphy.
Owen E. Grimm.
Pal L. Meadows.
Frederick S. Holmes.
Edwin H. Price.
Albert M. Bledsoe.
Harold Biesemeier.
Albert F. France, jr.
David E. Cummins.
John S. Phillips.
Homer W. Clark.
Guido F. Forster.
Gale A. Poindexter.
Thomas B. Hendley.
Karl Keller.
Philip W. Warren.
Carl W. Brewington.
Emile Topp.
Edward B. Rogers.
Thomas D. Ross.
John V. Murphy.
William H. Ball.
Charles W. Weitzel.
Kenneth M. Hoeffel.
Ernest B. Colton.
James Fife, jr.
George T. Cuddihy.
Charles W. Styer.
Martin J. Connolly.
Frederick L. Douthit.
Earl E. Stone.
Hayden H. Smith.
Clifton E. Denny.
Brownson P. Vosbury.
Stanley D. Jupp.
Robert T. Whitten.
Henry E. Thornhill.
Donald W. Loomis.
Jerauld Wright.
Harry W. Need.
Harry D. Hoffman.
Victor C. Barringer, jr.
Graeme Bannerman.
James D. Murray, jr.
Edward W. Wunch.
John D. H. Kane.
Harry W. von Hasseln.
Elmer E. Duvall, jr.
Ernest H. Krueger.
Watson O. Bailey.
Edmund J. Kidder.
Malcolm A. Deans.
Edwin D. Gibb.
Joseph H. Brady.
Peyton Harrison.
Frank B. Hillhouse.
Ralph C. Alexander.
Alexander C. Kidd.
Earle W. Mills.
Berwick B. Lanier.
Martin R. Derx.
Louis L. Habryl.
Henry S. Kendall.
William E. G. Erskine.
Garry De Mott Custer.
Harold E. MacLellan.
Ralph H. Henkle.
Edmund J. A. Murphy.
Jack H. Duncan.
Mays L. Lewis.
Chauncey R. Crutcher.
Gordon E. Sherwood.
Robert R. Ferguson.

Lieut. (junior grade) Earl S. Hurlbut to be a lieutenant in the Navy from the 1st day of October, 1920.

Ensign Jonathan H. Sprague to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1918.

Ensign Adolph J. Merkt to be a lieutenant (junior grade) in the Navy from the 30th day of January, 1919.

Ensign Roman J. Miller to be a lieutenant (junior grade) in the Navy from the 5th day of December, 1919.

Ensign Stanwix G. Mayfield, jr., to be a lieutenant (junior grade) in the Navy from the 3d day of December, 1919.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of March, 1920:

Edward A. Mitchell.
David C. Fox.
Charles L. Hayden.
Kingsland Dunwoody.
Homer W. Clark.
Thomas B. Hendley.
Peyton H. Park.
Alexander D. Douglas.
Felix B. Stump.
John H. Keefe.
Carl L. Hansen.
Emile Topp.
William H. Ball.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 29th day of June, 1920:

Forrest P. Sherman.
Oscar H. Holtmann.
Frank R. Dodge.
Vincent R. Murphy.
Owen E. Grimm.
Pal L. Meadows.
Frederick S. Holmes.
Edwin H. Price.
Donald A. Green.
Albert M. Bledsoe.
Harold Biesemeier.
Albert F. France, jr.
David E. Cummins.
J. Warren Quackenbush.
John S. Phillips.
Harry W. Need.
Harry D. Hoffman.
Victor C. Barringer, jr.
Graeme Bannerman.
Ernest A. Foote.
James D. Murray, jr.
Edward W. Wunch.
Ernest B. Colton.
James Fife, jr.
George T. Cuddihy.
Charles W. Styer.
Martin J. Connolly.
Frederick L. Douthit.
Earl E. Stone.
Hayden H. Smith.
Clifton E. Denny.
Brownson P. Vosbury.
Stanley D. Jupp.
Robert T. Whitten.
Henry E. Thornhill.
Donald W. Loomis.
Jerauld Wright.
Earle W. Mills.
Berwick B. Lanier.
Martin R. Derx.
Louis L. Habryl.
Henry S. Kendall.
William E. G. Erskine.
Garry De Mott Custer.
John D. H. Kane.
Harry W. von Hasseln.
Elmer E. Duvall, jr.
Ernest H. Krueger.
Watson O. Bailey.
Edmund J. Kidder.
Malcolm A. Deans.
Edwin D. Gibb.
Joseph H. Brady.
Peyton Harrison.
Frank B. Hillhouse.
Ralph C. Alexander.
Robert R. Ferguson.
Harold E. MacLellan.
Ralph H. Henkle.
Edmund J. A. Murphy.
Jack H. Duncan.
Mays L. Lewis.
Chauncey R. Crutcher.
Gordon B. Sherwood.
Alexander C. Kidd.

The following-named acting ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Harry L. Dodson.
Duane L. Taylor.
Louis Dreller.
Ray W. Bruner.
Roger F. McCall.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920:

Herbert M. Scull.
Robert F. Nelson.
Ernest E. Herrmann.
Harold L. Challenger.
Robert G. Waldron.
Valentine H. Schaeffer.
Scott G. Lamb.
Charles B. Hunt.
James D. Lowry, jr.
Howard W. Fitch.
Gordon M. Jackson.
Rodman D. DeKay.
John J. Orr.
James J. Graham.
William H. Ferguson.
Dean D. Francis.
George M. O'Rear.
Peyton S. Cochran.
John G. Crawford.
Cyril K. Wildman.
Eric M. Grimsley.
John B. Griggs, jr.
Henry C. Fengar.
Harry A. Rochester.
James J. Hughes.
Miles P. Duval, jr.
Homer I. Sherritt.
Ralph E. Jennings.
Fred V. Beltz.
Leonard C. Parker.
Francis H. Gilmer.
George C. Dyer.
William L. Marsh.
Edwin Friedman.
Adrian O. Rule, jr.
Daniel M. McGurl.
Russell S. Barrett.
George F. Mentz.
Riffel G. Rhoton.

Ensign Earl S. Hurlbut to be a lieutenant (junior grade) from the 30th day of September, 1920.

Ensign Eliot H. Bryant to be a lieutenant (junior grade) in the Navy from the 1st day of July, 1920.

The following-named passed assistant surgeons to be surgeons in the Navy, with rank of lieutenant commander, from the 7th day of June, 1920:

Willard J. Riddick.
James A. Bass.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 30th day of July, 1919:

William H. Whitmore.	Paul W. Wilson.
Jesse W. Allen.	Ross T. McIntire.

Asst. Surg. Edward A. Brown to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 30th day of January, 1920.

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 6th day of June, 1920:

John R. Middlebrooks.	Lyle J. Roberts.
Joel J. White.	Frederick R. Hook.
Russell D. Elliott.	Harry S. Harding.
John Duff, jr.	William T. Lineberry.
Ladislaus L. Adamkiewicz.	Thomas L. Morrow.
Robert H. Snowden.	Clarence J. Brown.
Francis E. Locy.	Gilbert H. Mankin.
Maurice A. Berge.	Felix P. Keaney.
Roger M. Choisser.	John W. Vann.
Loren W. Shaffer.	Guy B. McArthur.
Robert P. Parsons.	Bertram Groesbeck, jr.
Francis DeA. Gibbs.	Robert S. G. Welch.
Richard C. Satterlee.	Robert H. Collins.
Otis Wildman.	Carl A. Broaddus.
Benjamin G. Holtom.	William E. Beatty.
Wilfred M. Peberdy.	Burchard A. E. Winne.
Frederick L. McDaniel.	

The following-named assistant surgeons to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 1st day of July, 1920:

Henry C. Johnston.	Max Silverman.
John R. Poppen.	Herbert L. Barbour.
Albert N. Champion.	James E. Miller.
Linwood H. Johnson.	Charles W. Rose.
Harold E. Ragle.	Marvin M. Gould.
Fred W. Granger.	Norman J. Haverly.
William P. Mull.	George T. Dill.
Cary D. Allen.	Eustace H. Prescott.
William W. Davies, jr.,	Frederick W. Muller.
Roger D. Mackey.	John N. Slattery.

Frank T. Barker, a citizen, to be an assistant surgeon in the Navy, with the rank of lieutenant (junior grade), from the 15th day of December, 1920.

Asst. Dental Surg. Charles C. Bockey to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 6th day of June, 1920.

Asst. Dental Surg. William A. Dorney to be a passed assistant dental surgeon in the Navy, with the rank of lieutenant, from the 1st day of July, 1920.

The following-named citizens to be assistant dental surgeons in the Navy, with the rank of lieutenant (junior grade), from the 15th day of December, 1920:

George A. Campbell.
Walter I. Minowitz.

Asst. Paymaster Edward R. Eberle to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of July, 1920.

Acting Chaplain Milton H. Petzold to be a chaplain in the Navy, with the rank of lieutenant (junior grade), from the 7th day of August, 1920.

The following-named naval constructors to be naval constructors in the Navy, with the rank of captain, from the 1st day of January, 1921:

Laurence S. Adams.
Stuart F. Smith.
William G. Du Bose.

Asst. Naval Constructor Henry E. Rossell to be a naval constructor in the Navy, with the rank of lieutenant, from the 7th day of January, 1921.

Asst. Civil Engineer Robert L. McLellan, for temporary service, to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade), from the 30th day of June, 1920.

Asst. Civil Engineer Henry G. Taylor to be a civil engineer in the Navy, with the rank of lieutenant, from the 25th day of May, 1920.

Machinist James E. Kemmer to be a chief machinist in the Navy, to rank with but after ensign, from the 29th day of December, 1919.

The following-named passed assistant surgeons for temporary service to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Enoch G. Brian.	Jesse D. Jewell.
Reuben H. Hunt.	Harry P. Krummes.
Harry A. Keener.	Victor B. Riden.
John A. Marsh.	John A. Topper.
Emil J. Stelter.	Henry C. Weber.
Alfred H. Ehrenclou.	

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Samuel W. Connor.	Andrew H. Frankel.
Benjamin F. Iden.	John C. Kenning.
George M. Malkin.	Wilbert W. Munsell.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Floyd McJ. Allen.
Wilson G. Guthrie.

The following-named passed assistant dental surgeons for temporary service to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Frank V. Davis.
Nicholas S. Duggan.
Rolland W. Quesinberry.

The following-named passed assistant dental surgeons of the United States Naval Reserve Force to be passed assistant dental surgeons in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Charles P. Holland.	Leonard L. Martin.
Henry Muenzer.	Elmer C. O'Connell.
John S. George.	

Asst. Dental Surg. Ray E. Farnsworth, United States Naval Reserve Force, to be assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

Chief Pharmacist Charles H. Dean, for temporary service, to be a chief pharmacist in the Navy, to rank with but after ensign, from the 5th day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

Passed Asst. Surg. Robert F. Sledge, for temporary service, to be a passed assistant surgeon in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named passed assistant surgeons of the United States Naval Reserve Force to be passed assistant surgeons in the Navy with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

William H. Harrell.
Cecil G. Sutherlin.

The following-named citizens to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 11th day of February, 1921:

Robert M. Cachrane.
Duncan D. Bullock.

Leonard M. Desmond, a citizen, to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), from the 9th day of February, 1921.

The following-named chaplains of the United States Naval Reserve Force, to be chaplains in the Navy, with the rank of lieutenant, from the 3d day of November, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Patrick J. Hammersley.	Bartholomew F. Huske.
Frank L. Janeway.	Albert R. Parker.
Hersey E. Rountree.	Walter L. Steiner.

Asst. Civil Engineer Harold W. Johnson, for temporary service, to be an assistant civil engineer in the Navy, with the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named officers of the United States Naval Reserve Force to be assistant civil engineers in the Navy, with

the rank of lieutenant, from the 3d day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Charles L. B. Anderson.	Collins L. Macrae.
Albert Hoar.	Albert A. L. Ort.
Dow H. Nicholson.	Robert R. Yates.
Harry LeG. Hilton.	

The following-named assistant civil engineers, for temporary service, to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Edward D. Graffin.
William W. Schneider.

Asst. Civil Engineer Thomas J. Brady, United States Naval Reserve Force, to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920.

The following-named citizens to be assistant civil engineers in the Navy, with the rank of lieutenant (junior grade), from the 29th day of January, 1921:

Floyd C. Bedell.	Henry E. Wilson.
William O. Hiltabidle, jr.	William D. Chandler.
Cushing Phillips.	George R. Brooks.
Harry W. Kenney.	Alexander Martin, jr.

The following-named chief pharmacists, for temporary service, to be chief pharmacists in the Navy, to rank with but after ensign, from the 5th day of August, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920:

Lester E. Bote.	Thomas C. Hart.
Datus M. Hervey.	Walter C. Magoon.
Robert Martin.	Walter Zur-Linden.

The following-named lieutenants, for temporary service, to be lieutenants (junior grade) in the Navy from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct the date from which they take rank as previously nominated and confirmed:

William B. Stork.
Anthony McHugh.
Alexander Stuart.

Lieut. August Rettig, for temporary service, to be an ensign in the Navy, from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct the date from which he takes rank as previously nominated and confirmed.

The following-named officers of the United States Naval Reserve Force to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), from the 1st day of July, 1920, in accordance with a provision contained in the act of Congress approved June 4, 1920, to correct the date from which they take rank as previously nominated and confirmed:

Jerome Braun.
David B. Peters.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 21, 1921.

JUDGE ADVOCATE GENERAL, UNITED STATES NAVY.

Capt. Julian L. Latimer to be Judge Advocate General of the Navy, with the rank of rear admiral, for a term of four years.

PAYMASTER GENERAL AND CHIEF OF BUREAU OF SUPPLIES AND ACCOUNTS, UNITED STATES NAVY.

Pay Director David Potter to be Paymaster General and Chief of the Bureau of Supplies and Accounts, in the Department of the Navy, with the rank of rear admiral, for a term of four years.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 21, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our Lord, Thou art our refuge and strength. Again have we eaten at Thy table and rested within the curtains of Thy darkness. Therefore, we bring unto Thee offerings of gratitude. Qualify us in those virtues that make for personal rectitude and stability of government, and give unto us the blessings of a mind that sees and a heart that feels. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

POSTAL COMMISSION.

The SPEAKER. The Chair appoints to fill the vacancy in the Joint Commission on Postal Service the gentleman from Kentucky, Mr. ROUSE.

IMMIGRATION.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4075, to limit the immigration of aliens into the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4075, with Mr. STAFFORD in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. When the committee rose last evening the first section of the bill had been read for amendment. No opportunity was afforded before adjournment for amendment. It is open for amendment at this time.

Mr. MANN. Mr. Chairman, I move to amend by striking out, on page 1, line 6, the word "Isthmian."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 1, line 6, strike out the word "Isthmian."

Mr. MANN. Mr. Chairman, it perhaps is not important whether the word "Isthmian" is stricken out or left in. I believe it is in the existing immigration law or some part of it. Yet Congress by the act of August 24, 1912, provided that the Isthmian Canal Zone should be known and designated as "The Canal Zone." I think it is a little better to call Illinois, Illinois; New York, New York; and the Canal Zone, the Canal Zone, language which has been provided by a congressional act.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This provision shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens residing in the United States who return from a temporary visit abroad; (3) aliens in continuous transit through the United States; (4) aliens lawfully admitted to the United States who later go in transit from one part of the United States to another through foreign contiguous territory; (5) aliens visiting the United States as tourists or temporarily for business or pleasure; (6) aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration; (7) aliens from the so-called Asiatic barred zone, as described in section 3 of the immigration act; (8) aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands; or (9) aliens entitled to readmission to the United States under the provisions of the joint resolution entitled, "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces," approved October 19, 1918.

(b) For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration was made in the United States census of 1910.

(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act. In case of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting (1) in the creation of new countries, the Governments of which are recognized by the United States, or (2) in the transfer of territory from one country to another, such transfer being recognized by the United States, such officials, jointly, shall estimate the number of persons resident in the United States in 1910 who were born within the area included in such new countries or in such territory so transferred, and revise the population basis as to each country involved in such change of political boundary. For the purposes of such revision and for the purposes of this act generally aliens born in the area included in any such new country shall be considered as having been born in such country, and aliens born in any territory so transferred shall be considered as having been born in the country to which such territory was transferred.

(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants, may if otherwise admissible be admitted notwithstanding the maximum number of aliens of the same nationality ad-

missible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall (unless visiting the United States as tourists or temporarily for business or pleasure) be counted in reckoning the percentage limits provided in this act: *Provided further*, That in the enforcement of this act preference shall be given so far as possible to the parents and minor children of citizens of the United States, and to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

Mr. SIEGEL. Mr. Chairman, I have a committee amendment which I desire to offer.

Mr. HILL. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will first report the first committee amendment.

Mr. SABATH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SABATH. There are several paragraphs in the section which has been read. Suppose amendments are offered to paragraphs (c) or (d), will it then be permissible for a Member to offer an amendment to paragraph (a) or (b) notwithstanding amendments have already been accepted to later provisions of the section?

The CHAIRMAN. The Chair has no control over the order in which amendments may be offered to the various paragraphs in the section. As the gentleman well knows, the Committee of the Whole will first consider the committee amendments, and amendments to those amendments are in order. If no amendments to those are made, they will be voted on forthwith, and then any Member, preference, of course, being given to members of the committee, will be recognized to offer amendments to any or all of the paragraphs of the section.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to make a statement with reference to the committee amendments.

The CHAIRMAN. The Clerk will first report the first committee amendment.

The Clerk read as follows:

Page 3, line 14, after the word "Islands," strike out the word "or."

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the amendment just reported by the Clerk on line 14, page 3, be considered in connection with the committee amendment which begins on line 20 of the same page, running for the rest of that page and into the next page. If the committee amendment beginning on line 20, page 3, to which I have just referred, is agreed to, it is then necessary to adopt the amendment which the Clerk has reported on line 14 of page 3.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the first committee amendment be considered in connection with the second committee amendment as found on page 3, beginning with line 21, continuing the rest of the page, and lines 1, 2, and 3 on page 4. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the second committee amendment.

The Clerk read as follows:

Page 3, line 20, after the figures "1918," insert a semicolon and the following language: "or aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are seeking admission to the United States to avoid religious persecution in the country of their last permanent residence, whether such persecution is evidenced by overt acts or by laws or governmental regulations that discriminate against the alien or the race to which he belongs because of his religious faith."

Mr. JOHNSON of Washington. Mr. Chairman, I have a perfecting amendment which I offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington: Page 3, line 23, after the words "United States" insert the word "solely."

Mr. JOHNSON of Washington. Mr. Chairman, I desire to say in regard to this that if the Committee of the Whole House on the state of the Union decides to retain in the bill the committee amendment to be found in the italics at the bottom of page 3, it should be perfected, according to my judgment, by adding the word "solely," so that it would read:

Aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are seeking admission to the United States solely to avoid religious persecution—

And so forth.

The CHAIRMAN. The question is on agreeing to the amendment to the committee amendment.

The amendment was agreed to.

Mr. HUSTED. Mr. Chairman, I desire to offer an amendment.

Mr. SABATH. Mr. Chairman, I have an amendment to the amendment, which I desire to offer.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois as a member of the committee.

Mr. SABATH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 4, line 3, after the word "faith," insert: "Aliens fugitive or refugee for political reasons, which facts may be established by the verdict of a jury on an issue framed in a habeas corpus proceeding in the district court of the United States where such alien may be sojourning."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that the amendment is not germane to the committee amendment.

Mr. SABATH. In what way is it not germane?

Mr. JOHNSON of Washington. We have here a committee amendment, which it is proposed to amend by adding an entirely new classification.

Mr. SABATH. We have many classifications and many exemptions, and this is additional to those already in.

Mr. JOHNSON of Washington. I take it, whether the committee amendment be left in or taken out, the amendment offered by the gentleman would then be in order as a new proposition to be offered in Committee of the Whole.

Mr. SABATH. This is to perfect a committee amendment.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Illinois [Mr. SABATH] offers an amendment which seeks to add a different class to that of the committee amendment, namely, to fugitives or refugees for political reasons. The amendment under consideration excepts only those from the computation who seek admission to this country to avoid religious persecution. This is adding a new class apart and distinct to that in the amendment under consideration and accordingly is out of order. The Chair will say that he will recognize the gentleman to offer his amendment as a new subdivision. The point of order made by the gentleman from Washington is sustained.

Mr. HUSTED. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: After line 22, page 3, strike out the rest of subdivision (a) and insert the following: "Actual subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States to avoid the suffering and hardship involved in such persecution."

Mr. HUSTED. Mr. Chairman, I am going to vote for this bill, relying upon the judgment of the men who have framed it, although I have my own doubts as to its necessity or wisdom. I think we are getting along pretty well under existing law and regulations. I believe the fear is not well founded that grave dangers are involved in permitting immigration from Europe as restricted by existing statutes. There is this to be said for the bill, however, as a temporary measure. I think it is probably true that such immigration as is coming here is not of a very desirable class from an economic standpoint. The real workers, the men who would be economically useful, are remaining in their own countries assisting in their upbuilding and recuperation from the devastation of the war, and those who are coming here are the parents and the dependent children and the female relatives of people who are already in this country. I think it is our duty to receive a certain number of these people, particularly the dependent parents and the dependent minor children, but I see no reason, however, why we should open the gates and admit all of the other relatives of people who are in this country, and for that reason I am going to vote for the legislation. I do think that this exception in No. 10 should be amended. As the exemption reads now you can drive a four-horse chariot through it. It would only be necessary to prove that there is a discriminatory statute upon the books of some country, even though that statute has never been executed against anybody, to entitle everybody who would come within that discrimination to admission to this country, and they would not come within the enumeration carried in the bill. I believe further, although I am not quite sure about it, that, under the provisions of this amendment, any persons seeking admission to this country would be entitled to come in, on proof that he had reason to believe he would be discriminated against, or that he would be persecuted, even if as matter of fact he never had been. It has been the traditional policy of the United States to give asylum here to all who are the victims of religious persecution, and I am heartily in favor of continuing that policy. Our ancestors came here for that very reason, and we should not shut the door to people who are suffering from religious persecution in any land, but I do not believe we should make it possible through a technical point in the law to admit a very large class of people from any country on the ground that there is some discriminatory statute which might be executed against them, or that persecution might be apprehended even though it never had existed and might never occur.

Mr. SIEGEL. Mr. Chairman, I rise in opposition to the amendment. Let me say that the language in question has been in the immigration law since 1917, and that the Department of Labor informed me yesterday that in the period of 18 months just 14 cases were allowed to enter under that provision. During that time the immigrant who arrived has been required to establish these facts to the satisfaction of the Assistant Secretary of Labor. There have been cases on appeal which have come up, and the Assistant Secretary of Labor has not ruled allowing some of these immigrant girls to come into the United States when that plea was made, and the commissioner at Ellis Island knows that some of these girls who were returned committed suicide on the ships which were taking them back on account of rulings which were made in respect to their coming over here. One of those girls was a Rumanian girl who came over from the other side. No matter what our law may be upon this particular subject, it is the administrative officers who will have to determine what its meaning is. They decided in the four years of time it has been upon the statute books that it only applied to 14 cases.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. JOHNSON of Washington. Can the gentleman state if there is any estimate of the number of applications which were not granted?

Mr. SIEGEL. I know that the commissioner has told me that there were a number of cases which went up, and I know that I purposely telephoned the other day, in fact, yesterday morning, to Mr. Hampton to ascertain definitely how many had been allowed in. He told me there were 14 that had come in during the 18 months of time in which the question had come up. I have relied, and I do rely, upon what Commissioner Wallis told me about these cases.

Mr. HUSTED. Will the gentleman yield?

Mr. SIEGEL. I yield to my colleague.

Mr. HUSTED. I would like to ask the gentleman a question. He is a very able lawyer, and I would like to ask him if it would not be mandatory upon the immigration officials to admit to this country all persons seeking admission if they established the fact that they came within the provisions of a discriminatory regulation or statute based upon religious opinion, even though that statute had never been executed against them, even though they never, as a matter of fact, suffered any persecution or oppression on account of religion?

Mr. SIEGEL. My answer to that is, no. You must establish the fact that you were actually persecuted, and that has been the ruling of the department up to this hour.

Mr. HUSTED. Let me call the gentleman's attention to the language of the amendment. The language says "whether it is evidenced by any overt act or by the existence of a discriminatory statute."

Mr. SIEGEL. That would mean, namely, that if they made a regulation over there that if a person could not worship according to his own conscientious belief, and that he had suffered hardships as a result of overt acts, then he would not come within the statute.

Mr. HUSTED. But I want to call the gentleman's attention to this point: It says here they must be excluded if such persecution is evidenced by overt act or by laws or government regulations that discriminate against the alien. In other words, there are two distinct classes of cases, one where the persecution follows an overt act. I am heartily in favor of admitting them wherever the persecution is evidenced by overt acts, whether those overt acts consist in actual persecution by the people or by the execution of a discriminatory law. It makes no difference to me whether the persecution is by the people or by the Government. But you have two distinct classes of cases here, one class of cases evidenced by overt act.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to proceed for five minutes further.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUSTED. And the other class of cases is where the persecution is evidenced by the existence of a regulation or a statute, whether the statute is executed or not. If it is on the books it is sufficient, within the language of the amendment, to require the immigration officials to grant admission.

Mr. SIEGEL. I want to say to my colleague that I can not agree with him upon that, because the rulings of the department have been to the contrary. I have read the evidence in a number of cases and they are tied to establish facts. Many times I differed with the department after reading the testimony, and yet the department ruled the other way. In other words, the department says that where one has come to America to escape persecution, and where a girl said that she expected to be able to get along better in this country, that she had come here for two reasons—to escape persecution and in order to relieve her conditions—they ordered her back. The department is administering this law and not we. If the department had administered this law in the light in which we had enacted it, then perhaps 150 or 200 cases would have come in.

I want to say this to my able colleague. This is to provide for a year's time. Before I get through here to-day I expect to offer an amendment to this bill to provide that the Secretary of State shall conduct an investigation and report to us in regard to a number of these matters within a very short period of time. The reason why I have selected the Secretary of State is this: The Secretary finds himself in an anomalous situation on account of what has occurred during the past 48 hours, for which he was not responsible. I have sufficient faith in the Secretary of State that he will conduct the investigation impartially, so that we will obtain the true facts as to the conditions on the other side.

Mr. HUSTED. My amendment was simply in the interest of proper, scientific legislation. I want to ask the gentleman if he does not admit that under the language of his amendment the mere existence of a discriminatory governmental regulation or statute is the overt act?

Mr. SIEGEL. I will say this, that the Supreme Court of the United States has ruled that the Secretary of Labor is the sole judge in all of these matters, and there is no appeal from his decision.

Mr. SABATH. Will the gentleman yield?

Mr. VAILE. Will the gentleman yield?

Mr. SIEGEL. I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Is not that the same language that is in the law now?

Mr. SIEGEL. It is.

Mr. SABATH. It is in the immigration act.

Mr. SIEGEL. I will say that I and other Members compared that language. Judge Burnett gave it quite some study—and we all admit that he was quite an authority, if not the ablest authority this Congress has ever had in all its history, on the matter of immigration—and he decided on that language.

Mr. LONDON. Does not the mere existence of a governmental restriction indicate a sanction by the highest authorities in the country of discrimination because of race and faith?

Mr. SIEGEL. If there is any regulation by statute that of itself might be determined the best evidence. Our Department of Labor has determined the instances in which the individual has suffered.

Mr. VAILE. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. VAILE. I think it would clear the mind of the committee a little as to the matter of this small number who, as the gentleman from New York [Mr. SIEGEL] says, have taken advantage of this provision in the existing law, if we show what the existing law is. Now, the existing law, which is the immigration act of 1917, provides that all aliens over 17 years of age, physically capable of reading, who can not read the English language or some other language or dialect, shall be excluded.

Now, then, it goes on to say—

That the following classes shall be exempt from the operation of the illiteracy test, namely: All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they are seeking admission to the United States to avoid religious persecution in the country of their last permanent residence—

Followed by the language quoted in this committee amendment.

The point of this, Mr. Chairman, is that the people who might be actually suffering from persecution would be admitted in any number under the existing laws if they were literates. The reason that any number have not applied for admission under that provision is because they have also had to get past the illiteracy test. The reason why only a small number have applied under that provision is probably because of the fact that only a small number needed to pass the illiteracy test. There may be a good many people, there may be possibly 40,000 people, who would not want to be counted in making up this 3 per cent, or whose friends would not want them to be counted in making up this 3 per cent, and those people would have an object now in claiming religious persecution when they did not have it under existing law. In other words, after the passage of this bill there might be a great many more than the small number mentioned by the gentleman from New York [Mr.

SIEGEL] who would apply. The fact that only a small number have applied thus far by no means proves that a large number might not apply in the immediate future, because the only reason why only a small number has applied heretofore is because only a small number needed to apply under that provision. There might have been 50,000 who wanted to come here, but there was only a small number who wanted exemption on this ground because there was only a small number who were not literate.

Mr. RAKER. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The time on this amendment has expired.

Mr. RAKER. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. HILL. Mr. Chairman, I have an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman's amendment would be an amendment in the third degree, and therefore would not be in order at this time.

Mr. RAKER. Mr. Chairman, I understand the amendment of the gentleman from New York [Mr. HUSTED] to the amendment is under discussion at this time?

The CHAIRMAN. The amendment and the amendment thereto are under discussion.

Mr. RAKER. It seems, Mr. Chairman, that the Congress heretofore has enacted the provision enumerated in subdivision 10, and that it has worked satisfactorily, and that there is no necessity or reason for a change at this time.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. HUSTED. Would it not be more correct to say that conditions for its operation have not yet arisen?

Mr. RAKER. No. I want to say that from information which the Committee on Immigration has received for the last two years, it seems that if there is any chance for it to work it might be in the future, to my mind; but, as a matter of fact, if you get the testimony of those who have been in foreign countries who have testified in regard to religious persecution, you will find there is practically no persecution on account of religious faith. But in order to avoid any complication and give those an opportunity, if perchance there was such persecution, they would be given the opportunity to come to this country, according to the construction of the provision as it now reads. The mere fact that there is a rule or law or regulation against a particular faith does not permit him to come to this country under this provision, but he must show to the satisfaction of the Secretary of Labor that he individually is being persecuted by that law or is being persecuted by the overt act. The mere fact that there is a law on the statute books or a rule or regulation does not affect him. When he is not injured it gives him no reason for complaint, and he can not invoke it.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield for a question?

Mr. RAKER. Yes.

Mr. GRAHAM of Illinois. The gentleman has no doubt observed in the newspapers reports of pogroms or persecutions in the Ukraine and in Rumania and other eastern countries of the Jewish people there. Now, are these reports true?

Mr. RAKER. I think from all that I can gather from the testimony, so far as the pogrom is concerned relative to religious faith, it is not because of the mere fact that a man belongs to the Greek Catholic Church or to the Roman Catholic Church or to the Protestant Church or the mere fact that he believes in the Jewish religion. There is none of that going on, because it was demonstrated to us last night by a man who was in Russia and who had been in prison there for four years that the present soviet government is being controlled, 75 per cent of it, by Jewish people; but they have forgotten the Jewish faith. Therefore they are working as Jews or as Greeks or as Russians, but the question of the faith of those people as members of the Jewish Church or of the Greek Church has nothing to do with it. It is simply a case of a man getting into power and forgetting his religious faith.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. RAKER. Yes.

Mr. SABATH. When the gentleman said that the gentleman he referred to had been in prison for four years he meant he had been in prison for four months?

Mr. RAKER. Yes; I meant to say four months.

Mr. SABATH. That gentleman did not describe conditions in Armenia and Rumania, but in Russia?

Mr. RAKER. Yes; in Russia. All that has been said about the soviet government seems to have been confirmed by the experience of gentlemen visiting that country, from the highest official to the lowest.

Mr. PERLMAN. Mr. Chairman, I ask unanimous consent to proceed for one minute in opposition to the amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. PERLMAN. Mr. Chairman, I desire to say to my colleague from New York [Mr. HUSTED], who has an amendment to the committee amendment, that the Secretary of Labor will determine what aliens should be admitted because of religious persecution. Under the committee amendment the alien must satisfy the immigration officer or the Secretary of Labor that he is seeking admission to the United States to avoid religious persecution. I go further, and say to him that I do believe that in Poland there was and is religious persecution and discrimination against the Jews. Among other ideals, this Government was founded on the theory of freedom of religious belief, and if we do nothing more by the adoption of the committee amendment than to serve notice on all foreign Governments that we are against persecution or discrimination against anyone because of religious belief we will have accomplished a great deal for humanity.

Let me say to the gentleman from California [Mr. RAKER] that Mr. Schwartz did not tell us last night that 75 per cent of those in control of the government in Russia were Jews, but he did say that those in control of the present Russian Government have no religious faith or belief, and that not one-half of 1 per cent of the Jewish people in Russia favor bolshevism or communism.

Mr. RAKER. He said that 75 per cent of those who were in control were Jewish people, and that only about 600,000 people in Russia controlled all the other millions.

Mr. PERLMAN. No. He said that about 75 per cent of the officials of Russia were previously of Jewish faith, but that not one-half of 1 per cent of Russian Jews are in favor of bolshevism. I am opposed to the amendment of the gentleman from New York [Mr. HUSTED] and am heartily in favor of the committee amendment, to exempt from this law all those against whom there is by law or regulation any discrimination because of religious faith or belief.

Mr. LONDON rose.

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. LONDON. To ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LONDON. Mr. Chairman, I desire first of all to enter my protest against Members of Congress repeating prejudicial and highly colored statements coming from adherents of the czar and intended to prejudice the American people against the aspirations of the Russian democracy.

Mr. RAKER. Will the gentleman yield for a question?

Mr. LONDON. Yes; I yield to the gentleman from California.

Mr. RAKER. I was simply repeating what was given to us last night as Members of the Congress by a gentleman who was introduced by my colleague from California [Mr. KAHN] as a first-class gentleman who could present facts of which he had first-hand information.

Mr. LONDON. He may be a first-class gentleman, but if I am not mistaken he is a former Cossack officer who probably seeks the restoration of czarism in Russia, and he should be the last person to be accepted as an authority by Members of the American Congress.

Mr. JOHNSON of Washington. Did it ever occur to the gentleman from New York that he might discuss the merits of this amendment without discussing what was said last night?

Mr. LONDON. This talk about the people of a particular faith controlling a government which is at present unpopular is bigotry, stupidity, and absolutely inexcusable in any parliament of a free people. Just now the government of Russia happens to be unpopular. Of course, adherents of the old régime will insist that 75 per cent of its government are of the faith whose followers have suffered most from czarism.

I have no patience with the stories that are being told about Russia. There seems to be somewhere in operation a factory for the manufacture of falsehoods about Russia and quite some

machinery for their wholesale and retail distribution. We get very little of the truth about international affairs, and while the manufacture of gas for war purposes has stopped, the manufacture of gas for poisoning the human mind is more active than ever before. Now, why not be plain about this proposition? Europe is upset. All hatreds have been fanned into flames, all animosities have been intensified by five years of fighting. Entire populations have been transferred and new allegiances have been forced upon them.

In some sections where various religious sects are now compelled to live together, although in the past they belonged to separate governments, in those cases national hostility has also taken the form of religious conflict. These groups, although frequently of the same race, hate each other most heartily. Armenians are very often Mohammedans or Roman Catholics or Greek Catholics or Protestants, and wherever their numbers are small they are likely to be persecuted and oppressed. The Jewish people, the martyred people of history, a small group, a minority everywhere, who are trying to live their spiritual lives in their own way, have been and still are the victims of religious persecution in many lands. We have the twentieth century by the calendar, but the calendar is the worst of all liars. In many sections and places we are still in the fourteenth and fifteenth centuries. We have the bigotry and obscurantism of medieval days in many a place. There is one truth that has given vitality to America, and that is that any form of discrimination because of religion is abhorrent in the sight of Americans.

Mr. HUSTED. Will the gentleman yield?

Mr. LONDON. I will.

Mr. HUSTED. America has lived the proclamation of that truth for 145 years. Does the gentleman think it is desirable to place in the statute a discrimination which is unnecessary and which might be abused to let in a large number of people in discrimination against the people of every other creed and race, when those people are actually not subjects of any persecution whatever? To the extent to which they are the subject of persecution I am heartily in favor of admitting them, and I believe every good American is, but I do not believe that the bill should be discriminatory in favor of anybody.

Mr. LONDON. My argument is that no civilized government should permit on its statute books any law or regulation which would discriminate against any group of people because of their faith and of their race, and the very existence of such a regulation is positive and convincing proof that there is a state of facts which will result in discrimination.

Mr. GRAHAM of Illinois. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRAHAM of Illinois. I ask unanimous consent that the gentleman from New York may proceed for one minute.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from New York be extended one minute. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. I know the gentleman is well informed about these things. Is there to-day on the statute book of any country of Europe any discriminatory regulation or law against the Jewish people?

Mr. LONDON. I understand that most governments have eliminated such regulations; but we are dealing with a state of facts, which is that with the present abnormal conditions in Europe there are many minorities who suffer discrimination solely because they are minorities.

May I ask an extension of five minutes?

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. CHANDLER of New York. Will the gentleman permit me a half a minute?

Mr. LONDON. Certainly.

Mr. CHANDLER of New York. I have a speech that I made on the Jews of Rumania and the treaty of Berlin, in which I gave 24 occasions of statutory discrimination against the Jews of Rumania and those in the face of article 44 of the treaty of Berlin, by which the Rumanian Government agreed to guarantee the civil and political liberty of all inhabitants, including the Jews, and this is still in force.

Mr. LONDON. The point I desire to call attention to is this: In every country of the world minorities suffer most when things are unbalanced, and that is the condition in many countries of Europe to-day.

The state of civilization of a country can be measured by the degree of tolerance, the degree of kindness, with which the minority is treated. When things are upset the mob strikes at the minority, the minority is blamed for all the ills of society. With the world in confusion, it is the minority, whether it be religious, racial, or social, that is always the victim. Please do not propose anything that will weaken the effect of the provision calculated to protect religious dissentients.

Mr. HUSTED. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. HUSTED. Will not the gentleman admit that if we are to take the minorities in here that we had better not have any restrictive immigration bill at all?

Mr. LONDON. America has been built up by immigration. Every immigrant that comes to our shores is both a producer and a consumer. Other countries go to war to acquire more territory and larger populations. We can easily absorb an additional hundred million men. I do not look on immigration as an evil. Nor am I afraid of the incoming of dangerous ideas, because under free discussion wrong ideas can always be corrected.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman and gentlemen, your attention has been called to the fact that the words offered as a committee amendment are in the language of one of the exemptions in the literacy test law. That is to say, a person proving this with regard to religious persecution may be admitted even though illiterate. The gentleman from New York [Mr. HUSTED] has offered a partial substitute which I shall read to you. I see no reason why the committee's amendment should not be perfected, and I see no reason why the amendment offered by the gentleman from New York [Mr. HUSTED] will not serve the purpose of the original amendment without being subject to the objections that are being made by some Members of the House. The Husted amendment is as follows:

> Actual subjects of religious persecution in a country of their last permanent residence who are seeking admission to the United States to avoid the sufferings and hardships involved in such persecution.

I have inquired as to the practices of the department in handling the persecution cases. First, if in some town or city over there, whether there is a police regulation or not, the people are run out by what appears to be a mob which opposes their religion; then these people who are run out are persecuted, and if they are able to show that to the satisfaction of our authorities, they are admitted.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GRAHAM of Illinois. Did the gentleman hear what the gentleman from New York [Mr. CHANDLER] said?

Mr. JOHNSON of Washington. Yes.

Mr. GRAHAM of Illinois. The proof of one of these regulations would be ample.

Mr. JOHNSON of Washington. I understand, but it is necessary to carry all that in this act. I am quite willing that the amendment shall be so perfected as to hold the United States open as an asylum for all persons really persecuted for their religious beliefs, but real persecution should be shown.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. COOPER of Wisconsin. Suppose there is a law in a European State which absolutely prohibits a Jew or a Catholic from worship. Does the gentleman say that a man or a woman proposing to come to this country must show that they have obeyed that law?

Mr. JOHNSON of Washington. No; I think he might undertake to show that, but I think there should be shown actual persecution. If in any one of these countries one neighbor quarrels with his neighbor on a religious subject, that is not held as a persecution. One man might spit in the other's face on account of their religious differences, and still it might be a quarrel and not persecution.

Mr. COOPER of Wisconsin. This committee amendment uses language that I think ought to be retained rather than to substitute the language proposed by the gentleman from New York [Mr. HUSTED]. That says—

> whether such persecution is evidenced by overt acts or by laws that discriminate.

Mr. JOHNSON of Washington. I wish the gentleman would secure some time of his own, as I have only five minutes.

Mr. COOPER of Wisconsin. But the gentleman's time will be extended.

Mr. JOHNSON of Washington. I desire this amendment to be discussed carefully and fully. I think this: A country over there might have a regulation in regard to several races or creeds, and that regulation might have been a dead letter for 15 years, but still it is a regulation or law. Why should we be obliged to recognize it and decide that it constitutes religious persecution?

Mr. COOPER of Wisconsin. There is an old saying which is very true, that a man has lost his liberty not only when he is in prison but also whenever he may, in accordance with a law which violates his rights, be imprisoned by a tyrant. If a law is on the books which absolutely prohibits a man from worshiping because he is a Catholic or because he is a Presbyterian or a Jew, that man is deprived of his liberty. He may be too poor to protest. Yet his liberties are infringed.

Mr. JOHNSON of Washington. Oh, well, there are people in the United States to-day who are contending that their liberties are infringed.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HUSTED. Mr. Chairman, will the gentleman from Washington yield to me, in order that I may make a suggestion to the gentleman from Wisconsin?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. HUSTED. I call the attention of the gentleman from Wisconsin to the fact that the slightest attempt by a Government to execute such a law as that to which he refers would be the overt act itself, within the strict language of my amendment.

Mr. COOPER of Wisconsin. But I claim that helpless people in any country should not be compelled to commit what is called an overt act against a law prohibiting freedom of religious worship, and subject themselves to imprisonment before they can come here. In my judgment it would be wrong to strike out from the committee amendment the language which I read a moment ago. Under the treaty of 1832 which we had with the Czar's Government, that Government used to exclude American citizens simply because they were Jews, and also, we heard on good authority, because, in some instances, they were Catholics. I am not a Catholic, but that was the fact. Evarts protested against it and Blaine protested against it, but without avail. Finally during the Taft administration the House Committee on Foreign Affairs passed a bill to abrogate that treaty, and the executive department, under the leadership of President Taft, did abrogate it. Russia refused to negotiate a new treaty because we had said that an American citizen should not be excluded from any country in the world upon the ground of his religious faith.

Mr. JOHNSON of Washington. And on top of that the then Russian Government found a way to deny admission to American travelers.

Mr. COOPER of Wisconsin. But we did not recognize the conduct of the Russian Government by submitting any longer to the injustice to our citizens. If a monarchical form of Government should ever resume authority in Russia, if the friends of the Czar should ever again get control in Russia, the same religious tyranny would be exercised.

Mr. JOHNSON of Washington. Let me remind the gentleman and the House, while we are considering this proposition with respect to religious persecution, that you are likely to be called upon in a few minutes to consider an amendment concerning the matter of political persecution.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield to me?

Mr. JOHNSON of Washington. Yes.

Mr. SIEGEL. I want to say to my colleague [Mr. HUSTED] that all immigration coming to this country is to-day controlled by the State Department. That department determines exclusively the number of immigrants permitted to come from each particular country to the United States. The Labor Department has nothing to do with it. The State Department will be the one in reality to determine how many visés are to be granted from any particular country under this 3 per cent provision. The visé law is being strictly enforced. Therefore, the committee amendment is the one which should remain in the law, because it follows that which is the law to-day and which has been construed by the Department of Labor and by the State Department. If this bill ever does become law, for only one year and no longer, that during that period of time we may have perhaps 15 or 20 or 30 or 40 cases above the 3 per cent which might appeal to the consul on the other side to be such as should receive a visé.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. HUSTED. I admit that I realize the State Department largely controls immigration through the exercise of the visé authority, but I do not admit and I do not think it follows that because a provision happens to be in the immigration law at the present time it should necessarily be carried into the new legislation we are now enacting, because if it is not scientific, if it is not right, it should be changed and perfected in this legislation.

Mr. SIEGEL. Then my colleague should vote against the entire bill, because it is not scientific, is inhuman and unfair, and every leading newspaper throughout the country printed last evening and this morning so states.

The CHAIRMAN. The time of the gentleman from Washington has again expired. The question is on the amendment offered by the gentleman from New York to the committee amendment.

Mr. LONDON. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment to the committee amendment.

There was no objection, and the Clerk again reported the Husted amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York to the committee amendment.

The question was taken; and on a division (demanded by Mr. HUSTED) there were—ayes 78, noes 34.

So the amendment was agreed to.

The CHAIRMAN. The question now is on the committee amendment as amended.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to offer an amendment to perfect the committee amendment as now amended, in the manner I perfected it originally, by the addition of the word "solely" after the words "United States."

Mr. RAKER. Mr. Chairman, that has already been adopted.

The CHAIRMAN. The Chair understands that has been adopted. The question is on the committee amendment as amended.

Mr. JOHNSON of Mississippi. Mr. Chairman, may we have the amendment as amended again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment as amended.

The Clerk read as follows:

Or aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States to avoid the suffering and hardship involved in such persecution.

Mr. FESS. Mr. Chairman, the Clerk omitted the word "solely" in the reading of that amendment.

The CHAIRMAN. The Clerk will report the amendment with the correction suggested by the gentleman from Ohio, which was an amendment adopted without objection.

The Clerk read as follows:

Page 3, line 20, after the figures "1918," insert a colon and the following language: "Or (10) aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actual subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecution."

The CHAIRMAN. The Chair begs the pardon of the committee. The Chair desires to inform the committee that he was under a misapprehension, that while the word "solely" was offered by the gentleman from Washington in line 23 and was adopted, yet it was part of the amendment offered by the gentleman from New York which was to strike out and insert, and therefore is not included.

Mr. JOHNSON of Washington. I desire to insert after the words "United States," in the amendment adopted, the word "solely."

Mr. STEVENSON. Mr. Chairman, a point of order. Have we not just adopted that amendment?

The CHAIRMAN. The gentleman will state his point of order.

Mr. STEVENSON. I understood the gentleman was offering an amendment to the amendment which we had already adopted, and it seems to me the time to propose an amendment to an amendment was before the amendment was adopted.

Mr. MANN. Mr. Chairman, I am under the impression the amendment offered by the gentleman from Washington comes in simply ahead of the amendment which has been already adopted and does not come in the language of the amendment already adopted. I think that the amendment offered by the gentleman from New York, which was agreed to, was to strike out language after the words "United States."

The CHAIRMAN. The language after line 22 to the end of the paragraph.

Mr. MANN. Then, of course, this amendment is not in order, but the gentleman can offer a substitute for the whole thing, including the word "solely."

The CHAIRMAN. The point of order made by the gentleman from South Carolina is well taken.

Mr. JOHNSON of Washington. Mr. Chairman, I offer as a substitute to the amendment just adopted the following.

The CHAIRMAN. The gentleman from Washington offers a substitute to the committee amendment as amended, which the Clerk will report.

The Clerk read as follows:

Page 3, line 20, after the figures "1918," insert a colon and the following language: "or (10) aliens who prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they are actually subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecution."

The CHAIRMAN. The question is on the substitute offered by the gentleman from Washington.

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question now reverts on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The CHAIRMAN. The next vote is on the next committee amendment, which the Clerk will report.

Mr. JOHNSON of Washington. If the Chairman please, it will be necessary now to adopt the amendment striking out the word "or" in line 14.

The CHAIRMAN. That has already been adopted. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 5, line 24, after the word "unless" in the parentheses, strike out "visiting the United States as tourists or temporarily for business or pleasure" and insert "excluded by subdivision (a) from being counted."

Mr. CABLE. Mr. Chairman, I move to amend by striking out, page 6, line 1, the last word, "counted." I ask unanimous consent to address the House for five minutes.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio in favor of the amendment without the pro forma amendment offered by him.

Mr. CABLE. Mr. Chairman, this bill is one of the most important that will come up before the Congress this year. It is of vital importance, and, in my opinion, it is the duty of the Members of this House to consider the rights of the citizens of the United States first. Speaking as a new Member, coming directly from the people, and as a member of the Committee on Immigration, I urge its adoption. Only last week this House by almost a unanimous vote passed a bill for the protection of American farmers and factories. This temporary immigration bill, the object of which is to protect American citizens, should also have the unanimous support, particularly of the new Members. The United States has passed the point of assimilation. Between the years 1908 and 1914, 6,690,000 aliens came into this country, and during that same period of time certificates of naturalization were only issued to 417,973 aliens in this country. In other words, for every 16 unnaturalized aliens coming to this country during the six-year period of time only 1 became a naturalized citizen.

Mr. SIEGEL. Will the gentleman yield?

Mr. CABLE. I have not the time.

Mr. SIEGEL. I will get the gentleman's time extended.

The CHAIRMAN. The gentleman declines to yield.

Mr. CABLE. At the present time there are 1,256,860 naturalized aliens in the United States, and at the same time there are more than 10,000,000 unnaturalized aliens within our borders. In other words, for every eight unnaturalized aliens there is only one naturalized alien within our borders at this time.

Mr. SIEGEL. Will the gentleman yield?

Mr. CABLE. I am sorry I have not the time. The second reason for the passage of this bill is the fact that we have no housing facilities for any further immigration. The housing experts tell us that there is needed from one to three and a half million new homes in our country. In the year 1920 there were 1,000,000 marriages and at the same time only 75,000 homes were built. We have no homes for these new people seeking to come to this country. Before the war 350,000 new homes were constructed each year. The housing question has become a national problem, especially in the large cities. The third proposition, and the most important for the consideration of the House as to why we should adopt this bill, is because there are between four and five million men and women out of work. Unemployment constitutes one of the most pressing problems of our country. Thirty-six and nine-tenths per cent of those working in January, 1920, were out of work at the end of the year.

Our Government in its report advises us—and this condition certainly is alarming—that in February, 1921, there were 1 per cent more people out of work than in January; in March, 1921, there was an additional increase of 1½ per cent over that of February. In Ohio alone, 50 per cent of those who were working in January, 1920, were out of work in January, 1921. Between 1820 and 1920 more than 33,000,000 immigrants came to this country. For a period of nine years prior to the war they came at a rate of a million a year, and the estimated number for the fiscal year of June 30, 1921, is 750,000. As this number increases so will the number of unemployed with its harmful results. Because we have no homes for those who are seeking to come to our shores, because we have passed the point of assimilation, and for the protection of the American citizen, and particularly those out of work, I urge that the new Members of this House support the bill. [Applause.]

Mr. SIEGEL, Mr. VOLK, and Mr. WARD of North Carolina rose.

Mr. SABATH. Mr. Chairman, the gentleman from North Carolina desires recognition in opposition to the amendment of the gentleman from Ohio.

Mr. SIEGEL. I did not know that any amendment was offered by the gentleman from Ohio.

The CHAIRMAN. The gentleman was recognized and spoke in favor of the committee amendment. The Chair will now recognize the gentleman from North Carolina [Mr. WARD] in opposition to the amendment, unless there is some member of the committee who wishes to speak.

Mr. WARD of North Carolina. Mr. Chairman, that this bill is unsound in economics, unsubstantial and delusive in its political forecast, and un-American in the whole warp and woof of its construction is to me as certain as that I live to-day. Recognizing the patriotism of its promoters here as equal to my own, I have substantial cause to fear that it originated in the worst feature of the spirit of modern labor unionism, which seeks to stifle every breath of legitimate competition necessary to the freedom, the health, and vitality of the American economic life. It prescribes an unconditional and arbitrary limitation upon immigration to this country, and that within most narrow limits, from any and all the countries of the British Empire and continental Europe, notwithstanding it was from many of them that came the sterling stock of original settlers that sought our shores to escape the tyranny of their native land in those not far-distant days when the fires of political liberty first kindled on the altars of Christian civilization. Whether descendants of the cavaliers that rode with Rupert or the offspring and kindred of the humbler type of emigrant that, seeking these shores to escape the tyranny of his native land, huddled themselves in the dark and incommodious cabin of the *Mayflower*, braved and bore the dangers of the wild Atlantic, landed on the barren, desolate sands at Jamestown, drove the Indian from his lazy wigwam and idle hunting ground, broke his tomahawk and bow and scalping knife, hewed down the primeval forest, built his home in its remotest depths, erected his altar for religious devotion, and with his Bible, sword, ax, plow, and pruning hook began the work that made this continent the happiest and the holiest spot on all this earth. The kindred and descendant of John Wesley, of Roger Williams, of John Bunyan, of John Knox, and William Penn is alike excluded. The heir of the inherited conception of religion and government that has broken the shackles of slavery and created the very system of civil laws which American courts proclaim to-day is as much under the ban of this bill as is the wild and weird nomad of the desert. It ought not to be so. It is not necessary that it should be so. It is not American that it should be so. Nobody can be less willing to turn the unclean and untutored hordes from the dark places of the earth, with their "chapped hands, greasy nightcaps, and stinking breath" upon our shores to mingle and amalgamate with our population than I am. But a wise immigration policy will not make it so. There is a clean and honest type of labor over there that yearns for the privilege and profit of the plow and hoe and sickle of the southern and western fields now groaning under the burden of costly and inefficient labor. Besides that, there is the home, the American kitchen, if you please, numbered by their thousands and their tens of thousands, where the American housewife, of delicate texture, is crushed under the load of tubs and pots, her beautiful classic brow all "furrowed with care," her little ones tugging at her skirts unkempt and untrained, all because the American servant of former days has gone out in pursuit of the rewards of American industry, to mix

in its struggles and bustles and rush on with the great current of fashion and luxury of American social life. [Applause.] In my district, of 5,468 square miles, I can place 100,000 laborers. Its broad and fertile fields are left untilled for want of labor. Its cotton whitens the ground in winter. Its hedges encroach on the fields. Its ditches hold back the floods. Its great swamps, where modern drainage systems hold out such marvelous opportunities; swamps, Mr. Chairman, which, cut down and drained, will in a single summer produce a growth of corn that if you put a buzzard in the midst of it in August he could not get out without walking to the end of the rows, and yet they are the homes of owls and bats and bears, not for the want of capital, for capital is seeking after them from afar—from north and west, even as far as great and rich Iowa, especially from Ohio and Illinois—but all because the labor to clear and drain and cultivate them is unavailable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman may have three additional minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from North Carolina may have three additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WARD of North Carolina. Our mills are shutting down, not from exhaustion of timber, but from the cost of labor. And then tell me that walls should be erected between these homes and fields and mills and the thousands of willing hands and hungry stomachs that seek so much to share in opportunities which these conditions invite? I enter a heartfelt protest against it, sir. You say they come with un-American ideas and endanger our institutions and our domestic peace and safety. No, sir! Such dangers are confined to congested cities. It is easy enough to avoid this. It is easy enough to scatter them over the broad acres that lie to the south and west.

Move your ports of entrance, establish them along the coast nearer to the fields. These immigrants can not go far ashore when they land here. They do not want to. Their money is exhausted. Their food is eaten up. No wonder they huddle on the East Side and the dark and anarchy-reeking recesses of New York, when you bring them there and put them down.

Carry them to Norfolk, Wilmington, and Charleston and lead them out a few blocks from the dock and the smiling fields and pastures will be opened up to them.

Mr. JOHNSON of Washington. Will the gentleman yield? I find here that the employment in the Southern States is 100,000——

Mr. WARD of North Carolina. I can not yield.

I protest here and now that the policy of this bill is as unwise and uneconomic as that of Japan before Commodore Perry opened up her ports to the world.

Mr. SIEGEL. Will the gentleman yield?

Mr. WARD of North Carolina. I can not yield just now, as my time is so limited.

Mr. Chairman, if I had the power, I would defeat this bill. I denounce its policy. I deplore its consequences. Behold the immigration policy, the unutterable national stupidity that can not or will not discriminate between the gentleman of English, French, and German culture on the one hand, and the bashi-bazouk, with his traditions of murder, plunder, and assassination on the other. In my humble judgment, such is the proper characterization of the pending bill. [Applause.]

Mr. VOLK. Mr. Chairman, I offer a substitute to the committee amendment.

The CHAIRMAN. The gentleman offers a substitute to the committee amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. VOLK, as a substitute for the committee amendment: Page 5, line 24, after the word "shall," strike out up to and including line 1, on page 6, and insert the word "not."

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order it is not a substitute but rather an amendment. It is an amendment to the committee amendment.

The CHAIRMAN. The point of order made by the gentleman from Washington is well taken. The Chair sustains the point of order.

Mr. VOLK. I believe that the purpose of the amendment or substitute just offered——

The CHAIRMAN. For what purpose does the gentleman from New York rise?

Mr. VOLK. On the point of order.

The CHAIRMAN. The Chair has already ruled on the point of order.

Mr. VOLK. I ask that my substitute be called an amendment to the amendment of the committee.

The CHAIRMAN. The gentleman from New York [Mr. VOLK] now offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLK to the committee amendment: On page 5, line 24, after the word "shall," strike out up to and including line 1, on page 6, and insert in lieu thereof the word "not."

Mr. VOLK. Mr. Chairman, the purpose of the amendment——

Mr. SANDERS of Indiana. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Indiana?

Mr. VOLK. For a moment.

Mr. SANDERS of Indiana. I would like to have the gentleman yield in order that we may have the language read as it would read if amended by his proposed amendment.

The CHAIRMAN. Does the gentleman yield for that purpose?

Mr. VOLK. I do.

The CHAIRMAN. Without objection, the Clerk will report the item as it would read if amended.

The Clerk read as follows:

But aliens included in this proviso who enter the United States before such maximum number shall have entered shall not be counted in reckoning the percentage limits provided in this act.

Mr. VOLK. Mr. Chairman, the purpose of offering this amendment is because of what appears to me a defect in this section of the bill. The bill provides that aliens who are actors or lecturers, singers, and so forth, who apply after the quota of 3 per cent has been exhausted shall not be counted. But if they happen to apply during the time that this 3 per cent is making application, they are counted. So that a lecturer, or an actor, or a singer who comes over here for a temporary period would eliminate from the count some honest immigrant who tries to come into this country. In other words, it is an injustice, because everything depends upon the time within which the application is made, and I believe it would be no more than fair that, if they are not counted after the quota is exhausted, they should not be counted during the time the quota is being lessened. And that is the purpose of the amendment.

Mr. VAILE. Will the gentleman yield?

Mr. VOLK. I yield.

Mr. VAILE. I think the gentleman is under a misapprehension. The provision in regard to actors, artists, lecturers, and so forth, was intended to apply to those who come in permanently. If they come in for a temporary stay they come in under subdivision (5), on page 3, and are not counted at all. It includes aliens visiting the United States as tourists or temporarily for business or pleasure. Does not the actor or artist or lecturer who comes here for six months come here temporarily for business?

Mr. VOLK. Then, may I ask the gentleman whether or not there is any particular reason for exempting artists, actors, lecturers, or singers who might come to this country under the provisions of this bill?

Mr. JOHNSON of Washington. Only to make the provisions of the bill a little more liberal. For example, a nurse coming in with any of the other classes is counted as long as there is left anything in the quota to count. After that these particular classes are admitted, but not counted. That is all there is to it. If the gentleman's amendment prevailed, it would be necessary, then, to strike out these classifications entirely.

Mr. VOLK. No; I can not agree with the gentleman from Washington, because if there is no reason for counting these particular classes after the quota is exhausted and if there is no reason for excluding them from the country, then there is no reason for counting them when the quota is being chosen. I believe the same rule should apply. If they are not counted after the quota is exhausted, they should not be counted before, and the immigrant should receive preference and be allowed to come in.

Mr. VAILE. If the gentleman wants the same rule to prevail, then they could not be admitted after the quota is reached at all. We let in those who visit the United States temporarily for business or pleasure without being counted, as the chairman of the committee states. Now, as to these professional classes, they ought to be counted, it seems to me, and if they are professional actors they are counted up to 3 per cent, and after that, in order to make the bill more liberal, we exclude them from the count. It makes the bill more liberal.

Mr. VOLK. Is there any reason why you excluded students from this list?

Mr. VAILE. You might add almost any other class who on the same theory might be admitted.

Mr. VOLK. Students are not admitted under this bill, but they were when the bill was introduced into the last House.

Mr. VAILE. Well, you can not make the bill too liberal without entirely destroying the bill. We thought we were particularly liberal on this.

The CHAIRMAN. The Chair wishes to state to the committee that he was under a misapprehension as to the scope of the amendment when it was originally offered. The Chair was under the impression that the gentleman from New York [Mr. VOLK] sought to strike out to line 6. The Chair wishes to ask unanimous consent of the committee to withdraw that decision, with the statement that the amendment of the gentleman is in the nature of a substitute and is in order as a substitute. If there is no objection the former decision will be withdrawn, and the amendment will be considered as a substitute.

There was no objection.

The CHAIRMAN. The gentleman from New York does not designate which "shall" in line 24 it should follow. I assume it is the second "shall."

Mr. VOLK. Yes; it is the second "shall."

The CHAIRMAN. The amendment will be corrected accordingly. The question is on agreeing to the substitute.

The question was taken, and the substitute was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. FISH rose.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. SIEGEL], a member of the committee, to offer an amendment. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 2, line 20, strike out "1910" and insert "1920."

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. SIEGEL. Mr. Chairman, the only argument that has been advanced in favor of the 1910 census has been that the 1920 census would not be available. Yesterday I put into the CONGRESSIONAL RECORD and had read here the 1920 statistics for eight States. I hold in my hand, delivered to me this morning, further statistics of nine additional States, including Massachusetts, New Hampshire, Rhode Island, Vermont, California, Colorado, Connecticut, Idaho, and Maine. By to-morrow morning there will be made public the figures of at least eight additional States, and by Saturday the entire foreign-born population of the United States, taken according to the census of 1920, will be known.

The Director of the Census told me here in this Hall a few minutes before 12 o'clock to-day that the entire census figures would be ready not later than Saturday morning. I insert here the figures which I received to-day:

	California.	Colorado.	Connecticut.	Idaho.	Maine.
Portugal	24,517	34	1,200	39	143
Spain	11,121	296	1,233	1,416	32
Italy	88,503	12,579	80,322	1,323	2,799
Greece	10,307	1,802	3,851	716	1,228
Bulgaria	271	349	33	39	5
Rumania	2,403	394	1,202	104	66
Turkey, Europe	264	12	69	5	66
Other Europe	654	54	285	48	413
Asia	8,982	468	3,123	108	862
Africa	708	53	79	44	15
Australia	3,994	112	102	57	23
Canada, French	2,306	418	14,769	476	35,599
Canada, other	57,260	7,203	9,862	4,478	38,492
Newfoundland	336	39	336	59	215
Cuba and other West Indies [1]	751	91	312	10	80
Mexico	86,638	10,894	42	1,125	9
Central America	1,492	5	12		1
South America	2,381	178	286	24	16
Atlantic Islands	8,892	8	219	23	10
Pacific Islands	1,656	39	36	72	4
At sea	373	63	73	27	40
Country not specified	138	22	205	41	12

[1] Except Porto Rico.

	Massachusetts.	New Hampshire.	Rhode Island.	Vermont.
Total foreign-born white	1,077,072	91,154	173,366	44,499
England	86,840	4,363	25,755	2,194
Scotland	28,473	1,818	5,694	1,851
Wales	1,376	70	245	547
Ireland	182,818	7,880	22,209	2,880
Norway	5,490	427	545	107
Sweden	38,016	1,886	6,537	1,121
Denmark	3,617	203	367	154
Belgium	2,493	478	968	15
France (including Alsace-Lorraine)	7,114	288	1,971	197
Luxemburg	33	5	14	2
Netherlands	2,063	177	138	32
Switzerland	1,368	72	210	187
Germany	22,106	1,716	3,127	629
Poland	69,135	3,997	8,155	1,725
Austria	8,085	389	1,289	283
Hungary	1,391	66	176	263
Czechoslovakia	2,207	58	265	103
Jugo-Slavia	950	149	146	36
Ruthenia	33	16	2	6
Russia	91,711	3,466	8,051	1,327
Finland	14,555	1,558	326	476
Lithuania	20,784	1,016	795	67

Now, whether it will increase or decrease the number of immigrants which will be permitted to come from any particular country makes no difference, but the point which is involved is that, having taken a census in 1920, that particular census should be used; otherwise we need not have taken any census at all. [Applause.]

I might at this time, Mr. Chairman, read one of the editorials which appeared in this morning's New York newspapers in reference to the entire bill, and particularly in regard to the census proposition. Under the title, "Immigration makeshifts," I read from the New York World of this morning:

IMMIGRATION MAKESHIFTS.

To the emphatic desire of the administration, voiced by the Secretary Hughes, for an immigration law to bar undesirables majority leaders are responding by again putting forward in Congress the plan to restrict admission to 3 per cent of nationals resident here in 1910.

That plan would be grossly unfair and impolitic and would not bar undesirables. On the 1913 figures it would shut out thousands of French, Swiss, Dutch, Spanish, and Portuguese, however intelligent and industrious. It would admit all the British, Germans, and Scandinavians likely to apply; but it would bar more than 200,000 Italians, and a greater number of Russians, though as to these the question is presently academic.

The 3 per cent rule would, in a word, be grossly unfair to all the newer elements in immigration while neglecting the means of barring undesirables among the older immigrant races. It would bar industry and integrity by wholesale while paying no attention to the real needs of the situation. It would not solve but dodge the immigration problem. It would be even more futile and unjust than the illiteracy test.

We have never had a wise and just immigration policy. It was desirable before the war; as Mr. Hughes shows, it is imperative now. The way to get it is to expend thought on the subject, instead of lazily passing a makeshift, which will give just offense to many friendly peoples by its arbitrary discriminations, close the haven of refuge America has been to the oppressed, and, as the minority of the House committee says, "create the most terrible hardships in the United States" among those already here whose relatives are forbidden to join them.

At this point I may say that Secretary Hughes did not agree, request, ask, or urge the adoption of a restrictive immigration bill at this time, and yesterday afternoon he issued a statement to the press to that effect. I insert this dispatch from this morning's New York World:

HUGHES MADE NO ATTACK ON TYPE OF IMMIGRANTS—MERELY QUOTED CONSUL'S REPORT ON "ARMENIANS, JEWS, PERSIANS, AND RUSSIANS."

WASHINGTON, *April 20.*

A formal statement issued to-day by the State Department said Secretary Hughes "did not make and did not intend to make any recommendations whatever regarding immigration" in transmitting to Congress reports from American Government agents abroad dealing with the movement of emigrants to the United States.

It was stated in an Associated Press dispatch last night that Mr. Hughes made such a recommendation, and he also was quoted as saying "Our restriction on immigration should be so rigid that it would be impossible for most of these people to enter the United States," reference being made especially to Armenians, Jews, Persians, and Russians. As a matter of fact that quotation appeared in a paraphrase of a report from the American consul at Tiflis.

The immigration restriction bill drew sharp fire to-day in the House, especially from Members from New York, and was as vigorously urged by Chairman JOHNSON, of the Immigration Committee, and other Representatives, who declared legislation to keep out undesirable immigrants necessary at this time. Debate will be resumed to-morrow with a vote expected before adjournment.

Among those leading the fight on the measure were Representatives COCKRAN, Democrat; SIEGEL, Republican; CHANDLER, Republican, and LONDON, Socialist, of New York.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RAKER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California is recognized.

Mr. RAKER. I think it would be fair to say that it would be wholly immaterial what kind or character of a restriction bill were presented to the committee. My friend on the committee who has just taken his seat [Mr. SIEGEL] would be opposed to it.

He opposed the restriction plan that passed the House last December. He is opposed to the present bill, and now he wants to change the enumeration upon which we can act from the census of 1910 to that of 1920, which we do not have.

Mr. SIEGEL. Mr. Chairman, will not the gentleman yield right there?

The CHAIRMAN. Does the gentleman yield?

Mr. RAKER. I hope the gentleman will not interrupt me.

The CHAIRMAN. The gentleman declines to yield.

Mr. RAKER. Well, I will yield for a question.

Mr. SIEGEL. Does the gentleman believe that the census of 1920 will be ready this week? Seventeen States' figures are out now, and eight more will be out to-morrow morning, and the balance before to-morrow night. Does the gentleman believe that the figures of 1920 census should not be used? Which is it?

Mr. RAKER. I will answer the gentleman's question. They are not out——

Mr. SIEGEL. They are out——

Mr. RAKER. And therefore you can not act on them. The bill, if it passes the House, will pass the Senate and go to the President and be signed, and will become operative on the 10th of May, as it ought to do.

Now, they want to leave the bill in a hazy condition, so that no one can act upon it. There is no question about that. The gentleman admits that it would make no difference whether it be the 1910 census or the 1920 census, and he must admit that he is unable to figure out what difference it makes to any nationality.

Mr. TOWNER. Will the gentleman yield?

Mr. RAKER. I yield to the gentleman from Iowa.

Mr. TOWNER. The gentleman will understand that the census of 1920 has been taken.

Mr. RAKER. That is true.

Mr. TOWNER. And the only thing that is lacking is the announcement of the figures of that census. The gentleman from New York [Mr. SIEGEL] declares that the final announcement will be made at the latest by Saturday of this week. Does not that meet the gentleman's suggestion?

Mr. RAKER. No; I do not think so. There is no object in it. This is definite. The bill should go through. The gentleman from New York is opposed to it, and he wants to make some statement that it might be better if we had the 1920 census, but he is unable to present one idea in support of his claim. He was unable to do so when the committee were considering it, and he is unable to do so here, as to why there should be a change from the 1910 census to the 1920 census; but it is confusion that is desired. I say that in all good faith and with due respect to my friend. He just feels as though there should not be any restriction, although he must admit, and all who go into the subject must admit, that there is a necessity and that we ought to pass legislation of this character.

Mr. SIEGEL. The gentleman a moment ago said I did not offer an amendment in the committee making it the 1920 census.

Mr. RAKER. No; I did not say that.

Mr. SIEGEL. The gentleman knows very well that I did offer such an amendment, and I did state in the committee that the figures would be ready this week.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order that gentlemen are undertaking to discuss matters that occurred in the committee.

Mr. RAKER. I did not state that the gentleman did not offer his amendment in the committee. I said he did not give any reason in support of it.

The CHAIRMAN. The gentleman from Washington makes the point of order that it is not proper to state what occurred in the committee. The point of order is sustained.

Mr. SIEGEL. I did not state it until the gentleman from California opened the doors.

Mr. RAKER. My statement was that there was no reason given to the committee in support of that amendment, and there is none given now, and none can be.

Mr. SIEGEL. I ask that the time of the gentleman from California be extended five minutes.

The CHAIRMAN. The time of the gentleman had not expired, and the gentleman from New York can not take the gentleman from California off the floor.

Mr. SIEGEL. If the gentleman from California will yield for that purpose, I will ask that his time be extended.

Mr. JOHNSON of Washington. I shall object to any further extension.

Mr. RAKER. Has my time expired?

The CHAIRMAN. No; the gentleman has half a minute.

Mr. RAKER. I should like two minutes beyond my time.

The CHAIRMAN. The gentleman from California asks unanimous consent that when his time expires it be extended two minutes. Is there objection?

There was no objection.

Mr. RAKER. Now I yield to the gentleman from New York.

Mr. SIEGEL. Does not the gentleman admit that since 1910 there have come to this country people from small countries like Serbia, and that unless you take into account the figures of the census of 1920, practically no people can come into this country from Serbia? Under the census of 1910, 139 people can come into the United States from Serbia, and under the census of 1920 the number would be about doubled.

Mr. RAKER. All the countries that were recognized by the census of 1910 show their population here according to that census, and those countries that have been changed since then by virtue of the war, those formed out of Austria and other countries that have been changed, like Poland, will have an enumeration by the three secretaries named in this bill, so that every country of that kind will have an enumeration by the three secretaries, and every one will have an opportunity to send to this country the 3 per cent designated in this bill. Now, the gentleman is unable to state, because he can not figure it from the census, but his hope is that there would be a larger number come in under the 1920 census than by using the 1910 census.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SABATH. Mr. Chairman, I move to strike out the last word. My colleague from California [Mr. RAKER] states that the gentleman from New York [Mr. SIEGEL] has not given him any reason for this amendment. To my mind, I think he has, and others have given many good and sufficient reasons why this amendment should be adopted. But, in addition to the reasons that have been given heretofore, I desire, for the information of the House, to give an additional reason that has not yet been assigned.

The provision of the bill states that—

> For the purposes of this act nationality shall be determined by country of birth, treating as separate countries the colonies or dependencies for which separate enumeration was made in the United States census of 1910.

Now, a separate classification or enumeration was provided for in the census of 1910, but it was not made as contemplated and directed by the House. The House in 1909 instructed the Director of the Census to make these classifications, but the director stated that a portion of his classifications had already been made, and that he could not comply completely with the resolution of the House. For that reason we never did have a complete classification of nationalities in the 1910 census, but we have it in the 1920 census; and if there were no other reason—and there are many others—in justice to ourselves and to the people who are here and to the people against whom we are legislating, I believe this amendment should be adopted.

As has been stated by the gentleman from New York [Mr. SIEGEL], if the 1910 census is adopted it will discriminate against the people who are most entitled to our consideration. It will discriminate against the people of the small nations and Republics that have been created since the war. It will discriminate against immigration from the Balkan States and it will discriminate against Slav immigration, which was demonstrated beyond any doubt during the trying days of the World War. The figures have been given you as to Serbia; and if I had the time I could show how it will discriminate against the other nationalities.

Mr. McKENZIE. Will the gentleman yield?

Mr. SABATH. I will.

Mr. McKENZIE. Will the gentleman state whether or not the amendment offered by the gentleman from New York [Mr. SIEGEL] would liberalize this legislation and permit a larger number of aliens to come into the country?

Mr. SABATH. It will in a measure. I do not think that it will permit more than 15,000 or 20,000 of those immigrants from the small nations, the Balkan States, to come in if the 1920 census is adopted.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. SABATH. Certainly.

Mr. NEWTON of Minnesota. Has the gentleman any figures to show how many might come in from old Russia under the 1920 census? I note that 51,000 can come in under the 1910 census.

Mr. SABATH. That would be from the entire former Russian Empire?

Mr. NEWTON of Minnesota. Yes.

Mr. SABATH. The gentleman knows that Russia has been subdivided—that five different republics now comprise that

country. A certain part of Russia is now a part of Poland; a former part of Russia now includes the independent States of Lithuania, Esthonia, Letvia, and Ukrainia.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I ask, Mr. Chairman, that the gentleman's time be extended three minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NEWTON of Minnesota. Can the gentleman tell how many would come in under the 1920 census from Russia as it is now?

Mr. SABATH. Hardly none. Russia has not been recognized by this Government, and therefore no passports are being issued over there and none are being viséed. Consequently there is hardly any immigration from Russia, and I hardly believe that there will be in the coming year, but it matters not how many could come if the amendment was adopted. They can not come until the country is recognized by our Government. This country desires to be fair and just and not discriminate against people who have demonstrated their worth. Now, I say that the difference amounts to not more than 20,000, and I believe that later on during the day some gentleman will offer an amendment which will preclude the coming over from any one country of more than a certain number. I myself have no objection to that amendment. I believe that the fears the gentleman and others entertain will be eliminated. I think the discrimination is manifestly unfair. There are also other matters that should be taken into consideration.

I believe in fair treatment to all, and believe it manifestly unfair to discriminate against the newer immigration, as this bill contemplates. That it does discriminate can not be denied by the gentleman from Washington [Mr. JOHNSON] or any other Member who has studied its provisions. The adoption of the 1910 census in lieu of the 1920 census was done deliberately to give advantage to the so-called older immigration as against the new immigration, which, to my mind, is inexcusable, unwarranted, and unjustifiable.

Mr. BOX. Mr. Chairman and gentlemen of the committee, among others, two reasons present themselves why those who favor this legislation should vote against the amendment proposed by the gentleman from New York [Mr. SIEGEL] and why those who are opposed to the legislation will vote for the amendment. The first is in the fact that the 1920 census will admit a larger number of aliens. The second is that a study of the immigration problem has disclosed the fact that during the last 20 or 30 years the older and steadier type of our immigration has been relatively small. The number of the older and better immigrants coming has been relatively much smaller during the last 10 years, and the number from southern Europe, Italy, and Russia much greater, which will be reflected in the 1920 census. The making of the 1910 census the basis will give us more of the better and less of the less desirable immigration than if it were based on the census of 1920. The reasons presented by the great immigration commission, which some years ago spent hundreds of thousands of dollars in investigation and study of this great question, present conclusive reasons why we should encourage the coming in of the class which has been extolled so highly as an element which has contributed so much to our life and why it should discourage that which comes from Russia and southern Europe. These people do not go to the farm, do not distribute themselves throughout the country, but collect and congest in cities and other places where they have less opportunity to become producers, home owners, and good Americans. I hope the amendment will not be adopted. [Applause.]

Mr. TOWNER. Mr. Chairman, there is, of course, no question in the mind of any member of the committee that if it had been supposed that the 1920 census would have been available, that the figures 1910 would not have been inserted in the bill. Now, we are informed by the gentleman from New York [Mr. SIEGEL] that the 1920 figures will be available. Of course, the statement in the bill is made on the fact of the census being taken, not on the announcement of the results of the census. But we are informed that we shall have the results of the census by Saturday of this week. Therefore there can be no possible objection, it seems to me, why the figures of 1920 should not be inserted in lieu of 1910. Let me suggest to the gentleman, further, that if that should be done it will be necessary for him also to change the figures 1910 to 1920 on the fourth page of the bill.

Now, it seems to me that this is only fair. I confess that I have very grave doubts in my own mind as to the practicability of this method of limiting immigration. There are a good many conditions and circumstances that will result in complicating this percentage law and which may not prove very satisfactory. For instance, 3 per cent of any one country only can be admitted, and the 3 per cent will be those who first apply, and then afterwards all other applicants, no matter what their claims for consideration may be, will be excluded. It is doubtful in my mind whether or not this will be a practical method of solving the immigration problem. As gentlemen all understand, this is not the method of the House, it is the method of the Senate. However, I am in favor of a trial of this proposition and I shall support this bill. I am in favor of its application now, because we have an exceptional opportunity for trying this method as an experiment.

This is a temporary measure; it is limited in the time of its operation. When that time has expired we shall then know how practically this legislation operates. If it proves a success, if it shall prove satisfactory to the country, then of course we all will be glad that this tremendous problem has been solved, as far as the principle is concerned, and that thereafter it will only be necessary for us to make application of that principle in our legislation, either to increase or diminish the percentage. Therefore, while I am in favor of this bill and shall support it, I am perfectly willing, and, indeed, I think it is only fair, that this amendment which is offered, which ought to appeal, it seems to me, to the fair judgment of all Members of the House, should be likewise adopted.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TOWNER. Yes.

Mr. GRAHAM of Illinois. Why does the gentleman prefer 1920 in preference to 1910?

Mr. TOWNER. Simply because of this fact. The gentleman, I think, would not have gone back to 1910 if the results of the 1920 census had been available when the bill was drawn. There is no more reason for going back to 1910 than to 1900, or any other decennial period. It is supposed in this law that its application shall be based on the census as it is changed from time to time, as the results are announced from time to time. That is only fair. I can not determine in my own mind that it would change the situation materially. It is probable that it would not very much change it, because we have not had a large immigration during the period of the war. We have sent home to some countries more than they have sent to us, so that I think that there will not be a great deal of change in any event.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman may have half a minute more in order that I may ask him a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, is it not just merely whether we want a big 3 per cent or a small 3 per cent, with respect to this amendment?

Mr. TOWNER. As I just said to the gentleman, I think the difference would be very small, but as this percentage is based on a census it is only fair that it should be based on the census last taken.

The CHAIRMAN. The time of the gentleman from Iowa has expired. The question now is on agreeing to the amendment.

Mr. HUDSPETH. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. The gentleman states that the figures of 1910 have been used in the calculations and this is a 14 months emergency bill. The figures of 1910 are available and can be used. I ask for a vote.

Mr. VARE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. VARE. Is not the purpose in having this census taken to give the House the most recent information?

Mr. JOHNSON of Washington. Yes.

Mr. VARE. Is it not always customary in legislation of a similar character to use the most recent census?

Mr. JOHNSON of Washington. Yes. But here is a great moving population of central Europe, and comparatively heavy immigration came to this country from those countries until a

few years ago, and until we can see where some of that European population is going to light, I think we would better stick to the 1910 census.

Mr. VARE. The committee has not given any figures that justify that statement.

Mr. JOHNSON of Washington. Oh, yes.

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. VAILE. I suggest that 1910 is a standard, and as I understand it the figures in 1910 were selected because of certain changes which that census already presents. We might just as well have selected 1790 or any other date that seemed appropriate to determine the number who might come. It is not the purpose to furnish the latest information, but the purpose is to select a date at which the population was so and so and to take 3 per cent of that population.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. SANDERS of Indiana. In the census of 1910 upon which the calculation has been made you have reached a definite number of persons that can come in and you have that in the report.

Mr. JOHNSON of Washington. Yes.

Mr. SANDERS of Indiana. So that when the committee or the House votes on the measure it will know to a certainty what number of persons may be permitted to come in from any one country.

Mr. JOHNSON of Washington. Yes.

Mr. SANDERS of Indiana. The gentleman from New York [Mr. SIEGEL] has information from the Census Bureau about the 1920 census, but has the information been stated in any report or in the RECORD as to the exact number of persons that would come in from each new nation, particularly the little ones?

Mr. JOHNSON of Washington. No. I ask for a vote.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIEGEL. Under the 1910 census we can not tell what number of people came in from Poland. Under the 1920 census we can. I put the population figures of eight States in the CONGRESSIONAL RECORD yesterday and of eight more to-day. They give you these small nationalities according to 1920 census, and all we have to do is on Saturday figure up the 3 per cent. That is the fairest method and the only right method if we want to be fair and square with the country and with the people who came from those countries who are now desirous of bringing in their next of kin. You can not do that under the 1910 census, and you can not tell me to-day how many people can come here from Poland. You are simply guessing and surmising and getting into a nebulous state of mind, in order to help people try to make their own deductions, which can not be done from the report of the committee. Not one Member in favor of the 1910 census can give us the information.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. SIEGEL), there were—ayes 25, noes 72.

So the amendment was rejected.

Mr. FISH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 4, line 3, add the following: "(11) Wives, fiancées, parents, sisters, and brothers of ex-service men holding an honorable discharge from the United States Army, Navy, and Marine Corps, who are eligible to citizenship and who served in the United States military or naval forces between April 6, 1917, and November 11, 1918."

Mr. FISH. Mr. Chairman, the purpose of this amendment is to exclude from the 3 per cent limitation the wives, fiancées, the parents, the sisters, and the brothers of ex-service men, particularly of our naturalized and alien ex-service men.

There is no class of ex-service men more deserving of appreciation from this House than those men who served shoulder to shoulder with native-born Americans in the late war. It seems hardly necessary that I should come before the membership of this House and plead with you for a right which is almost inherent by the very act of their serving in our Army in time of war. These men were told by our President when they went out that they were fighting for liberty, justice, and democracy, and now when their families want to come to this country they are excluded unless they come in under the 3 per cent rule. They are excluded from enjoying the privileges of liberty, justice, and democracy which their relatives fought for. Consider, if you will, the record of our alien and naturalized service men. Consider the make-up of the Seventy-seventh New York Division, composed largely of men of Italian and Jewish origin. The record of those men is written in letters of blood upon the annals of that famous division. We had also from New York State the famous Sixty-ninth Regiment, composed of men of Irish abstraction. Every single division had men of Italian origin, Irish descent, Polish abstraction, and even men of German birth. Alien and naturalized citizens gave up their lives on the fields of battle in defense of our country, and they are just as entitled to bring their families into this country as any other service man. It is inconceivable to me, but I am told by good authority that this amendment will be objected to. It is inconceivable to me that any Member of this House who professes to be a friend of the soldier will oppose this amendment.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. FISH. I will yield.

Mr. JOHNSON of Washington. Has the gentleman made any estimate as to the number of persons who might be admitted under this amendment?

Mr. FISH. I have made no estimate whatsoever. It would be very difficult to decide just exactly how many people would apply. Probably 10 per cent of our Army was comprised of naturalized citizens and aliens who were not naturalized.

Mr. SIEGEL. More than that.

Mr. FISH. That would mean about 500,000, and it would be impossible to estimate how many of those men have relatives in Europe who desire to come into this country. This amendment does not go far enough. I would be willing to send a battleship, to send American transports, to the other side to bring those people here if they wanted to come. [Applause.]

Mr. JOHNSON of Washington. Let us see, if we can, just how far the proposed amendment goes. It provides those holding honorable discharges in the United States Army, Navy, and Marine Corps, who are eligible to citizenship and who served in the United States military or naval forces between April 6, 1917, and September 11, 1918, may send or bring in wives, fiancées, parents, sisters, or brothers. Now, that means all who served in the Army, including about 400,000 who were not citizens, and it includes, of course, many who were naturalized citizens, who might have relatives or fiancées abroad, and who might want to bring them in, outside or over and above the 3 per cent to be admitted.

Mr. FISH. That is it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISH. I ask unanimous consent to have five minutes additional.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. All right; but what was the size of our Army?

Mr. FISH. We had an Army and Navy of 4,800,000.

Mr. JOHNSON of Washington. We will say 4,500,000 men, say. Now, then, if 10 per cent of that great number sent for their relatives and fiancées, or 450,000, and our 3 per cent estimate is 355,000, while the exemptions may run to 100,000 or 150,000, or in all 955,000, perhaps 1,000,000, which would make this no restriction bill at all. And the brothers and sisters would have wives and husbands and children to bring.

Mr. LAYTON. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New York yield?

Mr. FISH. I will yield.

Mr. LAYTON. Suppose that the American people had fallen down to such a pitch of patriotism that in the case of a great war the entire national force fighting for the independence and the safety of this country were composed of aliens, I would be in favor of bringing in the relatives of every one of them. [Applause.]

Mr. JOHNSON of Washington. In that case, would it not be necessary to limit all immigration to certain lines of relatives of those who fought in the Army?

Mr. LAYTON. The point is that if the United States itself had failed to such an extent that we had to depend for our safety upon foreign blood, why then let us have more foreign blood.

Mr. VAILE. But the point is, the Nation has not yet failed to that extent.

Mr. LAYTON. Yes; that is the point.

Mr. MACGREGOR. Will the gentleman yield?

Mr. FISH. I do.

Mr. MACGREGOR. Why discriminate in favor of those who are eligible to citizenship?

Mr. FISH. The gentleman from New York asks, why discriminate against those who are eligible for citizenship. That

very amendment was put in my amendment at the request of the gentleman from California so as to take care of the Japanese situation. There were Japanese ex-service men.

Mr. MACGREGOR. The point is there are many other ex-service men who have become citizens who still have relatives on the other side.

Mr. FISH. They are all eligible, except Japanese.

Mr. GRAHAM of Illinois. What is the difference between the Japanese who fought for the flag and any other man?

Mr. FISH. There is none, in my opinion.

Mr. GRAHAM of Illinois. There is none in mine, either, as far as that is concerned.

Mr. LAYTON. If the gentleman will yield, I am sorry I am trespassing on the gentleman's time, but I apprehend if the gentleman's amendment is passed that they would have to prove conclusively the relationship?

Mr. FISH. Beyond any doubt.

Mr. JOHNSON of Washington. I ask the gentleman if as an ex-service man he thinks that the great rank and file of the men who made up the Army of the United States in the World War desire to put a provision in a restrictive bill that would turn right around and let any number into this country provided they belong to the relative line of the soldiers?

Mr. FISH. My answer to the gentleman is this: Speaking night before last before the George Washington Post of the American Legion in Washington, the largest post in this city and the first post established in the American Legion, they passed a resolution there, some 400 members being present, unanimously adopting such a provision.

Mr. JOHNSON of Washington. Did they make any calculation as to the number that might come in?

Mr. FISH. I do not believe that anybody can make any calculation that is reasonable as to that. I simply say that the relatives of our ex-service men are entitled to come in, and I for one am sick and tired of all this talk of what we are going to do for the ex-service men, and then not doing it when we get a chance. Everybody in this country claims he wants to help the ex-service men, and here is a particular class of them that are aliens and naturalized citizens, amounting to almost half a million, who gave their services loyally to their adopted country and who now ask nothing but the right to bring their own families into the adopted country for which they fought. Now you have a chance to vote in favor of these men, and I hope that Congress will pass this amendment. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISH. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. NEWTON of Minnesota. Proceeding upon the theory of the gentleman, why should the man of Japanese blood who fought for this country be discriminated against?

Mr. FISH. There is no reason in my mind why he should be discriminated against, except that there is an element in this House that would not stand for it. I want to see this amendment go through, and as a favor to those gentlemen I excluded the Japanese from my amendment.

Mr. ROSENBLOOM. Will the gentleman yield?

Mr. FISH. I must decline to yield.

We are talking a great deal in this country about Americanization, of teaching the principles of freedom, justice, and orderly democracy to our alien citizens. Now, if you want to do something besides talking, if you want to do something concrete that will make good American citizens out of those soldiers that fought for their adopted country, and make good citizens out of those of their families who will come here, pass this amendment. [Applause.]

Mr. SANDERS of Indiana. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROSENBLOOM. I ask that the time of the gentleman from New York be extended half a minute so that I may ask him a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROSENBLOOM. I notice the amendment does not mention the children of ex-service men, although that condition exists. Was that accidental?

Mr. FISH. It was accidental.

Mr. ROSENBLOOM. That is what I wanted to call the gentleman's attention to.

The CHAIRMAN. The gentleman from Indiana [Mr. SANDERS] is recognized in opposition to the amendment.

Mr. SANDERS of Indiana. Mr. Chairman, this amendment is one which naturally appeals to the sentiment of the membership of this House. The eloquent speech that was just delivered by the gentleman from New York [Mr. FISH], who preceded me, challenged the membership of the House on the question of whether they wanted to do the right thing by the men who served in our Army and Navy. A challenge like that need not be issued to the membership of this House. There is not a man serving here who does not desire to do the just thing by the men who served under our country's flag. [Applause.] And that patriotic desire on the part of the membership of the House is not confined to the men who served in the war that has just ended—and this amendment is limited to those men—but that desire goes out to all the men of the Civil War, of the Spanish-American War, and of the World War alike. But why is it that when we have a measure like this immigration measure some one needs to throw in an amendment which entirely overcomes the purpose of the measure, in order to seem to favor those who have served in the war? I am willing to go to any length in providing proper legislation to the men who served in the war, but, my friends, four and one-half millions of men served in the World War, and we have a greater duty to those men who served in that war than merely providing an amendment which on its face gives them some preference over other people. We have a duty to those men to provide the proper reconstruction legislation that will place this great country of ours upon a proper footing and take care of them and their families, and this measure helps in making that provision. We have men who served the Government in the late war who are out of employment. Now, is it more important that we shall, perchance, favor some one who served in the war by letting in a fiancée or relative from abroad than it is that we should provide the necessary restrictive immigration legislation, so that the men who served in the war may be able to get employment and so that bread lines may be shortened and prosperity may abound in this land?

We do not want to get shortsighted in this legislation. It occurs to me that many of the arguments that have been made against this bill have been shortsighted. Appeals have been made by the eminent gentleman from New York [Mr. FISH] in behalf of the relatives of the people who live within his district and within the city of New York who live in foreign lands, and he says that those people ought to have their relatives come over here and visit them. Of course, that is a matter of tender sentiment. I know that a mother who wants to see her son is entitled to consideration. I know that a son who wants to see his mother is entitled to consideration. But there are sons in California whose mothers are in the Middle States or in New England and who are unable now, and will be for many months, to go and see their mothers because of lack of work, because the economic conditions are such that it is impossible for them to do so. The economic conditions are such that it is impossible for them to do it. Now, this great measure is to help our economic situation here. This act provides——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent for an extension of time for five minutes.

The CHAIRMAN. The gentleman from Indiana asks for five minutes additional. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. This act provides that the people who shall come here from foreign lands for the purpose of engaging in business may come. The people that it shuts out are people who come here to engage in employment.

Is not that true? Of course, the distinguished gentleman from New York [Mr. SIEGEL] says the State of Texas can take care of the world, and he wants a great many of the Jewish people from abroad to come over here and go on the farms in the State of Texas. Of course, they do not do that. Many of these immigrants go into the larger cities and into our industries. They come over here for the purpose of working. But do not forget this, that when foreigners come over here and take places in the shops of this country, where millions of men are idle, they take places that otherwise would be filled by American citizens already here. [Applause.]

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. SIEGEL. Will the gentleman tell of a single American that he knows of that is engaged to-day in the large cities of the country in doing the tailoring of the country? By that I mean the manufacture of the garments that are worn by the people. Can he tell us of a single one? Tell us of a single one engaged in the fur trade. American boys will not do that line

of work. Men from the other side of the sea go into that line of work and work hard, and it is those men who supplied the uniforms and the clothing and the shoes for the Army when the war was on, and it ill becomes the gentleman at this moment, on reflection, to refer to them in that manner.

Mr. SANDERS of Indiana. If the gentleman seems to infer that I am casting any unfriendly reflection on anybody in this country, I wish to assure him he is mistaken.

Mr. SIEGEL. The gentleman evidently means to say what I understood him to say.

Mr. SANDERS of Indiana. I am not speaking in such a guarded way that no single individual or section in this country can possibly take offense, and I think the time has passed when we should guard every word that we say lest some one in our country or in some other country should take exception to what we say. The gentleman from New York seems to think that we have to import people over here to make our shoes and our clothes. He had better get out of the city of New York and go over to the State of Missouri and other States where he will find men engaged in making shoes and employed in other industries.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. SIEGEL. I will say to the gentleman that I spent months in going from one place to another in this country, even visiting the farming regions to get information, and tramping around among the farmers for a number of days in order to get information for this session.

Mr. SANDERS of Indiana. I congratulate the gentleman on the able investigation that he has made. [Laughter.] But I do not believe, with all the tramping he has done, that he is able to convince the membership of this House that we have to send to Germany or Austria or Russia or Poland or to any of these other foreign countries in order to get some one to come here to make shoes. [Applause.] Of course it may be true that there are people of foreign birth who are here engaged in making shoes. I am not attacking those people. We are not proposing here to deport anybody. But if the gentleman is so anxious to take care of those people from foreign lands who are already here and are engaged in all these industries, I suggest to him that when he brings somebody else over here to take a job they are liable to take a job away from some of his friends. [Laughter.]

Mr. ROSSDALE. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. ROSSDALE. I have been listening to the arguments on this general question involved in the amendment and my mind goes back to the days of the World War, to a poster that was displayed in my own city, in my district. The poster was designed by Howard Chandler Christy, a famous artist, and it read, "Americans All," and on it was shown a picture of a soldier and a marine and the American flag, and alongside of that picture were the names of men of Irish birth, of Jewish birth, of German birth, of Polish birth, of Greek birth, of Italian birth, and American names of men of purely English origin, and under them in large letters just two words, "Americans All" and "Enlist," and in truth it was an invitation to enlist. That poster was displayed all over my district, the twenty-third district, The Bronx.

Mr. SANDERS of Indiana. Well, what of it?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ROSSDALE. Mr. Chairman, I ask that the gentleman be given five minutes.

The CHAIRMAN. The gentleman from New York [Mr. ROSSDALE] asks unanimous consent that the gentleman from Indiana [Mr. SANDERS] be given five minutes more. Is there objection?

There was no objection.

Mr. SANDERS of Indiana. I continue to yield to the gentleman.

Mr. ROSSDALE. Now, by that poster, which was paid for out of the Treasury of the United States, these men of foreign birth in my district were asked to go in and fight for this country, and they did; and I venture the statement that as many men of foreign birth enlisted in the twenty-third district, my district, as enlisted from the district that the gentleman is speaking of, or from any other district in the United States, and I believe that those men who enlisted to fight for this country and who served so well are entitled to some consideration.

I believe that after they have served our country in the hour of need they should receive consideration at our hands, and that we should not stand up here and say "foreigners" when referring to them and their families.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from New York be allowed to put his question in full in the RECORD. [Laughter.]

Mr. SANDERS of Indiana. Let the question be finished as expeditiously as possible. The gentleman is making a fine speech. He is doing very fine. [Laughter.]

Mr. ROSSDALE. These men served this country faithfully. That is admitted. And are they entitled to consideration at our hands, and are they entitled to consideration at the hands of the American-born people in this country? After all, what is a foreigner? We are all foreigners only one or two or more generations back. Look over this House and you will find that the ancestors of its Members, back one or two or three or four generations, were foreigners. They have all made good Americans. That is proven by the fact that they are here. [Applause.]

Mr. SANDERS of Indiana. I thank the gentleman for supplementing my speech. [Laughter.]

As I was starting to say, I think we owe a great deal to those people of foreign origin who are in this country now and who served this country in our Army and Navy and fought under our flag. I think we owe them a great duty, and the first duty we owe them is to so frame our legislation as to give them an opportunity for prosperity and happiness, and I think one of the main things is to stop the great influx of immigration into this country. Now, we have this immigration law which provides, in accordance with the report of the minority, for 350,461 of them to come in in one year.

It seems to me that is pretty liberal; and we have a provision which seems to have been overlooked, as follows:

That in the enforcement of this act preference shall be given, so far as possible, to the parents and minor children of citizens of the United States, and to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

So that all in the world the soldier needs to do, if he is an alien and has served under our flag, is to apply for citizenship in this country, and then under the regulations that will be promulgated he will be entitled to all the benefits that this amendment gives him; and if he is not willing to apply for citizenship in this country I am willing to deal fairly with him, but I am not willing to go out of my way in order to see that some one living beyond the seas who happens to be related to him shall be brought over here. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from New York [Mr. FISH].

Mr. FISH. I ask unanimous consent to amend the amendment by including the words "minor children."

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment as indicated. Is there objection?

There was no objection.

Mr. RYAN. I ask that the amendment be reported as modified.

The CHAIRMAN. Without objection, the Clerk will report the amendment as modified.

The Clerk read as follows:

Page 4, line 3, add the following: "Wives, fiancées, parents, sisters, brothers, and minor children of ex-service men holding an honorable discharge from the United States Army, Navy, and Marine Corps who are eligible to citizenship and who served in the United States military or naval forces between April 6, 1917, and November 11, 1918."

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The question being taken, on a division (demanded by Mr. FISH) there were—ayes 55, noes 89.

Accordingly the amendment was rejected.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. Yesterday a matter came to my notice in connection with immigration, which I think is worthy of the attention of Congress.

About 10 days ago I had a call from a young man, a resident of one of the cities of my district, complaining of the treatment that he had received at the port of New York, where he had gone to meet an immigrant brother from Italy. I gave this young man, who is a person of good standing in our community, a letter to the department here, and he was very courteously received by Mr. Hampton and assured by him that on his return to the port of New York and to the office of the Immigration Bureau there he would be given a chance to see his brother and be present when that young man was again brought forward for examination as to his qualifications under the literacy test to enter the port of New York.

The letter which I received yesterday complained very bitterly of the treatment that he received at the hands of the immigration officials in New York. I took the matter up a

second time with the department through Mr. Hampton and was assured that he had wired to the officials in New York that this young man should be given a chance to see his brother and attend his reexamination. This letter states that this man went to the office of the Immigration Bureau at 11 o'clock in the morning, stayed there continuously until 5 at night, and frequently asked when his brother's case was to come up, that he was discourteously told by the official in charge to go back and sit down, that he would be notified when his brother's case was to be called. At 5 o'clock he asked if that case was to be postponed until to-morrow, and was then discourteously informed that it had been disposed of at 11.45 that morning, without notification to him and without obedience being shown to the orders from the department here in Washington. If our department heads here in Washington can not convey orders to their subordinates in New York that will be obeyed, it seems to me some one ought to take summary action against that kind of an employee, and it is in order to bring this matter directly before the House and before the bureau that I am making this statement at this time.

Mr. VAILE. Will the gentleman yield?

Mr. TREADWAY. I certainly do.

Mr. VAILE. I think if the gentleman's constituent had called this matter to the attention of the commissioner of immigration at Ellis Island, Mr. Wallace, he would have had no difficulty. Mr. Wallace is the soul of courtesy and accommodation to everyone who comes there on legitimate business.

Mr. TREADWAY. Undoubtedly the young man did not get access to him, but only to some subordinate of his. Such a subordinate ought not to have the opportunity to insult or treat in such a manner an American citizen.

Mr. VAILE. It would not be necessary to bring it here for congressional action.

Mr. TREADWAY. I am not asking for congressional action, but I wish to know if we can not get attention to our requests through the department as transmitted by its officials, what is the reason therefor?

Mr. GAHN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GAHN: Page 4, line 3, after the word "faith," add the following: "or (11) the parents, unmarried son under 21 years of age, unmarried or widowed daughter, grandson under 16 years of age whose father is dead, unmarried or widowed grandaughter whose father is dead, brother under the age of 21 whose father is dead, unmarried or widowed sister whose father is dead, of any citizen of the United States, and a wife, unmarried son under 21 years of age, unmarried or widowed daughter, of any alien who has declared in the manner provided by law his intention to become a citizen."

Mr. GAHN. Gentlemen of the House, this is an amendment providing that relatives of naturalized citizens and those who have declared their intentions to become naturalized citizens may come into this country. I come from a section, Cleveland, Ohio, which is affected by an immigration bill of this sort as much as any section of the United States. We believe there that we can assimilate and take care of the immediate relatives of our naturalized citizens in Cleveland and all of those who have declared their intentions to become citizens. We think that this bill ought not to pass to keep a large number of people out, but that we ought to frame a bill so that certain classes may be included. We think that the immediate relatives of naturalized citizens and those who have declared their intentions should be allowed to come in.

Mr. MACGREGOR. Will the gentleman yield?

Mr. GAHN. Certainly.

Mr. MACGREGOR. If the Committee on Immigration of the House had not been subjected to coercion from another source, we would have had that sort of a bill, because that is the bill that the House passed at the last session.

Mr. GAHN. I do not think that the House committee ought to be coerced. It has been said that three or four generations back our ancestors were foreigners. These people in Cleveland are citizens of the United States and fought for our country in the recent war. They are in the same position as the Yankees were in 1776. After the World War is over they want their immediate relatives to follow them, the same as the citizens in the colonial days of the United States wanted their relatives to come over to this country. I think, gentlemen, I ought not to take more of your time. This amendment includes the one just defeated, but I hope you will adopt it, because it takes care of those citizens in the United States who really are affected.

Gentlemen talk about the immigration bill; I do not know whether I am going to vote for it or not. I do not know the exact object of it. I have probably devoted three-quarters of my work since I have been elected a Congressman—perhaps because I am a new Member—to a lot of citizens of my district in the city of Cleveland who want to get their relatives into this country. So far I have only been able to do it in two instances. Perhaps in a great industrial town like Cleveland we do not know as much about immigration as others, but the people in Cleveland are in favor of a fair immigration bill, and I am inclined to vote for it, but I would like to have this amendment agreed to, so that the relatives of the people of this industrial section can come over.

Mr. VAILE. Mr. Chairman, I rise in opposition to the gentleman's amendment. The gentleman has suggested that this committee was coerced in not embodying a similar amendment in the bill now before the committee. I call the gentleman's attention to the fact that in the bill as it passed the House at the last session, before it was acted on by the Senate, there was a different condition provided for. A citizen of the United States 21 years of age and over might under regulations prescribed by the Secretary of Labor apply to him for permission to bring into the United States, if otherwise admissible, a wife, parent, or grandparent, and if the Secretary of Labor was satisfied that the entry of such immigrant would not be in violation of the immigration law and that he was likely to prove a desirable resident of the United States, then such relative might be admitted. Those were restrictions on this enormous blood line that could be brought in under such an amendment. The amendment of the gentleman from Ohio does not carry anything of that sort. Even as the bill passed the House at the last session the principal argument urged against it was that it was altogether too liberal, that it let in all the dependents of the world. The amendment now proposed would cover the earth and be an economic burden to this country, that would have the support necessarily of those relatives. Desirable as it is to go as far as we can in the interest of humanity, we must draw the line somewhere. Now, gentlemen, it would be fine if we could throw open our hospitality to the world, but if we did that we would shortly have no country to which anybody would desire to come. We have got to keep what we have for ourselves and restrict that immigration that wishes to come to our borders. We must do this in justice to the rest of the world, as well as to ourselves. We must not cut out all the restrictions of immigration by any such amendment as this, and I sincerely trust that it will be defeated.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. I do this for the purpose of referring to the matter suggested by the gentleman from Massachusetts [Mr. TREADWAY], relating to the conditions at Ellis Island. The Italian society in the city in which I live has passed resolutions relative to the treatment of immigrants at this place, and this matter was taken up by the governor of my State. It was investigated, and in a short letter to me he has made a statement of that situation, which I desire to have the Clerk read in my time for the benefit of the House.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

EXECUTIVE DEPARTMENT,
STATE OF IOWA,
Des Moines, April 14, 1921.

Hon. C. C. DOWELL,
Washington, D. C.

DEAR CASH: You have doubtless received a series of resolutions adopted by the local Garabaldi Society in conjunction with the South Des Moines Improvement League respecting the conditions which prevail at Ellis Island. I have instituted such investigation of the matter as possible, and I am convinced that the situation in the Immigration Service there is deplorable and directly contributed to the untimely death of Mrs. Lucia Leo, wife of Frank Leo, of this city. Mrs. Leo, whose husband is an excellent man in every particular, was received at the island with a very young child and no provision whatever was made for her comfort or convenience. She remained there about 10 days and was not even furnished a bed or other accommodations. The exposure and neglect to which she was subjected so debilitated her that she sickened and died soon after reaching Des Moines. The mental faculties of her husband were so disturbed and impaired by worry and anxiety that he disappeared and his whereabouts are now unknown.

I make this appeal to you as strongly as I can present it, that a rigid investigation be instituted of abuses at Ellis Island. The Italian residents of Des Moines, with whom I have just been in conference, are profoundly concerned.

Always with personal regard, I am,
Very truly, yours,
N. E. KENDALL.

Mr. DOWELL. Mr. Chairman, if this condition exists at Ellis Island, and women and children are neglected in this way, this committee should immediately make an investigation of the situation and present its findings to this House, and action should be taken promptly with reference to the matter and this deplorable condition should be corrected.

Mr. OSBORNE. Mr. Chairman, I rise in opposition to the pro forma amendment. For nearly a year and a half I have been endeavoring to get into the country the wife and two girls of a naturalized American citizen, a Russian. His wife and children are now supposed to be in Odessa, Russia. That city is in the hands of the bolsheviki. It has been impossible to get

into communication with this wife. The husband, who is an entirely respectable man, a good business man, has not seen his family for seven years. Odessa is not very far from Constantinople. I have endeavored to get this little family to Constantinople, and if that were possible they could be brought over here, but we have been unable to communicate with them. This man is in extreme mental distress over the situation. I have not looked into this bill close enough to know whether it would prove a further obstacle to these people coming here, but if it should, I would be strongly constrained to vote against it.

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. SANDERS of Indiana. This man is a citizen of this country?

Mr. OSBORNE. Yes.

Mr. SANDERS of Indiana. Under the terms of this bill if his family came within the 3 per cent they could come in, and during that time they would be given preference over the others in making up the 3 per cent under the terms of this bill.

Mr. VAILE. If he is a citizen of this country his wife is a citizen now.

Mr. OSBORNE. I have three or four other cases somewhat similar. The men are citizens of my city and are all business men, in the markets or something of that kind, in a small way, but are entirely respectable. There are two or three of them who are also from Russia. Their wives are now in Bucharest, Rumania. They have been unable to get a visé to get these families over here. I presume from what the gentleman from Indiana [Mr. SANDERS] says they would not be cut off from coming in here. It is on that point that I wanted information, whether this bill would operate to keep those people out of the country.

Mr. GAHN. Already the applications in some countries take up more than the 3 per cent, and the relatives to whom the gentleman refers will probably be lost in the shuffle.

Mr. SIEGEL. I would suggest to the gentleman from California that if he has any mail which he desires to send to the family that he do so through the American Red Cross in New York, which has made arrangements to send such mail through the Red Cross on the other side.

Mr. OSBORNE. I endeavored to do that through the Red Cross. I learned that the Society of Friends, or the Quakers, had an agency in Russia, and have endeavored to communicate with the wife at Odessa through that society, but so far without success.

Mr. SIEGEL. These women will not be able to come to this country unless they can obtain passports.

Mr. OSBORNE. That is the trouble.

Mr. SIEGEL. And they can not obtain them.

Mr. OSBORNE. They are now in Bucharest, and I understand that within six months from the time they came there they must be sent back to Russia unless they receive these visés.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. HILL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HILL: Page 6, line 3, after the words "*Provided further,*" strike out the remainder of the paragraph and insert in lieu thereof the following: "The provisions of this act shall not apply to parents, brothers, sisters, and children of American citizens."

Mr. HILL. Mr. Chairman, this amendment proceeds along the same lines as the previous amendment which has just been voted down, but it is of more general application and is based upon an entirely different theory. The portion of the pending bill sought to be amended provides for a preference of certain relatives of American citizens or those who have applied for citizenship. The amendment which I offer provides that, irrespective of whatever limit is placed by this bill, the parents, brothers, sisters, and children of American citizens are entitled to admission if they comply with section 3 of the immigration act and with the subsequent section as to literacy. Yesterday I asked the question of the committee as to how many immigrants might be allowed to come in from that portion of former Russia which is now known as Poland. On the basis of the census of 1910 there will be entitled to admission at this time some 57,974 persons from all of former Russia.

Mr. SIEGEL. That is a mistake; it is fifty-one thousand and odd.

Mr. HILL. Can the gentleman tell me to-day how many of those come from the portion which is now Poland?

Mr. SIEGEL. The best estimate that we can make—and it is all an estimate under the 1910 census—would be thirty to thirty-five thousand. I called attention to the fact the other day that there are a little over 40,000 applications for visés by women and children in the hands of the American consul now.

Mr. HILL. I thank the gentleman for that information. In other words, under this bill there could come into the United States from thirty to thirty-five thousand persons from what is now Poland, a country whose sons, irrespective of race or creed, fought side by side with ours as an ally in the Great War, while at the same time there could come in 125,157 immigrants from the central nations who are still at war with the United States. On behalf of American citizens whose relatives participated in this war, whose races participated in this war, I say they should be allowed to come in.

Mr. COOPER of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HILL. Yes.

Mr. COOPER of Ohio. Do I understand the gentleman to say that this bill will permit 35,000 to come in from Poland?

Mr. HILL. That is what the committee advises me.

Mr. COOPER of Ohio. The gentleman understands that this bill restricts for only 14 months. How many does he want to have come in from Poland in 14 months?

Mr. HILL. In the next 14 months I would like to see every man or woman who is qualified under section 3 of the existing immigration act, properly enforced, come into this country, for they would be people who are absolutely desirable citizens.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. HILL. Certainly.

Mr. SANDERS of Indiana. Does the gentleman know the number of naturalized citizens in this country?

Mr. HILL. The gentleman does not.

Mr. SANDERS of Indiana. So the gentleman could not give an estimate as to how many people this would really admit if the gentleman's amendment were adopted?

Mr. HILL. Under my amendment there would be no limit on the brothers, sisters, parents, and children of American citizens who are qualified under the rigid tests of the present immigration act. It might be remembered that the present immigration act was passed over the President's veto by both Houses of Congress, and it is about as rigid an act as could be gotten up.

Mr. SANDERS of Indiana. The point I had in mind, if the gentleman will yield further——

Mr. HILL. Yes; certainly.

Mr. SANDERS of Indiana. Is this a restrictive law by which we are proposing to keep certain numbers of foreigners from coming into this country, not necessarily because they are bad, but because we want to limit the number? If the gentleman is unable to tell us how many naturalized citizens there are, and the gentleman is unable to give us the number or how many his amendment will admit, it seems to me that if the amendment were adopted we would be opening the gates without knowing how many could come in.

Mr. HILL. That would be solely——

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the gentleman have one minute more, in order to ask him a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Will the gentleman please state his amendment again, so it may be clearly understood?

Mr. HILL. Certainly. If the gentleman will turn to page 6 of the bill, beginning on the third line, which is the concluding portion of section 2—which are reservations from the law—after the words "provided further," strike out those six lines and insert "The provisions of this act shall not apply to parents, brothers, sisters, and children of American citizens." Of course, these persons would be subject to section 3 of the immigration law, which is the act of February 5, 1917. No person under that who is not of very high standard of personality, very fit for American citizenship, could be admitted.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COOPER of Wisconsin. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. I desire to say a word on the amendment.

The CHAIRMAN. The gentleman is recognized in opposition to the amendment.

Mr. COOPER of Wisconsin. Not in opposition, but to speak to the amendment.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. HILL. I request unanimous consent for five minutes more, or such portion of that time as may be necessary, in order to yield to the gentleman from Wisconsin.

The CHAIRMAN. The gentleman from Wisconsin is recognized on his motion to strike out the last word.

Mr. COOPER of Wisconsin. Mr. Chairman, the amendment of the gentleman from Maryland proposes to place in the class of persons who are not to come under this law the children of American citizens.

It so happens, Mr. Chairman, that I have received a letter from a constituent which, I think, makes a very good persuasive appeal in favor of at least a part of the amendment of the gentleman. I refer to that portion of the amendment which would exclude from the provisions of this bill the children of American citizens.

Mr. HILL. Here is the exact wording of the amendment.

Mr. COOPER of Wisconsin. The amendment includes the words "parents, brothers, and sisters." This letter which I have received from a constituent is very strong, I think, in favor of this provision of the amendment in so far as it relates to children of citizens. It is as follows:

1334 MARQUETTE STREET,
Racine, Wis., April 6, 1921.

Hon. HENRY ALLEN COOPER,
House of Representatives, Washington, D. C.

DEAR MR. COOPER: As one of your constituents, I beg you to please advise me and help me out of a very aggravating situation. I am taking the liberty of asking this favor of you, because you are the only one that can do anything for me in this matter. My three helpless, motherless children are being unreasonably detained at Warsaw, Poland, by the refusal of the American consul to visé their passports to America. All three children are minors and have become citizens of this country through my naturalization.

For the last six years I did everything within my power to bring my family to this country, but the war intervened. For five long years I lost track of them altogether, and I almost gave them up for lost. Only a year ago I found trace of them again, and then for the first time I learned that their mother died from exposure while they were driven about in the war-ridden, disease-ravaged country of Ukraine. For years they were compelled to live out in the open without shelter or sufficient food and in constant danger of their lives from shells, disease, and pogroms.

Three children, gentlemen, of an American citizen, who has been here six years and more trying to have his family come, their mother dead from exposure.

The horrors and suffering that they have endured sounds unbelievable to human ears. Now that they have survived all, they are compelled to endure additional suffering in the overcrowded, unsanitary, pest-ridden city of Warsaw. The constant appeals that I received from these helpless children are heart-rending. I can not endure it much longer. I have expended several thousand dollars to secure their passage to this country, but of no avail. I ask you to please consider my situation and if anything can be done through the State Department to expedite their coming to America do so without any consideration of expense. I will cover cost of cables to Warsaw or any other expense that may be incurred.

Now, I do not believe that we should pass a law which gives to any consular representative in Europe the right in his discretion to keep this family separated from the father, who is an American citizen. [Applause.]

Mr. ROSENBLOOM and Mr. GRAHAM of Illinois rose.

Mr. GRAHAM of Illinois. Mr. Chairman, I rise in opposition to the pro forma amendment.

The CHAIRMAN. The gentleman from Illinois is recognized in opposition to the pro forma amendment.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, even if the amendment were adopted that has been proposed by the gentleman from Maryland it would not cover all the cases of extreme hardship. For instance, I have in my hand a letter that gives me some information of which I was entirely unadvised, and which I suspect is a matter of news to a majority of the Members of this House. A man in my district wanted to get his wife over from the other country, and she was at Warsaw, as I understand it. I wrote to him telling him if he were a naturalized citizen he could bring his wife over here. I got in response the following letter, which is illuminating, and it seems to me to call for some kind of legislation somewhere that will relieve a condition like this. It says:

MY DEAR MR. GRAHAM: I am in receipt of your telegram and letter in regard to Mr. A. Bixgorn, and regret very much to advise that he is not yet a naturalized citizen. He has, however, applied and his application was heard during the last January term, and because of a ruling by the Naturalization Department that no final papers issue where the applicant's wife is a resident of a foreign country, he was refused final papers, and his case continued to the May term. You can readily see the dilemma in which Mr. Bixgorn is in.

He can get no final papers because his wife is in a foreign country, and he can not get his wife into this country because he has no final papers.

Please take this phase of the matter up with the State Department and see if an exception to the rule will be made, and in the meantime I will, on the opening of the May term of court, submit this situation to the examiner and the court and ask for an exception to the rule in force by the naturalization authorities. In any event, any further effort by you in Mr. Bixgorn's behalf will be greatly appreciated.

Mr. SIEGEL. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. SIEGEL. I want to say to the gentleman that there was a similar case presented to Secretary Hughes, of a man in Sullivan County, who purchased a farm seven years ago, and then applied for citizenship, but who could not get it because the wife was across the ocean. And the mortgage expired and he could not get a new mortgage because the wife was not here. The law makes it discretionary with the court to admit to citizenship, and they will not admit to citizenship in some cases.

Mr. GRAHAM of Illinois. Can not the law be amended to reach a case like this?

Mr. JOHNSON of Washington. I would like to say to the gentleman that there is now in the committee proposed legislation, which we hope to report to the House, to remedy many of these defects.

Mr. GRAHAM of Illinois. Will it cover this?

Mr. JOHNSON of Washington. If it does not, we will try to have it do so. I assume that a man who becomes a citizen tries to claim citizenship for his wife who is in Russia.

Mr. GRAHAM of Illinois. He is trying to become a citizen, but could not do so because his wife is in Russia, and she could not come here because her husband is not a citizen.

Mr. NEWTON of Minnesota. Is not the remedy the granting of separate and distinct citizenship to husband and wife, instead of having it as it is now, with the citizenship of the wife merged into that of the husband?

Mr. GRAHAM of Illinois. That may be the remedy.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. GRAHAM] has expired.

Mr. ROSENBLOOM. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman and gentlemen of the committee, I believe that I occupy a peculiar position at this time, in that I have heard every word that has been uttered for and against the passage of the bill before this body for consideration. I have given it a great deal of attention, because I wish to exercise such ability as I may have in coming to a correct conclusion.

I have not heard from either side, however, a single word that would justify the defeat of the amendment that has been offered by the gentleman from Maryland [Mr. HILL], which amendment seeks to exempt from the provisions of the bill the wife, parents, or children of ex-service men. Not a single good reason has been advanced that under any analysis could justify the committee which is offering the bill to exclude from its terms and provisions the amendment that has been offered by him.

The greatest objections that have been offered to the bill by its opponents were, first, the unemployment in this country, and that we must take care of those who are here by giving them employment. The second objection that was voiced, or the argument that was advanced for the passage of the bill, was that the class of immigrants who now seek entrance to this country of ours were not of the sturdy type that had built this country into the great Nation that it has become. Both of those arguments, in my opinion, are arguments in favor of the amendment that is before us for consideration at this time. The class that would be exempted under the terms of this amendment will not come into competition with the horny-handed sons of toil, as they have been called here, who are already in our midst. It seeks to allow the reunion of families that have been separated merely by the Great War. And those whose near ones are asked to be granted this exemption are of the same blood and are of the same sturdy type as those who have made this country what it is, and who were here before the Great War or who earned their citizenship by their service in the Army of the United States.

Mr. VAILE. Will the gentleman yield?

Mr. ROSENBLOOM. Yes.

Mr. VAILE. The gentleman suggested that these immigrants would not come in competition with laborers who are here. Are they going to exist without labor?

Mr. ROSENBLOOM. But I refer to this amendment, which seeks to allow the children and wives——

Mr. VAILE. And brothers and sisters.

Mr. ROSENBLOOM. Yes.

Mr. VAILE. Are the parents and brothers, sisters, and children who are coming going to exist without work; and if so, how are they going to exist?

Mr. ROSENBLOOM. With the help of their relative here who is a citizen and can look after them.

Mr. VAILE. Without work?

Mr. ROSENBLOOM. If they will depend on him for sustenance, and he is willing to assume the obligation.

Mr. VAILE. Does the gentleman think that he who is here should be shouldered with that additional burden?

Mr. ROSENBLOOM. If he wants to assume that burden we should not interfere with his doing so. The love that some have for their dependents exceeds that held by others. I want to say, as I was about to say when I was interrupted, that the psychology of the objection of those who would come under this amendment does not apply to the extent that we wish to close the doors against them, to speak in plain language. I will say that in the final conclusion I am going to vote for this bill——

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. ROSENBLOOM. Yes, sir.

Mr. COOPER of Ohio. If I recall correctly, the amendment of the gentleman from Maryland does not specify minor children or anyone under the age of 21.

Mr. ROSENBLOOM. I will speak for it on that basis.

Mr. HILL. Mr. Chairman, may I have five minutes in which to explain the amendment?

Mr. COOPER of Ohio. Just a moment more. I have just been informed by the gentleman from New York [Mr. SIEGEL] that this amendment goes beyond the age of 21, covering brothers and sisters.

Mr. ROSENBLOOM. Yes; even granting that, I speak for the adoption of the amendment, and for this reason: The men who have built up this country—and I regret that I feel that it is even pertinent to mention the fact—are of a class of immigrants that, I regret to say, we will not anticipate at this time from European countries, because there is not a man or a woman in this country to-day who is not descended from that sturdy type of immigrant who, in order to advance his spiritual, mental, and political desires, to have greater opportunities for the cultivation of himself spiritually and mentally, and not for his physical comfort alone, came across these waters to strange lands to find new opportunities, and those who were left on the other side who would not make the sacrifice of emigration to better their spiritual and political condition who now wish to come, only to better their physical comfort, we do not need or want.

The CHAIRMAN. The time of the gentleman from West Virginia has expired. All time has expired. The question is on agreeing to the amendment.

Mr. ROSENBLOOM. Mr. Chairman, I ask for an extension for about three minutes.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. ROSENBLOOM. I want to say, gentlemen, that the situation in regard to those who are the children and the relatives of men who are already here is not the situation of that great horde that merely to satisfy its desire for physical comfort now wishes to come from a land which has become poverty stricken. The men who came here before this great war and entered into our battles, the men who came here, whether they came on the *Mayflower* or on the *Oceanic*, came here knowing that they would meet the forces of nature with which they must contend for a living, and it is the descendants of those men who are now in a position to ask for their children and their parents to be allowed the opportunity to join them here. It is those people who made this country great. And it is to those men, whose sacrifices have made it possible for us to meet here, enacting the laws by which we shall live, that we owe the duty to preserve for those who come after us the opportunity and the privilege we and our forefathers found by reason of their sacrifices.

As I said before, I am going to vote for the bill at the conclusion of its consideration. I am going to vote for it, but I say to you that you do not go far enough in this bill. The chief purpose of this legislation is to keep out undesirable citizenship. We all realize that there is undesirable citizenship in this country to-day, and that is only natural.

You want to protect the body politic, and yet you pay no attention to the disease that is already in the body. You say you will adopt a preventive which stops the ailment at the mouth. You would keep out that type of citizenship which is attempting to destroy our institutions and which is not good, and yet you propose no legislation to deal with the undesirable alien already here. I shall introduce amendments that will reach the trouble that you are trying to reach by this legislation. I shall introduce an amendment providing that when a man has been in this country for two years he must either renounce his allegiance to the country from which he came, take out his citizenship papers, or be deported at that time. I have another amendment providing that at the expiration of three years from the time of taking out his first papers he must take out his full citizenship papers or be deported. I have another amendment which provides that if, during the probationary period, an alien is convicted of a felony he shall, at the expiration of the sentence of the trial court, be deported as an undesirable alien. In other words, we welcome the worthy of all lands to come and make this their home, but we do not intend that our country shall become the international boarding house of the world. As has been well said, a man will not make the sacrifice for his boarding house that he will for his home. Neither will he love or cherish it.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. ROSENBLOOM. Mr. Chairman, I ask for two minutes more.

Mr. HILL. Mr. Chairman, I ask unanimous consent for five minutes more for further explanation of the amendment.

Mr. VAILE. Pending that request, Mr. Chairman, I ask unanimous consent that all debate on this amendment be concluded in 12 minutes. That will give 2 minutes to the gentleman from West Virginia [Mr. ROSENBLOOM], and 5 minutes to the gentleman from Maryland [Mr. HILL], and 5 minutes to myself.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that all debate on this amendment be concluded in 12 minutes. Is there objection?

Mr. GARRETT of Tennessee. Mr. Chairman, is that on this amendment only?

The CHAIRMAN. On this amendment and all amendments to it.

Mr. PADGETT. I would like to have five minutes.

Mr. SIEGEL. Mr. Chairman, I suggest that the gentleman make it 17 minutes.

Mr. ANSORGE. Mr. Chairman, I would like to have five minutes.

The CHAIRMAN. The gentleman from New York [Mr. SIEGEL] suggests that the gentleman from Colorado modify his request and make it 17 minutes.

Mr. VAILE. Mr. Chairman, I withdraw my request.

The CHAIRMAN. The gentleman from Colorado withdraws his request. The gentleman from West Virginia [Mr. ROSENBLOOM] asks for two minutes more. Is there objection?

There was no objection.

Mr. ROSENBLOOM. Mr. Chairman, I want to say in conclusion that no man has a greater interest in this country than I. During the recent campaign the Republicans were charged with selfishness in their view of international obligations. This bill may be criticized as selfish, but self-preservation is the first law of man, and the Nation is but the group of individuals and self-preservation is a national duty. I come here with a mandate given me last November, when the issue was before the people of my district, where they spoke clearly, and in no place did they speak more clearly than in our great centers of population, where they say we can not stand these additional citizens. The issue in that campaign was "America first," and the great States of Illinois, Ohio, Pennsylvania, and New York, which you seem so fearful will not be able to assimilate these children and wives and parents of the men already citizens—those States in solemn and earnest terms said, "America first," and I am willing to back that up. I will cast my vote in accordance with the mandate of the people, and I shall vote to support this bill. The whole world is upset, we must have a breathing spell to look about us, and the 14 months provided for in this bill will afford that opportunity.

But at the same time, gentlemen, these amendments should be regarded by all as among the vital things that the people spoke for. It should be remembered that these men, to whose loved ones these amendments apply, were called upon to prove their loyalty to this country. These men were of the blood that we want in this country, and those parents who brought them into the world had in them the blood that we want. The children of these men have in them the blood that we want in this country, and they should be given first preference by all means in order that this country shall continue the greatest of all countries, and that this amendment will be adopted.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. PADGETT rose.

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. PADGETT. I want to make a statement to the House.

The CHAIRMAN. All debate on this amendment has been exhausted.

Mr. PADGETT. I move to strike out the last word.

The CHAIRMAN. That is not in order.

Mr. SABATH. I ask unanimous consent, Mr. Chairman, that the gentleman from Tennessee may have five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PADGETT. Mr. Chairman, a letter was read a few minutes ago in reference to the difficulty experienced by a constituent of the gentleman from Wisconsin [Mr. COOPER] in getting his children here. I think it might be of interest to the House to make a statement in regard to a similar case. At Franklin, Tenn., there were two brothers, Louis and Frank Brodsky. Louis Brodsky had a wife and four children and Frank Brodsky had a wife and two children, and during the war they were unable to locate them or get any information about them. We got the State Department to endeavor to locate them by sending cablegrams to the consuls, but they had no communication and could not find them. About a year ago they sent an ex-soldier over there, and he finally located them in Bucharest. Mr. Louis Brodsky was naturalized some time ago, and his wife and four children sailed on the *Morrisania* from Antwerp on March 26, landed and passed through, and are at home in Franklin, Tenn., now. On March 22 Mr. Frank Brodsky completed his naturalization. The clerk of the district court of the United States wired me that he had gotten his final papers. I called the matter to the attention of the officials in the State Department, and on Wednesday morning the 23d they cabled the consul at Antwerp instructions to secure an emergency passport for Sarah Brodsky, the wife of Frank Brodsky, and to make proper notation of his two children, and the day before yesterday I received a copy of the answer of the consul, stating that the passport for Sarah Brodsky and the two children had been secured and delivered to them and that they would sail on the next steamer. So that I am at a loss to understand how it is that these children failed to get passports, unless there was some objection on account of disease or something of that kind that may be prevalent and may bar the visé of that passport under some other provision of the immigration laws.

Mr. COOPER of Wisconsin. Did they come from Bucharest?

Mr. PADGETT. They were located at Bucharest.

Mr. COOPER of Wisconsin. Were their passports viséed at Bucharest?

Mr. PADGETT. I think so.

Mr. COOPER of Wisconsin. How many applications were there on file at that time at Bucharest?

Mr. PADGETT. I do not know about that.

Mr. COOPER of Wisconsin. That is a very important item, indeed. There are 40,000 applications on file at Warsaw, and it is left to the discretion of the Government officials there. Does the gentleman think it should be left to the discretion of an executive officer anywhere to keep the minor children of an American citizen from coming to this country when they are free from disease?

Mr. PADGETT. Not as stated by the gentleman; but I think it is entirely proper that the investigation should be made over there as to the status, character, and condition of immigrants.

Mr. COOPER of Wisconsin. That is a different thing.

Mr. PADGETT. There are many passports that are fraudulent and forged, and an investigation should be made over there.

Mr. COOPER of Wisconsin. Will the gentleman permit another suggestion?

Mr. PADGETT. Yes.

Mr. COOPER of Wisconsin. If the children were in good physical condition, free from contagious disease, it still would remain in the discretion of an executive officer to visé their passports or not?

Mr. PADGETT. No; I do not think that is the trouble. I think if the gentleman will go to the State Department——

Mr. COOPER of Wisconsin. One moment. Would not that officer over there have the right in his discretion to do that? And ought that to remain in the power of any official, to deprive an American citizen of the right—not a privilege but a right conferred by the Constitution? The Constitution of the United States makes him a citizen. Ought we to leave it to an executive officer to deprive any American citizen of the right to the company of his own minor children in good physical condition?

Mr. PADGETT. Under the law——

Mr. COOPER of Wisconsin. I want an answer to that question.

Mr. PADGETT. Under the law the children do not become citizens of the United States upon the naturalization of the parent until they actually arrive in this country.

The CHAIRMAN (Mr. TOWNER). The time of the gentleman has expired.

Mr. PADGETT. May I have another minute?

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. PADGETT. I think if the gentleman's constituent will show the State Department that he is a naturalized citizen and that these are minor children, the State Department will provide that they may reach the United States, and will do it by cable. They did it for me within the last three weeks.

Mr. COOPER of Wisconsin. That was from Bucharest?

Mr. PADGETT. No; they sailed from Antwerp.

Mr. COOPER of Wisconsin. I know, but the visé was obtained at Bucharest, where there are very few applications.

Mr. PADGETT. No; they were at Antwerp when the instructions were sent, and the consul at Antwerp obtained the passports from the embassy in Belgium.

Mr. COOPER of Wisconsin. How were they permitted to leave Rumania and go to Antwerp?

Mr. PADGETT. I do not know about that. I can not tell the gentleman.

Mr. COOPER of Wisconsin. The case is not quite parallel with this one.

Mr. PADGETT. What I am showing is that the State Department will interest itself and will instruct the consuls over there to look after these minor children of this naturalized American citizen, and they will do it by cable.

Mr. VAILE. Will the gentleman permit a suggestion right there in that connection?

Mr. PADGETT. Yes.

Mr. VAILE. This act as now framed, in the very sentence which the gentleman from Maryland proposes to strike out, provides that in the enforcement of this act preference shall be given as far as possible to the parents and minor children of citizens of the United States.

Mr. PADGETT. That is the present practice.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, rising again to speak on behalf of this amendment, I want to say a thing which everybody here knows, but which seems at times to be questioned. There is not a gentleman in this House nor a lady, since we have one such Member, who does not stand for America first. There is no question about that. But we are here to-day in Committee of the Whole House on the state of the Union to find out what is best for America, and I say that without this amendment this bill is not an American bill. What does this amendment mean? I voted last week for an antidumping bill to prevent the dumping of manufactured products into this country, and I will vote for any bill to prevent the dumping of undesirable aliens into this country. Under this bill, with my proposed amendment, you will not get one undesirable immigrant if the laws of the United States as at present existing are enforced.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. HILL. Not yet. I helped enforce the immigration laws of the United States from 1910 to 1915. The laws of those days were comparatively mild and nondrastic. I never saw the existing immigration bill until last night, and I do not think the majority of the Members have seen this present existing immigration bill, the law of February 5, 1917. If you will turn to section 3 of the present bill you will find that if you open the doors to the parents, brothers, sisters, and children of existing American citizens you can not, if the law is enforced, get one undesirable immigrant under existing law. I will read you the paragraph 3 of the existing law.

That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons; persons who have had one or more attacks of insanity at any time previously; persons of constitutional psychopathic inferiority.

Under that term "constitutional psychopathic inferiority" you could keep out absolutely any person in the world. I know that in the Twenty-ninth Division during the war we discharged for "constitutional psychopathic inferiority" a large number of men that had come into the division. Under that clause you could keep out any undesirable alien. We hope the immigration laws will be enforced with that spirit that has come through a change of administration at the other end of the Avenue.

Mr. ANSORGE. Mr. Chairman, I ask unanimous consent to address the House for five minutes.

Mr. HILL. Mr. Chairman, I have two minutes remaining, and I yield to the gentleman from California [Mr. LINEBERGER].

The CHAIRMAN. The gentleman can not yield the balance of his time.

Mr. HILL. Then, Mr. Chairman, I desire to occupy that time myself. Here is another one of the elements of exclusion under the existing law, "persons not comprehended within any of the foregoing excluded classes who are found to be and who are certified by the examining surgeon as being mentally or physically defective, such physical defects being of a nature which may affect the ability of such alien to earn a living."

Then there is in the existing law another page of exclusions, and a provision that they must be able to read. I say to you, gentlemen of the House of Representatives, that if you adopt this amendment you will give the privilege to these mentioned persons, parents, brothers, sisters, and children of American citizens, of coming in here, and we can not have too many persons of the kind who can pass examination under the present immigration act, if that law is strictly enforced.

The CHAIRMAN. The gentleman from New York [Mr. ANSORGE] asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. ANSORGE. Mr. Speaker, I can not see anything objectionable in the amendment offered by the gentleman from Maryland. The gentleman from Colorado [Mr. VAILE] stated a moment ago that in the bill passed by the Sixty-sixth Congress there had been included prior to the time the bill was submitted to the Senate a clause, which was accepted by this House, which, in my opinion, was as broad, if not broader, than the amendment now offered by the gentleman from Maryland. I refer to section 4, subdivision a, of the former bill.

Mr. JOHNSON of Washington. If the gentleman will permit me, the gentleman understands that bill had no 3 per cent exemption. Now we have a bill with the 3 per cent exemption, and if we had the blood line and the side line admitting the brothers and sisters and children you would have no restricted bill.

Mr. ANSORGE. Let me ask the chairman of the committee whether he favored limiting it to 3 per cent? Whether he did not oppose the 3 per cent provision altogether?

Mr. JOHNSON of Washington. No; I could not say that. The gentleman must remember that in the other bill we had a plan by which those undertaking to bring in blood relatives must secure a permit, and, if necessary, put up a bond.

Mr. ANSORGE. I would like to ask the chairman of the Immigration Committee whether he contends for one moment that the preference clause in the proposed bill as submitted by the majority of the Immigration Committee would admit an alien such as suggested by the gentleman who spoke a moment ago. In other words, the point I make is, and I believe the chairman will agree with me, that the preference clause does not guarantee the admission of that particular alien who happens to come within the exceptions of the act unless he gets in first and has his passport viséd. [Applause.]

Mr. JOHNSON of Washington. Here is the trouble now. The world is in a period of unrest. The United States has a passport system by which visés are required on passports issued by other countries. In spite of that we have a period of congestion at Ellis Island, which is unfortunate. The purpose of this bill is to provide a plan which would relieve the congestion and reduce the immigration 50 per cent. The direct blood line of relatives in the last House bill was extended to collaterals, thus making it an indefinite number.

The result of all that is that it was finally rejected, and the percentage system substituted, both being in the hope of reducing temporarily immigration until we can find out where the world is going to light and how our passport system is going to be straightened out.

Mr. ANSORGE. Very well. I am sufficiently broadminded to realize the gentleman's point and to see it very clearly, but I take now from the gentleman the admission that the blood line relatives of American citizens in this country are not objectionable per se, and it merely comes down to the question of labor which was raised by the gentleman from Texas—and you all know whom I mean [laughter]—in a question asked of the distinguished gentleman from New York [Mr. COCKRAN] in the debate of yesterday. Therefore, if time will permit, I shall now devote myself to the question of labor. I want to remind the Members of this House there is to-day and there will be to-morrow a dearth of basic labor in this country. Let me remind Members of the House that the people who built the subways of New York, the people who built the railroads, do not live in this country to-day. They have graduated, because the man who built the subways during the war obtained a position in an ammunition factory and received from six to seven and eight and ten dollars a day, and that man, or the immigrant son of that man, will not do that kind of work to-day. [Applause.] You are going to find, when you pass your permanent tariff bill and you open up our factories and you begin turning the wheels of industry, that there is going to be a shortage of basic labor in this country, and I refer to the man or the woman who is willing to do a hard day's work for $3.50 a day, the man who does not compete with American labor, the man who does not do the skilled work of our country to-day. You have passed a so-called emergency tariff bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANSORGE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. VAILE. Mr. Chairman, reserving the right to object, every speech made on this amendment has been in favor of it, and when the gentleman concludes I ask unanimous consent to be permitted to speak for five minutes, and then I shall ask that debate be closed on this amendment.

Mr. SABATH. The gentleman from Colorado realizes that he can not make the right kind of an argument against the amendment, and that is the reason all of the speeches are in favor of it.

Mr. VAILE. I have been on my feet whenever a Member rose in favor of it and have retired each time.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to address the committee for five minutes at the expiration of the time of the gentleman from New York. Is there objection?

There was no objection.

The CHAIRMAN. Is there objection to the gentleman from New York proceeding for five minutes?

There was no objection.

Mr. VARE. Mr. Chairman, will the gentleman yield for half a moment?

Mr. ANSORGE. I will yield for half a minute by the clock.

Mr. VARE. Augmenting the gentleman's statement in respect to labor conditions in the country, I desire to call the attention of the committee to a newspaper publication of yesterday, the Philadelphia Evening Bulletin. Looking over the advertisements for help wanted, I find there are five columns where people have advertised for female help. In other words, they are short of help; and there is one column of females who have advertised for situations. That is five to one in favor of those who are seeking employment. On the other side there are three full columns of male help wanted. The manufacturers have not sufficient help to run their factories in Philadelphia. Against those three columns I find one column of males asking for employment.

Mr. ANSORGE. Mr. Chairman, I ask unanimous consent that the time which has been consumed by the gentleman from Pennsylvania do not count as a part of my time. [Laughter.]

The CHAIRMAN. The gentleman must not yield if he desires to use his own time.

Mr. ANSORGE. I yielded for half a minute, and I wanted to be courteous. However, the gentleman has raised a point along the line of the argument I was pursuing. We must take into account that we have a great many women in this country who are or are not voters, but who nevertheless have servant troubles, and I remind you that for the past two years and during the entire period of the war it has been practically impossible to procure adequate servant help. The bar against immigration which you are now attempting to raise is going to react, I believe, upon the country and upon our great Republican Party. We are about to pass a permanent tariff bill, which we have promised the country will open up the factories and the channels of trade.

The unemployment in 1914 was not because of the aliens, but it was due to eight months of operation of the Underwood tariff law, and at that time, when there were 3,000,000 people out of employment in this country, we did not seek to pass a bill raising bars against immigrants. I shall vote for this amendment——

Mr. BOX. Mr. Chairman, I make the point of order that the gentleman is not speaking to his amendment.

The CHAIRMAN. The gentleman from Texas makes the point of order that the gentleman from New York is not speaking to his amendment. The gentleman will proceed in order.

Mr. ANSORGE. If the gentleman says that I am not speaking to the amendment, he has not been following the argument. I shall vote for this amendment because it weakens the bill, if you will have it so [laughter], for the very reason that it will permit to come into this country the blood relatives of the man who came here and became an American citizen, relying upon the fond hope that some day he might bring his family to this country. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. The time has not been limited on this amendment, has it?

The CHAIRMAN. The time has been limited. Everyone who now speaks must obtain permission to do so by unanimous consent.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that when the gentleman from Colorado concludes I may have five minutes in opposition to the amendment.

Mr. VAILE. I shall not object, Mr. Chairman, but debate on this has been running for a long time.

The CHAIRMAN. The gentleman from California asks unanimous consent to address the committee for five minutes at the expiration of the time of the gentleman from Colorado. Is there objection?

There was no objection.

Mr. VAILE. Mr. Chairman, in the last remark of the last speaker we find the real reason for the tremendous enthusiasm in favor of the adoption of this amendment, namely, that the amendment would weaken the bill. Now, we tried to give you something honest and something intelligent. When we passed the other bill it was a bill for exclusion, but on that, in the interest of humanity, we simply had to engraft certain exemptions. Now, those exemptions are broadened out tremendously under the scope of the present bill, because here we have a general exemption of 3 per cent. Three per cent of the people of all nationalities resident here under the 1910 census can come in, and if the gentlemen want those exemptions extended they must show, if they are in favor of the bill, that their people would be injured by not being able to get in under the 3 per cent. Now, we find here in the minority report that all but 2 per cent of the people in Warsaw, 40,000, will come in to go to relatives.

Mr. Chairman, I have the greatest sympathy in the world for the people of Warsaw, but frankly, if we are going to pass any kind of a suspension bill, we can not let all in, and I say that knowing it will mean some broken hearts. We can not let every one of them in, we can not let all but those 2 per cent in. If they can come in they must come in under the 3 per cent. Now, this is a temporary bill, gentlemen. It lasts for a year. Are not you willing to wait and see how many of these people you are pleading so hard for are going to be injured by waiting, and if you are sincere in saying you will vote for the bill, you ought to be sincere in putting it to that test. That is particularly true, gentlemen, of the tariff argument, because it does go to the gist of this identical question, and I want the gentleman from Texas to give attention to this: Every one of us on this side of the aisle went out through our districts last fall and urged a protective tariff. For what reason? Because we wanted to protect American labor. We told the workingmen in our district that a tariff would help them, that it would prevent any great reduction of wages, and would maintain the standard of living, and that it would prevent the competition of underpaid foreign labor. Where? In foreign countries; not here. We told the working people of our districts that we would prevent the competition of foreign labor on the foreign farm and in the foreign factory. That is just the argument we made, and it was made in good faith and the American people believed it. Now, some of you gentlemen on this side turn around and say, "Oh, very well, we will not let foreign labor compete in foreign countries, but we will bring it over here and put the foreign labor into your front yard and let it compete with you here." Why, the people we talked to last fall would have the right to say to us, "Your tariff talk is a snare and a delusion; you are not acting in good faith." If we do not pass this bill or a bill like it they will have a perfect right to say our tariff talk was made for the protection of the employer and not for the workingman of this country.

Mr. PADGETT. Will the gentleman yield?

Mr. VAILE. I will.

Mr. PADGETT. Why limit it to 14 months?

Mr. VAILE. We expect by that time to work out a permanent, far-reaching immigration policy after we have had a chance to see what is actually going to be developed in the way of the fears expressed——

Mr. PADGETT. Not by me; I am in favor of the bill. I am asking why the gentleman limits the time. The gentleman said the tariff was to build up and protect them from competition on the other side and this bill was to protect them here——

Mr. VAILE. No; I said the tariff protected us here, both classes——

Mr. PADGETT. Then why limit it to the 14 months?

Mr. VAILE. I would be perfectly willing to have it longer.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman and gentlemen of the committee, I have listened with considerable interest to the discussion of this amendment, which is intended to weaken, as admitted, if not defeat the bill. Now, the real purpose—and there is no need of camouflaging what our friends are after—they want to defeat this bill; many of them admit that fact, while others plead, as they say, for humanity. Some of our friends——

Mr. ANSORGE. Will the gentleman yield for just one moment—for half a moment?

Mr. RAKER. I will.

Mr. ANSORGE. Does not the gentleman concede that by weakening one of these clauses and making the bill broader it will help to carry the bill?

Mr. RAKER. I realize what the gentleman is figuring on and what those who are taking the same position figure on. They want to make the bill so weak, pour a little more water here and a little more there and make it so weak that nobody who is in favor of restriction can afford to vote for it. That is what gentlemen are figuring on, and it is practically admitted. [Applause.]

Mr. SABATH. Will the gentleman yield?

Mr. RAKER. I will yield to the gentleman.

Mr. SABATH. I would like to know what the gentleman had in his mind when he said he would pour in water and make it weak. Has the gentleman a percentage in his mind?

Mr. CARTER. The gentleman wants to bring it to one-half of 1 per cent.

Mr. RAKER. That is not bothering me right now. There have been some who have objected to the law that is on the statute books, but some people have a mania for kicking. They have been objecting to everything for the last few years, and they think they ought to do so now. As a matter of fact, the very law that they are contending against was passed by almost a unanimous vote upon both sides of the House, and that is the passport law, one of the best pieces of legislation that our friends placed upon the statute books last session with the help of Members upon this side for the purpose of regulating to some extent, at least, the question of immigration to this country. Now, by what possible method of reasoning can a man who is a resident of this country and who came here at his own volition and became naturalized under our laws, as a question of justice or humanity, if you please, demand that his brothers, all of them, should come to this country? What method of reasoning can any man present that, because a man has come to this country and has sought its privileges, he can of right demand that his sister should come to this country, and that we are unjust to the peoples of the world if we do not put down the bars and permit to come here all the brothers and all the sisters of the people that may have come to this country and who live here, and that we are unjust if we do not?

Mr. LINEBERGER. I would like to ask the gentleman if there are any better hands in which an immigrant could fall than into the hands of an American citizen who is already in this country?

Mr. RAKER. That does not mean that he is an American citizen by his choice. He complied with the laws of this country and said, "I will abandon those of the old country from which I came and join yours." That brother stayed in the old country and was better satisfied than the other man was in this, and that sister remained in that country and did not desire to come to this after the bars have been let down and it was easy for her to come.

Mr. JOHNSON of Washington. Does it not salt itself down to the fact that some Members want, apparently, to keep them all out and at the same time let them all in?

Mr. RAKER. That is the thing exactly. Now, when it comes down to that, we need to guard and protect our own homes and look after our own front yard and our back yard, if you please, and we should not shed so many tears upon the countries abroad, but should look to our own poverty—there is plenty of it in this country—and our own sufferings. There have been a few isolated cases cited in regard to some one who has written for those to come from foreign countries. That is quite natural. But how many thousands of letters could the Members of this House present of suffering humanity in our own country that you are not providing for? We want to delay this immigration until we get our own house in order. That is all. In the meantime we can pass a real, genuine immigration law, treating all as they should be treated and at the same time properly safeguard the interests of the United States. It is best to pause for a few months and let the present situation readjust itself, both here and abroad.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Maryland [Mr. HILL].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. HILL. Mr. Chairman, I demand a division.

The committee divided; and there were—ayes 17, noes 97.

So the amendment was rejected.

Mr. TIMBERLAKE. Mr. Chairman, I offer an amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Colorado offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TIMBERLAKE: Page 4, line 3, strike out the period, insert a comma, and add the following:

"(11) Aliens who may apply for temporary admission not exceeding eight months in each year for employment as agricultural laborers, and such aliens may be admitted, notwithstanding they may be unable to comply with the literacy test of the immigration laws, subject to such provisions regulating their admission and return, including the exaction of bonds, as may be prescribed by the Secretary of Labor."

Mr. JOHNSON of Washington. Mr. Chairman, I reserve a point of order on that.

Mr. TIMBERLAKE. Mr. Chairman, I am in favor of the main provisions and the main features of this bill. I think there are exceptions that will not apply to all conditions and to all matters in this connection. I refer to a very serious condition now existing in the agricultural portions of this country that are given over to the growing of sugar beets. In my district in Colorado there are large sugar-beet factories. I know the growers of those beets. I know it will be impossible for them to secure hand labor for this work unless this amendment should be adopted or unless the Secretary of Labor will, as he has for the past several years, issue an order in violation, I understand, of section 3 of the immigration act of 1917, and allow them to come in for a period of six to eight months in order to engage in this labor. In our locality we had to depend exclusively, almost, on Mexican labor. They are well equipped for this work, and they are contented to do it. It is work that can not be accomplished by American labor. It is true that we have some Japanese laborers that are engaged in the work in Colorado, Utah, and other beet-growing States. The biggest part of the work has to depend upon the labor of these Mexicans. Having been given permission to come into the country and to return to their own at the end of their period of labor, we have never found any difficulty. We find they have always complied with the order of the department and have returned to Mexico, and they come back with their families the following year.

Mr. BOX. Will the gentleman yield?

Mr. TIMBERLAKE. I will.

Mr. BOX. Does the gentleman make that statement to the effect that they will return, after having read the official reports in regard to the matter?

Mr. TIMBERLAKE. I will advise the gentleman that I did not speak from the official reports, but that I speak from a personal knowledge of several years in connection with this very question.

Mr. BOX. Is it not a fact that the report of the Commissioner General for 1920, on page 8, shows that over 60 per cent of them do not return?

Mr. TIMBERLAKE. I have not seen that report, but I would like to ask the gentleman if he has any information that those who did remain were undesirable in the sense——

Mr. BOX. And I will say to the gentleman that I have read a great many press reports, and I have read complaints that they have been found out of employment, have been convicted as vagrants, have been placed in chain gangs because they could not get work and were technically guilty of the vagrancy laws of the State. I read a newspaper report published in the capital of the gentleman's State——

Mr. JOHNSON of Washington. The gentleman from Texas does not say that they put them in ball and chain in order to keep them from going out?

Mr. TIMBERLAKE. I have not any knowledge of the conditions in reference to that, but if it is so it is different from the conditions that have existed for three or four years in the territory of which I have knowledge.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. TIMBERLAKE. I yield.

Mr. SANDERS of Indiana. I appreciate the situation of the gentleman from Colorado. On page 3 of this bill I note that aliens who have resided continuously for at least one year immediately preceding the time of their admission from the Republic of Mexico are excepted.

Mr. VAILE. But they must still comply with the literacy test. That does not exempt them from the operation of the literacy test.

Mr. TIMBERLAKE. My attention was called to that, and at first blush I thought, as the gentleman thinks, that it would admit them, but I find on examination of the law that they must submit to the literacy test.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. McLAUGHLIN of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. VAILE. Mr. Chairman, I ask for recognition in opposition to the amendment.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. VAILE. Mr. Chairman, I do not want to crowd out anybody else who may desire to speak, but I am from the State of the gentleman [Mr. TIMBERLAKE] who just proposed this amendment.

This amendment is very earnestly desired by my best friends. Perhaps I am making a great mistake from the standpoint of my political future in rising to oppose it, but I do not propose to stand here and legislate for the State of Colorado merely. This is a striking example of the very thing that I urged upon you gentlemen of the committee yesterday when I said that the argument is made here and addressed to every single Member of the House that "You need this for your district." Your district makes clothing. Very well. You need more laborers in the clothing business. Let laborers come in for the clothing business. We had seven gentlemen from the State of New York, representing every political party in this House—three of them—urging that labor be let in, of course primarily for the State of New York, although I know they were sincere in believing that it would be for the benefit of that part of the country interested in letting them in.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. VAILE. Yes.

Mr. SIEGEL. The gentleman does not mean to tell the House that but seven Members of the House asked for that?

Mr. VAILE. Seven Members of the House from the city of New York, or from the State of New York, are opposed to this bill.

Mr. SIEGEL. That is another story.

Mr. VAILE. Well, let the correction stand that way. Then you have people from the iron and steel business, and they want laborers to come in to work in their business. The gentleman from Pennsylvania [Mr. VARE] argues that labor is needed. He did not particularly refer to his own district, but no doubt he had its great manufacturing enterprises in mind. Perhaps labor is needed in some places, but as I showed you yesterday the need for labor is not general, and, on the contrary, the general need is for jobs. [Applause.]

Mr. TIMBERLAKE. Mr. Chairman, will the gentleman yield?

Mr. VAILE. Yes.

Mr. TIMBERLAKE. I know that the gentleman is well acquainted with the conditions in Colorado with reference to the growing of beets.

Mr. VAILE. I do know that Colorado needs labor for the growing of sugar beets.

Mr. TIMBERLAKE. Can the gentleman tell us from what other source we can secure this labor except the Mexican labor?

Mr. VAILE. Well, there are thousands of people who need work in New York City.

Mr. TIMBERLAKE. Are they willing to work?

Mr. VAILE. I said yesterday, and I am forced now to say it again, although it refers to my own State, that if we have to have another servient race brought into this country in order to promote production, then let us get along without the production, even if it hurts an industry of my own district. [Applause.] If Americans want their industries to continue, we must learn to work in them ourselves. It has been the ruin of every nation that has ever tried it to continue to have one class that is too good to do any part of that nation's necessary work, and another separate class or race that had to do all the hard work or all the dirty work. That distinction is the basis of this amendment. It is the starting of a social condition, involving a dominant and a servient race. That condition has nearly wrecked us before.

First we brought in the negro to do work which the white man was not willing to do. There was an excuse for it. It was a semitropical part of the country. The white men could not very easily do the work that was required, and at least did not want to do that work in the fields. That experiment of a servient race and a dominant race left us a problem that has never been settled, and may never be settled with complete satis-

faction to the white man and with complete justice to the black man.

What happened on the western coast? We brought in Chinamen to build our railroads and work in our mines. Then we drove out the Chinamen, with disgrace to ourselves and violence to them. Now, on the Pacific coast they want to drive out the Japs and I agree that we do not want any more of them. But, forgetting the experience of 40 years ago, some Californians say: "Let the Chinamen come back in. We need labor again."

Here now is a proposition to let the Mexican in. I like the Mexican, but I do not think American communities ought to be made up of Mexicans, or that we should have new colonies of these people who do not speak our language or understand our laws. The gentleman says these are only temporary. What is the assurance that they are going to be only temporary? If they are to be only temporary then some sort of duress must be employed to be sure that they stay where they are supposed to stay and that they go out when they are expected to go out. The gentleman from Texas [Mr. Box] calls attention to the fact that 60 per cent of those admitted as temporary laborers have not gone out. If they are to be permanent, then we are bringing into our country a new and entirely different and for that reason an undesirable element of our population, and in my judgment it is not a good thing to do. [Applause.] If they are not to be permanent then they must be subjected to some sort of compulsion to insure the temporary character of their stay. Such compulsion means peonage, and that, if possible, is still more undesirable.

Mr. JOHNSON of Washington. Mr. Chairman, I make the point of order against the amendment that it is not germane, this being a bill to limit the immigration of aliens and the amendment being intended to admit aliens under bond.

Mr. SABATH. What is the ground of the point of order?

Mr. JOHNSON of Washington. The base of the point of order is that it is not germane.

The CHAIRMAN. The gentleman from Washington makes a point of order against the amendment of the gentleman from Colorado [Mr. TIMBERLAKE] on the ground that it is not germane.

Mr. SANDERS of Indiana rose.

The CHAIRMAN. For what purpose does the gentleman from Indiana rise?

Mr. SANDERS of Indiana. I want to speak in support of the point of order.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. SANDERS of Indiana. Mr. Chairman, this bill is to restrict the number of immigrants that can be admitted to this country under the law. It does not purport to let in anyone who is not otherwise qualified to come in under the law. This particular section is the section limiting the number to 3 per cent, and then giving the deductions that may be made from that 3 per cent. The proposed amendment, if the Chair will notice, proposes to amend the immigration laws so as to permit certain persons to enter this country who otherwise would not have the right to enter.

Now, the purpose of the rule is to prevent legislation being enacted without notice to the Members. No Member would be notified that we were attempting to change the immigration law so as to permit persons to enter the country who otherwise would not have the right to enter it, and I say that the removal of the restrictions on immigration would not be permitted under a bill which merely limits the number who may come in.

Mr. SABATH. I wish to call the attention of the Chair to the fact that paragraph (a) of section 2 makes an exception of certain people of certain countries. This amendment also attempts to make a further exception, and for that reason I think the point of order should not be sustained and can not lie.

The CHAIRMAN. Will the gentleman from Illinois permit the Chair to propound an inquiry to him concerning the matter he is now speaking about?

Mr. SABATH. Certainly.

The CHAIRMAN. As to whether the class of persons included in subsection (a) will not have to meet the other requirements of the immigration laws?

Mr. SABATH. Yes; but this does exempt them from the operation of this act.

Mr. JOHNSON of Washington. But not from section 3 of the immigration law.

The CHAIRMAN. The Chair is ready to rule. The amendment under consideration seeks specifically to change the existing immigration laws so far as the literacy test is concerned. It excepts a certain class from the literacy test. If this amendment should be held in order, it would then be in order to add other classes to enjoy the same exemption and also to exempt them from other provisions of the immigration law. Instead of a bill confined to one main purpose, namely, that of placing a limitation on the number who can enter the country under the existing law, we would be considering a general revision of the immigration law. Such a procedure would lead to interminable amendment. This amendment is clearly not germane to the bill, or to any provision of the section now under consideration. Therefore the Chair sustains the point of order.

Mr. SIEGEL. I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 6, line 3, strike out the six lines following the words "*Provided further*," and insert therefor the following: "The provisions of this act shall not apply to the parents and children of American citizens under 18 years of age."

Mr. GARRETT of Tennessee. Parents under 18 or children under 18?

Mr. SIEGEL. Parents alone and children under 18 years of age.

Mr. MADDEN. I suggest that the gentleman ought to change the language of his amendment. This applies to citizens under 18 years of age.

Mr. SIEGEL. I do not think so.

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The question being taken, on a division (demanded by Mr. SIEGEL) there were—ayes 9, noes 78.

Accordingly the amendment was rejected.

Mr. McLAUGHLIN of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

Mr. JOHNSON of Washington. Reserving the right to object, I should like to move that debate on section 2 and all amendments thereto close in five minutes.

Mr. FISH. Reserving the right to object——

The CHAIRMAN. Does the gentleman move or ask unanimous consent?

Mr. JOHNSON of Washington. I want to see if I can get unanimous consent.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that debate on section 2 and all amendments thereto close in five minutes. Is there objection?

Mr. FISH. Reserving the right to object, Mr. Chairman, I have an amendment.

Mr. SABATH. I have a very important amendment.

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded. It is necessary to put the question. Is there objection?

Mr. FISH. I object.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. McLAUGHLIN] that he may proceed for five minutes?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McLAUGHLIN] is recognized for five minutes. [Applause.]

Mr. McLAUGHLIN of Pennsylvania. Mr. Chairman and gentlemen of the committee, I am opposed to the bill now before this House for consideration for the reason that I believe the laws already on the statute books of the country, if properly enforced, are sufficient in themselves to protect our Republic from undesirable people who seek admission to our hospitable shores. Any further restrictions, it seems to me, would be un-American and would seriously work to the disadvantage of our country in the procuring of that element of labor so necessary to till the soil and develop the great industrial resources of the United States.

Mr. Chairman, if I should vote for this bill I would be false to the interests and ambitions of scores of thousands of the splendid people of the great State of Pennsylvania whom I in part have the honor to represent on the floor of this Chamber. Many people of the European races are now residents of my State, and they have splendidly proven their loyalty and devotion from the earliest days of our country's history down to the present moment. As President Roosevelt once said of one element of these people—the Irish—"they are hard workers in times of peace and splendid fighters in times of war."

And the same may be said of all of them, no matter from what land they came. The wonderful development of my own great Commonwealth of Pennsylvania is a tribute to their industry and their skill, and I should be sorry to see any law placed upon the statutes of our country which would in any way prevent honest, decent, hard-working immigrants from seeking a home and a livelihood under the protecting folds of our starry banner of liberty.

The temporary idleness now prevalent in some sections of the country will, please God, soon pass away, and the time will come in the near future when from all sections there will be a demand for labor which can not be supplied unless it comes, as in the past, from European countries.

The tendency of the times is to get away from the land and to seek a living in the great cities of the country. Many of our young Americans do not seem to want to live upon the farms and cultivate them. Neither do young Americans seek to learn in any great numbers the mechanic arts so necessary in the development of our productive agencies of all kinds. Therefore, if we prevent immigration with stringent laws like the bill now before us we will seriously jeopardize our own interests and create a scarcity of labor in this country in a few years which will prove a serious menace to the future prosperity of our glorious land.

I trust this bill will fail to pass.

Now, Mr. Chairman, I have listened very attentively to the many speeches for and against the general bill. I have heard the fears expressed by gentlemen here, and I wonder what they think the people who live in these other countries are seeking to come here for. I wonder if they think these people are longing to come here to blow up the Constitution and the institutions in this free land of ours? There is no such desire. I know that, because I am one of those referred to here. I came over thirty-odd years ago, and when I came there was no thought in my mind to do anything except to earn an honest living by the roughest kind of an implement that I could get my hands on to make a living. I am not pleading for the race from which I came. They need no pleading in this House; they are fighting their own cause in their own land in their own way, and may God speed them on the road to victory. The race from which I come helped to create our Revolution, helped in financing it, helped to win the victory, and we to-day, if it had not been for that victory, would be an annex to that Government that has annexed so many weak people. In conclusion let no man say that I oppose union labor or any kind of organized labor. I never have done that. I am a graduate of the schools of the great college of industry—the school of coal mining, the blacksmith and the machine shop and the rolling mills—and so I know whereof I speak. We should welcome all honest labor to our land, so that we shall continue to be the progressive nation that we always have been. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

On page 3, line 7, strike out the words "or agreement."

Mr. GARRETT of Tennessee. Mr. Chairman, this is an amendment which is proposed to this exception contained in the bill. That exception reads "aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration." My amendment is to strike out the words "or agreements," so that it will read "aliens from countries immigration from which is regulated in accordance with treaties relating solely to immigration."

I do not know just why these words "or agreements" are contained. I trust that in offering this amendment I am not playing with dynamite in any way, but I have a very firm conviction that that expression "or agreements" is one that would permit of international trouble arising under this law. May I ask the gentleman from Washington if it is not safer to leave it as "treaties"?

Mr. JOHNSON of Washington. I think not. I hope we will not find it necessary to open up a great argument here to-night of the so-called gentleman's agreement whether they are in writing or a part of the treaty or verbal. In my opinion this will do no harm if these words are left in. We have no countries with which treaties are made relatively solely to immigration. We have immigration clauses in treaties, but no treaty relating solely to immigration.

Mr. GARRETT of Tennessee. I think it is a serious fundamental proposition. Congress controls immigration, or ought to. This puts it in the power of the Executive alone to control that proposition without even a treaty being ratified by the Senate under the Constitution.

Mr. JOHNSON of Washington. Would not the purpose of the gentleman be solved by leaving the language as it is and inserting the word "now."

Mr. SABATH. Or say "present treaties."

Mr. GARRETT of Tennessee. That would be a decided improvement, but at the same time is it the purpose of the Congress to recognize some agreement that we know nothing absolutely about?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LITTLE. Mr. Chairman, if the gentleman from Tennessee [Mr. GARRETT] will allow me, I would suggest that what he wants to do is to strike out everything after the word "treaties" in that sentence. As the chairman of the committee [Mr. JOHNSON] suggests, there are no treaties specifically in regard to immigration.

Mr. GARRETT of Tennessee. But there may be treaties made in the future relating wholly to immigration, and there may be some now, I do not know. This bill is not only for the present but for the future. I think there ought to be a treaty relating to immigration.

Mr. LITTLE. There might be, but there is none now. If this language is left as it is made by your amendment we would not have any law, because there are no such treaties.

Mr. JOHNSON of Washington. If you strike out all the language after the word "treaties," he loses the word "solely."

Mr. LITTLE. I understand that, but if he wants it to read treaties relating solely to immigration you will have no law, because there are no such treaties. No exception to the provision of this section would be made by the clause he seeks to amend.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BARKLEY. Does the gentleman know how many agreements there are in existence at this time?

Mr. LITTLE. I did not attempt to pursue that. I did not know that there were any.

Mr. BARKLEY. If there are no treaties that this language affects, and no agreements, why is it in there at all?

Mr. LITTLE. I think if we cut out everything after the word "treaties" we will have a good law. That is the way it probably ought to be. I do not know about any agreement anybody has made. I worked at that trade a little—some 28 years—and I never heard of any.

Mr. BARKLEY. There must be some, or they would not have provided for its exception.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. HARDY of Texas. If I understand the gentleman, he thinks the gentleman from Tennessee [Mr. GARRETT] would secure his object by simply striking out all after the word "treaties"?

Mr. LITTLE. Yes. If he does not do that, he will not have any law at all in this clause, because it would not apply to anything on earth.

Mr. HARDY of Texas. The exception would be meaningless if it applied to treaties solely with reference to immigration, because there are no such treaties.

Mr. JOHNSON of Washington. And the 3 per cent would be meaningless, too.

Mr. LITTLE. I was in this treaty business myself for a little while once, but I never heard of any such "agreements."

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. GARRETT of Tennessee. Do I understand the gentleman proposes to offer an amendment such as he suggested while I had the floor?

Mr. JOHNSON of Washington. No. I have had consultation since then, and it seems that at one time we did have the word "solely" in there, but I find that we took it out for this reason.

Mr. GARRETT of Tennessee. I do not mean the word "solely."

Mr. JOHNSON of Washington. Well, the word "present." The bill provides:

Aliens from countries immigration from which is regulated in accordance with treaties or agreements relating solely to immigration.

If we put in the word "present" and as a result of this bill we lose agreements, where are we? We have got to carry this language. This is a temporary measure, and I am perfectly frank to come out in the open and say that it is designed to find out whether we do force the agreement to be actually recognized or not.

Mr. GARRETT of Tennessee. Does the gentleman mean actually recognized by us or by some other country?

Mr. JOHNSON of Washington. Recognized in this way: That if any country elects to send people here to the extent of 3 per cent of their nationality in the country in 1910, then that act itself would violate any agreement that is in existence.

Then would come the making of a new treaty, and that would end in the preparation of future immigration laws the hanging about of this agreement in that way, interfering with the making of laws. I can not see that there can be any harm in this; I can not see that it will involve anyone. We have had pretty good advice on this, and after much consultation have gotten it in this shape.

Mr. GARRETT of Tennessee. Mr. Chairman, I know there is a delicate situation about this, and I do not want to play with dynamite, but I do not like this idea of writing into this immigration law recognition of an agreement privately made and never carried through the form of a treaty.

Mr. JOHNSON of Washington. We do not specify in this any particular limit, but we do say that aliens coming from countries with which we have agreements relating solely to immigration——

Mr. COCKRAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. COCKRAN. Merely for the sake, I will not say clearness, but intelligibility of expression, does the gentleman not think he ought to say between whom the agreement exists?

Mr. JOHNSON of Washington. That might be, but who has this agreement?

Mr. COCKRAN. Then, if the gentleman does not know, what in the name of patience does he mean by putting it into the bill and letting Congress and the rest of the world speculate as to its significance?

Mr. JOHNSON of Washington. I really believe that all interested parties will know, just the same.

Mr. COCKRAN. Surely the gentleman is not going to legislate on a belief that somebody will understand what we are legislating about?

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent that his time be extended for half a minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Will the gentleman inform the House whether he expects to finish this bill and have a final vote upon it this evening?

Mr. JOHNSON of Washington. It is desired to get the bill up to the point where it may be voted on at the next session of the House.

Mr. QUIN. Mr. Chairman, I offer an amendment to strike out, at the end of line 17, page 2——

The CHAIRMAN. The amendment is not in order; there is an amendment pending. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. GARRETT of Tennessee) there were—yeas 40, nays 77.

So the amendment was rejected.

Mr. QUIN. Mr. Chairman, I offer an amendment by striking out, at the end of line 17, page 2, section 2, the figure "3" and substituting therefor the figure "1."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. QUIN: Page 2, line 17, strike out the figure "3" at the end of the line and insert in lieu thereof the figure "1."

Mr. MADDEN. Mr. Chairman, I move an amendment to the amendment.

The CHAIRMAN. The gentleman can not take the gentleman from Mississippi off of his feet by offering an amendment.

Mr. QUIN. Mr. Chairman, my judgment is this bill is so loosely drawn that it will let in too many of these foreigners even with the seemingly low figure of 3 per cent. I would make it nothing if I thought we could get by with it, but I insist upon restricting them to 1 per cent of the number they already have within the borders and domain of the United States. If we are going to pass a bill to restrict immigration, let us pass one that means something. This measure is intended, so far as the public is concerned, to restrict immigration. The American people now realize that we have in all quarters of this country too many folks from across the Atlantic and Pacific Oceans who have not become amalgamated with our people. Under this measure, who is coming? You are going to allow professors to come, and they may come in here with all their anti-American spirit, with the ideals of bolshevism, and all other dangerous isms, and demoralize the communities wherever they may go into. Who else is coming? Some gentleman said that we needed all kinds of labor to come here. According to the report of the Secretary of Labor you already have 700,000 people who are idle. The gentleman from New York [Mr. COCKRAN], in his able argument here, said that we ought to have common labor to help this skilled labor and that to keep up prices of skilled labor we should import foreign labor. What are they going to do after they get here? From an economic standpoint the United States does not need any more. Every person who is familiar with the conditions in this country from a political standpoint knows that we do not need any professor or anybody else from across the ocean to come into the United States at this time. We already have as many foreigners here as the melting pot can melt, and, in my judgment, we have too many here already. These people endeavor to determine the political destiny of the United States. You remember in the last campaign it was discussed in the newspapers, by orators on the stump, in campaign headquarters, How will the Germans vote? How will the Scandinavian vote go? How will the Italian vote go? They ought to say, How will the Americans go? [Applause.] I am for the United States and for the American citizenship in heart, mind, and soul, to control this Government. I believe in America for Americans; first, last, and all the time.

Instead of us wanting to bring into this country snakes with poisonous fangs, that can be thrust into the body politic to send their poison from the Atlantic to the Pacific Ocean, we should Americanize all of the people who are here now. We should not continue to let this foreign immigration come into this Republic. We have already too much unrest in this land, too much dissatisfaction with the Government. Gentlemen with crocodile tears in their eyes are talking apparently for the laboring men. I am always for the toiling masses getting a square deal. Where is the laboring men who wants to get this scum from Europe to come here? I say where is the laboring man who wants to bring somebody to be put in competition with him and take his job away from him? You know when you come with crocodile tears of pretense, talking against this bill and urging that the bars should be let down for all foreigners to come here, that the laboring people of the United States do not want to bring all these foreigners into competition with themselves, and you further know that the American—I mean the man who is really American in his heart and holds the flag of this Republic above all other flags of all other nations—does not want to bring into this country this horde that has been overrunning this land. You have in the cities of this Republic vast crowds now who can not speak the English language, and when the fate of the country is hanging in the balance on which side will they stand? Are they with us or are they against us?

The time has come when every American should be on guard. The Father of his Country, George Washington, the night he crossed the Delaware said: "Put none on guard but Americans." Now is the time for nothing but Americans to be put on guard. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi [Mr. QUIN].

The question was taken, and the amendment was rejected.

Mr. FISH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers the following amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: After the word "to" at the end of line 4, page 6, add the following:

"Wives, fiancées, parents, sisters, brothers, and minor children of ex-service men holding an honorable discharge from the United States Army, Navy, and Marine Corps, who are eligible to citizenship and who served in the United States military or naval forces between April 6, 1917, and November 11, 1918, and to."

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. FISH. Mr. Chairman and gentlemen, the House in its wisdom saw fit to defeat the amendment that was previously offered to exclude the families of service men from the 3 per cent regulation. This amendment simply gives preference to the families of ex-service men, and I do not think that I need to call your attention to it after hearing the discussion on the previous amendment, except to simply say that this does not increase the number of immigrants. I believe that is the reason that the other amendment was defeated, namely, that you were fearful that it would increase the number coming to this country. All we ask for now is that preference be given to our alien service men who are naturalized and who have families abroad. I believe that this House is not unmindful of what those soldiers did, and I believe you will not be ungrateful. It is only a small thing, and only a right, to say to our service men that these people should have preference over any others in coming to this country.

The guns have ceased firing and the bands have ceased playing on this side. But during the war the slogan that went all over this country and to the boys on the other side simply said this, "Nothing is too good for you when you return." And I regret as a service man that I have to call attention of the Congress to the fact that those words have received a substitute, and that substitute is, "The war is over." I do not think the Congress is willing, now that they have an opportunity to give this preference to service men, to turn them down. If they do, they must have some very good reason for it. The amendment that I have offered does not increase the immigration to this country by a single man, and I trust that it will prevail.

Mr. LINEBERGER. Mr. Chairman, I ask unanimous consent to address the House for two minutes.

The CHAIRMAN. The gentleman from California asks unanimous consent to address the House for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINEBERGER. Mr. Chairman and gentlemen, I have listened with great interest to the remarks of my colleague, the gentleman from New York [Mr. FISH]. I am heartily in favor of the amendment which that gentleman has just offered. There is certainly in America to-day no body of citizens to which immigrants could come with greater assurance that their footsteps would be guided along the path of practical patriotism and worthy American citizenship than to those ex-service men who wore the uniform of the Army and Navy of our country in the recent great World War. One of the objections which has been raised, and quite properly so, to the coming of aliens to these shores at this particular time is that they will not become real American citizens. The ex-service men who went out, as my colleague has stated, to the call of arms went out with the assurance, voiced not only in print but spoken from the platforms throughout this Nation, that upon their return nothing would be too good for them. I do not believe, however, that the service men should have, nor that they ask for, anything that is not reasonable. The request which has been made and which is embodied in this amendment does not increase the number of immigrants that will come to our shores by one single individual. But it does give preferential treatment to the relatives of these ex-service men of foreign birth, who offered so freely their lives, and in so doing gave such sterling proof of their love for their adopted country in its hour of crisis.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINEBERGER. Mr. Chairman, I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LINEBERGER. Gentlemen, I do not believe that there is anything more fitting than that this House should recognize the desire on the part of those patriotic American citizens of foreign birth—who have so unquestionably proven their devotion to American ideals and institutions—to be united with their families and their relatives from across the seas, and that we should so amend this bill that this legitimate and worthy aspiration may be gratified. I certainly hope that this amendment will carry. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FISH].

Mr. JOHNSON of Washington. Mr. Chairman, I would like to see if we can make an arrangement under which this amendment can be considered as pending and passed over for the present. I am inclined to think it can be accepted.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the amendment offered by the gentleman from New York be passed over without prejudice and be taken up later in the session of the committee. Is there objection?

Mr. FISH. Reserving the right to object, Mr. Chairman, I do not quite understand the request of the chairman of the committee.

Mr. JOHNSON of Washington. I want to say to the gentleman that I want to consult with other members of the committee with a view to accepting the amendment. I desire to make it sure that it is in the proper place and that these phrases may not conflict with other provisions of the bill.

The CHAIRMAN. Is there objection?

Mr. FISH. Reserving the right to object, Mr. Chairman, I want to get the assurance of the gentleman that we shall have an opportunity to take this matter up and be notified when it will come up.

Mr. JOHNSON of Washingon. Yes; it will be considered pending. If the gentleman is not here to watch it, I will watch it for him.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I offer an amendment: On page 6, after the word "further," in line 3, strike out all down to and including the word "law," in line 8, and insert the following:

The provisions of this act shall not apply to the minor children, if free from contagious disease and otherwise admissible under the immigration laws of the United States, of citizens of the United States; and preference shall be given so far as possible to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin: On page 6, after the word "further," in line 3, strike out all down to and including the word "law," in line 8, and insert the following: "The provisions of this act shall not apply to the minor children, if free from contagious disease and otherwise admissible under the immigration laws of the United States, of citizens of the United States; and preference shall be given so far as possible to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law."

Mr. JOHNSON of Washington rose.

The CHAIRMAN. For what purpose does the gentleman from Washington rise?

Mr. JOHNSON of Washington. For the purpose of moving that the committee do now rise.

Mr. COOPER of Wisconsin. Mr. Chairman, may I ask the gentleman when we shall meet again? When the committee reassembles shall I have the right to be recognized on the amendment?

The CHAIRMAN. The gentleman will be recognized for that purpose.

Mr. JOHNSON of Washington. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill H. R. 4075, to limit the immigration of aliens into the United States, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LEATHERWOOD was granted leave of absence, for four days, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. HIMES was granted leave to withdraw from the files of the House, without leaving copies, the papers in the case of Joseph W. Bevard, H. R. 5110, first session Sixty-sixth Congress, and David Turnipseed, H. R. 5115, first session Sixty-sixth Congress, no adverse report having been made thereon.

ADJOURNMENT.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Friday, April 22, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

43. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and plan and estimate of cost of improvement of inland waterway from Pensacola Bay, Fla., to Mobile Bay, Ala.; to the Committee on Rivers and Harbors.

44. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of shore near the mouth of Saco River, Me., with a view to preventing its erosion; to the Committee on Rivers and Harbors.

45. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examation of outlet of Cass Lake, Minn., with a view to establishing a navigable connection with the Mississippi River; to the Committee on Rivers and Harbors.

46. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examation of Michigan City Harbor, Ind. (H. Doc. No. 20); to the Committee on Rivers and Harbors and ordered to be printed.

47. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $110,000 required by the Treasury Department to cover printing and binding, fiscal year 1921 (H. Doc. No. 21); to the Committee on Appropriations and ordered to be printed.

48. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $8,790,272 required by the Bureau of War Risk Insurance, fiscal year 1921 (H. Doc. No. 22); to the Committee on Appropriations and ordered to be printed.

49. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $175,000 to cover printing and binding for the Department of Agriculture, fiscal year 1921 (H. Doc. No. 23); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. IRELAND, from the Committee on Accounts, to which was referred the joint resolution (H. J. Res. 16) providing for pay to clerks to Members of Congress and Delegates, reported the same without amendment, accompanied by a report (No. 10), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3071) granting an increase of pension to Eva Bassett; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 507) granting a pension to Marianne H. D'Arcy; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 511) granting an increase of pension to Isabel Bertrand; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FUNK: A bill (H. R. 4783) to provide for the purchase of a site and the erection of a public building at Bloomington, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. KELLEY of Michigan: A bill (H. R. 4784) to protect the name and insignia of the World War organizations; to the Committee on the Judiciary.

By Mr. LINEBERGER: A bill (H. R. 4785) to relieve the owners of mining claims, or the heirs of said owners, who served as officers or enlisted men in the military or naval forces of the United States or, if now an American citizen, in the armed forces of any of the nations associated with the United States during the recent war with Germany, from performing assessment work for a period of five years from and after the 1st day of July, 1921; to the Committee on Mines and Mining.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 4786) to prevent hoarding and deterioration of, and deception with respect to, cold-storage foods; to regulate shipments of cold-storage foods in interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. MILLER: A bill (H. R. 4787) to provide for the purchase of a site and for the erection of a public building thereon at Seattle, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. MILLS: A bill (H. R. 4788) to provide for the appointment of one additional judge of the District Court of the United States for the Southern District of New York; to the Committee on the Judiciary.

By Mr. OLDFIELD: A bill (H. R. 4789) to provide for the erection of a post-office building at Brinkley, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4790) to provide for the erection of a public building at Walnut Ridge, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4791) to provide for the erection of a public building at Clarendon, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. BUTLER: A bill (H. R. 4792) to provide for reimbursement of steamship companies and others for advancements made during the late war to officers and enlisted men of the naval service on account of pay; to the Committee on Naval Affairs.

By Mr. RANKIN: A bill (H. R. 4793) to extend the limits of Shiloh National Military Park; to the Committee on Military Affairs.

Also, a bill (H. R. 4794) making an appropriation for the improvement of the Tombigbee River in the State of Mississippi and in the State of Alabama; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4795) for the improvement of the Federal building at Aberdeen, Miss.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4796) to prohibit in the District of Columbia the intermarriage of whites with Negroes or Mongolians; to the Committee on the District of Columbia.

Also, a bill (H. R. 4797) to refund to lawful claimants the cotton tax collected for the years 1863, 1864, 1865, 1866, 1867, and 1868; to the Committee on War Claims.

By Mr. WALTERS: A bill (H. R. 4798) for the establishment and maintenance of a forest experiment station in the State of Pennsylvania; to the Committee on Agriculture.

By Mr. COOPER of Ohio: A bill (H. R. 4799) granting pensions to certain members of the former Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. FROTHINGHAM: A bill (H. R. 4800) making armistice day a legal holiday; to the Committee on the Judiciary.

By Mr. SANDLIN: A bill (H. R. 4801) to amend section 206 (c) of an act entitled "An act to provide for the termination of Federal control of railroads and systems of transportation; to provide for the settlement of disputes between carriers and their employees; to further amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, as amended, and for other purposes," approved February 28, 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. DALLINGER: A bill (H. R. 4802) fixing the compensation of the United States customs guards and night inspectors; to the Committee on Ways and Means.

By Mr. KELLEY of Michigan: A bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes; to the Committee on Appropriations.

By Mr. ANDREWS: A bill (H. R. 4804) for the purchase of a site and the erection of a public building at Minden, Nebr.; to the Committee on Public Buildings and Grounds.

By Mr. BELL: A bill (H. R. 4805) to consolidate national forest lands; to the Committee on Agriculture.

Also, a bill (H. R. 4806) to establish a fish hatchery and fish station in the ninth congressional district of Georgia; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4807) granting additional pay to the enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Ways and Means.

Also, a bill (H. R. 4808) to authorize deduction of war-risk insurance premiums from the war-service bonus payable under the act approved February 24, 1919, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DENISON: A bill (H. R. 4809) to amend sections 8 and 9 of the Panama Canal act, to regulate divorce in the Canal Zone, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: A bill (H. R. 4810) to authorize the incorporation of companies to promote trade in China; to the Committee on the Judiciary.

By Mr. HAYDEN: A bill (H. R. 4811) providing for the payment of pensions monthly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4812) to provide for the disposal of public lands in Arizona, New Mexico, Nevada, and Utah containing deposits of copper at depth; to the Committee on the Public Lands.

Also, a bill (H. R. 4813) changing the period for doing annual assessment work on unpatented mineral claims from the calendar year to the fiscal year ending June 30 of each year; to the Committee on Mines and Mining.

By Mr. LEHLBACH: A bill (H. R. 4814) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes," approved July 11, 1919, to include members of the Regular Army Reserve and the Naval Reserve Force in the civil service preference therein provided; to the Committee on Reform in the Civil Service.

By Mr. McFADDEN: A bill (H. R. 4815) to amend section 9 of the Federal reserve act; to the Committee on Banking and Currency.

By Mr. RHODES: A bill (H. R. 4816) to provide a tariff and to obtain revenue in connection with the lead content of lead-bearing ores, lead, and lead products, and repealing existing laws fixing the rates of duty on such commodities; to the Committee on Ways and Means.

By Mr. BELL: A bill (H. R. 4817) authorizing the erection of a post-office building at Jefferson, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4818) to provide for the erection of a public building at the city of Canton, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4819) to provide for the erection of a public building at the city of Buford, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4820) to provide for the erection of a public building at the city of Toccoa, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4821) authorizing the erection of a post-office building at Commerce, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4822) authorizing the erection of a post-office building at Lawrenceville, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4823) to construct a suitable building for the use of the United States court at Gainesville, Ga., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BRITTEN: A bill (H. R. 4824) to enlarge the jurisdiction of the district courts of the United States in suits against the United States; to the Committee on the Judiciary.

By Mr. CLASSON: A bill (H. R. 4825) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. McFADDEN: A bill (H. R. 4826) to amend section 8 of an act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended May 15, 1916, and May 26, 1920; to the Committee on Banking and Currency.

By Mr. RANKIN: Joint resolution (H. J. Res. 65) for the relief of cyclone sufferers; to the Committee on Military Affairs.

By Mr. TINKHAM: Joint resolution (H. J. Res. 66) for a commission to review the foreign debt to the United States; to the Committee on Ways and Means.

By Mr. PORTER: Joint resolution (H. J. Res. 67) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States; to the Committee on Foreign Affairs.

By Mr. TOWNER: Joint resolution (H. J. Res. 68) proposing an amendment to the Constitution of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. GARRETT of Tennessee: Resolution (H. J. Res. 69) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MacGREGOR: Concurrent resolution (H. Con. Res. 12) requesting the President of the United States to enter into negotiations for amendment of treaty with Great Britain relating to boundary waters between the United States and Canada; to the Committee on Foreign Affairs.

By Mr. ALMON: Resolution (H. Res. 65) providing for printing additional copies of soil survey of Lauderdale County, Ala.; to the Committee on Printing.

By Mr. KELLY of Pennsylvania: Memorial of the Legislature of Pennsylvania favoring retirement privileges for disabled emergency officers; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 4827) authorizing the Secretary of War to donate to the town of Bradley Beach, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4828) authorizing the Secretary of War to donate to the town of Cranbury, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BEGG: A bill (H. R. 4829) authorizing the Secretary of War to donate to the town of North Fairfield, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BELL: A bill (H. R. 4830) granting an increase of Pension to John T. Morgan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4831) to pay to J. H. White $2,000 for injuries received at the hands of two United States soldiers; to the Committee on Claims.

Also, a bill (H. R. 4832) for the relief of the State of Georgia; to the Committee on Claims.

Also, a bill (H. R. 4833) for the relief of the heirs of John H. Christy, deceased; to the Committee on Claims.

By Mr. BULWINKLE: A bill (H. R. 4834) to compensate Levi Buckner for the time he was omitted from the pension roll; to the Committee on Invalid Pensions.

By Mr. BURKE: A bill (H. R. 4835) granting an increase of pension to Lizzie K. Thorpe; to the Committee on Pensions.

By Mr. COLE: A bill (H. R. 4836) granting a pension to Mary E. Feenan; to the Committee on Pensions.

By Mr. ELLIS: A bill (H. R. 4837) granting an increase of pension to Mary A. Scanlan; to the Committee on Pensions.

Also, a bill (H. R. 4838) for the relief of Faxon, Horton & Gallagher, and others; to the Committee on Claims.

By Mr. FAUST: A bill (H. R. 4839) granting an increase of pension to Isabelle Barnett; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 4840) granting an increase of pension to Sarah E. Canton; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 4841) granting a pension to Albert E. Alexander; to the Committee on Pensions.

By Mr. GOOD: A bill (H. R. 4842) granting a pension to Margaret Dexter; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 4843) granting a pension to Mary Stevens; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 4844) for the relief of Jonathan J. Totten; to the Committee on War Claims.

Also, a bill (H. R. 4845) for the relief of J. W. La Bare; to the Committee on Military Affairs.

Also, a bill (H. R. 4846) granting an increase of pension to Benjamin Blackburn; to the Committee on Pensions.

By Mr. HAYS: A bill (H. R. 4847) granting a pension to Emma Schuette; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4848) granting a pension to Claud Dever; to the Committee on Invalid Pensions.

By Mr. HICKEY: A bill (H. R. 4849) granting a pension to Elizabeth Welsh; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 4850) for the relief of Eli G. Collier; to the Committee on War Claims.

Also, a bill (H. R. 4851) for the relief of Patrick O'Kane; to the Committee on War Claims.

Also, a bill (H. R. 4852) for the relief of the heirs of Lovick Lambeth, deceased; to the Committee on War Claims.

Also, a bill (H. R. 4853) for the relief of the heirs of Simon Kirkpatrick; to the Committee on War Claims.

Also, a bill (H. R. 4854) for the relief of the heirs of Peter Goodman; to the Committee on War Claims.

Also, a bill (H. R. 4855) for the relief of the heirs of Jacob Pennington; to the Committee on War Claims.

Also, a bill (H. R. 4856) for the relief of the heirs of Augusta W. Diehl, deceased; to the Committee on War Claims.

Also, a bill (H. R. 4857) for the relief of the estate of Jeremiah Cockrell, late of White Oak, Fairfield County, S. C.; to the Committee on War Claims.

By Mr. KING: A bill (H. R. 4858) granting a pension to Alfred Hayton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4859) granting a pension to Mary H. Lauderbaugh; to the Committee on Invalid Pensions.

By Mr. KIRKPATRICK: A bill (H. R. 4860) for the relief of Caleb Aber; to the Committee on Military Affairs.

By Mr. LINEBERGER: A bill (H. R. 4861) to reimburse the California Shipbuilding Co. for its expenditures over the price named in the contract for the United States lighthouse tender *Cedar;* to the Committee on Claims.

Also, a bill (H. R. 4862) to carry out the findings of the Court of Claims in the case of George W. C. Smith; to the Committee on Claims.

Also, a bill (H. R. 4863) to carry out the findings of the Court of Claims in the case of Arthur H. Fish; to the Committee on Claims.

Also, a bill (H. R. 4864) to carry out the findings of the Court of Claims in the case of John W. Westover; to the Committee on Claims.

By Mr. McFADDEN: A bill (H. R. 4865) granting an increase of pension to Margaret Price; to the Committee on Invalid Pensions.

By Mr. MONTOYA: A bill (H. R. 4866) authorizing the Secretary of War to donate to the city of Albuquerque, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4867) authorizing the Secretary of War to donate to the town of Old Albuquerque, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4868) authorizing the Secretary of War to donate to the city of Las Vegas, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4869) authorizing the Secretary of War to donate to the city of Santa Fe, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4870) authorizing the Secretary of War to donate to the city of Roswell, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4871) authorizing the Secretary of War to donate to the city of Las Cruces, State of New Mexico, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 4872) authorizing the Secretary of War to donate to the village of Canastota, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4873) authorizing the Secretary of War to donate to the village of Natural Bridge, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PETERSEN: A bill (H. R. 4874) for the relief of William V. Nolan; to the Committee on Claims.

By Mr. RANKIN: A bill (H. R. 4875) granting an increase of pension to Thomas B. McClane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4876) granting an increase of pension to Mary Neal; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 4877) granting a pension to Ella E. Carbonell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4878) for the relief of the father of Catharine Kearney; to the Committee on Claims.

By Mr. RANKIN: A bill (H. R. 4879) for the relief of Mamie Duffer; to the Committee on Claims.

Also, a bill (H. R. 4880) to provide for the survey of the Tombigbee River in Alabama and Mississippi, and the survey of a canal connecting the Tennessee and Tombigbee Rivers; to the Committee on Rivers and Harbors.

By Mr. ROSENBLOOM: A bill (H. R. 4881) granting a pension to Mary C. Wykoff; to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 4882) authorizing the Secretary of War to donate to the Chelsea Park, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4883) authorizing the Secretary of War to donate to the DeWitt Clinton Park, city of New York, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHREVE: A bill (H. R. 4884) granting a pension to Sarah J. Little; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 4885) for the relief of George T. Larkin; to the Committee on Claims.

By Mr. STEDMAN: A bill (H. R. 4886) granting an increase of pension to Lemuel G. Cherry; to the Committee on Pensions.

By Mr. STEPHENS: A bill (H. R. 4887) granting an increase of pension to Ella Day; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 4888) for the relief of V. E. Schermerhorn and others; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 4889) granting a pension to John B. Sarvis; to the Committee on Invalid Pensions.

By Mr. UPSHAW: A bill (H. R. 4890) for the relief of Ella Edmondson; to the Committee on Claims.

By Mr. VOLK: A bill (H. R. 4891) for the relief of Thomas Steenworth; to the Committee on Claims.

Also, a bill (H. R. 4892) for the relief of James A. McErlain; to the Committee on Claims.

By Mr. WHITE of Maine: A bill (H. R. 4893) granting a pension to Mary E. Wells; to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 4894) for the relief of George W. Posey; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

232. By Mr. CHALMERS: Petition of 400 members of the Maumee River Yacht Club, asking repeal of 10 per cent tax on yachts; to the Committee on Ways and Means.

233. By Mr. CULLEN: Petition of Women's Municipal League of New York, favoring further legislation for disabled veterans; to the Committee on Interstate and Foreign Commerce.

234. By Mr. DYER: Petition of American Association for the Recognition of the Irish Republic, demanding that our Government take the necessary steps to compel the Government of Great Britain to pay its debts to the people of the United States, etc.; to the Committee on Foreign Affairs.

235. Also, petition of citizens of St. Louis, Mo., in favor of light wines and beer; to the Committee on the Judiciary.

236. Also, petition of citizens of St. Louis, Mo., in favor of a repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

237. By Mr. FUNK: Petition by the Irish Societies of Bloomington, Ill., that the shooting of the six Irishmen is a violation of The Hague convention of 1907, and protesting against further outrages; to the Committee on Foreign Affairs.

238. Also, petition of the Bloomington-Normal (Ill.) Branch of the National Association for the Advancement of Colored People, protesting against the crime of lynching and requesting that a law be enacted making such crime a Federal offense; to the Committee on the Judiciary.

239. By Mr. GRIFFIN: Resolutions of Chamber of Commerce of the State of New York, urging retention of passport offices in New York; to the Committee on Foreign Affairs.

240. Also, resolutions of Chamber of Commerce of the State of New York, urging prompt repeal of odious taxation laws; to the Committee on Ways and Means.

241. By Mr. KELLY of Pennsylvania: Petition of American Legion, recommending legislation; to the Committee on Military Affairs.

242. Also, petition of Keystone Local, No. 63, of Pitcairn, Pa., favoring amnesty for political prisoners; to the Committee on the Judiciary.

243. Also, petition of Pittsburgh Chamber of Commerce, favoring defensive measures in tariff against countries discriminating against American products; to the Committee on Ways and Means.

244. Also, petition of Chamber of Commerce of Pittsburgh, opposing opening of trade relations with Russia; to the Committee on Foreign Affairs.

245. By Mr. KENNEDY: Resolution of Board of Aldermen of the city of Newport, R. I., protesting against the removal of the Naval War College from Newport; also resolution of Board of Aldermen, Newport, R. I., urging reestablishment of second naval district at Newport, R. I.; to the Committee on Naval Affairs.

246. By Mr. KISSEL: Petition of J. S. Otis, of New Orleans, favoring reduction in interest rates; to the Committee on Banking and Currency.

247. Also, petition of T. F. Van Dorn, of New York, favoring House bill 2450; to the Committee on Mines and Mining.

248. Also, petition of Women's Municipal League of New York, favoring further relief for disabled veterans; to the Committee on Interstate and Foreign Commerce.

249. Also, petition of Laurence Lowery, of New York, favoring recognition of Ireland; to the Committee on Foreign Affairs.

250. Also, petition of Samstag's, Schwartz Bros. and Oscar H. Geiger & Co., all of New York, favoring 1 per cent sales tax; also petition of Kruskal & Kruskal (Inc.), of New York, protesting against 10 per cent tax on furs; to the Committee on Ways and Means.

251. By Mr. PARK of Georgia: Petition of W. L. Hanna and eight other residents of Tifton, Ga., asking reduction in freight rates on watermelons; to the Committee on Interstate and Foreign Commerce.

252. By Mr. ROGERS: Petition of numerous citizens of the fifth district of Massachusetts favoring recognition of Ireland; to the Committee on Foreign Affairs.

253. By Mr. SINCLAIR: Petitions of Vesper Chapter, No. 92, Order of Eastern Star, and Meridian Lodge No. 116, Ancient, Free, and Accepted Masons, both of Hazen, N. Dak., and Willow Lodge No. 47, Ancient, Free, and Accepted Masons, Willow City, N. Dak., indorsing Smith-Towner bill; to the Committee on Education.

254. Also, petition of Mott Lodge No. 96, Ancient, Free, and Accepted Masons, Mott, N. Dak., and Mandan Lodge No. 8, Ancient, Free, and Accepted Masons, Mandan, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

255. By Mr. STINESS: Petition of board of aldermen of the city of Newport, R. I., protesting against the contemplated removal of the Navy War College from Newport to Washington and urging the reestablishment of the second naval district; to the Committee on Naval Affairs.

256. By Mr. TAGUE: Petition of South Boston Yacht Club, of South Boston, Mass., favoring the repeal of 10 per cent tax on pleasure craft; to the Committee on Ways and Means.

257. By Mr. VARE: Petition of vessel owners and captains association against Government operation of inland barges, provided for in the transportation act; to the Committee on Interstate and Foreign Commerce.

258. By Mr. YATES: Petition of Samuel C. Osborn Manufacturing Co., of Chicago, protesting against an excise tax on musical instruments; to the Committee on Ways and Means.

259. By Mr. YOUNG: Petition adopted by Mandan Lodge No. 8, Ancient, Free, and Accepted Masons, of Mandan, N. Dak., favoring the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

260. Also, petition of Lodge No. 7, Ancient, Free, and Accepted Masons, of Valley City, N. Dak., favoring the passage of the so-called Smith-Towner bill to establish a department of education, etc.; to the Committee on Education.

261. Also, petition of Willow Lodge, No. 47, Ancient, Free, and Accepted Masons, of Willow City, N. Dak., favoring the passage of the so-called Smith-Towner bill to establish a department of education, etc.; to the Committee on Education.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 22, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Unto Thee, O God, do we give our thanks, for in Thy hand do we live and move and have our being. Thou art a sun and a shield. Thou wilt give grace and glory, and no good thing wilt Thou withhold from them that walk uprightly. When the experiences of life come hard, and the head is bowed and the heart is heavy and the way is rough and long, bestow great strength and sweet peace. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

The SPEAKER. Any Members elect desiring to take the oath of office will now present themselves.

Mr. JAMES M. MEAD, Representative elect from the forty-second district of New York, appeared at the bar of the House and took the oath of office prescribed by law.

ORDER OF BUSINESS.

Mr. POU. Mr. Speaker, under the special order I ask to be recognized for 25 minutes.

The SPEAKER. Under the special order the gentleman from North Carolina is entitled to address the House for 25 minutes.

Mr. JOHNSON of Washington. Mr. Speaker, I thought it was agreed that if we had not completed the immigration bill the gentleman would not press the special order.

Mr. POU. Oh, no; the understanding was that if a vote was imminent I would not insist upon it.

Mr. JOHNSON of Washington. Let me say frankly to the gentleman that I am very anxious to hear him, and I think a very large part of the membership are anxious to hear him, and if he will defer his remarks I think we can have a vote prior to 3 o'clock.

The SPEAKER. The Chair thinks the gentleman from North Carolina is entitled to the floor, if he desires it.

Mr. MONDELL. Just a moment. My understanding was that the gentleman from North Carolina was not to speak until this bill was finished.

Mr. POU. Oh, no; that was not the understanding.

Mr. MONDELL. Mr. Speaker, it was with very great reluctance that I refrained from objecting to this special order. The situation now emphasizes the objectionable feature of such orders. There are many Members who desire to conclude consideration of this bill early to-day. It is highly important that we should conclude its consideration to-day. The gentleman can make his speech just as well after the bill is disposed of, and if he does it will accommodate very many gentlemen on both sides who are anxious to have this bill concluded at the very earliest possible moment.

Mr. POU. The gentleman from Wyoming knows perfectly well that in all human probability this bill can not be concluded within the next two or three hours.

Mr. MONDELL. I think it can be concluded before 3 o'clock without unduly pressing its consideration.

Mr. POU. Certainly 25 minutes will not unduly delay its passage.

Mr. MONDELL. We hope to dispose of it by that time. There are quite a number of gentlemen on both sides who will be seriously inconvenienced if there is any great delay in the passage of the bill to-day. The gentleman can just as well make his statement and we will all be here and listen to it after the bill is disposed of; and I will say again, Mr. Speaker, that my understanding was that the gentleman should follow the consideration of this bill if the bill went over until to-day.

The SPEAKER. As the Chair recollects, the gentleman from Washington made the suggestion that if we had finished the debate on the bill and the vote was to be taken immediately after the reading of the Journal, the gentleman should postpone his remarks until after the vote was taken.

Mr. MONDELL. Well, if the gentleman wants to insist, and create a situation under which in the future we must object to all of these special orders, he may do it.

Mr. POU. The gentleman can object if he wants to, but I am not going to surrender my rights under any such circumstances as these. [Applause.]

The SPEAKER. The gentleman from North Carolina is recognized for 25 minutes.

Mr. POU. Mr. Speaker, on the 19th day of this month an article appeared in the Washington Post, of which I ask the Clerk to read the marked portion.

The Clerk read as follows:

SOUTHERNERS HEAD HOUSE DEMOCRATS—MINORITY COMMITTEE PLACES ASSIGNED, WITH GARRETT ACTING FLOOR LEADER—REPLACE OTHER MEMBERS—ROSTER TAKEN TO MEAN WILSON MEN REGARD SOUTH AS STRONGHOLD FOR PARTY'S FUTURE.

(By the Associated Press.)

The claim by leaders that the South still is the backbone of the Democratic Party was indicated yesterday in the organization of standing committees of the House.

Except in two instances, and counting Kentucky and Missouri as part of the old Democratic stronghold, a southern Representative was named as ranking minority member of all committees.

This means, according to leaders, that if the Democrats should capture the House two years hence its machinery would be controlled wholly by the South. On many committees a southern Member also stood next to the ranking Democrat, and in some cases all minority members, in the list approved and selected, hail from Southern States.

MANY CHANGES MADE.

Many changes were made in some of the big committees, Representatives from the South taking the places formerly held by Democrats from other sections. There was a big rush for the Committee on Appropriations, but all aspirants could not be accommodated.

Representative GARRETT, of Tennessee, named by the Democrats as acting leader, already has taken over the work of the floor. Representative KITCHIN, of North Carolina, the Democratic leader, also is ranking Democrat on the Ways and Means Committee, which requires most of his time. Moreover, he is trying to conserve his strength after long absence due to illness, and it was at his request that Mr. GARRETT was made acting leader.

Four southern Democrats were elected to fill vacancies on the Judiciary Committee, which must handle legislation affecting prohibition.

Mr. POU. Mr. Speaker, a report like that, going out through the Associated Press, ought not to pass unexplained, because it does a very grievous injustice to the section from which I come.

According to that statement, it would appear that certain gentlemen have been displaced from certain committees of the House and that their places have been taken by southern Democrats. As a matter of fact, there has been no such displacing of anybody. There are in this House 131 Democrats, and of that number about 20 come from States which are not a part of the so-called solid South. I have examined the record, and these gentlemen not only have no complaint to make, but they are burdened with work. I am going to read a list of the 21 Members who come from Northern or Western States, and their committee assignments:

HAYDEN, of Arizona, Public Lands, Indian Affairs, and Irrigation of Arid Lands.

LEA, of California, Interstate and Foreign Commerce.

RAKER, of California, Public Lands, Woman Suffrage, Irrigation of Arid Lands, and Immigration and Naturalization.

TAYLOR, of Colorado, Appropriations and Select Committee on Budget.

RAINEY, of Illinois, Agriculture.

SABATH, of Illinois, Foreign Affairs and Immigration and Naturalization.

KUNZ, of Illinois, Invalid Pensions, District of Columbia, and Mileage.

GOLDSBOROUGH, of Maryland, Banking and Currency, Election of President, Vice President, and Representatives in Congress, and Expenditures in the Department of Justice.

LINTHICUM, of Maryland, Foreign Affairs.

TAGUE, of Massachusetts, Ways and Means.
GALLIVAN, of Massachusetts, Appropriations.
RUCKER, of Missouri, Invalid Pensions and Election of President, Vice President, and Representatives in Congress.
HAWES, of Missouri, Interstate and Foreign Commerce.
O'BRIEN, of New Jersey, Invalid Pensions, War Claims, and District of Columbia.
KINDRED, of New York, Rivers and Harbors.
CULLEN, of New York, Merchant Marine and Fisheries, Railways and Canals, and Invalid Pensions.
RIORDAN, of New York, Rules and Naval Affairs.
SULLIVAN, of New York, Insular Affairs, District of Columbia, and Woman Suffrage.
COCKRAN, of New York, Foreign Affairs.
CAREW, of New York, Ways and Means.
CAMPBELL, of Pennsylvania, Naval Affairs.

Some of these assignments are quite unusual, for we find several gentlemen beginning their first terms placed on some of the great committees of the House. This certainly shows that the South was not demanding everything. The truth is a new Member from a Northern or Western State stands a better chance to get on a great committee than a new Member from the South, and the South makes no protest.

Now, gentlemen, I respectfully submit that this list shows that southern Members in this body were not only not endeavoring to do anybody an injustice but that exactly the contrary is true. It proves that the Ways and Means Committee minority was honestly endeavoring to give every State recognition. There were two exceptions from the committee exclusion rule; that is to say, the rule of the majority which permits assignment to only one committee. Who are those exceptions? One of them is the gentleman from New York and the other the gentleman from Illinois; neither from the South.

Mr. JOHNSON of Mississippi. Will the gentleman allow me to interrupt him to say that Mr. GRIFFIN, of New York, was also put on Appropriations?

Mr. POU. Certainly, and the minority was glad to give him that assignment. There has been no complaint from the Democratic Members of the minority here who do not come from the South. Yet we find in this article this statement:

> Many changes were made in some of the big committees, Representatives from the South taking the places formerly held by Democrats from other sections.

Those Democrats whose places were taken are not with us in this Congress. Unfortunately they are gentlemen who went down in defeat last November, I regret very much to say. I wish they were here. If they were, they would have the places to which they would be rightly entitled on these committees. Now listen at this also:

> In many cases southern Members also stood next to the ranking Democrats, and in some cases all the minority Members on the list hailed from Southern States.

We have, as I have said, but 21 or 22 who do not come from Southern States. We have given them all the work they are willing to take. We are confronted by a condition and not a theory. It was impossible to distribute the committee assignments so that gentlemen coming from the North could be represented on all committees. The rule of the majority would not permit it.

Now, just a word in conclusion. I do not know whether you gentlemen will accept the statement at its face value or not, but it is the truth. So far as the South is concerned we are tired of the sectional issue, and no man can stand up in my State and draw the sectional issue and receive a respectful hearing.

Mr. KING. Will the gentleman yield?

Mr. POU. I will yield to the gentleman.

Mr. KING. We are not responsible for the newspaper article.

Mr. POU. I know you are not, and I have not charged the Republican majority with responsibility for it. And I want to say in justice to the Associated Press that it is the one instance within my recollection wherein that great organization has done what amounts to a palpable injustice to the section from which I come, and frankly I do not understand it. I said that the people of the South are tired of the sectional issue. We thought when the Spanish-American War was fought we would see the end of sectional charges and countercharges, but we were mistaken. We thought when the World War came on and our boys were going to the front that obliteration of sectional prejudice would be one compensation for the great sacrifice that was made. I saw many of these young men in my office during the early days of the war as they were on their way to Europe. They challenged my admiration. They went with self-sacrifice, with determination, and an utter disregard of the result. I thought time after time, as I looked at the boys, there was "a look of Heaven upon their faces which limners give to the beloved disciple." My own boy went and never returned.

The one compensation I thought I would have, when I was struck dumb with the news 13 days before the armistice was signed that I would never see him again, was that after all his sacrifice would not be entirely in vain. And yet, Mr. Speaker, we saw the whole sectional issue revived in the following election. What sacrifice is it that men and women of the South must make in order to end this feeling of sectional prejudice between the North and South; what must we do? Tell us, and, if possible, we will respond. We have rallied to the flag, our boys have done their best. They cheerfully offered their lives just as the boys from other sections offered theirs. And yet the sectional issue still lives. If Democrats win, whether true or false, the charge is made the South is in the saddle. If Democracy is defeated the plea is made, keep them defeated in order to keep the South out of the saddle. When all issues fail, when our opponents have no issue, sectionalism is revived. No men in America love the flag more ardently than the men on this side of the Chamber. When, in God's name, will the time come when political exigencies will not be such as to require this sectional issue to be raised again? It was used in the last campaign. It would seem to be the purpose to use it in the coming campaign.

I believe it is in Victor Hugo's writings, Mr. Speaker, that a beautiful little passage occurs. It has been a long time since I read it and I do not know that I quote it correctly. A young candidate for holy orders was being examined by the cardinal, and questions being addressed to him requiring a definition of faith, hope, and charity. The questions and answers, as I recollect, were given by that great author as follows:

Quid est fides?
Nondum vides.
Quid est spes?
Nondum res.
Quid est caritas?
Ah, magister, id est raritas.

Yes, Mr. Speaker, unfortunately charity is indeed too rare. I leave with you this protest against the article which has been read by the Clerk by urging, as far as it lies in our power, all men from the North and the South to turn our backs forever upon this sectional issue that has torn our country to pieces in the past. Let us all stand united in the presence of the flag. If we can not win fairly upon economic issues, for God's sake let the party that has the better issues win; but as an American citizen I pray that the time may soon be here, if it is not here now, when we will hear no more about the North ruling the Nation or the South ruling the Nation. After all, any appeal to sectional prejudice is but an admission of weakness. [Applause.]

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan, from the Committee on Appropriations, by direction of that committee, reported the bill H. R. 4803, a bill to make appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, which, with the accompanying papers, was read a first and second time and referred to the Committee of the Whole House on the state of the Union.

Mr. GARRETT of Tennessee reserved all points of order.

IMMIGRATION.

Mr. SIEGEL. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4075, a bill to limit the immigration of aliens into the United States.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. STAFFORD in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. There is pending before the committee an amendment offered by the gentleman from New York [Mr. FISH], which has been passed over temporarily.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the amendment offered by the gentleman from Wisconsin [Mr. COOPER], which is also pending, may be considered ahead of the amendment offered by the gentleman from New York [Mr. FISH].

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the amendment offered by the gentleman from Wisconsin be considered first, as if the amendment of the gentleman from New York had not been presented. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin is recognized.

Mr. COOPER of Wisconsin. Mr. Chairman, the amendment which I offered last evening before adjournment, which is now pending, has for its purpose the securing of admission into the United States of the minor children of citizens of the United States who would be otherwise admissible under the immigration laws of the United States. The amendment was drawn containing language which was technically and strictly unnecessary, but I used the language in order to make its meaning perfectly plain, supposing that we were going to vote upon it last evening. I have since had a consultation with the gentleman from Washington [Mr. JOHNSON], and he accepts the amendment substantially as I introduced it, but to be inserted at another place. Gentlemen will recall section 4 of the bill, which provides:

That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

The amendment which I desire acted upon is in the language which I now send to the Clerk's desk, and I ask unanimous consent to withdraw the amendment which I offered last evening.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to withdraw the amendment which he proposed yesterday before adjournment. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I now offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Wisconsin: Page 6, line 5, strike out "and minor children," and on page 3, line 20, after the semicolon, strike out "or," and on page 4, at the end of line 3, insert a semicolon and the following: "or (11) aliens under the age of 18 who are children of citizens of the United States."

Mr. JOHNSON of Washington. Mr. Chairman, the purpose of the amendment just read must be clear to all. Numerous members of the committee have considered the amendment as offered by the gentleman from Wisconsin and they have reduced the same to the words just reported, the object being that a clear exemption shall be made from the 3 per cent in respect to children, up to the age of 18 years, of citizens of the United States. We estimate that in all the world there can not be in excess of thirty or forty thousand of such persons. I move the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire to propose another amendment and ask unanimous consent to speak for five minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for five minutes.

Mr. COOPER of Wisconsin. I do this, Mr. Chairman, in order to make a suggestion to the gentleman from Washington [Mr. JOHNSON]. To make the language better I suggest that the gentleman from Washington consent to the insertion, on page 2, line 21, after the word "following," of the words "described classes." It would make the English better.

Mr. JOHNSON of Washington. Oh, I think that is an unnecessary amendment.

Mr. COOPER of Wisconsin. It is unnecessary, but it would make better English in a law of the United States.

Mr. JOHNSON of Washington. The language of the bill is—

this provision shall not apply to the following—

And then the following are described by classes.

The CHAIRMAN. There is pending before the committee an amendment offered by the gentleman from New York [Mr. FISH]. Does the gentleman from Washington desire that to be taken up at this time?

Mr. JOHNSON of Washington. Yes.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from New York will again be reported.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. FISH: Page 6, line 4, after the word "to," at the end of the line, add the following: "Wives, fiancées, parents, sisters, brothers, and minor children of ex-service men holding an honorable discharge from the United States Army, Navy, and Marine Corps, who are eligible to citizenship and who served in the United States military or naval forces between April 6, 1917, and November 11, 1918, and to."

Mr. FISH. Mr. Chairman, I ask unanimous consent to withdraw that amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to withdraw the amendment. Is there objection?

There was no objection.

Mr. FISH. Mr. Chairman, I now offer another amendment in lieu thereof, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 6, strike out lines 5, 6, 7, and 8 and insert in lieu thereof the following: "The wives, parents, brothers, sisters, children under 18 years of age, and fiancées (1) of citizens of the United States, (2) of aliens now in the United States who have applied for citizenship in the manner provided for by law, or (3) of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, both dates inclusive, and have been separated from such forces under honorable conditions."

Mr. FISH. Mr. Chairman, this amendment incorporates the amendment which was under consideration last evening, and goes further by giving preference to American citizens and extending that preference to the wives, fiancées, parents, sisters, and brothers of American citizens. The amendment, as I understand it, if adopted, would indicate to our consuls abroad what preference should be given to those people applying for visés under the 3 per cent regulations. I further understand that this amendment has the sanction of the chairman of the committee. Inasmuch as we discussed the amendment yesterday concerning ex-service men, I think there is no longer any purpose in taking up the time of the committee in further discussion of it.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. BEGG. If I understand the amendment, the gentleman omitted the brothers of ex-service men if they were under 18 years of age.

Mr. FISH. No; brothers and sisters are included. The amendment of yesterday is incorporated in this amendment. It also liberalizes the amendment which I offered yesterday, by extending preference to all American citizens.

Mr. SIEGEL. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. SIEGEL. I would say to the gentleman that the amendment practically can be of no effect and does not mean anything, for this reason——

Mr. FISH. I yielded for a question, not for debate.

Mr. SIEGEL. I want to make just a little point. The gentleman does not want to insert an amendment that does not mean anything. There are fifty-seven to fifty-eight thousand men who came from Poland alone in the service, and if this amendment should go through, how are you going to divide those men up, when under the 3 per cent proposition only 35,000 would be able to come in?

Mr. FISH. I agree with the gentleman that this is only half a loaf. I made the fight yesterday to exclude the families of service men from the 3 per cent limitation, but was defeated in the House. The amendment may be only half a loaf, but, at least, it gives preference to ex-service men who have families who want to come in under the 3 per cent rule. This does not increase immigration to this country by a single person.

Mr. SIEGEL. The result of the amendment is this, that you are going to have service man against service man and raise a very beautiful and sweet question for the consuls over there, particularly in Poland.

Mr. FISH. The operation of the system, as I understand it, is this: Every immigrant who desires to come into this country has to get a visé passport from the consul.

Mr. SIEGEL. Correct.

Mr. FISH. Now, the passage of this legislation indicates very plainly what preference should be given. By the passage of this amendment we say to the consuls what persons come first.

Mr. SIEGEL. Correct; but if they have 56,000 and only 30,000 come in, 55,000 who are in the service from that particular part of the country, you are going to put the consul in a position where he makes a discrimination against men in the service.

Mr. FISH. I want to say to the gentleman that we differ on this subject. This gives preference, that is all.

Mr. SIEGEL. I want to say to the gentleman right now that preference is no preference.

Mr. FISH. I disagree with the gentleman entirely.

Mr. SIEGEL. Of course, it is an old story. The gentleman's experience in that line of work is nil, otherwise he would not offer such an amendment.

Mr. McCLINTIC. Will the gentleman yield?

Mr. FISH. I will yield for a question.

Mr. McCLINTIC. According to the amendment, would the parents of the wife who married the ex-soldier be admitted to the United States?

Mr. FISH. No; they would not.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out the last word of the amendment, and I do so for the purpose of asking the gentleman who proposed the amendment,

Is it the purpose of the amendment to give preference in the order named, one, two, and three, or is it the purpose of the amendment to put all in a class and give no preference? My point, if the gentleman from New York will yield, is that the amendment is subdivided.

Mr. FISH. I understand the question, and I think the House does. What is the gentleman's own opinion after reading the amendment?

Mr. SANDERS of Indiana. I think it is ambiguous. My notion is that it does not give preference; that it is merely to designate classes which come within the exception.

Mr. FISH. The gentleman's opinion is that the three classes should stand together?

Mr. SANDERS of Indiana. Yes.

Mr. FISH. That is my opinion.

Mr. SANDERS of Indiana. I was just thinking if it was the purpose of the gentleman to give preference first to the relatives of a citizen of the United States; second, to the relatives of those who applied for citizenship; and third, that soldiers who were eligible to citizenship, it could easily be done, but if it is the purpose to put them in the same class I think it is a good purpose.

Mr. RAKER. Mr. Chairman, I rise in opposition to the amendment.

Mr. HUSTED. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection.

The amendment was again reported.

Mr. RAKER. Mr. Chairman, of course the preference extended here by this provision comes out of the 3 per cent who are to be admitted, and, relatively speaking, it really does not make much difference whether there is preference given or not. But it is a maudlin sentiment that prompts this amendment, without any reason, without any justice, or without any cause. A man comes to this country, and he marries a foreigner. She comes to this country, and all her relatives—her parents, her brothers, her sisters—are admitted irrespective of what their views might be as to this country.

Mr. HUDSPETH. Will the gentleman yield?

Mr. RAKER. I will yield. That is the meaning of the language. Let me read it.

Mr. HUDSPETH. I do not understand that these people could be admitted.

Mr. RAKER. That is what this amendment does.

Mr. HUDSPETH. I do not understand it that way.

Mr. FISH. Will the gentleman yield?

Mr. RAKER. I do not yield. I will read:

And that in the enforcement of this act preference shall be given, so far as possible, to the wives, parents, brothers, sisters, children under 18 years of age, and fiancées of citizens of the United States.

Mr. HUDSPETH. It does not say wives——

Mr. RAKER. It does. A man who has married a foreign lady and brings her to this country, she is a citizen of the United States. What is the use of trying to misinterpret such plain English language. Her parents can come here; both her father and mother, her brothers, 5 to 10, can come here, and her sisters, 3 to 5, can come to this country in preference—now, listen—in preference to a man who is prepared financially and otherwise and who desires to make America his home, who has a reason to come and become a part of us. You would turn him down, but you put in here a sentimental proposition because some one in advance has come to this country and has married and has become a citizen, and you let that man or woman and their relatives come. Now, I am just calling attention to that because I possibly imagine this amendment may go through.

Another thing never recognized by our country and ought not to be recognized. We have been trying to avoid what is known as the "picture-bride" theory of bringing people to this country. But two countries of the world permit it, namely, Japan and Spain. We see now upon our statute books that every man who has declared his intention to become a citizen of the United States may send abroad his picture or his love letter, and all the people that want to come in he and those like situated can bring in one apiece. The moment they enter our ports, it makes no difference. If he says that one is his fiancée, she is permitted to land. Why, gentlemen, this is mere sentiment and ought not to be engrafted upon a real American bill or legislation of this kind.

Mr. SABATH. Will the gentleman yield?

Mr. RAKER. I will.

Mr. SABATH. Does the gentleman contend that under this provision the Japanese could send for their picture brides?

Mr. RAKER. I want to say to the gentleman that I have not discussed the question, but when I get to it I will try to go into it fully. I simply say now that the American people have been asked by this proposition to allow people to be married by their pictures, one party in the United States and the other 7,000 miles away. It is not right.

Mr. JOHNSON of Washington. Now, I am sorry, but I must combat nearly all the statements made by the gentleman from California [Mr. RAKER]. This is a bill limiting immigration to 3 per cent under certain conditions, and if you will read it you will understand the amendment offered by the gentleman from New York. His amendment proposes to strike out:

Provided further, That in the enforcement of this act preference shall be given so far as possible to the parents and minor children of citizens of the United States, and to the parents, wives, and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

And insert the following for the last few lines:

The wives, parents, brothers, sisters, children under 18 years of age, and fiancées (1) of citizens of the United States, (2) of aliens now in the United States who have applied for citizenship in the manner provided by law, or (3) of persons eligible to United States citizenship who served in the military or naval forces of the United States at any time between April 6, 1917, and November 11, 1918, both dates inclusive, and have been separated from such forces under honorable conditions.

Is there anything wrong about that?

Mr. McCLINTIC. Will the gentleman yield?

Mr. JOHNSON of Washington. I will.

Mr. McCLINTIC. According to this bill, the term "United States" means also the Territories of the United States. The Territory of Hawaii is a part of the United States, and a citizen of Hawaii is constructively a citizen of the United States.

Mr. JOHNSON of Washington. Yes.

Mr. McCLINTIC. During the war there were a great many Japanese who lived in Hawaii that went into the Army, and they afterwards received an honorable discharge. According to this amendment, would not they be allowed to bring their wives or the families of their wives into the United States?

Mr. JOHNSON of Washington. No; I think not.

Mr. McCLINTIC. I want to know why.

Mr. JOHNSON of Washington. If we are going to express any preferences at all when we use the word "shall," then we have a right—call it sentimental or not, as you wish—to give those preferences to the people named here. We have undertaken by actual law to give those who put on the uniform of the United States certain rights and opportunities to become citizens. Two hundred and fifty thousand out of 400,000 have accepted, and others will accept. We are about to bring in a naturalization law to remedy certain defects in regard to soldiers.

In regard to the Japanese in Hawaii, I think about 400 waived alienage and went into our Army. Then a strange thing happened. While they were still in the Army, many of them, the armistice having been declared, desired brides. And according to the laws of Japan, in order to make application for picture brides, they had to step temporarily out of the barracks where they were serving as soldiers of the United States, go down to the office of the Japanese consul, and swear that they were citizens of Japan in order to fill out applications for picture brides. That is a peculiar situation.

Mr. McCLINTIC. Did they go back into the Army?

Mr. JOHNSON of Washington. Yes. They never stepped out of the Army. They stepped into the dual allegiance, an allegiance to the United States and the Army, and an allegiance to Japan while asking for brides. But I wish to say that the Japanese Government itself has suspended the picture-bride business.

Mr. BARBOUR. I am going to vote for this, but there is a question in my mind that seems to involve the operation of the amendment. I suppose if they are eligible to enter this country it is expected that when this bill becomes operative there will be a grand rush of applications to enter the United States. Suppose during the first month 1,000 people apply and only 100 of them are relatives of the soldiers; suppose after the second month, after the number is exhausted, some relative of the soldier applies, how is the preference going to operate in cases of that kind? Must the soldier's relatives file immediately or take their chances?

Mr. JOHNSON of Washington. We are making conditions for a restriction of immigration. Here is the 3 per cent restriction. Here is what undertakes to be the direction. The assumption is that the Secretary of Labor will hand this direction which says "shall" to our consular agents who visé the passports issued by the other Governments to those trying to come to the United States. At some places people stand by hundreds in front of the consular offices. I assume that the interpreters of our Government will go among those people

before they go into the consular office at all and find out whether or not they come within these classifications. If they can prove that they come under the classifications, they may get the visé that will permit them to come to the United States, there to try to get through Ellis Island or other ports of entry.

Mr. CLOUSE. I would like to ask the gentleman if this measure is adopted, if it means anything, is it not possible to exclude desirable aliens from coming to our shores and admitting those of a less desirable class?

Mr. JOHNSON of Washington. I do not think so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent that the gentleman from Washington may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. The words "desirable" and "undesirable" mean a great deal in a particular sense. No person considered undesirable under our present immigration laws can be admitted under this law, just as the gentleman from New York [Mr. COCKRAN] suggested the other day. A person proposing to come to the United States begins by securing his passport from his Government. Then he strives for a passport from our consular agent. These are the initial steps of immigration from any country; it makes no difference whether it is Java, Portugal, or any other. That is where it starts, with the issuance of the passport. Then comes our visé; then the trip; and then the examination for entrance.

Mr. CLOUSE. The point I tried to bring out was this: Under this amendment, if it is adopted, is it not possible to admit a woman or a child who would be nonproducing in our country and deny the admission of that man who can make a living if he is permitted to come to America?

Mr. JOHNSON of Washington. Well, if we are to hold immigration to only 3 per cent, and by that means take a whip hand on immigration coming to the United States, we think if we do succeed in holding immigration down under half a million, including all exemptions, the preference should be given to relatives of those already in the United States, either citizens or to be citizens, so that they may bring their relatives into the United States first—of course, all within the 3 per cent.

Mr. RAKER. Mr. Chairman, I wish to ask the gentleman from Washington a question. A lady from Russia, by reason of maltreatment by her husband, leaves him, with three children comes to the United States, and marries an American citizen. Those three children come with her. Under this provision here is the situation presented in Russia: One, a man of ability who wants to come to this country and become a real, genuine asset to it; and standing beside him is the father of this child, the father who maltreated the mother, and he can make a showing to come. Under this bill the real and worthy and genuine Russian can be denied admission, while this worthless, trifling father who deserted the child can be admitted.

Mr. JOHNSON of Washington. Of course, that might be the case, but there is no way of preventing it. The one who best fulfills the requirements would come and the other would be denied.

Mr. SABATH. Such women and children are being admitted now.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. STEVENSON. I do not understand the situation about the fiancée.

Mr. JOHNSON of Washington. Let me explain. The last Senate passed a bill admitting four fiancées, four girls who had become engaged to four Italians who fought in our Army. Those girls came and could not be admitted on account of illiteracy. The soldier boys who were engaged to those girls could have taken passage on the ship on which the girls could have been deported and gone out beyond the 3-mile limit and married them and returned later with those illiterate girls as wives. The House passed such a personal bill, giving relief, and would do it again. Now, if there is a preference at all there is no reason on earth why a man should not be permitted to express a preference for his fiancée, and there is no reason why she should not be able to impress the consular officer over there and receive preference from him.

Mr. STEVENSON. If she becomes an American citizen, then, do not all her relatives also become eligibles? In that case it would seem to be an endless chain.

Mr. JOHNSON of Washington. Yes; that is an endless-chain proposition, and it is to be hoped that it will be taken up later in a general law revising our statutes on the subject of immigration and naturalization.

Mr. STEVENSON. Is it not time to break the endless chain right here?

Mr. LAYTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. LAYTON. In such event it does not increase the 3 per cent, does it?

Mr. JOHNSON of Washington. No; it does not.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent that the spelling of the word "fiancés" be changed to "fiancées."

The CHAIRMAN. The gentleman from Washington asks unanimous consent to change in the amendment the spelling of the word "fiancés." Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I ask for a vote on the amendment offered by the gentleman from New York [Mr. FISH].

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The question was taken; and on a division (asked for by the Chair) there were—ayes 110, noes 22.

So the amendment was agreed to.

Mr. SABATH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 4, line 3, after the word "faith," insert a new paragraph as follows: "(12)"——

The CHAIRMAN. It should be, "After the amendment of the gentleman from Wisconsin [Mr. COOPER] add the following."

The Clerk read as follows:

"(12) Aliens who are fugitives or refugees for political reasons, which fact may be established by the verdict of a jury on an issue framed in a habeas corpus proceeding in a district court of the United States where such aliens may sojourn."

Mr. RAKER. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from California reserves a point of order on the amendment.

Mr. SABATH. Mr. Chairman, I wish to say to the gentleman from California that the amendment I have offered will not increase immigration. It might at most permit the coming of a few unfortunates who are fleeing from political oppression or persecution.

Mr. RAKER. I would just as soon, in order to dispose of it at once, make the point of order now.

Mr. SABATH. I wish to be heard now.

Mr. Chairman and gentlemen, it has been, and I hope it will continue to be, the traditional policy of our country to extend welcome to political refugees, and I hope we shall never deviate from this broad, liberal, and humane policy.

Every civilized nation has and is granting refuge to political refugees, and I can cite innumerable cases where our Government has refused to surrender political refugees upon the requisition of nations. The archives of the State Department will show the strongest documents from former Secretaries of State, including Jefferson, Fish, Webster, Clayton, Marcy, Bayard, Gresham, Frelinghuysen, and Hay, in refusing to surrender such refugees and, in other cases, offering this country as a haven of refuge to political offenders.

Not only the Secretaries of State but nearly all our Presidents have seen fit to give expression to our policy in their messages to Congress.

The Immigration Commission, appointed in 1907, to which the gentleman from Colorado has referred, made the most thorough investigation of conditions in Europe. Among other things they made the following recommendation:

In the judgment of the commission, as well as of most other enlightened citizens, the United States should remain in the future, as in the past, a haven of refuge for the oppressed, whether such oppression be religious or political. Any restrictive measure should contain a provision making an exception of such cases. We clearly ought not to close our doors against those whom the common opinion of the world would really consider the subjects of oppression.

President Wilson, in a message to the House and to Congress, had this to say on that question:

The right of political asylum has brought to this country many a man of noble character and elevated purpose who was marked as an outlaw in his own less fortunate land, and who has yet become an ornament to our citizenship and to our public councils. The children and the compatriots of these illustrious Americans must stand amazed to see the Representatives of their Nation now resolved, in the fullness of our national strength and at the maturity of our great institutions, to risk turning such men back from our shores without test of quality or purpose. It is difficult for me to believe that the full effect of this feature of the bill was realized when it was framed and adopted, and it is impossible for me to assent to it in the form in which it is here cast.

Now, Mr. Chairman and gentlemen, if I had the time, I could read to you also extracts from messages of former Presidents Fillmore, Cleveland, and McKinley on that subject, but I do not think it is necessary. I feel that you will realize and appreciate the importance of this amendment, and inasmuch as it does not mean an increase of immigration, but only permits within a year the granting of asylum to at most a very limited few political refugees, who are subject to political persecution and to whom, if admission were denied, would mean certain death. For that reason I hope the amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Illinois has expired. Does the gentleman press his point of order?

Mr. RAKER. I do.

The CHAIRMAN. What is the gentleman's point of order?

Mr. RAKER. Without going into it extensively, the point of order is that the amendment seeks to establish a procedure upon this bill which is a question of restriction of immigration. These are those who are permitted to enter over and above the 3 per cent, namely:

(11) Aliens, fugitives or refugees for political reasons.

In addition to that it proposes to add the following law:

Which fact may be established by the verdict of a jury on an issue framed in a habeas corpus proceeding in the district court of the United States where such alien may be sojourning.

First, it establishes a procedure in the courts in regard to habeas corpus that never has been in existence in the United States up to the present time, and from the beginning of jurisprudence never has been established in the courts of England or elsewhere. We have here an attempt to amend the laws relating to habeas corpus so as to provide that a man may have a jury trial upon his hearing. This would be new legislation, and therefore not permitted in this way.

Second, it does not exclude him, but he may come in at will. It repeals all of the law relating to the admission of aliens on this subject. But the man is in here. He is in the United States, and after he is in and after you have repealed the law you then ask for a trial on a writ of habeas corpus to determine that he unlawfully entered. That is all this is for. It—the present immigration law—is for the preventing of people from entering the United States who are not desired.

You could not get a writ of habeas corpus to go out upon one of the English or Dutch or Italian vessels and discharge a man from that vessel on a writ of habeas corpus. There can be no imprisonment, because the man came voluntarily on the Italian or other national vessel and he is on the high seas. He wants to be admitted. You admit him, and after you admit him you lay down a method of procedure to determine whether or not he shall remain in the United States, after you have voluntarily admitted him. It is a reversal of all of our law relating to the admission of aliens. There is a law upon the statute book now in regard to fugitives from justice, and so far as it applies to the 3 per cent they would be admitted.

The President first vetoed the bill, and, at the request of the committee, with the assistance of others, I drew the amendment which was approved by the Department of Justice and the Immigration Service, and it went into the bill and no objection was made, which permits fugitives from justice to enter the United States, and this is the proviso:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted or who admit the commission of or who teach or advocate the commission of offenses purely political.

But this amendment repeals that law.

Mr. SABATH. Will the gentleman yield?

Mr. RAKER. I should like to complete my statement, but I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman has read the exception in the immigration law. Now, this does not mean to enlarge it. It only provides that when the 3 per cent limit has been reached such aliens may enter. It was not intended in any way to abrogate or enlarge the provision.

Mr. RAKER. Mr. Chairman, I call particular attention to this proviso in the act of 1917. It defines what political refugees are. It is in consonance with the decisions of our courts and with the practice the world over. But here we provide—

Aliens, fugitives or refugees for political reasons.

That is, if Lenin and Trotski should be overthrown by the people of Russia, under this amendment that whole coterie of bolsheviks could come en bloc to the United States. Now, it is not possible that in this bill we are going to amend the present immigration law. It is not possible that we are going to permit such a condition to exist and amend the law without consideration.

Third, it is not possible that we are going to break down the fundamental procedure on the writ of habeas corpus, that palladium of the liberties of the English-speaking people, which has been adopted by this country in both the Federal and State courts, and to say that a man shall have a jury trial on his demand.

Fourth, it is not possible that we are going to repeal the law and provide that a man can come to this country, and that after he is here somebody then may arrest him and say he ought to be deported. You could not deport him, because he would win his case. You would have admitted him voluntarily.

Fifth, I would reverse the present law and practice in regard to the admission of aliens. Transfer it from the Department of Labor to the Judiciary.

I say that there is every conceivable reason why this amendment should not be adopted on this bill, because it repeals the law now upon the statute books. It adopts a procedure in the courts and repeals the entire fundamental principles of the write of habeas corpus and the present law and procedure in immigration matters. Again, it permits a man to enter here and be in the United States without the question of exclusion. I feel that the objection is fundamental to this amendment as it now stands, and that the point of order is well founded and should be sustained by the Chair.

Mr. COCKRAN. Mr. Chairman, I should like to be heard on the point of order.

The CHAIRMAN. The Chair will be very glad to hear the gentleman from New York.

Mr. COCKRAN. The distinguished gentleman from California [Mr. RAKER] betrays an exuberant ingenuity which declines to be restrained by knowledge when he says that under no circumstances for which a parallel can be found in English law could a writ of habeas corpus issue on the application of a person seeking admission to this country. The gentleman must forget the memorable occasion in England when a writ of habeas corpus was issued for the body of Napoleon Bonaparte, then held aboard an English war vessel, on which he had made himself a voluntary prisoner. The authority to issue the writ—that is to say, the right to issue it—by the Court of King's Bench was never questioned. The admiral took another and more effective method of evading it. He kept his boat moving so that the marshal of the King's Bench could not serve the process. In the particular case we are considering this amendment proposes that if a person seeking admission to this country is restrained from entering it and makes the claim that he is a political refugee, it shall be competent to have the justification of that claim determined upon a writ of habeas corpus. When a man comes into this country he immediately passes into the hands of a public officer, the Immigration Commissioner. My friend from California seems to forget that the immigrant is in this country the moment he comes within the 3-mile limit. He is as much in the country while aboard a ship in our waters as when he has landed.

Mr. RAKER. Will the gentleman yield?

Mr. COCKRAN. I will yield to the gentleman.

Mr. RAKER. If that is the fact——

Mr. COCKRAN. It is the law.

Mr. RAKER. If that is the law, why does not the party transfer from an Italian vessel to an American vessel and then come in?

Mr. COCKRAN. He is still subject to the immigration official whether on an Italian vessel or any other. He can not get past the immigration officials until he satisfies them that he is entitled to admission under the law; the nationality of the vessel in which he came would not make the slightest difference.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. COCKRAN. Certainly.

Mr. HARDY of Texas. Would not the purpose of the amendment of the gentleman from Illinois be subserved by turning over to page 3, and in the tenth exception, after the word "religious," in line 23, say "aliens who propose to satisfy the proper immigration officer or the Secretary of Labor that they are seeking admission to the United States to avoid religious or political persecution"?

Mr. COCKRAN. I think the gentleman from Illinois would accept that suggestion.

Mr. HARDY of Texas. Then there would no point of order lie against it.

Mr. COCKRAN. I understand the provision for a habeas corpus was added to the substantive feature of the amendment for the purpose of guarding against abuse if it be adopted. In other words, if when anyone claimed to be a political refugee and the claim was disputed that issue of fact on which his right to admission depended would be determined by a judicial proceeding. It is perfectly proper under a habeas corpus pro-

ceeding to inquire as to any matter of fact that might be involved, and the court can make that inquiry itself or by a jury or a referee.

Mr. MILLS. Will the gentleman yield?

Mr. COCKRAN. With pleasure.

Mr. MILLS. I should like to ask the gentleman from New York whether a jury trial to determine whether the immigrant is properly in this country or not is not a reversal of the existing practice which makes it a matter of administrative decision, and if it is not an entering wedge?

Mr. COCKRAN. That objection of the gentleman from New York applies to the merit of the proposal but not to this point of order. There is much in what my colleague says; I admit there is great force to his objection to conducting such an inquiry by habeas corpus, but we are discussing not the advisability of proceeding by habeas corpus but the power to introduce such a provision into existing law by this amendment. This procedure is suggested only to meet a very extraordinary condition. I am sure that my colleague, who is a much more experienced lawyer than his years would seem to suggest, is aware that when any matter of fact comes before the court in a habeas corpus proceeding it is within the power of the court to reach a conclusion of fact in any way it likes. I was concerned once in a memorable case wherein the question was raised on habeas corpus whether execution by electricity was likely to result in burning the criminal to death and therefore within the constitutional prohibition of a cruel and unusual punishment. That question of fact was referred to a referee; testimony was taken for a year and the court finally passed upon it according to the findings of the referee on that testimony. It surely would have been equally competent for the court to empanel a jury and try the same question by that method.

Mr. RAKER. Will the gentleman yield?

Mr. COCKRAN. Certainly.

Mr. RAKER. The distinguished gentleman does not want to leave me in this attitude. The court can do a great many things but that practice is unusual.

Mr. COCKRAN. I admit the unusual practice, but I think my friend from Illinois [Mr. SABATH] will agree to avoid the whole question involved in the point of order by accepting the suggestion of the gentleman from Texas [Mr. HARDY], and insert the provision in another place in the bill.

Mr. SANDERS of Indiana. Mr. Chairman, I would like to speak in support of the point of order.

The CHAIRMAN. The Chair is ready to rule.

Mr. SABATH. Mr. Chairman, in order to expedite matters, as I understand it is the desire of a great many Members to get through early in the day, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. SABATH. Now, Mr. Chairman, I move to amend by inserting after the word "religious," in line 23, page 3, the words "religious or political."

Mr. SANDERS of Indiana. Mr. Chairman, I make the point of order that that is an amendment to an amendment which has been agreed to by the committee.

The CHAIRMAN. The Chair will advise the mover of the amendment that this committee amendment has been amended by striking out the very language he refers to and substituting other language, and therefore it is not before the House.

Mr. SABATH. Then, Mr. Chairman, I offer this amendment.

The Clerk read as follows:

Page 4, line 3, at the end of the Cooper amendment, insert the following: "aliens who are fugitives or refugees for political reasons."

Mr. SANDERS of Indiana. Mr. Chairman, I reserve the point of order on the amendment.

Mr. RAKER. Mr. Chairman, what is the amendment?

Mr. SABATH. It is the same that I offered heretofore, with the exception that we strike out the proviso to which the gentleman objected, and in view of that I hope that he will agree to the amendment. The objectionable part has been eliminated.

The CHAIRMAN. Does the gentleman press the point of order?

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. SANDERS of Indiana. Mr. Chairman, I do not desire to make the point of order. I think the objectionable part of it has been withdrawn.

Mr. BEGG. Mr. Chairman, will the gentleman from Illinois yield?

Mr. SABATH. I yield.

Mr. BEGG. If the gentleman's amendment is adopted, would the ex-Kaiser of Germany be permitted to enter this country? Would we not be obligated to afford him protection as a political prisoner?

Mr. COCKRAN. He is a refugee from us. We do not give political asylum to refugees from ourselves.

Mr. BEGG. But the amendment does not say that. It simply says political refugees, and he is a political refugee.

Mr. COCKRAN. But not seeking asylum. A political refugee does not seek asylum in the country from which he is a refugee.

Mr. SABATH. Mr. Chairman, I will answer the question by asking the gentleman another. Does he believe that the ex-Kaiser will do so or endeavor to do so?

Mr. BEGG. It is not a question of what the gentleman believes. It is a question of what the amendment permits. If I understood the amendment, it provides that we shall afford a haven for all political refugees who gain access to this country. I want to know why the Emperor of Austria and why the Kaiser would not be by law protected in this country were they to enter it.

Mr. SABATH. I do not think so, but if there is any question in the mind of any gentleman about the wording of the amendment, I ask unanimous consent that I may add to the amendment the following:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted or who admit the conviction or who teach or advocate the commission of an offense purely political.

That is the present law.

Mr. MADDEN. Does the gentleman mean to say that if a man threw a bomb at the head of a government we would admit him in order to prevent his being prosecuted?

Mr. SABATH. That would not be purely political.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to modify his amendment in the manner indicated, which the Clerk will report.

The Clerk read as follows:

Modify the amendment offered by Mr. SABATH by inserting, after the word reasons," the following: "*Provided*, That nothing in this act shall exclude, if otherwise admissible, persons convicted or who admit the commission or who teach or advocate the commission of an offense purely political."

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois to so modify his amendment?

There was no objection.

Mr. BEGG rose.

The CHAIRMAN. Does the gentleman from Illinois yield the floor?

Mr. SABATH. I yield.

The CHAIRMAN. The gentleman from Ohio is recognized in opposition to the amendment.

Mr. BEGG. Mr. Chairman, I am not absolutely sure that I understand the amendment even now, hence all I have to say will be on the question as I understand it. The amendment as offered is supposed to provide a haven for political refugees, from whatever country they may hail, on certain conditions, and I can not feel that the conditions prescribed in the amendment offered by unanimous consent will exclude a man like the ex-Kaiser of Germany or the ex-Emperor of Austria and Hungary, or any other of that class of political prisoners. I simply want to make one appeal to this committee for America. There is an undue interest, it seems to me, for men of foreign birth, foreigners. I have all the sympathy that any man can have for a foreigner. If this Government had been too drastic 60 years ago, I would not be here myself, and I want no action of mine to work a hardship upon any foreigner of any race or religious conviction unless by extending to him the privileges of this country I shall thereby mar or handicap the future for my children in this country.

In other words, the interest of Poland, Russia, or Austria-Hungary, or Ireland, or any country I place second to the interests of the United States. [Applause.] I believe that the American people to-day want a limit placed on immigration, and I believe it is for the best interests of this country to now limit immigration for a time, until we can arrive at a condition in this social fabric of ours where we can transform the foreigner into an American, with an American's ideals, and make him a supporter of our Government rather than a drag on its progress. I take it there is not a man in this House who has any other opinion than that.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I will gladly yield.

Mr. HARDY of Texas. Does the gentleman think that under existing immigration laws the Kaiser or Emperor of Austria could be admitted to our shores?

Mr. BEGG. Certainly he could not.

Mr. HARDY of Texas. Does not this amendment leave the law just as it is at present?

Mr. BEGG. I made the statement very frankly that I did not know, and I do not believe anybody else in the House knows what can be done under this amendment as introduced.

Mr. HARDY of Texas. It is an addition to the list of those persons not affected by the 3 per cent provision.

Mr. BEGG. If the gentleman will permit, I would say that if you are trying to help any particular man like O'Callaghan, in the name of heaven why do not you come out flatfooted and say so and not make a general provision that will admit men whom we do not want in this country? [Applause.] That is the position I take. We are confronted right now with a proposition of trying to limit immigration by legislation in some such way as to benefit society and the people we already have. Let us not muddy the waters by trying to provide some loophole whereby some particular individual can remain in this country or get in under legal right. If you want to assist any particular individual let us meet the proposition on its merits, face to face, and say what we are going to do. As far as I am concerned I want restricted immigration until socially and economically in this country we have solved some of these very potent problems that are confronting our civilization. [Applause.]

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. That is, as to whether the gentleman from Illinois [Mr. SABATH] withdrew his first amendment, which merely referred to fugitives and refugees for political reasons, or has he asked to add to it the provision which has been read from the desk?

The CHAIRMAN. As the Chair understands the situation as to the amendment, the gentleman from Illinois [Mr. SABATH] originally offered his amendment as follows:

Or (12) aliens who are fugitives or refugees for political reasons.

After that was reported, and still having the floor, he asked unanimous consent to add an amendment to the amendment, which consent was granted, and he added the proviso which the gentleman from Washington has just read.

Mr. JOHNSON of Washington. Mr. Chairman, I am sorry to say I did not understand he asked unanimous consent to do that. I thought it was a substitute or I would have made a point of order against it.

The CHAIRMAN. The Chair is very clear in his recollection that in submitting the unanimous-consent request he waited the customary time for any gentleman to reserve or make a point of order, but no one did so.

Mr. JOHNSON of Washington. I ask unanimous consent that the Sabath amendment and the amendment he secured by unanimous consent, which we did not understand on this side, be read as it will read if adopted.

The CHAIRMAN. The gentleman from Washington submits a unanimous-consent request that the amendment be again reported. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Page 4, line 3, after the Cooper amendment insert: "Or (12) aliens who are fugitives or refugees for political reasons: *Provided*, That nothing in this act shall exclude otherwise admissible persons convicted or who admit the commission, or who teach or advocate the commission of an offense purely political."

Mr. JOHNSON of Washington. I rise to oppose the amendment. Mr. Chairman, I submit the amendment is now a double-headed proposition which means nothing.

Mr. SABATH. It is in the wording of the present law.

Mr. JOHNSON of Washington. Mr. Chairman, I will let the proponents defend the provision in their time, and I will hold the floor for a couple of minutes. I say that a double-barreled proposition has been presented that does not mean anything. Now, a word as to political refugees. We are undertaking to reduce for 14 months immigration to 3 per cent. If there are political refugees escaping from possible death in some foreign countries who reach the United States they can be taken care of under that per cent, but when you propose to permit under temporary suspension during the next 14 months what happened in the last two or three years in the case of the anarchist, Magoon, who fled from Mexico claiming there was a price on his head and who, when he got to Los Angeles, set up an anarchist paper that is still running. We are unable to deport him because he is a refugee. We were unable to deport him all these last two or three years because the then Assistant Secretary of Labor said that he could prove the man was not an anarchist even though the man said that he was an anarchist. We are tired of these things in the United States. [Applause.]

Mr. ROSE. Will the gentleman yield?

Mr. JOHNSON of Washington. I will yield the floor.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. That amendment is not in order.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. RYAN. Mr. Chairman, I offer a substitute amendment.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Chairman, it would seem from the arguments which have been made upon the floor of the House during the consideration of this bill that every Hebrew in this country was against it, and for that purpose I rise to state that such certainly is not the case in my district in Baltimore. I have before me a letter, or rather a copy of a letter, which was sent to me yesterday and which I received to-day from Rev. Morris S. Lazaron, who is the rabbi of the oldest and largest congregation of Jews in Baltimore. This letter was addressed to the Secretary of State.

I shall only read part of it, because the balance is in reference to another letter which he wants introducing him abroad, but the part which applies to this bill I shall read to you for your information.

The letter is as follows:

BALTIMORE, MD., *April 21, 1921.*

His excellency CHARLES EVANS HUGHES,
Secretary of State, Washington, D. C.

DEAR MR. HUGHES: It is with great interest that I read your communication regarding the necessity for an immediate restriction of immigration. Naturally, as a Jew and rabbi, my heart goes out in sympathy to my coreligionists who have been the victims of the chaos in southeastern Europe. Indeed, this is but a human sentiment which everyone will share.

However, as an American and considering the problem from the point of view of the effect of unrestricted immigration upon our country, I am convinced of the rightness of your stand. Over a month ago, in a number of public utterances, I took the same position. I write in this way for no other reason than this: That there will be much criticism of your declaration and I would have you know that many see four square with you. The problem of Jewish congestion in the large centers, the problem of unnaturalized foreigners, is at present acute enough. Until we have a statesmanlike, organized program to meet the present difficulties, we have no right as American citizens to let down the bars entirely. The reunion of families is a question to which attention may be given in each particular case and decision made on its merits.

Now, I want to say in reference to Rabbi Lazaron that we have no rabbi in this country of better standing and greater learning, who has given more study to this subject. He has traveled practically the world over, and in this very letter he desires to obtain a letter which he can use in a proposed trip to Palestine, in order to gather further information in that section and in southern Europe. When he says it is unwise to grant unrestricted immigration, I regard his opinion as of as great importance as any man in this country. [Applause.] Now, from the remarks yesterday one would gather that the American people were no longer able to work and wait upon themselves. The gentleman from New York [Mr. SIEGEL] said that during the war that the people of foreign birth made our shoes and clothing——

Mr. SIEGEL. Will the gentleman yield?

Mr. LINTHICUM. I will yield.

Mr. SIEGEL. I made no such statement, and the gentleman can not point at any time to anything I said on the floor of this House where I dragged in any particular faith.

Mr. LINTHICUM. Perhaps the gentleman said immigrants.

Mr. SIEGEL. I regret to say the gentleman drew a wrong inference from what the gentleman from Indiana said. I made no such statement, and I do not think the gentleman from Indiana intended that inference should be drawn.

Mr. LINTHICUM. Perhaps the gentleman said that the immigrants of this country made the clothes and shoes which clothed and shod the Army, but certainly the expression was made.

Mr. SIEGEL. Not by me.

Mr. LINTHICUM. They tell us we need the immigrant to manufacture clothing, hats, and shoes of the country; others say that we must have them to go upon the farms and produce the food for our people; others tell us we must have the foreigners to do the work in the great industries of the land; and still others say they are necessary to do the housework in the homes of our country.

For heaven's sake, gentlemen, what are we Americans to do while these people work for us and wait upon us? Would it

not be better to Americanize and assimilate the great mass of foreigners we already have and find work and occupations for them, to school them, and teach them the things for which America and the Constitution stand? After that, if we feel there is time to assimilate more of them, it will then be in order to open the gates to those who desire to become good and substantial citizens.

I do not wish to see Americans sit and become opulent, inactive, and weak. I wish to see them blaze their way through civilization by work and effort, as they have ever done in the past; to become strong and powerful through work and opportunity. I do not wish our people to rest while others do the work, to sit in palaces and high places and wear soft raiment. Through work and energy we become strong. America has won its place in the world by clearing the fields, building the railroads, erecting churches and schoolhouses, and laying the present foundation of the greatest civilization. To become soft is to become decadent. Let us instill into the minds of every American, whether native or foreign born, that this is the great land of opportunity, where work counts and perseverance wins success. [Applause.]

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I want to see if we can arrange time for debate on this section and all amendments thereto. I want to suggest that the debate close in 30 minutes—I think there will be no objection to that—the time to be divided into five-minute periods to those who can secure recognition from the Chairman.

Mr. SIEGEL. Reserving the right to object——

The CHAIRMAN. The gentleman will permit the Chair to submit the unanimous-consent request. As the Chair understands it, the gentleman from Washington asks unanimous consent that all debate on the pending amendment close in 30 minutes, the time to be allotted for speeches to be not more than five minutes each?

Mr. JOHNSON of Washington. Yes.

The CHAIRMAN. And the time to be under the control of the Chairman?

Mr. SIEGEL. Will that be on all amendments or on the pending amendment?

The CHAIRMAN. On the pending amendment, as the Chair understands. The Chair will suggest to the gentleman from Washington——

Mr. JOHNSON of Washington. I will see if we can not make the time a little longer and make it to include all the amendments to the section. Let us see if we can not agree on 40 minutes on this section and all amendments thereto.

The CHAIRMAN. The gentleman from Washington modifies his request and asks unanimous consent that all debate on the pending section and all amendments thereto close in 40 minutes, the time to be allotted in periods of not more than five minutes and the time to be at the discretion of the Chair. Is there objection?

Mr. LINTHICUM. Reserving the right to object, I would like to ask the gentleman from Washington if he will grant to me the first two minutes to read from the RECORD what I referred to as having been said by the gentleman from New York [Mr. SIEGEL] on this proposition?

Mr. JOHNSON of Washington. Oh, the RECORD will show that.

The CHAIRMAN. Is there objection?

Mr. LINTHICUM. I object.

Mr. JOHNSON of Washington. Mr. Chairman, then I move that all debate on the pending section and all amendments thereto close in 40 minutes.

The CHAIRMAN. The gentleman from Washington moves that debate on the section and all amendments thereto close in 40 minutes. The question is on agreeing to the motion.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The gentleman from New York [Mr. COCKRAN] is recognized for five minutes.

Mr. COCKRAN. Mr. Chairman, the indulgence of the committee has been so conspicuously displayed in my favor that I hesitate to obtrude myself on this debate. I should not do so if it were not that I deem it absolutely necessary to answer something that was insinuated rather than said by the gentleman who spoke before the last speaker. He seemed to think it necessary to profess that a Member of this House in casting his vote would put America first. If I thought such a profession was necessary from anybody here, I would be a little ashamed of my companionship. I venture to say that nobody who is fit to sit in this House would consider any question at any time except that of America's interest first, last, and all the time. [Applause.] No question affecting any foreign country or the inhabitants of any other part of the globe should be considered for a moment by anyone honored by the people with a seat in this body except in so far as it could advance the interests of the American people or the dignity of American citizenship.

Now, Mr. Chairman, the motion of the gentleman from Illinois [Mr. SABATH] is reduced to a very narrow compass, and I am sure when it is understood there will be no dissent in any part of the House. The gentleman to whose speech I have just referred pictured the possibility of the Kaiser coming here if this amendment be adopted. If his assumption be correct, it is difficult to conceive a stronger reason for adopting the amendment. I fancy if we knew how we could get the Kaiser and bring him here we would not wait for him to come but would send a ship for him. The gentleman proceeds upon the extraordinary theory that if the amendment prevails refugees would seek the country from which they were refugees. It is impossible to discuss a supposition of that character. The Kaiser is an offender against our laws. Holland holds him today against our request for his surrender. If the condition which the gentleman pictures could possibly occur, this country would gladly receive him to put its hands upon him, not in the way of kindly welcome but in the way of bringing him to the bar of justice to answer for his offenses against humanity and all international law.

Mr. BEGG. Will the gentleman yield?

Mr. COCKRAN. If it is not taken out of my time, Mr. Chairman.

The CHAIRMAN. The Chair will state that it would be taken out of the gentleman's time.

Mr. COCKRAN. Then I can not yield. If given sufficient time, I would yield to anybody.

I have but to say this: This measure simply provides that the provisions of this proposed law shall not apply to political refugees, and that the existing law defining what is a political refugee shall govern application of the new law. If that amendment be not adopted, then we have abandoned not merely the traditional policy of this country but the policy of every civilized country.

Now, picture to yourselves the condition which will ensue if this exception should not be made. The gentleman spoke of Trotski coming here as a possibility sufficiently liable to justify rejection of this amendment. But suppose that some of Trotski's victims come here seeking to escape his vengeance? Gentlemen, remember I am not speaking now with any claim to knowledge of actual conditions in Russia. I do not know what they are. But if they be anything like what they are generally stated to be, and some man who had been engaged in an attempt to overthrow this domination of 600,000 over 120,000,000 by blood, force, and murder, succeeded in escaping from Russia and reached these shores he would be denied admission if he happened to be one over the 3 per cent allowed.

If this bill had then been in operation some generations ago Kossuth could not have been landed here. John Mitchel, the grandfather of a man believed by many to have been the ablest mayor New York City ever had, could not have landed here. Thomas Francis Meagher, whose statue stands to-day outside the capitol of the State of Montana, an incentive to the youth of that State to fix their notions of civic virtue by his example, could not have landed here. If enacted, you will have the world reduced to this condition, that however desperate might be the peril, however frightful the persecution to which people of another country might be subjected, a fugitive from those dreadful countries would be sent back by the hand of our officers to expiate in his own person our renunciation of the principles of civilization which we were supposed to embody in the highest degree during all our existence. [Applause.]

I think, Mr. Chairman, merely to state that proposition is to insure the action of the House in advance, and so in perfect confidence I submit the amendment to the judgment and discretion of the committee. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CLOUSE. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman asks unanimous consent to withdraw the pro forma amendment, and moves to strike out the last two words. Is there objection?

There was no objection.

Mr. CLOUSE. Mr. Chairman and fellow Members of this House, I have listened with great interest to the arguments, both in behalf of and in opposition to the pending bill, but I am frank to say that I have not been convinced that this bill should be defeated. But I maintain that it should be strengthened, rather than weakened by the amendment that has been offered by the gentleman from Illinois [Mr. SABATH]. [Applause.]

When we look about us we see in this country to-day no less than 5,000,000 idle men. We see our factories and workshops and farms abandoned. Our production is curtailed to a point that is indeed alarming. And yet it is sought here on the part of some to open the floodgates of this glorious Republic to immigration, and perchance to bring to our shores within the next 12 months not less than 2,000,000 aliens to come in direct competition with American labor.

I say to you that this is no time to temporize on this question. We should take it up from an American standpoint and not vote in order that our vote will be against some ex-service man or in favor of him, but let us look to this question purely as an American one and provide for the best interests of the American people as a whole. Why, some Members have gone to the point of saying—and indeed I have gathered from their remarks—that they regard the United States as no larger than their congressional districts. I happen not to come from a district that has a large foreign population, yet I want to say to you that if I did I would stand for the interests of America as a whole, regardless of the wishes of my constituents. [Applause.]

I say to you not only have we millions of idle men but we read in the press of this week that there have been in the past four months no less than 9,000,000 American laborers who have left the industrial centers of our country and returned to the smaller towns because they could not find gainful occupations in the congested centers and manufacturing cities.

Not only that, but we have standing now on rusting rails in railroad yards a quarter of a million idle box cars, and yet it is proposed to bring aliens here by the thousands and tens of thousands, to furnish them gainful occupations, when our own people are starving for lack of work.

I appeal to the membership of this House to vote down this amendment and give us legislation that will protect us in our immigration. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RYAN. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The gentleman from New York offers a substitute, which the Clerk will report.

The Clerk read as follows:

Mr. RYAN offers the following substitute for the amendment offered by Mr. SABATH: Page 4, line 3, after the Cooper amendment, insert "or (12) aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actual subjects of persecution for political opinions and are seeking admission to the United States solely for the purpose of escaping suffering and hardship involved in such persecution."

The CHAIRMAN. The gentleman from New York is recognized.

Mr. RYAN. Mr. Chairman and members of the committee, I am offering this substitute amendment not for the purpose of bringing in additional immigrants to this country. I think that if we are to accept an amendment in behalf of aliens who are subject to persecution or prosecution because of their religious belief, we should have an amendment admitting people who are persecuted because of their political faith.

I do not know about the conditions in Russia or Serbia or other countries in what is known as the Near East, but I do know that there is persecution in certain countries of Europe, and if political offenders had been barred from the United States in former days the forebears of a great number of the men present in this House would never have reached America, and they would be in Europe to-day working as the prospective immigrant over there is now working. I believe we should act in justice and in fairness to others as we would like to see justice and fairness done to us. During the World War we promised men of foreign birth who engaged in that war on our side that we would not discriminate against them or against their parents. A large number of them were sent to the front who could not speak English, but they were told that justice would be done them. Without getting away from the 3 per cent rule, we could take care of them.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. RYAN. Yes.

Mr. HUDSPETH. If your amendment were adopted, what would prevent any alien from coming in here under the pretense of being subject to political persecution? What would prevent him from coming in?

Mr. RYAN. The immigration officer in charge of that very matter would be the sole judge of that, as he is to-day.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. RYAN. Yes.

Mr. GRAHAM of Illinois. Are communism and bolshevism political doctrines?

Mr. RYAN. I believe they are.

Mr. GRAHAM of Illinois. Then, if there are restrictive rules against communists and bolshevists in some other countries of the world, they could flee to this country and find here an asylum under your amendment.

Mr. SIEGEL. My understanding of the rulings is to the effect that you have to establish your facts in every particular case.

Mr. GRAHAM of Illinois. I am talking about general principles.

Mr. RYAN. I believe one of the great principles upon which this Government is founded is that we should give asylum to those who are being persecuted because of their religious or political beliefs.

Mr. GRAHAM of Illinois. Only in so far as we may do that and still preserve our own safety, and bolshevism is subversive of our form of government, and I do not believe in letting that kind of people come in.

Mr. KNUTSON. Will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MONTAGUE. Mr. Chairman, I do not hope to contribute but little to the consideration of this bill. I expect to vote for the bill, and I expect to vote for it notwithstanding my very great reverence for the preservation of the traditional political asylum incident to our institutions. My vote will tend to prevent the overthrow of those principles. I vote to prohibit the entrance into our Republic of people whose purpose and activity are directed to the one end of undermining the foundations upon which such a tradition rests, as well as all other principles of the American Government. [Applause.]

But there is another aspect of the case I would ask the committee to consider, somewhat cognate to the bill itself. There is an old maxim of our jurisprudence that he who asks equity must do equity; that he who comes into a court must come with clean hands. If we would exclude with vigor, should we not deal in somewhat similar manner with those we have already within our borders? If we would keep out danger, should we not keep down danger already within our domain? Only a few years ago there were nine American States that permitted unnaturalized aliens to vote. I do not know the number of such States now.

Mr. SIEGEL. There are only four now.

Mr. MONTAGUE. I thank the gentleman. Those States permit aliens to vote, not only in State but in Federal elections. I have offered a constitutional amendment that has been pending in a committee of the House for some four years which provides that no person shall vote at any election for Representatives in the Congress, or Senators, or electors of the President unless such person is an American citizen. [Applause.] I am very much gratified to know that during this time there has been some march of improvement in the States in respect to this dangerous use of the ballot by foreign and unnaturalized citizens. My political principles are founded more or less upon what is known as the state-rights school.

Mr. ROSSDALE. Will the gentleman yield?

Mr. MONTAGUE. No; I regret I can not yield. But the American Constitution gives Congress the right to deal with naturalization, and I think the amendment I have suggested only perfects this right of the Congress to deal with this vastly important subject. This suggested amendment withdraws citizenship from no man; it only provides that the foreigner must be first naturalized before he shall vote in Federal elections, not State elections.

I am happy to know, as stated by the gentleman from New York, that there are now only four such States conferring this abnormal right upon foreign subjects as citizens; but when I introduced the amendment there were some eight or nine States of the Union that gave the right to unnaturalized aliens to control the destinies of the American Nation. I thought this aspect of the immigration question would not be wholly unwelcome to the patriotism of this body at this time. [Applause.]

Mr. SIEGEL. Mr. Chairman, I have been a Member of this House a little over six years. I have served on the Immigration Committee from the time I came here. In no debate up to this one has the question of the religious faith of any particular part of the people in this Republic ever been brought up for discussion here, and it is most regrettable that any man, no matter who he is, should undertake to raise such a question on the floor of this House. I say that such a man is no American, whether his citizenship is by nativity or through naturalization. It is a pretty sorry day for our institutions in this country when any man representing a congressional district rises here upon the floor of the House and endeavors to discuss the faith of any particular part of our citizenship. I want to say to my friend from Indiana [Mr. SANDERS] that his is one of the four States where aliens arrive and take out their first papers and then vote for Members of Congress and for all other offices of his State. The other States are Texas, Missouri, and Arkansas.

Mr. CONNALLY of Texas. I will say that Texas is engaged in, I hope, a successful effort to correct that situation.

Mr. SIEGEL. I hope that they succeed. I will say to the credit of the gentleman from Texas on our committee [Mr. Box] that he has informed me a number of times that the members of the Texas delegation are working very hard along these lines. I may differ with him upon policy, but he is consistent in his views.

Mr. VAILE. Will the gentleman yield further?

Mr. SIEGEL. Yes.

Mr. VAILE. While the gentleman is entirely correct in saying that there are only four States where noncitizens are entitled to vote, the gentleman must remember that in his own State and in his own city a Congressman represents, in fact, a great number of alien population.

Mr. SIEGEL. Let me say to the gentleman that the truth of the matter is that in the Southern States there are more people unrepresented here, and that they do not vote in those States when they should be permitted to vote; and I do not yield any further. [Applause.] I am the last man in the world to raise a sectional issue. I have voted for every western proposition that has ever been brought up here, because I believe that what helps one part of the country helps the entire country, and I have voted that way every time since I have been here. I have voted for the Key West, Fla., project when most of my eastern colleagues voted the other way. I voted for the Speedway Hospital in Chicago because I will vote to help our soldier boys every time.

Now, some reference has been made as to who manufactured the clothing which was used during the war. Let me say for the benefit of the gentleman that it was New York, Cleveland, and Chicago that principally manufactured the clothing, but does it make any material difference as to where they came from or of what faith they were? One gentleman rose and spoke of a particular faith, of which I happen to be one, that manufactured the clothing. I did use the words "born American" to distinguish from other Americans, but I never alluded to any particular faith or creed in discussing the manufacture of clothing. I represent, remarkable as it may be, 27 different nationalities who have become American citizens, and my congressional district gave 13,000 boys in the last war. [Applause.] How much more do you want? Is the readiness to die for our country not sufficient proof of our patriotism?

For the benefit of the gentleman from Maryland [Mr. LINTHICUM], I will say to him that he has brought up the question of faith, the Hebrew faith. The people of that faith in the United States gave 257,000 men in the war, and their death rate was 5 per cent on the other side while the death rate of the country at large was a little over 3 per cent. What greater proof of devotion does the gentleman demand?

The brave men and women who have come from all countries have contributed all their might toward advancing the best interests of our common land. Let us throw prejudice to the wind and see the truth.

My dear Mr. Chairman, to those who constantly boast that because their parents were born here this country is solely theirs and refuse to recognize the rights of those who happen to come here after they or their ancestors were born here, let me, for their benefit, quote from a speech made by our beloved martyred President, Abraham Lincoln:

> We find ourselves in the peaceful possession of the fairest portion of the earth as regards extent of territory, fertility of soil, and salubrity of climate. We find ourselves under the government of a system of political institutions conducing more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them; they are a legacy bequeathed to us by a once hardy, brave, and patriotic but now lamented and departed race of ancestors. Theirs was the task (and nobly they performed it) to possess themselves, and through themselves us, of this goodly land, and to uprear upon its hills and its valleys a political edifice of liberty and equal rights. It is ours only to transmit these—the former unprofaned by the foot of an invader, the latter undecayed by the lapse of time and untorn by usurpation—to the latest generation that fate shall permit the world to know. This task, gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general all imperatively require us faithfully to perform.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. LINTHICUM. I object.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I have only five minutes in which to debate this question, and I shall not refer to the argument which has just been made by the gentleman from New York [Mr. SIEGEL], who is not only an honored Member of this House but a very able Member, except to say that he and I have two different viewpoints about our constituents. He seems to imagine that because he has a constituency of a certain class of men in large numbers that it is his duty to get upon the floor of the House and by different amendments and speeches, which he can send back to them, induce them to think that he is making a great fight for them. He seems to think that they are well pleased when he gets up and brags on them. I have the same sort of constituents as has the gentleman from New York, many different nationalities, and, as the gentleman says, they have the right to vote when they take out the first papers. But these people do not expect me to get up and brag on them; they can brag on themselves. They expect me to come here and stand for sound legislation which will be for their best interests. [Applause.]

Now, to get back to this amendment proposed by the gentleman from New York. This amendment proposes that as one of the classes that shall not be counted in the 3 per cent there shall be the following:

> Aliens who are fugitives or refugees for political reasons.

And then he follows it with this rather ambiguous provision:

> Provided nothing in this act shall exclude if otherwise admissible persons convicted or who admit the commission, or who seek or advocate the commission, of an offense purely political.

The gentleman took that from the old immigration law.

Mr. GARRETT of Texas. The present immigration law.

Mr. SANDERS of Indiana. The present law, where we do not restrict the numbers that may come in. That is all right. But in this bill we propose to restrict the number of immigrants that can come in, and he proposes, after the 3 per cent is exhausted, that anybody can come to our doors and say, "The number from my country has reached the limit provided by law, but I admit the commission of a political crime," and we shall say, "Well and good; alight on our shores." He has wholly misinterpreted the spirit of the right of asylum that has grown up as a part of our interpretation of the international law.

Mr. FESS. Will the gentleman yield?

Mr. SANDERS of Indiana. I will yield to the gentleman.

Mr. FESS. I was in the Chamber a moment ago when the question was asked whether membership of the communistic party would not be regarded as political. If there is any punishment because of membership in that party in another country, that would be a reason for the party coming here; and what would be our attitude when a member of the communistic party here of alien subjects may be deported under our present law? We would be admitting an alien under this law who would be deported after he got here.

Mr. SANDERS of Indiana. To be sure.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. COOPER of Ohio. Is the gentleman of the opinion that if this amendment is adopted all the people in Russia, for instance, who are opposed to the government of Lenin and Trotski would be permitted to come in?

Mr. SANDERS of Indiana. Yes; if they were political refugees or if they had been charged with some crime, or if they had been convicted of the commission of an offense which was purely political, or if they teach or advocate the commission of an offense that is political in its nature.

Mr. BLANTON. Mr. Chairman, if newspaper reports may be relied upon, the gold from the exchequer of Russia is now being sent to this country in large quantities by those in authority there. Newspapers tell us that it is expected to be followed by the men who are sending it. If that is true it is only a question of time when these leaders over there are going to be political refugees from Russia, because just as soon as the people of Russia find out that they are being robbed by their leaders, that they are being exploited, that the gold of their country is being sent away to become the "booty" of their present leaders, these political refugees, Lenin and Trotski, are going to be seeking admission here to spend their Russian gold in future years. Do you want to enact a provision that would admit them into this country? The gentleman from New York a moment ago admitted that the communists could come in under this provision. The gentleman from Ohio [Mr. FESS] said that we would deport them. Where would you deport them to? If they are political refugees from a country, to which in turn they were political refugees from some other country, which is the usual history of such cases, you could not send them back. They would not have any country that would take them. Under this definition Emma

Goldman and Alexander Berkman, who again are soon to be political refugees in Russia, could come in. I understand they want to come back now. I understood they said they would rather be in jail eternally in America than free in Russia, but we had to send them back there, and what are we going to do with the great burning question of properly restricting immigration if we pass an amendment of this kind?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES of Texas. Mr. Chairman, it seems to me this amendment would be a very unfortunate one at the present time. As was suggested by the gentleman from Ohio [Mr. FESS], we would be admitting people under this rule of the same character and type we are trying to deport, and some of whom would be subject to deportation as soon as they arrived on our shores.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. FESS. I have just conversed with the Labor Department upon that question, and they tell me that members of a communistic party now are subject to deportation under the law.

Mr. JONES of Texas. I am very glad to have that suggestion. At the present time there is a good deal of turmoil in the various nations of the earth. There are certain places where one side gets into power to-day and another side to-morrow. The first side then takes to the woods, and they would all be political refugees. These seasons of turmoil reappear frequently, and this provision would send a flood tide to America. If you write into this law the terms of the proposed amendment, you absolutely destroy the proposed measure in so far as political refugees are concerned. That would admit any anarchist or bolshevist, any man who fights the country in which he lives or its form of government. The present time, when we are trying to preserve American institutions, I submit, is not a good time to throw open the floodgates and let those from other nations in.

Mr. CHANDLER of New York. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. CHANDLER of New York. Does the gentleman understand that if this amendment be adopted it would set aside the existing law as to the admissibility of aliens into this country?

Mr. JONES of Texas. That is what I am complaining of. It will allow the present law to remain. I believe the present law ought to be amended.

Mr. CHANDLER of New York. The present law forbids the admission of certain people to this country, and does not the present law cut out anarchists?

Mr. JONES of Texas. The present law, so far as this stipulation is concerned, does not do so, and this later law, which would make an exception, would abolish by inference any part of any law in conflict with it, notwithstanding it is cumulative. In other words, the later law would prevail in case of conflict. If the present law forbids the admission of anarchists and bolshevists, this provision, if enacted into the present law, would repeal such provision, because it would be in conflict with it. This amendment, if adopted, would in specific terms admit any alien who is a fugitive or a refugee in a political sense. Almost anyone from any of the unfortunate countries could come in under such a provision.

Just now when the Old World is in turmoil, debt burdened, and in some instances despairing, we can not take on an unlimited load of foreign immigration. This bill is already liberal enough to admit all we can assimilate for the time being, without leaving a loophole that would admit almost any cunning schemer who may have caused political unrest in his own country.

Mr. LINTHICUM. Mr. Chairman, in answer to the gentleman from New York [Mr. SIEGEL], I desire to say that if the reading of a letter from an able and distinguished rabbi of my district constitutes the raising of the racial issue, he is entitled to his opinion, but I do not agree with him. In respect to what he said about the manufacture of clothing, shoes, and so forth, I desire only to read from the RECORD, on page 507, of April 21, 1921, as follows:

Mr. SIEGEL. Will the gentleman tell of a single American that he knows of that is engaged to-day in the large cities of the country in doing the tailoring of the country? By that I mean the manufacture of the garments that are worn by the people. Can he tell us of a single one? Tell us of a single one engaged in the fur trade. American boys will not do that line of work. Men from the other side of the sea go into that line of work and work hard, and it is those men who supplied the uniforms and the clothing and the shoes for the Army when the war was on, and it ill becomes the gentleman at this moment, on reflection, to refer to them in that manner.

Mr. NEWTON of Minnesota. Mr. Chairman and gentlemen of the House, I can not say that I believe in any policy of immigration regulation based on the principle of exclusion. On the other hand, I believe that our permanent immigration program should be based upon the principle of selection, and I hope that our Immigration Committee will report soon a comprehensive immigration bill based upon the principle of selection. This will permit the selection and admission of those people who can best be assimilated. This will permit of an elastic policy which can be changed as economic conditions change. Furthermore, this selection will also be based upon the desirability of the immigrant upon the question of citizenship. However, there is facing us to-day an emergency, and this is an emergency bill. The amendment before us seeks to extend and enlarge the limitation. If there is a necessity for limiting immigration, as most of us believe, then we should support the principle upon which the bill is based and not enlarge it by extending its exceptions. The amendment in question, it seems to me, is foolish. Under it we would exempt political refugees. In addition we are asked to add to it a proviso which merely restates that which is existing law. The proviso ought to go out altogether. The passage of the provision exempting political refugees would give to political refugees a preference and without any limitation whatever. This would permit them to come in here in hordes regardless of their number. Such a provision ought not to meet with approval from this House. [Applause.]

Mr. MONDELL. Mr. Chairman, I hope gentlemen will give me their attention while I endeavor to explain what I believe to be the purpose and effect of this amendment. Section 2 of this bill proposes to limit immigration to the United States so that the number of aliens of any nationality who may be admitted under the immigration laws in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. Following that, there are some seven or eight paragraphs making exceptions to that limitation, taking certain classes of individuals out of the limitation, so that without regard to the 3 per cent limitation those people may be admitted. To those classes which under the bill may come in without regard to the 3 per cent limitation, it is now proposed to add another class, to wit, aliens who are fugitives or refugees for political reasons. Following that very clear and definite definition of a further exempted class, the gentleman from Illinois [Mr. SABATH], seemingly as an afterthought, added a provision which is now in the law, which will be in the law if this bill should pass without this amendment. If this proviso has any purpose whatever, it is to camouflage the first clear, definite, wide-open provision, to cloud the issue and to obscure the situation. Under the amendment that has been offered not only could William the damned come here, but Charles Hapsburg, late Emperor of Austria, and all of the kings and princelings who have been spurned and spewed out by the people of Europe. Not only that; every Russian now opposed to the régime of Lenin and Trotski would gain admission to our shores, and to-morrow, when, let us hope, the pendulum shall swing and those murderers and thieves shall be driven from their present seats of power, they—Lenin and Trotski—and all the foul hordes that have followed them, could come in under this amendment and we could not close the doors against them, even though they were avowed anarchists. That is what this amendment would do. Of course, we are all for America first, but the best way to prove that, should anyone question it, is not by words, but by votes. [Applause.] That is what we are called upon to do now. He that provideth not for his own household is worse than an infidel, and what shall it profit America if she shall afford asylum to all the earth and lose her own soul. [Applause.]

The CHAIRMAN. All time under the order of the committee has been used. The first vote is on the substitute offered by the gentleman from New York [Mr. RYAN].

The question was taken, and the substitute was rejected.

The CHAIRMAN. The vote now comes on the amendment offered by the gentleman from Illinois [Mr. SABATH].

The question was taken, and the substitute was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SABATH: Page 4, after the Cooper amendment, insert new paragraph:

"Aliens who are fugitives for political reasons."

The question was taken, and the amendment was rejected.

Mr. SABATH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of section 2 add the following:

"*Provided further*, That the entry of Donal O'Callaghan, a citizen of Ireland, who is a political refugee, is hereby authorized, and he be permitted to remain in the United States.

Mr. JOHNSON of Washington and Mr. RAKER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SEC. 4. That the provisions of this act are in addition to and not in substitution for the provisions of the immigration laws.

Mr. SIEGEL. Mr. Chairman, I desire to offer a new section.

The CHAIRMAN. Does any Member desire to offer an amendment to the pending section?

Mr. SABATH. Mr. Chairman, I desire to offer an amendment to the section.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 7, at end of line 17, add the following:
"*Provided further*, That in addition to the foregoing the Secretary of Labor may in individual cases admit aliens when, in his opinion, such action is justifiable as a measure of humanity."

Mr. JOHNSON of Washington. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The point of order is sustained. If no other gentleman desires to offer an amendment to the section the Chair will recognize the gentleman from New York to offer a new section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 7, line 17, insert a new section, to be section 5:
"That the Secretary of State is hereby authorized to make or cause to be made an inquiry into the condition of aliens within the United States as affected by conditions existing in various foreign countries; the policies under consideration or adopted by foreign governments with regard to immigration; the treaties that have been entered into or are being considered with respect thereto; the relations between the foreign governments and their nationals within the United States; the protection of aliens by Federal, State, and municipal laws and regulations; the efficacy of the laws enacted on the subject and the need for further legislation; and, in general, the status of aliens in this country as affected by treaties between the United States and the country of which they are or have been subjects."

Mr. JOHNSON of Washington, Mr. SANDERS of Indiana, and Mr. RAKER. Mr. Chairman, I make a point of order on the amendment.

Mr. SIEGEL. I will ask the gentlemen to reserve the point of order, as I want to explain——

Mr. BLANTON. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is made, and the point of order is sustained.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The motion is not in order, for the reason that we have passed section 4 for amendment and are considering amendments suggesting additional sections. The Clerk will read.

The Clerk read as follows:

SEC. 5. That this act shall take effect and be enforced on and after May 10, 1921 (except sections 1 and 3 and subdivision (c) of section 2, which shall take effect immediately upon the passage of this act), and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the time between May 10, 1921, and the close of the current fiscal year shall be limited to one-sixth of the number who are admissible annually as provided in section 2 of this act.

The committee amendment was read, as follows:

Page 7, line 20, strike out the word "subdivision" and insert in lieu thereof "subdivisions (b) and (c)."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, if there are no other amendments, I move that——

Mr. ROSSDALE. Mr. Chairman, I desire to offer an amendment to section 5, if there is time in which to do so.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

An amendment offered by Mr. ROSSDALE: Add to section 5 the following:
"The Commissioner General of Immigration, by and under the direction of the Secretary of Commerce and Labor, be empowered to formulate plans, rules, and regulations to distribute and to regulate immigrants arriving in the United States with the end in view to their settling in sparsely settled communities and to avoid congestion in crowded centers of the United States, and to report the same to the House and Senate at the next regular session of the Sixty-seventh Congress."

Mr. JOHNSON of Washington. Mr. Chairman, I make a point of order against the amendment that it is not germane; further that there is no such official as the Secretary of Commerce and Labor, as mentioned in the amendment.

Mr. RAKER. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The gentleman from Washington makes the point of order that the amendment is not germane, inasmuch as there is no such official as the Secretary of Commerce and Labor. The Chair sustains the point of order, because it is not germane to the bill under consideration.

Is there anybody who wishes to offer a further amendment——

Mr. JOHNSON of Washington. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The committee having completed the consideration of the bill, and no further amendments being offered for consideration, the committee automatically rises pursuant to the rule under which this bill is considered, and the Chairman will report the bill to the House with the various amendments that have been agreed to.

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. STAFFORD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill H. R. 4075, had completed consideration of such bill, and that the committee during such consideration had adopted various amendments, and that he reported the bill back to the House with the recommendation that the amendments be agreed to and the bill as amended do pass.

The SPEAKER. By the rule the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and it was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum, in order to get a record vote. Pending that I ask for the yeas and nays.

The SPEAKER. The Chair will state that the gentleman can not ask for the yeas and nays pending the point of no quorum. Does the gentleman make the point of no quorum?

Mr. BLANTON. I ask for the yeas and nays, and pending that I make the point of no quorum.

The SPEAKER. The Chair will count.

Mr. BLANTON. Mr. Speaker, at the suggestion of the minority leader, I withdraw the request.

Mr. LONDON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from New York renews the request. The Chair will count. [After counting.] There are many more than a quorum present.

Mr. SIEGEL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. KINCHELOE. Mr. Speaker, I demand the other side.

The SPEAKER. The Chair had just counted the House.

So the bill was passed.

On motion of Mr. JOHNSON of Washington, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a dispatch which has been received in regard to the immigration proposition.

Mr. JOHNSON of Washington. I also ask unanimous consent to extend my remarks on the bill just passed.

Mr. SABATH. Mr. Speaker, what was the request of the gentleman?

The SPEAKER. The gentleman from New York [Mr. SIEGEL] asks unanimous consent to extend his remarks on the bill, and the gentleman from Washington makes the same request.

Mr. SANDERS of Indiana, Mr. KNUTSON, Mr. VAILE, Mr. SABATH, Mr. JONES of Texas, and Mr. RAKER made the same request.

The SPEAKER. Is there objection?

Mr. BLACK. Mr. Speaker, reserving the right to object, I have no objection to the gentlemen extending their own remarks, but with the understanding that they do not include letters and telegrams and things of that sort.

The SPEAKER. With the limitation that the extension shall be of their own remarks.

Mr. BLACK. And such extracts from publications as they may wish to quote, but not to include letters and telegrams.

The SPEAKER. And that the extension shall not include letters or telegrams. Is there objection? [After a pause.] The Chair hears none.

Mr. SIEGEL. I wish to include a telegram that I have received from an organization protesting against some language that has come out here on the floor of the House, involving some 800,000 people.

ADJOURNMENT OVER.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet on Monday next.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO SIT DURING SESSIONS.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may have permission to sit during the sessions of the House.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman will not press that request this afternoon. Will the gentleman defer the request until the House meets again?

Mr. BUTLER. Yes.

Mr. GARRETT of Tennessee. I will have to object if it is made now. I have an explanation which I desire to make.

Mr. BUTLER. Mr. Speaker, I withdraw my request. It is not very important.

The SPEAKER. Without objection, the request will be withdrawn.

There was no objection.

LEAVE OF ABSENCE.

Mr. FLOOD, by unanimous consent, was granted leave of absence for three days, on account of important business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 45 minutes p. m.) the House adjourned, pursuant to the order, until Monday, April 25, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

50. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $36,852,000 required by the United States Shipping Board Emergency Fleet Corporation for the current fiscal year (H. Doc. No. 24); to the Committee on Appropriations and ordered to be printed.

51. A letter from the Secretary of the Treasury, transmitting deficiency and supplemental estimates of appropriations in the sum of $162,608.89 required by the Department of Labor for sundry fiscal years (H. Doc. No. 25); to the Committee on Appropriations and ordered to be printed.

52. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of $5,421.05 to pay claims for damages adjusted by the Navy Department (H. Doc. No. 26); to the Committee on Appropriations and ordered to be printed.

53. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $36,702.70 required for printing and binding for the National Museum and Bureau of American Ethnology, fiscal year 1921 (H. Doc. No. 27); to the Committee on Appropriations and ordered to be printed.

54. A letter from the Secretary of the Treasury, transmitting, from the United States Shipping Board, supplemental estimate of appropriation required for salaries for commissioners, etc. (H. Doc. No. 28); to the Committee on Appropriations and ordered to be printed.

55. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture for fuel (H. Doc. No. 29); to the Committee on Appropriations and ordered to be printed.

56. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $134,000,000 required by the United States Shipping Board Emergency Fleet Corporation for the fiscal year 1922 (H. Doc. No. 30); to the Committee on Appropriations and ordered to be printed.

57. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture for consolidation of addressing, duplicating, and mailing work (H. Doc. No. 31); to the Committee on Appropriations and ordered to be printed.

58. A letter from the Secretary of the Treasury, transmitting proposed item of legislation making available for expenditure appropriation in connection with wind-thrown timber in the Olympic National Park (H. Doc. No. 32); to the Committee on Appropriations and ordered to be printed.

59. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation to cover traveling expenses, United States Civil Service Commission, fiscal year 1921 (H. Doc. No. 33); to the Committee on Appropriations and ordered to be printed.

60. A letter from the Secretary of the Treasury, transmitting supplemental and deficiency estimates of appropriation required by the Post Office Department for sundry fiscal years (H. Doc. No. 34); to the Committee on Appropriations and ordered to be printed.

61. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the War Department for the Shiloh Military Park, fiscal year 1922 (H. Doc. No. 35); to the Committee on Appropriations and ordered to be printed.

62. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation for the Alien Property Custodian regarding motor-propelled vehicle (H. Doc. No. 36); to the Committee on Appropriations and ordered to be printed.

63. A letter from the Secretary of the Treasury, transmitting, from Federal Board for Vocational Education, supplemental estimate of appropriation in the sum of $15,000,000, required for vocational rehabilitation, fiscal year 1921 (H. Doc. No. 37); to the Committee on Appropriations and ordered to be printed.

64. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriation required by the Treasury Department for fiscal years 1921 and 1922, salaries, office of the Secretary of the Treasury (H. Doc. No. 38); to the Committee on Appropriations and ordered to be printed.

65. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of State for relief and protection of American seamen, etc. (H. Doc. No. 39); to the Committee on Appropriations and ordered to be printed.

66. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Department of Agriculture under General expenses, Bureau of Animal Industry, fiscal year 1921 (H. Doc. No. 40); to the Committee on Appropriations and ordered to be printed.

67. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required by the Government Printing Office for general expenses and distribution of public documents, office of the superintendent of documents, fiscal year 1921 (H. Doc. No. 41); to the Committee on Appropriations and ordered to be printed.

68. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriation required by the Department of Commerce for sundry fiscal years (H. Doc. No. 42); to the Committee on Appropriations and ordered to be printed.

69. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation required for the Panama Canal, fiscal year 1921 (H. Doc. No. 43); to the Committee on Appropriations and ordered to be printed.

70. A letter from the Secretary of the Treasury, transmitting item of appropriation for the construction of a vault, Treasury Building, Washington, D. C. (H. Doc. No. 44); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. KELLEY of Michigan, from the Committee on Appropriations, to which were referred the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 12), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DYER, from the Committee on the Judiciary, to which was referred the bill (H. R. 4810) to authorize the incorporation of companies to promote trade in China, reported the same without amendment, accompanied by a report (No. 13), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUDDLESTON: A bill (H. R. 4895) to provide employment for returned soldiers, to open up the unused lands

and natural resources of the United States for the use of the returned soldiers and other citizens who may desire access to them, and to promote the general welfare of all the people of the United States, and to establish an executive department of the United States, to be known as the department of land and natural resources; to the Committee on the Public Lands.

By Mr. MADDEN: A bill (H. R. 4896) to incorporate the American Volunteers of the Canadian Expeditionary Forces; to the Committee on the Judiciary.

By Mr. MONDELL: A bill (H. R. 4897) for the relief of certain ex-service men whose rights to make entries on the North Platte irrigation project, Nebraska-Wyoming, were defeated by intervening claims; to the Committee on the Public Lands.

By Mr. RANKIN: A bill (H. R. 4898) to declare the Tombigbee River nonnavigable from its source to its intersection with the boundary line between Itawamba and Monroe Counties; to the Committee on Interstate and Foreign Commerce.

By Mr. REECE: A bill (H. R. 4899) to authorize the Secretary of War to transfer certain material, machinery, and equipment to the Department of Agriculture; to the Committee on Military Affairs.

By Mr. VESTAL: A bill (H. R. 4900) to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 4901) to establish the standard of weights and measures for the following wheat-mill and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes; to the Committee on Coinage, Weights, and Measures.

By Mr. BRIGGS: A bill (H. R. 4902) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. ELLIS: A bill (H. R. 4903) authorizing the Commissioners of the District of Columbia to vacate and close a part of M Street NW., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FORDNEY: A bill (H. R. 4904) fixing the compensation of certain officials of the Customs Service; to the Committee on Ways and Means.

By Mr. McFADDEN: A bill (H. R. 4905) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918, and to provide for the consolidation of State banks with national banking associations; to the Committee on Banking and Currency.

Also, a bill (H. R. 4906) to amend section 10 of the act approved December 23, 1913, known as the Federal reserve act, as amended by the act approved March 3, 1919; to the Committee on Banking and Currency.

By Mr. MacGREGOR: A bill (H. R. 4907) to amend section 305 of the war risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. A. P. NELSON: A bill (H. R. 4908) to create a farm-loan revolving fund; to the Committee on Banking and Currency.

By Mr. PORTER: A bill (H. R. 4909) to authorize the President to present certain ordnance and ammunition to the Portuguese Republic; to the Committee on Foreign Affairs.

By Mr. WEAVER: A bill (H. R. 4910) for the purchase of a site and the erection of a post-office building at Bryson City, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WHITE of Maine: A bill (H. R. 4911) making an appropriation for compensation of the personnel of the steamer *Gannet*, of the Bureau of Fisheries; to the Committee on Appropriations.

By Mr. BARKLEY: A bill (H. R. 4912) for the erection of a public building at Hickman, Ky.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4913) for the erection of a public building at Murray, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. WEAVER: A bill (H. R. 4914) for the purchase of a site and the erection of a post-office building at Sylva, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. DYER: Joint resolution (H. J. Res. 70) authorizing the Secretary of War to loan certain equipment to the Modern Woodmen of America; to the Committee on Military Affairs.

By Mr. BRIGGS: Joint resolution (H. J. Res. 71) authorizing the establishment of a free port of entry at Galveston, Tex.; to the Committee on Ways and Means.

By Mr. BURTON: Joint resolution (H. J. Res. 72) for negotiations with Great Britain and Japan with a view to decrease in naval expenditures and programs; to the Committee on Foreign Affairs.

By Mr. PORTER (by request): Joint resolution (H. J. Res. 73) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Resolution (H. Res. 66) directing the Secretary of the Navy to furnish certain information to the House of Representatives; to the Committee on Naval Affairs.

Also, resolution (H. Res. 67) directing the Secretary of War to furnish certain information to the House of Representatives; to the Committee on Military Affairs.

By Mr. LINTHICUM: Resolution (H. Res. 68) requesting the Attorney General to report certain information to the House of Representatives; to the Committee on the Judiciary.

By Mr. BECK: Memorial from the Legislature of the State of Wisconsin, favoring the enactment of such legislation as may be necessary to construct, erect, build, and maintain a bridge across the Mississippi River between the city of Prairie du Chien, in the State of Wisconsin, and the cities of McGregor and Marquette (North McGregor), in the State of Iowa; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Wisconsin Legislature, memorializing and urging the Congress of the United States to direct immediate Federal action to control profiteering in the necessities of life; to the Committee on the Judiciary.

Also, joint resolution of the State of Wisconsin, memorializing the Congress of the United States to refrain from placing a duty on lumber imported from the Dominion of Canada; to the Committee on Ways and Means.

By Mr. CONNOLLY of Pennsylvania: Memorial of the General Assembly of the Commonwealth of Pennsylvania, favoring legislation which will provide retirement privileges for disabled emergency officers of the Army; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 4915) granting a pension to Francis Hall; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 4916) granting an increase of pension to Eugene Augustus Gosling; to the Committee on Pensions.

By Mr. BIXLER: A bill (H. R. 4917) authorizing the Secretary of War to donate to the borough of Sharpsville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 4918) for the relief of Clara Thurnes; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 4919) authorizing the Secretary of War to donate to the State of Rhode Island a certain howitzer, with carriage and limber; to the Committee on Military Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 4920) for the relief of E. J. Reynolds; to the Committee on Claims.

By Mr. CRAMTON: A bill (H. R. 4921) granting a pension to Carrie Shanahan; to the Committee on Invalid Pensions.

By Mr. CROWTHER: A bill (H. R. 4922) granting a pension to Margaret J. Wadsworth; to the Committee on Invalid Pensions.

By Mr. CULLEN: A bill (H. R. 4923) for the relief of the owner of the derrick *Capitol;* to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 4924) to carry out the findings of the Court of Claims in the case of Joseph D. Hazzard; to the Committee on Claims.

Also, a bill (H. R. 4925) for the relief of William W. Fineren; to the Committee on Claims.

Also, a bill (H. R. 4926) granting a pension to Clara D. Rehrer; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 4927) granting an increase of pension to Samantha Lee Draper; to the Committee on Invalid Pensions.

By Mr. FENN: A bill (H. R. 4928) authorizing the Secretary of War to donate to the town of Plainville, State of Connecticut, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4929) authorizing the Secretary of War to donate to the town of Wethersfield, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOLDSBOROUGH: A bill (H. R. 4930) for the relief of William J. Harris; to the Committee on Military Affairs.

By Mr. HOUGHTON: A bill (H. R. 4931) granting a pension to Hannah Barrett; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 4932) authorizing the Secretary of War to donate to the town of Cloverport, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4933) granting a pension to W. W. Cooper; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 4934) granting a pension to Florence Schloth; to the Committee on Pensions.

Also, a bill (H. R. 4935) granting a pension to George Buzan; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 4936) authorizing the Secretary of War to donate to the city of Buffalo, State of New York, three German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 4937) authorizing the Secretary of War to donate to the city of Lackawanna, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MICHENER: A bill (H. R. 4938) for the relief of Abraham M. Auten; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 4939) to reimburse James J. Burns, jr., for damages to touring car by Government-owned motor truck; to the Committee on Claims.

By Mr. NEWTON of Missouri: A bill (H. R. 4940) to compensate the firm of Rothwell Bros. for repair work for the United States at Jefferson Barracks, Mo.; to the Committee on Claims.

Also, a bill (H. R. 4941) for the relief of Irene Gillespie; to the Committee on Claims.

Also, a bill (H. R. 4942) authorizing the Secretary of War to donate to the city of Manchester, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4943) authorizing the Secretary of War to donate to the city of Jennings, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4944) authorizing the Secretary of War to donate to the city of Ferguson, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4945) authorizing the Secretary of War to donate to the city of Wellston, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4946) authorizing the Secretary of War to donate to University City, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4947) authorizing the Secretary of War to donate to the city of Kirkwood, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4948) authorizing the Secretary of War to donate to the city of Maplewood, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4949) authorizing the Secretary of War to donate to the city of Clayton, St. Louis County, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4950) authorizing the Secretary of War to donate to the city of Webster Groves, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4951) authorizing the Secretary of War to donate to the city of St. Louis, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON of New Jersey: A bill (H. R. 4952) authorizing the Secretary of War to donate to the borough of Oaklyn, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 4953) granting a pension to Violette F. McCool; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 4954) for the relief of the father and next of kin of Catherine Kearney; to the Committee on Claims.

Also, a bill (H. R. 4955) granting a pension to Ella E. Carbonell; to the Committee on Pensions.

Also, a bill (H. R. 4956) for the relief of Robinson Newbold; to the Committee on Claims.

By Mr. ROSENBLOOM: A bill (H. R. 4957) granting a pension to George W. Sampson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4958) granting an increase of pension to Marian A. Jaques; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 4959) granting an increase of pension to Frank C. Bowen; to the Committee on Invalid Pensions.

By Mr. SHELTON: A bill (H. R. 4960) granting an increase of pension to George Tuttle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4961) granting a pension to Elizabeth Sanders; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4962) granting a pension to Martha Baker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4963) authorizing the Secretary of War to donate to the city of Richland, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITHWICK: A bill (H. R. 4964) authorizing the Secretary of War to donate to Palmer College, of De Funiak Springs, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4965) authorizing the Secretary of War to donate to the Florida State College for Women, Tallahassee, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4966) authorizing the Secretary of War to donate to each of the towns of Pensacola, Milton, Crestview, De Funiak Springs, Vernon, Panama City, Quincy, Marianna, Bonifay, Blountstown, Tallahassee, Crawfordville, Bristol, and Apalachicola, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 4967) authorizing the Secretary of War to donate to the village of Clearbrook, Clearwater County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. VAILE: A bill (H. R. 4968) granting a pension to Jacob James; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 4969) granting an increase of pension to Claudie O. Neff; to the Committee on Pensions.

By Mr. WEBSTER: A bill (H. R. 4970) granting a pension to Carrie E. Aram; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

262. By the SPEAKER (by request): Petition of the Maryland State and District of Columbia Federation of Labor, favoring equitable reclassification of Federal employees; to the Committee on Reform in the Civil Service.

263. Also, petition of a mass meeting held in San Francisco, Calif., favoring amnesty for political prisoners; to the Committee on the Judiciary.

264. By Mr. BULWINKLE: Petition of Washington Davis and 20 other citizens of Huntersville, N. C., requesting Congress to enact legislation to aid in the relief of the starving Chinese; to the Committee on Foreign Affairs.

265. By Mr. BURDICK: Resolution of the Board of Aldermen of Newport, R. I., urging the reestablishment of the second naval district; to the Committee on Naval Affairs.

266. Also, resolution of the Board of Aldermen of Newport, R. I., protesting against the proposed removal of the Naval War College from Newport, R. I., to Washington, D. C.; to the Committee on Naval Affairs.

267. By Mr. CAREW: Petition of the City Gardens Club of New York, favoring further relief for disabled veterans; to the Committee on Interstate and Foreign Commerce.

268. Also, petition of the National Immigration Council, in connection with immigration; to the Committee on Immigration and Naturalization.

269. By Mr. CRAMTON: Petition of U. S. Kipp and other citizens of Melvin, Mich., protesting against any revision of the tariff on those classes of coal-tar products that are used in the manufacture of dips and disinfectants, and such other materials as are used in making insecticides; to the Committee on Ways and Means.

270. By Mr. KISSEL: Petition of Harry Zierler Co. and Kaye & Einstein (Inc.), against 10 per cent tax on furs; T. W. Bentley, regarding tariff and silk production; Gem Toy Co., regarding tariff on dolls; and Chelsea Fibre Mills, in connection with Schedule J; to the Committee on Ways and Means.

271. Also, petition of the Ancient Order of Hibernians, favoring recognition of Ireland; to the Committee on Foreign Affairs.

272. By Mr. MacGREGOR: Petition of the Junior Order of United American Mechanics, North Tonawanda, N. Y., favoring Smith-Towner educational bill; to the Committee on Education.

273. Also, petition of the Buffalo Chamber of Commerce, favoring the McFadden bill for protection of monetary gold reserve; to the Committee on Banking and Currency.

274. By Mr. MICHENER: Petition of L. C. Retan, with reference to tariff on honey and wax; to the Committee on Ways and means.

275. By Mr. MADDEN: Petition of Seter Kind and 134 other residents of Chicago, Ill., favoring amendment of Volstead prohibition act; to the Committee on the Judiciary.

276. By Mr. SPEAKS: Petition of Columbus Lodge, No. 175, Brotherhood of Railroad Trainmen, in opposition to sales tax

and repeal of excess-profits tax; to the Committee on Ways and Means.

277. Also, petition of Penn Lodge, No. 141, Brotherhood of Railroad Trainmen, in opposition to sales tax and repeal of excess-profits tax; to the Committee on Ways and Means.

278. By Mr. TEN EYCK (by request): Petition signed by citizens of the twenty-eighth district of New York, to repeal the 10 per cent tax on yachts; to the Committee on Ways and Means.

SENATE.

MONDAY, *April 25, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we give Thee thanks for all the blessings vouchsafed unto us, for yesterday and its rest and its inspiration, and pray that help from the sanctuary may go with us through the toil and tasks of the week. Help us ever to remember Thee, and may our land be exalted in righteousness to the glory of Thy great name. Through Jesus Christ. Amen.

JOHN K. SHIELDS, a Senator from the State of Tennessee, appeared in his seat to-day.

The reading clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ORDNANCE PATENTS TO GERMAN CITIZENS (S. DOC. NO. 6).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, inviting attention to the fact that there have been issued to German citizens in the United States Patent Office 201 patents pertaining to ordnance, which patents have been assigned to Frederick Krupp, of Essen, Germany, etc., and recommending corrective legislation in the premises, which was referred to the Committee on Patents and ordered to be printed.

NEAR EAST RELIEF (S. DOC. NO. 5).

The VICE PRESIDENT laid before the Senate a complete report of the Near East Relief for the year ending December 31, 1920, which the trustees of that corporation desire substituted for the incomplete report laid before the Senate March 7, 1921, which was referred to the Committee on Foreign Relations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 4075) to limit the immigration of aliens into the United States, in which it requested the concurrence of the Senate.

TREATMENT OF EX-SERVICE MEN.

Mr. WALSH of Massachusetts. Mr. President, I desire to give notice that at the close of the routine morning business on Wednesday I shall make some observations on the governmental facilities for the care and compensation of veterans of the World War, and shall suggest some changes in existing laws for their welfare.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the Military Order of the Loyal Legion of the United States at Philadelphia on April 12, 1921, favoring the restoration of the monument of Abraham Lincoln to its former location in front of the courthouse in Judiciary Square, Washington, D. C., which was referred to the Committee on the Library.

Mr. RANSDELL presented 54 petitions signed by 1,620 citizens of the State of Louisiana, praying that the republic of Ireland be recognized, which were referred to the Committee on Foreign Relations.

Mr. COLT presented a resolution of the board of aldermen of Newport, R. I., protesting against the enactment of legislation for the removal of the Naval War College from Newport, R. I., to Washington, D. C., which was referred to the Committee on Naval Affairs.

He also presented a resolution of the board of aldermen of Newport, R. I., favoring the enactment of legislation to reestablish the second naval district and to maintain it until the present system of naval districts is abandoned and administrative authority is centered in the Navy Department, which was referred to the Committee on Naval Affairs.

Mr. CAPPER presented memorials of Division No. 237, International Brotherhood of Locomotive Engineers, of Fort Scott, and Local No. 1610, Fancy Creek Farmers' Union, of Riley County, both in the State of Kansas, remonstrating against the enactment of legislation repealing the excess-profits tax law and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

Mr. HARRIS presented petitions of sundry citizens of Rochelle, Adel, Doerun, Morven, Ty Ty, Sumner, Ambrose, Willacoochee, Ray City, Montezuma, Warwick, Smithville, Pearson, Alapaha, Fender, Nashville, Hinsonton, Omega, McRae, and Empress, all in the State of Georgia, praying for a reduction in freight rates on watermelons, which were referred to the Committee on Interstate Commerce.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably with an amendment the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes. I give notice that I shall call up the joint resolution to-morrow immediately after the routine morning business.

Mr. UNDERWOOD. The Senator proposes to make it the unfinished business to-morrow, I understand?

Mr. LODGE. That is my plan.

Mr. UNDERWOOD. I suppose the Senator intends to let the resolution run a reasonable time before pushing it to a conclusion.

Mr. LODGE. I, of course, expect to have debate on it. I should like to get it through as soon as may be.

Mr. UNDERWOOD. Probably to-morrow or the next day Senators on this side of the Chamber will not be prepared to carry on the debate.

Mr. LODGE. The Senator can relieve his mind in one respect. I have no intention of making a speech upon the joint resolution.

Mr. UNDERWOOD. I may wish to make some remarks on it myself, but I shall not be prepared to do so to-morrow. It is not that I think there is any disposition on this side of the Chamber to delay it unduly, but I suppose the Senator does not intend to push it for a day or two or until an opportunity is given to discuss it.

Mr. LODGE. No; I do not propose to be unreasonable about it, at all.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

PRINTING OF TREATIES.

Mr. LODGE. Mr. President, I am instructed by the Committee on Foreign Relations to ask to have printed as a Senate document various treaties in the possession of the Senate, including copies of treaties which have never been sent to it, the treaty of peace with Turkey, the treaty of peace with Hungary, and certain other agreements reached by the peace conference at Paris. I ask permission that the order shall cover also a treaty, which I have not here at this moment, between Bulgaria and the allied and associated powers.

Mr. BRANDEGEE. May I ask the Senator from Massachusetts, under the order just requested, how many copies will be printed?

Mr. SMOOT. About 1,674, I may say to the Senator. Most of them go to the libraries throughout the country. Each Senator will be entitled to two copies.

Mr. LODGE. If we desire to have more copies printed, that is very easily done.

Mr. BRANDEGEE. I do not desire any more. I think if each Senator has two, that will be sufficient. The Senator from Utah states that copies will go to all the libraries of the country, and that is the matter in which I have particular interest.

Mr. KING. May I inquire of the Senator from Massachusetts whether it is the purpose to have these treaties printed as one document?

Mr. LODGE. Yes; to have them printed as one document.

Mr. KING. Or will each be treated separately?

Mr. LODGE. No; I am going to have them printed as one document, which I think will be more convenient.

Mr. KING. I think so, too.

Mr. LODGE. I shall have them arranged with that object in view. One or two more that will come from the State Department will be included.

The VICE PRESIDENT. Without objection, the order is made.

FOREIGN DEPOSITARIES OF PUBLIC MONEYS.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 7) au-

thorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States, reported it without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 1077) to authorize the payment of $5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915; and

A bill (S. 1078) to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject killed at Camp Geronimo, Mexico, May 25, 1916; to the Committee on Foreign Relations.

By Mr. DILLINGHAM:

A bill (S. 1080) to provide for the establishment of Battell National Park, in the State of Vermont; to the Committee on Public Lands and Surveys.

By Mr. McLEAN:

A bill (S. 1081) authorizing the Secretary of War to donate to the town of Middletown, Conn., two German cannon or fieldpieces; to the Committee on Military Affairs.

A bill (S. 1082) to carry out the findings of the Court of Claims in the case of Charles H. Simmons; to the Committee on Claims.

A bill (S. 1083) authorizing the Secretary of War to donate to the town of Newington, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LENROOT:

A bill (S. 1085) authorizing and directing the Interstate Commerce Commission to establish a system of mileage books to be issued at a reduced rate by all railroad companies engaged in interstate commerce; to the Committee on Interstate Commerce.

A bill (S. 1086) to authorize the Secretary of the Treasury to create in the United States Coast Guard the rank or grade of chief gunner, electrical, and to transfer thereto all the present incumbent supervisors and assistant supervisors of telephone lines in the Coast Guard; to the Committee on Commerce.

By Mr. CARAWAY:

A bill (S. 1087) for the relief of H. L. McFarlin; to the Committee on Claims.

A bill (S. 1088) granting an increase of pension to William Strang; and

A bill (S. 1089) granting an increase of pension to Charles W. Kerlee; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 1090) for the relief of Sarah E. Church; to the Committee on Claims.

By Mr. SMOOT:

A bill (S. 1091) for the relief of Hannah Nelson Lundegren; to the Committee on Claims.

By Mr. MYERS:

A bill (S. 1092) to add certain lands within the Fort Belknap Indian Reservation, Mont., to the Jefferson National Forest, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. HARRISON:

A bill (S. 1093) to carry into effect the findings of the Court of Claims in favor of Dora Alexander Miller and Emma Alexander, in her own right and as administratrix of estates of Jennie Alexander, deceased, and of Charles T. Alexander, deceased; to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 1094) to amend section 14 of the act of Congress approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. RANSDELL:

A bill (S. 1095) to regulate interstate shipments of cotton, and for other purposes; to the Committee on Interstate Commerce.

By Mr. JONES of New Mexico:

A bill (S. 1096) to increase the cost of the public building at East Las Vegas, N. Mex.; to the Committee on Public Buildings and Grounds.

A bill (S. 1097) for the relief of Nicholas Gallegos; to the Committee on Claims.

A bill (S. 1098) to authorize the consolidation and exchange of certain Government lands and privately owned lands, and for other purposes; and

A bill (S. 1099) to amend section 2372 of the Revised Statutes; to the Committee on Public Lands and Surveys.

By Mr. FLETCHER:

A bill (S. 1100) for releasing and quitclaiming of all claims of the United States to the west half of the west half of arpent lot 80 in the old city of Pensacola, Escambia County, Fla.; and

A bill (S. 1101) for releasing and quitclaiming of all claims of the United States to the east half of arpent lot 80, old city of Pensacola, Escambia County, Fla. (with accompanying papers); to the Committee on Public Lands and Surveys.

By Mr. HALE:

A bill (S. 1102) to provide for the purchase of a site for and the construction of a public building at York, Me.; to the Committee on Public Buildings and Grounds.

A bill (S. 1103) for the relief of Frank Vumbaca; and

A bill (S. 1104) for the relief of Marion B. Patterson; to the Committee on Claims.

A bill (S. 1105) to correct the military record of Alexander W. Goodreau; and

A bill (S. 1106) to correct the military record of James Burke (with accompanying papers); to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 1107) to aid in the erection of a monument to Indian Timothy at his grave near Alpowa, Asotin County, Wash.; to the Committee on the Library.

A bill (S. 1108) granting permission to Capt. Dorr F. Tozier to accept a gift from the King of Great Britain; to the Committee on Foreign Relations.

A bill (S. 1109) to provide compensation for employees of the United States separated from the service on account of injuries received while in the performance of duty, and for other purposes; to the Committee on the Judiciary.

A bill (S. 1110) validating and confirming conveyances of lands made by allottees on the Yakima Indian Reservation in the State of Washington; and

A bill (S. 1111) for the relief of the heirs of Ko-mo-dal-kiah, Moses agreement allottee No. 33; to the Committee on Indian Affairs.

A bill (S. 1112) authorizing the issuance of patent to the heirs of James Longmire;

A bill (S. 1113) to authorize and direct the Secretary of the Interior to issue patent for certain land to Estella McReynolds;

A bill (S. 1114) for the relief of George L. Neff; and

A bill (S. 1115) for the relief of Henry States; to the Committee on Public Lands and Surveys.

A bill (S. 1116) providing for the establishment of a radio station on Unga Island, Alaska; and

A bill (S. 1117) awarding a medal of honor to George Murphy, late private, United States Marine Corps; to the Committee on Naval Affairs.

A bill (S. 1118) to increase the limit of cost for the construction of the United States public building authorized at Juneau, Alaska; and

A bill (S. 1119) to construct a public building for a post office at the city of Port Angeles, Wash.; to the Committee on Public Buildings and Grounds.

A bill (S. 1120) for the relief of Fanny A. Crocker; and

A bill (S. 1121) for the relief of the heirs of Ari Cantrell; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 1122) to carry into effect the findings of the Court of Claims in the claim of Elizabeth B. Eddy; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 1123) authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Washington, captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls and shells, or gun carriages;

A bill (S. 1124) for the relief of James S. Huntington;

A bill (S. 1125) for the relief of Ralph Parsons;

A bill (S. 1126) for the relief of Edward Stewart;

A bill (S. 1127) for the relief of Thomas Huggins;

A bill (S. 1128) for the relief of Adam Culp;

A bill (S. 1129) for the relief of John Dalton;

A bill (S. 1130) for the relief of Willson Douglass;

A bill (S. 1131) for the relief of McAteer Shipbuilding Co.;

A bill (S. 1132) for the relief of Herman O. Krüschke; and

A bill (S. 1133) for the relief of Albert C. West; to the Committee on Military Affairs.

A bill (S. 1134) for the relief of Ira M. Krutz;

A bill (S. 1135) for the relief of the Pacific Creosoting Co.;

A bill (S. 1136) for the relief of the M. A. Phelps Lumber Co.;

A bill (S. 1137) for the relief of W. H. Presleigh;

A bill (S. 1138) for the relief of Matilda Elizabeth West;

A bill (S. 1139) for the relief of Mary Wait;
A bill (S. 1140) for the relief of Caroline M. Killough;
A bill (S. 1141) for the relief of the estate of Frederick Heisinger;
A bill (S. 1142) for the relief of Nellie Harrington;
A bill (S. 1143) for the relief of William H. Hare;
A bill (S. 1144) for the relief of the heirs of L. A. Davis;
A bill (S. 1145) for the relief of the heirs of Joshua Curtis, deceased; and
A bill (S. 1146) for the relief of Charles A. Mayo; to the Committee on Claims.
A bill (S. 1147) to establish a fish-cultural station in the State of Washington; and
A bill (S. 1148) to authorize the establishment of a fisheries experiment station on the coast of Washington; to the Committee on Commerce.

By Mr. CAPPER:
A bill (S. 1149) to pension soldiers who were in the military service during Indian wars and disturbances, and the widows, minors, and helpless children of such soldiers; to increase the pensions of Indian war survivors and widows; and to amend section 2 of the act of March 4, 1917; to the Committee on Pensions.
A bill (S. 1150) to amend the first paragraph of section 3 of the act to regulate commerce, as amended by section 405 of the transportation act, 1920; and to amend the first paragraph of section 15 of the act to regulate commerce, as amended by section 418 of the transportation act, 1920; and to repeal paragraphs 3 and 4 of section 13 of the act to regulate commerce, as amended by section 416 of the transportation act, 1920; and to repeal section 15a of the act to regulate commerce, as amended by section 422 of the transportation act, 1920, and for other purposes; to the Committee on Interstate Commerce.

By Mr. PHIPPS:
A bill (S. 1151) for the relief of William C. Brown; to the Committee on Military Affairs.

By Mr. CALDER:
A bill (S. 1152) authorizing the Secretary of Commerce to establish in the National Bureau of Standards a division to be known as the Division of Construction and Housing; to the Committee on Commerce.

By Mr. WATSON of Indiana:
A bill (S. 1153) authorizing the Baltimore & Ohio Railroad Co. to construct a sidetrack into square No. 3620 of the District of Columbia; to the Committee on the District of Columbia.

By Mr. SPENCER:
A bill (S. 1154) for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo. (with accompanying papers); to the Committee on Commerce.

By Mr. McKELLAR:
A bill (S. 1155) for the relief of Thomas J. Hunt, surviving partner of Mosby & Hunt; and
A bill (S. 1156) for the relief of Thomas J. Hunt, surviving partner of Mosby & Hunt; to the Committee on Claims.

By Mr. SPENCER (for Mr. WADSWORTH):
A bill (S. 1157) authorizing the sale of the Government's installations, improvements, interests, and lands connected with the water-supply system at or near Newport News and Fort Monroe, Va.; to the Committee on Military Affairs.

By Mr. HARRIS:
A bill (S. 1158) to prohibit admission to citizenship of persons who served in the military or naval forces of any nation engaged against the United States in the World War; to the Committee on Immigration.

By Mr. SUTHERLAND:
A bill (S. 1159) granting an increase of pension to Emma L. Porter; to the Committee on Pensions.

By Mr. KING:
A bill (S. 1160) to pension the survivors of certain Indian wars and disturbances in Utah Territory from 1849 to 1869, inclusive, and for other purposes; to the Committee on Pensions.
A bill (S. 1161) to appropriate $200,000 for the survey of public lands in Utah; to the Committee on Public Lands and Surveys.

By Mr. UNDERWOOD:
A joint resolution (S. J. Res. 36) authorizing the appointment of a commission to confer with the Dominion Government or the provincial governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of pulp wood therefrom to the United States; to the Committee on Rules.

By Mr. CARAWAY:
A joint resolution (S. J. Res. 37) for the relief of the destitute sufferers from storm in the State of Arkansas and other States; to the Committee on Agriculture and Forestry.

By Mr. CALDER:
A joint resolution (S. J. Res. 38) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; to the Committee on Immigration.

NATIONAL BUDGET SYSTEM.

Mr. McCORMICK introduced a bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes, which was read twice by its title and referred to the Committee on Expenditures in the Executive Departments.

Mr. McCORMICK subsequently, from the Committee on Expenditures in the Executive Departments, reported without amendment the bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

RECLASSIFICATION OF GOVERNMENT EMPLOYEES.

The VICE PRESIDENT. The Chair lays before the Senate a bill coming over from a previous day for the first reading.

A bill (S. 1079) to provide an equitable system for the valuation of the services of civilian employees of the Government, and making appropriations for personal services for the fiscal year ending June 30, 1922, was read the first time by its title.

The VICE PRESIDENT. Is there objection to the second reading of the bill?

Mr. UNDERWOOD. The morning business, I understand, is not yet concluded, and this is not regular morning business.

The VICE PRESIDENT. The Chair understands that the reading of the bill is in order now.

Mr. UNDERWOOD. I do not object to the first reading, but I do not want something to come up to interfere with morning business. I have no objection if it is in the regular order of morning business.

The VICE PRESIDENT. Is there objection to the second reading of the bill?

Mr. STERLING. I object to its second reading at the present time.

The VICE PRESIDENT. Objection is made, and the bill will lie on the table.

HOUSE BILL REFERRED.

The bill (H. R. 4075) to limit the immigration of aliens into the United States was read twice by its title and referred to the Committee on Immigration.

AMENDMENT TO IMMIGRATION BILL.

Mr. HARRIS submitted an amendment intended to be proposed by him to the bill (H. R. 4075) to limit the immigration of aliens into the United States, which was referred to the Committee on Immigration and ordered to be printed.

INVESTIGATION OF AGRICULTURAL CONDITIONS.

Mr. LENROOT submitted the following concurrent resolution (S. Con. Res. 3), which was referred to the Committee on Agriculture and Forestry:

Whereas the present condition of agriculture is such as to cause alarm for the future in that unless remedied the United States will in a few years be forced to import much of the food necessary for its own inhabitants; and
Whereas reputable farm organizations have by formal action in their conventions declared that the present deplorable condition of agriculture is due to discrimination against this basic industry in matter of credit, transportation, and marketing; and
Whereas it is commonly reported that notwithstanding the low prices of food products received by the producers thereof, the consumer is forced to pay an increase of several hundred per cent over such prices; and
Whereas producers of grains, cotton, and live stock are threatened with ruin if present conditions shall longer continue; and
Whereas there is produced in the United States an abundance of nearly all necessaries of life, and with the elimination of waste and with economical marketing and distribution practices and a proper relation between prices the people of the United States should be and continue to be prosperous; and
Whereas it is the duty of Congress to determine the facts causing present conditions and to apply such remedies for the same as may be within its jurisdiction: Now, therefore, be it

Resolved by the Senate of the United States (the House of Representatives concurring), That a joint commission is hereby created, to be known as the joint commission of agricultural inquiry, which shall consist of six Senators to be appointed by the President of the Senate and six Representatives to be appointed by the Speaker of the House, the Senate members to be appointed from the membership of the following committees: Agriculture, Finance, Interstate Commerce, and Commerce; and the House members to be appointed from the membership of the following committees: Agriculture, Ways and Means, Interstate and Foreign Commerce, and Banking and Currency.

Said commission shall investigate and report to Congress within 90 days after the passage of this resolution upon the following subjects:
1. The causes of the present condition of agriculture.
2. The comparative condition of industries other than agriculture.
3. The relation of prices of commodities other than agricultural products to such products.
4. The banking and financial resources and credits of the country, especially as affecting agricultural credits.
5. The marketing and transportation facilities of the country.

The commission shall also make such recommendations to Congress for the enactment of such legislation as will in its opinion assist in remedying present conditions and in restoring prosperity to the country.

The commission shall elect its chairman, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions and recesses of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this resolution; such expenses shall be paid from the contingent funds of the House and Senate in equal portions.

HEARINGS BEFORE COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. DILLINGHAM submitted the following resolution (S. Res. 55), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during sessions or recesses of the Senate.

THE RICE AND OTHER AGRICULTURAL INDUSTRIES.

Mr. ROBINSON. I submit a resolution which I ask be read by the Secretary, and when that shall have been done I shall ask to make a brief statement regarding it.

The resolution (S. Res. 56) was read, as follows:

Resolved, etc., That the Committee on Agriculture, or any subcommittee thereof, is hereby authorized and directed to investigate conditions respecting agricultural industries, products, and pursuits, the production, manufacture, and market conditions affecting products, particularly the production, milling, and marketing of rice. Said committee, or subcommittee, shall be empowered to hold hearings in Washington or elsewhere in the United States, to examine witnesses, and to issue subpœnas to compel the attendance of witnesses, and the production of books, papers, documents, memoranda, and correspondence. Said committee or subcommittee shall report from time to time its findings and recommendations to the Senate and shall make its final report on or before January 1, 1922.

Mr. ROBINSON. Mr. President, I shall request the reference of the resolution to the Committee on Agriculture and Forestry, and I ask unanimous consent to make a very brief statement concerning the resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. SMOOT. I think the resolution should go to the Committee to Audit and Control the Contingent Expenses of the Senate, and let them report on it.

Mr. ROBINSON. Undoubtedly before the resolution is finally acted upon it should be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, but I think that, perhaps, the Committee on Agriculture and Forestry should first consider the resolution, and if that committee reports it, then I shall ask that, under the rules of the Senate, the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SMOOT. The resolution should be so referred before final action is taken upon it.

Mr. ROBINSON. Before final action is taken upon the resolution it should be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

My purpose in making this statement respecting the resolution now is to familiarize the Committee on Agriculture and Forestry and the Senate with some of the circumstances which, I think, make necessary the investigation which is proposed by the resolution.

The authority of the committee under this resolution is quite general, and if the resolution passes it is expected that the committee will investigate a number of subjects relating to farm products and fluctuations in their market prices.

Adverse conditions probably brought about by a number of causes affect many important branches of agriculture. Especial attention is called to the rice industry in the United States, which is threatened with destruction. The crop grown in 1919 was both abundant and profitable, the producer receiving from $2 to $3 per bushel. The milling charge then was approximately 40 cents per barrel. The market price of rice now, if any market exists, has dropped down to 40 cents per bushel, while the milling charge has increased to $1 per barrel. I mean to say that the present market price ranges from 30 to 50 cents per bushel, whereas it formerly ranged from $2 to $3 per bushel. The latter, however, was a very high price for rice. These prices affect the entire crop produced in 1920. The labor cost and the cost of supplies and seed aggregate more than twice the amount which rice farmers are receiving for their products.

Just prior to the beginning of the present year the Rice Millers' Association entered into a contract with the Rice Growers' Association which seemed to contemplate a price of $5 per barrel for Nos. 1 and 2 rice. The millers agreed to make advances to the farmers upon delivery of the rice. For a short time advances were made, but the information which has reached me shows that without consulting the producers the price was arbitrarily reduced to less than half the cost of production and all advances discontinued. Thousands of rice farmers were thus quickly driven from prosperity into hopeless bankruptcy.

The rice crop for the current year, as a result, has been reduced in acreage probably 50 per cent and many of those who are able to plant their crops find themselves unable to cultivate them because it is impossible to obtain the necessary loans. Banks throughout the rice belt have been unable to make collections of loans to rice farmers. It may be said to the credit of the banks generally that they have been generous and indulgent in their treatment of rice farmers who have borrowed from them.

Universal dissatisfaction and general suspicion that they have been unfairly dealt with by the Rice Millers' Association and "double-crossed" by the Rice Growers' Association prevail among the producers.

Many of the latter deposited their rice grown in 1920 in the mills in October, November, and December, and have been denied any information whatever as to what disposition has been made of their rice. In some instances they have been informed that the milling and other charges have practically consumed the proceeds of the entire crop. In almost every instance where reports have been secured the milling charge has been equivalent to one-half the amount received for the rice.

When the contract authorizing a milling charge of $1 per barrel was made both the cost of labor and the market price of rice were high, the rice selling at $5 per barrel.

The labor cost in the mills has since been reduced approximately 65 per cent, and the market price of rice has declined to something less than $2 per barrel, or from 30 to 50 cents a bushel.

The Rice Millers' Association still charges $1 per barrel for milling, but insists that, for some mysterious or technical reasons, the contract to make advances and to maintain the price has been abrogated.

The consumers of rice are paying 5 and 6 cents per pound for high grades in Little Rock, while producers of that commodity are realizing less than 2 cents.

In the hope that an investigation may disclose the true facts surrounding this industry and make possible its revival I am introducing this resolution.

I ask that the resolution may be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, the resolution will be so referred.

CLASSIFICATION OF DEPARTMENTAL EMPLOYEES.

The VICE PRESIDENT. The morning business is closed.

Mr. STERLING. Mr. President, as I understand, the pending motion is to refer to the Committee on Civil Service Senate bill 13, entitled "A bill to provide for the classification of civilian positions within the District of Columbia and in the field service, for the standardization of compensation therefor, and for other purposes." The Senator from Utah [Mr. SMOOT] had the floor the other day when on motion the Senate went into executive session. I do not know whether or not he wants to occupy any further time this morning.

The VICE PRESIDENT. The Chair does not understand that the motion is now pending, the Senate having adjourned after the motion had been made and discussed. The Senator will have to renew the motion if he desires to have it pending.

Mr. STERLING. Very well; I renew the motion that Senate bill 13, the title of which I have just stated, be referred to the Committee on Civil Service.

The VICE PRESIDENT. The question is on the motion of the Senator from South Dakota that the bill be referred to the Committee on Civil Service.

Mr. SMOOT. Mr. President, I am going to express the hope that the bill may be referred to the Committee on Appropriations, where it belongs. I am not going to repeat what I said the other day, because I am willing to have a vote taken upon the reference of the bill now without any further discussion; but I wish at this time, if I am to say anything, to call particular attention to the fact that the bill provides direct appropriations of money. It repeals the provision of law providing a bonus of $240 a year to Government employees; it makes provision to pay under the proposed reclassification sufficient of the money heretofore provided to pay the bonus, if the bonus provision is repealed and if the reclassification requires that amount. If under the reclassification more than $240 a year

additional is required for each employee of the Government, then this bill provides that the amount required over and above the $240 shall be appropriated.

The first bonus provision ever enacted came from the Appropriations Committee. Since the adoption of that provision, whenever the bonus question has been under discussion or acted upon by the Congress, it has always been upon a proposal which has come from the Committee on Appropriations.

The bill now under discussion is in part an appropriation bill. Both the reclassification bill proposed by the Senator from South Dakota and the one I have offered provide that hereafter appropriations shall be made to cover the compensation of the different employees of the Government in accordance with the classification to be established.

Ever since the first classification of employees was made, the question at the beginning and since has been referred to the Appropriations Committee; and no matter whether this bill is referred to the Civil Service Committee to-day or not, it will be acted upon, in every future appropriation made under it, by the Appropriations Committee.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Florida?

Mr. SMOOT. I do.

Mr. FLETCHER. May I ask the Senator to define precisely what the situation is? As I understand, the motion now made by the Senator from South Dakota is to refer the bill which he has introduced to the Civil Service Committee.

Mr. SMOOT. That is the pending motion.

Mr. FLETCHER. If that motion is lost, a motion will be made to refer it to the Appropriations Committee?

Mr. SMOOT. Yes.

Mr. FLETCHER. A motion to refer a bill to a committee named can not be amended by suggesting another committee in that motion, as I understand.

Mr. SMOOT. Under the rules a motion to amend can not be made; but every Senator who desires to have this bill referred to the Appropriations Committee will vote "no" upon the pending question, and if it is lost I shall immediately move that the bill be referred to the Appropriations Committee.

Mr. FLETCHER. May I ask what action has been taken, if any—I do not recall that any has been taken—with regard to the reference of the bill introduced by the Senator from Utah?

Mr. SMOOT. That is pending now, and the Senator from South Dakota has objected on two days to its reading, so it has gone over for its third reading until to-morrow.

Mr. FLETCHER. A motion will then be made to refer that bill to the Appropriations Committee?

Mr. SMOOT. Yes; when it comes before the Senate.

Mr. President, under the classification provided for in the bill introduced by the Senator from South Dakota it will be absolutely impossible for any employee of this Government to know under what group he will be classified. You can take the bill and take almost any employee of the Government of the United States and find out just what he is doing to-day, and he himself will not know under what group he will be placed. Employees of the Government have come to me and asked me, under that bill, where they would fall, and they themselves say that they can be classed in six different groups and fall within the definition of the pending bill.

I want to be perfectly frank with the Senate and say that if these two bills are referred to the Appropriations Committee I have not any doubt but that the Committee on Appropriations will report the one that is workable, that anyone can understand; and there is no employee in the Government service but that will know just where he belongs, and to what group, if that bill is reported and passed.

Mr. President, whatever classifications may be made, I want to have the employees of the Government paid for the work that they do, and not for the offices that they hold. I know that the labor organizations do not want it. I know that Mr. Luther C. Steward does not want it. I know that the Trade Union Legislative Council does not want it. Why? Because under the grouping as provided for in the pending bill the same injustices can be done to certain of the Federal employees after its passage that are done to-day.

Mr. McCORMICK. Mr. President, what was it that the Senator said? I could not hear on this side.

Mr. SMOOT. I say that if the pending bill becomes law, the same discrimination can be meted out to some of the employees of the Government that is meted out to them to-day.

Why, Mr. President, it is not necessary for me to tell Senators that the chief clerks of the bureaus and divisions of our Government virtually control the promotion of every employee in the Government service. Any employee who has not standing with the chief clerk of the division in which he or she works stands very little chance of promotion.

Mr. McCORMICK. Mr. President, will the Senator tell some of us who are seeking for light what bearing that has on the reference of this bill?

Mr. SMOOT. It has a great deal of bearing, for the reason that under the classifications and the groupings of the existing law, with all the 1,700 definitions that there are, you can not take any employee and place him under a grouping that fits his work exactly.

Mr. STERLING. Mr. President——

Mr. McCORMICK. May I answer the Senator with another question? Is not that a matter of amendment and not of reference? If the bill be at fault, the committee which is to consider the bill, or the Senate later, can amend the bill.

The SMOOT. The Senator is perfectly right in saying that they could do it; but does the Senator think for a moment that if the bill goes to the Civil Service Committee it is going to be amended?

Mr. McCORMICK. Mr. President, I submit in this connection that the Senate ought not to vote for the reference of bills because of action which it believes committees will take. That is a very dangerous precedent to lay down.

Mr. SMOOT. I have not laid that down, Mr. President.

Mr. McCORMICK. That is the substance of the Senator's argument.

Mr. SMOOT. No; the Senator asked me a question, and I answered him, not as to the reference of the bill, but I answered his question.

Mr. McCORMICK. But then why was the Senator arguing a moment before that the bill contains these provisions which he condemned, and which he held would remain in the bill if referred to the committee presided over by the Senator from South Dakota?

Mr. SMOOT. That was not as to the question of reference. I was saying that that applied to the bill itself.

Mr. McCORMICK. But if it does not apply to the question of reference, why should the Senator bring it into this discussion?

Mr. SMOOT. Because it belongs in the discussion, because it has an effect upon the reference.

Mr. STERLING. Mr. President——

Mr. SMOOT. If the Senator will allow me to proceed, I will go on.

Mr. STERLING. I should like to ask the Senator one question right there. It is called out by the Senator's answer to the Senator from Illinois. Why does the Senator from Utah persist in saying that there are 1,700 groups in this bill?

Mr. SMOOT. I did not say "groups"; I said "definitions."

Mr. STERLING. Or definitions. Why does the Senator say that?

Mr. SMOOT. Why, because there are that many in the original bill.

Mr. STERLING. Yes; but that is not the bill about which we are talking to-day. I stated the other day——

Mr. McCORMICK. Mr. President, I make the point of no quorum.

Mr. SMOOT. Mr. President, I have the floor, and I did not yield to the Senator for that purpose.

The VICE PRESIDENT. The Senator from Utah is entitled to the floor.

Mr. SMOOT. Mr. President, I am perfectly aware that every Senator has received this letter:

> MY DEAR SENATOR: The Trade-Union Legislative Council, of Washington, D. C., comprised of delegates from the national, international, and local unions affiliated to the American Federation of Labor, respectfully requests that you vote to have all bills introduced in the Senate of the United States having for their purpose the reclassification of salaries of Government employees referred to the Committee on Civil Service and Retrenchment.
>
> Thanking you in advance for your favorable consideration of this request, I remain,
>
> Very truly, yours, FRANK J. COLEMAN, *Secretary.*

Mr. President, I have received telegrams from all parts of the United States, from people who have never read the bill, who know nothing about the bill, requesting that I have this bill referred to the Committee on Civil Service and Retrenchment. I know the propaganda that is on; I know just exactly what it means; and if this bill did not include a direct appropriation I should not be standing here asking that it go to the Committee on Appropriations. But we are repealing laws passed that came from that committee; we are providing means to take their place; and if there is not enough money appropriated already under the bonus bill that came from the Appropriations Committee and passed Congress, then the pending bill provides that that much more money shall be paid from the Treasury of the United States.

I think the reclassification ought to be had, and I hope that after the bill becomes a law we shall have Government employees doing the work that they are hired for. I have wondered what Dr. Rosa and Dr. Wolf are paid for. Are they paid as physicists in the Government service, or are they paid as lobbyists for this provision? I think that when they fall within a certain group, hereafter they ought to be paid for the work that they do, and not simply for the designation of the office that they hold.

I do not know that it is necessary for me to say anything more. Whatever the Senate wants to do in this matter, of course it will do; but I do know that this subject in the past has been acted upon by the Appropriations Committee; I do know that the question is one that ought to go to the Appropriations Committee; and if the Senators want the proposed legislation to go to the proper committee, they will vote to refer this bill to the Appropriations Committee.

Mr. PHIPPS. Mr. President, on this matter of reference I should like to call the attention of the Senate to a similar case, that of reclassification of the employees of the Postal Service under the special joint commission known as the Bankhead Commission. That commission functioned over a period of time exceeding one year, assisted by experts, holding hearings in different parts of the country, collating necessary information, and formulating a report which was submitted to the Committee on Post Offices and Post Roads. It was my privilege to work for a part of the time with that committee. No question was ever raised as to the proper reference of that bill. It was properly and naturally referred to the Committee on Post Offices and Post Roads; it was reported out favorably, and passed during the closing day of the Sixty-sixth Congress.

Mr. STERLING. Mr. President, may I ask the Senator a question?

Mr. PHIPPS. Certainly.

Mr. STERLING. I did not quite catch the bill to which the Senator referred.

Mr. PHIPPS. I am referring to the postal salary bill, which was passed, if my memory serves me, on June 5, 1920—a bill in the formulation of which the Senator from South Dakota took a very prominent part, and also as a member of the Post Offices and Post Roads Committee in reporting out the bill favorably and having it passed by the Senate. It seems to me the case is similar.

Mr. STERLING. But, Mr. President, the bill was the bill of the joint commission especially appointed for the purpose of investigating in regard to the Postal Service, and in connection with the report that commission presented a bill. The bill was presented in the Senate. I had the honor of presenting it, being at the time, I think, acting chairman of the commission; and the same bill was presented in the House.

Mr. PHIPPS. That is true; but the Senator requested that that report be referred to the Committee on Post Offices and Post Roads, not to the Committee on Civil Service.

Mr. STERLING. But, Mr. President, the Committee on Post Offices and Post Roads is other than a mere appropriations committee.

Mr. PHIPPS. But acting on appropriations is one of the chief functions of the Committee on Post Offices and Post Roads. The activities of the committee will show that its really important work is that of recommending appropriations, and not the mere formality of passing upon nominations for positions in the Postal Service, such as the appointment of postmasters.

Mr. SMOOT. I want to call the Senator's attention to the fact, too, that the salary of every employee who is affected is passed upon by the Committee on Post Offices and Post Roads.

Mr. PHIPPS. That is true, and also the vast majority have a civil-service status.

Mr. SMOOT. Yes; a civil-service standing.

Mr. PHIPPS. They are under the civil-service rules of the Government.

It seems to me, Mr. President, there is no question as to the proper reference of the bill under discussion. It properly belongs to the Committee on Appropriations. The Appropriations Committee has worked on the bill, through its subcommittee, for quite a period of time. That work was not even interrupted during the interval between the Sixty-sixth and the Sixty-seventh Congresses, but it has been carried along as expeditiously as possible under the leadership of the chairman of the Committee on Appropriations, the Senator from Wyoming [Mr. WARREN], ably seconded by the senior Senator from Utah [Mr. SMOOT].

The VICE PRESIDENT. The question is on the reference of the bill

Mr. STERLING. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota.

Mr. WARREN. Mr. President——

The VICE PRESIDENT. Does the Senator from South Dakota yield to the Senator from Wyoming?

Mr. STERLING. I yield.

Mr. WARREN. Mr. President, I have very little to say. But I want to say to my friend the Senator from South Dakota [Mr. STERLING], and to the Senate, that during my service on the Appropriations Committee of the Senate many times bills have been referred to that committee from which I have asked to have that committee discharged and that they be referred to other committees. I am sure I have never sought to have a bill which properly belonged to another committee taken from that committee and referred to the Committee on Appropriations.

The issue now before the Senate, as it is presented, probably may not be understood without some explanation. The whole matter of classifications and the fixing of salaries has always been handled by the Committee on Appropriations through its different subcommittees. Certain salaries were established away back in 1853 as to clerks in classes 1, 2, 3, and 4. Certain other salaries—of typists, messengers, and others—were taken care of in a statute passed in 1879. In 1883 the Civil Service Commission was established for the purpose of examining applicants for service and taking care of the distribution of the Government employees among the different States. That was, in a way, to relieve against the so-called spoils system, and also to give every State, near or far, its proper proportion of appointments in the Government service.

With various new issues coming up from time to time, and with so many lump-sum appropriations being made, the Committee on Appropriations sought legislation, and it was secured, to provide for a reclassification commission. The report of that commission, although on no motion of mine, was referred to the Committee on Appropriations, and thus the question came back to that committee.

The Committee on Appropriations provided for the work, it provided for specialists, and on one occasion, I think just about the time we were near adjourning at the close of the last session, my friend the Senator from South Dakota [Mr. STERLING] undertook to take the consideration of the reclassification matter away from the Committee on Appropriations. So, with all respect to that Senator, and with all respect to his committee, it is that committee and that Senator who are now striving to take away from the committee to which the report was properly referred, as I look at it, the jurisdiction over this subject. Certainly the Senate itself had decided on three different occasions that it belonged to the Committee on Appropriations.

Under those conditions I felt, as chairman of the Committee on Appropriations, that we should proceed with greater vigor and with more assistance, and I stayed here, as did other members of the committee, all through the recent vacation, none of us taking even a half-day vacation—at least I did not. So, on behalf of the committee, the Senator from Utah [Mr. SMOOT] has presented a bill. I have not read the bill which has been presented by the Senator from South Dakota [Mr. STERLING], and have not even seen it. I have presumed, from some remarks the Senator made, that it was drawn largely upon the lines of the Lehlbach bill, which, in its first print, contained between four and five hundred pages. I have studied that bill very carefully, and before I go any further I want to say that I was in hopes, without regard to where the bill came from, that it would be one we could indorse and use, at least as a basis of legislation.

But when considering these thousands and tens of thousands of appropriation items every year, as the Committee on Appropriations does, all of the papers referring to the matters covered by the bills are before that committee. Members of that committee are perfectly familiar with the salaries, the positions, and the numbers employed and asked for, and it would seem, without any disrespect to the author or to the bill on the House side—which, by the way, was never reported by a committee—as if it had been drawn without any reference to the facts and figures contained in the report of the Reclassification Commission.

The Reclassification Commission did great work, but they were very diffusive, and their report covered something like a thousand pages, or over a thousand pages, and they put before us one thousand seven hundred and odd classifications.

I think it is perfectly patent to the mind of any legislator that to subdivide the employees of this Government into 1,700 classes, each of which may differ from the others as to salary and duties, would bring chaos into the departments if the classification was followed, because if you should ask a man who was selected under one of those 1,700 heads to perform a duty coming under one of the others, he might, and probably would, have, if not the right, the privilege of saying, "That is not the

class I am working in. Go to some other class." Hence we would have men in the different classes standing about idle in the different positions because of this great diversity of classifications.

The bill which has been introduced on the part of the Committee on Appropriations provides for 18 or 19 different classes or groups; but the heads of departments have a latitude in order to provide for efficiency and advancement, so that in each group the salaries can be made large or small, as the heads of the departments may decide, from a consideration of the efficiency of the employees.

There were so many thousand new employees to be taken into the Government service that before we proceeded a great many years it was necessary to establish in the service an efficiency system, and by an act of Congress there was a Bureau of Efficiency established. That was simply one of the factors which seemed to Congress to be neglected, and so before long it was taken out and made a specific bureau, reporting through the Civil Service Commission. But it seemed to the Congress that that was not pursuing the correct order, so it was made an independent bureau, reporting to the President, and so it remains to-day.

In this grouping of salaries the departments, upon the question of efficiency, may have a play of three or four or possibly in extreme cases five hundred dollars per annum in the salary of a man, as it may go up or down. I have had a most careful calculation made as to where it will land us, in the total, whether it will be a larger sum than we are now appropriating for salaries, and I am inclined to think that it will amount to slightly more, or perhaps quite a little more, than do the present salaries, with the bonus added. But with the grouping that is made, if the departments think they should commence with the minimum in each line, then we would be just about where we are now, with the salaries and bonus.

If, for instance, another war or any other circumstance should cause a necessity for an increase in salaries, it could be taken care of easily by a percentage of rise rather than as we have been obliged to do in this matter of bonus.

In case of a lowering of values to any great extent, as was the case many years ago, a percentage could be subtracted; but in both cases it would have to be done by legislation beyond the limit of the grouping.

The Civil Service Commission has nothing whatever to do with salaries, and never has had. It simply certifies, in percentages, as to the capability of applicants for positions, and when appointed they are distributed under the different salaries that have already been fixed by the Committee on Appropriations.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Florida?

Mr. WARREN. I yield.

Mr. FLETCHER. I wish to inquire whether under the bill as introduced by the Senator from Utah [Mr. SMOOT] there will be any reduction in the pay of employees? Would the employees under that bill receive practically what they are now receiving, plus the bonus, or will there be a reduction?

Mr. WARREN. The proposition is to provide new salaries and do away with the bonus; but, taking the entire matter through, these new proposals cover the bonus and salary.

Mr. FLETCHER. That practically means that there will be no reduction?

Mr. WARREN. There will be no aggregate reduction, and there will be very few, if any, reductions, and they would not take place until the end of the term for which the present salaries are appropriated.

I will say to the Senator, however, that the Lehlbach bill—and the Senator from South Dakota can state whether his bill provides in that way or not—provides that the least compensation that can be offered any employee of the Government is $1,080 a year, except as to those who only work part of the time or who have housing and subsistence. The other bill varies in that respect, because there are those who are messenger boys and charwomen and people who can only do certain very light work, who perhaps are demoted from higher salaries, but in the meantime there is a better average, and I think a slightly higher average than the ordinary lines where men suffer the most because of the high cost of living.

Mr. SIMMONS. Mr. President, I desire to ask the Senator from Wyoming a question for the purpose of obtaining information to enable me to vote intelligently upon the motion to refer. I have not had an opportunity to examine the bill, and I am not altogether familiar with its provisions.

Reclassification of the employees of the Government is, as I understand it, a matter of legislation. The fixing of the salaries of Government employees is also a matter of legislation. The providing of the money with which to pay the salaries of employees of the Government is a question of appropriations.

The question I wish to ask the Senator is, Does the bill, after reclassifying the employees of the Government, merely seek to establish the salaries of those employees, or does it, in addition to that, also appropriate the money necessary to pay the salaries?

Mr. WARREN. It does; that is, it will take care of——

Mr. STERLING. No, Mr. President——

Mr. WARREN. Will the Senator from South Dakota allow me to answer the question, and then he can correct me if I am wrong?

Mr. STERLING. The Senator had already answered that part of it.

Mr. WARREN. Appropriations for the next fiscal year, generally speaking, have already been made largely in the legislative bill and other appropriation bills, but this bill does appropriate any amount that may be sufficient to make up so much as this classification may fall short, if any, of the appropriations that have already been made, including, of course, the bonuses, so that in fairness we shall do by these employees as we should if it were a matter of conference.

Mr. SIMMONS. In other words, as I understand the Senator, the bill does not appropriate for the payment of the regular salaries of the officials and employees, but only makes an appropriation to cover any difference between the salaries as they now exist and the salaries as they will exist after the passage of the bill readjusting the salaries.

Mr. WARREN. Except as we do away with the bonus, and then we do appropriate or reappropriate entirely for the next year the amounts appropriated heretofore, so that they conform to the proposed new law.

Mr. SIMMONS. But the bill itself, as I understand the Senator from Wyoming, does not attempt to make appropriations for the regular salaries, but only for the little difference between the present salaries and the readjusted salaries.

Mr. WARREN. And a reappropriation, as I said, to cover all the others.

Mr. SIMMONS. Let me ask the Senator another question. Do we not always, by bills that are regarded purely as legislative, first establish the salaries which employees are to receive, and has not that always heretofore been regarded as a legislative function and not necessarily a matter that should go to the committee that has charge of the appropriation of money? Of course, the appropriations follow from year to year, but the appropriations only follow for the purpose of carrying out the legislative enactment. Is not that the only connection that the Appropriations Committee has with this matter?

Mr. WARREN. Oh, Mr. President, the Senator evidently——

Mr. SIMMONS. I am asking the Senator for information.

Mr. WARREN. The Senator evidently, with his great information on the question of producing revenue or rather not producing what should have been produced, has overlooked the fact that the salaries are made in every appropriation bill that we pass for this or that or some other project. It is true that away back years ago, and it was then done by the Appropriations Committee, they established certain salaries for certain classes; that is, clerks in class 1 should have $1,200, clerks in class 2 should have $1,400, class 3 $1,600, class 4 $1,800, and so on.

Mr. OVERMAN. May I ask the Senator if that classification was not done by the Committee on Appropriations of the House, headed by Mr. Holman, of Indiana?

Mr. WARREN. Yes.

Mr. OVERMAN. It fixed the classification, and ever since that the Appropriations Committee has handled the question.

Mr. WARREN. Our record shows it was first in 1853 when they provided for the first, second, and third classes, $1,200, $1,400, $1,600, and $1,800, and in 1879 they provided for $900, $1,000, and $720 salaries. It has always been and is to-day the province of the Appropriations Committee. First, it gets the estimate from the department that they want so many clerks, so far as they can give the number; but outside of that more of the statements come to us to-day stating that they want so many clerks at such and such salaries, stating what their salaries will be, and so all that is settled by the Congress after it has been passed upon by the Committee on Appropriations.

Mr. STERLING rose.

Mr. WARREN. Does the Senator from South Dakota wish to interrupt me?

Mr. STERLING. I desire to add the following to my motion for reference of the bill. I will send it to the desk and ask that it may be read.

The VICE PRESIDENT. The Secretary will read as requested.

The ASSISTANT SECRETARY. The Senator from South Dakota asks unanimous consent that the reclassification bill be referred to the Committee on Civil Service, and when reported by that committee it shall be committed to the Committee on Appropriations for consideration and recommendation as to all matters fixing salaries, and that when reported from that committee the bill shall come before the Senate upon the report or recommendation of both committees as to salaries.

Mr. NORRIS. Mr. President——

Mr. WARREN. I yield to the Senator for a moment.

Mr. NORRIS. I did not ask the Senator to yield. I did not know the Senator had the floor. I thought the Senator from South Dakota made a motion, and I wish to be heard on that motion.

Mr. STERLING. I just submit that as a part of my motion.

Mr. WARREN. Will the Senator favor me with a little explanation of it?

Mr. NORRIS. If it is unanimous consent that is asked, as the Secretary put it, I wish to object to it. If it is a motion, I wish to be heard on it.

Mr. STERLING. It is a motion. It is not a request for unanimous consent.

Mr. SMOOT. It is a part of the original motion made by the Senator from South Dakota. I wish to add at this time that if the motion carries I shall move that the bill now lying on the table for a second reading, introduced by me on the same subject, shall be referred under the same provision.

Mr. BORAH. Mr. President——

Mr. WARREN. I yield to the Senator from Idaho.

Mr. BORAH. I understood the Senator from South Dakota to present it as a unanimous-consent agreement. I understand now that it takes the form of an amendment to his motion to refer. Does the Senator from South Dakota present it as a unanimous-consent request?

Mr. STERLING. No; it is not presented as a unanimous-consent request. It is presented as a part of my own motion to refer.

Mr. WARREN. Let me ask the Senator whether his understanding carries his bill and the bill of the Senator from Utah to the Committee on Civil Service first?

Mr. STERLING. That is the understanding—that both the bill introduced by the Senator from Utah and the bill introduced by myself shall go to the Committee on Civil Service.

Mr. WARREN. Having been reported from the Committee on Civil Service, where does it then go?

Mr. STERLING. The addition to my motion states that when it is reported by the Committee on Civil Service it will be referred to the Committee on Appropriations for that committee's recommendations as to salaries, and then there will be before the Senate the reports of the two committees in regard to one thing—the salaries.

Mr. BORAH. When we refer it to the Committee on Appropriations for the purpose of fixing salaries, how are we going to limit the jurisdiction of the Committee on Appropriations and prevent it from doing whatever it wants to do with it after it gets it?

Mr. STERLING. The motion limits it to the matter of fixing salaries, and not to the text of the bill, the legislative part of the bill, aside from the fixing of the salaries. That is expressly understood. The motion so provides, and it is understood by those with whom I have talked in regard to it.

Mr. McKELLAR. May I ask the Senator in charge of the bill a question? Suppose the Committee on Appropriations does not report upon the bill at all, what would be the situation? Would it be before the Senate or would we be compelled to defer it until a report came in?

Mr. STERLING. If the Appropriations Committee does not report it, I think there will be one report before the Senate for its consideration.

Mr. SMOOT. In such a case the Senator from Tennessee, or any other Senator, could move to have the committee discharged from the further consideration of the bill.

Mr. UNDERWOOD. Mr. President, may I ask that the Secretary report again the motion to refer as amended?

The VICE PRESIDENT. The Secretary will read as requested.

The ASSISTANT SECRETARY. The Senator from South Dakota moves that the reclassification bill be referred to the Committee on Civil Service, and when reported by that committee it shall be committed to the Committee on Appropriations for consideration and recommendation as to all matters fixing salaries, and when reported from the committee the bill shall come before the Senate upon the reports or recommendations of both committees as to salaries.

Mr. UNDERWOOD. I desire to say something before we come to a vote on that subject, but the motion to refer does not name the bill. Does this motion refer solely to the bill of the Senator from Utah or does it refer to the bill of the Senator from South Dakota or to both bills?

Mr. STERLING. It refers primarily to the bill of the Senator from South Dakota, I will say to the Senator from Alabama, but by oral agreement here since I amended the motion the other bill also will be referred to the Civil Service Committee for like procedure.

Mr. UNDERWOOD. The Senate can not vote on oral agreements on the other side of the Chamber. I hope the Senator will make his motion definite enough for us to know what we are voting on.

Mr. SMOOT. I have already stated to the Senate that the bill which I introduced, now lying on the table, with reference to the same subject matter, I shall ask to have go in the same way that this bill goes, and follow the same procedure.

I will say to the Senator that if the bill had been read the third time and had been printed, the bill would have been given a number and could now be referred to by number, but the bill has not yet been printed, and, therefore, it is referred to as "the classification bill."

Mr. NORRIS. Mr. President, it seems to me that the proposition now made, if adopted, will establish a very dangerous precedent. I had rather have the bill go, to begin with, to the Committee on Appropriations and have it over with. According to my idea of the rules and the duties of the committees, the Appropriations Committee has no jurisdiction whatever of the bill. It is a matter entirely of legislation, and the Appropriations Committee is not a legislative committee. If this particular motion is carried and is to be regarded as a precedent, more than half of the legislation which is reported by the various committees of this body will, after being reported, have to be referred to the Committee on Appropriations for their recommendation as to salaries.

Mr. WARREN. Will the Senator yield to me a moment?

Mr. NORRIS. I yield.

Mr. WARREN. While the Committee on Appropriations is a committee which is primarily established to pass on and report as to appropriations, there is no rule or law or understanding which would prevent that committee from acting on and reporting other measures of legislation.

Mr. NORRIS. Of course, there is not any direction in the rules, with, perhaps, one or two exceptions, as to the duties of any of our committees, but everybody knows what the Appropriations Committee is, and that half of the legislation which we pass provides for salaries. Suppose the rule which is now sought to be invoked had been in force when we provided for the Children's Bureau, the Department of Labor, or any other bureau or department, for instance, the War Finance Bureau which we had during the war; you may go through them all and it will be found that more than half of our legislation provides for salaries and fixes the compensation that officials and employees shall receive. If this precedent is to be established, every time such action is taken, after a bill is reported to the Senate, it must then be referred to the Committee on Appropriations to ascertain what they think about the establishment of the proposed offices and concerning the salaries sought to be fixed.

Mr. WARREN. In every case such as the Senator from Nebraska speaks of, the Committee on Appropriations is appealed to if not the next year, then the second year, and thereafter to appropriate still larger sums than are carried by the bill in the original instance. Increases are asked for every year.

Mr. NORRIS. Suppose they are. Every committee has its difficulties. It is no argument in answer to what I have said to say that the next year after a bureau is established and the salaries therein are fixed somebody may come before the Appropriations Committee and ask that they be increased. I suppose the Committee on Appropriations are bored to death with requests of that character, and they will be bored still more if bills of the kind now pending are referred to them in the first instance. If they want to avoid that kind of difficulty, they ought to favor the motion to refer the bill to the Committee on Civil Service.

Mr. President, I have no personal interest whatever in this matter. I am not a member of either committee. I only want to bring about orderly procedure. I submit, however, if we are going to adopt this rule in this case, everybody knows it will hereafter be cited as a precedent; and every time we have pending here a bill—and Senators may ascertain from the

calendar how many such bills there are—which provides for some official or some new office, it may be, or fixes a salary or changes the salary of some official who is already in existence, the bill will have to go to the Committee on Appropriations. If, outside of the establishment of a new office, it embodies legislation such as is contained in this bill, then a part of the bill will go to one committee and a part to another. That is in reality what we are proposing to do here.

The proposition is to refer the bill to the Committee on Civil Service, and when that committee reports the bill, that it shall then go to the Committee on Appropriations, in order to get their judgment as to whether or not the Civil Service Committee in establishing the offices and fixing the salaries to be paid have done so correctly. If the idea is that the Appropriations Committee is the only competent committee to pass upon such matters, then 90 per cent of all the bills which come in here ought to be referred to that committee.

Mr. WARREN. I wish to say to the able Senator from Nebraska, who is chairman of the Committee on Agriculture and Forestry, that I do not think he will accuse the Appropriations Committee of controlling the salaries in the bill over which that committee has jurisdiction.

Mr. NORRIS. No; but the camel is getting his nose under the tent right here——

Mr. WARREN. Not at all.

Mr. NORRIS. And subsequently the incident will be remembered when it is proposed to provide for something else.

Mr. WARREN. The Committee on Appropriations is merely proposing to take care of what it has always heretofore taken care of.

Mr. NORRIS. I doubt that somewhat. Certainly I mean no discourtesy to the Committee on Appropriations when I say that I am not in favor of turning over all the committee work of the Senate to that committee, able as they are; but here is the beginning; here is a proposition now concerning a bill which provides for the classification of officers and employees, the changing of salaries, and the fixing of duties of officials, but which does not contain an appropriation. The proposition now is to let the bill go to the Committee on Civil Service and then when it is reported by that committee, before the Senate may act upon it, it must go to the Committee on Appropriations to ascertain what they think about it.

Mr. WATSON of Georgia and Mr. LODGE addressed the Chair.

Mr. STERLING. Mr. President, let me say just a word——

The VICE PRESIDENT. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I yield first to the Senator from Georgia, who, I think, first addressed the Chair.

Mr. WATSON of Georgia. I rise to a parliamentary inquiry.

Mr. LODGE. I did not know that the Senator from Nebraska still had the floor.

Mr. WARREN. Mr. President, I have not surrendered the floor.

The VICE PRESIDENT. The Senator from Wyoming has the floor.

Mr. NORRIS. Then I ask the Senator from Wyoming if he will let me take a little longer time?

Mr. WARREN. The Senator from Nebraska has now been talking for some time.

Mr. NORRIS. Of course, the Committee on Appropriations must have its way, and I will sit down, Mr. President.

Mr. WATSON of Georgia. I rose to a parliamentary inquiry.

Mr. LODGE. I have been standing here for some time.

Mr. WATSON of Georgia. I thought a parliamentary inquiry was always in order.

The VICE PRESIDENT. A parliamentary inquiry is always in order. The Senator from Georgia will state his inquiry.

Mr. WATSON of Georgia. Did not the Senator who has charge of the bill, the chairman of the Committee on Civil Service, make a request for unanimous consent?

Mr. LODGE. Unanimous consent is not needed.

The VICE PRESIDENT. The Senator from South Dakota did not ask unanimous consent, but made a motion.

Mr. WATSON of Georgia. I understood the Senator to ask unanimous consent that the bill be referred to the Committee on Appropriations.

Mr. LODGE. The Senator may accomplish his purpose by a motion. It is merely an instruction to a committee.

Mr. BORAH. The Senator from Georgia was misled by the statement, I presume, that the Senator from South Dakota made when he rose and asked for a unanimous-consent agreement.

Mr. LODGE. I did not hear that at all. There was no such request put.

Mr. NORRIS. It was so stated at the desk.

Mr. LODGE. Then it is time to say that unanimous consent is not required. It is a question of instructions to a committee. The committees are the creatures of the Senate, and it is within the power of the Senate to give them any instructions they choose.

Mr. POINDEXTER. Mr. President——

Mr. LODGE. One moment. Bills are constantly referred with instructions. I think some similar arrangement was made in connection with the water power bill.

Mr. SMOOT. Of course, that is the fact.

Mr. LODGE. In that case two committees were given instructions in regard to the measure. In this instance there has been a contest over the reference of the bill. The bill will carry with it inevitably enormous changes in salaries affecting the finances of the Government, and, if the Committee on Civil Service is going to frame the bill, I think that it would save a great deal of time if we could have the recommendation of the Appropriations Committee as to those proposed changes and as to the effect on the Treasury. That question will have to be decided in connection with this bill. I hope that the request of the Senator from South Dakota will be complied with.

Mr. FLETCHER. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his parliamentary inquiry.

Mr. FLETCHER. The inquiry is whether this question can arise under a motion to amend the motion of reference. I think it subject to a point of order, but I do not care to make the point of order. I think, however, that the proposition ought to be changed so as to provide for reference to the committee with instructions in accordance with the position stated by the Senator from Massachusetts——

Mr. LODGE. Precisely; I think that is correct; the motion can not be amended.

Mr. FLETCHER. And not as an amendment to a motion to refer, which I think is out of order.

Mr. LODGE. I do not put it on the ground of an amendment; the motion can not be amended.

Mr. FLETCHER. Then I think the language ought to be changed so that reference shall be provided for with instructions to report back to the Senate under the rule for such further disposition of the matter as is desired.

Mr. LODGE. That would involve merely a simple verbal change.

Mr. POINDEXTER. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Washington will state his parliamentary inquiry.

Mr. POINDEXTER. The inquiry is as to whether or not any motion is in order to determine what shall be done in the way of reference of a bill at some future time. The motion, as I understand, is a double motion; part of it is to refer the bill to the Civil Service Committee, and of course that is in order; but is it in order at this time for the Senator to make a motion that at some future time, after the measure has been reported by the committee, the nature of the report being now necessarily unknown, it shall then at that future time be referred to a certain other committee? Should not the matter wait until the report is made and the Senate then determine what shall be done with it?

Mr. LODGE. Mr. President, in regard to that point of order, it is perfectly obvious that an instruction can not relate to the past; it must relate to the future. Every instruction that we ever give to a conference committee or any other committee, of course, must relate to their future conduct. In this instance we instruct the committee when they have completed their bill and are ready to report it, to report it here, and, if necessary, that it shall go then to the Appropriations Committee; that they shall submit it to the Appropriations Committee for consideration on one point.

Mr. POINDEXTER. Mr. President, I submit that that part of the motion is not an instruction to a committee. The Committee on Civil Service can not make a report to the Committee on Appropriations. I submit that it is not in order to require one committee of the Senate to make a report to another committee of the Senate. It is only in order for a committee of the Senate to make a report to the Senate, and the so-called instruction to the committee is nothing more nor less than an order which is supposed to be made by the Senate at this time as to what shall be done at some future time with the report of a committee. It is not an instruction to the com-

mittee; it is a commitment of the Senate as to what the Senate will do with the report when it is presented.

Mr. LODGE. We propose to instruct the committee what it shall do at a certain stage of the proceedings in connection with the bill. The Senate's power over its committees is absolute. It can instruct them in any way it desires, and the Senator from South Dakota having offered this instruction, put in proper form, I think it ought to have unanimous support, for I think such action will be for the good of legislation.

Mr. WARREN. Mr. President, I was about to say——

Mr. LENROOT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Wisconsin?

Mr. WARREN. I will yield in a few moments.

As chairman of the Committee on Appropriations, I have not the slightest interest in what committee may do the work of the Senate, provided it is well done. I have believed, however, that the Senate Committee on Appropriations knows more about salaries and positions, and so forth, than any other committee. We have nearly enough to do in the Committee on Appropriations. We have before us now estimates for about $300,000,000 asked for by the various departments in connection with deficiencies. It would seem as if it were idle to quarrel about small matters. So far as the chairman of the Committee on Appropriations is concerned, he is a man of peace, and I take it the Senator from South Dakota is, as I have always thought him to be, a man of strict honor. I have no further questions to ask and no further resistance to offer to the motion as the Senator from South Dakota now presents it as amended.

Mr. STERLING. Mr. President, I merely wish to say a word or two partly in answer to some suggestions that have been made here. As I view it, the Committee on Civil Service surrenders no material right. It will make its report on the legislative aspects of the bill proper and upon the salary schedules of the bill after due consideration and study of the measure. Then it will eventually come before the Senate, anyhow, and the fact that it may go to the Appropriations Committee after we have made a report for recommendation on the part of the Appropriations Committee will not prevent the assertion of the rights of the Civil Service Committee or prevent the assertion of the justice of their salary schedule. It will be in the end for the Senate to determine. There may be no marked disagreement between the two committees, but the Senate will have the ideas of the Appropriations Committee and the ideas of the Civil Service Committee. I hope, Mr. President, that the Civil Service Committee will present such a report on the bill, including the salary schedule, that it will meet the approval of the Senate; but, in any event, the Senate will have the different viewpoints and can thrash out the question here. For that reason I do not think the Civil Service Committee sacrifices any material rights in the matter.

Mr. LENROOT. Mr. President, just a word.

I do not think this motion is in the nature of instructions to a committee. It is plainly a question of reference. The Senate is about to determine what committee or committees shall consider this bill. It is in order for the Senate to refer the bill to any single committee; it has been held that it is in order to refer it to two committees acting jointly; and it seems to me it is clearly in order to provide now that it shall be considered first by one committee, and then that any portion of it may be considered by another committee. It is all a question of reference that it is proper to decide and dispose of at this time, so I think it is entirely in order.

In reference to the suggestion of the Senator from Washington, it is not the report that is to be referred or submitted to the Appropriations Committee. When the Civil Service Committee makes its report, that report stands here. Under this motion the bill, or certain portions of the bill, is then referred to the Committee on Appropriations, and they make their report; and, as the Senator from South Dakota has said, the Senate will then act upon the two reports. The Civil Service Committee has lost nothing, but, in my judgment, the course proposed will very greatly expedite the consideration and the passage of this bill. It will avoid the delays that I think any Senator must see will ensue if the Committee on Civil Service alone considers the matter.

In the interest of the bill itself, I believe the motion should prevail.

Mr. NORRIS. Mr. President, I am sorry that I can not agree with the Senator from Wisconsin [Mr. LENROOT] on the proposition that this motion, if agreed to, will bring about expeditious action. The result will be just the contrary. It means delay; and I think we ought to discard the idea of any feeling in favor of either committee. That question, to my mind, is not involved. Whether we take it all away from one committee or all away from the other, or divide it up, we ought not to consider the committees themselves. The bill must be referred somewhere; but now we have started on a new method of legislation, if we carry out this practice.

We have a bill and it provides in some of its provisions for some salaries. It changes existing law in regard to salaries. It reclassifies some of the departments; and because it fixes salaries and classifies salaries, the Appropriations Committee wants it. Because it is legislation and pertains to the civil service of the Government, the Committee on Civil Service wants it; and so they compromise, and, in my judgment, that compromise is worse than either one of the other propositions.

It divides it up, and, rather than making it expeditious, it brings about delay. When one committee reports a measure to the Senate, automatically it must be referred to another committee before the Senate will consider it. That is this motion. It changes law somewhere. Where is the chairman of the Judiciary Committee? Why is he not saying here: "Why, this bill changes a law here or there; it ought to go to the Judiciary Committee, which has charge of laws"?

I presume that if we were to examine the bill closely we could find some parts of it that could go to every committee of the Senate, excepting one, and that is the Committee on Appropriations, because there is no appropriation in the bill; but the Committee on Appropriations wants a part of it, and so we say: "Here is a bill; we will refer it to the committee where it ought to go, and when it comes back it must then go to the Appropriations Committee."

I concede that when this committee reports the bill back it would be perfectly proper for the Senate to refer it to any other committee on any proposition. It could refer it to the Judiciary Committee to get its judgment on a question of law. I have not read the bill, but I presume there are things in it that pertain to employees in the Agricultural Department. When it comes back, why should we not refer that part of the bill to the Agricultural Committee? There are others that refer to the Post Office Department. Why not refer them to the Post Office Committee, and so on, all around?

Why, Mr. President, we are just letting the camel put his nose under the tent. This is going to be a precedent, and we all know what precedents mean in the Senate. It is going to be cited, and properly cited, any time that the Senator from Utah or the Senator from Wyoming wants something to go to the Appropriations Committee.

Most of the argument made by the Senator from Utah, who is willing now to divide up these honors with the other committee, was made as against the bill. He made the argument, and it might have been perfectly good, that the bill was not good, anyway; there were some provisions in it that were bad. That is not what we are going to decide now, and I do not know that we would decide it if we should send the bill to the Appropriations Committee, because as yet it has not been demonstrated, at least, that the Appropriations Committee is perfection. Its members are human. They may make mistakes, notwithstanding their great authority and their recognized ability. It is not a question of whether or not we ought to pass this bill. If we did that with other bills, then before we referred any bill we would discuss its merits, and see whether it was good or not, and if we thought it was not good we would not refer it, or at least we would not refer it to any committee except the Committee on Appropriations.

That really is the effect of the argument; and I believe, Senators, unimportant as this may seem on its face, that it is an extremely important thing for the Senate to consider whether we are going to establish now the precedent of sending to the Appropriations Committee parts of bills where an office is created or an office is changed or a salary is changed or classified. If we are going to do that, then we are in for more delay than unlimited debate ever brought about in this body. We are going to have two references of every important measure. Whenever any group of Senators desire to fight a bill or a subject matter with which a bill deals, and want to delay it, they will invoke this precedent when it comes in, and have it go to the Appropriations Committee, because nine times out of ten they will find as good a reason as we can find in this bill for sending it to that committee; and that means more delay. That means, before the Senate can get hold of it, that it must be censored by the Committee on Appropriations; and I think it is a dangerous proposition. It is one that is going to come home to trouble us.

I would rather turn this bill over to the Committee on Appropriations now and not have this precedent established, but I do not think it ought to go there. I do not believe there is any reason why it should go there. It properly belongs to the other committee, which deals with civil-service officials and civil-

service matters. It ought to go there, but it would not be a serious thing to send it somewhere else, as bills sometimes go, by mistake or otherwise, and sometimes by default, to some committee that ought not to have them. But instead of starting here the precedent of dividing it up, and providing in advance that when this committee reports we are going to send the bill to the Committee on Appropriations, why not send it there in the first place?

Mr. UNDERWOOD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Harreld	Moses	Smoot
Borah	Harris	Myers	Spencer
Broussard	Harrison	Nelson	Stanfield
Bursum	Heflin	New	Stanley
Calder	Johnson	Nicholson	Sterling
Cameron	Jones, N. Mex.	Norbeck	Sutherland
Capper	Jones, Wash.	Norris	Swanson
Caraway	Kellogg	Oddie	Townsend
Colt	Kendrick	Overman	Trammell
Cummins	Kenyon	Phipps	Underwood
Curtis	Keyes	Poindexter	Warren
Dial	King	Pomerene	Watson, Ga.
Dillingham	Ladd	Ransdell	Watson, Ind.
Ernst	La Follette	Reed	Weller
Fernald	Lenroot	Robinson	Willis
Fletcher	McCormick	Sheppard	Wolcott
Frelinghuysen	McKellar	Shields	
Gooding	McKinley	Shortridge	
Hale	McNary	Simmons	

The VICE PRESIDENT. Seventy-three Senators having answered to their names, a quorum is present.

Mr. UNDERWOOD. Mr. President, the business before the Senate, in referring these bills on reclassification, undoubtedly presents a very important question. It involves the salaries and the working conditions of nearly all the employees of the United States Government. If the work of reclassification and reestablishment of salaries is done well, it will in the end work to the great good of the American people and the satisfaction of the employees of the Government. If the bills are poorly constructed, ill considered, or made by compromise, the question will still be open, to the injury of the taxpayers and the dissatisfaction of the employees. I think the Senate should seriously consider the problem, and consider it in such a way that the real viewpoint of the Senate may be reflected in the legislation. I do not believe the pending motion will accomplish that result.

To analyze the question which is before the Senate we must go back a little way. In the Sixty-fifth Congress, when this side of the Chamber was in control, recognizing that the salaries of most of the Government employees were not adequate to meet conditions which then existed, and realizing the impossibility during war conditions of the Committee on Appropriations being able to readjust them satisfactorily, a temporary expedient was adopted in the provision for a so-called bonus, which ultimately resulted in the payment to Government employees who drew salaries of less than $2,500 of $240 a year in addition to their regular salaries.

Then a commission was appointed to investigate the question of salaries and report back to the Congress. The commission went further than the direct instructions of the Congress and reported back not only on the question of salaries but on the question of classification and working conditions. The report was so voluminous and went so far afield from the original proposal, and came so near the close of that Congress, that there was no opportunity to act upon it. That report was, I think, before all three of the sessions of the last Congress. The other side of the Chamber made no effort to act upon it. They came into control in the meantime and no legislative proposal has been made to the Congress up to this time. Now, for the first time, some definite proposal is coming before the Congress for action, and the first thing that confronts us is a motion whose adoption would have the effect of making the issue as indefinite as possible.

Of course, I realize the situation. In my judgment, neither of the committees which are contending for the bills has jurisdiction of the matter, under the rules of the Senate. The Senate has created a Committee on Expenditures in the Executive Departments, and if the question of paying salaries does not come as near to the question of expenditures in the executive departments as anything could, I can not define the meaning of ordinary English. But I have no particular desire to have the bills referred to that committee.

I do not see that there is any jurisdiction whatever of this matter in the Committee on Civil Service. The duty of that committee is to provide for the appointment of clerks, under a classified service, by examination, and not by the spoils system of political preferment, to arrange for their examination, and to provide for their induction into the service. The principal thing that stands to the credit of the Committees on Civil Service in the two Houses of Congress in the last 35 years, if it is a credit, is that they have not amended the original civil-service laws in any marked degree. The question that was originally taken up by the Sixty-fifth Congress, more than two years ago, related entirely to paying the Government clerks adequate salaries, and of course you can not establish a salary basis without defining the employment for which the salary is paid. It is not a civil-service classification; it is a classification of the employees based on the value of their services to the Government, in order that salaries may be fixed.

That work heretofore has always gone to the Committee on Appropriations. I think it is nearly 40 years since the Government last classified the salaries of employees, and designated the clerks who should receive particular salaries, and the classes of work they should do.

Unfortunately, that classification was based largely on the idea of title, and not of employment. There are more men in the service of the Government receiving high salaries, who are not rendering efficient and capable service for the salaries paid, for the reason that they have titles, than for any other reason. Men are carried on the rolls of the Government as chiefs of divisions who practically have no work to do as chiefs of divisions, but who are bookkeepers. There are men carried on the rolls of the Government as chief bookkeepers, who keep statistical indexes, or card indexes of some kind, and receive their pay because they have certain titles.

The basis of employment and pay of clerks in the Federal Government service should be fixed on the kind of work they do and the amount of work they have to do and their efficiency in performing their work. As far as I know, that has nothing to do with the Civil Service Committee. It may not directly relate to the question of appropriations, because the Committee on Appropriations is not supposed to be a committee which writes laws. It is a committee whose primary duty it is to appropriate money to carry out the laws which are on the statute books. But according to the precedents heretofore, this class of work has gone to the Appropriations Committees in both branches of the Congress.

Mr. STERLING. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from South Dakota?

Mr. UNDERWOOD. I yield.

Mr. STERLING. Is not the Senator mistaken in the statement that this class of work has gone to the Appropriations Committees in both branches of Congress? I call the Senator's attention to the course of the bills as they have been introduced. In the House, for example, the original bill, Senate bill 4106——

Mr. UNDERWOOD. I am not talking about the issue now involved; I am talking about the past. Of course, there is an effort being made now, which I will come to in a moment, because I want the country to understand what is in this issue. I am not talking about how these bills should be referred. There is a lobby behind this question. I am talking about the practice for the past 30 or 40 years.

Although there may have been bills introduced and referred, I know of no bill in 40 years, since the civil-service rules were adopted and since the Civil Service Committees were created in the two branches of Congress, of which the Committee on Civil Service in either branch of Congress had jurisdiction, or which was reported and became law, changing the salaries of any Government employees. That is what I mean, and if I am mistaken I ask the Senator from South Dakota to point out where I am mistaken.

Mr. STERLING. I thought the Senator from Alabama referred to all bills that had been introduced of this or like nature, and I am able to refer him to three bills that have been introduced in the House in regard to reclassification, every one of which was referred to the Committee on Civil Service.

Mr. UNDERWOOD. Of course, the issue is here now. Senators who believe the Civil Service Committee should have jurisdiction will vote to refer the bill to that committee. Those who think otherwise will ask that it be referred to the other committee. I am talking about precedent, and precedent is not established in the two Houses of Congress by the reference of bills. They go to committees as a matter of course. In the House of Representatives a bill is dropped in a box and it is automatically referred without action of the House.

Mr. STERLING. If the Senator will permit me, I should like to have him refer to a precedent of a like bill being referred in the first instance to the Committee on Appropriations or any other committee than the Committee on Civil Service.

Mr. UNDERWOOD. I will say to the Senator that the very first action in reference to the classification of clerks' salaries originated in the Appropriations Committee. All bills and resolutions and amendments referring to the bonus proposition, which was a reclassification of salaries, were referred without objection to the Committee on Appropriations.

Mr. STERLING. That was hardly a question of reclassification of salaries.

Mr. UNDERWOOD. It affected the salaries.

Mr. STERLING. It affected the salaries, that is true, but——

Mr. UNDERWOOD. It affected every salary. It reclassified the salary of every Government employee who received a salary below $2,500, and increased those salaries in the sum of $240 a year. Does the Senator say that is so small, it is infinitesimal in his view compared with what should be done in this matter? If he did make that statement, I think he would alarm the men who will have to pay the taxes to carry on the Government.

Every change of existing salary in 40 years which has occurred in the Government has taken place on the report of the Committees on Appropriations of the two Houses and has been reported to Congress on that basis. Now, the Senate in its recent action has come along and established a Committee on Expenditures in the Executive Departments that has jurisdiction of the question, just conferred within the last two weeks, and it now proposes to ignore that committee entirely.

We might as well recognize what this means. So far as I am concerned, I believe the employees composing the clerical force of the United States Government have an inadequate salary when we consider it in connection with the increased cost of living. The basis on which the salaries were established existed 40 years ago. I think it is safe to say that the purchasing power of the dollar to-day is only 50 cents as compared with the purchasing power of the dollar when these Government salaries were first established. We can not expect to have efficiency in Government unless we pay salaries that are sufficient to employ reasonably efficient men. I think one of the great costs in the running of the Government business is due to the very large number of inefficient employees who are now on the pay roll. I believe that if the question were properly and thoroughly looked into and properly handled, at least one-third of the clerks now employed in the great departments of the Government of the United States could be dispensed with, so far as their services are concerned. I believe their salaries could well be distributed to the remaining clerks and produce more efficiency in the management of Government affairs.

But we know perfectly well what the issue is. There are some people who are interested in the bill who think the Appropriations Committee are going to be too economical, are going to hold down appropriations too tightly, and they think that if the bill goes to the Committee on Civil Service they will get a larger basis of salary; in other wards, if I may be permitted a vulgarism, they think the Committee on Appropriations are "tightwads" and the Committee on Civil Service will be extravagant. We know that perfectly well. We know that is exactly the shadow behind the whole thing, so far as reference of the bills may be concerned.

We know that every Senator here is having an unusual thing happen to him in that he is being "lobbied" on the question of the reference. Of course, we have been accustomed to meet lobbies on material issues, on questions where great principles are involved, but this question is a question of men. There is a lobby out here to carry the bills to one committee, and why? Because they think that committee will be more extravagant in handling the problem. That, in a nutshell, is all there is to it, and we may as well face the issue. If Senators wish to vote that way, that is their privilege. I have no objection in the world to the Senate registering its position on the question. I have no reflection on the members of either committee.

When the time comes to vote on the question of reference I shall vote to refer where I think the question can be best and most ably handled, but I am opposed to the pending proposition. In my judgment this is a foolish thing. It is an unusual thing. It is not a question of instructing a committee. The Senator from Wisconsin [Mr. LENROOT] was right about that. This is no question of instruction. Here is the motion of the Senator from South Dakota:

That the reclassification bills be referred to the Committee on Civil Service for consideration and report to the Senate thereon, and that after such report they be referred to the Committee on Appropriations for consideration and report on the matter of salaries, and that when so reported by both committees the bills shall come before the Senate upon the reports or recommendations of both committees as to salaries.

I do not say the Senate can not do this. Of course, the Senate can not take a bill and refer it to two committees at the same time, because the bill is a physical fact and has to go in one direction at one time, and only one direction. It can go only to one committee, and whilst it is there it can not go to another committee. But the proposition offered is that we take the bills and refer them to the Committee on Civil Service, which can be done, and then, in advance of the action of the Committee on Civil Service, we shall proclaim that we doubt whether they are capable of properly reporting the bills back to the Senate, and so we say we are going to refer them to the Committee on Appropriations to make other recommendations as to salaries.

Let us see where we will find ourselves in that case. The Committee on Civil Service gets the bills. I do not suppose they will automatically report them back. I suppose the bills will receive consideration, and when they receive consideration they will probably have amendments. The committee will then report them back to the Senate, and as soon as the bills are in the Senate, without action on our part they will be sent down to the Committee on Appropriations to pass on all questions relating to salaries. Of course, that is all there is in the bills. The real issue involved here is the reclassification of the salaries of employees.

The Committee on Appropriations will then consider the bills. They can not amend the amendments of the Committee on Civil Service, but they can amend the bills, and they will then report the bills back with amendments of their own. I should like to know under those circumstances whose amendments will prevail. Whose amendments are going to have precedence in this charming arrangement, the arrangement of King Solomon to decide to whom the baby belongs by cutting it in two and giving half to each mother? That is about what Senators are trying to accomplish by this vote. They seek to avoid the responsibility of facing certain people who are clamorous to have their own way about the matter. The question is too big a question; it involves too much to the Government and the taxpayers of the United States to settle the issue in any such way.

There ought to be an increase in salaries. It ought to be adequate to support properly the Government employees. This is no time for extravagance; it is no time to run off and make undue charges on the Government. It is a time when some one committee of the Senate should take the responsibility that comes under these circumstances and bear it itself.

Of course, if it goes to a committee that is unsatisfactory to us, and that committee reports a measure back and we who are Members of the Senate are not satisfied, we can offer to amend. If it reports it back and its report is not satisfactory to the Senate in the aggregate, the Senate itself, as it has done many times before, instead of acting on the report of the committee that reported it, can recommit it to another committee; but when it does that then the responsibility for action on the bill will rest upon the committee to which it is recommitted and not with the committee that first reported it. When the two reports come in and we find that the class of $900 clerks is increased by one committee to $1,160 and by another committee to $1,500, I should like to know which amendment will have the right of way and which will have precedence in the matter. How are we going to vote on it?

So far as limiting the Appropriations Committee to fixing salaries, the whole business is the fixing of salaries. Of course, in fixing salaries we have to designate the men to whom the salaries are going to be paid. You would have the Committee on Civil Service write out the designations and report the salary list back, and when the bill was sent down to the Appropriations Committee, if they thought they had a better method of classifying employees or of designating the method by which the salaries shall be paid, you say that the intelligence of the Appropriations Committee shall not operate on that question; that it shall operate only concerning the amount of salaries and that the intelligence of the Committee on Civil Service shall operate only on the classification.

Mr. President, I am opposed to this proposition. If the Republican Party want to demonstrate to the country that they are living up to what they claim for themselves and have always claimed for themselves—that they are efficient and capable of transacting the business of the country on a business-like basis—if they want to prove to the country that they are efficient, they had better defeat the pending motion; but if they want to prove their inefficiency and incapacity to handle a grave and a great question, in which all the taxpayers of the United States are interested to-day, then divide this responsibility; bring the matter back here to the Senate, it having been tied up in two committees for months, perhaps until after final adjournment of the session, with a divided verdict after the report, and insure thereby that no action will be taken in the near or immediate future.

Mr. LA FOLLETTE obtained the floor.

Mr. STERLING. Will the Senator from Wisconsin yield to me for just a moment?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LA FOLLETTE. For what purpose?

Mr. STERLING. I merely desire to submit in proper form the motion which I made awhile ago, and I am ready for a vote on it.

Mr. LA FOLLETTE. The Senator from South Dakota may be ready for a vote but other Senators may not be.

The PRESIDING OFFICER. The Senator from Wisconsin declines to yield.

Mr. STERLING. We can test the question in a moment.

Mr. LA FOLLETTE. If a vote may be had upon the proposition of the Senator from South Dakota immediately without discussion, I shall be very glad to yield for that purpose, but if it provokes any discussion, I must object.

Mr. STERLING. I submit the motion which I send to the desk.

The PRESIDING OFFICER. The motion will be stated.

The reading clerk read as follows:

That the bills introduced by the Senator from South Dakota [Mr. STERLING] and the Senator from Utah [Mr. SMOOT], relating to the classification and compensation of civil employees of the Government, be referred to the Committee on Civil Service for consideration and report to the Senate thereon; and that after such report such bills be then referred to the Committee on Appropriations for consideration and report on the matter of salaries provided for in such bills; and that when so reported by both committees the bills shall come before the Senate upon the reports or recommendations of both committees as to salaries.

The PRESIDING OFFICER. The question is on the motion of the Senator from South Dakota.

The motion was agreed to.

The PRESIDING OFFICER. Without objection, the bill introduced by the Senator from Utah [Mr. SMOOT] will be considered as read the second time and printed, and both bills will be referred to the Committee on Civil Service.

PROPOSED RECOGNITION OF IRELAND.

Mr. LA FOLLETTE. Mr. President, I now call up Senate joint resolution No. 1, and ask that it may be read.

The VICE PRESIDENT. The joint resolution will be read.

The reading clerk read the joint resolution (S. J. Res. 1) declaring that the independence of the republic of Ireland ought to be recognized by the Government of the United States of America, introduced by Mr. LA FOLLETTE April 12, 1921, as follows:

Resolved, etc., That the independence of the republic of Ireland ought to be recognized by the Government of the United States of America.

Mr. LA FOLLETTE addressed the Senate. After having spoken for 1 hour and 50 minutes,

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LODGE. I was merely going to call attention to the fact that the Senator from Minnesota [Mr. KELLOGG] is now here.

Mr. LA FOLLETTE. I will go on, rather than permit another measure to be taken up.

Mr. KELLOGG. I shall be glad to give way at any time the Senator may request.

Mr. LA FOLLETTE. Senate joint resolution No. 1 is now the business before the Senate, and I should like to go on until I conclude my remarks, and then ask to have the joint resolution referred to the Committee on Foreign Relations. I should like it to be the business before the Senate, as it will not delay other business.

Mr. KING. Mr. President, I suggest to the Senator from Massachusetts that we go into executive session now and resume to-morrow and thus give the Senator from Wisconsin full opportunity to conclude his remarks.

Mr. LODGE. I have no objection to that course. We may take a recess.

Mr. KING. After the executive session, let us take a recess until 12 o'clock to-morrow.

Mr. LA FOLLETTE. That will be agreeable to me. Then I surrender the floor to the Senator from Massachusetts for the day, and I shall resume in the morning when the Senate meets on the expiration of the recess.

[See p. 637 for Mr. LA FOLLETTE's speech.]

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, April 26, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 25, 1921.

ASSISTANT ATTORNEY GENERAL.

Robert H. Lovett, of Illinois, to be Assistant Attorney General, vice Frank Davis, jr., resigned.

ASSISTANT SECRETARY OF THE INTERIOR.

Francis M. Goodwin, of Spokane, Wash., to be Assistant Secretary of the Interior, vice Selden G. Hopkins, resigned.

SOLICITOR FOR THE DEPARTMENT OF LABOR.

Theodore G. Risley, of Illinois, to be Solicitor for the Department of Labor, vice Rowland B. Mahany, resigned.

SURVEYOR GENERAL OF IDAHO.

Virgil W. Samms, of Pocatello, Idaho, to be surveyor general of Idaho, vice Edward Hedden, term expired.

REGISTER OF THE LAND OFFICE.

Truman W. Bass, of Broken Bow, Nebr., to be register of the land office at Broken Bow, Nebr., vice Mack C. Warrington, term expired.

RECEIVER OF PUBLIC MONEYS.

John Henry Bohling, of Miles City, Mont., to be receiver of public moneys at Miles City, Mont., vice John T. Hamilton, resigned.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY.

ORDNANCE DEPARTMENT.

First Lieut. Merle Halsey Davis, Coast Artillery Corps, with rank from September 2, 1919.

FIELD ARTILLERY.

Capt. Derrill de Saussure Trenholm, Infantry, with rank from July 1, 1920.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 25, 1921.

COLLECTOR OF INTERNAL REVENUE.

Louis A. Spellier, for the district of Nevada.

COMMISSIONER OF LABOR STATISTICS.

Ethelbert Stewart to be Commissioner of Labor Statistics.

MEMBER OF FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Harry L. Fidler.

COMMISSIONER OF PENSIONS.

Washington Gardner to be Commissioner of Pensions.

TO BE UNITED STATES DISTRICT JUDGE, DISTRICT OF PORTO RICO.

Arthur F. Odlin.

MEMBERS OF THE RAILROAD LABOR BOARD.

LABOR GROUP.

Walter L. McMenimen.

MANAGEMENT GROUP.

Samuel Higgins.

PUBLIC GROUP.

Ben W. Hooper.

HOUSE OF REPRESENTATIVES.

MONDAY, *April 25, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Lord, thou hast been our dwelling place in all generations. Before the mountains were brought forth, or ever thou hadst formed the earth and the world, even from everlasting to everlasting, thou art God.

Do Thou give direction and wisdom to all vital problems, and bestow upon us the sweet ministry of Thy love. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Friday, April 22, 1921, was read and approved.

REQUEST TO EXTEND REMARKS.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent to insert in the RECORD the address delivered by my colleague from Louisiana [Mr. O'CONNOR] at the recent evacuation day ceremonies in Boston.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the subject indicated. Is there objection?

Mr. WALSH. Mr. Speaker, that is rather ancient history, and I shall have to object.

The SPEAKER. Objection is made.

COMMITTEE RESIGNATION AND APPOINTMENT.

The SPEAKER laid before the House the following communication:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., April 25, 1921.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES:

I herewith tender my resignation from the following committees of the House: Accounts; Election of President, Vice President, and Representatives in Congress.

CLAY STONE BRIGGS,
Member of Congress, Seventh District of Texas.

The SPEAKER. Without objection, the resignations will be accepted.

There was no objection.

Mr. GARNER. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 69.

Resolved, That Mr. CLAY STONE BRIGGS, of Texas, be, and he is hereby, elected to the Committee on the Merchant Marine and Fisheries.

The resolution was agreed to.

ADDITIONAL MEMBER OF THE JOINT COMMITTEE ON REORGANIZATION.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of Senate joint resolution 30, which the Clerk will report.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, is the gentleman going to give us some time over here to discuss this resolution?

Mr. REAVIS. I have had it indicated to me that there is a desire for some time on the other side of the aisle. How will 15 minutes on a side do?

Mr. GARNER. I will say to the gentleman that I would like at least 20 minutes on this resolution, to explain it to the House before they vote on it, and I know the gentleman from Tennessee [Mr. BYRNS] desires some time, and I think the gentleman from Tennessee [Mr. GARRETT] desires some time, so that it will take at least an hour on this side to express our views concerning this resolution.

Mr. REAVIS. Mr. Speaker, with the naval appropriation bill now before the House and ready for consideration, I think an hour is more than the gentleman ought to request on a resolution of this kind.

Mr. GARNER. If I could have the entire 30 minutes on this side that would be sufficient so far as I am concerned, but these other gentlemen are going to want time, and I want at least 20 minutes myself.

Mr. MONDELL. If the gentleman will allow me, if he occupies 20 minutes himself, will not 10 minutes be sufficient for the other two gentlemen?

Mr. GARNER. That is for the gentlemen from Tennessee to say.

Mr. MADDEN. Mr. Speaker, I ask for the regular order.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] demands the regular order. Is there objection?

Mr. BANKHEAD. Mr. Speaker, for the present I shall have to object to the request.

The SPEAKER. The gentleman from Alabama objects.

Mr. GARRETT of Tennessee. May I ask what would be the proper reference of the resolution which has just been objected to?

The SPEAKER. The original resolution was referred to the Committee on the Judiciary, and the Chair supposes this one will go to the same committee.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following resolution was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 30. Joint resolution to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization; to the Committee on the Judiciary.

NAVAL APPROPRIATIONS.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, H. R. 4803, and, pending that motion, I will ask the gentleman from South Carolina [Mr. BYRNES] how much time is desired on that side.

Mr. BYRNES of South Carolina. What suggestion does the gentleman from Michigan make?

Mr. KELLEY of Michigan. I would suggest an hour and a half on a side.

Mr. BYRNES of South Carolina. This morning I thought there would be no requests from this side. Since that time I have received requests for about three hours and a half. I will ask for two hours and a half on this side.

Mr. KELLEY of Michigan. I ask unanimous consent that the general debate be limited to four hours, two hours to be controlled by the gentleman from South Carolina [Mr. BYRNES] and two hours by myself.

The SPEAKER. The gentleman from Michigan asks unanimous consent that general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from South Carolina [Mr. BYRNES]. Is there objection?

Mr. BARKLEY. Reserving the right to object, I had laid off to make a few remarks on this bill. My friend from South Carolina [Mr. BYRNES] says his time is all promised. Can the gentleman from Michigan yield to me a little time?

Mr. KELLEY of Michigan. How much time does the gentleman want?

Mr. BARKLEY. About 20 minutes.

Mr. KELLEY of Michigan. I could not be quite so generous as that.

Mr. BYRNES of South Carolina. I can give the gentleman some of my time, and I think we can take care of him.

Mr. OLIVER. Why not make it 2 hours and 15 minutes on a side?

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. KELLEY] that the time for general debate be limited to four hours, two hours to be controlled by himself and two hours by the gentleman from South Carolina?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, H. R. 4803, with Mr. WALSH in the chair.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Michigan asks that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. Mr. Chairman, the bill which is now before the House is exactly the same as that which was passed by the House at the last session. The bill went to the Senate about two weeks before the close of the session and was reported to the Senate, but did not pass that body, and so this is one of the two hang-over bills which this House is called upon to take care of.

I dare say that so far as the Members of the House are concerned who were also Members of the last Congress nothing need be said further than to say that the bill has been reported in exactly the same form and carrying exactly the same amounts as were agreed upon by the House at the last session. But for those who are Members of this Congress and were not in the last it may be advisable to make a short statement as to the policies underlying the bill.

The estimates submitted by the Navy Department were $680,000,000. This bill carries $396,000,000. So that there has been a reduction below the estimate of $284,000,000. The appropriations for the Navy Department for the current year amount approximately to $487,000,000.

Mr. MONDELL. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MONDELL. The gentleman said the appropriations. The gentleman means, as I understand it, the regular appropriations and the deficiency.

Mr. KELLEY of Michigan. I mean that all the revenue that was available for naval purposes during the current year amounted to $487,000,000—the regular appropriation plus all deficiencies. So that this bill which is reported here is $91,000,000 below the expenditures for the Navy Department for the current year.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. Were these estimates submitted by the present Secretary of the Navy or by his department?

Mr. KELLEY of Michigan. Under the law estimates are required to be submitted at a definite time, and that is at the beginning of the session preceding the July at which the appropriation is to be made available. So the Navy Department had no authority to submit to this Congress any new estimates, and the bill was prepared on the estimates submitted according to law last December.

Mr. BYRNS of Tennessee. May I ask the gentleman what the amount of the regular annual appropriation bill was?

Mr. KELLEY of Michigan. Four hundred and thirty-three million dollars for the current year, which, of course, did not include the sums made necessary by the increased pay of the Navy, which was increased after the appropriation bill passed the House last year.

Mr. BYRNS of Tennessee. That increase was passed on a deficiency bill, because the law was passed after the appropriation bill had been passed by the House?

Mr. KELLEY of Michigan. Yes.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. KELLEY of Michigan. Certainly.

Mr. COOPER of Wisconsin. As I understand, approximately $487,000,000 is expended on the Navy this year, or on contracts to be carried out at the beginning of this year.

Mr. KELLEY of Michigan. The appropriations for the current year altogether, regular and deficiency, amount to $487,000,000, whereas this bill carries $396,000,000, or $91,000,000 less than the aggregate of the regular and deficiency appropriations of the current year.

Mr. COOPER of Wisconsin. As a matter of fact, approximately $500,000,000 will be expended this year on the Navy.

Mr. KELLEY of Michigan. That is right.

Mr. BYRNS of Tennessee. Has not the reduction been largely due to the reduction of the personnel of the Navy and spreading out the building program over a series of years?

Mr. KELLEY of Michigan. I am going to explain how this reduction was accomplished.

Mr. BYRNS of Tennessee. How much of the $487,000,000 was deficiency appropriation?

Mr. KELLEY of Michigan. Fifty-four million dollars.

Mr. BARKLEY. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. BARKLEY. So the present bill carries a larger sum than the regular appropriation bill for last year.

Mr. KELLEY of Michigan. Oh, no; it is the difference between $396,000,000 and $433,000,000 carried in the last bill in favor of this bill.

Mr. McKENZIE. Will the gentleman yield?

Mr. KELLEY of Michigan. I will yield to the gentleman.

Mr. McKENZIE. Is the gentleman from Michigan certain that $487,000,000 will take care of all the activities of the Navy for the current year and that we will not have a deficiency before the 1st of July?

Mr. KELLEY of Michigan. Of course, I can not guarantee that there will be no further deficiencies.

Mr. CHINDBLOM. Will the gentleman yield for a further question?

Mr. KELLEY of Michigan. Yes.

Mr. CHINDBLOM. Were any new hearings had on this matter?

Mr. KELLEY of Michigan. There were no new hearings had by the Committee on Appropriations. There appeared to be nothing new that required hearings. The condition of the Navy and the conditions of the country and the conditions of the world did not seem to have materially changed since we passed the bill in the House last March.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. J. M. NELSON. Referring to the matter of deficiency, I understand it was something like $53,000,000. What is the policy of the committee with reference to permitting the department to incur deficiencies in such enormous amounts?

Mr. KELLEY of Michigan. As to the chief items which made up the deficiencies for this year the administrative branch of the Government was in no way at fault because the appropriation bill which passed last year did not carry the increased pay for the Navy which was provided by a special act later on. We increased the pay of the ordinary seamen, of the skilled mechanics, and of the lower grade of officers for a period of two years. So that excess over the ordinary pay provided by law had to be carried as a deficiency, and that accounts for the major portion of the sum named.

Mr. LANHAM. The gentleman says that the amount appropriated in this bill is the same as that included in the bill at the last session of Congress. May I ask the gentleman if the lump-sum appropriations here are contemplated to be expended for the same purposes and along the same lines practically as the former bill?

Mr. KELLEY of Michigan. That is correct.

Mr. BARKLEY. Mr. Chairman, if the gentleman will yield further, judging the future by the past, is the gentleman able to foresee whether this appropriation will probably have to be augmented by another deficiency bill for next year?

Mr. KELLEY of Michigan. In preparing this bill we fixed the amounts at a figure which we did not believe would require further sums to be expended. Whether or not our judgment will be borne out by experience nobody can fully say. For instance, we fixed the cost of the ration for the men at 50 cents in this bill. The present cost of the ration is much above that. In ordinary years, before the war, the cost of ration was much below this. We fixed the amount at a figure which we thought probably prices would justify following the 1st of July. Of course, we might make a mistake. The ration is fixed by law. The statute states exactly the weight and quantity of food, the different kinds of foods which must be supplied to the Navy, and the Navy Department has no leeway in supplying that food. If we have made a lower estimate of price of food than the market will warrant, of course, they would be entitled to come in with a deficiency for the difference, but we believe that every sum carried in the bill is sufficient, if economically administered, to take care of the needs of the Navy.

Mr. BARKLEY. Is the gentleman able to say, offhand, what has been the average amount of deficiency appropriations for the Navy each year for the last five years, making due allowances for war emergencies.

Mr. KELLEY of Michigan. No; I can not.

Mr. BARKLEY. I am speaking about normal times.

Mr. KELLEY of Michigan. I can not give the gentleman that information.

Mr. WOOD of Indiana. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. WOOD of Indiana. Is it not a fact that under the law the Navy Department can create a deficiency or spend any amount of money it wants, no matter what the policy of Congress is or what the desire of Congress is with reference to expenditures? The item of rations is one of them.

Mr. KELLEY of Michigan. The gentleman has made the statement a little broader than it should be made. There are certain deficiencies which the Navy Department may legally incur. One of them, of course, is the matter of food, because the law prescribes the kind and quantity of the ration, and if Congress does not provide enough money to buy that much food, of that particular kind, the Navy Department is authorized to create a deficiency in order to feed the men in the Navy, which policy, of course, no one would question.

Mr. WOOD of Indiana. Is it not true also with reference to fuel? The Navy Department, one year I know, made an estimate of $10,000,000 for fuel, whereas they expended four or five times that amount.

Mr. KELLEY of Michigan. Yes; fuel is another item. There may be some question as to the advisability of permitting deficiencies in some lines where they are permitted now to be made. I am inclined to think that perhaps it will be necessary to permit deficiencies in respect to fuel. No one can say with definiteness at any time what fuel is going to cost or exactly how much steaming should be done. The ships, of course, must be kept supplied with the necessary amount of fuel, and yet sometimes I have been strongly of the opinion that the department having charge of the operation of the fleet wholly ignored the amount of money it has had for that purpose. In my judgment the time will come, unless every bureau of the Government takes into account with great strictness the amount of money that has been appropriated for a particular purpose and keeps within that amount, when it will be necessary for Con-

gress to put the screws on pretty tight and prevent these supplemental appropriations.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. HULL. Can the gentleman inform us approximately what amount of money of these appropriations will be used in Government navy yards and how much in privately owned yards?

Mr. KELLEY of Michigan. The amount of money carried under the Bureau of Construction and Repair and Steam Engineering I think amounts to something like $40,000,000. That is for repairs. I think practically all of that or nearly all of that will be expended in the navy yards. So far as the new construction is concerned, some of the ships are contracted for in private yards and some are being built in the navy yards. Just how much money will be expended upon those being constructed in the navy yards depends upon how rapidly the Navy Department thinks it advisable to push the work and also upon what its contract obligations may be in yards operated by private companies. It is a matter of administration about which I would not be able to advise the gentleman. I doubt very much whether the department itself at this time could tell exactly how much money it intends to apply on each particular ship under construction.

Mr. HULL. In each bill passed in the last two or three years we had a provision directing or compelling the department to spend the money in the navy yards provided it could do it economically—for less amount than they could buy the material outside. Has any member of the committee informed himself as to whether that requirement is being carried out in the Navy Department?

Mr. KELLEY of Michigan. I hope so, because they certainly are employing a tremendous force of men in the navy yards—between 50,000 and 60,000 mechanics are employed in the several yards and stations.

Mr. HULL. I am reliably informed that recently they have let contracts to private yards when the price fixed by the navy yards was considerably less than that fixed by the private corporations. Is that true?

Mr. KELLEY of Michigan. I do not know about that.

Mr. HULL. Would it not be a good idea for some member of the committee to find out if that provision is being carried out?

Mr. OLIVER. Mr. Chairman, if the gentleman will permit, I suggest that the gentleman from Iowa specify what contracts have been let under the conditions he states.

Mr. HULL. I am not informed as to the exact contract, but I can find out. I have been informed by high officers in the Navy Department that they have paid no attention to that provision.

Mr. KELLEY of Michigan. It may be that other considerations have intervened. If the navy yards could not supply the product within the time required by the Government, quite naturally they would let the contract on the outside; but I do not think that the navy yards have been discriminated against in this particular.

My own opinion is that there ought to be a tremendous reduction in the number of men employed in navy yards. I know very well that the men employed there will importune their friends in Congress and everywhere else to see to it that every kind of work that is possibly available for navy yards be sent there in order that employment may be continued. Before the war we had in all these navy yards and stations about 25,000 or 30,000 men, and the last time I inquired into it there were something like 60,000 mechanics in these navy yards and stations, drawing the very top market in wages, and my impression is that these navy yard rolls should be much smaller.

There are old ships of every kind and description tied up at these navy yards and constantly the department is solicited to repair those ships, put millions of dollars, I do not know how much money they could spend, but more than is in this bill, simply for the repair of old ships, which, in the end, probably we will never use a single day. The greatest economy that this Government could effect, so far as the Navy is concerned, would be to make a complete survey of all the craft we have and send the obsolete ships to the bottom of the sea or sell them for scrap instead of trying to continue navy-yard employment repairing old craft that will be utterly useless perhaps when they are repaired.

Mr. McCLINTIC. In that connection, I notice an item in this bill involving $22,500,000, page 29, in order to furnish equipment in the way of rugs, curtains, carpets, etc. This morning——

Mr. KELLEY of Michigan. I do not think the Navy Department buys any rugs. I have not heard of it.

Mr. McCLINTIC. This morning I was informed by an admiral in the Navy that application had been made to take off these 10 German vessels some of the equipment even for souveniers, and he made the statement that he was of the opinion that it would be necessary to sink those ships, equipment and all. In other words, we could not salvage a knife and fork, a piece of table linen, a book, or anything of the kind on one of those ships, and, inasmuch as the gentleman is chairman of the subcommittee that has jurisdiction over this subject, I would like to know if he has examined into the treaty to know whether or not it is necessary to destroy property which could be put to use in other branches of the Navy?

Mr. KELLEY of Michigan. I am not familiar with the treaty regarding the disposition of those ships, but I will say that the sum mentioned by the gentleman, $22,500,000——

Mr. McCLINTIC. I thought possibly we might use a knife, or fork, or silverware, or table linen, or floor mops, or use some other things on those ships to very good advantage and save some of the money for the country instead of sending them to the bottom of the sea.

Mr. KELLEY of Michigan. The $22,500,000 the gentleman mentioned is for the repair of the ships of the active fleet and the payment of all expenses of essential work done in the navy yards, and that amount has been cut below the estimate and below the amount asked for by the department about $8,000,000.

Mr. McKENZIE. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. McKENZIE. In your hearings on this proposition did the gentleman investigate as to the efficiency of these 75,000 employees in the employ of the country?

Mr. KELLEY of Michigan. Of course, the gentleman will understand that that would be quite a contract, to investigate the efficiency of the work done in these navy yards or any other branch of the Government, and I have made no personal investigation of that; but, of course, that is a matter of administration and I sincerely hope that the navy yards will be so administered as to get the very highest degree of efficiency.

Mr. McKENZIE. My reason for asking that question, if the gentleman will pardon me just a moment, is that one officer of the Navy testified before a committee of which I happened to be chairman that during the war the efficiency in the navy yards was about 33⅓ per cent. This was about 18 months ago, and he said it was not very much better then; at any rate, it was not up to the standard. The point I am trying to get at is whether the committee investigated from officers in the Navy as to the efficiency of the employees in these navy yards, and whether or not they rendered to this Government a day's work for a day's pay. Furthermore, I would like to ask the gentleman what was the estimate made by the officers in the Navy for this particular service and how much the committee cut it down?

Mr. KELLEY of Michigan. Well, as I say, the two items in the bill which support the navy yards, three items really, are items under the Bureau of Construction and Repair, which, as I recall, is $22,500,000; the Bureau of Steam Engineering, which is $20,500,000; the Bureau of Ordnance, which runs the gun factory down here, amounting to about $14,000,000, so you have about $57,000,000 which will be available for the payment of wages in navy yards and stations.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. LAYTON. I see in the report for 1920, in round numbers, that the amount appropriated is $486,000,000. For the year 1922 there is, in round numbers, $396,000,000. That means a saving or a reduction of about $90,000,000. Has the gentleman anything in his bill that will guarantee that this sum of $396,000,000 is not going to be increased through deficiency bills? Is there any check——

Mr. KELLEY of Michigan. Well, the gentleman will realize that deficiencies are incurred under provisions of law. That is to say, they are incurred where the law permits them to be incurred, and as I stated before the gentleman came in awhile ago, undoubtedly the time would come, unless the greatest caution were exercised by the various departments against incurring deficiencies, that Congress would be justified——

Mr. LAYTON. I heard during the last Congress time and time again that the Republicans of this body were going to stop this practice of allowing the departments to exceed expenditures.

Mr. KELLEY of Michigan. Of course, the gentleman will realize that that is a matter of legislation.

Mr. LAYTON. And I think it is time to do so.

Mr. KELLEY of Michigan. The Committee on Appropriations would not have jurisdiction, but with the gentleman from Pennsylvania [Mr. BUTLER] having charge of all legislative matters

as the honored chairman of the Naval Committee, I feel that it will be taken care of, if further restrictions are deemed necessary.

Mr. BUTLER. I would like to ask the gentleman what the deficiencies before his committee for the Navy Department amount to?

Mr. KELLEY of Michigan. Well, it is the difference between $433,000,000, which the bill carried the current year, and $487,000,000, which is the total for the Navy, including all deficiencies, or $54,000,000.

We are in great danger of wasting time by reason of the fact that gentlemen were not in the House at the beginning of this discussion and did not know that we had discussed all this quite fully before.

Mr. BUTLER. How did I get the figure in my mind of something like $130,000,000 of deficiencies?

Mr. KELLEY of Michigan. They amount to about $54,000,000.

Mr. BUTLER. You know that we were asked to legislate in order to enable the department to take care of those figures.

Mr. KELLEY of Michigan. Well, what the gentleman from Delaware [Mr. LAYTON] meant was that there ought to be some legislation which would prevent the incurring of deficiencies, and I answered him that the Committee on Appropriations would not have jurisdiction over that subject.

Mr. BUTLER. Very effective; withhold the appropriation.

Mr. KELLEY of Michigan. Now, I yield to the gentleman from Massachusetts [Mr. TAGUE].

Mr. TAGUE. Mr. Chairman, in answering the question the chairman has stated that the intention of the committee was to reduce the working force in the Navy, and are now doing it. Has the committee taken into consideration the fact that there are just as many officers now assigned to the several yards? And is it not a fact that the wages that are paid to these officers are taken out of the maintenance of the navy yards and the building up of their work?

Mr. KELLEY of Michigan. I think the gentleman is wrong about the paying of the officers. The officers' pay is provided under the pay of the Navy and does not come out of these working funds.

Mr. TAGUE. But it is a fact that in the operation of the navy yards a certain percentage of the wage of the officer is charged to the overhead work, and that is done in every navy yard in this country.

Mr. KELLEY of Michigan. As a matter of bookkeeping, in order to determine what a job would cost, I think that is true, but as a matter of paying bills it is not true. It is necessary to determine sometimes what a thing in a navy yard costs, and when they do that it is necessary to charge up to the construction the proportionate part of the pay of the officers who are assigned to that work, but the pay does not come out of that appropriation.

Mr. TAGUE. Should the efficiency of the yard be charged with the salary of the officers? For instance, in the Boston Navy Yard, with 3,500 mechanics at work, there are 155 officers, and their wage is being charged to the work they are performing.

Mr. KELLEY of Michigan. In a sense, I say, it is charged on the books, but it is not taken out of any of the funds assigned to that yard.

Mr. TAGUE. But it does increase the cost of the work being done by the navy yards as compared with outside work?

Mr. KELLEY of Michigan. I am glad to hear from the gentleman from Massachusetts, who lives near the Boston Yard, relative to conditions in that yard. His information as to that yard is generally very accurate, and I am sure that the information will not go astray.

Mr. TOWNER. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. TOWNER. Is it not necessary that these amounts that are paid to officers in the yards should be charged as against the operation of the yards, for the purpose of determining whether or not we could make a battleship in a United States navy yard cheaper than it can be made in a private yard? Otherwise it would be impossible to determine what was the cost of the vessel.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. GRAHAM of Illinois. That is not exactly right, for this reason, that a lot of officers must be employed as a part of the standing organization of the Navy. You are not justified in charging all of that to the expense of construction, because the Government must maintain that establishment anyhow. The trouble in the competition between the United States navy yards and the private builders is that all the force of the officers is charged against the work itself, and it ought not to be so.

Mr. TOWNER. That is very true; but notwithstanding that it should be charged, in order to understand what the vessel costs.

Mr. KELLEY of Michigan. If a navy yard submits a bid in competition with a private firm, the navy yard does not have to keep within its bid. If it takes a contract and it is found that it has bid too low, the Navy Department has to pay more to finish up the job. But as a means of determining what their cost ought to be, of course all the natural and the legitimate overhead that would be charged in any enterprise will be charged in the navy yard. That is, it should be charged.

Mr. TOWNER. But, as a matter of fact, of course, those things would be paid for in any event?

Mr. KELLEY of Michigan. But the pay of these men does not come out of the appropriation for the navy yard, but does come out of the appropriation for pay of the Navy.

Mr. TOWNER. If an officer is in the navy yard, he gets his pay. He gets it whether he is in the navy yard or on the sea?

Mr. KELLEY of Michigan. Surely. He is assigned to that work.

Mr. LINEBERGER. If the gentleman will yield to me, I would like to ask him if the practice of cost plus a percentage has been discontinued? Is work being done in the outside concerns on a basis of cost plus a fixed sum?

Mr. KELLEY of Michigan. So far as the cost-plus arrangements are concerned, they were made for these large ships, and those were cost-plus and a fixed sum.

Mr. LINEBERGER. Then, I understand the cost-plus percentage as established during the war has been absolutely discontinued?

Mr. KELLEY of Michigan. So far as I know, there are no such contracts. I do not think the Navy had them to a great extent, but if they did they have been changed. And whereas originally that might have operated against us, and is, generally speaking, a bad sort of contract, yet with the falling prices of labor and material in the construction of these great ships that are now under consideration there will be, as the result of that contract, a material saving to the Government running into a good many millions.

Mr. LINEBERGER. Is it not a notorious fact that on both coasts during the war a great many ships were constructed on that basis and that the cost ran up to several times what it should have been?

Mr. KELLEY of Michigan. There is not any doubt but that it is susceptible of great abuse.

Mr. J. M. NELSON. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. J. M. NELSON. I read from page 3 of your report, "All the vessels in the private yards are being constructed on the basis of actual cost plus a fixed sum."

Mr. KELLEY of Michigan. Yes. That is what I just stated to the gentleman from California [Mr. LINEBERGER].

Mr. J. M. NELSON. Will the gentleman kindly explain to us the basis or substance of that contract and the facts, so that we can know how they operate?

Mr. KELLEY of Michigan. I intended to take that up later, in connection with the building program, but I can answer it now.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for a question?

Mr. KELLEY of Michigan. Let me answer this first, and then I shall be glad to yield to the gentleman from Minnesota. By the way, Mr. Chairman, how much time have I already consumed?

The CHAIRMAN. The gentleman has consumed 38 minutes.

Mr. KELLEY of Michigan. I shall have to go along rapidly. The fee, as I recollect, in these large contracts for ships, which would aggregate a cost of $30,000,000, say, is $2,000,000. That is my recollection. I may be slightly in error, but it is not an exorbitant fee at all; 7 per cent of $30,000,000. That is a tremendous contract to undertake, and very few people would give up their establishment for the construction of Government work for a smaller profit than 7 per cent of the contract price.

Mr. J. M. NELSON. Now, as to 7 per cent of the actual cost, how do you know how much the Government is paying for the material?

Mr. KELLEY of Michigan. The Government purchases the material, and where it does not purchase it, it has plenty of inspectors and officers to keep close check on costs; perhaps not too many, but certainly there is no fault through lack of inspection or in ascertaining how the work is being carried forward, or the cost of the work.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BRIGGS. How much are these newest of our modern battleships costing?

Mr. KELLEY of Michigan. It is almost impossible to answer the question with any degree of accuracy, because they are being built on a cost-plus, a fixed-fee basis.

Mr. BRIGGS. Is there not an estimate of that?

Mr. KELLEY of Michigan. The first estimate for the program was something like $500,000,000. That was in 1916.

Mr. BRIGGS. That is the 1916 program?

Mr. KELLEY of Michigan. Yes; and with the increased cost of labor and materials the later estimates were fixed at something like $950,000,000, and now with the scale going the other way, I would not be surprised to see it run $850,000,000, making the cost of dreadnaughts something like $34,000,000.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. KNUTSON. The bill carries about twenty-three and one-half million dollars for aviation?

Mr. KELLEY of Michigan. Directly and indirectly; yes.

Mr. KNUTSON. I would like to ask the gentleman, does that mean for heavier-than-air or all kinds?

Mr. KELLEY of Michigan. All kinds.

Mr. KNUTSON. It is my recollection that the Government has spent within the last two years almost a million dollars in investigating the construction of the lighter-than-air craft in Europe. I believe the Navy Department maintained a man at Bremerhaven, Germany, for about a year, and the plans and specifications were drawn up for construction at Lakehurst, N. J., of a dirigible of the latest model pattern, of the newest and latest line. Will that $1,000,000 go to waste or will they find some way to utilize it? If they are not going to build any more lighter-than-air craft and this bill does not provide for the construction of any lighter-than-air craft, of course that money will be lost, will it not?

Mr. KELLEY of Michigan. We thought the best way to make sure of that was not to put it in the bill. There is nothing carried in the bill for that purpose.

Mr. KNUTSON. It is contemplated not to take it up and carry it on?

Mr. KELLEY of Michigan. That is a very difficult matter. There was a sum of money appropriated to build one dirigible and to buy one. We bought one in England, and they expect to bring that over here soon. The Committee on Appropriations in considering the question of spending the other million thought we might as well wait until the one we bought from England was delivered and experiments had been made with that to see what changes, if any, should be made in the plans for the one that we intended to build. It seemed like a reasonable program to pursue, especially in view of the fact that there is a wide difference of opinion as to the value of the dirigible in the matter of warfare.

Mr. KNUTSON. Has not the value of the dirigible been demonstrated as a war machine?

Mr. KELLEY of Michigan. In some degree; but I understand the British Government has discontinued them altogether.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BANKHEAD. The gentleman from Michigan, in answer to the question of the gentleman from Texas [Mr. BRIGGS], estimated that the present cost of these large dreadnaughts was $34,000,000?

Mr. KELLEY of Michigan. Yes.

Mr. BANKHEAD. That did not include the sum total of equipment and armament?

Mr. KELLEY of Michigan. Yes; everything.

Mr. BENHAM. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BENHAM. Can the gentleman tell us whether, since this matter was last before the House, there has been any further experimentation to test the vulnerability of battleships from the air?

Mr. KELLEY of Michigan. Nothing yet. They are arranging a test, to take place in June.

Mr. STEPHENS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. STEPHENS. In the proving station at Dahlgren, across from Indianhead, where does the money come from?

Mr. KELLEY of Michigan. The only money that is available for the Ordnance Department comes out of the $14,000,000 carried for the use of that department. I think the Ordnance Department is in a little different situation as to the interchange of funds from any other department. There is a provision that has been carried, if I am not mistaken—and the chairman of the Naval Committee will probably bear me out in it, or correct me if I am wrong—there is a provision of law which permits all the funds appropriated for ordnance to be considered in the end as one fund. Although they use the money as nearly as they can for the purpose for which it is appropriated, yet in the end, if they are short in one and have a balance in another, they can make the interchange. I imagine that possibly, if there is no special appropriation for the proving ground that the gentleman speaks of, they might use an unexpended balance of some other fund for that purpose.

Mr. STEPHENS. Has the gentleman any information in regard to the building of the home for the commandant at that station in a way that will cost between $100,000 and $150,000?

Mr. KELLEY of Michigan. No; I have not. Where is that?

Mr. STEPHENS. At Dahlgren, right across from Indianhead. And is there any information that they are tearing down some $4,000 bungalows at Indianhead in order to get a hundred dollars' worth of lumber for the building over at Dahlgren?

Mr. KELLEY of Michigan. I am sure from the gentleman's questions that he has more information about Dahlgren than I have.

Mr. COOPER of Wisconsin. I will say to the gentleman from Michigan that the question of a deficit seems to me to be one of the utmost importance. I want to see if I correctly understood the gentleman's explanation of that. The department submitted an estimate, and your committee took it in charge, and then took the testimony of the officers who had submitted the estimate and other witnesses, and cut the appropriation away below what these men recommended.

Mr. KELLEY of Michigan. That is done very often, and has been done here.

Mr. COOPER of Wisconsin. Very frequently, as I notice from the bill and the report. Now that being true, I understood the gentleman to say that you gave these officers the power, where Congress does not appropriate in their judgment a sufficient amount, to expend what they please.

Mr. KELLEY of Michigan. The law gives them that power in a very restricted sense, only for such things as food and coal for the ships, some very essential and necessary things for the operation of the Navy. That is not general. That is the exception.

Mr. COOPER of Wisconsin. I know, but you did not limit the amount, or restrict them to any figure.

Mr. KELLEY of Michigan. Oh, no.

Mr. COOPER of Wisconsin. Why not?

Mr. KELLEY of Michigan. If you did you would only be making a sort of supplemental appropriation.

Mr. COOPER of Wisconsin. Well, if it was the money of a private corporation, does the gentleman think they would allow any subordinate, in time of peace especially, in his discretion, to buy as much food or as much coal as he wanted to at any figure?

Mr. KELLEY of Michigan. I am inclined to think not, but——

Mr. COOPER of Wisconsin. Now, wait a minute.

Mr. KELLEY of Michigan. But that is the law.

Mr. COOPER of Wisconsin. I know it is the law.

Mr. KELLEY of Michigan. Which, of course, the Committee on Appropriations has no jurisdiction over.

Mr. COOPER of Wisconsin. I am bringing out what I think is a very important thing in connection with this bill. That method of procedure has resulted in a deficit in this bill of over $50,000,000.

Mr. KELLEY of Michigan. No; that is not quite correct.

Mr. COOPER of Wisconsin. How many million dollars?

Mr. KELLEY of Michigan. The amount of the deficit is $54,000,000; but, as I stated in the beginning——

Mr. COOPER of Wisconsin. How much of that is for coal and food?

Mr. KELLEY of Michigan. None of it is for food.

Mr. COOPER of Wisconsin. How much is for coal?

Mr. KELLEY of Michigan. Quite a good deal of it is for coal. But the Congress, after the appropriation bill was presented to the House by the gentleman from Pennsylvania [Mr. BUTLER] last year, passed a bill increasing the pay of the officers below a certain grade and of the men in the Navy, because the skilled mechanics were all getting away. That apparently had to be done. The appropriation bill passed the House before the legislation that I speak of was enacted, and that accounts for some $30,000,000 of the deficit.

Now, another deficiency was for coal, about which I have found more fault, I think, than the gentleman from Wisconsin will be able to find. They asked the Secretary of the Navy for

a large sum for coal last year. The Secretary of the Navy took the matter under consideration, and discovered that the highest amount they ever expended for coal before the war was about $6,000,000, and he, in his judgment, thought that if he gave them $10,000,000 after the war that was enough. They wanted some $27,000,000 or $28,000,000, and I do not know but more. The committee passed the bill carrying $10,000,000 for that purpose. Since that time they have brought in two deficiencies, one for $20,000,000 and one for $6,000,000, making $36,000,000 for fuel last year, an utterly ridiculous sum of money for that purpose, in my judgment.

Mr. COOPER of Wisconsin. Will the gentleman allow me to make a suggestion in that connection?

Mr. KELLEY of Michigan. Yes.

Mr. COOPER of Wisconsin. If a man in the Navy Department wanted to be permitted to buy coal ad libitum, he would submit an inadequate estimate of $10,000,000, a too low figure, and that the committee would say to him, "If you can not buy all the coal you want for that figure, then buy as much as you want at any figure." That is the situation here——

Mr. KELLEY of Michigan. No; they are never backward about asking for the full amount. The gentleman is wrong in that respect.

Mr. COOPER of Wisconsin. That is the exact situation, that you allow them to buy coal in such quantities as they think necessary, at any figure they feel obliged to pay.

Mr. KELLEY of Michigan. The Navy Department made a very good bargain as to the price of coal. They purchased coal at a very much lower figure than one would expect, because they actually commandeered it. They took it and fixed the price themselves, so there is no criticism of the Navy Department about the price; but I agree with the gentleman that the amount of fuel that they used was excessive.

Mr. COOPER of Wisconsin. Do you not permit the officers to buy in their discretion both as to amount and as to price?

Mr. KELLEY of Michigan. Oh, no, indeed. Contracts are awarded to the lowest bidder. There is no question about the price.

Mr. COOPER of Wisconsin. But you allow them to decide how much they will use.

Mr. KELLEY of Michigan. Of course, the executive branches of the Government have to perform the ministerial functions. Congress could not fix the price of coal or direct the movement of ships.

Mr. COOPER of Wisconsin. No; but it could put a maximum amount beyond which the Public Treasury should not be obliged to pay.

Mr. KELLEY of Michigan. That would not be a bad idea.

Mr. COOPER of Wisconsin. That is what I am getting at.

Mr. KELLEY of Michigan. But I want to make it perfectly clear that the Committee on Appropriations has no legislative jurisdiction of any kind, and the existing law permits the Navy Department to incur deficiencies for fuel. So that if the correction is to be had it can not come through this bill.

Mr. COOPER of Wisconsin. How much of this appropriation called for in this bill is a lump sum?

Mr. KELLEY of Michigan. Nearly all of it in lump sums—here is the pay of the Navy, $120,000,000 or $130,000,000; we can not enumerate the officers——

Mr. COOPER of Wisconsin. The salaries of the officers——

Mr. KELLEY of Michigan. Are fixed by law.

Mr. COOPER of Wisconsin. That is not strictly a lump sum; that is a definite sum to be computed by the law itself. But frequently there are lump-sum appropriations made for various departments in which the amount to be expended is left to the discretion of executive officers.

Mr. KELLEY of Michigan. I do not see how that could be avoided. You have 100 ships to be kept in repair, and can the gentleman tell how much it will take for each ship?

Mr. COOPER of Wisconsin. Not at all.

Mr. KELLEY of Michigan. You do not know what repairs are going to be needed; you do not know what engine is to give out; you do not know what ship will lose its rudder; you can not see into the future but you can make an average. You have got to trust to somebody to expend the money honestly and judiciously. The amount is based on past experience.

Mr. COOPER of Wisconsin. The gentleman is a good witness, no doubt about that, and if he will pardon the expression he has been there before. But what I wanted to get at is, ought not Congress fix a maximum amount beyond which the executive officer can not spend the public funds?

Mr. KELLEY of Michigan. That is true in almost every case, but there are two or three cases which I have suggested where a leeway is given. If it is desired to enact such a law the proper procedure is to have the legislative committee, the Naval Committee, bring in legislation to that effect.

Mr. OSBORNE. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. OSBORNE. Will the gentleman inform the House as to what provision is made in this bill to facilitate the work of the Navy in the Pacific Ocean?

Mr. KELLEY of Michigan. I will come to that very shortly, if I am permitted to go forward.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. KELLEY of Michigan. I will, and then I must proceed.

Mr. J. M. NELSON. The gentleman made two statements with reference to a remedy for deficiencies, and then he said that the Appropriations Committee's hands were tied; and again he said if this thing was not stopped something would have to be done in the way of putting the screws on them. Will the gentleman explain what he meant by a remedy and putting on the screws?

Mr. KELLEY of Michigan. The gentleman from Wisconsin is an old Member of the House who has just come back in this session, and is perfectly familiar with the procedure of the House. The rules of the House have been modified somewhat since he was a former Member, and now the Appropriations Committee makes all appropriations but has absolutely no power in the world to change any existing law; that function is reserved for the legislative committees having charge of the departments under consideration. So that if there is to be further change of law for the Navy it would be for the Naval Committee and not for the Committee on Appropriations. The Committee on Appropriations has not and will not assume any jurisdiction that we are not given under the rules; that is, as far as I am concerned.

Mr. J. M. NELSON. The gentleman said something would have to be done or put on the screws. I know the Committee on Appropriations has no jurisdiction, but what are the screws that the gentleman referred to?

Mr. KELLEY of Michigan. Well, I do not think it would be profitable for me to discuss legislative provisions.

Mr. MONDELL. Will the gentleman from Michigan yield?

Mr. KELLEY of Michigan. Yes.

Mr. MONDELL. Is not this true; it is our duty to provide definite specific sums of appropriations and to keep the executive departments within the sums appropriated, and we do that as far as we can. Is it not also true that when we come to defense estimates of the country, estimates on which the safety of the country depends, Congress has also felt that in certain lines there must be a little more latitude of authority and discretion than with regard to the civil establishment? Congress has assumed to say how many pounds the ration shall consist of and of what it shall consist. That being true, if we do not appropriate enough to buy the rations on the basis of congressional appropriation, of course there is a deficiency, and it can not be avoided without reducing the amount of the ration which Congress has fixed.

As far as coal is concerned, we can not say what activities should be had in the Navy in any given year. If a considerable increased force in the Navy shall, in the judgment of the Executive, be sent to the Pacific in the near future, it will somewhat increase the consumption of fuel above what would otherwise be required, and thereby something of a deficiency be made. While it is entirely proper for the committee to consider all these matters, we all realize that as a defense estimate we must give them a little more discretion relative to certain essential expenditures, if there be an emergency, within the discretion of the Executive.

The CHAIRMAN. The gentleman from Michigan has used one hour.

Mr. COOPER of Wisconsin. I would like to ask the gentleman from Wyoming a question.

Mr. KELLEY of Michigan. I shall have to decline to yield. I am very sorry to say that I think I shall have to suspend entirely at this point, because I have promised the gentleman from Ohio [Mr. BURTON] 30 minutes.

Mr. MONDELL. I suggest, if the gentleman is desirous of yielding and if he does not care to proceed at this time, he take further time as the debate proceeds. But, Mr. Chairman, except for the time that has been allotted to the gentleman from Ohio, I think the House would be very glad to have the gentleman from Michigan use the balance of the time.

The gentleman was kind enough to allot me 10 minutes. I would be very glad to have him use that time, and I suppose other gentlemen will be willing to forego their desire to join in the general debate.

Mr. KELLEY of Michigan. Mr. Chairman, the gentleman is very generous, but I do not think I shall do that. I have consumed an hour of time. There is but one hour left on this side. I have yielded 30 minutes to the gentleman from Ohio [Mr. BURTON], and others, including the majority leader, have been promised time.

Mr. BURTON. Mr. Chairman, I should not presume that the time promised to myself could be as well used as it could by the gentleman, the chairman of the subcommittee, and I should be inclined to waive any rights that I might have in regard to the assignment of time and yield it to the chairman of the subcommittee.

Mr. KELLEY of Michigan. Mr. Chairman, I am not entirely free from embarrassment, and yet I would like to do what the committee desires me to do. There are some items that I think I ought to discuss. I would say this, that the utmost liberality, so far as the building program is concerned, will be permitted when we reach that paragraph under the five-minute rule, so that if there are those who want to discuss that at some length and they are willing to wait until the item is reached under the five-minute rule, I can assure them that the rule will not be strictly enforced.

I am going to ask the committee, now, to permit me to proceed without interruption. The bill that we have presented carrying $396,000,000 has been drawn with several policies in mind. I do not believe that it can be materially reduced below the amount carried in the bill, if those policies are permitted to control.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. I must decline to yield. We have drawn the bill upon the theory that there would be a reduction in the personnel from the present number of about 120,000 men, the number appropriated for last year, and which will be the average for the current year, to 100,000, a reduction of 20,000 men. The number in the Marine Corps will remain at 20,000 men, the same as this year. The authorized strength of the Navy is 143,000 men and the authorized strength of the Marine Corps 27,500 men. We have reduced the appropriation, as I say, to an amount sufficient to pay for 100,000 men in the Navy and 20,000 men in the Marine Corps. We have done that upon the theory that 100,000 men will keep in commission, outside of a large number of destroyers which were built during the war for a special need, all the newest and best equipment of the Navy. We can keep 17 dreadnaughts in commission. That represents the entire list of dreadnaughts. We have some twenty-odd battleships of an older type built prior to the dreadnaughts, which will have to be tied up with simply enough men on board to prevent deterioration.

During the war we built about 300 destroyers. The 1916 program contemplated about 50 in addition to those we had, so that we probably have an excess of destroyers of some 200. It is not necessary to keep all those in full commission. We have provided for keeping in commission 100 of them. We have provided for keeping in commission practically all of the available submarines, so that it may be stated that 100,000 men, in the judgment of the committee, will keep all of the fighting craft in commission that have been constructed since the old battleship program ended. That means something like 25,000 men in the Atlantic Fleet and a similar number in the Pacific Fleet, in all 50,000 men in the two fleets. The other 50,000 men, it seems to the committee, will be perfectly ample to take care of aviation; the number of men necessary to be kept training provide the necessary men for special duty at sea and all of the shore stations and to provide such men as are necessary to preserve in good condition the ships not to be kept in full commission.

The Navy Department has resisted this reduction with a good deal of force, and the Naval Committee of another body increased the number provided by the House last March to 120,000 men, but in the judgment of the committee 100,000 men ought to be ample for all of our needs at the present time, especially in view of the fact that with a navy 60 per cent larger than ours Great Britain has but 120,000 officers and men. She probably has not more than 105,000 men in her navy, with all of her far-flung Empire to protect. Japan has something like 65,000 to 70,000 men in her navy. We believe that 100,000 men for our Navy would be a reasonable reduction at this time, when economies are so absolutely necessary to be effected, and it can be done without jeopardizing the defense of the country. That one item accounts for a large part of the reductions below the current bill.

Another item is the matter of new construction. The 1916 program provides for the building of 10 battleships, 6 battle cruisers, 10 scout cruisers, and a large number of other craft. We have already appropriated for that program upward of $500,000,000. Under the old estimates there would be left about $450,000,000, but with falling prices and falling costs it is fair to assume that it can be finished for probably $360,000,000. The Navy Department asked for $180,000,000 this year with the idea of finishing the program in two years more. But the committee did not see that there was any special reason why every one of these ships should be completed within two years. Instead of giving the $180,000,000, we have spread the work over a period of four years and carry in the bill the sum of $90,000,000 for the continuation of the construction of these ships. That does not mean that the whole program will be deferred for four years. Some of these ships are almost finished. The *Colorado* was launched the other day, and that will be finished in the course of a few months. The *Maryland* will be coming along very shortly, and so month by month various ships now in various stages of completion will be brought into the Navy, and all within four years. When we get that full program finished America will have, in the judgment of those who are best qualified to speak, I think, a navy equal in fighting strength to any other navy in the world. [Applause.]

A question has arisen as to the wisdom of completing this program. Shall we cancel any part of it or all of it? The committee gave a good deal of consideration to the question of cancellation, and we came to the conclusion that the program, taken as a whole, would require as much money to be appropriated to cancel it as to finish it. If you put up an office building until you have 50 per cent of your total investment in the building and have your material all ordered, and much of it actually fabricated, everything contracted for that goes into the building, and then all at once stop the work, tear down what you have put up, go out and cancel and settle up all of your contracts back to the last man, you will spend about as much money as you would to go ahead and finish the building, and then have nothing to show for your expenditure.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. In a moment. What I have said is not true probably as to each of the ships, but as to the program as a whole it would undoubtedly be true. Cancellation of those not far advanced, of course, would not involve such heavy losses. The real difficulty, however, about canceling those that are the least advanced is that in most cases those that are the least advanced are the ships that we need the most.

And you ask how could that be? Why did they not go ahead and build most rapidly the ships we needed the most? They are the battle-cruiser type, powerful ships of great displacement, carrying eight 16-inch guns, with a speed of 35 knots, no ship in the world like them, nothing afloat of that size or tonnage or that gun power—16-inch guns.

Mr. PADGETT. The gentleman is mistaken in their being 44,000 tons displacement; it is 42,000.

Mr. KELLEY of Michigan. Very well. We have none of this type of ship. After the war was over the experts of the Navy took practically a year to revise the plans for these ships. Changes were made in the light of what had happened during the war. The plans for these battle cruisers were largely made over, and that delayed the construction of them for at least a year, and it so happens now that the battle cruisers, these six great ships, are the least advanced of any on this program, and they are the ships that we need the most, because other nations have them and we have none.

Mr. LINTHICUM. How long will it take to complete them?

Mr. KELLEY of Michigan. It will take three or four years to finish them.

Mr. LINTHICUM. Will there be anything in advance of them before that time?

Mr. KELLEY of Michigan. You can not put a muffler upon the genius of America. There will be changes, of course.

Mr. BRIGGS rose.

Mr. KELLEY of Michigan. There is no doubt of that. I am sorry I can not yield, but I have been pretty generous, and I want to finish what I am saying. Now, from the standpoint of economy, from the standpoint of saving money, there is little if any to be saved by canceling this 1916 program, because you have either to appropriate money to finish the ships or you have to appropriate money to settle the cancellations and in the end have no ships. So it does not take very much economic wisdom or statesmanship to decide which course should be pursued in reference to the program as a whole. Now, some of the battleships are not far advanced, and it is urged that they might be canceled. The situation as to them is almost the same as in the case of the battle cruisers. The most powerful battleships are the least advanced, and have been delayed for the same reason as the cruisers, in order to have the very last word in battleship construction as far as there

is a possibility of having a last word. Some of the battleships carry only eight 16-inch guns. Those are the ones that are farthest advanced. Those least advanced carry twelve 16-inch guns.

Mr. PADGETT. That is, the battle cruisers to carry 12?

Mr. KELLEY of Michigan. No; the battleships that are farthest advanced. Those least advanced carry twelve 16- and the battleships that are the least advanced carry twelve 16-inch guns or 50 per cent greater gun power. Am I right?

Mr. PADGETT. Yes, sir.

Mr. KELLEY of Michigan. So that whether you consider battleships or battle cruisers, the most powerful ships are the least advanced, and for the reasons which I have stated. Now let us look at the proposition from the standpoint of reduction of armament. Every patriotic citizen is soundly impressed with the necessity of lifting this tremendous load of military equipment from the shoulders of the world. It certainly should be lifted [applause] and America ought to play her part in helping to lift it. Fortunately, in my judgment, this program will contribute mightly to that end. Why? Because it puts us in a position where we can offer to the world a proposition of proportional reduction in naval establishments. With this program completed we can enter into an agreement to effect a reduction in naval strength throughout the world of 25 per cent or 35 per cent or 40 per cent without danger to our national defense, because our relative strength will not deminish, and because when the reduction is made we will still be the equal of any nation in the world in sea power.

And that is the only way we can get a reduction of armament. The reduction will begin by scrapping old weapons. Nobody would be foolish enough to reduce armament by scrapping his latest weapon. We have old ships by the hundred, the upkeep of which is tremendous. Let there be a reduction of armament; there never will be disarmament; we ourselves undoubtedly never would consent to complete disarmament. I can not too strongly stress the point that reduction of armament to be acceptable to us must be on the basis of equality on the sea with any other power. That will make for peace. When America and the great English-speaking Empire—the British Empire—can go out upon the seas of the world as equals, recognize each other as equals, there will be no disagreement which intelligent statesmanship can not amicably adjust. [Applause.] And so, whether we look at it one way or the other, whether we have reduction of armament or not, I can not see any escape from completing this program, if we are wise and if we are to play the part in shaping the future of the world that events and Providence has put upon us.

America has many responsibilities these days. Nations abroad have been completely wrecked. Others are trembling from the onslaughts of anarchy and are honeycombed with pernicious doctrines subversive of great principles which we had supposed were acknowledged as sound throughout the world. America may ultimately be the last trench in which the friends of civilization may be able to hold what we have won in a struggle of a thousand years. One of the corner stones of our civilization is the doctrine of private property and the right of a man to enjoy the fruits of his toil. We supposed this was settled, but now find that this doctrine, which is the basis of our civilization, is challenged by millions of people. America must hold steady if the civilization of mankind, so dearly bought, is to be preserved for our children and those who are to come after them. [Applause.]

Mr. BLANTON. I am sure the distinguished gentleman sincerely believes in his position, but if we propose disarmament, which, if accepted, would leave us the naval superior of any other power in the world——

Mr. KELLEY of Michigan. Would the gentleman propose a policy which would make us inferior to any other power in the world?

Mr. BLANTON. No; but I do not want to build up so high——

Mr. KELLEY of Michigan. Then we have no dispute, because these ships when constructed will make the British Empire and this great American Republic natural friends. It will perpetuate that friendship by going out on the seas of the world as equals, neither seeking to dominate or control the other. [Applause.]

Mr. BLANTON. The question I was trying to ask is this: Why can not we now propose this disarmament instead of waiting until we have built up a Navy superior to all the world? Would it not come in better grace for us to propose it now to the nations of the world instead of waiting until the building of a superior Navy?

Mr. KELLEY of Michigan. There is not any question but what the present Chief Executive will make the proposal in due time. There has been authority on the statute books of the United States for four years to call a conference of that kind, and it has not been called. But the new administration has been in power only since the 4th of March and has met with many difficult and dangerous situations, many of them possibly not known fully to the Congress. But I know, and the gentleman from Texas knows, I think, that the President of the United States is in hearty accord with the doctrine of reduction of armament. But when that reduction comes it must not be upon a basis that will make our naval strength inferior to that of any other nation in the world. [Applause.]

The CHAIRMAN. The gentleman from Michigan has consumed 1 hour and 25 minutes. The gentleman from South Carolina [Mr. BYRNES] is recognized.

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, I do not want the Members who are serving in this House for the first time to be misled into the belief that they are accomplishing such reductions in appropriations in this bill that they can feel that they have complied with all their pledges of economy, because this feeling would not be justified. The fact is I can never agree with my friends on the other side of the House in their method of stating appropriations.

I was very much interested in the fact that the gentleman from Wisconsin [Mr. COOPER] inquired so particularly about deficits, because since he last served in this House we have adopted a new method of appropriating money to run the departments of the Government. Up until two years ago the Congress appropriated directly the money necessary to run the departments of the Government, and by merely glancing at the statement of appropriations it was possible for any Member of the House to tell how much the Government was costing the people. But now that is impossible. For instance, the gentleman from Michigan [Mr. KELLEY] tells the committee correctly that in the regular supply bill for this fiscal year—I mean the current year ending June 30—there was an appropriation of $433,000,000, and a deficiency appropriation, in addition, of $53,000,000, making a total of $486,000,000. But I think what gentlemen on this side of the House wanted to know was the total amount we were paying on account of the Navy this year. And the fact is that in the closing days of the last Congress we put through a deficiency bill. I think that very few Members on the floor of the House ever appreciated exactly what we were doing, because unless one had the time to study it they could never comprehend it. In that deficiency bill we made an appropriation of all the unexpended balances of the annual appropriations for the fiscal year 1919–20. The unexpended balances for those years would have been covered into the Treasury on July 1. They amounted to $114,000,000. By this deficiency bill we made that $114,000,000 available for the expenditures of the Navy Department, in the first paragraph.

In the second paragraph we did a more remarkable thing. In the Navy Department they have what they call a general account of supplies and advances, and the total appropriation for all bureaus are pooled and credited to this account, and out of this account they then pay for all of the materials and supplies purchased by the department. Then if Construction and Repair wants $50,000,000 worth of material they will buy it from Supplies and Accounts, and they charge that bureau then with $50,000,000. As a result of the demobilization following the war the department found itself with $300,000,000 worth of stores, and so in this deficiency bill you simply provided, though many of you may not have known it, that a new account should be established in the Navy Department, that should be known as the Navy supply account, and that it should be equal in amount to the value of all stores on March 31, 1921. So that by a bookkeeping transaction they wrote off that $300,000,000 and placed it in a separate account in the Navy Department, and they provided that hereafter the Bureau of Construction and Repair, or the Engineers, when wanting to purchase material, could go over here and purchase this material at a price to be fixed at the market value for this month, instead of the amount the Navy actually paid for it last year or the year previous.

Now, you and I know that materials are 25 to 33⅓ per cent off, and instead of having $300,000,000 worth of materials they are going to deduct 25 to 33⅓ per cent from the amount paid for this material. And hereafter when the Bureau of Engineering or the Bureau of Construction and Repair goes to buy material, it is going to buy more material by at least 25 per cent than it could have bought if you had not passed this deficiency bill. And therefore when you appropriate for any given bureau in this bill $100,000,000, it is really equal to an appropriation of $125,000,000 if you had not passed that legislation in the deficiency appropriation bill.

Do you see what it means? They say it is a bookkeeping account, but if you will reduce the price of what I have to buy

by 33⅓ per cent, my dollar will go 33⅓ per cent further than it would have before you reduced the price of my material, and I will not need so much money to satisfy my needs. That legislation enabling a bureau to purchase materials at prices quoted to-day instead of what they cost amounts to an increase in appropriation.

Mr. J. M. NELSON. What, then, is the total appropriation in this bill according to your estimate?

Mr. BYRNES of South Carolina. I am sorry to say to my friend that there is no man on earth who can tell, for the reason I have set forth.

Mr. J. M. NELSON. Approximately?

Mr. BYRNES of South Carolina. I will tell you why. If you take those appropriations and add them, it would mean that during the current year we had made available for naval expenditures $940,000,000. But I know that all of that material is not going to be used by July 1. Most of it will be used during the next year. Therefore it really increases the amount of the appropriation that is carried in this bill. But how much it is impossible to tell; it will depend entirely upon when that material is purchased. Whenever it is used it means that for $90,000,000 you can purchase more material, and it is equal to an appropriation to that extent, but when it will be used up nobody can tell, and therefore you can not state the figures.

Now let me tell you about the third paragraph.

Mr. MONDELL. Mr. Chairman, will the gentleman yield right there?

Mr. BYRNES of South Carolina. I will.

Mr. MONDELL. The plan of reappraisal referred to, as I understand, met with the gentleman's entire approval as a member of the committee, and the gentleman believes, with everyone who has studied it, that it is an entirely practicable and proper thing to do.

Mr. BYRNES of South Carolina. Instead of agreeing to that, I made the statement at the time that there was no excuse on earth for the policy you were pursuing and stated that hereafter no one on earth could tell what the Government is costing. What the people of the country want to know to-day is what the military service of the country is costing, in order that they may intelligently discuss it. How can they know it?

Now, in another paragraph of the same deficiency bill we read—

That the storage account is hereby increased out of any funds in the Treasury not otherwise appropriated so as to equal the value of the stock on hand in clothing and stores account on March 31, 1921, as shown by the records of the Bureau of Supplies and Accounts.

The best information I can get on that point is that it is equal to $40,000,000, but covered up, never accounted for in any statement of appropriations in this House. It says an amount—

equal to the value of the amount of clothing on hand is appropriated out of the Treasury out of funds not otherwise appropriated.

It is an appropriation, yet it is so covered up that you can never tell it, and it amounts to $40,000,000.

The CHAIRMAN. The gentleman has consumed 10 minutes.

Mr. BYRNES of South Carolina. I will consume 5 minutes more.

I am supporting this bill, and will vote for it for several reasons. In the first place, I agree with the gentleman from Michigan [Mr. KELLEY], who has just completed his remarks, that until there is some disarmament this Nation can not disarm and must maintain its Navy as the first line of defense. I support it for the additional reason that when this bill was sent to the Senate in the last session of Congress it was increased by the Senate Naval Committee approximately by $100,000,000. Therefore I am frank to say that as between this bill and a bill appropriating $100,000,000 more there is no question but that in a case of that kind we are going to stand for a saving of $100,000,000, even though some gentlemen in the House having responsibility do not lead us in doing that.

Mr. MONDELL. Just what does the gentleman mean by that?

Mr. BYRNES of South Carolina. Just what I said. The language was plain, I think.

Mr. MONDELL. Whom has the gentleman in mind who is not proposing to support this bill?

Mr. BYRNES of South Carolina. The time will come when that will be shown. I want to know if the gentleman from Wyoming is going to be there? I know that in the last session of Congress the gentleman failed me once, and ran me out on a limb and left me while I was trying to save $2,500,000.

Mr. MONDELL. The gentleman is complaining about something that he thought ought not to have been appropriated. I thought that ought to have been spent.

Mr. BYRNES of South Carolina. The gentleman at first thought it ought not to be spent. Then he left me and went "where the woodbine twineth," and two and one-half millions went with him.

Mr. MONDELL. If the gentleman stands by, I will support him on this bill.

Mr. BYRNES of South Carolina. If the gentleman from Wyoming stands by us, the House will stand by us. My friend knows that we are appropriating for the current year, outside of these indirect appropriations, more than five and one-half billions, and the gentleman knows that 90 per cent of it has been spent for wars, past, present, and future. If that is spent for wars, past, present, and future it means an average tax of $50 for every man, woman, and child in America in order to maintain war expenditures for the past and present.

My good friend from Michigan [Mr. KELLEY] said in concluding his remarks that he favored disarmament. So does everybody. All sane men on earth favor disarmament. Yet no Government is now functioning to execute the will of the people. My friend said that for four years there has been statutory authority for the President of the United States to bring about disarmament, and that nothing has been done. I do not know where he has been, but all men know that during the last two years the President of the United States did more than call a conference; he urged the inclusion in the covenant of the League of Nations of the provision for disarmament.

The gentleman opposes the League of Nations. I am not opening up that discussion, but the gentleman knows that one thing that caused many men to look with favor upon the league was that it contained the only constructive plan for disarmament that had ever been proposed to the people. Now he contends that the present President of the United States will call a conference. I am not going to criticize the President. I know that when this bill was last considered the proposition was made to provide that these appropriations should not be available until a conference was called. I voted against it because I wanted to leave the President foot-loose to call a conference whenever he desired. But 60 days have passed, and although the President has been busy, no business has confronted him so important as to take steps to reduce the armaments of the world. [Applause.] The gentleman from Michigan says the President will call a conference. I hope so, but I hope when my good friend from Michigan makes the statement he will not be as badly disappointed as were the President's Secretary of State and Secretary of Commerce and the other leading Republicans of this country constituting the immortal 31, who said that by electing Mr. Harding we could better insure our entry into the League of Nations, with reservations. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I yield 30 minutes to the gentleman from Ohio [Mr. BURTON].

The CHAIRMAN (Mr. MAPES). The gentleman from Ohio [Mr. BURTON] is recognized for 30 minutes. [Applause.]

Mr. BURTON. Mr. Chairman, I desire to call attention to the enormous increase in national expenditures and to present the reasons therefor. The one predominant reason, effective in the past as well as in the present, is the cost of war, of the results of war, and of the preparation for future wars. It will be instructive for us in this connection to make a review of budgets from the beginning.

The total expenses of the United States Government from its beginning, in 1789, until the 30th day of June, 1861, a period of 72 years, were $1,970,000,000.

Then commenced the great Civil War. In the first three years of that struggle, from 1861 to 1864, expenditures surpassed the total for all the preceding 72 years and amounted to over $2,000,000,000. If we add to that amount the expenses of the following year, 1865, they would reach the sum of $3,396,000,000. In order to be entirely accurate it is necessary to disentangle from that total the civil expenses of those four years and incidentally to remark that in every period of war there is an inevitable tendency toward expansion and extravagance in civil expenditures as well. But when due allowance is made for all these so-called civil expenditures, the total cost of the Civil War was $3,100,000,000 down to the 30th of June, 1865, and that did not include a very large sum due upon claims thereafter liquidated between 1865 and 1870. So that the cost of the Civil War alone makes this startling showing of expenses nearly twice as great as the governmental expenditures in the 72 years preceding that time.

The late war has its lessons that are equally striking. The final estimate has not yet been made up. We can not tell how

much is due to the direct and indirect costs of this conflict, but it is probable that the total cost will be quite as much as the total expenses of the Government in the 128 years preceding.

The total estimated cost of this Government down to 1917 was approximately $33,000,000,000; or if we make a computation merely to the 30th of June, 1916, the total was $31,880,905,000. When we take into account the expenses of the following years, including loans to the Allies, care of soldiers, vocational education, the expenses of maintaining the Shipping Board, deficits in railway operations, and interest on the public debt already paid, it is a safe estimate to say that the total amount will exceed the $33,000,000,000 preceding 1917.

One of the most emphatic comparisons we can make is based upon the maximum month of expenditures—December, 1918, the month following the armistice. During this month there was expended, including $389,000,000 advanced to the Allies, the sum of $2,060,000,000. Let us note that in that one month there was expended more than the total cost of the Government in war and peace from 1789 to 1861; the average disbursements in a single day were greater than for the whole of the first 11 years of our existence as a nation; greater, also, than the total of any year down to 1856. That single month also was equal to the most expensive year down to 1917.

How insignificant in comparison seem to us the early expenditures of this Government. The appropriation bill first passed—September, 1789—contained 11 lines. After that there was a disposition to be more specific in expenditures, and a few years later we find in one of the appropriation statutes this language, which seems to us quite out of date:

> Twelve hundred dollars for candles and firewood in the Treasury Department, not including the Treasurer's office.

Not until 1800 did the appropriation equal $10,000,000, and not again after that until 1809.

In after years there was a gradual increase in per capita expenses and in the aggregate. These increases were principally due to conditions of peace or war. Our per capita expenses in 1850 were $1.77; in 1860, $2.01; in 1870, $7.61; in 1880, $5.28; in 1890, $4.75; in 1900, $6.39; in 1910, $7.30; in 1919, $144.77. If I had more time, I should be glad to dwell upon the two varieties of appropriations which may be roughly divided into the protective, including the Army, Navy, fortifications, and the management of the Department of Justice, and on the other side the developmental, which are devoted to education, to investigation, to preparation for the material and social future. Beginning about the year 1900 there was a great increase in appropriations for research and for social betterment. That was the time when subjects of general welfare and new theories in regard to the proper field of government began to hold sway.

But if we compare the appropriations in the early years of this century, increases were due far and away more to enlargement of the Navy and to increased cost of the Army than to anything for the upbuilding of the material and social welfare of this country.

It is surprising to note how masters of finance have failed to recognize the increase in expenses of the Government, which received a very considerable acceleration about the year 1830 and again about the year 1880, although the effect was not fully realized in this country until after 1890. M. Villèle, the French finance minister in 1822, brought in a budget carrying a billion francs, a little less than $200,000,000 of our money, and remarksd to his colleagues: "Salute these figures, gentlemen. You will never have opportunity to contemplate them again." But he lived until 1854 and saw more than 20 budgets larger than the one he had presented.

Our own Gen. Garfield, who was a master of the fiscal policies of this Government, made a speech in this House in January, 1872, in which he stated that the per capita expenses of the Government ought to decline, and that by 1876 the total appropriations should be diminished to $230,000,000, of which $95,000,000 would be for payment of interest on the public debt.

He also ventured the opinion that unless some very extravagant statute should be passed the expenses for pensions had reached their maximum, and that was when the amount was less than $30,000,000 per year.

I am making these statements to show how futile it is to attempt any pruning without a radical change of the policies of our country in regard to war and peace. An estimate has been made that by a partial reorganization of the departments 20,000 employees can be discharged. What does that mean? A saving about equal to the cost of a single battleship. Large expenses will continue as an aftermath of war. In the year that ended June 30, 1920, appropriations aggregated nearly $5,900,000,000, of which barely $400,000,000 was for the civil expenses of the Government. Thus 93 per cent was associated with war and 7 per cent for peace. For the disabled and suffering who fought in the late great struggle provision ought to be made to the last scruple in the Treasury. [Applause.] We all agree to that.

There is pressing demand that we be liberal and progressive in civil expenses, in providing for good roads, for great public works, for the educational departments of this Government. Our Department of Agriculture is really a great university, and it has conferred untold benefits on the farmers of this country, and others as well, by its investigations. I have always been a lover of peace and am reluctant to vote for this bill, but, on the other hand, I can not see my way clear to vote against it. In our declaration of "America first" there stands in the very forefront our protection against all foes, foreign or domestic. We must appropriate for an adequate Navy and at least the nucleus of a strong Army. This is not the time for the pacifist that believes in independent action. This is a time when we are living in a troubled era, when war may break out in almost any portion of the world. The roots of hate and bitterness have run deep, and it is for us to be ready for any emergency which may come. But I do say this, Mr. Chairman, it is a time for international negotiation or conference, for the sake of stopping this mad competition for the construction of armaments. [Applause.]

What have been the principal causes of war? Rapacious ambition of dynasties, national pride or sordid selfishness, suspicion, and fear. Happily the first of these causes was wiped out when the last sovereign of the Hohenzollerns crossed from his country into Holland. Other dynasties have fallen, and we can not expect another war due to any such cause. But other reasons still remain.

But is there not a burning lesson from the suffering and destruction of the late war? Is there any country or any race under heaven that desires another conflict with the loss of life and the consequent waste and suffering extending into every class of society? Is not this the occasion for the President to call together the nations of the earth and say, "Come, let us reason together; let us do away with this absurdity and this waste." Common sense, that which gives wise and orderly direction to the action of so many persons, ought to bring this competition to a close. Every nation says it is acting in self-defense. The attitude of some might be caricatured by the hypocritical expression of Uriah Heep, who said, "We are very 'umble, sir; we are very 'umble, but we are afraid that other people who are not 'umble will get the start of us."

Our position for this movement is most advantageous. Let me call attention to the fact that our country is rich. Heaven knows that we have the resources and man power. If there is to be competition in navy building America need not be left in the rear. [Applause.] We have the resources to build the largest Navy in the world if we will. Yet I can not altogether agree with the idea that we should seek to surpass the navy of Great Britain, and I do not understand that this bill necessarily points to that. In the first place, there is an overwhelming improbability of any contest between the two great branches of a kindred race. In the next place—and I speak this with due regard for diplomatic expression—the United Kingdom has various hostages to fortune. Her greatest and richest Anglo-Saxon possession to the north of us in case of war could be overrun in a month. Still, further, England is dependent on us for supplies vital to her very life. So a contest is unthinkable between the two countries. From such an examination as I have given to the bill, it seems to me it is in the right direction. It is not on the most extravagant scale and there is no threat for any foreign nation in it. It is but a plan under which we can continue adequate preparedness and possess that strength which will enable us to deal advantageously with all other nations.

Our country is now respected in all the chancelleries of the world, and, in addition to that, there is a feeling, however it may be obscured and however much jealousy may tarnish it, that we have performed a wonderful service to the world in overthrowing despotism and in aiding weaker nations. Then, too, in the works of compassion and mercy, as by the Red Cross and public and private agencies, we have fed the starving and brought succor and healing to the sick; we have furnished shelter to the homeless, lifted up the heads of the broken-hearted and placed them on the road to hope and recovery. It is not merely our gold that we have poured forth without stint—it is the devotion of our men and women in the face of pestilence and death which gives a glory to the United States unsurpassed by our achievements on tented fields. Thus we are in a position which entitles us to confidence and to leadership. Let that leadership be for peace. Let us hope that on the ruins of a suffering and a chastened world new foundations of hope and faith may rise, dedicated to justice

and to order, to liberty, to lasting peace, and in that splendid movement which looks not merely to 1921, but to the ages, our country may proudly be in the lead. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 20 minutes to the gentleman from Tennessee [Mr. PADGETT]. [Applause.]

Mr. PADGETT. Mr. Chairman, it was inspiring and comforting to hear the splendid address of the gentleman from Ohio [Mr. BURTON] who has just taken his seat. I am sure that we all appreciate and sympathize and agree with the inspiration and the noble words he expressed, that we should labor in the cause of peace and reach ultimately an agreement with reference to the reduction of armaments, in order that we might relieve the people from the burden of taxation. The bill now being considered is identical, without any change, with the bill as it passed the House in the last session of Congress, and failed of enactment in the Senate. On the 10th of February last I discussed at length and attempted to analyze and call attention to what I thought were some defects in the bill. It is not my purpose now to attempt to rehearse what I said at that time. The committee has seen fit to report the bill without any change or any modification.

I have a different purpose in coming at this time before the committee. I desire to call attention briefly to the condition of our Navy and what we have. Through the legislation that has passed in the years gone by, the provisions made for its enlargement and for its development, both in matériel and personnel, have given us the position that when the program is completed we will have, as suggested by the gentleman from Michigan [Mr. KELLEY], in fighting value and in military ability and efficiency the equal of any navy in the world. I wish to see that Navy not scrapped, not forgotten, not neglected, but maintained as a capable and efficient Navy, so long as it is necessary that the United States should have and maintain a capable and efficient Navy. Whatever changes may be reached in the future, I do not want those changes to bring about inefficiency or incapability; whatever character of navy we may have, be it large or small, I want it capable and efficient.

I have some extracts here from the Washington Post which I desire to call to the attention of the committee. They refer to our Navy. The new Secretary of the Navy, Mr. Denby, took the oath of office on the 5th of March last. About the middle of March he made a trip of three weeks, or about that time, visiting the fleet in its practice in Guantanamo Bay. From the issue of the Washington Post of April 5 I read a portion of an editorial:

The record trip made by the destroyer, the U. S. S. *Pruitt*, in bringing Secretary Denby from Santo Domingo city to Washington, a distance of 1,600 miles, in 55 hours through heavy seas and without a stop of any kind is a crowning proof of the fine condition of the Navy. The Secretary's tour of inspection was short, but, as he himself testifies, instructive, and the message he addressed to the fleet and the marine stations shows that an excellent impression was left on his mind. "I found the Naval Establishment," he says, "generally in splendid shape. The men seem zealous and eager, the officers working hard for the good of the service."

That is the testimony of the present Secretary of the Navy, published in this newspaper 30 days after he took the oath of office, after having made a tour of inspection to look into the matter.

In the issue of the Washington Post of April 6 last there is an article written by Mr. George Rothwell Brown, and from it I quote:

The United States Navy must be ready for instant service. This has been announced by Secretary Denby as the policy of his administration. To-day there is no occasion to worry over the condition of the Navy. Its condition with respect both to personnel and material is, all conditions considered, satisfactory. The war and the post-war period that has been denominated as demoralization still leave our Navy in fighting trim.

This is the reassuring word which comes from the man who is the general manager of this great national corporation employing upward of 200,000 fine American men, most of them highly skilled and having an assessed value which the gentleman in charge would like to ascertain and may seek to obtain.

I quote from the same newspaper of yesterday another item:

Navy destroyer records went by the board when the U. S. S. *Pruitt*, bringing Edwin Denby, Secretary of the Navy, home, made the run from Santo Domingo City to Washington, a distance of 1,600 miles, in 55 hours without a stop of any kind.

This was only one of the many demonstrations of the Navy's fitness made for the Secretary during his three weeks' absence and which he said made him "a better sailor than I was before."

Also the following, from the issue of the Washington Post of April 23:

NORFOLK, VA., *April 23.*

When the battleship *Pennsylvania*, flagship of the Atlantic Fleet, displays "set sail for home" signals in Guantanamo Bay, Cuba, at 10 o'clock to-morrow morning, she will be followed out to sea by 50 fighting ships that have made probably the greatest record at target shooting with large and small guns in the history of the world.

When the fleet left American waters last January, a program calling for the most extensive maneuvers ever planned for an American fleet was in possession of Admiral Wilson on board the *Pennsylvania*. This program has been carried out to the letter, and the marksmanship displayed by gunners on ships of this wonderful fleet probably will win for them official recognition from the Navy Department and from President Harding himself.

I have mentioned this in order that I might pay a just tribute of merit to these sailor men themselves—the splendid personnel, commissioned and enlisted, the men in the navy yards who do our repair work, the men who construct and build our ships—the entire Navy. I wish to pay to them a just recognition of their service, and the praise and commendation which they deserve. [Applause.]

Following that I wish to mention that the Washington Post can not be accused of a bias in favor of the former Secretary of the Navy, Mr. Daniels. In two weeks' time after he goes out of office the new Secretary goes into an investigation, and the newspaper which I have quoted, which has led the van in denouncing and ridiculing and slurring the former Secretary of the Navy, gives this proof that I have submitted to you, not biased, prejudiced proof in favor of the former Secretary but merely stating the facts that we have a wonderful Navy in personnel and matériel, in all circumstances and under all conditions. I thought it only right and proper that this meed of praise should be expressed before this House and the American people—this indorsement of the capable, efficient, worthy, meritorious, honorable service of Josephus Daniels, the former Secretary of the Navy. [Applause.]

Mr. LINEBERGER. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. LINEBERGER. Does the paper say that this is because of Mr. Daniels, or in spite of him?

Mr. PADGETT. It does not say; but we all know that the man who was at the head and directed its development is entitled to the praise. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 40 minutes to the gentleman from New York [Mr. COCKRAN].

Mr. COCKRAN. Mr. Chairman, the aspect of this bill which I wish to discuss is the one that provides for continuance of what is called the building program. I address myself to that because I believe it goes to the very crux of the gravest problem which the world confronts to-day—and that is the problem of how the world is to disarm. I am one of those who believe that disarmament is not a matter about which the world has any power of election. The question which the nations of the world must decide now is not whether they will maintain huge armaments or abolish them; it is whether they will disarm now while they have something left with which the world can reorganize and reconstruct its industrial life, or delay disarmament until the weapons of war are forced out of their hands by collapse of the whole industrial structure.

This, Mr. Chairman, may be considered the language of exaggeration. Let me begin by justifying it. Because I can not help feeling that the extent of the devastation caused by this war is but faintly appreciated in the countries which have not been its theater. There is a rather general idea that its ravages were confined to the fields on which its battles were fought, and to portions of certain towns that were destroyed, and to the seizure of certain property. A very eminent financier, at the head of what is probably the second largest industrial organization in the world, on his return from Europe a short while ago gave out an interview in which he said that practically all the damages wrought by the war were repaired because a majority of the fields which had been devastated in France were now being cultivated, and I think he said that 60 per cent of the buildings that had been destroyed were either rebuilt or in process of rebuilding. Well, nothing could reveal a narrower conception of what this war has done in the way of destruction than that remark. The war has been destroying not merely the things that were ruined by shot and shell in actual battle but things everywhere throughout the world; the things that you and I needed though we were more than 3,000 miles from its theater.

For I ask you just to conceive its operations. Every shell that was exploded cost in the neighborhood of $1,200. Now, the capital which was expended in the making of that shell could not have been employed in the production of tables or chairs or clothes or food, and that withdrawal of capital from production by these necessities of war caused a scarcity of them, and that scarcity resulted in the high cost of living which afflicted every family in the world. If you want to form a vivid idea of how the ravages of war affected the people of this country, just look at your own salaries. I do not think that it is any exaggeration to say that the $7,500 which a grateful and appreciative Government fixed in 1907 or 1908, I think, as a proper compensation for our services here are worth at this time more than $3,000 by comparison with the standards of value

then prevailing, so each one of us here has been ravaged about $4,500 a year. And that same scale of ravage applies everywhere—everywhere throughout the world. Now, it is true that for a while people did not seem to feel this spoliation very much. In the late war, as in all wars, the nations concerned in it seemed to have gone on a first-class spree. They found themselves living on their capital, and for a time all seemed to go "merry as a marriage bell." So long as any of that capital remained wages were increased somewhat in proportion to the increase in prices, and everybody thought the world was a happy place, where wages would continue to multiply so long as the cost of living continued to rise. But there came a time—that time is here, and here now—when the supply of capital approached exhaustion, and the exhaustion of capital manifests itself in unemployment; there is no longer the means of keeping human hands active in the field of industry. No longer able to obtain any raise of wages, the multitudes were without power to purchase commodities, and the owners of these commodities are driven to the alternative of selling them for what they can obtain, even at less than cost, in order to avoid a greater loss. But no one will continue to produce when he must sell at a loss. We see a very striking illustration of that condition in the case of Mr. Ford's enterprise. He sold automobiles during the war faster than he could produce them, notwithstanding an advance in prices, until the gradual exhaustion of capital produced unemployment, which narrowed the demand. In an attempt to stimulate the demand he reduced prices to the prewar level, even though he was compelled to sell his product at a loss. Now, Mr. Ford could afford to do that. But he occupied a very exceptional position. He had an industrial organization of enormous value. I have heard it stated by competent authority that the organization itself was worth $35,000,000 or $40,000,000.

Manifestly the disbandment of that organization would entail an enormous loss. He is rich enough to sell at a loss for a while. But nobody can sell at a loss very long. The ordinary manufacturer can not sell at a loss without going broke, and therefore if he can not find a profitable market for his wares he stops production. Then comes unemployment, then comes the dire spectacle I endeavored to describe here the other day of men and women in throngs, hopelessly, despairingly seeking a market for their labor and finding themselves every day unsuccessful in the search. I pointed out then that a slight derangement in the machinery of exchange—that is to say, a slight interruption in the exchange of commodities—produced panics at different intervals, each of which was followed by a period of depression lasting from four to six years. Here we have not a derangement of the machinery for exchange of commodities, but we have total destruction of commodities on a stupendous scale, and that destruction has been followed by failure to produce them. Three-fourths of the capital of the world is destroyed. Ten millions of men in the flower of their youth and of their productive capacity are killed; 10,000,000 more are rendered industrially ineffective by wounds and damages suffered in campaigns. If it took four to six years to recover from the depression caused by derangement of the machinery for exchange of commodities, how long must it take to recover from this wholesale destruction of commodities? The world shrinks, appalled, from contemplation of such a problem. But is there no way by which this terrible destruction can be repaired and the calamities it threatens arrested? There is just one way, and that is by disarmament. [Applause.] I think it is capable of demonstration that there is a waste going on throughout the world which if arrested would not merely restore the prosperity which we have lost, but which would raise conditions of human existence to a plane higher than ever yet achieved—higher than we are now able to conceive. Let me remind gentlemen that maintenance of armaments is almost equivalent to making war. I pointed out some 10 years ago in this city at a banquet following a meeting of the Society for the Encouragement of International Arbitration, when I endeavored to show that the explanation of a steadily increasing cost of living in the teeth of a continuous growth in the tide of production, which seemed a phenomenon to many, was entirely simple. It was due entirely to the erection of enormous military establishments by the great nations of the world. Gentlemen whose memory may go back for 25 years or a little further will recall the steady decline in prices and the steady rise in wages that followed our Civil War and the substitution of free labor for slave labor throughout the country which it affected.

Then capital was so abundant that all manner of enterprises, public and private, were prosecuted on every side. I remember in the early eighties the city of New York borrowed money at 2 per cent, and the lenders bid against each other until they put the bonds to a premium. To-day the city of New York would have hard work borrowing at 6 per cent. Picture to yourselves what that means. It means that we could have built three subways for what one would cost to-day; it means that three structures like the Equitable Building could have been raised for what that one structure would cost to-day. And conceive how prosecution of such enterprises would stimulate the demand for labor and increase the rate of wages. To-day building is practically suspended. Diminished employment, restricted production, lower wages, harsher conditions of existence, are the price that huge military establishments cost. And that is the penalty. The person who toils and draws a salary or lives on a fixed income must pay for these crushing burdens that armaments impose on the world. I beg to remind you that it is perfectly simple to explain why the cost of living began to rise at the beginning of the last century and continued rising until this war broke out. Why? Because the cost of armament was constantly growing at a rate that far exceeded every increase in the volume of production. It was the phenomenon of that time that while production was growing more abundant, prices, instead of declining as they should have declined by reason of plenty, were constantly rising. The explanation was simple. There was no plenty. If I see a stream of water flowing into a vessel and the contents, instead of rising, diminish, there is but one explanation. There must be a leak producing a waste greater than the volume of supply. If the contents remain stationary, it means there must be a leak that balances the supply. If the contents rise, then I know the vessel is sound. During all those years, from the end of the last century down to the date of this war, armaments were increased continuously, until 5,000,000 men were kept idle in barracks and $5,000,000,000 were expended in their support. Not one of them could provide his own subsistence, not one of them could furnish his own uniform or pay for his support. The support of those soldiers was drawn from the production of men who did work.

Every man, practically, that worked carried upon his shoulders the burden of an idle man, made idle by the military system that held him useless in barracks. Here was the waste which accounted for the rising cost of living in the teeth of increased production against which men and women were crying out everywhere before the war began. My friends, that system is going on now, and it is against it that I have risen here to address you and try to see if we can discover a way by which the world can escape from the disasters that persistence in militaristic enterprises and preparations threaten to bring upon the whole human family.

In those days armaments were defended on the ground that they made for peace; that without them the nations would all be fighting. I undertook to point out then that they were not making for peace at all, but that they were actually rendering war inevitable. Indeed, before the Great War began these nations maintaining great armaments were already at war, except that each one instead of destroying the property of another nation it was destroying the sustenance of its own people. Never had prosperity so smiled on the world as during that generation, and yet the reckless folly of men pushed away from women and children the cup of abundance which a bountiful Creator had offered to their lips. One lesson of the late conflict is that instead of ending war armaments make war. It is absolutely impossible in the light of recent experience for any nation to have armaments of great size and avoid war, for you will see readily that when all nations are arming the object for which each nation strives is to have the strongest armament.

There is only one use for armament and that is to strike an enemy. I have often been amused by the idea—though I acknowledge freely its altruism—of an ex-Secretary of State who went around negotiating treaties with every nation that would listen to him—and most of them did—by which they agreed that in case of differences between them they would not fight for a year after the casus belli arose. Let us examine the character of that arrangement. Let us assume that nation with a strong army is engaged in a dispute with a nation which has a weaker army. If the stronger nation strikes at once, it gets the benefit of its greater armament.

If it waits for a year, the other nation will have an opportunity to become equally strong. If the stronger nation strikes at once, when it is strongest, it can settle the result of the war in advance. It can determine the fact that the theater of the war will be the enemy country. And what nation would allow its own land to be devastated, the homes of its own people to be ruined and burned, when by striking first it could subject the enemy nation to those inevitable conditions of war? So, Mr. Chairman, I think treaties by which strong nations bind themselves not to strike the weaker nations with which they are in dispute until they can complete military preparation which

will make them equally strong may be discarded as long as human nature remains the same.

I believe everybody will agree that disarmament is highly desirable, even though some may not go so far as to agree with me in the conclusion that it is absolutely essential, not merely to restoration of prosperity but to the survival of human life. As I told you the other day, conditions of life in the cities have become such that if we must remain cursed with this burden the bread lines will be increased and the bread lines may not always be peaceful.

How is this disarmament to be effected? Various gentlemen throughout the world have proposed different methods by which disarmament can be accomplished. I think there is just one that can prove effective. It could never be possible before, but the providence of God has made it possible now. We can effect disarmament. [Applause.] We can force it on the world. And that without attempting the slightest interference with the independence of any other nation or offending against the proprieties or even the niceties of diplomatic intercourse. Until disarmament is accomplished throughout the whole world, this country must maintain the greatest military establishment on land and sea. I will give my reasons for that belief.

To begin with, we will all agree that no nation would incur the tremendous expense of maintaining a huge armament except in the hope of having the greatest one. No sensible nation would want the second biggest one. I do not know if I can appeal to the experiences of gentlemen here, but there is a game known among many Americans as poker, and I think it is considered among experts in that accomplishment a fundamental rule of poker that the worst hand is not the lowest, but the second best. Now, the second-best armament among nations is like the second-best hand at poker. [Applause and laughter.]

It serves no purpose except to get its holder into mischief and bring him to disaster if not ruin. [Laughter.]

Now it is conceded on all sides that we can establish the greatest armament if we desire to do so. Since we have absolute power to establish the greatest armament in the world by land and sea, no other nation can have any but the second largest armament if we elect to exercise our power. Gentlemen sometimes say, "We are in no possible danger of attack." I think we are by no means free from danger of assault. If ever there is another general war, it will be like all other general wars, a union of nations to overthrow one grown so powerful that others fear its domination. And if there should be such a union in the future, it would be a union against us. I say that not because I suspect any particular statesmen or any particular country of unusual hostility against this country. I base it upon the unbroken lessons of all history. There has never yet been what is called a general war unless it was a combination of nations against one that had become dominant, or appeared likely to become dominant, as, for example, the war against Spain in the time of Philip II and the war against Louis XIV, which was a combination of all the nations of Europe to prevent the domination which was threatened when he conquered Holland. The combination of all the nations of Europe against Napoleon is a familiar story to everyone.

Now, we are to-day preeminently the strongest Nation in the world. The only object for which another World War will be waged is to limit and overthrow that dominant nation. If there be any excuse at all for armaments, we, who have the greatest position to maintain the most extensive possessions and territory to defend, are driven of necessity to establish the greatest armaments by land and sea.

The gentleman from Ohio [Mr. BURTON], I believe, and other gentlemen have suggested agreements among the nations to reduce armaments. These I believe would be as useless as Mr. Bryan's series of treaties, by which nations agree not to fight for a year, and thus the stronger are expected to surrender their predominance and then fight afterwards. I think the suggested agreements between nations to limit armaments are equally absurd. If you are going to fight a man, just think of agreeing with him how hard each of you would strike the other. [Laughter.] That is practically what these agreements would seek to effect. The mere statement of it, I think, shows its absurdity.

Yet a pathway to disarmament is open to us and to the world—a pathway straight and sure—if this country will lead the way. My suggestion—and I think it is the only one that will absolutely result in certain disarmament—is for this Congress to equip the President with the greatest forces by land and sea, and then incorporate into the statute establishing these military forces a provision to the effect that we will disarm just as rapidly as all other nations of the world will disarm; that we welcome disarmament; that our most cherished object is disarmament; that the providence of God, for the first time in the history of the world, has so ordered events that the nation capable of establishing the greatest armaments does not want armaments, but abhors them, and stands ready and eager to use its power for the creation of the greatest armaments in the world to drive all armaments from the face of the earth. [Applause.]

We all realize that when it comes to actual treatment of this question the hands of the President must be left entirely free. But it is incumbent upon us, as well as our right, to establish our own domestic policy. It is a purely domestic question what military forces we establish, and we have the right here to organize our military strength so that the President will be in a position to say to all the nations of the earth, "We seek no domination; we only seek equality, but it must be an equality of disarmament. Put away your armament and we will gladly accompany you in that act of renunciation. If you do not disarm, if you persist in maintaining armaments, the experience of the world shows that while any nation retains armaments, no other great nation can disarm, and therefore we will outarm any or all of you." I have no doubt that disarmament can be secured by adopting this plan of creating the strongest forces in the world and authorizing the President to reduce it as other nations reduce their military establishments, empowering him to do effectively that which he has already declared his intention to do, giving him the means by which he can say to these nations in a voice which will resound through the world as though inspired by heaven itself, "We will be first in armament if you make us; we will be first in disarmament if you let us." [Applause.]

Now, Mr. Chairman, that might very well complete what I have to say if it were not for one other suggestion, which I think should be placed before you. We are not here of necessity reduced entirely to the sole task of facing and overcoming a peril that threatens to be fatal and irremediable.

I believe that the world is at a parting of the ways. I believe that every difficulty which rises before a man is an opportunity by which, if he be strong enough, he can rise to higher conceptions and nobler enterprises than he had ever before undertaken. So every difficulty that arises in the pathway of humanity is an opportunity. In a degenerate age it may be an obstacle arresting all progress, but in a great, glorious, progressive age like this it can be converted into a stepping-stone by which men may reach a height of achievement that is now undreamed of.

After every great war in the history of the world one of two conditions has ensued. Where it was a war waged to satisfy dynastic ambitions or religious prejudices or racial hate it was always followed by a long period of depression. The Thirty Years' War left a large part of Europe prostrate for two generations. The wars of the Spanish succession, which is another term for the wars against Louis XIV, left all Europe prostrate. France passed into that dreadful panic that followed the bursting of the South Sea bubble, the desperate speculation by which it was sought to revive in wild gambling the prosperity lost in war, and England itself passed into that period of prostration when Horace Walpole's corruption destroyed the fame of the Parliament and almost brought about its destruction. On the other hand, the wars of the French Revolution, which were the most destructive ever waged on this earth up to that time, were followed by the extraordinary progress which I endeavored to outline here the other day. Think of it! Conceive how the hands of men suddenly became reenforced when they were given access to the soil and allowed to cultivate it for their own profit, a right which had been denied them under the survivals of the old feudal system which the revolution swept away.

At once we had the invention of illuminating gas, that dispelled darkness and made every hour of the 24 available for labor. We had the application of steam to machinery, by which distance was annihilated. We had the invention of the telegraph, by which intelligence was exchanged between men so rapidly that their cooperation in production was wonderfully stimulated. And then we had these later inventions, which at the close of the last century and the beginning of this seem to have completely transformed the conditions of human society.

After our Civil War, although that was the most devastating conflict which the world had ever experienced up to that time, we all know the wonderful prosperity that bathed this land as the reward for the substitution of free labor for slave labor and the extension of justice throughout the whole country. Now, if the result of this terrible cataclysm should be the abolition of armaments, if all the energies of men should be turned

at once to the tasks of production, if the terrible exactions of government for the expenses of military establishments should cease, the conditions that would ensue are incapable of description, because we can not conceive them. Think of it! Three-fifths of our taxes would be remitted almost immediately. The numbers of men now under arms, either waging war or preparing for war, would be turned out to labor, and, as I endeavored to point out the other day, no human hands can produce anything by labor without creating occasions for the employment of others. In a world relieved from these crushing burdens of military enterprises or preparations for them, with all the energies of men devoted to production, six hours' labor would be enough to support any family in comfort and affluence. And the growth of intelligence which would come from the utilization of these wider periods of leisure must produce a race of which this great race that we know, of which we are members, the greatest that ever inhabited the world, would be but the promise of a still greater race whose virtues and qualities would diffuse throughout the whole universe blessings and benefits that are absolutely immeasurable.

So, my friends, I say the world stands now at the parting of the ways. It must either move upward through disarmament, democracy, and justice to a prosperity that will be immeasurable or it must sink down through militarism, through confusion and disaster to ruin that will be irretrievable. I do not doubt for a moment what the choice will be. This country, which seems to have been withheld from knowledge of the world while men were devoted to enterprises of plunder and destruction, while labor was held in contempt, and the spoils of military conquest considered the only wealth that a man could acquire with distinction and enjoy with credit among his people—this country, which was held in darkness while the world was engaged in ruthless schemes of conquest and of vengence springing from religious hate or racial prejudice, until the veil concealing it was rent by the prow of Columbus's ship to where men had become improved to the point where they were capable of establishing on this soil, unstained by bloodshed, by bigot or tyrant, institutions of liberty, of justice, and of progress based upon the divine revelation that all men are equal in the sight of God and that equality is the essence of justice—this country is now leading the civilization of the world. [Applause.] I believe this country, so blessed and so distinguished by Almighty God, will lead the world now along the pathway of disarmament and justice to a high plane of civilization, where peace will be perpetual, because justice will be universal, and peace and justice together will be the fountain of prosperity measureless and unending, flowing over the whole earth, embracing and blessing all the children of men. [Prolonged applause.]

Mr. Chairman, I yield back whatever time I may have remaining.

The CHAIRMAN. The gentleman yields back seven minutes.

Mr. KELLEY of Michigan. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 15 minutes.

Mr. KELLEY of Michigan. Mr. Chairman, I yield the balance of my time to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, on behalf of the House I want to thank the gentleman from New York [Mr. COCKRAN] for his most eloquent and in the main logical speech. The gentleman from New York uses the term "disarmament," meaning, as he himself states, a limitation of armaments. The gentleman does not exaggerate. The world must either agree to a limitation of armaments or go bankrupt. There must either be an understanding that the competitive programs of enlarging, extending, and multiplying the instruments and instrumentalities of destruction shall cease or the progress of civilization will not only be arrested but the far advances that we have made will be largely lost. In the early period of the development of the race wars, bloody and destructive as they were, were as but child's play compared with the frightful havoc and destruction possible through modern wars. Even the war the world has just passed through, frightful and destructive as it was, brings us but to the threshold of the possibilities of destruction that lay in the new and frightful inventions of offensive warfare.

The organization of capital in modern times, the extension and enlargement of the means of transportation, the possibilities of levying on all the world for the resources of war are such that it is very easy to imagine a condition of things under which the entire world might easily be brought to a condition even worse than that of Germany at the close of the Thirty Years' War.

I can not, however, entirely agree with the gentleman from New York relative to the means and methods for accomplishing a reduction of armaments. While treaties are unfortunately frequently scraps of paper in the hands of others than the late Emperor William, still treaties do remain the only means we have by which nations solemnly obligate themselves in mutual agreements. And in the main treaties are lived up to, thank God. It is only the exceptions, the awful exceptions that raise our doubts as to the efficiency and efficacy of an agreement through treaties. While I agree with the gentleman from New York that we must not unreasonably or improperly abate our preparations until there can be a general reduction of armaments, still the world needs no notice from us in increases of military establishments as to our ability to maintain great war establishments, greater if necessary than those of most of the nations of the world combined.

Our population, our resources, and our wealth are known to all the world, and I think it is hardly necessary for us to unreasonably extend or enlarge preparations to convince all the world that so far as we are concerned we could—with peril to ourselves and at great loss and burden to our people, it is true—still move on in the reasonable tenor of our way and maintain establishments overshadowing those of any combination of nations in the world. As the world knows this, it is not necessary for us to unduly swing the big stick. As nations know this, it is our duty at the proper time, in the proper posture of our foreign affairs, to invite the nations of the world to a meeting at which they shall discuss and agree to a limitation of armament. That is for the future, but not, I hope, the very distant future.

But to-day we have before us a very practical matter. We have reported a bill carrying nearly $400,000,000 for the maintenance of the Navy. It looks very large compared with appropriations of $100,000,000 and $125,000,000, and $130,000,000 made along about 1910, 1911, 1912, 1913, and 1914; but it is small compared with the enormous expenditures not only during the war but immediately following the war. In the fiscal year of 1920 our total appropriations and deficiencies for the Navy amounted to $620,000,000. But that sum did not measure our naval expenditure by any means, for, in addition to those sums appropriated for that period, were vast sums of money, amounting probably to at least a billion dollars, appropriations made during the war and still available during that year and largely expended during that year; I do not feel qualified to make an accurate estimate of the expenditures, but they must have been much over a billion dollars. For the present fiscal year our expenditures will probably be a little less than half a billion dollars—$487,000,000, with possibly some small deficiences yet to come.

In the face of estimates of over $600,000,000 the committee has brought in a bill $8,000,000 less than $400,000,000. It is an enormous sum of money, and yet it would do nothing more than carry on the program agreed on in 1916 and maintain in commission all of the real effective and essential fighting ships of the Navy. It is similar to the bill the last Congress passed in the closing days of its last session. At that time in another body it was increased about $100,000,000. What its fate may be when it again reaches the Senate I do not know, but it is touching the possibility of the increase of the bill elsewhere that I want to appeal to you. We believe that this bill is sufficient, in fact quite liberal. The $90,000,000 for construction is perhaps not too much, but it ought to be enough with somewhat reduced costs for the carrying on of the 1916 building program which under the present conditions we are not justified in curtailing.

The balance of the appropriation will maintain us 100,000 strong—men sufficient in the opinion of those best versed in the House on the subject to keep every essential ship manned and ready for action.

The increases in another body related to many items where in our opinion increases are not needed. To a considerable extent they related to new construction, the addition of airplane carriers to our building program. There was new construction for naval stations and bases on the Pacific coast. The House takes the position as regards these new stations and this new construction that it is not a matter that we should be called upon to determine or provide for in this bill. The Naval Affairs Committee, presided over by the able and genial gentleman from Pennsylvania [Mr. BUTLER], and having a personnel on both sides of the House of men well acquainted with the needs of the Navy, is prepared to consider any suggestions the Navy Department may care to make relative to new construction and to the establishment of new naval stations.

The committee reporting this bill has no authority in that behalf. Furthermore, the bill was first reported in the last Congress, less than two months ago, and at this time we know of no urgent reason demanding immediate settlement of those questions and immediate provision of appropriations for them. They can be considered by a committee having full knowledge and jurisdiction, and then if two months or three months from now or at any period prior to our regular appropriations of the winter there seems to be a need and a demand and a necessity for an appropriation for some of these new things, the Congress can provide for them. But we should not be called upon to pass upon those questions now. That would eliminate from consideration by the committee of conference of at least half or approximately half of the hundred million dollars added to the bill elsewhere in the last Congress. Of course, the House conferees will meet the conferees of the Senate on all questions freely and fairly, but, with the exception of perhaps an additional appropriation of $6,000,000 or a little over—I think $8,000,000 was the amount the committee of the House agreed upon—for airplanes, it is the opinion of most of the Members of the House that this bill makes ample provision for the Navy to maintain it in its present strength, though necessitating certain economies, which can be brought about without reducing the effective fighting strength of the establishment.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield three minutes more to the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, the gentlemen reporting this bill are very familiar with the needs of the Navy. The members of the legislative committees of the House having charge of naval matters are familiar with the needs of the Navy, and that committee is in general accord with the view of the Committee on Appropriations on this bill. I trust there will be no weakening in our position relative to the bill. Having made proper, substantial, generous provision for the Navy, with the exception of the one item to which I have referred, and which we expect to provide for, the House will, I hope, stand in the main by the bill as it is now presented. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, it has been extremely difficult for me to follow the brilliant address of our eloquent Member of Congress from New York [Mr. COCKRAN]. Of course, it is always a pleasure to hear him. When you hear him you see a flower garden, you visualize beautiful things. I have been trying to find out his process of reasoning. The substance of his address seems to have been that war is horrible, that the keeping up of armaments gives notice to the world that we intend to carry on war and that we are preparing for war, and that, therefore, we should have as much armament as possible.

Mr. Chairman, the trouble with the United States until recently, so far as our foreign relations are concerned, has been that we have had no definite foreign policy. This is as true of the Democrats as of the Republicans. We all know that we entered the war after a campaign in which the principal slogan was "He kept us out of war." When the Republican candidate for President in that memorable campaign, now the distinguished Secretary of State, one of the most brilliant men in the public life of the United States, was asked what he would do, he said that he would keep all of the German ships then in American waters until the end of the European war. That is as far as he would go. He never dared mention war, never dared talk about war. We had no definite policy; we had no definite program.

I entirely disagree with the gentleman from New York [Mr. COCKRAN] that the United States is seriously menaced by anybody or that the United States is in a position to dominate the world. It is entirely untrue. We are not in a position to dominate the world, and the world does not fear domination by the United States. It is true that the United States is invulnerable, unassailable; that the United States is invincible for purposes of defense, but that is an entirely different proposition. That does not mean that we threaten anybody else. With all of its overwhelming power the British fleet and the allied fleet could not take possession of a single German port, and with all its preponderance over the Russian fleet the German fleet could not take possession of a single city on the Baltic coast. The United States need fear no other nation or people, nor can any European people seriously fear the United States.

I have not the time to develop the subject, but what were the causes of wars in the past? We had dynastic wars. They are out of consideration now. We had religious wars, wars between various sects. They are eliminated now. Then we have had wars for the consolidation of nations. The Germans who fought as a unit in the last war had been divided prior to 1871. The Saxon fought the Bavarian and the Bavarian and the Saxon fought the Prussian with the same bitterness with which they fought the allies in this war. It was a war for national consolidation. The Civil War in the United States was of the same character. What was the cause of the recent wars? They were almost all of them economic wars, wars for cash, every nation considering itself an economic unit and fighting every other economic unit for commercial advantage.

Mr. COCKRAN. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. COCKRAN. The gentleman does not mean to say that war on our part was conducted for dollars.

Mr. LONDON. I want to say that the late war, so far as the European nations were concerned, was primarily due to an economic conflict. The former President of the United States said in one of his speeches, when he came back the second time from Europe, that every child knew that the origin of the war was economic. And do not forget, please, that for several years he kept on telling us that we had nothing to do with the causes which brought about the conflict in Europe.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LONDON. Mr. Chairman, will not the gentleman yield me a few minutes more?

Mr. BYRNES of South Carolina. I yield two minutes more to the gentleman.

Mr. LONDON. When you speak of having the largest and best Navy, so far as the United States is concerned, it can logically mean only one thing, and that is a Navy suitable to carry out the program of the United States.

It is the only standard by which we can consider it. We are not to judge the fleet by the number of ships as compared with the ships of other nations; not by the personnel as compared with the personnel of other nations. The only question should be: Is the Navy suitable to carry out the program, the policy, of the people of the United States. That is the question, and that is the only test, the only standard by which you can measure the adequacy or inadequacy of the Navy. What we need is the adoption and proclamation of a policy. Do we intend to fight for markets abroad? Do we intend to fight with England or France or Italy or with Germany for the possession of Albania, for the possession of colonies in Africa? If we do, then we will have to have a Navy big enough to sink the rest of the navies of the world, but if our policy is to lead by example, to help develop strong men and women in the United States, to help perpetuate ideals of liberty, we need no big navies. All we need is to live up to the high ideals which have given birth to America, and America will be an irresistible force for good and for all time. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from New York asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. McCLINTIC. Mr. Chairman, the gentleman has the right to revise and I object to the extension.

The CHAIRMAN. Objection is heard.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. OLIVER]. [Applause.]

Mr. OLIVER. I am not in serious disagreement with the general statement of the gentleman from Wyoming [Mr. MONDELL] that this bill is quite sufficient, in fact, quite liberal; but this statement should be qualified to the extent of saying that the amounts carried in the bill are not wisely allocated. I do not think that the House will vote for any appreciable increase in the appropriation now carried for the Navy, but we must reserve the right, and I hope an opportunity will be given for the House to exercise such right, to provide additional funds for one arm of the service, which is now so essential to an efficient Navy.

It would be a serious mistake if this House let itself believe and led the people to believe that by expending $395,000,000 carried in the bill in the way the bill directs, this would give us during the coming year, or on the completion of the 1916 building program, a strong and efficient Navy. All naval experts—and note, I except none—are now agreed that you must provide aero-carrying ships in order to provide a well-balanced and efficient Navy. Let me remind you that this House, since the armistice was signed, has authorized no new building program of any kind, notwithstanding the fact that the lessons of

the Great War show conclusively that ships authorized in 1916 will be wholly ineffective, unless you make adequate provision for naval aviation, including aero-carrying ships.

Mr. DUNBAR. Will the gentleman yield?

Mr. OLIVER. But the $90,000,000 carried in this bill, with proper authorization, can be wisely expended, so as to begin the construction of the additional craft needed, without increasing, for the next year, the amount now carried in the bill.

Mr. DUNBAR. Will the gentleman yield?

Mr. OLIVER. Yes.

Mr. DUNBAR. The gentleman stated that we would not have an efficient Navy with the expenditure of the amount of money proposed, but will the gentleman kindly state how our Navy will compare with the other navies in the world when the naval program of the United States is completed?

Mr. OLIVER. I will answer by quoting naval experts, who recently appeared before the House Naval Affairs Committee, and who state that even if the 1916 building program was now completed and we should to-morrow be at war with two certain nations our large ships could not with safety be sent to sea. Why? Simply because, as they pointed out, we now have no modern aero-carrying ships to give protection to the fleet. Other navies are provided with this type of ship. The committee's action is not unwise in seeking to slow up the completion of some of the dreadnaughts provided for in the 1916 program. The reduction of the amount carried for new construction will have the effect of slowing up the completion of some of these ships. Originally it was intended to complete the entire building program of 1916 by 1923, but the Committee on Appropriations now feel that naval experts will wisely employ the funds provided by this bill in hastening the work on our battle cruisers and on such of the battleships as are now nearing completion, expending only a very limited amount on those battleships the construction of which has not greatly advanced. Two good reasons suggest this course. The gentleman from New York [Mr. COCKRAN] has eloquently spoken of one of the reasons, and I am sure there is not a man in Congress who does not now entertain substantial hope that in the near future the President will call a conference of the nations—certainly a conference of our recent allies—and that some agreement which our people can place reliance in will be reached looking to a reduction and limitation of armaments. The House Naval Affairs Committee during the early part of this year had extended hearings by leading naval and Army officers on this subject, many of whom served overseas during the war, and all were in accord that if the President should now call a conference of the nations, especially of France, Great Britain, Japan, Italy, and the United States, that an agreement would be speedily reached looking to an immediate reduction and limitation of armaments. A distinguished citizen of Great Britain also voiced this same belief. So if this hope, which we all entertain, has any real foundation, we may be losing nothing, but may be large gainers by slowing up the completion of our dreadnaughts. Then, again, you will recall that in the bill of 1916, providing for this large construction program, we appropriated $200,000 to be expended by the President in defraying the expenses of a conference of the nations of the world, called to consider the reduction and limitation of armaments, and that in that same bill the President was given authority to discontinue the construction of any ships which he considered inconsistent with any agreement made looking to a limitation of armaments by the nations engaged in the conference.

A second reason suggests that the genius of America has not yet discovered the last word in battleship construction. While we are now building the most powerful battleships and battle cruisers that the world has ever seen, yet we hear rumors from a very reliable source that other nations may soon lay down ships of this same character that will be so far superior in speed and gun power as to place in the discard the great ships authorized in the bill of 1916, and for which this bill now carries a large continuing appropriation for construction. If it should develop during the next fiscal year that naval experts have designed ships far more destructive and powerful than those we are now building, who will contend that it would not be wise to discontinue the construction of some of these ships not far advanced, even though it result in the loss of seven or eight million on each ship? If we continue to build we must be sure when we spend our money that we are building the very best and most powerful ships afloat.

Mr. J. M. NELSON. I have listened to the gentleman with a great deal of interest, but this thought comes to me: Why it was and what was the advantage of going into a building program of such dimensions in 1916, which now the gentleman says may be absolutely useless in a few years?

Mr. OLIVER. The gentleman quotes me too strongly. I did not intend to convey the idea that they will be useless, but that there is a possibility, after the lapse of four years and with lessons learned from the Great War, that naval experts may find it necessary, as they have often done in the past, to radically change the plans, which it was thought in 1916 would give us the best and most efficient battleships and battle cruisers afloat.

Mr. J. M. NELSON. I would like to know what the reason was for the program.

Mr. OLIVER. To those who served in the House in 1916 the reason for the program was obvious. The sentiment of the country strongly demanded that the American Navy be strengthened along the lines of the 1916 program. The country very promptly gave approval to the action of Congress, and there were but few, if any, dissenting votes to the passage of the bill. We very properly said in that bill to the nations of the world, "We are not anxious to complete this large program, and we are even providing in the bill that authorizes it an appropriation of $200,000 to pay the expenses of representatives of other nations to be called together by the President at the end of the war to consider the reduction and limitation of armaments," and the President was authorized by that bill to discontinue the building of ships inconsistent with the spirit of any agreement that might be made looking to a limitation of armaments.

I feel that the House is not interested in a comparison between the amounts carried in this and some previous bill, and reference to such a comparison might be construed as a political suggestion. So far as I know, neither the Appropriations Committee nor the House Committee on Naval Affairs has suffered politics to enter into the framing of its naval policies or naval bills. Of course, there have been large reductions, and they were very proper reductions. Why? First, because you were rapidly decreasing the personnel of the Navy. We had at one time 500,000 men in the Navy, and even last year we appropriated for an average of 120,000 men, and now you appropriate for only 100,000 men, making a difference in this one item alone of more than $15,000,000. Then, again, in the last bill, to which reference was made, you provided $104,000,000 for the building program, but this amount has now been cut to $90,000,000, making a difference of $14,000,000 in this one item. Then, again, the other bill, to which reference was made, carried large appropriations for new construction work at our navy yards, yet this bill carries only an appropriation for upkeep and maintenance. These and other items to which I could refer account in a thoroughly proper way for the difference between the amounts carried in the present and former bills.

No one is more interested in economy than the present chairman of the House Committee on Naval Affairs—a gentleman for whom I entertain the highest respect and regard—and no one will ever expect him to bring in a bill from his legislative committee for additional ships for the Navy not absolutely needed, as disclosed by advice and opinions from the best naval authorities. Before you can wisely allocate the funds carried in this bill it will be necessary to secure from the legislative committee of the House authority to appropriate for the new craft to which I have heretofore referred. I trust that any bill reported by the legislative committee will be given a preferred status, and can be immediately considered, so that necessary appropriations can be then made to provide for any authorizations that the House may approve.

It may be strongly insisted in another legislative branch of the Government that the personnel of the Navy should be increased for the next fiscal year to 120,000 men. This will enable the Navy to keep in commission a larger number of ships, but many of these they propose to keep in commission have little, if any, military value, and I am of the opinion that a hundred thousand enlisted men, well trained, will keep in full commission sufficient ships and will enable the Bureau of Operations to keep in reserve, in such condition that they can be quickly placed in active commission, all of our other ships that have military value.

Mr. LAYTON. Will the gentleman yield?

Mr. OLIVER. Gladly.

Mr. LAYTON. Can the gentleman tell the House, if he has the information, how the appropriation for the United States Navy for the ensuing year compares with the appropriations made by such nations as England and Japan?

Mr. OLIVER. I am not sure that I can give the gentleman the exact figures, but I think allusion was made to that in the report, if not in the speech, of the gentleman from Michigan [Mr. KELLEY].

Mr. BUTLER. It is less than England and more than Japan.

Mr. BLANTON. Will the gentleman yield?

Mr. OLIVER. I will.

Mr. BLANTON. In case the President should call this convention, and they should agree upon disarmament, would the President still have the power to stop this expenditure of $90,000,000?

Mr. OLIVER. I think the 1916 bill gives him this authority. If not, this House will certainly carry out any recommendation that he might make.

Mr. KELLEY of Michigan. Was the question whether or not the President could discontinue the building of these ships?

Mr. OLIVER. Yes; if an agreement looking to disarmament was reached, would the President be authorized to discontinue incompleted ships?

Mr. KELLEY of Michigan. My recollection is that he could stop the building of any ship uncontracted for. I have the act here, if the gentleman will permit.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes more to the gentleman from Alabama.

Mr. OLIVER. The gentleman from Michigan may be correct, and if I am wrong I will be glad to have him correct me.

Mr. KELLEY of Michigan. The act says that—

If at any time before the construction authorized by the act shall have been contracted for, there shall have been established with the cooperation of the United States of America an international tribunal or tribunals competent to secure peaceful determination of all international disputes, and which will render unnecessary the maintenance of competitive armament, then in that case, such naval expenditures as may be inconsistent with the engagements made in the establishment of such tribunal or tribunals may be suspended, when so ordered by the President of the United States.

Mr. OLIVER. I may add in that connection that four or five of the large ships building are being constructed in our navy yards, and not under any contract whatever.

Mr. J. M. NELSON. Mr. Chairman, will the gentleman yield?

Mr. OLIVER. Yes.

Mr. J. M. NELSON. How many ships have been contracted for?

Mr. OLIVER. All but 12 destroyers, 9 submarines, and 1 transport. This bill carries a provision that no part of the appropriation can be used for the building of ships on which construction work has not already begun.

The House may be interested to know that the Navy Department estimates that the battle cruisers and battleships now building will cost approximately $38,000,000 each. This is the information supplied me over the phone a few minutes ago by Admiral Taylor, of the Bureau of Construction, and the estimate is intended to cover ammunition and everything else necessary to fit out the ship for service.

Mr. KELLEY of Michigan. I think the gentleman must have misunderstood him.

Mr. OLIVER. No; this is the information which he gave me over the telephone only a few minutes ago, and, of course, he was but approximating in round numbers the cost when he stated $38,000,000 each. I am quoting Admiral Taylor.

Mr. KELLEY of Michigan. So am I. I talked with him day before yesterday, and he told me that $34,000,000 would be an average estimate.

Mr. OLIVER. Now, there is another matter that may be of interest to the House, and one which the Committee on Appropriations has no power to correct, but I am glad the chairman of the legislative Committee on Naval Affairs is present, so that he may take such action as he deems advisable with reference to the matter. Doubtless the Secretary of the Navy himself may correct it without legislation. It was developed before the naval subcommittee that yielding to the insistence of naval officers the 1922 class at Annapolis has been ordered graduated in December, 1921, and there is a rumor afloat that the 1923 class may be graduated in June, 1922. Every member of the subcommittee on appropriations, and I think members of the House legislative committee, are of the opinion that this course is unwise. The authorities at Annapolis—the high naval officers there—have disapproved it and feel that it will be hurtful to the service and harmful to the young naval officers.

Mr. BUTLER. Does the gentleman understand the reason for it?

Mr. OLIVER. The reason doubtless is the fear on the part of some officers, now holding high temporary commission, that they may not be able to maintain that rank after December next, unless there is an inflow from the bottom. Is that the gentleman's belief as to the reason?

Mr. BUTLER. Yes.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. OLIVER. Mr. Chairman, may I have one minute more?

Mr. BYRNES of South Carolina. I promised all of the time.

Mr. BUTLER. I am sorry, since the matter last referred to should be brought out clearly.

Mr. OLIVER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. McCLINTIC. To revise his remarks, Mr. Chairman?

The CHAIRMAN. The gentleman from Alabama, under the rules, has the right to revise his remarks.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. JONES].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. JONES of Texas. Mr. Chairman and gentlemen, I enjoyed very much the remarks of the eloquent gentleman from New York [Mr. COCKRAN], who pictured the joys of peace and voiced the desire of all the nations of the earth for peace. I hated to see him mar that picture that he had drawn by advocating a policy which I think would frustrate the attainment of his desire. I believe in international disarmament, but I do not believe that to undertake to become the first nation of the world in the great race for armament is calculated to reach the desired end. The poker story was very interesting, but not at all applicable. From what I am told about poker, it is a game in which you are trying to get what the other fellow has. I do not believe that we arm as a game, but simply for national protection. We are not trying to get what the other man has, but we simply want to have our own rights protected and the right to deal with other nations in a commercial way.

On the other hand, I agree with most of what the gentleman from Wyoming [Mr. MONDELL] said, but the trouble with his side of the House on the question of disarmament is that they have turned down the only organization having for its purpose securing of disarmament and have offered nothing in its place. They talked about what they were going to do toward disarmament, but they have not done anything, and mere talk will not get you anywhere.

However, I did not get up here to talk about disarmament, but to say something with reference to the theories of taxation advanced the other day by the gentleman from Ohio [Mr. FESS], to which I listened with much interest, because he has given the subject a good deal of study.

If I understood his theory, it was that we should refund the Great War debt and spread it over a great period of years, and that we could, by virtue of the saving we would have in that way, be able to repeal the excess-profits tax and do away with the surtaxes, and then, as a third thing that he advocated, a sales tax for one year to pay off the floating debt of some $3,000,000,000.

I thoroughly agree with the gentleman from Ohio in regard to the refunding of the Great War debt. I believe such action would give commerce and business in this country a chance that would be beneficial to everyone. I believe it would be of great benefit if the people generally were relieved of a part of their taxes. But when it comes to applying the saving I disagree with him and part company with him. He would take off the excess-profits tax and the surtaxes and would levy the present taxes on the average man. I wonder if he has gone out throughout the country and talked to the average farmer, to the average stockman, the average salaried man, to ascertain whether or not he needs his taxes relieved. I would commence at the other end of the line, with the saving of expenditures in the way of paying out the principal and a part of the interest. I would increase the exemption of the single man from $1,000 to $2,000; the married man from $2,000 to $4,000. I would retain the present graded system of taxation and reduce it proportionately, so that all would secure the benefit of it.

But the curious part about the speech of the gentleman from Ohio was that, after arguing that business would be relieved by refunding the Great War debt and not paying it off because of the necessity of liquid assets in the business world, he turned around and advocated the levying of a $3,000,000,000 sales tax, which is in direct contradiction and in open conflict with his theory as to the extended payment of the other debt.

Now, how he expects to get anywhere in the way of relieving suffering in this country by leaving the present average man's taxes what they are and then putting on his back an additional sales tax I do not understand. And, as a matter of fact, while the man who has a big tax to pay is the man who howls the most, as a rule, he will always be able to get by somehow. You are not relieving business conditions in the American Government by relieving the man of means and at the same time

leaving all of the present taxes on the average man and putting an additional tax on his back in the form of a sales tax. I do not believe that would be a good policy, and as a matter of fact it contradicts the other position that he takes.

Now, listen. I do not see how he is going to get any more liquid assets in this country by levying a sales tax He seems to think that by taking some money from all of the people of the United States in the form of a sales tax and giving it to a few individuals in the form of relieving them of surtaxes he will create more liquid capital in America. Of course, you can not increase your money by taking it out of one pocket and putting it into another pocket, and it seems to me his statement and position are absurd for that reason. As a matter of fact, I will tell you what I think is the reason for all this propaganda about the repeal of the surtaxes and the excess-profits taxes. It has gone all over the country. It is that the man with a great deal of money objects to the surtax because you take it away from him after he has got it in his pocket and he has no chance to pass it on to the other man. If you put it in the form of a sales tax, he can collect it from every individual man just as he comes along, and he can pass it on to the consumer without any trouble.

But what makes it hard for the man of immense wealth, for the man of great resources, is to let him conduct his business, make his big profits, and then make him pay the money to the Government after that, at a time when he can not pass it on to the shoulders of the average man and the average consumer in this country.

I sympathize with the desire to reduce taxes, and by extending the war debt they can be relieved all along the line, but the whole people should receive the benefits of the reduction.

Mr. J. M. NELSON. It also has another effect, that it legalizes his desire to avoid his just part of the burdens of government. It legalizes the shifting that he now attempts to do covertly, and makes it legal and moral, does it not?

Mr. JONES of Texas. Yes; and it not only does that but he will make a profit on every turnover tax that is levied. When we levied a tax of three-tenths of a cent on 10-cent cigars, their price immediately went up to two for a quarter. We levied a tax of three-tenths of a cent. In other words, they made a profit of more than 2 cents apiece on the tax; and when a sales tax is levied every time a thing is sold, and some articles are sold eight or ten times before they reach the ultimate consumer, there will be the tax each time and there will also be a profit on that tax, but you will not have any surtaxes or any way of leveling the differences in the fortunes of men.

Mr. LAYTON. Will the gentleman yield for a question?

Mr. JONES of Texas. I yield to the gentleman from Delaware.

Mr. LAYTON. In other words, I understand the gentleman's position to be that he would not object, and I do not think a great majority of the people of the country would object to the sales tax, provided it did not double and treble and quadruple and quintuple, and every other kind of "tuple," by the time it reached the consumer.

Mr. JONES of Texas. At least that is one of the principal objections to it.

Mr. LAYTON. That is the principal objection.

Mr. JONES of Texas. That is one of the principal objections to it. I think there are other objections to substituting it for some of the present taxes, because it will lay an additional burden on the average man who needs to be released and relieved more than the other man. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. I yield 14 minutes to the gentleman from Kentucky [Mr. BARKLEY].

The CHAIRMAN. The gentleman from Kentucky is recognized for 14 minutes. [Applause.]

Mr. BARKLEY. Mr. Chairman and gentlemen of the House, in 14 minutes I can not hope to say what I desire to say in connection with the subject which has been under discussion this afternoon.

When this bill was up during the last Congress I made a few remarks with reference to the subject of disarmament and the subject of the gradual and constant increase in the appropriations for the Army and Navy during the past decade. We talk considerably here on the floor about disarmament, and yet we always vote with a good deal of alacrity for every increase that is proposed in the Army or Navy. If I recall correctly, when I became a Member of the House, eight years ago—I have not looked into the figures, to be exact—I think the appropriation bill for the Navy in 1913 was about $130,000,000 and the appropriation for the Army was about $97,000,000, making a total appropriation for the Army and Navy less than eight years ago about $227,000,000.

After the Spanish-American War we boasted that we had become a world power. We had not merely become one, we simply realized that we were one. Prior to the Spanish-American War our standing Army was 25,000 men. The next reorganization bill that we passed after the Spanish-American War provided for an Army of 100,000 men, and the reorganization bill which passed the House after this war out of which we have just come provided for an Army of 280,000 men. So that the Spanish-American War increased the size of our standing Army 400 per cent. The Great War that we call the World War resulted in an increase of our standing Army to the permanent basis of 280 per cent. Now, if this arithmetical progression keeps up after every war that the United States has gone into, then if we shall have two or three more wars I am wondering what will be the size of the standing Army necessary to maintain the peace and dignity of the United States and keep us out of war. Eight years ago the appropriations for the Navy were $130,000,000 or $135,000,000. I think the actual amount expended during the fiscal year ended June 30 last was something like $550,000,000. This bill provides for $397,000,000, with the possibility of a deficiency bill that may be brought in later. The figures that are continuously given out to the people by those who are supposed to be in a position to know claim that the cost of the World War to the nations that were engaged in it was more than $300,000,000,000. Now, it is almost impossible for the human mind to conceive how much money that is.

But if the statisticians are correct in estimating the total wealth of the United States, I feel justified in saying that if an earthquake should come to-night and swallow the United States of America there would not be any more wealth destroyed than was destroyed by the great World War out of which we have just come. It is also stated that the number of men, women, and children who lost their lives by reason of the World War amounted to more than 30,000,000 human souls, including those who were killed on the field of battle, those who died by injury, and those who died by starvation and disease and other causes. There are now in the world 1,800,000,000 people, 500,000,000 of whom belong to the Caucasian race. There are 54,000,000 square miles of territory, 48,000,000 of which are dominated by the Caucasian race. So we have a minority population of the world consisting of 500,000,000, which controls the rest of the population, and we have a minority of territory on which this race dwells which dominates all of the rest of the earth's surface.

Now, I do not intend to engage in the discussion of a question of race domination from a world standpoint, but it is a fact I think worthy of consideration that of the millions of people destroyed in the recent war practically all were members of that race which rules the world and has developed its greatest civilization. Is it not worthy of consideration among that race to see that some means is established by which this destruction may be lessened and, if possible, discontinued, in view of the constant irritation, in view of the constant restlessness of the so-called inferior races of the earth, which some day may undertake to throw off the so-called Caucasian civilization of which we are in the habit of boasting? Shall we continue to destroy ourselves while inferior races multiply by inconceivable numbers?

It is estimated that last year we spent in the United States a little over $6,000,000,000 in carrying on the expenses of our Government. That is an enormous sum, but, my friends, eight years ago—which is as far back as I can remember, congressionally speaking—the total cost of the Government was less than $1,000,000,000, and that included the Post Office Department, which is self-sustaining. Take out the Post Office Department, which pays its way, practically, and I think you will find that eight years ago, or even five years ago, the total expenses of the United States Government for all purposes were about $687,000,000. That is nearly $200,000,000 less than the cost of the Army and Navy alone will be this year. Therefore, from the standpoint of money, from the standpoint of taxation, from the standpoint of the burden that now rests on the nations of the earth that dominate forty-nine fiftieths of the earth's surface, there must be brought about some way by which expenditures may be lessened. All the nations of the earth are overburdened with debt. Not only that, but all the men, women, and children of the earth are overburdened with debt.

Every year we go more deeply into debt. Secretary Houston announced in his report last December that the World War cost the United States up to that time $24,000,000,000. The distinguished gentleman from Ohio [Mr. BURTON], in his very eloquent and very patriotic speech—and I am glad to note that the time has come in this House when a man can be considered

a patriot without speaking for war and voting for unlimited taxes—the gentleman from Ohio said that the Civil War cost more than the total expenses of the Government in the 72 years of its previous history, which statement is true, and that the cost of the World War was more than the combined expenses of the United States Government from its foundation in 1789 until the 6th day of April, 1917. That is also correct.

Already many European nations have been compelled to consider the question whether they would repudiate their public obligations. If one great war, involving the entire surface of the earth, directly or indirectly involving the death of 30,000,000 human souls, involving the expenditure of $300,000,000,000 in wealth, involving untold misery and suffering, is not sufficient to compel the leading nations to join together in some organization that will prevent war in the future and prevent the mad race for excellence of armament, I ask, in the name of patriotism and Christianity, what will it take to arouse the world to the need of such an organization for such an understanding as that?

On the day the armistice was signed the inventive genius of the world was keyed up to a higher pitch than it has ever been before in all the annals of time. More things had been invented to destroy life. On the 11th of November, 1918, inventive genius had reached a higher point than ever before. But we need not delude ourselves with the thought that this inventive genius ceased to operate on the 11th of November, 1918. It has continued to progress, and there have been invented since the armistice by Germany, France, England, and by the United States methods of destruction of human life that will appall the world if war ever calls them into activity.

We read with great indignation about the poisoning of wells in Belgium and France by the Germans and about the chopping down of orchards by the retreating vandals. We read with great indignation and horror about all of the methods employed by the Germans to destroy the civilian population in the overridden territories of Belgium and France, but do you know that since the armistice was signed there has been invented a contrivance of some kind, a practice or a substance—I do not know what it is called—by which vast armies and areas of civil population may be destroyed not only from the air but through the use of electrical power without the infliction of a wound by a sword or a machine gun? If these things are to be continued by the nations that won the war, if they are to be perpetuated by the genius of those friendly nations that were allied together for peace and civilization during the great World War, what will be the result in the next war which is to come inevitably if these nations continue this mad race? My distinguished friend from New York [Mr. COCKRAN] says that we ought not now to undertake the question of disarmament; that we ought to wait until we have the largest armament in the world. When will that be? We say that we are continuing to arm because other nations are continuing to arm, and those other nations reply that they can not disarm as long as the United States, the strongest in man power, the strongest in wealth, the strongest in inventive genius, refuses to disarm; so that every time one side builds a battleship the other builds two, and when that one builds two the other side builds four. Consequently, there will never be a time, according to that philosophy, when the nations can get together and disarm, for if we have the right to say that we will not cooperate in this program of disarmament until we have the largest Navy then England has the same right and Japan has the same right, and if Germany should ever be rehabilitated and get along where she has a navy she will have the same international right to say that she will not disarm and go into any conference of disarmament until she has the largest navy in the world. That time will never come, and as a result of that philosophy the world will go on in this mad race, and instead of having $396,000,000 to pay out for a navy and $400,000,000 for an army on the part of this great peace-loving industrial Nation we will have all of those nations paying out billions upon billions of dollars every year in order that they may outstrip their neighbors or their imaginary rivals. If that process shall continue, where will the people be? Already they are growing restless over the fact that Congress is not reducing taxes. Every mail brings to us complaints of business men, farmers, laboring men, demanding that we shall not only shift the burdens of taxation but that we shall lift them. We can not lift the burdens, we can not even shift them, until we shift some of it by an international agreement among all of the nations of the world to pursue the paths of peace and bring about at least some form of international agreement and cooperation by which these enormous expenses shall be reduced and the people rescued from an intolerable slavery of fear and of debt. Upon our Nation rests the moral obligation to be the leader in such a movement. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, in this bill, as in the last bill which failed of passage, there is contained a provision appropriating $90,000,000 for the new building program. The distinguished chairman of this committee [Mr. KELLEY of Michigan] says that before it is proper for our Government to propose disarmament we must so build up our Navy and make it so strong that under the percentage of reduction to be agreed upon we will still have the strongest Navy in the world. The representatives of every other nation, if they do not sit in the gallery and listen to him, to-morrow morning will know what he has said in the House to-day, and they will report to their Governments that the distinguished gentleman in charge of the Navy program of this Government believes that to be the case, and they will recommend to their respective Governments that before they can consider the question of disarmament they too shall so build up that when the percentage of reduction is proposed they will still be in a position to protect themselves with an adequate Navy. And there will be no disarmament. And so it goes, and so there is no reduction, and so the old Members and the new Members are still called on to vote $90,000,000 for new construction.

The distinguished late lamented ex-Speaker of this House, Mr. Clark of Missouri, whose absence is deplored by every Member, was considered a statesman, and a great statesman. His judgment was considered good on almost every question. He was considered one of the best historians in the House. He knew politics nationally and internationally as few men will ever know it. We followed him on one side, and even on both sides frequently, on great questions. When this $90,000,000 new construction program came up in the last Congress I offered a motion to recommit to cut out of it $83,000,000, and only a mere handful of men voted for that motion, but in that handful the distinguished ex-Speaker cast the last record vote that he ever cast in this House—a vote for disarmament, a vote to reduce the expenses in building battleships, which in 10 years' time will be obsolete and absolutely useless. It is admitted by every man that any country in the world whom we might fear may attack us is now prostrate financially. Where is the country that we fear now? Where is the country that could prepare for war any more quickly that we could prepare for it? In the last conflict, if there was one thing which we demonstrated to our own satisfaction, as well as to the satisfaction of the whole world, it was the fact that we can build ships as fast as any nation on earth, and the fact that we could raise a trained army and get them on the battle front as quickly as any nation on earth. Yet we are told that because we might fear some power, for whom we should not have any fear at all, we must vote for this appropriation. I am not going to do it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman has one minute remaining.

Mr. BYRNES of South Carolina. I do not care to use that minute.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June 30, 1922, and for other purposes.

Mr. BLACK. Mr. Chairman, I move to strike out the last word. I had not intended to speak on this bill at this time or about the question of disarmament, but I have been very much interested in some of the remarks which have been made on that subject to-day, particularly those of the gentleman from Ohio [Mr. BURTON] and the gentleman from New York [Mr. COCKRAN]. The gentleman from Ohio gave us a very graphic picture of the tremendous cost of war, both in lives and property. The gentleman from New York likewise gave us a very graphic description of the economic loss of war, due to the dislocation of productive activities.

I do not disagree in the least with these gentlemen in their statements that civilization itself will be threatened unless some way is found to stop the mad race for armaments among the nations of the world and prevent future wars. What is the way?

The gentleman from Ohio advocated that in order to bring about disarmament that the President of the United States shall call a conference and agree upon progressive disarma-

ment. I do not oppose such a conference and would not venture to oppose one if that is all that can be done, but these gentlemen must remember that when the nations engaged in the great World War met at Versailles and wrote the treaty of peace they provided an organization capable of bringing about disarmament. It furnished a definite plan and an organization with which to make the plan effective. Now, these gentlemen who have spoken so graphically of the horrors and the great losses of war spoke of the very conditions that were so keenly in the minds of the men who wrote the treaty of Versailles. The war, it is true, was over, but the world was in a more disturbed condition of mind than ever before. Empires had fallen and thrones had been overturned and were but as the dust of the desert, and it seemed as if the elemental forces had been suddenly unloosed and were about to overrun the world, and that unless some power greater than the forces of anarchy and destruction was found to combat it that all of Europe and all the world would be shaken to the very foundation of its civilization. That was the condition that confronted Lloyd-George, Premier Clemenceau, Premier Orlando, and President Wilson, and the other members of the peace conference. Now, the supreme question before them was: What could be done to prevent it? What power could be brought into play which would hold back the advancing tide of racial hate and sectional animosity?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. I ask for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BLACK. These statesmen agreed upon the covenant of the League of Nations as the organization pointing the best way. Oh, I know gentlemen of Republican persuasion have criticized it very severely, and much of their criticism has been of such a petty nature that I am reminded of a speech of a lawyer in a justice court in a case for killing a cow in which he said, "Your Honor, if the train had been running as she should have ran; if the bell had been rung as she should have been rang; if the whistle had been blown as she should have been blew, both of which they did neither, the cow would not have been injured when she was killed." [Laughter.] Now, these critics of the League of Nations have not come forward with a better plan. They are quite content in standing off to one side and in assailing what was done and in saying, "If the peace conference had have been run as it should have been ran, everything would have been better if it had not been worse." Such an attitude for the great Republic of the United States to assume in so critical an hour is humiliating, indeed. When our forefathers were fired with the purpose to hand down the blessings of liberty to their children and their children's children, they organized to do it. They formed the thirteen struggling Colonies into the Republic of the United States of America and built that organization around our Federal Constitution. They had the vision to see that real liberty could only be preserved by preserving the authority of law and the energy of Government. That liberty without the protection of law is a possession of no value, and that under such conditions a man might walk the streets to-day unmolested and unharmed and be on his way to the guillotine to-morrow.

Mr. MADDEN. Will the gentleman yield for a question?

Mr. BLACK. In just a moment and then I will yield. There were men of that day and time who were so shortsighted as to say that the Constitution of the United States would not be an instrument for the protection of liberty but would be used as the engine for its destruction. Just as some of the critics of the League of Nations have said it would not be an instrument of peace but an engine of war. And yet for more than 100 years this Constitution, which was condemned out of the mouths of these critics, has protected us against the despotism of the autocrat as well as the tyranny of the mob. Gentlemen, if we ever achieve peace and cooperation and security and get disarmament among the nations of the world, we will get it by some organization among the nations built around a definite, written agreement. Now, I will yield to the gentleman from Illinois.

Mr. MADDEN. The gentleman is somewhat past the point to which I desired to direct the question, but if I understood what the gentleman was trying to get at, he wanted to disarm. Will the gentleman be kind enough to tell the committee why it was that when the covenant of the League was about to be written or about completed and that if we were to disarm as a result of that, it was necessary for the President of the United States, through his Secretary of War, to ask that the Congress give him an Army of 576,000 men at a cost of $1,500,000,000 a year, and the greatest Navy in the world?

Mr. BLACK. Oh, well, the gentleman knows that Mr. Daniels stated before the Committee on Naval Affairs that if the United States went into the League of Nations, and it was adopted, then his recommendation did not stand. [Applause on the Democratic side.] Now, at the close of the Great War the United States stood as the towering figure of the time. Not as a conqueror with bloody, dripping sword, not as a tyrant swinging the weight of his clanking chains at a hopeless bewildered people, but as a strong, powerful friend seeking to assuage the wrecks of foreign Governments, and now we have the spectacle of the great free Nation of the world repudiating the solemn agreement which was entered upon by its accredited representative. [Applause on the Democratic side.]

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I had not intended to address the committee on this subject, but the statement made by the gentleman from Texas [Mr. BLACK] makes me feel that I ought to do so. The gentleman says it is proposed by the President to call a conference and to endeavor to reach an agreement by which the peace of the world can be preserved. The gentleman then lauded the statesmanship of Orlando, Clemenceau, Mr. Lloyd-George, and former President Wilson because they conceived the idea of the covenant of the league as an instrumentality through which the peace of the world might be maintained, and then he leaves the impression that if the covenant of the league were adopted as a part of the policy of the United States we would to-day be in the position of disarming; but the gentleman forgets that when the League of Nations covenant was reported by Mr. Wilson as an accomplished fact, so far as he was able to accomplish that fact, that the first thing he did through his Secretary of War was to ask the Congress to give him an Army of 576,000 men at an annual cost of $1,500,000,000. And the very next thing he asked was that the Congress give him a Navy greater than any other navy in the world, at a cost of a billion dollars per annum. We have not adopted the covenant of the league. Thank God for that! [Applause on the Republican side.] But we have reduced the cost of maintaining an army and a navy. The naval bill before us is reduced to $396,000,000. The Navy Department, under the command of Mr. Wilson, asked for about $896,000,000. So we have reduced this close to half a billion. Under the management of Mr. Baker, the Secretary of War, they asked for an Army of 576,000 men. We have reduced that to 158,000, and from the proposed cost per annum of $1,500,000,000 to approximately $328,000,000. So we seem to be making some sort of progress toward economy if not toward peace. We have prevented these great world statesmen from tying America to an obligation that would bind her to send her boys in uniform to fight the battles of the world by order of a council assembled in some foreign nation.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. J. M. NELSON. Is it not true also that the league did not provide an effective way of disarmament? And, specifically, did not England serve notice that she would not reduce her navy?

Mr. MADDEN. England wanted to be exempt from the 14 points. She asked that she be continued in the control of the seas.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. And the United States to-day, as the result of the foresight and patriotism of American statesmen who were not concerned in making up this wonderful combination of peace and war, is not tied to the apron strings of the covenant of the league, but is left with her sovereignty free. We are not bound to fight the battles of Europe or to enter into entangling alliances or to engage in all the thousand-year-old quarrels between the peoples of Europe. We are not bound to send American boys in uniform to spill their blood at the dictum of European statesmen in wars in which we are not interested. We are a part of the world, it is true, and we shall take our place among the nations of the world and perform our duty as a great nation. America stands with her hands aloft beaconing the world onward. Under the matchless leadership of President Harding America will become the beacon light to lead the way and will not evade her responsibility. But in assuming it she will surrender no part of her sovereignty. Her policy will be an American not a European policy. It will be a policy approved by our own people and executed by our

own Government. It will be under our own Constitution. America under President Harding will continue to be master of her own destiny.

And we propose in the bill that is pending here to complete the Navy program entered upon in 1916, and when that is complete we will have a Navy as effective as any nation in the world. We do not want to control the seas at the expense of any other nation. We are not a warlike people. We believe in peace. But we believe the way to get peace is to be prepared to negotiate, and we believe that the way to be prepared to negotiate on equal terms is to spend the money necessary to complete the ships that are now on the ways. And when we can show, not on paper but on the seas, that we have equal power with any other nation in the world to protect our interests and defend our rights we will have no trouble in negotiating terms of peace.

Mr. BARKLEY. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BARKLEY. If it should develop by the time these ships that are now provided for are completed that they will be practically useless on account of the invention of some other modern device or construction, what surety would there be in the ability of the United States to negotiate a treaty?

Mr. MADDEN. If our ships are obsolete because of new inventions, all other ships of all other nations will also be obsolete. So we will be in as good a position as they are. In the meantime wisdom would seem to dictate the completion of the building program. With this accomplished we will be prepared to negotiate on equal terms. [Applause on the Republican side.] When we do that we need have no fear of not getting our proper place in the councils of the nations of the world.

Mr. BARKLEY. If all the nations are going to negotiate upon terms of practical naval inefficiency, what is the use in spending billions and billions of dollars in order to attain a result that will end up after all in all the other navies being practically useless because some one navy is useful?

Mr. MADDEN. I would rather take the word of some one who understands what scientific efficiency in the Navy really is than a statement like that of the gentleman from Kentucky, who knows no more about it than I do. [Laughter.]

Mr. BARKLEY. I do not claim to know as much about that as the gentleman from Illinois, because on that subject, as on all others, he claims to know more than anybody else in the House. [Laughter.]

Mr. MADDEN. I make no claim to superior knowledge, but great wisdom is not necessary to see the folly of America entering upon negotiations for disarmament with her Navy scrapped in advance.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen, when the naval appropriation bill was before the House last session some of us on this side and a few on that side undertook to secure the adoption of an amendment to the bill providing for the calling by the President of the United States of a conference of nations on the subject of disarmament. We were not successful in that effort, but I am glad to know that the President has avowed his willingness and his desire to create or have a part in creating some kind of an international arrangement looking to the preservation of peace.

I have listened this afternoon with a great deal of interest and attention to this discussion about disarmament, but the trouble with our discussions about disarmament is that in the main they are simply discussions and never get anywhere. I dare say that later on, when we reach that portion of the bill where such an amendment would be germane, gentlemen on the Republican side of the House who declaim so eloquently in behalf of disarmament will, on the question of an amendment providing for the calling of such a conference by the President of the United States, vote against it. My own views are that while I believe that we ought to disarm in some concerted manner, for one, I am not in favor of ceasing the naval building program of 1916 as long as the other great nations of the world continue to build their great naval establishments.

It has been said that England will never war on us. Yet, notwithstanding the fact that our Navy is the only one that approaches hers in importance, she continues to pour into her naval program a large part of the revenues of the United Kingdom. I, for one, would not favor, of course, going out on the seas and hunting war with Great Britain; but we in building a Navy are no more challenging her supremacy on the seas than she is challenging our supremacy in the continuation of her naval program. [Applause.]

I do not believe in the realization of these dreams that the solution of the question lies alone in our own disarming; or that if we profess to the world that our intentions are entirely honorable and peaceable, that we abhor war, that we entertain no ambition to occupy a place in the sun, all the other nations will follow in the procession and imitate our example. China is a striking illustration of such a situation. With 50,000,000 potential soldiers within her boundaries, she is to-day the plaything of Japan, whose population is only a fraction of her own. Rich in agriculture and in other resources that might make for a great and powerful nation, China still remains a drone so far as influence over the affairs of the world are concerned. I am in favor of saying to the rest of the world, "If you are willing to disarm, the United States will join you in that program, but so long as you continue to spend your energies and your resources in building machines of destruction with which to oppose any nation that crosses your pathway, we shall continue to build a Navy that your's can not rival."

But let me suggest to gentlemen who are dreaming of disarmament that the cure of the desire to fight lies in the removal of questions about which men fight. As long as nations are composed of human beings and as long as human beings entertain within their breasts the sentiment of envy, the sentiment of covetousness, the sentiment of ambition, the sentiments against which the commandments declaim when they say, "Do not covet thy neighbor's ass," "Thou shalt not steal," "Thou shalt not bear false witness"——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. As long as individuals entertain sentiments of that kind the world will witness disputes and arguments and differences between Governments and nations, and the only method of preventing nations from fighting in order to settle their disputes is to erect somewhere, somehow, an instrumentality for deciding those disputes and registering somewhere the enlightened judgment of a tribunal which will adjudicate the questions at issue, and behind which will rest the opinion of mankind. Why, it is not necessary to have a great navy or a great army with which to fight. The press dispatches of a few weeks ago brought the startling information that Costa Rica and Panama were engaged in hostile military operations. Has either of them an army? None to speak of. Panama has a fleet of little sailboats and a few skiffs and canoes. She has an army that consists of her police force, and although they are not armed, though they have not a military establishment, yet the citizens of Panama marched out to the Costa Rican border armed with sticks and clubs and cane knives to fight, to settle a quarrel with her neighbor over a little strip of territory that is worth merely a bagatelle, measured in the interests that great nations consider.

So, gentlemen of the House, we will never solve this question of fighting between nations until we set up somewhere an agency for deciding the questions that bring about war and for deciding the questions that bring about the disputes between nations that prompt them to arm. And I would say to the gentleman from Illinois that if he wants to solve these questions, if he wants to limit armament, he will do well to persuade that portion of our citizenship with which he is influential, to persuade the great party in whose councils he sits and which is now in power in both branches of Congress and the Presidency, that the course for America to pursue, a course that shall bring her unfading glory, is to lead the world to the establishment of an international tribunal.

Who cares if the President of the United States prefers to call it an "association" of nations, if it but contain the substance. We can best command the respect and the admiration of mankind by setting up an international tribunal or agency before whose bar we are not too proud to take our place and of whose decision we are not afraid. We may say to the rest of the world that the United States covets no other nation's territory; we are not pursuing the call of ambition; we do not desire that which belongs to another. Then, in our own consciousness of rectitude, in our own satisfaction that we have squared our conduct with righteousness, let them know that we fear to appear before no tribunal where justice and equity and the enlightened conscience of the world may sit in judgment; that we shall never have a quarrel, however just, that we shall fear to submit to such a tribunal. [Applause.]

Mr. BUTLER. Will the gentleman yield for a question before he sits down?

Mr. CONNALLY of Texas. I shall be glad to yield to the gentleman.

Mr. BUTLER. The gentleman spoke of the difference between Panama and Costa Rica.

Mr. CONNALLY of Texas. Yes.

Mr. BUTLER. Am I right in my recollection that the Chief Justice of the United States settled that boundary; that there was a dispute between the two Governments as to where the line was, but that it was turned over to the Chief Justice of the United States to settle it?

Mr. CONNALLY of Texas. The gentleman is correct.

Mr. BUTLER. Did he not settle it?

Mr. CONNALLY of Texas. Yes.

Mr. BUTLER. And yet these fellows will not stand by it.

Mr. CONNALLY of Texas. I shall answer the gentleman. Chief Justice White did decide that controversy, and because Chief Justice White decided it, your and my Secretary of State sent unmistakable messages to both Costa Rica and Panama that since it had been settled in a tribunal of the kind I have described the United States would not permit them to fight over that question.

Mr. BLACK. And they quit fighting.

Mr. CONNALLY of Texas. And they quit fighting, too. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

The Clerk read as follows:

GENERAL EXPENSES.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. MADDEN] and myself agree very thoroughly on one proposition. That is that as soon as possible we ought to reduce armaments, both military and naval. The difficulty with the gentleman is that he considers that they have reduced much more, in so far as the Army is concerned, than they did reduce. In other words, so far as the party in control are concerned, that matter is entirely at sea. Let us see what they have done. He said they had reduced the Army from 400,000 to 175,000 men. Now, that is not according to the record. Less than 12 months ago they passed a bill by the majority in this House fixing the membership of enlisted men of the Army at 280,000 men. In about two weeks thereafter they made an appropriation for an Army of 175,000 enlisted men. And, forsooth, because the War Department went ahead according to law and enlisted up to 238,000 men, they were charged with having defied the law and the powers that be by enlisting more than 175,000 men. Then they went to work and introduced and passed a resolution saying that they must not enlist any more men until it was down to 175,000 men. That went through, the President vetoed it, and we passed it over his veto. It came back and became a law, and within 30 days after that they passed an appropriation bill fixing the number at 150,000 men.

Now you have a statute for 280,000 enlisted men, you have an appropriation for one year at 175,000 men, you have a resolution fixing that as a maximum, and then you have an appropriation bill fixing it at 150,000 men. Now, who in the name of common sense can tell what the Republican Party means to have for an Army of enlisted men in this country? [Laughter.]

Mr. BARKLEY. The Secretary of War has recommended an increase to 180,000 men.

Mr. STEVENSON. A bill has been introduced to make an appropriation for 166,000 men, in the Sixty-seventh Congress.

Mr. BLANTON. All these deficiencies are handled by deficiency bills which our friend from Iowa [Mr. GOOD] brings in here.

Mr. STEVENSON. I am not talking about deficiencies, I am talking about the state of uncertainty, the unstable equilibrium of the minds of the majority in this House as to how many men shall constitute the Army of the United States. That is the situation, and gentlemen talk about reducing the Army from 500,000 to 175,000 men when they passed a law making it 280,000. Those things do not work well together.

Mr. McKENZIE. Will the gentleman yield?

Mr. STEVENSON. I will.

Mr. McKENZIE. Is it not a fact that the bill of which the gentleman speaks provided for an Army of enlisted personnel not to exceed 280,000 men?

Mr. STEVENSON. Yes.

Mr. McKENZIE. Was it not optional with the War Department to enlist any number under 280,000 men?

Mr. STEVENSON. To be sure; but in the name of common sense when you fix the maximum has not the Secretary of War a right to go on under it?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. STEVENSON. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McKENZIE. Is it not true that Congress holds the purse strings and has the power to regulate in peace time the size of the enlisted personnel of the Army, and did we not do that when we provided for an Army of 175,000 men?

Mr. STEVENSON. That is true and always true; but the statement of the gentleman from Illinois that the Army had been reduced to a certain figure is a statement entirely at sea, because you do not keep the same figures two times within 30 days.

Mr. McKENZIE. I want to ask the gentleman if it is not a fact that the previous Secretary of War proceeded to enlist up to the full authorized strength of 280,000, and that we now find ourselves with that load on our hands, that that is the difficulty we are up against and that we are trying to get rid of?

Mr. STEVENSON. That is not the fact. The previous Secretary of War enlisted men up to 238,000.

Now, with the present Secretary of War I have had this experience within the last 20 days. I asked him to discharge a boy who was put in before he was 18 years old, and, forsooth, because his parents waited nine months before applying they say that they have waived the right and will not let him out, although he is still under 18 years. I asked what they meant by wanting to reduce the number of 175,000, and they say that has nothing to do with it, and they will not turn the boy out.

Mr. GOOD. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. GOOD. I was somewhat amused at the gentleman chiding this side of the House because of the present military situation as to the size of the Army. The last year under President Taft the appropriation for the Army was $94,266,000. This year the estimates came in from a Democratic administration for $699,000,000. Now, does the gentleman think that when the last administration attempted to increase the Military Establishment over 700 per cent that it is fair within 30 days after a change in the administration to ask us to go back to the Taft administration?

Mr. STEVENSON. If the gentleman wants to turn the clock back to the Taft administration, which was not approved by a very large majority of this country—only the States of Vermont and Utah——

Mr. GOOD. It was approved by a larger number than was the Wilson administration.

Mr. STEVENSON. If he wants to turn back to that time, all right, I do not. I was not talking about extravagance. I was talking about the reduction of the Army, that when the Republicans were in control it has changed its mind three times in eight months about the size of the Army and passed three separate inconsistent resolutions or bills, none of which could be carried out.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. STEVENSON. I beg the gentleman's pardon, but I can not yield any further. I am in favor of maintaining the present program of construction of the Navy, just as reported by the committee. I am glad to see that they are carrying out the program of 1916, because that was a wise program, laid down by a Democratic administration, now being carried out by a Republican administration.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4803, the naval appropriation bill, and had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. KRAUS was granted permission to withdraw from the files of the House, without leaving copies, the papers in the case of H. R. 2800, Sixty-sixth Congress, and H. R. 5969, Sixty-fifth Congress, no adverse reports having been made thereon.

EXTENSION OF REMARKS.

Mr. McFADDEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD in connection with a bill which I introduced to-day upon the decline of gold production in the United States.

The SPEAKER. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I regret that I shall have to object.

COMMITTEE ON NAVAL AFFAIRS.

Mr. BUTLER. Mr. Speaker, I renew my request that I made on Friday that permission be given to the Committee on Naval Affairs to sit during the sessions of the House—not every session, but there are important matters of business over there that need attention and I think this permission should be granted.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I want to make this statement, and I think it ought to go into the RECORD, so that gentlemen on both sides of the Chamber may understand the situation and the reasons which I think are good why this permission should not be granted generally and to apply to the sessions of this Congress. Already permission has been granted to sit during the sessions of the House to the Committee on Appropriations and to the Committee on Ways and Means. Of course, that must be done, and it always is done. Permission was granted to the Committee on Agriculture and to the Committee on Immigration. I am sorry that permission was granted in view of the situation which I wish to present. There are certain other committees called the major committees of the House, so designated by caucus action here, and they will probably come in and ask consent gradually for the same permission as time goes by. If the majority members of committees sit during the sessions of the House, the minority members will have to be present also. To grant permission to those major committees will take out of the House, if they all attend upon the sessions of the committees and perform their duties, 60 minority Members. There may be times when it is desirable and important that the minority Members be in the Chamber here during the sessions of the House. With 60 gone it would not leave enough to demand the yeas and nays. Special committees will be appointed which will ask this permission, and already one has been created with permission to sit during the sessions of the House. For these reasons I shall have to object. I shall not object to permission to sit on any particular day the gentleman may desire to sit, or if we can arrange some reasonable limitation of time within which they may have permission I shall not object, but I do not think gentlemen should ask permission for this entire Congress that these committees may sit during the sessions of the House.

Mr. BUTLER. I would much prefer to withdraw the request and say to the gentleman that if it becomes necessary we will ask for a rule.

The SPEAKER. The gentleman from Tennessee objects.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 26, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

71. A letter from the Secretary of the Navy, transmitting recommendation in connection with two items of the naval appropriation bill for 1922, of the elimination of one technical engineer and one draftsman; to the Committee on Appropriations.

72. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of La Grue River, Ark. (H. Doc. No. 48); to the Committee on Rivers and Harbors and ordered to be printed.

73. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Red Lake at or near Redby, Minn.; to the Committee on Rivers and Harbors.

74. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Camden Harbor, Me; to the Committee on Rivers and Harbors.

75. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $65,000, required by the Interior Department for salaries, General Land Office, fiscal year 1922 (H. Doc. No. 49); to the Committee on Appropriations and ordered to be printed.

76. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $57,820, required by the Department of State for salaries and expenses of passport bureaus during the fiscal year 1922 (H. Doc. No. 50); to the Committee on Appropriations and ordered to be printed.

77. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriations, in the sum of $70,620, required by the Treasury Department for the office of the Comptroller of the Currency for the fiscal year 1922 (H. Doc. No. 51); to the Committee on Appropriations and ordered to be printed.

78. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations required by the Treasury Department for the fiscal year ending June 30, 1922 (H. Doc. No. 52); to the Committee on Appropriations and ordered to be printed.

79. A letter from the chairman of the board of trustees of the Near East Relief, transmitting report of that organization for the year ended December 31, 1920; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. GOOD, from the Select Committee on the Budget, to which was referred the bill (H. R. 30) to provide a national budget system and an independent audit of Government accounts, and for other purposes, reported the same without amendment, accompanied by a report (No. 14), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KAHN, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 17) to authorize the sale of surplus foodstuffs by the Secretary of War, reported the same with amendments, accompanied by a report (No. 16), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Ohio, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 245) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River in the State of Ohio, reported the same without amendment, accompanied by a report (No. 17), which said bill and report were referred to the House Calendar.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 2251) authorizing an appropriation for the World's Poultry Congress, reported the same without amendment, accompanied by a report (No. 18), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3428) granting a pension to George Byrne; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3893) granting an increase of pension to George R. Robinson; Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 4778) granting a pension to Eddie C. Long; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BANKHEAD: A bill (H. R. 4971) to provide for the purchase of a site and the erection of a public building thereon at Carbon Hill, in the State of Alabama; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4972) providing for a site and public building for post-office and other Federal purposes at Fayette, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4973) providing for a site and public building for post-office and other Federal purposes at Russellville, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. BLACK: A bill (H. R. 4974) to amend section 439 of an act to provide for the termination of Federal control of railroads and systems of transportation, approved February 28, 1920, by adding a new paragraph to section 20a to be known as paragraph (13); to the Committee on Interstate and Foreign Commerce.

By Mr. BRITTEN: A bill (H. R. 4975) to credit officers of the United States Naval Reserve Force with time served in the Naval Auxiliary Service; to the Committee on Naval Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 4976) granting the consent of Congress to the Trumbull Steel Co. to build a dam across the Mahoning River in the State of Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. DUPRÉ: A bill (H. R. 4977) to authorize the President to reappoint in the Navy former officers of the regular Navy who resigned subsequent to November 11, 1918; to the Committee on Naval Affairs.

By Mr. GAHN: A bill (H. R. 4978) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching; to the Committee on the Judiciary.

By Mr. GOODYKOONTZ: A bill (H. R. 4979) to provide for the purchase of a site and the erection of a public building at Princeton, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4980) to provide for the purchase of a site for a public building at Welch, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 4981) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended; to the Committee on Agriculture.

By Mr. HUTCHINSON: A bill (H. R. 4982) to relieve housing conditions by the encouragement of investments in real estate mortgages; to the Committee on Ways and Means.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 4983) to amend an act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

Also, a bill (H. R. 4984) to provide that all meetings of the Federal Reserve Board and the Interstate Commerce Commission shall hereafter be open to the public, and for other purposes; to the Committee on the Judiciary.

Also, a bill (H. R. 4985) to provide for the purchase of a site and the erection of a public building thereon at Wymore, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4986) to provide for the purchase of a site and the erection of a public building thereon at Seward, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4987) to provide for the purchase of a site and the erection of a public building thereon at David City, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4988) to provide for the purchase of a site and the erection of a public building thereon at Geneva, in the State of Nebraska; to the Committee on Public Buildings and Grounds.

By Mr. PARRISH: A bill (H. R. 4989) amending an act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes, approved March 4, 1917; to the Committee on Pensions.

By Mr. PRINGEY: A bill (H. R. 4990) to adjust and settle the claims of the loyal Shawnee, loyal Cherokee Shawnee, and loyal Absentee Shawnee, and Delaware Tribes of Indians; to the Committee on Indian Affairs.

Also, a bill (H. R. 4991) increasing the limit of cost for a post-office building at Shawnee, Pottawatomie County, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4992) increasing the limit of cost for a post-office building at Chandler, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 4993) providing for cooperation between the United States and State Governments in the rural settlement of soldiers, sailors, and marines, and to promote the reclamation of lands, and for other purposes; to the Committee on Ways and Means.

Also, a bill (H. R. 4994) to make April 13 of each and every year a public holiday in the District of Columbia, to be known as Jefferson Day; to the Committee on the District of Columbia.

Also, a bill (H. R. 4995) for the erection of a public building at the city of Susanville, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4996) to establish, equip, and maintain an agricultural experiment station near the town of Dorris, Siskiyou County, Calif., and for other purposes; to the Committee on Agriculture.

Also, a bill (H. R. 4997) for the erection of a public building at the city of Yreka, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4998) for the erection of a public building in the city of Auburn, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4999) for the erection of a public building at the city of Placerville, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5000) for the erection of a public building at the city of Redding, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5001) for the erection of a public building at the city of Quincy, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5002) for the erection of a public building at the city of Alturas, State of California, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5003) to provide for the consolidation of forest lands in the Plumas National Forest, Calif., and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 5004) to provide for the consolidation of forest lands in the Shasta National Forest, Calif., and for other purposes; to the Committee on the Public Lands.

By Mr. REECE: A bill (H. R. 5005) to provide for the erection of a public building at Newport, Cocke County, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS of Texas: A bill (H. R. 5006) authorizing increase for post-office building at Gilmer, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. SANDLIN: A bill (H. R. 5007) to provide for the erection of an addition to the post-office building at Shreveport, La., and for alterations to the present building; to the Committee on Public Buildings and Grounds.

By Mr. SMITH: A bill (H. R. 5008) to encourage the reclamation of certain arid lands in the State of Idaho, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. TAYLOR of Colorado: A bill (H. R. 5009) to amend section 3 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes"; to the Committee on the Public Lands.

By Mr. ANTHONY: A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; to the Committee on Appropriations.

By Mr. UPSHAW: A bill (H. R. 5011) to provide emergency financial relief to the farmers of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 5012) to provide for the construction and improvement of waterways; to the Committee on Appropriations.

Also, a bill (H. R. 5013) to authorize the Secretary of the Navy to sanction the use of certain titles on tablets and other memorials; to the Committee on Naval Affairs.

By Mr. DAVIS of Tennessee: A bill (H. R. 5014) to establish a fish-hatching and fish-cultural station in the State of Tennessee; to the Committee on the Merchant Marine and Fisheries.

By Mr. FOCHT: A bill (H. R. 5015) to amend the act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, licensed bankers, trust companies, savings banks, building and loan associations, and real estate brokers in the District of Columbia," approved February 4, 1913; to the Committee on the District of Columbia.

Also, a bill (H. R. 5016) to prevent fraud respecting securities offered for sale within the District of Columbia, to provide a summary proceeding therefor, to register persons selling securities in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 5017) to make the necessary survey and to prepare a plan of a proposed parkway to connect the old Civil

War forts in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 5018) to authorize the widening of First Street NE., and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 5019) authorizing the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW., lying between Potomac Park and square No. 88, in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 5020) to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 5021) to authorize the opening of a minor street from Georgia Avenue to Ninth Street NW., through squares 2875 and 2877, and for other purposes; to the Committee on the District of Columbia.

By Mr. HICKEY: A bill (H. R. 5022) to create a cause of action for compensation in damages for injuries sustained and death resulting from injuries to any person through the wrongful act or omission by an agent, officer, or employee of the United States Government, and to provide procedure therefor; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 5023) directing the remission of customs duties on certain War Department property; to the Committee on Ways and Means.

Also, a bill (H. R. 5024) to regulate the marriage of persons in the military and naval forces of the United States in foreign countries, and for other purposes; to the Committee on Military Affairs.

By Mr. McFADDEN: A bill (H. R. 5025) to provide for the protection of the monetary gold reserve by the maintenance of the normal gold production of the United States, by imposing an excise for revenue and other purposes upon all gold used for other than monetary purposes, and by the payment of a premium to the producers of newly mined gold, and providing penalties for the violation thereof; to the Committee on Ways and Means.

By Mr. ROSE: A bill (H. R. 5026) to provide for the erection of a public building in the borough of Tyrone, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. FOCHT: A bill (H. R. 5027) to amend an act approved February 28, 1899, entitled "An act relative to the payment of claims for material and labor furnished for District of Columbia buildings"; to the Committee on the District of Columbia.

By Mr. NEWTON of Missouri: A bill (H. R. 5028) making appropriation for the construction and completion of certain public works on the Ohio, Mississippi, and Missouri Rivers; to the Committee on Appropriations.

By Mr. MASON: A bill (H. R. 5029) to provide allowances for mothers with children under 16 dependent upon them for support in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LEE of New York: A bill (H. R. 5030) to amend the Penal Code; to the Committee on the Judiciary.

By Mr. ROSE: A bill (H. R. 5031) to provide for the erection of a public building at Everett, Bedford County, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5032) to provide for the erection of a public building at Barnesboro, Cambria County, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. VOLSTEAD: A bill (H. R. 5033) supplemental to the national prohibition act; to the Committee on the Judiciary.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 5034) to create a Federal live-stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes; to the Committee on Agriculture.

By Mr. FOCHT (by request of the Commissioners of the District of Columbia): A bill (H. R. 5035) to amend section 833a of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

By Mr. SWING: A bill (H. R. 5036) to exempt from cancellation certain desert-land entries in Imperial County, Calif.; to the Committee on the Public Lands.

By Mr. BARKLEY: A bill (H. R. 5037) authorizing and directing the Interstate Commerce Commission to establish a system of mileage books to be issued at a reduced rate by all railroad companies carrying passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. CHINDBLOM: A bill (H. R. 5038) to make just compensation for land taken over under proclamation of the President for the naval training station at Great Lakes, Ill., and for other purposes; to the Committee on Appropriations.

By Mr. PORTER: Joint resolution (H. J. Res. 74) terminating the state of war between the Imperial German Government and the United States; to the Committee on Foreign Affairs.

Also, joint resolution (H. J. Res. 75) terminating the state of war between the Imperial Austro-Hungarian Government and the United States; to the Committee on Foreign Affairs.

By Mr. PARKS of Arkansas: Joint resolution (H. J. Res. 76) for the relief of the destitute sufferers from storm in the State of Arkansas and other States; to the Committee on Agriculture.

By Mr. BANKHEAD: Joint resolution (H. J. Res. 77) to repeal section 8 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920; to the Committee on Naval Affairs.

By Mr. WARD of New York: Joint resolution (H. J. Res. 78) authorizing the President to require the United States Sugar Equalization Board (Inc.) to take over and dispose of 13,902 tons of sugar imported from the Argentine Republic; to the Committee on Agriculture.

By Mr. DALE: Joint resolution (H. J. Res. 80) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GOULD: Joint resolution (H. J. Res. 81) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the dead of the First Division, American Expeditionary Forces, in the World War; to the Committee on the Library.

By Mr. BUTLER: Joint resolution (H. J. Res. 82) ratifying the reestablishment of the boundary lines between the States of Pennsylvania and Delaware; to the Committee on the Judiciary.

By Mr. CODD: Joint resolution (H. J. Res. 83) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. COCKRAN: Joint resolution (H. J. Res. 84) declaring the policy of the United States with respect to disarmament; to the Committee on Foreign Affairs.

By Mr. STRONG of Kansas: Concurrent resolution (H. Con. Res. 13) to create a joint commission of agricultural inquiry which shall investigate conditions and suggest remedial legislation; to the Committee on Rules.

By Mr. KING: Resolution (H. Res. 70) to investigate the administration of the Federal reserve act since its passage; to the Committee on Rules.

By Mr. GREENE of Massachusetts: Resolution (H. Res. 71) authorizing the Committee on the Merchant Marine and Fisheries to sit during sessions of the House and the recess of the Congress, to compel the attendance of witnesses, to send for persons and papers, and to administer oaths to witnesses; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Nebraska, in connection with the development of a waterway from the Great Lakes to the Atlantic Ocean; to the Committee on Interstate and Foreign Commerce.

By Mr. BECK: Memorial of the Legislature of the State of Wisconsin, in connection with world disarmament and withdrawal of our troops from Europe; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Wisconsin, requesting that the next battleship be designated *Wisconsin;* to the Committee on Naval Affairs.

Also, memorial of the Legislature of the State of Wisconsin, in connection with passage of the French-Capper bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Wisconsin, in connection with a national memorial archway; to the Committee on the Library.

By Mr. GOODYKOONTZ: Memorial of the Legislature of West Virginia, in reference to pensions; to the Committee on Pensions.

Also, memorial of the Legislature of West Virginia, in connection with legislation in behalf of disabled ex-service men; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLACK: A bill (H. R. 5039) granting an increase of pension to John W. Cornell; to the Committee on Pensions.

Also, a bill (H. R. 5040) granting a pension to Thomas A. De Berry; to the Committee on Pensions.

By Mr. BOIES: A bill (H. R. 5041) granting a pension to Louisa Powell; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 5042) for the relief of John Lyons; to the Committee on Military Affairs.

By Mr. CLOUSE: A bill (H. R. 5043) authorizing the Secretary of War to donate to the city of Gallatin, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5044) authorizing the Secretary of War to donate to the town of Livingston, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5045) authorizing the Secretary of War to donate to the city of Lebanon, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5046) authorizing the Secretary of War to donate to the town of Cookeville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5047) authorizing the Secretary of War to donate to the town of Byrdstown, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5048) authorizing the Secretary of War to donate to the town of Crossville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5049) authorizing the Secretary of War to donate to the town of Lafayette, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5050) authorizing the Secretary of War to donate to the city of Dayton, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COPLEY: A bill (H. R. 5051) to renew patent No. 765486; to the Committee on Patents.

By Mr. CRAMTON: A bill (H. R. 5052) to remove the charge of desertion from the military record of Eleazer I. Hathaway; to the Committee on Military Affairs.

Also, a bill (H. R. 5053) granting a pension to Cora M. Ridgeman; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 5054) authorizing the Secretary of War to donate to the village of Marine on St. Croix, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 5055) for the relief of Ferdinand A. Roy; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 5056) authorizing the Secretary of War to donate to the city of Jefferson, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5057) authorizing the Secretary of War to donate to the city of Pocahontas, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5058) authorizing the Secretary of War to donate to the city of Fort Dodge, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5059) authorizing the Secretary of War to donate to the city of Denison, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5060) authorizing the Secretary of War to donate to the city of Carroll, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5061) authorizing the Secretary of War to donate to the city of Rockwell City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5062) authorizing the Secretary of War to donate to the city of Estherville, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5063) authorizing the Secretary of War to donate to the city of Forest City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5064) authorizing the Secretary of War to donate to the city of Emmetsburg, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5065) authorizing the Secretary of War to donate to the city of Manning, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5066) authorizing the Secretary of War to donate to the city of Garner, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5067) authorizing the Secretary of War to donate to the city of Boone, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5068) authorizing the Secretary of War to donate to the city of Webster City, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5069) authorizing the Secretary of War to donate to the city of Humboldt, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5070) authorizing the Secretary of War to donate to the city of Algona, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5071) authorizing the Secretary of War to donate to the city of Britt, State of Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ECHOLS: A bill (H. R. 5072) for the relief of C. S. Thacker; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 5073) authorizing the Secretary of War to donate to the village of Springboro, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 5074) to carry out findings of the Court of Claims in the case of Charles H. Simmons; to the Committee on Claims.

Also, a bill (H. R. 5075) granting a pension to Harriet M. Tyler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5076) granting a pension to George Francis Bemont; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5077) authorizing the Court of Claims to hear and determine and enter judgment upon claim of the Mystic Manufacturing Co.; to the Committee on Claims.

By Mr. FRENCH: A bill (H. R. 5078) granting certain public lands to the State of Idaho for the benefit of the Idaho Soldiers' Home; to the Committee on the Public Lands.

By Mr. GOULD: A bill (H. R. 5079) authorizing the Secretary of War to donate to the town of Victor, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HULL: A bill (H. R. 5080) granting a pension to Sarah Rosa; to the Committee on Invalid Pensions.

By Mr. JACOWAY: A bill (H. R. 5081) granting a pension to Amanda A. M. Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5082) granting a pension to C. B. Chamness; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5083) granting a pension to Edward Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5084) granting an increase of pension to William Douglas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5085) granting a pension to Rebecca E. Skaggs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5086) granting a pension to Sophia Doering; to the Committee on Pensions.

Also, a bill (H. R. 5087) for the relief of James Shook; to the Committee on Military Affairs.

Also, a bill (H. R. 5088) granting a pension to Frank Thompson; to the Committee on Pensions.

Also, a bill (H. R. 5089) granting a pension to Sam Ragsdale; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 5090) to provide for the retirement as second lieutenant of Field Artillery in the Army of Cadet Joseph P. Constantine, jr.; to the Committee on Military Affairs.

By Mr. KLINE of Pennsylvania: A bill (H. R. 5091) authorizing the Secretary of War to donate to the city of Dalmatia, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5092) authorizing the Secretary of War to donate to the city of Herndon, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5093) authorizing the Secretary of War to donate to the city of Trevorton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5094) authorizing the Secretary of War to donate to the city of Mount Carmel, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5095) authorizing the Secretary of War to donate to the city of Shamokin, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5096) authorizing the Secretary of War to donate to the city of Watsontown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5097) authorizing the Secretary of War to donate to the city of Milton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5098) authorizing the Secretary of War to donate to the city of Northumberland, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5099) authorizing the Secretary of War to donate to the city of Sunbury, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5100) authorizing the Secretary of War to donate to the city of Turbotville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5101) authorizing the Secretary of War to donate to the city of Washingtonville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5102) authorizing the Secretary of War to donate to the city of Danville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5103) authorizing the Secretary of War to donate to the city of Bloomsburg, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5104) authorizing the Secretary of War to donate to the city of Berwick, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5105) authorizing the Secretary of War to donate to the city of Catawissa, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5106) authorizing the Secretary of War to donate to the city of Centralia, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5107) authorizing the Secretary of War to donate to the city of Benton, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5108) authorizing the Secretary of War to donate to the city of La Porte, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5109) authorizing the Secretary of War to donate to the city of Dushore, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5110) authorizing the Secretary of War to donate to the city of Mildred, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5111) authorizing the Secretary of War to donate to the city of Lopez, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 5112) granting a pension to John Murphy; to the Committee on Pensions.

By Mr. LAMPERT: A bill (H. R. 5113) authorizing the President to appoint Carl J. Lehnhard a first lieutenant in the Quartermaster Corps, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 5114) granting an increase of pension to Mary Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5115) granting an increase of pension to Francis Van Name; to the Committee on Pensions.

Also, a bill (H. R. 5116) granting a pension to Mary J. Wright; to the Committee on Invalid Pensions.

By Mr. LEE of New York: A bill (H. R. 5117) for the relief of William Bardel; to the Committee on Claims.

Also, a bill (H. R. 5118) for the relief of Perley Morse & Co.; to the Committee on Claims.

Also, a bill (H. R. 5119) to reimburse the Midwood Park Property Owners' Association; to the Committee on Claims.

Also, a bill (H. R. 5120) for the relief of James W. O'Reilly; to the Committee on Claims.

Also, a bill (H. R. 5121) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired; to the Committee on Naval Affairs.

Also, a bill (H. R. 5122) for the retirement of Clarence Cappel; to the Committee on Naval Affairs.

Also, a bill (H. R. 5123) for the relief of Almirall & Co. (Inc.); to the Committee on Appropriations.

Also, a bill (H. R. 5124) for the relief of George F. Ames; to the Committee on Claims.

Also, a bill (H. R. 5125) for the relief of Oliver A. Campbell; to the Committee on Military Affairs.

By Mr. LOGAN: A bill (H. R. 5126) conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear and determine the claim of the owners of the Danish steamship *Flymderborg* against the United States, and for other purposes; to the Committee on Claims.

By Mr. LUHRING: A bill (H. R. 5127) granting a pension to Levi C. Posey; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 5128) authorizing the Secretary of War to donate to the city of Crete, Saline County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5129) authorizing the Secretary of War to donate to the city of Wilber, Saline County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5130) authorizing the Secretary of War to donate to the city of Wymore, Gage County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5131) authorizing the Secretary of War to donate to the city of Fairbury, Jefferson County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5132) authorizing the Secretary of War to donate to the city of Beatrice, Gage County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5133) authorizing the Secretary of War to donate to the city of Geneva, Fillmore County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5134) authorizing the Secretary of War to donate to the city of David City, Butler County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5135) authorizing the Secretary of War to donate to the town of Milford, Seward County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5136) authorizing the Secretary of War to donate to the town of Shelby, Polk County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5137) authorizing the Secretary of War to donate to the city of Aurora, Hamilton County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5138) authorizing the Secretary of War to donate to the city of Hebron, Thayer County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5139) authorizing the Secretary of War to donate to the city of Osceola, Polk County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5140) authorizing the Secretary of War to donate to the city of Wahoo, Saunders County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5141) authorizing the Secretary of War to donate to the town of Beaver Crossing, Seward County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5142) authorizing the Secretary of War to donate to the city of Seward, Seward County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5143) authorizing the Secretary of War to donate to the town of Prague, Saunders County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5144) authorizing the Secretary of War to donate to the city of York, York County, State of Nebraska, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 5145) granting a pension to Abigail Snay; to the Committee on Invalid Pensions.

By Mr. MASON: A bill (H. R. 5146) for the relief of the estate of Moses M. Bane; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 5147) authorizing the Secretary of War to donate to the city of North Collins, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5148) authorizing the Secretary of War to donate to the city of Boston, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 5149) granting an increase of pension to Matilda Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5150) granting a pension to Mary W. Shellabarger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5151) granting an increase of pension to Johanna Dowling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5152) authorizing the Secretary of War to donate to the Lawrence Lightner Post, No. 92, American Legion, Utica, Ohio, one German machine gun; to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 5153) granting a pension to Mary E. Jarvis; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 5154) granting a pension to Jennie Tann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5155) authorizing the Secretary of War to donate to the town of Hoosick Falls, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5156) authorizing the Secretary of War to donate to the town of Whitehall, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5157) authorizing the Secretary of War to donate to the city of Troy, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5158) authorizing the Secretary of War to donate to the city of Glens Falls, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PARRISH: A bill (H. R. 5159) authorizing the Secretary of War to donate to the county of Baylor, State of Texas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PRINGEY: A bill (H. R. 5160) for the relief of Frank Carpenter; to the Committee on Claims.

Also, a bill (H. R. 5161) authorizing the Secretary of War to donate to the city of Shawnee, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5162) authorizing the Secretary of War to donate to the city of Seminole, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5163) authorizing the Secretary of War to donate to the city of Okemah, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5164) authorizing the Secretary of War to donate to the city of Tecumseh, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5165) authorizing the Secretary of War to donate to the city of Wewoka, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5166) authorizing the Secretary of War to donate to the City of Tishomingo, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5167) authorizing the Secretary of War to donate to the city of Coalgate, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5168) authorizing the Secretary of War to donate to the city of Holdenville, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5169) authorizing the Secretary of War to donate to the city of Ada, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5170) authorizing the Secretary of War to donate to the city of Sapulpa, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5171) authorizing the Secretary of War to donate to the city of Chandler, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 5172) for the relief of James Diamond for horse lost while hired by the United States Forest Service; to the Committee on Claims.

By Mr. REECE: A bill (H. R. 5173) for the relief of James A. Wolfe; to the Committee on Military Affairs.

Also, a bill (H. R. 5174) for the relief of Thomas Swatzell; to the Committee on Military Affairs.

Also, a bill (H. R. 5175) for the relief of George B. Robinson; to the Committee on Military Affairs.

By Mr. REED of New York: A bill (H. R. 5176) granting a pension to Eliza Hess Smith; to the Committee on Invalid Pensions.

By Mr. RIDDICK: A bill (H. R. 5177) granting a pension to Nathaniel M. Gregg, alias John Tammons; to the Committee on Pensions.

By Mr. ROACH: A bill (H. R. 5178) granting a pension to Mary Mahoney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5179) granting a pension to William Shelton; to the Committee on Invalid Pensions.

By Mr. ROSE: A bill (H. R. 5180) for the relief of Victor Smith; to the Committee on Military Affairs.

Also, a bill (H. R. 5181) for the relief of Martin L. Cuppels; to the Committee on Military Affairs.

Also, a bill (H. R. 5182) granting a pension to Elizabeth Ross; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5183) granting a pension to Jessie M. Leadbeater; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5184) granting a pension to Abraham Byers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5185) granting a pension to Frances J. Dixon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5186) for the relief of Susan C. Bott; to the Committee on Military Affairs.

By Mr. SHREVE: A bill (H. R. 5187) granting a pension to Melissa A. Sears; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 5188) for the relief of Orlando Ducker, major and surgeon in the War with Spain; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 5189) granting a pension to Elizabeth S. Taber; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 5190) for the relief of Joseph Maier; to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 5191) authorizing the Secretary of War to donate to the village of Argyle, Polk County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5192) authorizing the Secretary of War to donate to the village of Erskine, Polk County, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of New Jersey: A bill (H. R. 5193) granting a pension to Etta B. Julius; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 5194) granting a pension to H. C. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5195) granting a pension to Mary Sexton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5196) granting a pension to Comfort C. Gregory; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5197) granting a pension to Eliza J. Farmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5198) granting a pension to Belinda Patrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5199) granting a pension to Arbany Terry; to the Committee on Pensions.

Also, a bill (H. R. 5200) for the relief of Andrew L. Sharp; to the Committee on Claims.

Also, a bill (H. R. 5201) granting a pension to Eveline Kear; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5202) granting a pension to Louisa Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5203) granting a pension to Alice Jewett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5204) granting a pension to Lollie Massengale; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 5205) authorizing the Secretary of War to donate to the city of Albany, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5206) authorizing the Secretary of War to donate to the city of Troy, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMAS: A bill (H. R. 5207) authorizing the Secretary of War to donate to the town of Adairville, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. THOMPSON: A bill (H. R. 5208) authorizing the Secretary of War to donate to the town of Fort Jennings, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 5209) granting a pension to Emily J. Wales; to the Committee on Invalid Pensions.

By Mr. WARD of New York: A bill (H. R. 5210) for the relief of Lieut. Col. Henry C. Davis; to the Committee on Naval Affairs.

By Mr. WATSON: A bill (H. R. 5211) authorizing the Secretary of War to donate to the borough of Quakertown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5212) authorizing the Secretary of War to donate to the borough of Bridgeport, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5213) authorizing the Secretary of War to donate to the borough of Churchville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHALMERS: Joint resolution (H. J. Res. 79) admitting George A. Huntley to the rights and privileges of the United States; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

285. By the SPEAKER (by request): Petition of Military Order of the Loyal Legion of the United States, favoring replacement of a statue to Lincoln; to the Committee on the Library.

286. By Mr. GILLETTE: Petition of residents of the second Massachusetts district, favoring repeal of 10 per cent tax on yachts; to the Committee on Ways and Means.

287. By Mr. BARBOUR: Petition of Tuolumne Tribe, No. 247, Improved Order of Red Men, Turlock, Calif., favoring the enlargement of the Federal arsenal and military storage depot at Benicia, Calif.; to the Committee on Military Affairs.

288. Also, petition of Golden West Lodge, No. 73, Brotherhood of Railroad Trainmen, Bakersfield, Calif., opposing the sales or turnover tax; to the Committee on Ways and Means.

289. By Mr. BUTLER (by request): Petition of G. A. Wehlheim and others, of Coatesville, Northbrook, Oak Lane, Darby, and Downingtown, all in the State of Pennsylvania, against the passage of the bill creating a bureau for the control of professional licensure in the department of public instruction and against all bills with similar provisions; to the Committee on Interstate and Foreign Commerce.

290. Also (by request), petitions of Mary S. Osborn and others, of Coatesville; Marion E. Collins and others, of Avondale; and Elizabeth McMullen and others, of West Chester, all in the State of Pennsylvania, against the passage of the Capper-Fess education bill; to the Committee on Education.

291. By Mr. DENISON: Petition of various citizens of Herrin, Ill., in favor of beer and light wine and opposed to Sunday blue laws; to the Committee on the Judiciary.

292. By Mr. FESS: Petition of sundry citizens of Mechanicsburg, Ohio, favoring the independence of Ireland; to the Committee on Foreign Affairs.

293. By Mr. JOHNSON of Washington: Petition of the First Presbyterian Church, Tacoma, Wash., urging an amendment to the Federal Constitution prohibiting the practice of polygamy; to the Committee on the Judiciary.

294. By Mr. KISSEL: Petition of John Kelly, of Brooklyn, N. Y., favoring freedom of Ireland; to the Committee on Foreign Affairs.

295. Also, petition of the Bank of New York, regarding taxation in the United States; to the Committee on Ways and Means.

296. Also, petition of Lanman & Kemp (Inc.), of New York, favoring a sales tax; to the Committee on Ways and Means.

297. By Mr. LEA of California: Petition of J. W. Preston and others, protesting against reflections of John B. Densmore on Casper A. Ornbaum, made in report on House resolution No. 225, Sixty-sixth Congress; to the Committee on Labor.

298. By Mr. MAGEE: Petitions of Haberle Brewing Co., Thomas Ryan's Consumers' Brewing Co., and Moore & Quinn, all of Syracuse, N. Y., in favor of the repeal of internal-revenue tax now levied on cereal beverages; to the Committee on Ways and Means.

299. By Mr. MANN: Petition of E. J. Steffens, Albert Goltz, John M. Brandenburg, John T. Dickinson, and other citizens of Chicago, Ill., favoring amendment to the prohibition act, etc.; to the Committee on the Judiciary.

300. By Mr. MEAD: Petition of Local No. 76, National Brotherhood of Operative Potters, of Buffalo, N. Y., favoring a tariff on pottery; to the Committee on Ways and Means.

301. Also, petition of East Buffalo Brewing Co., regarding tax on cereal beverages; to the Committee on Ways and Means.

302. By Mr. SINCLAIR: Petition of Garrison Lodge, No. 90, Ancient, Free, and Accepted Masons, Garrison, N. Dak., and Mount Moriah Lodge, No. 51, Williston, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

303. By Mr. TAGUE: Petition of Louis C. Pazolt, furrier, of Boston, Mass., concerning proposed tariff legislation; to the Committee on Ways and Means.

304. By Mr. WATSON: Petition of sundry citizens of Willow Grove, Pa., opposing the passage of the Capper-Fess educational bills; to the Committee on Education.

305. By Mr. YATES: Petition of Rosenwald & Weil, Chicago, protesting against the French-Capper bill; to the Committee on Interstate and Foreign Commerce.

306. Also, petition of E. C. Hill, of Chicago, protesting against an excise tax on musical instruments; to the Committee on Ways and Means.

SENATE.

TUESDAY, *April 26, 1921.*

(Legislative day of Monday, April 25, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Mr. NORRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore (Mr. CUMMINS). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harreld	Moses	Smoot
Ball	Harris	Nelson	Spencer
Borah	Harrison	New	Stanfield
Broussard	Jones, N. Mex.	Nicholson	Stanley
Bursum	Jones, Wash.	Norbeck	Sterling
Calder	Kendrick	Norris	Sutherland
Cameron	Kenyon	Oddie	Townsend
Caraway	Keyes	Overman	Trammell
Colt	King	Phipps	Underwood
Culberson	Knox	Pittman	Walsh, Mass.
Cummins	Ladd	Poindexter	Walsh, Mont.
Curtis	La Follette	Pomerene	Warren
Dial	Lenroot	Ransdell	Watson, Ga.
Dillingham	Lodge	Reed	Williams
Ernst	McCormick	Robinson	Willis
France	McKellar	Sheppard	Wolcott
Frelinghuysen	McKinley	Shields	
Gooding	McLean	Shortridge	
Hale	McNary	Simmons	

Mr. UNDERWOOD. I desire to announce that my colleague [Mr. HEFLIN] is unavoidably detained from the Senate on public business. I ask that this announcement may stand for to-day and to-morrow.

The PRESIDENT pro tempore. Seventy-three Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. LADD presented a concurrent resolution of the Legislature of North Dakota, which was referred to the Committee on Commerce, as follows:

Senate concurrent resolution.

A concurrent resolution beseeching Congress to request the Joint International Boundary Commission to take action looking to the solution of the problem of controlling floods in the valley of the Red River in the United States and Canada.

Whereas there are vast problems in flood control and drainage affecting the 110,000 square miles comprising the valley of the Red River in Canada and the United States which can not be solved without cooperation and joint action of these two countries: Be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we respectfully and urgently petition Congress to request the Joint International Boundary Commission to call a conference at some city near the international boundary and follow same with such action as will enable the two countries to continue and perfect the necessary desired action relating to the control of the floods of the Red River.

I, W. J. Prater, secretary of the senate of the seventeenth legislative assembly, do hereby certify that the above concurrent resolution was adopted by the Senate of the State of North Dakota on the 7th day of February, 1921, and was concurred in by the House of Representatives of the State of North Dakota on the same day.

W. J. PRATER,
Secretary of the Senate of North Dakota.

Dated at Bismarck, N. Dak., this 22d day of April, 1921.

Mr. KNOX presented resolutions of the Legislature of Pennsylvania, which were referred to the Committee on Military Affairs, as follows:

OFFICE OF THE SECRETARY
OF THE COMMONWEALTH OF PENNSYLVANIA,
Harrisburg, April 14, 1921.

PENNSYLVANIA, *ss:*

I do hereby certify that the following is a full, true, and correct copy of the original resolution of the general assembly, No. 4–B, as the same remains on file in this office:

IN THE HOUSE OF REPRESENTATIVES,
April 6, 1921.

Resolved (if the senate concur), That the General Assembly of the Commonwealth of Pennsylvania does respectfully request Congress of the United States to adopt legislation which will provide for retirement privileges for disabled emergency officers of the Army under the same conditions now provided by law for officers of the Regular Army in so far as regards physical disability in line of duty.

Resolved, That the secretary of the Commonwealth forward a copy of this resolution to the President pro tempore of the Senate and the Speaker of the House of Representatives of the United States and a copy to each Member and Senator from Pennsylvania in Congress of the United States.

THOMAS H. GARVIN,
Chief Clerk of the House of Representatives.

The foregoing resolution was concurred in by the Senate April 7, 1921.

W. P. GALLAGHER,
Chief Clerk of the Senate.

In testimony whereof I have hereunto set my hand and caused the seal of the secretary's office to be affixed, the day and year above written.

[SEAL.]

FREDERIC A. GODCHARLES,
Deputy Secretary of the Commonwealth.

Mr. WALSH of Massachusetts presented resolutions of the Legislature of Massachusetts, which were referred to the Committee on Military Affairs, as follows:

THE COMMONWEALTH OF MASSACHUSETTS,
OFFICE OF THE SECRETARY,
Boston, April 25, 1921.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SIR: As directed by the house of representatives of this Commonwealth, I take pleasure in sending herewith a copy of an order adopted April 25, 1921, urging upon Congress the confirmation of Gen. Clarence R. Edwards as a major general.

Very respectfully,

F. W. COOK, *Secretary.*

THE COMMONWEALTH OF MASSACHUSETTS,
HOUSE OF REPRESENTATIVES,
Boston, April 25, 1921.

Ordered, That the House of Representatives of the General Court of Massachusetts believes that it voices the opinions and wishes of the people of Massachusetts, and of Massachusetts veterans of the World War, in urging upon the Senate of the United States the wisdom and justice of confirming the appointment of Clarence R. Edwards as a major general in the Army of the United States; and be it further

Ordered, That copies of this order be sent by the secretary of the Commonwealth to the Vice President of the United States and to the Senators in Congress from Massachusetts.

JAMES W. KIMBALL, *Clerk.*

OFFICE OF THE SECRETARY,
Boston, April 25, 1921.

A true copy.
Witness the great seal of the Commonwealth.
[SEAL.]

F. W. COOK,
Secretary of the Commonwealth.

Mr. ROBINSON presented three memorials signed by sundry citizens of Searcy County, Ark., remonstrating against the enactment of legislation placing a tariff on coal-tar products used in the manufacture of dips and disinfectants, which were referred to the Committee on Finance.

Mr. TOWNSEND (for Mr. NEWBERRY) presented a petition of the Women's University Club, of Grand Rapids, Mich., praying for the enactment of legislation creating a department of education, and also for the protection of maternity and infancy, which was referred to the Committee on Education and Labor.

He also (for Mr. NEWBERRY) presented memorials of Mineral King Lodge, No. 129, Brotherhood of Locomotive Firemen and Enginemen, of Escanaba, and United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of Detroit, both in the State of Michigan, remonstrating against the enactment of legislation repealing the excess profits tax law and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented 64 memorials signed by sundry citizens of the State of Michigan, remonstrating against the enactment of legislation placing an excise tax upon eyeglasses and spectacles, which were referred to the Committee on Finance.

DEAD AMERICAN SOLDIERS IN FRENCH CEMETERIES.

Mr. LODGE. Mr. President, I present a letter from Dr. Richard D. Harlan, president of the general board of education of the Presbyterian Church, and request that it be printed in the RECORD, with the accompanying letters appearing in a newspaper.

There being no objection, the letters were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

GENERAL BOARD OF EDUCATION OF THE
PRESBYTERIAN CHURCH IN THE U. S. A.,
New York, April 15, 1921.

DEAR SENATOR LODGE: There seems to be good reason for suspecting that some people connected with the undertaking profession are, for their own financial advantage, making merchandise of the natural desire of many of the parents of our American soldiers whose bodies are now resting in the American cemeteries near the battle fields of France that our American dead should be brought back to this country.

To most people who are thinking straight on that sacred subject it would seem a pity for our Government to encourage that desire. And such people are grateful to Theodore Roosevelt's family for the wise example set by that family to other "gold-star" parents, by insisting that the body of Quentin Roosevelt shall remain in the sacred soil of France, where he fell in the great struggle for the liberty of the world.

The inclosed impressive letters from Owen Wister and Thomas Nelson Page, which appeared in the New York Times of to-day, ought to be read by every Member of Congress. I therefore hope that they may be printed in the CONGRESSIONAL RECORD.

Yours, respectfully, RICHARD D. HARLAN.

"PLEAD FOR OUR DEAD IN FRANCE—OWEN WISTER AND THOMAS NELSON PAGE URGE THEY BE LEFT IN HONORED PEACE—APPEALS TO THE LEGION—WISTER TELLS OF DESECRATION THAT WOULD SHOCK MOTHERS IF THEY COULD SEE IT.

"(Copyrighted 1921, by the New York Times Co. Special cable to the New York Times.)

"PARIS, *April 14.*

"The following letters have been addressed to the New York Times Paris bureau:

"'To the AMERICAN LEGION:

"'Since the beginning of February I have been visiting the battle grounds of France. Taking my time, I have journeyed from Lille and Lens and Arras to St. Mihiel and Pont-à-Mousson. The ruins of Albert and many hundreds of other towns are sad to see. Dead forests and fields where nothing grows yet are also sad to see. But for an American even sadder yet is the sight of our cemeteries, from whose peaceful, decent dignity the bones of our soldiers who fought together and fell together in France are being daily torn up.

"'The other day on my way to visit Quentin Roosevelt's grave I stopped at the American cemetery near Nesles. In smooth turf and among white crosses gaped ugly holes. Out of these holes were being dragged—what? Boys whom their mothers would recognize? No! Things without shape, at which mothers would collapse.

"HOW THE DEAD WERE BURIED.

"'Our dead had to be buried quickly. There were no coffins—there could be none. Bodies were sometimes wrapped in blankets and sometimes put in baskets. Mud has filled these baskets and in winter has frozen to a hard cake. Those who take this mass up often place the basket on top of a stove to melt the mud off and find something left to send to America. This something can not be embalmed. It is sprinkled with disinfectant and shipped to Hoboken. Those who sprinkle never embalmed in their lives. They came from slums and anywhere, and they look it.

"'Piles of these poor fragments of human beings lie at Hoboken unclaimed. They have been dragged from the soil their sacrifice made sacred and where, as an honored and cared for company, they lay in peace, their graves tended, their memory historic and precious to France. Now many go to Potter's field. Such as are claimed and taken to some family graveyard will soon be forgotten. Those who mourn them will be dead, too. Had they been left in France they would have been cherished as long as France endures.

"'No mother could come to France and see where her boy lies and not be comforted and thankful he is there. But exploiting mothers' grief to put money in certain pockets goes on.

"'Three weeks ago I saw our great cemetery at Romagne. Its grass was green, its crosses white. Peace and beauty filled it. In mid May 40 per cent of those dead are to be dragged up, and Romagne will look like an old mouth, half teeth, half gums.

"'Can nothing stop this hideous mockery of the living and the dead?

"'(Signed.) OWEN WISTER.'"

"PLEA OF THOMAS NELSON PAGE.

"A letter from Thomas Nelson Page reads:

"'I have just returned from a visit with friends to the former front, and among the strong impressions made on us all in that never-to-be-forgotten region where the destinies of the world were fought out was the proof of the part that America performed in the titanic struggle, given in cemeteries where American boys lie in serried ranks along the battle lines.

"'No more impressive tribute to American valor and American love of freedom can be imagined than these cemeteries. Nearly everyone speaks of it. Some are large, some are smaller, but wherever they are one thrills at the sight of those lying there, with a thrill that nothing else gives.

"'The first one we saw was at Belleau Wood, beside Chateau-Thierry, where the men lying there and their comrades first stopped what appeared to be an irresistible advance and began the counteradvance which never slackened till it had ended in victory.

"'The largest we saw was the great cemetery at Romagne, where over 22,000 of our boys lie with the American flag floating above them, visible for miles across the country they defended. We were led within three minutes to the especial graves we had gone to see, so perfect is the registry; but, in fact, as we stood among them all were especial. One felt personal pride in every gallant spirit whose mortal dust reposes there.

"'We were told that the bodies are to be exhumed. Standing there it seemed incredible. It seemed desecration to dig them up. It would be impossible could those who loved them best

see their present resting place. When Gen. Lee was asked to lend his name to a plan to remove the Confederate dead from Gettysburg he replied that he had always felt that the fittest resting place for a soldier was the field of honor on which he had nobly laid down his life. We knew as we stood there that he was right.

"'Lying on the old battle front they represent, each one, America in France, and France will never forget them. Lying there they will repeat through the years to France the great truth that Pershing spoke when he said, "Lafayette, we are here." If our people could only know how glorious they seem here they would leave them to represent them on the field of their glory.

"'THOMAS NELSON PAGE.'"

AMENDMENT OF FEDERAL RESERVE ACT.

Mr. McLEAN, from the Committee on Banking and Currency, to which was referred the bill (S. 86) to amend the act approved December 23, 1913, known as the Federal reserve act, reported it with an amendment and submitted a report (No. 3) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS:

A bill (S. 1162) declaring Lake George, Yazoo County, Miss., to be a nonnavigable stream; to the Committee on Commerce.

By Mr. RANSDELL:

A bill (S. 1163) to carry into effect the findings of the Court of Claims in the matter of the claim of the heirs of Isabella Ann Fluker; to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 1164) authorizing the Secretary of War to donate to the Arkansas State War Memorial captured German cannons or fieldpieces; to the Committee on Military Affairs.

A bill (S. 1165) granting certain lands in Hot Springs, Ark., to the Leo N. Levi Memorial Hospital Association; to the Committee on Public Lands and Surveys.

By Mr. HARRISON:

A bill (S. 1166) to amend the interstate commerce act as amended; to the Committee on Interstate Commerce.

By Mr. SPENCER:

A bill (S. 1167) authorizing and directing the Interstate Commerce Commission to issue mileage books of not less than 1,000 miles and at a reduction of 20 per cent from the established rate; to the Committee on Interstate Commerce.

By Mr. JONES of Washington:

A bill (S. 1168) to authorize the payment of certain taxes to Stevens and Ferry Counties, in the State of Washington, and for other purposes; to the Committee on Indian Affairs.

By Mr. LODGE:

A bill (S. 1169) granting a pension to Anna Mansfield Sherman;

A bill (S. 1170) granting a pension to Jennie A. Norton;

A bill (S. 1171) granting a pension to James Percival;

A bill (S. 1172) granting a pension to Mary D. Jenness;

A bill (S. 1173) granting a pension to Margaret A. L. Pratt (with accompanying papers);

A bill (S. 1174) granting a pension to Nathaniel Cunningham (with accompanying papers); and

A bill (S. 1175) granting an increase of pension to Emma L. Tappan (with accompanying papers); to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 1176) for the relief of Canadian Car & Foundry Co. (Ltd.); to the Committee on Finance.

By Mr. HARRELD:

A bill (S. 1177) for the relief of the heirs of James Taylor, deceased; to the Committee on Claims.

A bill (S. 1178) providing for the appointment of an additional district judge for the eastern district of the State of Oklahoma; to the Committee on the Judiciary.

A bill (S. 1179) for the payment of certain claims against the Choctaw Indians enrolled as Mississippi Choctaws; to the Committee on Indian Affairs.

By Mr. HALE:

A bill (S. 1180) to carry out the findings of the Court of Claims in the case of Edward W. Larrabee, administrator of Stephen Larrabee, deceased, and Charles H. Greenleaf, administrator of Amos L. Allen, deceased, against the United States; to the Committee on Claims.

A bill (S. 1181) granting a pension to Leroy C. White (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 1182) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes;

A bill (S. 1183) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended; and

A bill (S. 1184) to suppress the sale of pistols, revolvers, and other firearms of like form, size, and description, commonly used in the commission of felonious homicides and assaults, and to provide punishment for violation of the provisions of the same; to the Committee on the Judiciary.

A bill (S. 1185) to provide for the erection of a public building at Lenoir City, Loudon County, Tenn.;

A bill (S. 1186) to provide for the erection of a public building at Kingsport, Tenn.; and

A bill (S. 1187) to provide for the purchase of a site and the erection of a public building at Erwin, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 1188) authorizing the President to appoint Arthur Lawrence Brown to the position and rank of first lieutenant in the United States Army; and

A bill (S. 1189) authorizing the Secretary of War to donate to Lewisburg, Marshall County, Tenn., three brass cannons, with carriages; to the Committee on Military Affairs.

A bill (S. 1190) granting an increase of pension to George Milams;

A bill (S. 1191) granting an increase of pension to Richard H. Humphries (with accompanying papers); and

A bill (S. 1192) granting a pension to Thomas Swatzell (with an accompanying paper); to the Committee on Pensions.

By Mr. REED:

A bill (S. 1193) to authorize the commissioning of Maj. Robert W. Barr;

A bill (S. 1194) for the relief of Northrop Banks;

A bill (S. 1195) to correct the military record of J. W. Metler;

A bill (S. 1196) for the relief of Capt. W. B. Finney; and

A bill (S. 1197) for the relief of Ferdinand A. Roy; to the Committee on Military Affairs.

A bill (S. 1198) to provide for the acquiring of a site and the erection of a United States hospital in the city of St. Louis, Mo.;

A bill (S. 1199) to erect a Federal building in the city of Lamar, Mo., on the site now owned by the United States Government;

A bill (S. 1200) to erect a Federal building in the city of West Plains, Mo., on the site now owned by the United States Government;

A bill (S. 1201) to erect a Federal building in the city of Caruthersville, Mo., on the site now owned by the United States Government; and

A bill (S. 1202) to purchase a site for the erection of a post-office building in the city of Fredericktown, Mo.; to the Committee on Public Buildings and Grounds.

A bill (S. 1203) for the relief of J. B. Porter;

A bill (S. 1204) for the relief of Roland S. Robbins;

A bill (S. 1205) to reimburse Martin Carroll for additional face work on walls of officers' quarters over the price named in the contract for the United States noncommissioned officers' quarters at Fort Leavenworth, Kans.;

A bill (S. 1206) to authorize the Secretary of the Treasury to pay the claim of Mary Clerkin; and

A bill (S. 1207) for the relief of the heirs of Patrick McIntyre, deceased; to the Committee on Claims.

A bill (S. 1208) granting a pension to James Grimmet;

A bill (S. 1209) granting an increase of pension to Eddie Thomas;

A bill (S. 1210) granting an increase of pension to Thomas B. Fogle;

A bill (S. 1211) granting an increase of pension to Frank Morgan;

A bill (S. 1212) granting an increase of pension to Jonathan J. Ragner;

A bill (S. 1213) granting a pension to Daniel Wootan;

A bill (S. 1214) granting an increase of pension to Samuel S. Householder;

A bill (S. 1215) granting a pension to B. F. Shields;

A bill (S. 1216) granting a pension to Daniel J. Begley;

A bill (S. 1217) granting a pension to Catherine L. Nixon Rogers;

A bill (S. 1218) granting a pension to Edward F. Rostock;

A bill (S. 1219) granting a pension to Mary E. Stafford;

A bill (S. 1220) granting an increase of pension to James Hanners;

A bill (S. 1221) granting an increase of pension to Ella R. Brown;
A bill (S. 1222) granting a pension to Fannie Wagner;
A bill (S. 1223) granting a pension to Daniel Donohoe;
A bill (S. 1224) granting a pension to Joseph F. Shoemaker;
A bill (S. 1225) granting a pension to J. H. Martin;
A bill (S. 1226) granting a pension to Lucinda Boos;
A bill (S. 1227) granting a pension to Z. H. Golden;
A bill (S. 1228) granting an increase of pension to Leonidas Recob;
A bill (S. 1229) granting an increase of pension to William H. Hayes;
A bill (S. 1230) granting an increase of pension to William G. Pellow;
A bill (S. 1231) granting a pension to John H. Isiley;
A bill (S. 1232) granting an increase of pension to Elizabeth Commons;
A bill (S. 1233) granting a pension to Thomas Burke;
A bill (S. 1234) granting a pension to Nannie Martin;
A bill (S. 1235) granting a pension to John T. Clark;
A bill (S. 1236) granting a pension to Rhoda Button;
A bill (S. 1237) granting a pension to Raliegh H. Hamilton;
A bill (S. 1238) granting an increase of pension to Edward A. Ward;
A bill (S. 1239) granting an increase of pension to George Morrison;
A bill (S. 1240) granting a pension to Emilie Deetz;
A bill (S. 1241) granting a pension to Amelia Perry;
A bill (S. 1242) granting a pension to W. T. Powell; and
A bill (S. 1243) granting a pension to Mrs. C. A. Thomas; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 1244) for the relief of Alfred Gregory Lee; to the Committee on Military Affairs.

A bill (S. 1245) for the relief of Robert June (with accompanying papers); to the Committee on Claims.

By Mr. CARAWAY:

A bill (S. 1246) granting to certain claimants the preferential right to purchase certain alleged public lands in the State of Arkansas, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. OWEN:

A bill (S. 1247) for the relief of Frank Carpenter; to the Committee on Claims.

By Mr. NELSON (for Mr. CUMMINS):

A joint resolution (S. J. Res. 39) authorizing the Secretary of War to transfer certain buildings and equipment located at Camp Dodge, Iowa, to the Iowa State College of Agriculture and Mechanic Arts; to the Committee on Military Affairs.

PROPOSED RECOGNITION OF IRELAND.

Mr. LA FOLLETTE resumed and concluded the speech begun by him yesterday in support of the joint resolution (S. J. Res. 1) declaring that the independence of the Republic of Ireland ought to be recognized by the Government of the United States of America, introduced by him on the 12th instant. His speech is as follows:

Monday, April 25, 1921.

PART I. THE AMERICAN DOCTRINE OF RECOGNITION.

Mr. LA FOLLETTE. Mr. President, the resolution now before the Senate, declaring that the United States ought to recognize the independence of the Republic of Ireland, rests squarely upon the Declaration of Independence, and the American doctrine of recognition developed by Jefferson, sanctioned by Washington, and enforced by Monroe, Jackson, and Webster.

For a just decision upon the question of Ireland one need only apply the immortal principle that governments derive their just powers from the consent of the governed. We have heard much about self-determination during the past four years as though it were some new principle which had been evolved during the late war. It is not. "Self-determination" is a loose, general, and unsatisfactory phrasing of the great fundamental principle of self-government, upon which this Republic was founded.

The American doctrine of recognition is merely the practical application of the right of the people to alter or abolish any form of government which becomes oppressive and to institute such new government in its place "as to them shall seem most likely to effect their safety and happiness."

For a century that doctrine has lighted the way for the struggling democracies of the world. Is that light to be put out now? Is a false light to be set in its place? Is the American ideal of liberty and democracy for all mankind to be perpetuated? Are we to continue the policy that marked our course for more than a century—extending the friendly American hand to every small nation yearning and fighting for freedom and independence? Or is there to be a new order—a coalition with the most imperialistic nation on earth to destroy liberty and despoil the weak and the defenseless? Is the recognition of new states and new governments to be decided by diplomats trading in secret with the representatives of imperialistic powers to suppress democracy and overthrow self-government?

Sir, I denounce the attempt to establish such a policy as treason to every American tradition. I proclaim again in these halls, our sacred duty to lend the powerful influence of our prestige to aid those nations which are struggling for the same ideals of free government for which our forefathers gave their lives.

Ireland is to-day a test of real Americanism. Those who to-day most actively oppose recognition of the independence of Ireland in her struggle for freedom from Great Britain are of the same mind, the same flesh, the same blood, as the Tories of 1776. Those who to-day favor recognition by the United States, of Irish independence, stand upon the great fundamental principles of human liberty which were written into the Declaration of Independence.

I believe that Ireland should be free—as free and independent as any nation on the globe. I believe she should be as independent and have as complete dominion over her own destiny as England, France, or the United States, and by the same right—the inherent right of every nation to a government deriving its just powers from the consent of the governed.

I go further than that: I believe that this Congress, without violating any of the usages of international law, without giving any other nation just cause for ill will, should do everything within its power, consistent with its own principles and traditional policy, to insure the prompt recognition of Ireland as a free and independent republic.

I stand for this Government doing no more for Ireland than we have done for other small nations of the world, but I stand for this Government doing no less. I am unalterably opposed to those who would have us abandon that traditional policy and make us, by cowardly silence, accomplices of the oppressors of Ireland.

CONGRESS HAS FULL POWER TO DECLARE ITS JUDGMENT.

There is no doubt whatever as to the authority of Congress to adopt a resolution declaring its judgment on the question of recognition. There is a question, and a very grave question, which need not be argued here, concerning the relative power and authority of the executive and legislative branches of the Government in the field of foreign relations. Upon numerous occasions a conflict has arisen between the executive and legislative branches of the Government as to the exclusive power of the Executive to recognize new governments, but no such conflict is involved in the consideration of Senate joint resolution No. 1.

Mark that. I am not asking from Congress a recognition of the independence of the republic of Ireland, because I realize that if the resolution were presented in that form the argument would turn, not upon the actual status of the Irish Republic, but rather upon the technical constitutional question whether Congress has the power, under the Constitution, to adopt such a resolution. I have therefore introduced my resolution in the form of an expression of the judgment of Congress, about the propriety of which there can be no question, and where the argument and the final vote must turn upon the question of Ireland's right to independence. When the vote is taken upon this resolution there will be before every Member of the Senate the one clear-cut issue: Do you favor the freedom and independence of Ireland or do you wish to see the Irish people remain a subject nation under the domination of Great Britain?

In support of the authority of Congress to adopt such a resolution as I have introduced, and of the duty of Congress under American precedents and traditions to take such affirmative action looking toward recognition of independence when a nation has so fully achieved its freedom as Ireland has to-day, I have examined and will attempt to present the history of the American doctrine of recognition, to which I invite your earnest consideration.

AMERICAN DOCTRINE OF RECOGNITION GREW OUT OF AMERICAN REVOLUTION.

The American doctrine of recognition is the child of the American Revolution. The American principle of recognition was an outgrowth of the ideas of popular sovereignty and the right of revolution. Neither of these ideas were new, but as they found expression in the Declaration of Independence they were epoch-making.

The American doctrine of recognition introduced and established a new de facto principle of recognition, an original con-

cept, in no way connected with previous international precedents. It created as great a revolution in the fields of diplomacy and international relations as was wrought in the field of government by the adoption of the American Constitution.

Prior to the American Revolution, recognition had rested absolutely upon the doctrine of legitimacy, which was closely related to the theory of the divine right of kings. No nation had ever recognized any newly created state except for selfish purposes and with the expectation of intervention.

With the establishment of the Government of the United States there came into the world a new conception, namely, the duty of a nation founded by the will of the people to assist those nations which were struggling to secure the same status of freedom by giving them recognition as soon as they were able to answer one simple question—whether the new state or government had been established by the will of the people substantially declared.

We find, therefore, that the first official expression by the Government of the United States upon the question of recognition set forth this fundamental principle explicitly and unequivocally.

JEFFERSON FORMULATES AMERICAN POLICY.

On November 7, 1792, Thomas Jefferson, author of the Declaration of Independence and Secretary of State under the first President, in his instructions to Gouverneur Morris, then minister of the United States to France, wrote as official spokesman for President Washington:

It accords with our principles to acknowledge any government to be rightful which is formed by the will of the nation substantially declared.

May I just read that once more? It is the first official declaration of policy of the new Government, voiced through the State Department by Thomas Jefferson and with the sanction of President Washington:

It accords with our principles to acknowledge any government to be rightful which is formed by the will of the nation substantially declared. The late government was of this kind and was accordingly acknowledged by all branches of ours. So any alteration of it which shall be made by the will of the Nation substantially declared will doubtless be acknowledged in like manner. With such a government every kind of business may be done. (Jefferson, Works (Ford Edition), Vol. VI, p. 131.)

This forecast of the American policy was reinforced upon December 30 of the same year in an instruction sent to Mr. Pinckney, our representative in London, regarding the policy which the United States intended to adopt toward France.

We certainly can not deny to other nations that principle whereon our own Government is founded, that every nation has a right to govern itself internally under what forms it pleases and to change these forms at its own will; and externally to transact business with other nations through whatever organ it chooses whether that be King, Convention, Assembly, Committee, President, or whatever it be. The only thing essential is the will of the Nation. (Jefferson, Works (Washington Edition), Vol. III, p. 500.)

This instruction, the records show, received the personal approval of President Washington (Goebel, Recognition Policy of the United States, p. 104).

With the establishment of the doctrine of recognition upon the fundamental principle of right, there followed the corollary principle that recognition did not imply intervention.

New States and new governments were to be recognized because they had been established by the will of the people, and expression of this recognition was not to be taken as the sign of any selfish purpose or imperialistic design upon the part of the Government of the United States.

It is through the establishment of this principle of nonintervention that it became possible for the United States to assert in international affairs its indorsement of the great principle of popular sovereignty upon which it had been founded and to promote the growth of free nations throughout the world without involving itself in European intrigues and without the application of military force.

I should like to turn aside from the notes I have made to discuss this great departure from the world's international policy with regard to recognition; but, as I hope to be able to keep within such limits as will permit me to conclude what I have to say without overtaxing the patience of the Senate, I must forbear.

In Washington and Jefferson were represented the two schools of political thought of that generation. Washington the conservative and Jefferson the liberal, united in the establishment of this fundamental American doctrine. No man can oppose or question this doctrine without placing himself squarely in opposition to Washington and Jefferson.

It was in full accord with the American doctrine of recognition thus established that the United States recognized the revolutionary States of South America when they won their freedom from the oppression of Spain. I do not intend to dwell upon the steps by which recognition of the South American Republics was achieved, but I will pause to call your attention to the fact that at the very time when the Spanish colonies were on the verge of securing their freedom, England was contemplating the restoration of the colonies to Spain on the basis of commercial freedom and colonial government, to which Russia agreed and was even willing to support by force. The United States, however, came out flatly against such a modus operandi, and Monroe insisted "that we partake in no counsels whose object is not their—the South American Republics'—complete independence." (Goebel, Recognition Policy of the United States, p. 127.) It was this bold assertion of the will of the people of the United States which resulted in freeing the whole continent of South America from Spanish dominion and saved these colonies from festering for generations under a form of home rule far more generous than any measure which Great Britain has ever offered to Ireland.

Upon last Tuesday, April 19, the anniversary of the Battle of Lexington and of the first step toward independence taken by Venezuela against its Spanish masters 111 years ago, President Harding unveiled in Central Park, New York, a statue of Simon Bolivar, the Venezuelan national hero, the man who not only freed his native land, but passing with his armies into Colombia, Ecuador, and Peru ended Spanish rule in all those countries, and laid the foundations for Bolivia, the fifth American Republic. I predict that it will not be necessary to wait a hundred years until an American President will unveil with all fitting ceremony, and with the full approval of the American people, a statue to Eamon de Valera, the president of the Irish republic.

AMPLE PRECEDENT FOR RESOLUTION BY CONGRESS URGING RECOGNITION.

It is important, also, to observe that the form of action by which American recognition was finally expressed followed very closely, with respect to the South American Republics, the form which I am now proposing. Upon February 10, 1821, the following resolution was adopted by the House of Representatives, expressing their conviction that the independence of the South American Republics should be recognized:

Resolved, That the House of Representatives participates with the people of the United States in the deep interest which they feel for the success of the Spanish Provinces of South America which are struggling to establish their liberty and independence—

They had not yet achieved it. They were struggling to establish it—

and that it will give its constitutional support to the President of the United States whenever he may deem it expedient to recognize the sovereignty and the independence of any of the said Provinces. (Annals of Congress, p. 1081.)

This resolution was presented to the President by a committee of two members, one of whom was Henry Clay. Mr. Clay subsequently reported to the House:

That the committee had according to order presented the resolution to the President; that the President assured the committee that in common with the people of the United States and the House of Representatives he felt great interest in the success of the Provinces of Spanish-America, which are struggling to establish their freedom and independence, and that he would take the resolution into deliberate consideration with the most perfect respect for the distinguished body from which it had emanated.

This was followed upon March 8, 1822, by a message from President Monroe, stating that in his opinion the time had come to recognize the South American republics, and adding that "should Congress concur in the view herein presented they will doubtless see the propriety of making the necessary appropriations for carrying it into effect," whereupon a measure was immediately passed appropriating $100,000 to enable the President to give due effect to recognition. Thus we find the President and Congress of that time cooperating for the achievement of a common object in the same manner in which I propose that the recognition of the independence of Ireland should be secured at the present time.

WEBSTER UPHOLDS AMERICAN POLICY TOWARD ASPIRING REPUBLICS.

Even more radical, however, was the action of the United States in attempting to give its aid to Hungary in its struggle for independence. I need not recount how the United States instructed its diplomatic agent to investigate the conditions in Hungary, with the admonition that "if it shall appear that Hungary is able to maintain the independence she has declared, we desire to be the very first to congratulate her and to hail, with a hearty welcome, her entrance into the family of nations." Before the arrival of the American diplomatic agent in Vienna, Russian intervention had broken the revolution, and the leaders had fled to countries where they were safe from extradition. When the Austrian Government heard of the sending of this diplomatic agent, Hülsemann, Austrian chargé d'affaires at Washington, addressed to the United States Government a very bitter protest against the course of this country, on the ground of its

impropriety, as an interference with the internal affairs of Austria. To this protest Daniel Webster, then Secretary of State, with the approval of President Tyler, replied with a note in which he asserted the absolute right of the Government of the United States to recognize the independence of revolutionary governments and declared:

The United States have abstained, at all times, from acts of interference with the political changes of Europe. They can not, however, fail to cherish always a lively interest in the fortunes of nations struggling for institutions like their own. But this sympathy, so far from being necessarily a hostile feeling toward any of the parties to these great national struggles, is quite consistent with amicable relations with them all. The Hungarian people are three or four times as numerous as the inhabitants of these United States were when the American Revolution broke out. They possess, in a distinct language, and in other respects, important elements of a separate nationality, which the Anglo-Saxon race in this country did not possess, and if the United States wish success to countries contending for popular constitutions and national independence it is only because they regard such constitutions and such independence not as imaginary but as real blessings. They claim no right, however, to take part in the struggles of foreign powers in order to promote these ends. It is only in defense of his own Government, and its principles and character, that the undersigned has now expressed himself upon this subject. But when the United States behold the people of foreign countries without any such interference spontaneously moving toward the adoption of institutions like their own, it surely can not be expected of them to remain wholly indifferent spectators. * * *

Again, and later, Mr. Webster said:

If, therefore, the United States had gone so far as formally to acknowledge the independence of Hungary, although, as the result has proved, it would have been a precipitate step, and one from which no benefit would have resulted to either party, it would not, nevertheless, have been an act against the law of nations, provided they took no part in her contest with Austria. (Moore, Digest of Int. Law, Vol. I, pp. 227–229.)

The people of the United States as a whole supported the cause of Hungarian independence, and none more strongly than a new statesman who was just then beginning to be known, but whose name was to go down to all ages as the world's greatest emancipator.

LINCOLN URGED RECOGNITION OF HUNGARY.

Let me read you a resolution drafted by Abraham Lincoln at a meeting held upon September 12, 1849, to express sympathy with the cause of Hungarian freedom:

Resolved, That in their present glorious struggle for liberty, Hungarians command our highest admiration and have our warmest sympathy.

And I ask you to remember that this was in support of an unsuccessful attempt to establish a republic.

Resolved, That they have our most ardent prayers for their speedy triumph and final success.

Resolved, That the Government of the United States should acknowledge the independence of Hungary as a nation of freemen at the very earliest moment consistent with our amicable relations with the Government against which they are contending.

Now mark the next resolution:

Resolved, That in the opinion of this meeting, the immediate acknowledgment of the independence of Hungary by our Government is due from American freemen to their struggling brethren, to the general cause of republican liberty, and not violative of the just rights of any nation or people. (Taken from Complete Works of Abraham Lincoln. Edited by John G. Nicolay and John Hay.)

The approval of the American people for Hungarian independence was further dramatically expressed in the dispatch of a ship of war by the President of the United States to bring Kossuth, the leader of the Hungarian revolution, from his land of exile, his enthusiastic reception in all American cities, and the final honor paid him by according him the privilege of addressing the Congress of the United States was a testimonial to the attitude at that time of the Government of this Nation toward peoples struggling for independence and freedom everywhere in this world.

Those were the days when Americans knew the value of their own freedom, and were ready to give something more than mere expressions of sympathy to those who were struggling for freedom in other lands. Let us not believe that the American people now have forgotten the great traditions of their ancestors and are unwilling even to raise their voices to assist a nation struggling to secure the same freedom and the same independence which we possess.

AMERICAN DOCTRINE OF RECOGNITION ENCOURAGED SPREAD OF REPUBLICANISM.

I need not outline at this time the various steps by which the Government of the United States sought to express during all this period of its early history its desire to promote the establishment of new nations throughout the world founded upon the consent of the governed. Wherever a people set up a republic, the United States was first to extend a welcoming hand and to give assurance that they would find at least one friend among the society of nations. Always first in welcoming younger States, the American Government anticipated by months, and sometimes even by years, the recognition accorded by the imperialistic powers of Europe.

Confident of the righteousness of her own Government, the United States dared to assert the right of all nations and all peoples to govern themselves when they themselves chose. She was then a mere pigmy compared to the giant size which the American Nation has now attained, but by the force of moral superiority alone she brought the great powers of the world to grant respect to that doctrine.

AMERICAN POLICY TOWARD CUBA.

The clear voice of America spoke to liberate from Spanish oppression the Republic of Cuba, although the claim of Cuba to independence and to recognition by foreign powers was at no time so well founded as the claim of Ireland which comes to us to-day.

Permit me to direct your attention to the debate which took place in the Senate of the United States in 1897. At that time the Democrats, under the leadership of Senator Bacon, of Georgia, proposed the adoption of a resolution, "That the independence of the Republic of Cuba be, and the same is hereby, acknowledged by the United States of America." The Republicans, under the leadership of Senator Hale, opposed this resolution solely upon the ground that it exceeded the consitutional powers of Congress and encroached upon the rights of the Executive, but they did not raise their voice against the expression of *opinion by Congress indorsing recognition of* Cuba's independence.

Senator Hale, from the Committee on Foreign Relations, presented a memorandum upon the power to recognize the independence of a new foreign State. This memorandum, which represented the most conservative opinion in the Senate, strongly opposed the unequivocal acknowledgment by Congress of the independence of Cuba, but *specifically declared the right of Congress to express its opinion and wishes as to recognition of Cuba to the Executive* (p. 5 of memorandum).

It is quite true that Congress took no part in the recognition of the new States created by the World War, but it is true that the principles which were applied in recognizing Czecho-slovakia, Poland, Finland, Jugo-Slavia, and Armenia would justify immediate and complete recognition by the Government of the United States of the Republic of Ireland. President Wilson, upon September 3, 1918, recognized the Czecho-Slovak National Council in Paris as the "de facto" Government of the Czecho-Slovak State, although the entire Czecho-Slovak territory was then occupied by the armies of Austria-Hungary.

President Harding has specifically declared his desire to receive the opinion of Congress upon questions of foreign affairs. The Congress in adopting the resolution which I have presented, declaring its opinion that the Republic of Ireland ought to be recognized, will not only lend a strong hand to a small nation struggling for freedom, but will reestablish the constitutional function of Congress to take the part in the foreign affairs of the Nation which the Constitution of the United States intended it should have.

PART II. ARGUMENTS AGAINST IRISH INDEPENDENCE ANSWERED.

I now turn to a specific consideration of the case of Ireland. Does the Irish struggle for independence embody the elements necessary to bring it within the scope of what I have shown to be the traditional American policy of recognition?

In arriving at the conviction that Ireland is entitled to independence, I have taken into the account the principal objections raised by the apologists for British rule. Let us examine these objections briefly.

IRELAND A NATION.

The most absurd contention, put forward in opposition, is the denial that Ireland is a distinct nationality. Judged by the standards applied to other nations, the people of Ireland constitute one of the most distinctly marked and easily traced nationalities of which the world's history makes record. Upon this proposition I quote from a document issued as late as 1918. It was prepared by the British "Joint Commission on the Problems of the International Settlement," an association composed solely of English publicists. They say:

Ireland has all the attributes of a nation. Her boundaries can not be disputed. Her people from the earliest times have known the country by a single name and given it an undivided affection. Through long ages she has been famous for work in gold and metal, in stone and parchment. Her written history, compiled by her learned scholars, is as old as that of England She possesses an intelligent and splendid literature. The work of her unbroken roll of learned scholars and poets for over a thousand years has, during the last 300 years, been preserved by the devotion of her people, who in their darkest hour still labored in their cabins to keep and continue the manuscript tradition left them by their fathers. There is no other instance in Europe of a zeal such as this. The national consciousness of the people, based on a great tradition, has never failed and is now of passionate intensity.

The whole country was, from earliest times, known by a single name, Eire, which later took the form of Ireland. Its chroniclers began writing its history in the seventh century, and from at least as

early as the eighth century a code of laws existed for the whole of Ireland. National sentiment was inspired by love of the country itself, and its geography was part of the earliest literature. Schools of learning were so ordered as to be in fact a national university, and by their care the Irish language was guarded and perfected as the language of Ireland, one and indivisible. It is the early unity of all Ireland in its intellectual and spiritual life which reveals the soul of the country and which has given it from the first the fervor of national consciousness.

What is known of the political life of the time reveals a settled government, which commanded the affection of the people, and social conditions both humane and reasonable. Communication with continental peoples was frequent, and Irish travelers—poets, missionaries, scholars, and traders—were found in every land. Woolen goods, leather work, fine embroideries, and other wares from Ireland were known in Europe as far even as Naples and Russia. Irish scholars, above all, had a great repute, especially as teachers, in foreign lands. Ireland lived no secluded life, but was in direct contact with the trade, the science, and the literature of Europe. The wealth of the country invited many invaders—Danes, Normans, and English.

The invasion of Henry II, in 1169, broke the unity of the national life and the natural progress of civilization, culture, and government. Two contending forms of civilization were set against each other, one based on a political and imperial idea of a state, the other on the national and spiritual tradition of a country. The conflict thus begun has continued to the present day * * *.

I have quoted somewhat at length on this proposition of nationhood because I think it has a worthy and special place in the struggle for which Ireland is contending.

Prime Minister Asquith, who was the responsible spokesman for England when that country entered the war, said of Ireland:

There are few cases in history—as a student of history I myself know of none—of a nationhood at once so distinct, so persistent, and so assimilative as the Irish. * * * I start, then, with the proposition that Ireland is a nation.

And again he says:

I have always maintained, and I maintain as strongly to-day, that * * * Ireland is a nation. Not two nations, but one nation, and that the condition of the success of any scheme that statesmen can devise is the recognition, the full and generous recognition, of Irish nationality.

I believe the unqualified statement of the British premier will be accepted as a conclusive testimonial that Ireland is a nation, with all the rights that attach to nationhood.

If the nationhood of Ireland is accepted, then her right to order her own national life, to establish and maintain a government strictly according to the will of her own people, must be granted as hers—unless she has voluntarily surrendered that right.

That is inherent according to the American doctrine. I now take up the next objection raised to Irish independence.

IRISH ISSUE POLITICAL—NOT RELIGIOUS.

It is said that this whole controversy arises from a religious issue.

If this is a religious struggle, how shall we account for the fact that before Martin Luther's time, when Ireland was Catholic and England was Catholic, Ireland fought English tyranny as bitterly as she is fighting it now? How may we explain the adherence to the Unionist cause of some of the leading Catholics of England? And finally, during the last 150 years, in time of national peril, when her life as a nation hung upon the loyalty of her leaders, why has Ireland chosen a majority of those leaders—Wolfe-Tone, Russell, McCracken, Orr, Robert Emmet, John Mitchel, Smith O'Brien, Parnell—every one of them from the ranks of the Protestants? It can not be maintained with truth that this struggle is being waged upon a religious issue.

It is a subterfuge, an attempt to so divert the real issue of this mighty struggle for independence, freedom, liberty, and self-government. Every impartial investigator and every commission which has inquired into conditions in Ireland has been forced to concede that the struggle now going on in that country is purely and simply a contest between Irish nationality and British imperialism.

IRISH INDEPENDENCE NOT A MENACE TO BRITISH SECURITY.

Again, Britain contends that Ireland's independence would be a menace to England's security.

I invite you to consider that plea for a moment. Here is a nation that has under her flag 475,000,000 subjects, embracing one-fourth of the human race, and 15,000,000 square miles of territory, constituting one-fourth of the land surface of the globe.

She has the most powerful navy in the world, which combined with her control of nearly every great strategic point along the highways of commerce, makes her the undisputed mistress of the seas. Not only can she train her guns at will upon every ton of shipping and every fighting vessel that traverses the trade routes by water, but she owns the Bagdad Railway, giving her the principal land route from Europe to the East. She has unlimited natural resources. Her industrial system is more highly organized than that of any nation in Europe.

Neighboring to the seat of this great power, is an island completely isolated from the rest of the world. A total of 4,500,000 persons inhabit this island, embracing an area less extensive than an average American State. This country has no navy nor the means of building one. If it allowed a hostile nation to use its shores as a base for operations against its powerful enemy, it would be an easy prey to attack and nothing could save it from utter annihilation.

I say that you can not sustain the proposition that an enslaved Ireland is necessary to the security of England. If Ireland must be in bondage to make England free then England by equal right can claim control of the channel ports in France, Holland, and Belgium, for it will be conceded that they menace her security to a far greater degree than the isolated island to the west. But, sir, and above all, England has no right to purchase her security at the expense of Irish freedom.

IRELAND AND SECESSION.

I come now to the next great and perhaps dominating reason advanced against Irish independence.

Notwithstanding Ireland's title to nationhood, acknowledged to be equal to that of any people in history, England asserts the right to deal with the Irish issue as a domestic question.

Based on this assumption, Ireland's struggle for independence, culminating in her elections and the setting up of the government of the Republic of Ireland, is denounced as an "act of secession." The plain facts of history, sir, refute this English claim. Ireland is a nation; she has never ceased to struggle for independence; she has never surrendered to the control of England; through all the centuries she has disputed that control. Every contested issue between the two nations is an international issue, not a domestic issue, upon which secession can be predicated.

England cites as a justification for imposing her imperial will by superior force on the Irish people the course pursued by the Northern States in 1861 to 1865 in forcing the Southern States to submit to national authority.

This artful perversion, this attempt to show a parity where no parity exists, has been piped about in every quarter where American public opinion could be influenced. It has been heard on the floor of the United States Senate. It has been proclaimed from the public platform. But the man who originated this cunning piece of sophistry, who first set it afloat in the currents of discussion upon the Irish question, and who makes it the basis for British policy in Ireland to-day, is David Lloyd-George, prime minister of Great Britain.

I invite every American citizen and call upon every representative of the people in this body to examine this argument.

I challenge the argument as a distortion of fact, raising a false issue to prejudice the Irish cause, and to justify an international crime without parallel in history.

LLOYD-GEORGE'S "SECESSION" ARGUMENT STATED.

Mr. President, in order that there may be no misunderstanding, I shall state the prime minister's argument and I shall state it in his own words. When David Lloyd-George presented the fourth Irish home-rule bill to Parliament this specious claim was first set up. He said:

I think it right to say that any attempt at secession will be fought with the same determination, the same resources, the same resolve as the Northern States put into the fight against the Southern States.

Again, speaking in the British House of Commons, less than a year ago, he said:

Mr. De Valera is putting forth the same claim in exactly the same language as Mr. Jefferson Davis. * * * If persisted in it will lead to exactly the same measures of repression as in the Southern States of America.

And in April, 1920, Lloyd-George said to the House of Commons:

If you asked the people of Ireland what they would accept, by an emphatic majority they would say: "We want independence and an Irish Republic."

That is an admission to which I shall recur later.

There is absolutely no doubt about that. The elected representatives of Ireland now by a clear, definite majority have declared in favor of independence—of secession.

But the most positive statement of the British premier on this subject has come to us within the past week. On April 19 he made a formal statement, which I quote from the Washington Post of April 20:

PREMIER SAYS ERIN CAN NEVER SECEDE—REPLY TO BISHOPS DEFENDS HIS POLICY BY CITING AMERICAN CIVIL WAR AS PARALLEL—LINCOLN HIS JUSTIFICATION—SINN FEIN LEADERS, "REAL OBSTACLE TO PEACE," OPPOSE COMPROMISE, ASSERTS LLOYD-GEORGE—LLOYD-GEORGE'S ARGUMENT STATED.

London, April 19 (by the Associated Press).—Prime Minister Lloyd-George defends the Government's policy in Ireland and cites the American Civil War as providing an exact parallel for the situation there, involving the fundamental issue of union or secession, in his

reply made to-day to the recent memorial sent him by nine Anglican bishops and the heads of the principal nonconformist churches in Great Britain.

In this memorial the signers indorsed the Archbishop of Canterbury's protest in the House of Lords against reprisals in Ireland and pleaded for a truce. Among other things, the memorial declared the Government's policy in Ireland exposed Great Britain to "misunderstanding and hostile criticism, even of the friendliest of the world's nations."

I shall have occasion later on to refer to that memorial.

Mr. Lloyd-George, in his letter of reply, declares—

And I should like the Senate to observe his exact language—

"At the outbreak of the American struggle nearly every one in these islands sympathized with the South. Even Gladstone took this view and only John Bright (the famous English statesman) did not waver in his adherence to Lincoln's cause. That war lasted for years and cost 1,000,000 lives and much devastation and ruin. There was more destruction of property in a single Confederate county than has been caused by all the so-called reprisals throughout Ireland.

"Lincoln rejected truce and compromise, as he often said he was fighting for the Union and meant to save it even if he could only do so at the price of retaining slavery in the South. Is there a man or woman to-day who does not admit that the North was right, and who does not see the calamitous result which would have followed the breaking up of the American Union? I doubt if there is a responsible man in the Southern States to-day, however much he admires great figures like Jackson and Lee, who is not glad that the Union was preserved, even at the terrible cost.

FEAR OF BALKANIZATION.

"Is not our policy exactly the same? It is, by reason of the contiguity of the two islands and their strategic and economic interdependence, to fight secession and to maintain the fundamental unity of our ancient kingdom of many nations. I believe our ideal of combining unity with home rule is a finer and nobler ideal than excessive nationalism, which will have nothing less than isolation—which is the Sinn Fein creed and which, if it had full play, would Balkanize the world. I believe that once the struggle is over, bitterness forgotten, and unity preserved, all will agree that in the fundamentals the Government was right and the Sinn Fein wrong."

The prime minister declares he does not see how he can pursue a different line, as "the directing minds of the Sinn Fein who control the Irish republican army—the real obstacle to peace—believe they can ultimately win a republic by continuing to fight as they are fighting to-day and are resolutely opposed to a compromise."

Note the parallel attempted to be drawn by the British premier. He rests the British case upon the same analogy. He declares that Ireland is fighting for the same principle for which the South contended. He declares that his own policy is "exactly the same" as the policy pursued by Lincoln.

In this connection, Mr. President, I read a cablegram—a copy of which has been handed to me, transmitted to Lloyd-George on April 19, 1921, from Chicago, Ill.:

The Right Hon. LLOYD-GEORGE,
Downing Street, London, England:

As a Confederate veteran, I declared to-day before convention of 5,000 American sympathizers with Irish liberty that we southerners repudiate your parallel of the war between Irish Republic and Britain and War between the States. A cause that requires such frivolous argument must be weak.

GEN. A. B. BOOTH,
Louisiana, Adjutant General and Chief of Staff of the United Confederate Veterans of America.

I also quote an editorial from the Chattanooga News of April 20 repudiating the argument of Lloyd-George:

IRELAND AND THE SOUTH.

Lloyd-George contends that the effort to secede from the United Kingdom by Ireland is similar to the effort of the Southern States to leave the United States of America. We wonder what Lloyd-George thinks of the successful effort to secede on the part of Poland from Russia, Germany, and Austria, of Czechoslovakia from Austria, of Jugo-Slavia from Austria, of Trieste and Trentino from Austria, and so down the line—forcible separations of sovereignty from Governments as constituted before the recent war. There are too many elements of difference between the relations of Ireland to the British Government and of the Southern States to the American Government to enumerate here. The Southern States were part of a Government with a written constitution. Until the arbitrament of arms had been appealed to it could not be positively said whether or not the right of secession existed. As for Ireland, while it is a part of the British Empire, the union was formed by force and has never been accepted by Ireland. Great English thinkers like Wells and Chesterton admit that the Irish constitute a separate nationality. This was not true of the southern people. They were of the same race as the rest of the country. It was a question here of what the Federal Constitution meant and of expediency, and whether the unit of sovereignty was State or Nation. In Ireland it is a question of the self-determination of a nation. According to Lloyd-George, what would have become of Alsace-Lorraine? Once a wrong was done, it would have to be maintained.

THE CONSTITUTION RECOGNIZES THE SOVEREIGNTY OF THE PEOPLE.

Let us analyze step by step the processes by which Lloyd-George comes to this remarkable conclusion.

If Ireland is to-day attempting secession, if Britain is fighting for the great principle on which the Union was preserved, if Lloyd-George's policy is Lincoln's policy, then the political relationship between Ireland and Great Britain must be comparable in the main to the relationship which existed prior to the Civil War, and has ever since existed between the States of the North and the South.

It will be conceded that the legal basis upon which rested the policy of the North in preserving the Union was the Constitution of the United States. It will be conceded that the document upon which Great Britain must now rely for her policy in Ireland is the Act of Union of 1800.

Let us, then, compare these two documents.

The Constitution of the United States was founded upon one great principle—the recognition that all sovereignty lies in the people. That principle had first been proclaimed in the Declaration of Independence, which recognized that "governments derive their just powers from the consent of the governed."

The Constitution of the United States, therefore, came from the convention which framed it as a mere proposal, without obligation, validity, or binding force. It was submitted to the people by the convention, by Congress, and by the State legislatures. The people acted upon it through conventions, which, in the language of Chief Justice John Marshall, was "the only manner in which they could act safely, effectively, and wisely on such a subject" (McCulloch *v.* State of Maryland), and from that action the Constitution derives its whole authority.

Chief Justice Marshall admirably expressed the great principle underlying the Constitution when he said (McCulloch *v.* State of Maryland):

The government proceeds directly from the people, is ordained and established "in the name of the people"; and is declared to be ordained "in order to form a more perfect union." * * * The people were at perfect liberty to accept or reject it, and their act was final. It required not the affirmance, and could not be negatived, by the State governments. The Constitution when thus adopted was of complete obligation and bound the State sovereignties.

* * * To the formation of a league, such as was the federation, the State sovereignties were certainly competent. But when, "in order to form a more perfect union," it was deemed necessary to change this alliance into an effective government, possessing great sovereign powers, and acting directly on the people, the necessity of referring it to the people and of deriving its powers directly from them was felt and acknowledged by all.

The Government of the Union, then * * * is, emphatically, and truly, a government of the people. In form and in substance it emanates from them. Its powers are granted by them, and are to be exercised directly on them, and for their benefit.

Viscount James Bryce, in his authoritative "American Commonwealth," clearly drew the distinction between a mere confederation of states such as was created by the Articles of Confederation and the Government set up by the Constitution, an instrument deriving its powers from the people, in the following language:

The Union is not a mere compact between Commonwealths, dissoluble at pleasure, but an instrument of perpetual efficacy, emanating from the whole people, and alterable by them only in the manner which its own terms prescribe.

I assert that the sheet anchor of the American Republic has been the recognition of the principle that sovereignty resides in the people. The people had the sovereign power to establish, through voluntary action, a national government. It was not an act of States. It was declared in specific terms to be the act of the people; "We, the people, in order to form a more perfect union," so the instrument runs.

That was the principle of Washington and Jefferson. The great statesmen of our early history, differing on many questions, agreed that the Union was perpetual and indissoluble.

With the extension of human slavery there arose a school of political leaders who contended that sovereignty resided in the States; that the States had never delegated sovereign power to the Federal Government, and that the States therefore might secede from the compact at will.

The views of the North and South upon this question were in conflict. Those who contended that the people of the United States had vested the National Government with sovereign powers and that the State governments could not destroy that union, maintained that view in the Civil War, and it has since remained the guiding principle of both our domestic and our foreign policy.

IRELAND NEVER YIELDED SOVEREIGNTY TO GREAT BRITAIN.

Now, Mr. President, contrast the Union established by the American people through the Constitution with the political relation which joins Ireland to the British Empire, and let us see whether Mr. Lloyd-George can construct out of that situation an analogy which will appeal to any considerable number of American people.

Ireland had been a nation—distinct, autonomous at intervals, perhaps not completely so, and independent—for 1,000 years before she was invaded more than seven centuries ago by the Normans. For a thousand years there was an unbroken line.

Down through 750 years the people of this little country have fought the descendants of the original invaders, and never surrendered.

As proof of the fact that Ireland never surrendered her sovereignty it is only necessary to refer to Great Britain's own

acts from the time of the first successful English invasion in 1169 down to 1541, when an Irish parliament, convened by Henry VIII, declared Ireland to be a kingdom, and chose Henry VIII to be King of Ireland. The two countries, England and Ireland, each maintained separate independent kingdoms. In 1782 the English Parliament, chastened by the American war for independence, adopted the Act of Renunciation. This act provided that no power on earth but the king, lords, and commons of Ireland was competent to make laws for Ireland. That Act of Renunciation was adopted by the British Parliament.

By this Act of Renunciation England forever renounced all claims to legislate for Ireland. Hence, Ireland in 1782 was definitely and formally recognized by England as a distinct nation. By this act the English Parliament expressly acknowledged the right of the Irish people to govern themselves; that is, to make and administer their own laws. This right, to quote from the Act of Renunciation, was "hereby declared to be established and ascertained forever, and shall at no time hereafter be questioned or questionable."

England is thus compelled to base her right to rule Ireland as a part of the British Empire upon something, therefore. What? The so-called Act of Union passed by the Irish Parliament in 1800. It is the British claim that by the Act of Union Ireland was absorbed into the British Empire. Upon that document she must rest her case. In express terms it repealed and superseded every previous enactment upon the status of Ireland. It is the sole repository of any claim of legal right upon which Great Britain may rely to support her contention.

ACT OF UNION NOT A VOLUNTARY ACT OF IRISH PEOPLE.

To delegate sovereign powers to the British Crown the Irish people must have taken a voluntary step as conclusively representative of the popular will as was the ratification by the people of the Constitution of the United States.

Was the Act of Union of 1800 a voluntary act of the people of Ireland?

Now, let us see what the Act of Union means to England and to the Irish people when it is subjected to investigation and analysis. It was adopted by the Irish Parliament that had been established by the Act of Renunciation in 1782.

Not less than 75 per cent of the people of Ireland in 1800 were of the Catholic faith. No Catholic was permitted to vote or to occupy a seat in the Irish parliament in the year 1800 when the Act of Union was passed.

Seven hundred thousand Irish people petitioned against the passage of the Act of Union, while but 3,000 declared themselves in favor of it.

Lord Grey, a former British prime minister, speaking in the English Parliament in 1800, said:

Could a nation in more direct terms express its disapprobation of a political measure than Ireland has done of a legislative union with Great Britain? In fact, the nation is nearly unanimous.

Lord Cornwallis, lord lieutenant, under whom the Act of Union was put through the Irish Parliament, stated:

I despise and hate myself for engaging in such dirty work.

Ireland was overrun with 130,000 British soldiery in preparation for the control of the Irish Parliament. In support of this I quote from the speech of Lord Plunkett, in the Irish Parliament in 1800, as follows:

Our country is filled with British troops whilst the habeas corpus act is suspended—whilst trials by court-martial are carrying on in many parts of the Kingdom—whilst the people are taught to think they have no right to meet or deliberate.

Grattan affirmed that of the entire vote cast for the Union all were bribed but seven.

Reviewing the methods by which the Irish Parliament was corrupted Daniel O'Connell said in 1843, when he was pleading for its repeal:

Bribery was unconcealed. The terms of the purchase were quite familiar in those days. The price of a single vote was £8,000 in money, or an office worth £2,000 a year if the parties did not choose to take ready money. Some got both for their votes.

He declared in court on a later occasion:

There were in all £3,000,000 ($15,000,000) expended in actual payment of the persons who voted for the Union.

In volume 8, page 405, of Lecky's authoritative History of England, eighteenth century, the following appears:

It is scarcely an exaggeration to say that anything in the gift of the Crown in Ireland, in the Church, the army, the law, the revenue was uniformly and steadily directed to the single object of carrying the Union.

Lloyd-George himself called the Act of Union "the union of the grappling hook," and Lord Byron described it as "the union of the shark with its prey."

William Ewart Gladstone, one of the most eminent Englishmen of the last century, four times premier of Great Britain, and leader of the great liberal masses of England who were then, as now, opposing the imperial British policy in Ireland, said at Liverpool, on June 28, 1886, concerning this infamous act:

There is no blacker or fouler transaction in the history of man than the making of the union between Great Britain and Ireland. * * * The carrying of it was nothing in the world but an artful combination of fraud and force, applied in the basest manner in the attainment of an end which all Ireland detested. * * * A more base proceeding, a more vile proceeding, is not recorded in my judgment in any page in history.

In the House of Commons, London, on April 16, 1886, he said:

We used the whole civil government of Ireland as an engine of wholesale corruption. * * * I will only say that we obtained that union against the sense of every class of the community, by wholesale bribery and unblushing intimidation.

Finally, on January 28, 1897, after his retirement and only one year before his death, which terminated a public career of 61 years, Mr. Gladstone said:

Union with Ireland has no moral force * * * it rests on no moral basis. That is the line I would always take were I an Irishman. That is the line which as an Englishman I now take.

Such was the opinion of Prime Minister Gladstone. He declared that "there is no blacker or fouler transaction in the history of man" than the proceeding by which the Irish Parliament was bribed and coerced into passing the Act of Union in 1800. He admits that England used the "whole civil government of Ireland as an engine of wholesale corruption," and he asserts that that union was consummated "against the sense of every class of the community."

And his final conclusion, stated a few years before his death, was that:

The Act of Union was carried by means so indescribably foul and vile that it can have no moral title for existence whatsoever.

I have been obliged to exclude a vast mass of additional testimony in support of this proposition which I am submitting to the Senate.

Mr. WALSH of Montana. Mr. President——

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Wisconsin yield to the Senator from Montana?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Montana. Will the Senator permit me to remark that Green, whose history is the standard English history in every school, states that the Act of Union was accomplished by the most unblushing corruption and bribery?

Mr. LA FOLLETTE. That is true. I distinctly recall it, Mr. President, and perhaps I should have included that statement from the English historian, in addition to Gladstone and some other authorities I have quoted. There is a mass of testimony which could be added upon the subject. Nobody can defend the Act. There is no defense for it. It is beyond the pale of all political morality.

Now I come to consider the question from another standpoint:

THE ACT OF UNION AN ULTRA VIRES ACT.

The Act of Union was void wholly aside from the element of corruption and coercion with which it was tainted.

The people of Ireland had delegated to the Irish parliament authority to make laws for Ireland. It had not delegated authority to the Irish parliament to redelegate its authority to make laws for the Irish people to the Parliament of Great Britain.

PARLIAMENT COULD NOT DESTROY IRISH NATION.

The authority of Parliament to pass the Act of Union was denied by the ablest Irish lawyers and jurists. Attorney General Saurin said:

If a legislative union should be so forced upon this country against the will of its inhabitants, it would be a nullity, and resistance to it would be a struggle against usurpation and not a resistance against law.

You can not make it obligatory on conscience; it will be obeyed as long as England is strong, but resistance to it will be in the abstract a duty; and the exhibition of the resistance will be a mere question of prudence.

Mr. Fitzgerald, ex-prime sergeant-at-law, declared:

It is not, in my opinion, within the moral competence of Parliament to destroy and extinguish itself, and with it the rights and liberties of those who created it. The constituent parts of a State are obliged to hold their public faith with each other and with all those who derive any serious interest under their engagements; such a compact may, with respect to Great Britain, be a union; but with respect to Ireland, it will be a revolution, and a revolution of a most alarming nature.

Lord Plunkett, later lord chancellor, clearly stated at the time of its passage the fatal defect of the Act of Union. He said:

I, in the most expressed terms, deny the competency of Parliament to do this act. I warn you, do not lay your hands upon the constitution. I tell you, that if, circumstanced as you are, you pass this act, it will be a mere nullity, and no man in Ireland will be bound to

obey it. I make the assertion deliberately. I repeat it; I call on any man who hears me to take down my words. You have not been elected for this purpose You are appointed to make laws, and not legislatures. You are appointed to exercise the function of legislators, and not to transfer them. You are appointed to act under the constitution, and not to alter it; and if you do so, your act is a dissolution of the Government—you dissolve society into its original elements, and no man in the land is bound to obey you. * * * You may extinguish yourself, but Parliament you can not extinguish. It is enthroned in the hearts of the people; it is enthroned in the sanctuary of the constitution; it is immutable as the island it protects.

These opinions are sustained by the highest authority in international law. The right of a people to resist such an act is thus stated by Grotius:

If the supreme power was really attempting to hand over the kingdom or put it in subjection to another, I have no doubt that in this it may lawfully resist. For, as I have said before, it is in that case another government, another holding of it; which change the people have a right to oppose.

Locke——

Mr. REED. Mr. President, this is a very powerful and a very instructive speech. When it was started most of the Members of the Senate had gone to their offices. They would have remained, I am sure, had they been here when the Senator began to speak. If it is not disagreeable to the Senator, I would like to suggest the absence of a quorum. I shall not do it against his protest.

Mr. LA FOLLETTE. Mr. President, I greatly fear that, as I have prepared my argument upon this subject, it is quite impossible for me to conclude it to-day, and if the Senator will be content to let me proceed for the matter of half an hour without suggesting the absence of a quorum I will yield the floor for to-day, and continue the argument upon securing recognition, if possible, to-morrow morning, shortly after the assembling of the Senate.

Mr. REED. Of course, the Senator will understand that I did not mean to interrupt him.

Mr. LA FOLLETTE. I do so understand, and I thank the Senator for his consideration. I find, Mr. President, that it will be quite impossible for me to conclude the entire argument, as I have prepared it, to-day, and with the indulgence of the Senate, if I can conclude Part II of my argument which I am now presenting I shall shortly yield the floor for the day. I hope to be able to-morrow morning to conclude what I have to say upon this resolution.

A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. LA FOLLETTE. The business now before the Senate, if it should be before the Senate when we conclude our session to-night, will be the unfinished business, as I understand?

The VICE PRESIDENT. That is the understanding of the Chair.

Mr. LA FOLLETTE. I have no desire to force a disposition by the Senate of the joint resolution at this time.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. Even though that should be technically true, I assume that the Senator will ask that his joint resolution be referred to the Committee on Foreign Relations.

Mr. LA FOLLETTE. I was about to say that I shall.

Mr. NORRIS. There will be no difficulty, even if it does become the unfinished business, for the Senator to have that done, when the time comes.

Mr. LA FOLLETTE. I so understand, and I simply wanted to say that if it were left as the unfinished business, so that it might come up at 2 o'clock to-morrow, and I be permitted to conclude my discussion of it, I would then ask to have it referred to the Committee on Foreign Relations, for I think it should be considered by a committee, and I am anxious that that should be done. I entertain the hope that the committee will, within a reasonable time, report the joint resolution back to the Senate for its action. So, if I may be permitted, I shall proceed to conclude that portion of my argument which I think I can reasonably finish without overtiring the Senate at to-day's session.

I had just submitted the quotation from Grotius and was about to present one from Locke, taken from his treatise on civil government. He said:

The delivery also of the people into subjection of a foreign power, either by the prince or by the legislature, is a dissolution of the government. For the end why people entered into society, being to be preserved one entire, free, independent society, to be governed by its own laws; this is lost whenever they are given up into the power of another. * * * Whensoever, therefore, the legislature shall transgress this fundamental rule of society, and either by ambition, fear, folly, or corruption endeavor to grasp themselves, or put in the hands of another, an absolute power of the lives, liberties, and estates of the people; by this breach of trust they forefeit the power the people have put into their hands for quite contrary ends, and it devolves to the people, who have a right to resume their original liberty and by the establishment of a new legislature (such as they shall see fit) provide for their own safety and security; which is the end for which they are in society.

And again:

The legislators can not transfer the power of making laws into other hands, for it being but a delegated power from the people, they who have it can not pass it over to others. The people alone can appoint the form of the Commonwealth. * * * The power of the legislature being derived from the people by a positive voluntary grant and institution, can be no other than what the positive grant conveyed, which being only to make laws and not to make legislature, the legislature can have no power to transfer their authority of making laws or to place it in other hands.

Black, in his work on Constitutional Law, enunciates the principle of limitation binding upon all legislative bodies as follows:

The legislators are the agents or trustees of the people, and they have no right or power to place the trust irrevocably in other hands than their own.

Yet I again remind you that so far as she can find any justification in a written instrument of law for her occupancy of Ireland to-day, England must rely upon this Act of Union—an act that has neither moral nor legal basis for existence.

LLOYD-GEORGE NOT A SECOND LINCOLN.

I have gone at length into the basis of Mr. Lloyd-George's argument because it is the principal contention upon which British Tories and their American imitators are seeking to prejudice the minds of the American people against the Irish cause to-day. I assert that even the most superficial examination of the circumstances surrounding the passage of the Act of Union and an analysis of the act itself establish the utter falsity of Lloyd-George's position.

For Lloyd-George to compare the Act of Union with the Constitution of the United States is a gross perversion of historical facts. For him to assert that Great Britain is maintaining the principle for which the soldiers of the North shed their blood in the Civil War is a national affront. For him to assume the rôle of Abraham Lincoln is sacrilege.

The Constitution of the United States, which recognized the sovereignty of the people, and established a government deriving all its authority from a voluntary act of the people, can not be compared to a document hatched in a nest fouled by bribery and corruption, based upon a denial of the sovereignty of the people, proclaimed by a body which exceeded its authority, and imposed by brute force against the consent of those upon whom it operates.

The true American analogy for the present struggle of Ireland lies not in the fight to maintain the Union, but in the War of 1776 by which we won our national independence.

When this truth is fully understood, the American people, returning to their traditional policy, will repudiate the attempt of Great Britain to employ our guiding national principle as a cloak for the oppression of the Irish people. To make that repudiation complete and effective, the American people will demand that this Government recognize Ireland as a free and independent Republic.

[At this point Mr. LA FOLLETTE yielded the floor for the day.]

Tuesday, April 26, 1921.

Mr. LA FOLLETTE. Mr. President, I had directed the attention of the Senate on yesterday particularly to the American policy of recognition, and then took up the objections to the recognition of Ireland as an independent republic and discussed them in the order in which I had arranged my argument. That brings me to speak this morning of the case of Ireland as related to the recent war.

PART III. THE CASE OF IRELAND AS RELATED TO THE RECENT WAR.

By every obligation binding upon the honor of organized governments, Great Britain, her allies, and the United States were solemnly committed, from the time they and each of them declared their aims and purposes as belligerents in the European war, to accord Ireland a place at the peace table, and the right—the absolute right—to freedom and self-government.

Mr. President, as I have contended heretofore, supported, I believe, by the highest authority, Congress has the right, and, I think, it is its duty to declare the objects and purposes for which a war should be fought or is being fought; but, in the absence of a declaration by Congress upon that subject, the President has the right to declare the objects, purposes, and aims for which the war is being fought.

There is abundant record evidence of the objects and purposes of our participation in the war, and of that of Great Britain as

well, declared by those authorized and clothed with full responsibility to speak for their respective governments. In his message to Congress urging a declaration of war, the President stated it to be the purpose of the American Government to do what? To—

Fight for the rights of nations great and small and the privilege of men everywhere to choose their way of life and of obedience.

Again, on December 4, 1917, in an address to Congress, he said:

We shall be willing and glad to pay the full price for peace and pay it ungrudgingly. We know what that price will be. It will be full, impartial justice—justice done at every point and to every nation—that the final settlement must affect our enemies as well as our friends.

Again, on September 27, 1918, he said:

The price of peace is impartial justice in every item of the settlement no matter whose interest is crossed. * * *

Men heard those appeals; Irishmen in Ireland heard them and enlisted and went out to die because they saw in them the realization of the hope for which they had struggled during seven and a half centuries.

Again the President said:

It must be a justice that plays no favorites and knows no standard but the equal rights of the several peoples concerned.

It is to be remembered that these declarations by the responsible head of this Government carried beyond our own country and were made the basis of appeals by the allied Governments to their people, with whom we were making common cause to join in prosecuting the war.

These quotations might be greatly extended. But further citation is unnecessary. It is enough to say that these pledges were repeated as often and as long as their appeal was necessary, to enlist the man power of Ireland and other subject peoples in prosecuting the war against the Central Powers.

IRELAND WAS UNDER NO OBLIGATION TO SUPPORT GREAT BRITAIN, ALWAYS HER RUTHLESS OPPRESSOR.

I say, sir, that Ireland was under no obligation to England to aid her in the fight against the Central Powers. England had always oppressed Ireland. There had been a running and continuous contest and struggle between those two countries. English statesmen understood that if they were to enlist the aid of Ireland in that contest they must offer Ireland something substantial to induce her to make the sacrifice. They had nothing in the history of their dealings with Ireland upon which to appeal to her to send her sons forth to die for the allied cause, in which Great Britain's life almost, it might be said, was the stake. Listen to these words from Gladstone, England's great prime minister:

Every horror and every shame that could disgrace the relations between a strong country and a weak one is written upon almost every page of the history of our dealings with Ireland.

From the thirteenth to the seventeenth centuries Great Britain subjected Ireland to invasions, massacres, and oppression without parallel in the history of civilization.

Even David Lloyd-George understood that Britain had no claim on the Irish people for sacrifice or support in her struggle with the Central Powers, and deemed it wise to set the facts plainly before the British Parliament. On the 7th of March, 1917, he said:

Centuries of brutal and often ruthless injustice, and what is worse, centuries of insolence and insult have driven hatred of British rule into the very marrow of the Irish race. The long records of oppression, proscription, and expatriation have formed the greatest blot on the British fame of equity and eminence in the realm of government.

Under these conditions, the British Government was bound to make such pledges to Ireland as would quiet opposition and in so far as possible win her to the active support of the allied cause.

If the responsible ministry of Great Britain—the men who spoke for her with authority throughout the war—can bind the honor of a government, then Great Britain is pledged again and again to keep her word and grant Ireland the fullest measure of self-government. Here is the system to which Premier Asquith pledged his government:

An international system in which there will be a place for great and for small states and under which both alike can be assured a stable foundation and independent development.

He was setting forth the system for which England was fighting and in support of which he sought to enlist the aid of Ireland.

Mr. Bonar Law specifically indorsed the aims and objects of the war as declared by President Wilson. He said:

What President Wilson is longing for, we are fighting for.

Again he said:

America's aims and ideals are those of the Allies.

Premier Lloyd-George gave assurance in a note to President Wilson that:

The allied nations are fighting not for selfish interests, but above all to safeguard the independence of peoples, rights, and humanity. Their war aims necessarily imply the reorganization— .

Of what? Of continental Europe? No—

of Europe, guaranteed by a stable régime and based at once on respect for nationalities and liberty of economic development possessed by all peoples, small and great.

But more than this—the Irish people were directly and positively assured of their independence by Great Britain, not once, but, at least twice, through official appeals published broadcast over Ireland with the authority of the British War Office. These official appeals are numbered G. 5.

I have before me here, not a copy, but one of the originals spread broadcast throughout Ireland in 1918 as the crisis and turning point in the great struggle was being approached. I hold in my hand a Government publication which has been recently received in this country directly from the commander in chief of the army of the Irish Republic. I have taken from it an extract which I wish to present to the Senate. The original which I have in my hand bears the imprint of Falconer, who was Government stationer to the Crown at Dublin. In the imprint it carries the number of the issue of this publication at that time; and, sir, attached to the upper edge of this publication is still to be found a part of the adhesive with which it was hung evidently in some window for general reading by the public.

Mr. President, I have only the original of the first of these official publications by authority of the War Office to secure enlistments in Ireland, from which I quote in my address. Listen to this, and bear in mind that the position taken by President Wilson and acquiesced in by Congress as to the purposes for which the war was being fought is taken as the text of these Government publications. Thereby attaches an obligation to this Government in some measure, at least, to see that it is carried out.

They quote, in this authorized publication by the British War Office, from President Wilson's utterances on the objects and aims of the war, and they make an appeal upon that basis. It is entitled:

IRELAND AND AMERICA.

America has ever been Ireland's friend, and close and affectionate ties bind both together. Ever since the great Republic of the West sprang into being, Ireland never looked for succor in vain to the great western Republic. If Ireland now disappoints America, she will be in a hopeless position.

I read further from that official publication. Listen to this, Senators, to this appeal and this pledge, based upon the attitude of our Government—this appeal made to the manhood of Ireland to go into the trenches and die for that cause, being assured that they were giving their lives ultimately for the independence of Ireland if the Allies were triumphant.

The Star-Spangled Banner is unfurled for the fight.

There is not the slightest ambiguity about the language of President Wilson:

"Territory, sovereignty, or political relationship—any or all of these—to be settled upon the basis of the free acceptance of that settlement by the people immediately concerned.

"The President also said:

"We are concerting with our Allies to make not only the liberties of America secure, but the liberties of every other people as well.

"No man can read these words without applying them to Ireland, as well as to Belgium, Poland, the Jugo-Slavs and the Ukraine. The Allies (and America clearly states this) can not undertake to free the peoples under Germany and Austria and leave other peoples under a system of government which they resent. America, speaking through its President, declares that 'the liberties of every other people are as valued and are to be made secure, aye, as the liberties of America.' Will Ireland fight for this freedom? America will see her rights are secured."

Mr. REED. Mr. President, I do not want to interrupt the Senator, but I understood the Senator a moment ago to say that these sentiments uttered by the President had been acquiesced in by Congress. Did the Senator mean to say that?

Mr. LA FOLLETTE. I mean to say that an obligation rests upon Congress to declare the aims and objects of war; that it has been so held by the highest authority; that in the absence of a declaration on the part of Congress of the objects of war the President is at full liberty to state them; and I deduce from that, I will say to the Senator, as a logical conclusion that if the Congress remains silent and acquiesces in the President's statements of the objects and purposes for which the war is being prosecuted, it is morally bound to support his position.

Mr. REED. I did not think the Senator had made the statement deliberately. I have great sympathy with the main theme of his address, but I do not want it to go undenied at this time that the President can make a speech and that that binds the

Congress and the people of the United States. I utterly repudiate that doctrine.

Mr. LA FOLLETTE. Mr. President, in reply I say just this: The President's position upon the freedom of small nations, the guaranteeing of the right to order their own lives, was not made in some unofficial speech. It was an official declaration repeatedly made to Congress; and never during the war will the RECORD show that any Senator rose in his place to question that we were fighting for exactly that thing while the war was in progress.

Mr. REED. Mr. President, the RECORD will show that I questioned it.

Mr. LA FOLLETTE. I shall be very glad to have the Senator specifically cite the instance and the time.

Mr. REED. I shall be glad to do it. I can not do it at this minute.

Mr. LA FOLLETTE. No, no; I understand. I shall be glad to have it supplied in the colloquy.

Mr. WALSH of Massachusetts. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. LA FOLLETTE. I do.

Mr. WALSH of Massachusetts. I understood the Senator to be reading a circular entitled "America and Ireland," which he said was issued by the British war office. Did I understand the Senator to say that?

Mr. LA FOLLETTE. The Senator correctly understands me.

Mr. WALSH of Massachusetts. Is the circular of which the Senator has a photograph signed?

Mr. LA FOLLETTE. I will say to the Senator that this is not a photograph. This is the original publication, and bears the imprint of the Government official who issued it. It was received by the organization supporting Irish freedom in this country directly from the commander in chief of the army of the republic of Ireland.

Mr. WALSH of Massachusetts. So the circular was issued, not by the British war office but by the Irish republican war office?

Mr. LA FOLLETTE. No, no, no; the Senator entirely misunderstands me.

Mr. WALSH of Massachusetts. Who issued that circular?

Mr. LA FOLLETTE. It was issued by the authority of the British War Office in October, 1918.

Mr. WALSH of Massachusetts. And distributed throughout Ireland?

Mr. LA FOLLETTE. And distributed throughout Ireland. Who was in possession, I will ask the Senator, of the government of Ireland at that time? It was the British; and I am informed this circular was issued by Falconer, Government stationer to the Crown in Dublin, as I stated before.

Mr. WALSH of Massachusetts. So the Senator is trying to develop the argument that the British authorities themselves during the war made pledges through circulars like this to the Irish people?

Mr. LA FOLLETTE. Most assuredly.

Mr. WALSH of Massachusetts. What I want to know is what evidence the Senator from Wisconsin has that that circular was written and distributed by the British War Office?

Mr. LA FOLLETTE. I have the original here, bearing the official imprint.

Mr. WALSH of Massachusetts. Exactly.

Mr. LA FOLLETTE. I state on my authority as a Senator that it was received directly by messenger from the commander in chief of the army of the Irish republic.

Mr. WALSH of Massachusetts. And he got it from British sources?

Mr. LA FOLLETTE. He could have obtained it anywhere. It could be obtained. It was hung as a poster in thousands of windows in Ireland. It was circulated broadcast, and, as I said a moment ago, this particular copy I have here shows that it evidently has been attached to some window with a piece of adhesive.

Mr. WALSH of Massachusetts. What is the imprint on it which shows it is from the British War Office?

Mr. LA FOLLETTE. It bears this imprint:

(417.) Wt. 5626. 3. 20,000. 10/18. Falconer. G. 5.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I yield, of course.

Mr. REED. I do not want to be misunderstood. Of course, while I maintain that nothing which the President said in the way of an address to the Congress or to the country binds the country or binds the Congress, I nevertheless emphatically assert that if this circular was sent out by authority of the British Government it binds the British Government, if it came with proper authority. I was only speaking of the other phase of the question.

Mr. LA FOLLETTE. Mr. President, I have examined carefully the authorities upon the right to declare the objects and purposes of war, and so far as any authority which it has been possible for me to find upon that subject is concerned, it has been held, by such men as Webster and Clay, that in the absence of a declaration by the President of the objects and purposes of the war, the President may properly declare them.

Mr. REED. Mr. President, I shall want to discuss that at some other time.

Mr. LA FOLLETTE. I understand; but I am simply stating the position which I contend the authorities support.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LA FOLLETTE. I yield.

Mr. NORRIS. I would like to suggest to the Senator from Wisconsin, and also to the Senator from Missouri [Mr. REED], that it seems to me this doctrine is unassailable, regardless of the authority of President Wilson to bind this country as to this aid. If when he had made those statements, for the sake of the argument admitting he was without authority, Great Britain as a Government repeated those statements and used them for the purpose of recruiting soldiers in Ireland or any other country, Great Britain at least is bound by them, just the same as though President Wilson had given them with full authority and without dispute.

Mr. REED. That is what I tried to say a moment ago.

Mr. LA FOLLETTE. Yes; and a moral obligation, I shall contend, rests upon us when we turn loose in the currents of discussion a pledge of that sort for the people to enlist and to fight and to die for a cause which we have stated will be attained and made secure by such sacrifice. When our name has been used to invite men to make the supreme sacrifice we have some obligation to see, at least in so far as we can without violating our traditional policies, that that pledge shall be carried out.

I shall not argue either now or later that we should intervene with military force to make Ireland free, but I am contending that upon every obligation which should control men and nations, we should pass the resolution now before the Senate.

Mr. ROBINSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. LA FOLLETTE. I yield.

Mr. ROBINSON. If I understand correctly the trend of the Senator's argument, he is attempting to show that by public authority both the United States and Great Britain held out to the people of Ireland, as an inducement for them to engage enthusiastically in the prosecution of the war, that liberty was in sight at the end of the war.

Mr. LA FOLLETTE. That is it.

Mr. ROBINSON. And that the President of the United States, having made a declaration of the purposes of the war, embracing within those declarations liberty to the people of Ireland and other peoples, and the Congress having made no declaration upon the subject, we now are entitled to take that fact into consideration, along with all the other facts and circumstances in the case——

Mr. LA FOLLETTE. And into most weighty consideration, for it bears an obligation with it.

Mr. ROBINSON. In determining whether or not the Government of the United States and the Government of Great Britain are in sympathy with the aspirations of the people of Ireland.

Mr. LA FOLLETTE. Exactly. That states the position I am taking, except that I go further than that. I say it carries with it an obligation on this country to express more than its sympathy with the cause of Ireland; that it should affirmatively say that Ireland ought to be free.

Mr. NORRIS. I hope the Senator will not neglect to finish the quotation.

Mr. LA FOLLETTE. I am coming right back to it. In order to make sure that I shall present the essential parts of this to the Senate, I shall read it, if I am permitted to, without interruption, and without any interpolation upon my part. I read from the circular, as follows:

The Star-Spangled Banner is unfurled for the fight. There is not the slightest ambiguity about the language of President Wilson:

"Territory, sovereignty, or political relationship—any or all of these—to be settled upon the basis of the free acceptance of that settlement by the people immediately concerned."

The President also said:

"We are concerting with our allies to make not only the liberties of America secure but the liberties of every other people as well."

No man can read these words without applying them to Ireland as well as to Belgium, Poland, the Jugo-Slavs, and the Ukraine. The Allies (and America clearly states this) can not undertake to free the peoples under Germany and Austria and leave other peoples under a system of government which they resent. America, speaking through its President, declares that "the liberties of every other people" are as valued and are to be made secure, aye, as the liberties of America. Will Ireland fight for this freedom? America will see her rights are secured.

I am not able to present an original of the second appeal published throughout Ireland with authority of the British War Office, but I read this extract from what I believe the most reliable authority to be an exact copy of it, and take all responsibility that goes with its presentation to the Senate. It is No. 2. It is entitled "Ireland and the Peace Conference," and it reads:

The Allies declare in specific terms that they are out to give freedom to small nationalities. The Central Powers—Germany and Austria—refuse to declare any such thing, and their treatment of Belgium, Serbia, Montenegro, and Rumania in the present war is enough to show their principles and method. But they go further and ask the Allies to agree to close out all nations not in the enjoyment of freedom prior to the war. The Allies refuse. Is it not in the interest of Ireland then to test the public declarations of the Allies, and aid them in the fight they are waging for small nationalities? They can not then in the face of Europe give freedom to all the small nations and leave Ireland out.

Apprehensive that Irishmen would look with suspicion, born of experience in dealing with the English Government, upon unsupported British pledges, the British War Office copied the pledges of the President of the United States, and made them the basis of British pledges. Moreover, the British War Office expressly declared that America would see that the rights of Ireland were enforced and made secure.

Accepting Great Britain's word with the United States as a guarantor for the fulfillment of her pledges, Ireland responded with 300,000 men, to face death in the trenches for the Allies under the British flag, to "aid them in the fight for small nationalities," under the specific pledge that Ireland was fighting to be as free as America.

Mr. REED. Who issued the second circular?

Mr. LA FOLLETTE. It was issued with the authority of the British war office. Mr. President, for Great Britain to break that pledge is to write the last chapter of infamy in her policy toward Ireland; and for the United States to remain silent in this great hour of the struggles of a people for liberty and self-government, when we and our attitude in the war have been an inducement to them to make the supreme sacrifice, under the assurance offered by this Government that all who fought were fighting for liberty and the right to choose their own way of life and of obedience in Government—I think for us to remain silent now is practically to repudiate our pledges and to become a supporter of British oppression. I believe that it is the duty of this Congress to declare that Ireland ought to be recognized as an independent government, and I proceed now to establish, as I believe I am able to out of the facts, that she has a government which is entitled to recognition.

PART IV. PRESENT SITUATION IN IRELAND.

This leads me to a consideration of conditions as they exist in Ireland to-day.

Six times within the last hundred and thirty years the Irish have asserted by armed force their right to independence from the British Government.

In 1783, 1798, 1803, 1846, and 1867 Ireland was a battleground for freedom as she is to-day.

In 1914 the Irish Home Rule act was passed by the House of Lords and the House of Commons and signed by the King. Under the leadership of Sir Edward Carson, the British Tories suspended that act for the duration of the war, and it was later rendered void by a superseding act which partitioned Ireland.

In 1916, 1,000 Irishmen, inspired by Irish poets and teachers, and officered by leading business and professional men, national labor leaders, and farmers, rose in rebellion. Additional troops were dispatched to Ireland, and in May, 1916, the signers of the Irish declaration of independence were executed.

IRISH REPUBLIC ESTABLISHED.

At the conclusion of the war, in December, 1918, the founding of the Irish Republic became the issue in the general election of Ireland, held under British auspices. Those who voted for the nominees of the Sinn Fein Party knew that they were voting for complete independence and for the establishment of a republic. It was a national referendum on the question of self-government.

The result of the election was overwhelming. Of the 101 elected representatives in 1918, 72 belonged to the Sinn Fein Party, standing unequivocally for an independent republic; 6 belonged to the old parliamentary party, favoring independence, but delay in its attainment; 21 belonged to the Unionist Party proper, and 2 were Independent Unionists. In other words, Ireland voted by a majority of nearly 3½ to 1 against union with England, and the Sinn Fein Party alone secured a majority of practically 2½ to 1 over all its adversaries combined.

In all Ireland there are 32 counties. In no county was a solid Unionist representation elected. In 4 counties only did the Unionists poll even a majority. The Republicans, on the other hand, polled a majority in no less than 27 counties, and secured the entire representation in 24. In Ulster itself, outside of the county of Antrim, in which Belfast is situated, 14 Republican representatives were elected as against 10 Unionists. In the county of Antrim 12 of the 13 representatives elected were Unionists. In the popular vote 311,210 votes were cast for union with England, out of a total of 1,518,898, so that but 20 per cent of the total vote was recorded for union with England. Of the total vote for union, one-half of the votes were cast in the single county of Antrim.

The representatives elected by the Irish Republicans in fulfillment of their pledge met in congress in Dublin, organized a government, nominated officers, created an Irish army, and on January 21, 1919, the new government proceeded to function.

Even David Lloyd-George, the British prime minister, is obliged to admit the unanimity of Irish sentiment for independence.

Addressing the House of Commons, in April, 1920, the British prime minister said:

If you asked the people of Ireland what they would accept, by an emphatic majority they would say, "We want independence and an Irish republic." There is absolutely no doubt about that. The elected representatives of Ireland now by a clear, definite majority have declared in favor of independence—of secession.

Such was the interpretation placed upon the election in Ireland of December, 1918, by the prime minister of Great Britain.

In January, 1920, municipal and urban elections were held. Each of these elections resulted in an overwhelming victory for those who favored an independent republic.

It is the policy pursued by the Imperial British Government to meet this situation, which is responsible for the appalling conditions existing in Ireland to-day.

IRISH REPUBLIC A DE FACTO GOVERNMENT.

The British Government maintains in Ireland to-day only the sovereignty exercised in Belgium by the invading armies of Germany. In fact, the actual sovereignty of Great Britain in Ireland is less, for whereas the Belgian Government was obliged to flee from Belgian soil and for the time to submit to all the decrees of the German military commanders, the Irish government continues to function under the very eyes of the British Army, obliged, it is true, sometimes to perform its acts in secret, but at all times commanding the loyalty of the people of Ireland and defying the British rule.

We may view this question from the standpoint of political philosophy or from the standpoint of cold fact, but in either case the conclusion must be the same, that the only government functioning to-day in Ireland and commanding the allegiance of the Irish people is that of the republic of Ireland, established in accord with the direct mandate of an overwhelming majority of the Irish people at the elections of December 14, 1918.

From the philosophic standpoint we as Americans need to ask but one question, "What is the will of the people of Ireland?" The answer to this question has been unequivocally expressed at three separate elections, the results of which I have already reviewed.

In all the history of the world no Government ever held a stronger sanction from its people than the Republic of Ireland. In all Europe to-day there is no Government which commands the support and undivided loyalty of so large a proportion of the population as does the Irish Republic. That the Republic of Ireland is a government de facto can not be successfully questioned.

But, it may be said, granting that the people of Ireland have unmistakably expressed their will for the establishment of a republic, have they been able to assert their will and bring into being an organized government which has the elements of stability necessary for recognition? Upon this point I believe that the admitted facts will satisfactorily answer every reasonable doubt.

The first fact with which we are confronted is that the British Government has ceased to function in Ireland except

as a military force. As early as the summer of 1920 Lord Grey declared that the British Government in Ireland has become "almost nonexistent." Referring to the "helplessness" of the British authority in Ireland, he said more recently that British authority "has apparently ceased."

The situation in Ireland at the present time has been well expressed by Gilbert K. Chesterton, who in a signed article in the Manchester Guardian of March 6, 1921, says:

> There are two broad impressions about the English in Ireland to-day which are bewildering the whole world.
>
> The first is that England has abandoned the government of Ireland. What we are conducting now is not government at all. It does not really profess to be government at all. It is, at the very best, war, and a very wild sort of war.
>
> And the second is that the war is of the particular sort now generally called Prussian war, and the English are still blowing with a recent and quite real indignation against it, when it was practiced by Prussia. * * * The principle of reprisals is the very opposite of the principle of law and order. Law is based on the idea that the criminal can be punished; reprisals are based on the idea that he can not be punished. * * * That is what we mean in any time or place by ruling anybody or anything; the very word means that we can punish whom we wish to punish and spare those whom we wish to spare.
>
> When we can no longer do that we are not merely ruling badly, we have simply ceased to rule. * * *
>
> But we are not ruling Ireland. We are simply raiding Ireland, exactly as men raid across a frontier, and this first fact is of considerable concern in foreign policy.

Lord Bryce has expressed the same idea in different language:

> We can not contemplate holding Ireland down forever by force and terror, but the policy now being pursued makes it every day more difficult to hold it by any other means.

Throughout the greater part of the island the British civil government has entirely collapsed, and the only government existing is one similar in every detail to the military government English critics maintained was established by the German Gen. Von Bissing after the invasion of Belgium in 1914. The few British civil officials, such as the Lord Lieutenant of Ireland, who still remain, exercise no functions and dare not appear in public. The people of Ireland refuse to pay either local taxes or income taxes to the British Government, and instead voluntarily pay their taxes to the officials of the Irish Republican government.

The British courts entirely ceased to function during the autumn of 1920 and were superseded by the Sinn Fein courts, to which not only the Irish but also British corporations resorted and secured justice and decrees which were enforced. Later the British courts were brought back to perform a part of their functions by reason of the fact that the Irish decided to use them as tribunals in which to establish their claims for property damages maliciously inflicted by the Imperial British forces amounting to some $30,000,000. Hundreds of these claims have actually been adjudicated in the British courts, and with few exceptions substantially full damages have been allowed. Thus at the quarter sessions for the county of Clare there were 139 cases in which it was proved that criminal injuries to the property and persons of Irishmen were committed by the armed forces of the British Government, and awards of damages amounting to £187,046 were allowed by the court. The results in other courts were similar in character and amount. As a result and in proof of my contention that the only semblance of British authority in Ireland to-day is a military tyranny, a military proclamation has within the past two weeks been issued prohibiting courts of justice in Ireland from hearing claims for compensation for malicious damage to property caused by the Crown forces. This proclamation is dated April 16, 1921.

But, it may be said, does not the fact that the Irish people have appeared in British courts and participated in British elections constitute proof that they acknowledge the de facto sovereignty of the British Government, even though they have used these British institutions for their own advantage? This argument can not be sustained. By their use of the British courts and the machinery of the British elections for their own advantage the Irish have proved not only their moral but their actual supremacy more unmistakably than it could have been proved in any other manner. If my enemy has a gun the natural assumption is that he is the master of that gun and will use it to compel me to do his will. If I am able to take my enemy's gun from him and turn it against him for my own advantage, is not that proof that I am the master and not he?

We come now to the actual functioning of the Irish Republican government. This government was established in April, 1919, when the elected republican representatives of the Irish people met in Congress (Dail Eireann), formally proclaimed Ireland's independence, and set up a national executive, which immediately proceeded to function.

The government of the republic of Ireland is conducted under the central administration of a cabinet, consisting of the president and ministers of state for home and for foreign affairs, for national defense, for finance, for local government, for industries, for labor, for agriculture, and for education, with supplementary directors of trade and commerce, of fisheries, of forestry, and of information. Each of these departments is now actively functioning, and has been so functioning without interruption since April, 1919.

The minister for foreign affairs is prosecuting Ireland's claim for recognition as a sovereign and independent state through a number of diplomatic missions to foreign peoples and Governments.

The minister of defense has organized a disciplined army of volunteers known as the Irish republican army, which, according to the affidavit of Gen. Sir Nevil Macready, the commander in chief of the British forces in Ireland, "are organized as a trained and disciplined military force under a scheme modeled on the former organization of the British Army, divided up into brigades, battalions, and companies." It was upon the basis of this affidavit, executed by Gen. Macready, that the Court of the King's Bench upon February 24, 1921, judicially declared that a state of war existed in Ireland.

The minister of finance has floated a considerable loan, both domestic and foreign, for the general purposes of the government, and in particular for the economic development of the country. Arrangements have also been made for the payment to the agents of the minister of finance of the taxes assessed for local and national purposes, and these taxes have been paid willingly by the people of Ireland except where they have been forcibly prevented by British soldiers. The confidence reposed in the republican government by the people of Ireland is evidenced by the fact that the domestic loan was oversubscribed by one-half, in spite of the fact that Great Britain had made it a penal offense to participate in this loan. The sum of 250,000 pounds sterling was asked from the Irish people and they gave 370,000 pounds sterling.

The minister of local government coordinates the work of the municipal and rural councils and controls through these democratically elected bodies the administration of all the local affairs of the nation. The minister of industries and the director of trade and commerce have caused a survey of Ireland's economic resources to be made, with a view to their proper utilization along cooperative lines for the benefit of the nation; and they are developing closer trade relations with foreign countries through the consular service. The ministry of labor is particularly concerned with the advancement of schemes for the proper housing of the workers, the question of unemployment, and the arbitrament of industrial disputes.

The minister of agriculture has organized a land bank to finance the agricultural industry of the country. Through the agency of this bank several large grass ranches have been divided into economic holdings and allotted to farmers and laborers cooperatively organized. The ministry actively aided the director of forestry in instituting an arbor day movement for the planting of waste lands throughout the country. The minister for home affairs has organized a national judiciary and a policy force. The rulings of the land courts on the intricate questions arising out of the land problems have brought about a cessation of the land unrest endemic in certain parts of Ireland in recent years. It was of these land courts that a dispatch to the New York Tribune of April 16, 1921, said:

> The Dail Eireann's department of agriculture is dealing with what is regarded as the most important work of the Irish republican movement—the alienation of land from the large estates of landlords and its distribution among small farmers who have not enough land to earn a living. Since last April * * * the "land judges" have dealt with 229 cases, involving about 50,000 Irish acres. In 83 of these cases 20,875 acres were "alienated"—that is, taken by decree from big estates and sold to small farmers who were able to prove that they did not possess sufficient land to provide a living for themselves and their families. In 67 cases judgment was given against the "claimant," the farmer, in favor of the "resister," the landlord with the big estate.

The department of education is promoting a general scheme of national education, and has taken over and now directly controls technical schools and other educational institutions.

The fisheries department is attending to the special needs of the fishing industry. A chain of cooperative societies has been formed amongst deep-sea fishermen, and the department is aiding these societies financially to secure motor-driven boats and essential equipment. Its inspectors see that the necessary technical knowledge is made available for those employed in the curing and marketing of the fish. The other departments similarly promote the national interests directly in their charge, working in close association with all interested in their respective spheres.

The functioning of the republican government is seen also in its legislative acts and in the obedience rendered to them. Both the English Government, through Dublin Castle, and the Irish republican legislature are issuing laws and decrees. But the laws and regulations of Dublin Castle are purely repressive and destructive and are principally honored in the breach, whereas the laws of the Irish legislature are constructive and are observed. One hundred and fifty thousand soldiers can not enforce English laws upon an unwilling population, whereas the force of public opinion has served to obtain a nearly full measure of obedience for Ireland's own laws.

The administration of justice and the maintenance of civil order is another test of actual government. That Irish courts administer justice to the practical exclusion of the English courts is a matter of universal knowledge. The following extract from the account of the Manchester Guardian's special correspondent, published in the weekly edition of July 9, 1920, page 32, bears testimony to this fact:

Of all the activities of Sinn Fein none has come more closely before the public in recent months than the work of the republican courts in administering justice and keeping civil order. * * *

One is able to give from authoritative sources some account of the machinery of these courts, which are suppressing the ordinary official courts over a great part of Ireland, and are attracting to them Unionist landlords, solicitors, and barristers. They are held in 26 counties, but are to be found working most completely and effectively in the west.

When Lord Mayor MacSwiney, of Cork, was arrested, he was presiding at a court of the republic adjudicating in a case in which an English insurance company was the plaintiff.

The last step toward complete self-government was taken when, during the early part of the present year, the British Government cut off the grants to the local governments of Ireland, payable out of the funds already paid into the English exchequer by the Irish people, and the Irish republicans proceeded to arrange for the maintenance of the municipal and county services out of tax funds collected directly by their own agents.

Thus the government of the republic is functioning and claims recognition not only because it is the legitimate and rightful government of the Irish people, the only government with the democratic sanction of the consent of the governed, but also because it is also the actual government in Ireland.

Within the last month the taking of the regular decennial census of Ireland by the British Government was prohibited by a decree of Dail Eireann and the British Government for the first time in history abandoned the attempt.

I challenge any advocate of Great Britain to point to a single function of civil government now being exercised in Ireland by the British Government or to any function of government which is not being performed by the republican government instituted by the people of Ireland in spite of the opposition of overwhelming armed Imperial forces.

AMERICAN COMMISSION ON CONDITIONS IN IRELAND.

We have had sitting in Washington for the past two months a commission on conditions in Ireland. This commission was created by a parent body, the Committee of One Hundred on Ireland, called together through the good offices of the New York Nation, who invited participation of every United States Senator, the governor of every State, the mayors of the large cities, college presidents and professors, every Methodist, Protestant, Episcopal, and Roman Catholic bishop, the editors of the metropolitan press, and prominent citizens in every field of activity. As finally selected from 150 responses to this invitation, the Committee of One Hundred consists of 5 State governors, 11 United States Senators, 13 Congressmen, the mayors of 15 large cities, Archbishop Keane, 4 Roman Catholic bishops, 7 Protestant Episcopal bishops, 4 Methodist bishops, and clergymen, editors, business men, priests, educators, and labor leaders.

The Committee of One Hundred selected as the members of the commission to investigate conditions in Ireland Miss Jane Addams, C. L. Knight, Maj. Albert P. Newman, James H. Maurer, Frederic C. Howe, Norman Thomas, L. Hollingsworth Wood, Senator David I. Walsh, and Senator George W. Norris.

This commission, selected by a parent body representative of every phase of American life, proceeded to investigate conditions in Ireland. What did it find?

The report of the commission, which I believe is now in the hands of every Senator, reveals conditions of barbaric cruelty and oppression which are almost beyond belief, but so thoroughly are its charges supported by evidence and documents that no unprejudiced man or woman can read it without being convinced of its truth.

I shall not attempt to paint for you the picture of terror and desolation shown to exist in Ireland. That will be done much more ably and with absolute knowledge by the Senator from Nebraska [Mr. NORRIS], a member of the commission, when he addresses you upon the subject of his resolution. Let me read you merely the conclusions which the American Commission on Conditions in Ireland reached at the end of its investigations:

1. The Imperial British Government has created and introduced into Ireland a force of at least 78,000 men, many of them youthful and inexperienced, and some of them convicts; and has incited that force to unbridled violence.

2. The Imperial British forces in Ireland have indiscriminately killed innocent men, women, and children; have discriminately assassinated persons suspected of being Republicans; have tortured and shot prisoners while in custody, adopting the subterfuges of "refusal to halt" and "attempting to escape"; and have attributed to alleged "Sinn Fein extremists" the British assassination of prominent Irish Republicans.

3. House burning and wanton destruction of villages and cities by Imperial British forces under Imperial British officers have been countenanced and ordered by officials of the British Government, and elaborate provision by gasoline sprays and bombs has been made in a number of instances for systematic incendiarism as part of a plan of terrorism.

4. A campaign for the destruction of the means of existence of the Irish people has been conducted by the burning of factories, creameries, crops, and farm implements, and the shooting of farm animals. This campaign is carried on regardless of the political views of their owners, and results in widespread and acute suffering among women and children.

5. Acting under a series of proclamations issued by the competent military authorities of the Imperial British forces, hostages are carried by forces exposed to the fire of the Republican army; fines are levied upon towns and villages as punishment for alleged offenses of individuals; private property is destroyed in reprisal for acts with which the owners have no connection; and the civilian population is subjected to an inquisition upon the theory that individuals are in possession of information valuable to the military forces of Great Britain. These acts of the Imperial British forces are contrary to the laws of peace or war among modern civilized nations.

6. This "terror" has failed to reestablish Imperial British civil government in Ireland. Throughout the greater part of Ireland British courts have ceased to function; local, county, and city governments refuse to recognize British authority; and British civil officials fulfill no function of service to the Irish people.

7. In spite of the British "terror" the majority of the Irish people, having sanctioned by ballot the Irish republic, give their allegiance to it, pay taxes to it, and respect the decisions of its courts and of its civil officials.

But it may be said, this is the report of a commission which for the most part heard only the evidence of Irish witnesses and sat 3,000 miles from the seat of warfare. To this I reply that you may take only the evidence presented to the commission by English witnesses, and the official documents of the British Government, and with them sustain every charge and every conclusion of the commission. I further assert that the evidence upon which this commission's report is based is far stronger and better authenticated than that of the famous Bryce report upon alleged German atrocities in Belgium. The Bryce witnesses were not only ex parte—they were anonymous and their testimony was in large part hearsay. The evidence of the American commission on conditions in Ireland was the testimony of eyewitnesses presented in public with full knowledge that any misrepresentation in their testimony would be vulnerable to attack. It is worthy of note that while the British ambassador has denied the accuracy of the commission's findings, neither he nor any of the apologists for Great Britain has challenged the testimony of any witness. Finally, the failure of the commission to secure evidence on the very site of the ravaged and desolated cities and villages of Ireland was due to the refusal of the British ambassador himself to give visés to passports to visit Ireland which had been issued by the American Government after thorough investigation.

Mr. President, there came to me this morning a clipping from the London Times of April 8, 1921. It think it furnishes some evidence directly out of the news offices of the strongest supporter of the British Empire. This dispatch is dated Dublin, April 7, and is as follows:

[From our own correspondent.]

DUBLIN, *April 7.*

Remarkable evidence was given to-day at a military inquiry at the Dublin City Hall into the circumstances under which Christopher Reynolds, a civilian, lost his life. Reynolds and another man, named Nolan, were arrested at Rathfarnham, near Dublin, last Friday night. They were taken away in a lorry, and later in the night were brought to the military hospital suffering from shot wounds. Reynolds died on the following day. Representatives of the next of kin and members of the press were admitted to the inquiry.

The first witness told the court that she and her father, mother, and the man Reynolds were in their house at 11 o'clock on Friday night, when the door was knocked and five men dressed in dark uniforms and peaked caps entered. One of them wore a waterproof coat with a belt and another wore an officer's khaki uniform. They followed her upstairs to a room in which were her mother, her brother, and her father, who was ill. The man with the waterproof coat said to her brother, "You are the man we want," and asked him for his revolver. Her brother replied that he had no revolver. Afterwards her brother was taken away. As he was going her mother asked the men if they had mothers, and the man in the raincoat replied: "Yes; six or seven mothers. Mothers be damned."

The next witness stated that the man with the raincoat said that he would blow out her son's brains if he did not give up his revolver. When they were leaving she asked the men, "Are you taking my son from his dying father?" And a man replied, "Dying father be damned. They are all dying now." She said, "Have you no mother of your own?" And the same man replied, "Yes; four or five mothers, but not one like you to rear sons to murder."

The third witness stated that in hospital next day the man Reynolds said, "I was shot on the Rathmines Road opposite the post office. They stopped the lorry, and the military asked if the prisoners were all right. We said, "Yes." We were told to stand up, and were shot at. We fell out on the road. After some time we were put back in the lorry and taken to hospital."

The court then adjourned to the King George Hospital to take the evidence of Bernard Nolan, who was wounded at the same time as Reynolds.

Anyone who has taken the pains to read the testimony taken by the commission on conditions in Ireland will find scores and scores and hundreds of recitals of this same sort coming from the lips of witnesses whose integrity can not be questioned. I ask leave, without taking the time to read it, to put into the RECORD an account from to-day's New York Times of the execution of a number of Irishmen by the military.

The VICE PRESIDENT. Without objection, the article will be included in the RECORD.

The matter referred to is as follows:

[From the New York Times of April 26, 1921, this morning. This paper has never been accused of Irish propaganda.]

(Special cable to the New York Times Co.)

DUBLIN, *April 25.*

Thomas Traynor, aged 40, shoemaker, who was convicted by court-martial for participating in an ambush here on March 14, in which two cadets were killed, was executed in Mountjoy Prison this morning. His wife and 10 children stood among the great crowd outside the prison gates. Hymns were sung and prayers offered for the doomed man. There were heartrending scenes when the notice of execution was posted on the gates.

Early in the morning a great crowd, chiefly women, assembled in the square before the prison. The rosary and prayers for the dead were recited and hymns were sung. A large crucifix draped with crêpe was hung on the jail wall and lighted candles were placed on the arms of the cross.

At 6 o'clock Mrs. Traynor, the wife of the condemned man, arrived at the gate with a number of relatives and friends. She remained there with her rosary beads in her hands until the sentence had been carried out. Her 10 children, brothers-in-law, and sisters-in-law, with many other relatives, were also early arrivals and remained close to the gate.

A large contingent of the Gaelic League marched to the jail and stood four deep in line. They kept their formation until 8 o'clock, and during their time of waiting recited the rosary in Irish, the crowd kneeling on the ground around them.

Just before the bell tolled some of the prisoners in Mountjoy jail waved their hands at the crowd outside. It may have been a signal that the condemned man had been removed for execution.

WOMAN TEARS DOWN NOTICE.

The door of the prison was suddenly opened and a warden appeared with a slip of paper in his hand. It was the official announcement that the execution had taken place. He attempted to affix it to the gate, but a woman tore it out of his hand before he could do so.

"The Lord have mercy on the man," she shouted.

No one could see the notice. It disappeared and could not be found, and the crowd gradually dispersed.

Most of Traynor's relatives visited him on the night before the execution. He had something like 50 visitors. His mother said when she left that he was in good spirits.

"I am proud of my son," she said, "proud he is going to die for Ireland and glad he will at least be buried in Irish ground."

A brother carried Traynor's 5-months'-old baby to him in prison. His last words to his family were, "Don't fret about me, but carry on."

Mr. LA FOLLETTE. But we need not rely solely upon the report of this American commission. Let us invoke none but English sources of information and opinion. First let me read you the final conclusion of the British labor commission, which did visit Ireland and which did examine witnesses of all shades of opinion. The British Government has not challenged the truth or accuracy of this labor commission's report. I quote from the report as follows:

We can not close this report without an appeal to the British labor movement and to the British public. Things are being done in the name of Britain which must make her name stink in the nostrils of the whole world. The honor of our people has been gravely compromised. Not only is there a reign of terror in Ireland which should bring a blush of shame to every British citizen, but a nation is being held in subjection by an empire which has proudly boasted that it is the friend of small nations. Let the people of Britain raise their voices in a united demand for the rescue of the Irish people from the rule of force and for the establishment of peace and freedom and a new brotherhood between the peoples of the British Isles. Only by repudiating the errors of the past and infamies of the present can the democracy of Great Britain recover its honor. Only by granting to Ireland the freedom which is her due can our people fulfill their great responsibilities toward our sister nation.

If this finding of the British labor commission is not enough, let us turn to more conservative sources of British opinion.

I now present a list of direct quotations from eminent Englishmen and Englishwomen—most of them of the Conservative Party—commenting on the British policy in Ireland:

OPINIONS OF ENGLISH LEADERS ON BRITISH POLICY IN IRELAND.

ARCHBISHOP OF CANTERBURY. What is now being done is exactly what we condemned the Germans for in Belgium. When the Germans perpetrated cruelties in Belgium it was said that the German people could not be blamed, and the reply was that the German people acquiesced. Exactly the same charge can be brought against the British people if they acquiesce without protest in what is being done in Ireland to-day.—(Address in House of Lords, Feb. 22, 1921.)

VISCOUNT BRYCE (former ambassador to the United States). Ireland is being treated as an enemy whose population is presumed to be hostile. We hear daily of cases in which persons are shot at random, or persons not caught red-handed and against whom no evidence is produced, have been shot without trial. Many cases of houseburnings and wanton destruction and downright robbery have been admitted. * * * Neither can we afford to ignore the public opinion of other countries. Eminent Americans—warm friends of England—tell me: "It is not the Irish propaganda in the United States that is hurting you there; we are accustomed to that, and we discount it. It is the impression which the news of what is daily happening in Ireland makes upon native Americans who have always been your friends and who know that you can not yield to the demand for Irish independence." Everywhere—in Australia, in Canada, and on the European Continent—the old reputation of Britain for justice and statesmanship is being tarnished, and her influence in the world is suffering.—(Letter to London Times, Feb. 25, 1921.)

VISCOUNT GREY (special ambassador to the United States). There is talk of a possible future war and, of all things in the world, a possible war between England and the United States. I am one of those who think there would be little pleasure or interest in living in this world if there was war between the United States and England. Cordial relations and cooperation between these two countries will do more than anything else to benefit the whole world. But this question should be handled, especially now, not as one of sentiment, but with regard to certain plain facts. There will be no real cordiality so long as the Irish question remains where it is. It is idle to discuss British-American relations without having that fact in our minds and recognizing it openly.—(Address on Feb. 22, 1921.)

Hon. HENRY HERBERT ASQUITH (former prime minister of Great Britain). While this make-believe (the home rule bill) was being pushed through both houses of Parliament, Ireland itself, as you know, was being subjected to an administrative tyranny which for shortsightedness and for cold-bloodedness—there is no question of hot blood about it—has no parallel even in the annals of our almost persistent mishandling of the affairs and fortunes of that unhappy country. (Address before convention of University Liberal Societies, Jan. 7, 1921.)

Rev. DUNCAN C. MACGREGOR (moderator of the Presbyterian Church of England): The result of the present policy is that British rule is a byword and a scoff in every country in Europe and across the Atlantic. One might despise the infamous cartoons that appear in the comic papers of every language. They are detestable; but the worst is they are partly true. For the good name of Britain is it not high time that these crimes, committed in the name of law and order, should cease? Voices of vastly greater authority than mine have uttered their solemn protest, as yet without effect. I wonder whether the whole Church of God can not speak with united voice on so clear and crying a moral issue as this.

Mr. REED. Mr. President, who is speaking?

Mr. LA FOLLETTE. Rev. Duncan C. MacGregor, moderator of the Presbyterian Church of England.

Lady Bryce (chairman), Lady Frances Balfour, Lady Robert Cecil, Lady Henry Somerset, and others, on March 10, 1921, issued the following statement as a call for a protest meeting of several thousand representative British women:

As women citizens, to whom the principles of humanity and of national morality should be peculiarly important, we believe that the system of reprisals practiced in Ireland is uncivilized and un-Christian.

Maj. Gen. Sir F. MAURICE: The result is that our methods in Ireland differ only in degree but not in kind from the methods of the Germans in Belgium. Our national honor is impugned and the honor of the army is smirched, for these outrages are attributed often indiscriminately to the forces of the Crown in general, and foreigners, nor indeed many Irishmen, do not distinguish between the Black and Tans, the Auxiliaries, and the regular troops. (Signed statement in London Daily News, Feb. 21, 1921.)

Lady Sykes, who had been an eyewitness to many of these outrages, in a letter to the London Times, February 21, 1921, said:

No crimes or bloodshed committed by the Irish can excuse the methods now being employed by the Government to enforce obedience to English rule and to break the national spirit of the people. The accepted laws of Christianity and civilization have been set aside, and in their place an attempt is being made to crush the Irish people by methods identical with those employed by the Germans in Belgium, and universally condemned. I have seen for myself some of the destruction wrought by the forces of the Crown, official and unofficial reprisals, upon the Irish population; I have seen the ruins in Cork city, the blackened remains of creameries, of cooperative stores, of houses, in towns and country villages. I have spoken with the mothers of sons who have been shot at sight, without trial. I have seen in a prison hospital a boy of 18 against whom there was no charge, who had been beaten about the head and body with the butt-ends of rifles till unconscious. I have heard from the lips of a sergeant of police that the place where he was stationed was quiet, but that he had just been out to a village near with some of his men to give a dozen young fellows a good beating. These things are happening daily, and of the brutal and frequent murders committed by the "Black and Tans" no mention is allowed to be made in the English press.

BISHOP OF SOUTHWARK. There is no nation in the world to-day that does not condemn us for our treatment of Ireland. * * * The present conditions in Ireland are bringing disgrace on the British name throughout the world. (Sermon at St. Swithin's Church, Feb. 20, 1921.)

Gen. Sir Hubert Gough was one of the strongest Ulster men in 1914. He printed in the Dublin Freemen's Journal, March 1,

1921, a statement over his own signature, from which I quote the following:

Law and order has given place to a bloody and brutal anarchy, in which the armed agents of the Crown violate every law in aimless and vindictive and insolent savagery. Is there a single Irish man or woman whose blood does not boil at these things, and who does not demand the end of English rule and the right of the Irish to govern themselves? England has departed further from her own standards, and further from the standards even of any nation in the world, not excepting the Turk and the Zulu, than has ever been known in history before. She is doing irreparable harm to the interests of her own Empire and to her own good name by the circulation of accounts, which are daily proved to be only too true, of what is being done from day to day. In an impoverished and bankrupt world she has recklessly added another area of ruin and destruction.

From a statement republished in the New York Evening Post, March 17, 1921, issued by the Earl of Denbigh, I take the following extract:

One thing is certain, to my humble thinking, and that is that the policy of reprisals as now carried on will never be successful, and that Cromwellian brutality will neither be tolerated in this country nor achieve its intended end in Ireland. As an Englishman I feel convinced that if the English people as a whole realized the hateful things done ostensibly in their name, sometimes officially, sometimes by irresponsible and uncontrolled individuals, a wave of indignation and sympathy with Ireland would spread over the country. If allowed to continue, more harm will be done to the British Empire and its reputation abroad than the average man has any idea of.

From Hon. C. F. G. Masterman, former British minister, I quote the following, taken from a speech at Macclesfield, reported in the Christian Science Monitor January 5, 1921:

Speaking with a full sense of my responsibility as a former cabinet minister, I declare the evidence is overwhelming that a systematic policy of terror is being pursued. It is being defended by Mr. Lloyd George, backed up by the flagrant lies of Sir Hamar Greenwood—

British secretary in Ireland—

and organized by officials in high places in Dublin. The attempt is not merely to punish the guilty, but to break the whole spirit of Ireland by inflicting punishment upon people who are as innocent as babes unborn. That was the system which, under the German invasion of Belgium, turned the whole world against Germany. Yet in every particular the things going on in Ireland to-day are a replica—in some cases they are worse than—the things the Germans did in Belgium.

From an address made by Mrs. Despard, sister of Lord French, at Kings Way Hall, London, November 15, 1920, I quote the following:

Deeply as I feel for Ireland, I feel more deeply for England, whose honor is being dragged in the dust and whose flag is being stained with the blood of the innocent.

Sir William Watson, one of the foremost poets of England, published in the London Daily News a poem addressed to Sir Hamar Greenwood, chief secretary for Ireland, from which I take one stanza:

No thin, pale fame; no brief and poor renown
Were thy just due. Of thee shall wise Time say:
"Chartered for havoc 'neath his rule were they
Whose chastisement of guilt was to burn down
The house of innocence in fear-crazed town
And trembling hamlet. While he had his way
Converts uncounted did he make each day
To savage hate of Law and King and Crown."

Hon. WALTER RUNCIMAN (former British minister). The policy of terrorism in Ireland is similar to that practiced in Belgium by the Germans, and has brought discredit on the British name and interfered with their good relations with America. (Address at Amble, Northumberland, Feb. 28, 1921.)

Lord HENRY CAVENDISH-BENTINCK. In fact the fullness of waste is written over the Government's whole Irish policy. They have been wasting money, wasting the lives and properties of the Irish people, and frittering away the honor and reputation of the governing and sovereign people. What were they getting for it all? Nothing but disgrace, shame, and defeat. (Speech in House of Commons, Mar. 7, 1921.)

Lord PARMOOR. Reprisals in Ireland appear to be wholly inconsistent with the fundamental principles on which the maintenance of law and order in the true sense depends, and the plea of provocation is not admissible. When murder, arson, and theft are allowed to go unpunished, where the offenders are Government agents, there is an end of law, and anarchy takes its place. (Presidential address at annual meeting of Peace Society in London, Mar. 9, 1921.)

Lord HUGH CECIL. The methods alleged to have been adopted by the police in Ireland have no precedent whatever in the story of the restoration of law and order by previous governments in the nineteenth century, and can end in no way but the widespread demoralization of the Irish people, and to a degree the English people as well. (Speech in House of Commons, Mar. 1, 1921.)

I quote the following from a letter in the Westminster Gazette, March 1, 1921, written by Sir Leo C. Money:

I am constrained to wonder whether what is sometimes called "the man in the street" casually realizes that whereas if a body of Germans had ambushed our men in the late war, and had been captured, it would have been contrary to the laws of war to shoot them, but that Irishmen under similar conditions are officially shot, if not already shot unofficially, as at Cork this morning, or that while it does not appear to be on record that the Germans in Belgium ever threatened the Belgians with punishment if they did not actually become informers against their fellow countrymen, the British authorities in Ireland have made it a crime for a friend not to inform against a friend, or even for a woman not to inform against her brother, husband, or lover.

Gen. CROZIER (commandant of the auxiliary forces of the Royal Irish Constabulary), in his letter of resignation dated February 19, 1921: I still consider that theft on the part of policemen in the course of their duties is unpardonable, and I can not honestly associate myself with a force in which such acts are condoned.

Hon. A. BALDWIN RAPER (Unionist M. P.). On the following day I was walking down Patrick Street (Cork) between 3.30 and 4.30, when, without the slightest provocation so far as I could see, a number of shots were fired by Crown forces over the people's heads, as a result of which, I understand, one civilian looking through a window was shot dead. It must be obvious to any impartial observer who has had an opportunity of visiting the south of Ireland that measures and incidents such as these can never have the desired effect of bringing peace, and must, in fact, deepen the cleavage between the British and the Irish peoples. (Letter to London Times, Mar. 9, 1921.)

Bishop GORE. The Government is engaged in the perpetration of crime in Ireland against justice and the foundations of civil liberty and order. This accursed policy of reprisals must not be allowed to go on any longer. (Address at St. Mark's Hall, Feb. 28, 1921.)

GILBERT K. CHESTERTON. The whole world thinks that England has gone mad. * * * We are not ruling Ireland. We are simply raiding Ireland, exactly as men raid across a frontier. Our rulers are invading Ireland exactly as the Prussians invaded Belgium. (Article in Manchester Guardian, Mar. 6, 1921.)

Lord GLADSTONE (in letter to Sir Hamar Greenwood). I detest your system of reprisals and a policy which gravely and in all parts of the world compromises the fame of Great Britain for justice and common sense. (London Times, Feb. 24, 1921.)

Right Honorable ALEXANDER M. CARLISLE, privy councillor (leading shipbuilder in Belfast). It is not merely that the Government have made mistakes—gross, unpardonable mistakes, of which they were fully warned—it is that they have endeavored to hide those mistakes by shameless duplicity and infamous dishonesty. (New York Evening Post, Mar. 17, 1921.)

Mr. President, I trust that the voice of liberal men in this country will be raised to give to the Government that has so long and so brutally oppressed Ireland the reputation which she has earned by her bloody course.

The Rev. J. Scott Lidgett, honorable secretary, National Council of Evangelical Free Churches of Great Britain, in an address before the assembly of Evangelical Free Churches in Manchester, March 10, 1921, said:

Even if force, organized, disciplined, and under complete control, were a remedy, to give reign to lawless and undisciplined forces, to take matters into their own hands, to shoot, to burn buildings, to reduce the whole system of government to chaos, is the worst application that can possibly be imagined. The conscience of this country will not stand it, and if the conscience of this country would stand it, the conscience of the civilized world would rise up in judgment, whatever party be in power. We were told by the lord chancellor the other night that the sublimities of the Sermon on the Mount would not carry on the movement in Ireland. That was his answer to the very weighty and Christian speech made by the primate of all England, who, not for the first time, represented the judgment of all his fellow Christians. And when the Government, speaking through its supreme law officer, makes light of the Sermon on the Mount as giving the marching orders in Christian civilization, he shows that his Government and its policy is founded on a fallacy. It will prove itself equally to be a fallacy in the case of the British Empire generally, and in the special case of Ireland in particular. Therefore we denounce and we are out to do our utmost to stop the policy or practice of reprisals.

I take this from a signed article in the London Daily News, November 26, 1920, from Mr. A. G. Gardiner, who was editor of the London Daily News from 1902 to 1919:

The story of English rule in Ireland is the darkest tragedy on earth, with the single exception of the tragedy in Armenia. We have assassinated the Irish nation for 600 years; we have burned its towns and put its people to the sword. We have destroyed its manufactures. Again and again we have placed in Ireland garrisons to overawe the population. We have driven the people from the soil, so that to-day the population is only one-half what it was a century ago. There is no tale of corruption so sustained, so malignant, in the annals of civilized Europe.

Lord ROBERT CECIL. Anything which attacks justice, equity, and freedom attacks the basis on which the British Empire stood. The supremacy of the law is the guaranty of freedom, and for that all lovers of freedom in our history have fought. Reprisals are the negation of that supremacy. (New York Evening Post, Mar. 17, 1921.)

Lieut. Gen. Sir HENRY LAWSON, K. C. B. It probably would have been impossible, had I tried, to find out to what extent the policy of collective reprisals so widely carried out by the Black and Tans and Cadets was suggested and approved from above. That it received something more than tacit approval is obvious from many public utterances. * * * It has further to be remembered that the instruments of this policy had had as a whole no previous touch with Ireland, probably the vast majority had never crossed the Irish Channel before: they were especially enlisted for a repressive job, and in the eyes of most of them they were engaged in a campaign against the Irish people for the suppression of acts of violence against police and soldiery. So far as one can judge, they appear to have treated the whole population on the same lines, just and unjust, landlord, shopkeeper, farmer, and their point of view seems to be that of military forces operating in an enemy country against guerrilla warfare—very much like the Germans in France in 1870 and in Belgium in 1914–1918. (Report to Lord Henry Bentinck, chairman Peace with Ireland Council, Dec. 27, 1920.)

Lord BUCKMASTER (former lord chancellor of Great Britain). It is only after careful sifting of information that I have come to the conclusion that Government forces have been guilty of murder, robbery, and arson. (Speech in House of Lords, Feb. 22, 1921.)

Lord NORTHCLIFFE. A settlement can only be reached when the English public realize the futility of maintaining by force and under world-wide condemnation an absolute form of government such as we have always been the first to denounce in foreign empires. (Article in Nineteenth Century and After, March, 1921.)

What is the fundamental cause of this reign of terror that prevails in Ireland to-day? Is it not remarkable that for 700 years the powerful British Empire has sought to destroy her nearest neighbor? What is its significance?

It is the old struggle between imperialism and democracy. England has fought Ireland because for centuries her govern-

ment has been in the hands of men who, while they could not stamp out liberty in England itself, have been able to control the foreign policy of the British Empire and to make it a policy of force and imperialism. Ireland has fought England through the centuries because the spirit of independence planted in the hearts of that heroic people before the first invasion of their country has never been allowed to die.

The British policy in Ireland deserves the condemnation of the world. It is without warrant in law or morals. It is founded on falsehood and greed and, unless arrested, it can come to no issue except the extermination of the Irish people. The sympathy of the American people is and should be with Ireland in this struggle. I am deeply concerned to know what we can do to make that sympathy effective.

There is only one way in which we can effectively express our sympathy for Ireland and that is by our vote on this resolution.

This Congress will not close without a test vote upon the issue of recognition of Irish independence. On that day no Senator or Representative who respects the principles which made us a nation will vote to deny Ireland's claim to freedom.

There is no mistaking the issue. It is the irrepressible, irreconcilable conflict between imperialism and representative democracy. Born of greed and tyranny, imperialism is the deadliest enemy of self-government.

On this issue every American citizen—every lover of liberty in the wide world—should stand with the Irish people for the independence of Ireland.

If no other Senator desires to speak on the joint resolution at this time, I ask that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it will be so referred.

SUBMARINE CABLES.

Mr. KELLOGG. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 535) to prevent the unauthorized landing of submarine cables in the United States.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Interstate Commerce with amendments.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKinley	Simmons
Ball	Harris	McNary	Smoot
Broussard	Harrison	Moses	Spencer
Bursum	Jones, N. Mex.	Nelson	Stanfield
Calder	Jones, Wash.	New	Stanley
Cameron	Kellogg	Norris	Sterling
Caraway	Kendrick	Oddie	Sutherland
Colt	Kenyon	Overman	Trammell
Culberson	Keyes	Phipps	Underwood
Cummins	King	Pittman	Walsh, Mass.
Curtis	Knox	Poindexter	Walsh, Mont.
Dial	Ladd	Ransdell	Warren
Dillingham	La Follette	Reed	Watson, Ga.
Ernst	Lenroot	Robinson	Watson, Ind.
Fletcher	Lodge	Sheppard	Willis
Frelinghuysen	McCumber	Shields	Wolcott
Gooding	McKellar	Shortridge	

The VICE PRESIDENT. Sixty-seven Senators having answered to their names, a quorum is present.

Mr. KELLOGG. Mr. President, this is a bill to prevent the unauthorized landing of cables in the United States or any of the possessions of the United States, to authorize the President to issue licenses for such cable landings or to issue such licenses upon conditions. The bill was introduced in the spring of 1920, and at the beginning of the last session of Congress the Interstate Commerce Committee authorized a subcommittee to hold hearings and investigate the subject and to report a bill to the Senate. Extensive hearings were held, which have been printed. The facts are simple, and I think in a very few moments I can make an explanation of the bill, and if any Senators then desire to ask questions I shall be very glad to answer to the extent of my ability.

The power to issue licenses for the landing of cables has been exercised by the President for more than 50 years, through the Secretary of State or Attorney General. It was exercised by Secretaries of State Fish, Evarts, Blaine, Bayard, and Root, and by Attorneys General Griggs, Knox, Wickersham, and McReynolds. During the administration of President Cleveland two Secretaries, Secretary Gresham and Secretary Olney, declined to issue licenses for want of power, claiming that the President had no implied power as the Chief Executive of the Nation to issue such licenses or to prevent cable landings, but since that time the power has been exercised by acquiescence of cable companies and other officials.

The power is now questioned by the Western Union Telegraph Co. on two grounds: First, that the power to regulate commerce is by the Constitution conferred upon the Congress, and that until the Congress acts and confers that power upon some administrative board or executive the power can not be exercised by any officer of the United States.

Second, that the Western Union Co. having accepted the act of 1866—which I shall not stop to explain, as I believe Senators generally understand it—granting the right to telegraph companies to lay their wires along the post roads of the United States and under the waters of the United States, the Congress had acted, and therefore the Western Union, until Congress should otherwise provide, had a right to lay its cables.

It is also claimed that the President has no such implied power, because the Congress has conferred upon the Interstate Commerce Commission various powers in relation to the regulation of cables, telegraphs, and telephones, and therefore it is an exercise of power which excludes any presumption that the President has an independent power as the Chief Executive of the Nation.

The United States court in New York has held that while the executive officers of the Government have exercised the power for many years, based upon what is known as the Midwest Oil decision, that it may be, in the absence of any action by Congress at all, the President would have that implied power at least as to foreign cables. But the court concludes that the Congress having assumed jurisdiction over the subject of cables, therefore the President has no such power.

We invited before the committee the chief officers of the cable companies, Mr. Carlton and other officials of the Western Union, Mr. Mackay and some other officials of the Commercial Cable Co., and Mr. Root and other officials of what is known as the All-American Cable Co., which has lines of cable to South America. They were all heard. They all admitted the necessity for—in fact, recommended—some such legislation. The Western Union Co. recommended that the power be conferred upon the Interstate Commerce Commission. The committee did not see fit to do so, for this reason: This power is in all countries, so far as I know, an executive power, which has been exercised by Great Britain, France, and other countries; second, it is an executive power which has been exercised here; third, it is necessary in nearly all cases, especially of the landing of cables running to foreign countries, that negotiations take place between this Government and foreign Governments as to conditions upon which such cables will be allowed to land in foreign countries and the conditions upon which they will be allowed to operate. It seemed impossible, therefore, to confer this power upon the Interstate Commerce Commission, but by the amendments reported to the bill the Senate will see that we have not taken from the Interstate Commerce Commission any of the powers heretofore granted to it.

I do not think it is necessary for me to go into the origin of the contest between the Government and the Western Union Co. It grew out of this situation: The Western Co. is a British company running from Great Britain through the Azores to Brazil, and from Brazil into Argentina and across the continent to Chile.

The Western Co. has a monopoly in Brazil until 1933; that is, a monopoly in laying cables between all ports in Brazil, which is necessarily a monopoly, because no other foreign company can afford to build an independent line to each separate port in Brazil.

The Western Union Co. undertook to lay a cable from Miami, Fla., to the Barbados Island, where it was to meet the line of the British company, which was to lay a cable from Brazil to the Barbados, making a through line from the United States to Brazil. Because the Western Co., the British company, had a monopoly in Brazil and would not give up the monopoly, therefore, the State Department refused a license to the Western Union Co. to connect with them.

I am not going to discuss the merits of the controversy which arose, although it will be seen by the testimony that we have not refused landing licenses to American companies because they connected with other companies which had monopolies in foreign countries over which our cable companies and our Government had no control. Notably the Commercial Cable Co., which reaches China and Japan, were compelled to make terms with a company organized in Holland, I believe, but owned by the British and the Dutch and having a monopoly in China. The All-American Cable Line, which runs from New York to Cuba, from Cuba to Colon and Panama, down the west coast of South America, and then across to Buenos Aires, with a line up to Brazil, has a monopoly running from 3 to 10 years in various

countries on the western coast of South America. The All-American Cable Co. also has a line crossing Mexico to the Pacific and connecting with its lines in South America. That company was permitted to land.

There have been several American lines, and perhaps some foreign lines, which have cables in this country which have not heretofore taken out a license, but which are operating under permissive grants, and so forth, and not regular licenses fixing any terms or conditions.

The French company has two lines of cable to New York. It also bodily took one of the German lines, cut the end connecting with New York, and attached it to its line to New York, and is now operating its line between the United States and France. France does not grant to the American companies the same rights which French companies enjoy in the United States. For instance, an American cable running to France can only connect at the shore with the French post-office telegraph lines and must do business over those lines as a separate and independent concern, while the British lease to our cable companies the lines from the shore to London and permit the officers of American companies to run the offices, to have exclusive use of land lines, and to treat them as their own; so one may take a message in London to an American cable company and send it to the United States without handling by a foreign company. That is not permitted in France. We believe the Government here should have the power to insist that American cable companies shall have the same rights in foreign countries as foreign cable companies have in the United States.

I *am not* going into the question of the importance of the development of our cables and radios. The committee also took a large amount of testimony on the subject of radios, but that bill is not before the Senate. However, it developed in the hearings that there is a great dearth of American news in South America, in China, and in Japan. The committee summoned before it the general manager of the Associated Press, the general manager of the United Press, and the general manager of the Universal News Service. I shall not take the time of the Senate to explain the details of their testimony, but it shows a most pressing need for cable and radio communication with all parts of the world and especially with South America.

I should like to call the attention of the Senate to a letter written to me by the American manager of La Prensa, which is the largest paper in South America, having a daily circulation of 220,000. With the permission of the Senate, I send the letter to the desk and ask that it be read.

Mr. KENYON. Where is the paper published?

Mr. KELLOGG. The paper is published in Buenos Aires. I should like to have the letter read, except the postscript at the end.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The reading clerk read as follows:

LA PRENSA,
Buenos Aires, January 28, 1921.

Hon. FRANK B. KELLOGG,
Chairman Subcommittee of the
Senate Interstate Commerce Committee,
Washington, D. C.

DEAR SIR: I would request that you call to the attention of the subcommittee the very inadequate cable service prevailing at present between the United States and South America.

La Prensa, the most influential newspaper in Latin-America, having an average daily circulation of 220,000 copies, receives such a limited amount of news from the United States these days that they are beginning to question our sincerity in furthering trade relations between the United States and South America.

Very frequently, I am informed, that for some reason beyond the control of the All-American Cable Co. it is impossible for this cable company to accept any words for that particular day. Other days I am limited to 20, 30, 40, and so on upward to 100, with an outside limit of 300 words, and when it is considered that for many years it was customary for this office to send to La Prensa an average of 4,000 words daily it becomes apparent that this limited service is of little value to a newspaper with the circulation of La Prensa. Just a few market reports is the sum total of my service.

For more than 20 years prior to January 1, 1920, all European news for La Prensa was sent via London, New York, Buenos Aires; therefore, the news that was passed on to South America went through my office under my direct supervision, and I was very careful to see that no news passed on that might in any way be construed to reflect on our business methods or conflict with our policy to further pleasant relations between the two Americas. This service, due to delays when relayed from the United States, is now sent direct from London to Buenos Aires.

I am often in receipt of information of great value to the buyers of merchandise or other products from the United States, such as "the large exporters or merchants here in the States desire to inform the buyers in South American countries the importance of making immediate purchases," which would result in a big saving to them, for often the replacement cost is greater than the prevailing prices, but due to the limited service it is impossible to send these advices. This lack of service might, and probably does, militate against the chances of our exporters developing trade with South America, for we must consider that the representatives from foreign countries are not hampered in their business dealings with the South American countries. As we have in the United States to-day a need for an outlet for our surplus production, I consider it vitally important that we have a service capable of handling a sufficient number of words to cover at least the most important news—news that should promote a better understanding between the two countries.

I have been informed that there are ways and means of supplementing the cable service to South America, but for some reason on the part of our Government rights are not granted to improve the present inadequate service.

Please bear in mind that the service now going direct to South America from London would in all probabilities pass through my hands for revision.

Thanking you for any steps you may take in this matter, I am,
Very truly, yours,

ROMEO R. RONCONI.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Florida?

Mr. KELLOGG. I yield.

Mr. FLETCHER. Section 6 of the bill reads:

That no vested right shall accrue to any Government, person, or corporation under the terms of this act that may not be changed, modified, or amended by the Congress.

That would seem to leave it possible for vested rights to be obtained subject only to being modified or changed. The question I should like to ask the Senator is whether or not he would be willing to strike out the word "vested" in line 14, and insert the word "rescinded" before the word "changed" in line 16, so that it would read:

That no right shall accrue to any Government, person, or corporation under the terms of this act that may not be rescinded, changed, modified, or amended by the Congress.

Mr. KELLOGG. I do not think I shall have any objection to that if the Senator will let it go until I reach that section, as there are various committee amendments that I should like to take up.

Mr. President, one more word about the subject of news, and it will show the great importance of this Government exercising the greatest possible power to encourage American cable and American radio companies to extend their facilities to foreign countries.

The press associations of the United States are practically the only independent, unsubsidized associations in the world. The Reuter, which is a British concern, is said to be subsidized, and the testimony shows that the Havas, of France, is also. Formerly the Wolff, of Germany, as everybody knows, was a subsidized association; and after the news which we had to send to South America had gone through the Reuter or the Havas or the Wolff agency, one would never know that it originated in the United States.

It is of the utmost importance, not only that these countries may know the United States, its institutions, its commerce, its commercial associations, but that they may know its Government, that we should have news agencies that give them what they demand in South America. Every agency testified that it wanted facilities for four or five thousand words a day for the daily newspapers in South America, and could practically get nothing. The same situation exists in China and Japan.

I will say this for the American press associations: They are the most independent and fairest of any associations in the world in sending American news or any news. They are making great strides and great efforts to extend their service to other countries, especially those countries in which we have such a deep interest as we have in the South American countries, and they need all the cable and radio facilities and all the encouragement the Government can give them. I hope that the Congress will see fit in the near future to pass a radio bill, a subject to which I have given a good deal of attention.

It does seem to me, however, as that power is now being questioned, that it must rest in some department of the Government, and I know of no place more appropriate than in the President. He can then call upon the Interstate Commerce Commission, upon the Attorney General, or upon the Secretary of State—who would be the most likely officer to exercise the power under the President—and can grant licenses, as he has in the past, upon conditions which will protect the American Government and the American people and the news service of this country.

After the bill was reported to the Senate a further hearing was asked by a certain cable company, and the Secretary of State also had given very careful consideration to it. Mr. Hughes suggested some amendments, which the committee adopted, one of which has since been changed. If the bill may be read for amendment, I will indicate the amendments as we proceed and the suggestions which I should like to make for further amendment.

Mr. ROBINSON. Mr. President——

Mr. KELLOGG. I yield to the Senator from Arkansas.

Mr. ROBINSON. I should like to ask the Senator from Minnesota a question concerning section 2.

Mr. KELLOGG. Will the Senator wait until we reach that section. I should like to take up section 1 first.

Mr. ROBINSON. Yes; if it suits the convenience of the Senator to do so.

Mr. KELLOGG. I should be glad if section 1 might be read for amendments. I have one additional amendment to suggest.

The VICE PRESIDENT. The Secretary will read as requested.

The READING CLERK. Section 1, with the amendments, reads as follows:

Be it enacted, etc., That no person shall land or operate in the United States any submarine cable directly or indirectly connecting the United States with any foreign country, or connecting one portion of the United States with any other portion thereof, unless a written license to land or operate such cable has been issued by the President of the United States: *Provided, however*, That any cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of 30 days from the date of the approval of this act.

Mr. KELLOGG. I ask to perfect the last amendment by inserting "90 days" instead of "30 days." Some of the companies which have cables which have not obtained licenses contend that 30 days is too short a time, and after discussing the matter with the Secretary of State, he thought that 90 days would be fair; and I therefore ask permission to insert "90 days" in lieu of "30 days."

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. ROBINSON. Mr. President, during the consideration of the amendments suggested by the Senator from Minnesota, I should like to ask the Senator a question or two.

Mr. KELLOGG. I shall be very glad to answer them.

Mr. ROBINSON. Is it intended, in the event that the President shall fix the terms and conditions respecting the licenses to be issued to those who are already operating cables in the United States connected with foreign countries, to which those countries may not agree, that then they must suspend operations?

Mr. KELLOGG. The President could only enforce that provision in the courts, as the Senator will see from the section which provides for enforcement.

Mr. ROBINSON. That, in my opinion, does not answer the question that I asked. My question was not directed to the method of procedure.

Mr. KELLOGG. It would be necessary for them to suspend operations or comply with the conditions.

Mr. ROBINSON. Under the amendment which the committee has reported, even as modified by the amendment now suggested by the Senator, the President can prescribe any terms or conditions and make them applicable to cables that are already operating in the United States; and if the companies operating them decline to accept those terms and conditions, then by a proceeding in court they can be denied the privilege of further operation.

Mr. KELLOGG. Yes. Let me give the Senator an illustration. Take the French company, which has never complied with its license. Suppose the French company continued to refuse to allow American companies to have the same rights in France that they have in the United States. The President could bring an injunction, if they refused to suspend, to enjoin them until they did comply. I see no other way of enforcing it.

Mr. ROBINSON. Has the Senator considered the legal question involved in connection with this amendment, as to whether it is within the power of Congress to enact this amendment?

Mr. KELLOGG. I do not think there is any doubt about it. I have given it very careful consideration. I think Congress may authorize the Executive to prohibit the landing of any foreign cables or any cables on our shores, if it sees fit.

Mr. ROBINSON. But this question and this amendment apply to cables that have already been landed and to cases where rights may have vested.

Mr. KELLOGG. Yes; and that is exactly the power that the British Government exercised, and they required our cable companies to take out new licenses.

Mr. ROBINSON. But, if the Senator will pardon me, I am not speaking about the power of the British Government or the exercise of power under the British constitution, and I am not antagonizing the Senator; I am asking for information. I am asking if the Senate committee reporting this bill considered the question as to the power of Congress to deny to a cable company already landed and already operating under certain terms and conditions the right to continue to operate in the future?

Mr. KELLOGG. Yes; I think there is no doubt about the power.

Mr. ROBINSON. The Senator, then, is satisfied as to that proposition?

Mr. KELLOGG. I am satisfied.

Mr. ROBINSON. Clearly, I think, in the interest of the Government and the preservation of our foreign relations, it is necessary to regulate the operation of these cables; and I presume the committee reached the conclusion that it could be best done through the instrumentality of the President, who has charge of our foreign relations rather than through some other agency, as, for instance, the Interstate Commerce Commission.

Mr. KELLOGG. That was the opinion of the committee, and we gave very careful consideration to that subject.

Mr. FLETCHER. Mr. President, in order to have the record straight, I presume the Senator means to ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for committee amendments first.

Mr. KELLOGG. Yes; that was the intention. I thank the Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. FLETCHER. Then it is in order to consider the amendments of the committee first. I suggest that they ought to be taken up in their order, beginning with line 3.

Mr. KELLOGG. I should like to ask if there is any objection to the change of the amendment as suggested by me?

The VICE PRESIDENT. The amendment to the amendment was agreed to without objection.

Mr. KELLOGG. Is the amendment itself now agreed to?

Mr. ROBINSON. The Senator from Florida has just called the attention of the Senator from Minnesota to the fact that there is a previous amendment that has not been formally disposed of. The words "or operate," in line 3, constitute a committee amendment, which has been overlooked.

Mr. KELLOGG. I was under the impression that that had been disposed of as we passed along.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. The first amendment offered by the committee is, on page 1, line 3, after the word "land," to insert the words "or operate."

The amendment was agreed to.

The READING CLERK. On page 1, line 7, after the word "land," it is proposed to insert the words "or operate."

The amendment was agreed to.

The READING CLERK. On page 1, line 8, after the words "United States," it is proposed to insert a colon and the following proviso:

Provided, however, That any cable now laid within the United States without a license granted by the President may continue to operate without such license for a period of 90 days from the date of the approval of this act.

Mr. KING. Mr. President, before that amendment is agreed to I should like to ask the chairman of the committee, as well as the Senator from Arkansas, what disposition was made of the suggestion made by the Senator from Arkansas with respect to the power of the President to prohibit persons who are now operating from continuing to operate unless they receive a license from the President of the United States?

Mr. KELLOGG. I gave the opinion of the chairman of the committee that the Congress had that power.

Mr. ROBINSON and Mr. CUMMINS addressed the Chair.

Mr. KING. If I may be pardoned, I was not questioning the power, and yet it seems to me that there may be a serious question as to the power of Congress to do that; but it was the question of policy or expediency to which I was addressing myself and the justice of the question.

Mr. ROBINSON. Mr. President, with the indulgence of the Senator from Minnesota and the Senator from Iowa, I will state that my question related to the power of Congress to enact this amendment. The Senator from Minnesota expressed the opinion that it had the power, and stated that after an investigation made by the committee the committee had reached that conclusion. The Senator from Iowa [Mr. CUMMINS] has just made to me a statement which I trust he will repeat to the Senate, which I believe makes clear the fact that the Congress has the power to adopt the amendment.

Mr. KELLOGG. I shall be very glad to hear from the Senator from Iowa.

Mr. CUMMINS. Mr. President, I am sure the suggestion that I have to make will be in harmony with the view of the Senator from Minnesota.

Congress has never granted to any person or any officer the right to make a contract with a foreign cable company or with a domestic cable company with respect to landing upon our shores; and, as I look at it, these cable companies that already have landed upon American soil and are operating have no vested right and can have none, for they have not entered upon

their enterprise under any agreement, expressed or implied, but simply a license.

I have no doubt whatever about our right to confer upon the President the authority to terminate this license whenever he sees fit to exercise it.

Mr. KING. I concede that right with respect to foreign corporations or to aliens. But take the case of an American citizen or an American corporation, both of which, say, have been operating a cable for a number of years, without question, without any concession from the Government or any State other than the chart of power upon the part of the corporation. What does the Senator say as to the power of the Federal Government to deny them the right to continue to operate?

Mr. CUMMINS. It might be very unjust and it might be very unwise, and I take it that the President would not act either unjustly or unwisely. But my reply with regard to the domestic company is precisely the same as it is with respect to a foreign company. These companies are using their privilege as sovereigns.

Mr. KING. Does the Senator think that domestic corporations and American citizens should be subjected to the same regulation as foreign corporations?

Mr. CUMMINS. Naturally, we ought to be more solicitous about protecting the rights, if they are rights, of a domestic company than a foreign company; although so far as the morals of it are concerned I think there is no difference.

Mr. KELLOGG. I will say to the Senator from Utah I believe there is only one foreign cable now landing in the United States, and that is the French cable, and they ought to be compelled to give the American companies the same rights in France that the French company enjoys here.

Mr. KING. I assent to the proposition just made by the Senator from Minnesota.

Mr. KELLOGG. The other principal companies, like the Commercial and the Western Union and the All-American Co., have received licenses from the President. If he had no authority to give them, this will confirm his authority. There is not any disposition, as far as I know, to interfere with them, but Congress ought to make a general law on the subject.

Mr. ROBINSON. Mr. President, with the indulgence of the Senator from Minnesota, it would seem to me that the same necessity for regulation of the matter exists with respect to all the companies, no matter whether they are owned and operated by American citizens or foreigners. The manner of the regulation is left in the discretion of the President, and the assumption is that he will exercise it wisely and fairly.

I have no further suggestion in connection with this amendment, but there is a suggestion in connection with the next amendment which I should like to make.

The amendment as amended was agreed to.

Mr. WALSH of Montana. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Montana?

Mr. KELLOGG. I yield.

Mr. WALSH of Montana. I am interested to know upon what basis the assertion is made that the power vests in Congress to grant a license, or to prohibit the operation without a license. Under what heading does the Senator from Minnesota assign the power?

Mr. KELLOGG. The power of Congress?

Mr. WALSH of Montana. Yes.

Mr. KELLOGG. I think Congress has it under the power to regulate commerce. The courts have so held.

Mr. ROBINSON. In some respects it might also relate to foreign relations, which already the President has the direction of.

Mr. KELLOGG. The courts have held, as the Senator from Arkansas suggests, that quite likely the President might have implied power, under the war power for instance, to prevent a foreign company from landing here at all, if he thought it endangered the United States. But the court held, in the very case I mentioned, that the power to grant a license for the landing of cables and to withhold it was in the Congress of the United States, under the commerce clause.

Mr. WALSH of Montana. By reason of the power to regulate commerce with foreign nations?

Mr. KELLOGG. Yes. In relation to section 2, I sent to the Senator from Arkansas [Mr. ROBINSON] a substitute for the the committee amendment of section 2, and I have a few other copies if any Senator desires to read it.

The VICE PRESIDENT. The Secretary will read the amendment.

The READING CLERK. As a substitute for the amendment proposed by the committee as section 2 insert:

SEC. 2. That the President may withhold or revoke such license when he shall be satisfied that such action will assist in securing rights for the landing or operation of cables in foreign countries, or in maintaining the rights or interests of the United States or of its citizens in foreign countries, or will promote the security of the United States, or may grant such license upon such terms as shall be necessary to assure just and reasonable rates and service in the operation and use of cables so licensed: *Provided*, That the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States: *And provided further*, That nothing herein contained shall be construed to limit the power and jurisdiction heretofore granted the Interstate Commerce Commission with respect to the transmission of messages.

Mr. KELLOGG. Does the Senator from Arkansas desire to ask me a question with regard to this amendment?

Mr. ROBINSON. Mr. President, the question I want to ask the Senator from Minnesota is this: Will the language under the amendment he now proposes authorize the President to revoke a license granted to one company in order to secure rights for the landing or operation of cables owned or operated by another company in a foreign country?

Mr. KELLOGG. I should not think it would. I can not imagine anything of the kind.

Mr. ROBINSON. Technically, I believe the language as it is offered would grant that power. I am sure the Senator had no such intention——

Mr. KELLOGG. Oh, no.

Mr. ROBINSON. And that the committee had no such intention.

Mr. KELLOGG. I had no such intention.

Mr. ROBINSON. I do not know whether it has any practical value or not. There might arise a case in which it would become important.

Mr. KELLOGG. I will say to the Senator that that was very carefully considered by the Western Union Co. itself, and to that clause they have no objection whatever. They did suggest that when it came to the question of fixing rates and service, we should not take away the power of the Interstate Commerce Commission, which may now fix rates, and that the rates and service should be regulated by the license, and should be confined to the particular lines; but as to the other they had no objection whatever.

Mr. ROBINSON. I did not have in mind the Western Union Telegraph Co., or any other company. I was merely considering the language. It reads:

That the President may withhold or revoke such license—

That is, any license granted to a person, citizen, or corporation to operate a foreign cable—

when he shall be satisfied that such action will assist in securing rights for the landing or operation of cables in foreign countries—

And so forth.

Unquestionably that gives him the discretion to revoke a license granted to one company to operate a cable the other terminus of which is in Great Britain, if he sees fit to do so, and secure the right to land a cable in France, for instance.

Mr. KELLOGG. He should have that right as to the connection of that cable. Otherwise he could not exercise any power at all. Let me give the Senator an illustration. Take the Western Union, which now connects at Barbados with the Western Co., a British company. The Western Co. has a monopoly, and President Grant laid it down in his message that we ought not to grant a landing license to any company having a monopoly in a foreign country. Manifestly the President can say that unless the British company is willing to give up its monopoly, as a condition precedent to connecting with the Western Union, it can not land in this country, or the Western Union can not. I think that is a power which is absolutely necessary.

Mr. ROBINSON. I understand all that, and I think the purposes of the amendment are all right; but take a case like this: Suppose Company A is licensed to operate a cable the foreign terminus of which is in the West Indies, and the Government of France says, "If you will revoke the license of Company A, we will permit Company B to land and operate a cable the foreign terminus of which, as to your Government, shall be in France." Under this legislation the President plainly would have the power to trade off the right of Company A for the benefit of Company B. As to whether he would do that is, of course, a question not likely to arise, because no President probably would exercise that power. It seems to me that such a power is plainly granted in the legislation, but if the Senator from Minnesota is satisfied that that is not the case, after having studied the question, I am willing to take his judgment.

Mr. KELLOGG. I am perfectly satisfied, and I am satisfied that all the companies are of the same opinion; and they gave that careful consideration.

Mr. ROBINSON. It is not a complete answer to the proposition to say that somebody else has considered it. I want the judgment of the Senator from Minnesota.

Mr. KELLOGG. That is my judgment.

Mr. ROBINSON. I know this, that when a proposition is presented to a lawyer he considers it from the angle of the question that, in his mind, is most prominent; but this is a question that very naturally arises from the language of the substitute. The power given the President here is to secure the privilege to land a cable in a foreign country. He may revoke any and all licenses that have theretofore been granted, no matter to whom granted.

Mr. KELLOGG. I do not think he can do it.

Mr. KING. Mr. President, I feel a great deal of timidity in making any suggestion to the chairman of the committee, who has given much consideration to this proposed legislation. I do suggest to him, however, that section 2, as I view it, confers unlimited and arbitrary power upon the President of the United States. I know the Senator will say, and all of us will say, that the President, of course, will not act capriciously or arbitrarily but will seek to do justice in dealing with this important question.

I do suggest to the Senator that it would have been better to prescribe by legislation the terms under which licenses might be obtained and the conditions or contingencies which might lead to forfeiture. As it is now, no corporation knows what must be complied with in order to obtain a license. The rule or regulation prescribed to-day may be departed from to-morrow. The President may announce one policy to-day and to-morrow that policy may be abandoned and an entirely different one prescribed. One administration may suggest one policy and the succeeding administration may prescribe an entirely different one.

Those who are seeking these licenses and these privileges are utterly at sea. They are at the mercy of the Executive, and we all know that the Executive, in the multitude of duties resting upon him, can not bring to bear his personal attention in the consideration of all these matters, and he will be dependent upon some subordinate of the Government. So after all we come down to the proposition that some subordinate of the Government holds in his hands the privilege to grant licenses to those who may seek to land cables upon our shores and holds in his powerful grasp the power to terminate those licenses according to his good will and pleasure. It is too great a power, it seems to me, to confer upon the President, knowing, as we do, that the action must be taken by some subordinate.

Mr. KELLOGG. Mr. President, that suggestion was very carefully considered by our committee, and I tried for a long time to see whether I could draw general regulations which could be automatically complied with, and if the Senator from Utah can do it, he can do better than I can.

I asked the cable companies, through their able lawyers, to suggest to me conditions which could be put in the law with which they could comply automatically, and they said they varied so greatly that they could not do it; and they never did suggest any.

Let me give the Senator an illustration. The first thing that occurred to the committee was that we should make a general rule that no cable should land in the United States which connected with a cable having a monopoly in a foreign country. It immediately was seen in some cases that it not only would operate against American interests, but would be impossible to comply with at all, because the monopoly to the foreign company was neither under the control of the American company nor the American Government, and we found in several cases where it was necessary either to grant such landing licenses or deprive ourselves of cable facilities. There are many other conditions, and I do not believe it is possible to lay down general rules which can be automatically complied with.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Iowa?

Mr. KELLOGG. I yield.

Mr. CUMMINS. When the bill came on for consideration before the committee of which I am chairman I made against it the very point so clearly expressed by the Senator from Utah [Mr. KING]. I would have preferred the organization, if possible, of a series of rules or regulations which would control the discretion of the Executive. In addition to the efforts of the Senator from Minnesota I undertook that task. It is needless to say that I failed utterly. If I had not failed the bill would not be in its present form. I came to the conclusion, and I wish to express it in view of the point made, that it could not be done, that no human being could anticipate the conditions which may exist at some future time between this country and another or between this country and her own citizens to a sufficient extent to enable him to frame an intelligent guide or rule for the exercise of the power by the President of the United States. I do not believe it can be done, and if we desire the power exercised I think it will have to be practically unlimited.

We did incorporate some limitation, which was the only one that I could find that seemed to me safe to put in at all hazards. It will be noticed that in the section now before the Senate there is a provision that the license shall not contain terms or conditions which will prevent the issuance of other licenses, and, as it is paraphrased in the amendment offered by the Senator from Minnesota, providing that the license shall not contain terms or conditions granting to the licensee exclusive rights of landing or of operation in the United States. After a good deal of consideration, and the Senator from Minnesota was just as anxious as I was to frame a series of rules if it had been found practicable, the committee unanimously determined that it was impossible and could not be done.

I desire while I am on my feet to add a word in regard to the point made by the Senator from Arkansas [Mr. ROBINSON]. I think he is right in his construction of the language, but I do not think it is material for this reason: The language which he quotes will only be operative in the case of the revocation of a license. The President has complete and broad discretion to withhold a license without giving any reason whatever. So that part of the section which says the President may withhold such licenses has no practical operation.

Mr. ROBINSON. May I suggest to the Senator from Iowa that that very case would be presented if, for instance, upon the passage of the bill the President should grant a license to a number of corporations to operate foreign cables and 10 years from now should, on account of our foreign relations with a particular power, being desirous of landing a foreign cable in some particular country, be met with the proposition from the foreign country in which we desired to land the cable that if we would revoke the license under which other cables to other foreign countries were being operated we could have the permission to land this cable and operate it. There might arise a condition whereby the President would have the power effectually to destroy a large amount of property, because the revocation of the license would constitute a destruction of the investment.

Mr. CUMMINS. I agree that it does confer great power on the President, but it relates only to the revocation of a license already issued.

Mr. ROBINSON. Yes; but the power to revoke is universal. The President may revoke any license at any time while the provisions of the bill are in force, so that 10 years from now no matter how many licenses there may be in existence then, if the act is still in force the President can revoke them all in theory in order to secure the landing of one cable in a foreign country. He has that power.

Mr. KELLOGG. Perhaps I do not understand the Senator, but I can state a concrete case as one in which I think the President should have this power, the French cable case, where cables were landed in this country under certain conditions. The understanding was that those cables should exercise the same rights in the United States as United States cables exercised in France. Ought not the President to have the power to say he will revoke their license if the French Government does not give us such rights?

Mr. ROBINSON. I think that is true, but are we not giving him that power, and is it necessary to grant him power to revoke every license of every cable that may be operated only to accomplish the landing of a particular cable? That is my construction, and according to the statement of the Senator from Iowa [Mr. CUMMINS] he agrees with me.

Mr. KELLOGG. I can not imagine the President revoking the license to land cables running to France because some license was revoked covering cables running to South America, but I do not think we ought to whittle down the power, because if we do we will deprive the President of the power necessary to negotiate for rights with reference to American cables.

Mr. CUMMINS. The Senator from Arkansas I think is in error in one respect, and while it is not material to the present question he ought to be set right. As I understand it, the President has not the power and is not given the power to revoke licenses granted under the bill. The Congress reserves the power, but the President is not given the power to revoke licenses.

Mr. ROBINSON. May I read the language of the amendment as now proposed by the Senator from Minnesota, and that is all the reply I can make to that statement:

That the President may withhold or revoke such license when he shall be satisfied that such action will assist in securing rights for the landing or operation of cables in foreign countries—

And so forth. Now the power to revoke relates to every license granted at the time of the revocation, and that power, if the President chooses to do so, can be exercised as to every license granted in order to secure the landing of one cable if in his opinion it is important that that should be done.

Mr. CUMMINS. I think the Senator from Arkansas does not catch my point. I understood him to say that there was a general power of revocation of licenses granted under the terms of the bill. I do not so understand it. The President can revoke any license that we grant under the bill if he finds it necessary to assist in securing rights for the landing or operation of cables in foreign countries or in maintaining the rights or interests of the United States or its citizens in foreign countries, but only for that reason.

Mr. ROBINSON. That is the very point I am making. I say that under that language if the President desires, for instance, to secure the landing of a cable in France he could revoke the license of every company operating a foreign cable, no matter whether the company was owned by American citizens or to what country it was operating. Under that language, in order to secure rights of landing or operating cables in foreign countries, he can revoke all licenses theretofore issued if he thinks it important to do so.

Mr. KELLOGG. The Senator will see that under section 3 the President would have to go into court. It is my intention to propose an amendment which will cover the question of the revocation of licenses so that the President would have to go into court to attain that end the same as he would be compelled to do to prevent the landing. In other words, under section 3 the President can apply to any district court of the United States, and when that section is reached I shall ask to have a few words added to make it a little more clear.

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Minnesota yield to the Senator from Utah?

Mr. KELLOGG. Certainly.

Mr. KING. May I inquire of the Senator whether the amendment which he is about to tender will go to the extent of prohibiting the President from revoking a license without applying to the courts?

Mr. KELLOGG. Oh, no; of course, he would have to apply to the courts to enforce it. He may apply to any court in the United States to enforce it.

Mr. KING. He will have the power of revocation without applying to the courts?

Mr. KELLOGG. Oh, certainly; he would have to act first. I ask to have section 2 agreed to, if there is no objection.

The PRESIDING OFFICER. The question is on agreeing to the substitute offered by the Senator from Minnesota.

Mr. KING. Mr. President, I do not intend to attempt while the bill is before the Senate to draft an amendment that I think might cover the point which I suggested a moment ago and to which the Senator from Iowa [Mr. CUMMINS] has just replied. I appreciate the difficulty that one would experience in attempting to meet all the exigencies and contingencies that may suggest themselves with respect to the granting or revocation of licenses; but it does seem to me that there could be some general language employed which would form the basis for the revocation of licenses. The section grants, in my opinion, too much power to the President. There is not sufficient restriction or limitation upon the discretion which may be exercised by him.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from Minnesota.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KELLOGG. In the next section, section 3, after the word "landed" in line 20, I move to insert the words "or is being operated."

The PRESIDING OFFICER. The Senator from Minnesota offers the following amendment, which the Secretary will report.

The READING CLERK. On page 2, line 20, after the word "landed," insert the words "or is being operated," so that it will read "or has been landed or is being operated in violation of this act," and so forth.

The amendment was agreed to.

Mr. KELLOGG. In line 21, after the word "landing," at the end of the line, I move to insert the words "or operation."

The PRESIDING OFFICER. The Senator from Minnesota offers the following amendment, which the Secretary will report.

The READING CLERK. On page 2, line 21, after the word "landing," insert the words "or operation," so that it will read, "shall have jurisdiction to enjoin the landing or operation of such cable," and so forth.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will report the next amendment of the committee.

The READING CLERK. The next amendment of the committee is, on page 3, after line 13, to insert a new section, section 6, to read as follows:

SEC. 6. That no vested right shall accrue to any Government, person, or corporation under the terms of this act that may not be changed, modified, or amended by the Congress.

Mr. KELLOGG. The Senator from Florida [Mr. FLETCHER] has an amendment to offer to the amendment of the committee.

Mr. FLETCHER. I move to strike out the word "vested," in line 14, so that it will read, "That no right shall accrue," and so forth, instead of "no vested right shall accrue."

The PRESIDING OFFICER. The Senator from Florida offers the following amendment, which the Secretary will report.

The READING CLERK. On page 3, line 14, strike out the word "vested," so as to read "that no right shall accrue to any Government," and so forth.

The amendment to the amendment was agreed to.

Mr. FLETCHER. I move to amend further in line 16, after the word "be," by inserting the word "rescinded."

The PRESIDING OFFICER. The Secretary will report the proposed amendment to the amendment.

The READING CLERK. On page 3, line 16, after the word "be," insert the word "rescinded," so that it will read "may not be rescinded, changed, modified, or amended by the Congress."

Mr. KELLOGG. If the Senator will pardon me, as to the first amendment, it would have to be a vested right or it could be changed without an act of Congress.

Mr. ROBINSON. But if it is a vested right it can not be changed.

Mr. KELLOGG. I have no objection to it. What is the other amendment?

Mr. FLETCHER. I think we should vest the power in the President to rescind any right that may have been created—to rescind it as well as to modify it.

Mr. KELLOGG. What is the word the Senator wishes to insert?

Mr. FLETCHER. I move to insert the word "rescinded," after the word "be," in line 16, so that it will read:

That no right shall accrue to any Government, person, or corporation under the terms of this act which may not be rescinded, changed, modified, or amended by the Congress.

Mr. KELLOGG. I have no objection to that.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. KELLOGG. My attention has been called to a statute of the United States providing that no law shall apply to the Philippine Islands unless it is specifically so provided in the act, and the Secretary of State suggested that after the words "Canal Zone," on page 3, line 11, there should be inserted the words "the Philippine Islands." My own judgment is that that is not necessary, but the Secretary of State desires it, and I move that amendment.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Minnesota.

The amendment was agreed to.

Mr. JONES of Washington. I merely wish to ask the Senator from Minnesota a question. In section 4, page 3, line 5, I notice the language reads:

That whoever wittingly commits—

The word "wittingly" struck me as rather an unsual word, the word "knowingly" being ordinarily employed.

Mr. KELLOGG. It means knowingly, but I am willing to change it.

Mr. JONES of Washington. I do not ask that it be changed; I am willing to take the Senator's judgment as to the language; but I merely wish to make its meaning clear in the RECORD.

Mr. KELLOGG. I move that the word "wittingly" be changed to "knowingly."

The PRESIDING OFFICER. The amendment proposed by the Senator from Minnesota will be stated.

The ASSISTANT SECRETARY. In section 4, page 3, line 5, after the word "whoever," it is proposed to strike out the word "wittingly" and insert "knowingly."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

"PAGEANT OF PROGRESS EXPOSITION" CANCELLATION STAMP.

Mr. TOWNSEND. I ask unanimous consent to submit a report from the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. In the absence of objection, the report will be received.

Mr. TOWNSEND. From the Committee on Post Offices and Post Roads I report favorably without amendment the bill (H. R. 2185) providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office, and I ask unanimous consent that it may be acted upon at this time. It is a bill which passed the other House unanimously, authorizing the post office at Chicago to use a distinctive canceling stamp in connection with the exposition to be held in that city in July and August of this year. The bill makes no appropriation, and similar legislation has frequently heretofore been passed.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to permit the use in the Chicago post office of special canceling stamps bearing the following words and figures: "Pageant of Progress Exposition, Chicago, July 30 to August 14, 1921."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATIONAL BUDGET SYSTEM.

Mr. McCORMICK. I desire to call up for consideration Senate bill 1084, being the budget bill, so called.

The PRESIDING OFFICER. The question is on the motion of the Senator from Illinois to proceed to the consideration of the bill indicated by him, the title of which will be stated.

The ASSISTANT SECRETARY. A bill (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Expenditures in the Executive Departments without amendment.

The bill was read, as follows:

Be it enacted, etc., That this act may be cited as the "Budget and accounting act, 1921."

TITLE 1.—DEFINITIONS.

SEC. 2. That when used in this act—

The terms "department and establishment" and "department or establishment" mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

The term "the budget" means the budget required by section 201 to be transmitted to Congress;

The term "bureau" means the bureau of the budget;

The term "director" means the director of the bureau of the budget; and

The term "assistant director" means the assistant director of the bureau of the budget.

TITLE 2.—THE BUDGET.

SEC. 201. That the President shall transmit to Congress on the first day of each regular session, the budget, which shall set forth in summary and in detail:

(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted, and also, (2) under the revenue proposals, if any, contained in the budget;

(c) The expenditures and receipts of the Government during the last completed fiscal year;

(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

(g) All essential facts regarding the bonded and other indebtedness of the Government; and

(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

SEC. 202. (a) That if the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President in the budget shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

(b) Whenever such supplemental or deficiency estimates reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation.

SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

SEC. 205. The President, in addition to the budget, shall transmit to Congress on the first Monday in December, 1921, for the service of the fiscal year ending June 30, 1923, only, an alternative budget, which shall be prepared in such form and amounts and according to such system of classification and itemization as is, in his opinion, most appropriate, with such explanatory notes and tables as may be necessary to show where the various items embraced in the budget are contained in such alternative budget.

SEC. 206. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

SEC. 207. That there is hereby created in the Treasury Department a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be nominated by the President and appointed by him, by and with the advice and consent of the Senate, and shall receive salaries of $10,000 and $9,000 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director. The bureau, under the direction of the Secretary of the Treasury, shall prepare the budget, the alternative budget, and any supplemental deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

SEC. 208. (a) That the director, with the approval of the Secretary of the Treasury, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, as Congress may from time to time provide.

(b) No person appointed by the director shall be paid a salary at a rate in excess of $6,000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of $5,000 a year.

(c) All employees in the bureau whose compensation is at a rate of $5,000 a year or less shall be appointed in accordance with the civil service laws and regulations.

(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years and the provision that no civil employee in any department or establishment shall be employed and paid from a lump-sum appropriation in any other department or establishment at an increased rate of compensation as provided in section 7 of the urgent deficiency act of October 6, 1917, shall not apply during the fiscal years ending June 30, 1921, and June 30, 1922, to the bureau.

(e) The bureau shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal years ending June 30, 1921, and June 30, 1922, if otherwise entitled thereto.

SEC. 209. That the bureau shall from time to time make a detailed study of the departments and establishments for the purpose of enabling the President to determine what changes (with a view of securing greater economy and efficiency in the conduct of the public service) should be made in (1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services. The results of such study shall be embodied in a report or reports to the President, who may transmit to Congress such report or reports or any part thereof with his recommendations on the matters covered thereby.

SEC. 210. That the bureau shall prepare for the President a codification of all laws or parts of laws relating to the preparation and transmission to Congress of statements of receipts and expenditures of the Government and of estimates of appropriations. The President shall transmit the same to Congress on or before the first Monday in December, 1921, with a recommendation as to the changes which, in his opinion, should be made in such laws or parts of laws.

SEC. 211. That the powers and duties relating to the compiling of estimates now conferred and imposed upon the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury are transferred to the bureau.

SEC. 212. That the bureau shall, at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

SEC. 213. That under such regulations as the President may prescribe, (1) every department and establishment shall furnish to the bureau such information as the bureau may from time to time require, and (2) the director and the assistant director, or any employee of the bureau when

duly authorized, shall, for the purpose of securing such information, have access to, and the right to examine, any books, documents, papers, or records of any such department or establishment.

SEC. 214. (a) That the head of each department and establishment shall designate an official thereof as budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

(b) Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

SEC. 215. That the head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do, the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the budget estimates and statements in respect to the work of such department or establishment.

SEC. 216. That the departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

SEC. 217. That for expenses of the establishment and maintenance of the bureau there is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $225,000, to continue available during the fiscal year ending June 30, 1922.

TITLE 3.—GENERAL ACCOUNTING OFFICER.

SEC. 301. That there is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States. The offices of Comptroller of the Treasury and Assistant Comptroller of the Treasury are abolished, to take effect July 1, 1921. All other officers and employees of the office of the Comptroller of the Treasury shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921, and all books, records, documents, papers, furniture, office equipment, and other property of the office of the Comptroller of the Treasury shall become the property of the general accounting office. The comptroller general is authorized to adopt a seal for the general accounting office.

SEC. 302. That there shall be in the general accounting office a comptroller general of the United States and an assistant comptroller general of the United States, who shall be nominated by the President and appointed by him by and with the advice and consent of the Senate, and shall receive salaries of $10,000 and $7,500 a year, respectively. The assistant comptroller general shall perform such duties as may be assigned to him by the comptroller general, and during the absence or incapacity of the comptroller general, or during a vacancy in that office, shall act as comptroller general.

SEC. 303. That the comptroller general and the assistant comptroller general shall hold office for seven years, but may be removed at any time by joint resolution of Congress after notice and hearing, when, in the judgment of Congress, the comptroller general or assistant comptroller general has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office. When a comptroller general or assistant comptroller general attains the age of 70 years he shall be retired from his office.

SEC. 304. That all powers and duties now conferred or imposed by law upon the Comptroller of the Treasury or the six auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not inconsistent with this act, be vested in and imposed upon the general accounting office and be exercised without direction from any other officer. The balances certified by the comptroller general shall be final and conclusive upon the executive branch of the Government. The revision by the comptroller general of settlements made by the six auditors shall be discontinued, except as to settlements made before July 1, 1921.

SEC. 305. That section 236 of the Revised Statutes is amended to read as follows:

"SEC. 236. All claims and demands whatever by the United States or against them, and all accounts whatever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the general accounting office."

SEC. 306. That all laws relating generally to the administration of the departments and establishments shall, so far as applicable, govern the general accounting office. Copies of any books, records, papers, or documents, and transcripts from the books and proceedings of the general accounting office, when certified under its seal, shall be admitted as evidence with the same effect as the copies and transcripts referred to in sections 882 and 886 of the Revised Statutes.

SEC. 307. That the Comptroller General may provide for the payment of accounts or claims adjusted and settled in the general accounting office, through disbursing officers of the several departments and establishments instead of by warrant.

SEC. 308. That the duties now appertaining to the Division of Public Moneys of the office of the Secretary of the Treasury, so far as they relate to the covering of revenues and repayments into the Treasury, the issue of duplicate checks and warrants, and the certification of outstanding liabilities for payment, shall be performed by the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury.

SEC. 309. That the Comptroller General shall prescribe the forms, systems, and procedure for administrative appropriation and fund accounting in the several departments and establishments, and for the administrative examination of fiscal officers' accounts and claims against the United States.

SEC. 310. That the offices of the six auditors shall be abolished, to take effect July 1, 1921. All other officers and employees of these offices shall become officers and employees in the general accounting office at their grades and salaries on July 1, 1921. All books, records, documents, papers, furniture, office equipment, and other property of these offices, and of the Division of Bookkeeping and Warrants, so far as they relate to the work of such division transferred by section 304, shall become the property of the general accounting office. The general accounting office shall occupy temporarily the rooms now occupied by the office of the Comptroller of the Treasury and the six auditors.

SEC. 311. (a) That the comptroller general shall appoint, remove, and fix the compensation of such attorneys and other employees in the general accounting office as may from time to time be provided for by Congress.

(b) All such appointments, except to positions carrying a salary at a rate of more than $5,000 a year, shall be made in accordance with the civil service laws and regulations.

(c) No person appointed by the comptroller general shall be paid a salary at a rate of more than $6,000 a year, and not more than four persons shall be paid a salary at a rate of more than $5,000 a year.

(d) All officers and employees of the general accounting office, whether transferred thereto or appointed by the comptroller general, shall perform such duties as may be assigned to them by him.

(e) All official acts performed by such officers or employees specially designated therefor by the comptroller general shall have the same force and effect as though performed by the comptroller general in person.

(f) The comptroller general shall make such rules and regulations as may be necessary for carrying on the work of the general accounting office, including rules and regulations concerning the admission of attorneys to practice.

SEC. 312. (a) That the comptroller general shall investigate, at the seat of government or elsewhere, all matters relating to the receipt and disbursement of public funds, and shall make to the President when requested by him, and to Congress at the beginning of each regular session, a report in writing of the work of the general accounting office, containing recommendations concerning the legislation he may deem necessary to facilitate the prompt and accurate rendition and settlement of accounts and concerning such other matters relating to the receipt and disbursement of public funds as he may think advisable. In such regular report, or in special reports at any time when Congress is in session, he shall make recommendations looking to greater economy or efficiency in public expenditures.

(b) He shall make such investigations and reports as shall be ordered by either House of Congress or by any committee of either House having jurisdiction over revenue, appropriations, or expenditures. The comptroller general shall also, at the request of any such committee, direct assistants from his office to furnish the committee such aid and information as it may request.

(c) The comptroller general shall specially report to Congress every expenditure or contract made by any department or establishment in any year in violation of law.

(d) He shall submit periodically to Congress reports upon the adequacy and effectiveness of the administrative examination of accounts and claims in the respective departments and establishments and upon the adequacy and effectiveness of departmental inspection of the offices and accounts of fiscal officers.

(e) He shall furnish such information relating to expenditures and accounting to the bureau of the budget as it may request from time to time.

SEC. 313. That all departments and establishments shall furnish the comptroller general such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the comptroller general, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. The authority contained in this section shall not be applicable to expenditures made under the provisions of section 291 of the Revised Statutes.

SEC. 314. That the Civil Service Commission shall establish an eligible register for accountants for the general accounting office, and the examinations of applicants for entrance upon such register shall be based upon questions approved by the comptroller general.

SEC. 315. (a) That all appropriations for the fiscal year ending June 30, 1922, for the offices of the Comptroller of the Treasury and the six auditors are transferred to and made available for the general accounting office.

(b) During such fiscal year the comptroller general, within the limit of the total appropriations available for the general accounting office, may make such changes in the number and compensation of officers and employees appointed by him or transferred to the general accounting office under this act as may be necessary.

(c) There shall also be transferred to the general accounting office such portions of the appropriations for rent and contingent and miscellaneous expenses, including allotments for printing and binding, made for the Treasury Department for the fiscal year ending June 30, 1922, as are equal to the amounts expended from similar appropriations during the fiscal year ending June 30, 1921, by the Treasury Department for the offices of the Comptroller of the Treasury and the six auditors.

(d) During the fiscal year ending June 30, 1922, the appropriations and portions of appropriations referred to in this section shall be available for salaries and expenses of the general accounting office, including payment for rent in the District of Columbia, traveling expenses, the purchase and exchange of law books, books of reference, and for all necessary miscellaneous and contingent expenses.

SEC. 316. That the general accounting office shall not be construed to be a bureau or office created since January 1, 1916, so as to deprive employees therein of the additional compensation allowed civilian employees under the provisions of section 6 of the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1922, if otherwise entitled thereto.

SEC. 317. That the provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years and the provision that no civil employee in any department or establishment shall be employed and paid from a lump-sum appropriation in any other department or establishment at an increased rate of compensation as provided in section 7 of the urgent deficiency act of October 6, 1917, shall not apply during the fiscal year ending June 30, 1922, to the general accounting office.

SEC. 318. That this act shall take effect upon its approval by the President: *Provided*, That sections 301 to 317, inclusive, relating to the general accounting office, shall take effect July 1, 1921.

Mr. ROBINSON. Mr. President, I have observed in the reading of the bill that it is very similar to the measure passed during the last session of Congress which was vetoed. I should like to have the chairman of the committee reporting the bill state the essential differences, if there are any, between this bill and the one that was considered at the last session.

Mr. McCORMICK. Mr. President, the differences for all practical purposes are confined, first, to section 207. That section follows the text of the bill as it passed the Senate in the

first instance, but differs from the text of the bill reported from conference and passed, in that the present language reads:

There is hereby created in the Treasury Department a bureau, to be known as the bureau of the budget.

The language of the compromise bill ran somewhat as follows:

There is hereby created a bureau of the budget. The Secretary of the Treasury shall be the director thereof.

On page 7, in sections (d) and (e), there are a few lines to permit the transfer of employees now in other bureaus of the Treasury to the bureau of the budget without loss of status or compensation.

If the Senator will turn to page 11, section 303, he will find the section which perhaps he wishes to consider. The bill passed by the last Congress provided that the comptroller general should be appointed for life, and could be removed by concurrent resolution.

Section 303 of the bill before the Senate provides that the comptroller general shall be appointed for seven years, but may be removed by joint resolution.

Mr. ROBINSON. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Arkansas?

Mr. McCORMICK. Certainly.

Mr. ROBINSON. As I recall it, one of the reasons assigned by the Executive in justifying the veto was that it deprived the Executive of his constitutional power of appointment, or impinged upon it. This bill, as reported, seems to meet that objection by requiring that removal shall be by joint resolution, which, of course, must be either with the approval of the Executive, or passed over his veto by a two-thirds vote. That would seem to meet, in large degree at least, the objection which was urged by the Executive when he vetoed the bill.

Mr. McCORMICK. Let me say to the Senator that I sought such legal advice as I could get in several quarters in order to meet that point as far as possible, and this, in the judgment at least of those very able lawyers, meets it. I might add in this connection that the committee, of which the ranking Member on the Democratic side is the leader of the minority, the Senator from Alabama [Mr. UNDERWOOD], voted unanimously to report the bill now before the Senate.

Mr. ROBINSON. I would like to ask the Senator a question about paragraph (b) on page 7. Is that identical with the provision in the former bill?

Mr. McCORMICK. No, Mr. President. There is a correction in the figure there to make the rate of compensation for these officers in the bureau of the budget correspond to that of officers in the accounting department.

Mr. ROBINSON. I observe that the subsection provides that—

No person appointed by the director shall be paid a salary at a rate in excess of $6,000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of $5,000 a year.

That creates four positions at a compensation of $5,000 a year each, and those four positions are taken out of the civil service under a subsequent provision, the provision just following the one I have read. What was the reason for exempting those four positions from the civil-service rules and regulations?

Mr. McCORMICK. The Senator will recall that there was a provision for the same exemption in the bill which passed at the last session. Let me illustrate, if the Senator will permit. There is in the Library of Congress, for example, a very able member of the reference bureau. I do not know whether he would care to be appointed in the budget bureau or not, but he is a student of this subject and he ought to be eligible for appointment in the bureau. It happens that he is of the opposite political faith from my own and comes from the State of the leader of the minority. If I were asked by the director of the budget bureau to recommend a man for appointment, I should most certainly recommend him. We have to build this bureau from the foundation. That is the reason for the exemption of those persons.

Mr. ROBINSON. The Senator has not stated, as I recall his expression, the reason why that person would be disqualified from a civil-service appointment.

Mr. McCORMICK. He is not on the civil-service list.

Mr. ROBINSON. He might easily acquire a civil-service status.

Mr. McCORMICK. He might be older than the law or the regulations would permit. This provision was in the bill as it passed in the last Congress, and the Senator remembers that the Senator from North Carolina [Mr. OVERMAN] had a very important part in drawing that bill; perhaps more important than that of any other Senator.

Mr. SMOOT. This was put in for the purpose of not hampering the budget bureau in getting the best men in the United States.

Mr. ROBINSON. Who, on account of their age, were ineligible under civil-service rules and regulations?

Mr. SMOOT. That is practically the case.

Mr. HARRISON. While the Senator from Illinois is on his feet I desire to ask him a question. I notice that under the bill which passed at the last session the director was to receive $10,000 a year.

Mr. McCORMICK. That is correct.

Mr. HARRISON. And under this bill he is to receive $10,000?

Mr. McCORMICK. Yes.

Mr. HARRISON. The assistant director under the other bill was to receive $7,500 and under this bill he is to receive $9,000. What is the reason for that change?

Mr. McCORMICK. Mr. President, in conference with the chairman of the House committee in charge of the bill we canvassed the probable duties of the assistant director, especially during the first year or two of the life of the bill. It was his judgment, in which I concurred, that the responsibility of the assistant and the burden of work upon him would be very nearly as great as on the director.

It was our judgment that we would really find difficulty in finding men able to fill the two places, and it was for that reason I made the change, as he did in the bill which he purposed to introduce, and introduced the bill with that salary of $9,000.

Mr. HARRISON. There are no duties given to the assistant director in this bill that were not given in the other bill?

Mr. McCORMICK. No.

Mr. HARRISON. Under the pending bill the comptroller general will receive $10,000 a year?

Mr. McCORMICK. Yes.

Mr. HARRISON. The bill which passed the Senate and the House provided that he should receive $10,000 a year?

Mr. McCORMICK. Yes.

Mr. HARRISON. The assistant comptroller general, under this bill, will receive $9,000 a year. Is that right?

Mr. McCORMICK. No. If the Senator will turn to page 11, he will find that the assistant comptroller general is to receive $7,500 a year.

Mr. HARRISON. Why does the bill provide that he is to receive $7,500 and the assistant director $9,000?

Mr. McCORMICK. Because in the bureau of the budget a great deal more initiative, a far wider exercise of judgment, will be required of the assistant director than of the assistant comptroller general. It is a more difficult place to fill.

Mr. HARRISON. Referring to the question propounded by the Senator from Arkansas [Mr. ROBINSON], the bill which passed the Senate and the House at the last session did not carry those four places paying $6,000 each, did it?

Mr. McCORMICK. Has the Senator the bill before him?

Mr. HARRISON. Yes; but I have read it hurriedly.

Mr. McCORMICK. It is my recollection that those places were rated at $5,000 each in the other bill.

Mr. HARRISON. Why does this bill provide for four places at $6,000 when the other bill did not?

Mr. McCORMICK. If the Senator will turn to page 15, section (c), he will find the explanation there.

Mr. HARRISON. I find the explanation there. It says:

No person appointed by the comptroller general shall be paid a salary at a rate of more than $6,000 a year, and not more than four persons shall be paid a salary at a rate of more than $5,000 a year.

But in the bill which passed the Senate and the House before I find that no person appointed by the director shall be paid a salary in excess of $5,000, and not more than three persons appointed by him shall be paid salaries at that rate. Why that difference?

Mr. McCORMICK. Because in reintroducing the bill, Mr. President, I believed that the deputies in the office of the director would have to discharge responsibilities fully as great as those in the office of the comptroller general and should be equally well paid.

Mr. HARRISON. But I am wondering if in the committee certain facts were revealed which convinced the committee that the Senate and the House were wrong in the last Congress in making a provision for these employees, not more than three in number to receive not more than $5,000 a year; but at this time they provide for employees without limit at $5,000, and in addition to that four at $6,000.

Mr. McCORMICK. Has the Senator before him the bill which originally passed the Senate—not the bill as reported from the conference?

Mr. HARRISON. This is the act as it passed the House and the Senate.

Mr. McCORMICK. I think if the Senator had the bill as it originally passed the Senate he would find that the provisions of this bill, while they differ from the bill as it was reported

from the conference, are substantially identical with those in the bill as it originally passed the Senate.

Mr. HARRISON. I might say to the Senator that I am in thorough sympathy with the purposes of this bill; I hope that much good will flow from it. But at this time, when we are trying to practice very strict economy, and trying to retrench as much as possible and reorganize the various branches of the Government, in order to save expenses and to save the taxpayers of the country from heavy taxes, it is a little strange that we should begin now to embark upon a policy of adding four places at $6,000 a year when the Senate and the House in the last Congress agreed that they would only put in three places at $5,000. I do not say that in criticism.

Mr. McCORMICK. What my friend, the Senator from Mississippi, says sounds like an echo of the Baltimore platform of 1912.

Mr. HARRISON. No; I am only following the utterances of Republican leaders on the floor of the Senate and the House at this time, that they are going to retrench.

Mr. McCORMICK. He speaks the very language I have spoken myself and which we will all speak as long as we are in public life.

Mr. HARRISON. I think, Mr. President, in view of the promises the other side of the Senate have made, as well as those we have heard heretofore, and considering the situation in the country to-day, really we ought to strike out those four places at $6,000 a year and fix the figure at $5,000.

Mr. McCORMICK. And save $4,000 a year.

Mr. HARRISON. That may be quite a good deal for the taxpayers.

Mr. McCORMICK. I joined the Senator the other day in voting $25,000,000, none of which will go into the pockets of any public servant of the United States.

Mr. HARRISON. Yes; I have voted a good deal, I expect, that I should not have voted, as far as that is concerned. If it is necessary to provide for these four places at $6,000, if the Senator has anything to reveal in the Senate which would show a difference in the conditions from what existed at the last session in regard to this matter, then he might convince us that $6,000 should be paid to these men.

Mr. McCORMICK. The Senator from Mississippi very well knows that it is purely a matter of judgment. There is no evidence adducible to prove in advance that a man appointed to one of these positions could earn $5,000 or $6,000 or that he would be overpaid or underpaid at either salary.

Mr. HARRISON. I am quite sure of that.

Mr. ROBINSON. Mr. President, I observed in the press a day or two ago a statement that a compromise had been reached between the representatives of the two Houses of Congress touching the important matters in dispute on this bill during the last Congress. It appears that some issue arose as to whether the budget should originate with the President or in the Treasury Department. Can the Senator from Illinois give us any information as to whether a compromise on these matters has been made in anticipation of this legislation by the Senate?

Mr. McCORMICK. Mr. President, the difference of opinion between the committees of the two Houses turned upon that section 207, to which I referred when I first replied to the Senator from Arkansas. It was the view of the House committee expressed in the bill which the House originally passed, to which a majority of the members of the House conference committee adhered, that the bureau of the budget should be immediately responsible to the President; indeed, in the language of the bill, that it should be in the executive office of the President. The Senate committee unanimously held to the other view, that the bureau of the budget should be in the Treasury Department. The result was the compromise provision to which I alluded, which passed both Houses.

Mr. WATSON of Indiana. I would like to ask the Senator if it is understood that under this bill it will be in the Treasury Department?

Mr. McCORMICK. Yes.

Mr. WATSON of Indiana. That is, the bureau is to be under the Treasury Department?

Mr. McCORMICK. Yes. That compromise really satisfied none of us on the Senate side who had to do with the drawing of the bill. It was not very satisfactory to some members of the House committee. The Senator will remember that the convention at San Francisco, over which he presided, declared specifically that the bureau of the budget ought to be placed in the Treasury Department. At a conference held some days ago the President expressed the same opinion. The chairman of the House committee and I agreed upon the language which appears in the first lines of 207. Call it a compromise, if you will. It seems, on the whole, a vindication of the Senate's position, and that especially of the Senator from Arkansas.

Mr. ROBINSON. One further question. I observe, on page 4, that if the budget exceeds the estimated expenditure the President is directed to make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency, and in the following paragraph (b), if the budget is less than the estimated receipts—that is, if the revenues are greater than are necessary—there is no provision directly contemplating a reduction of taxation.

I wonder whether the Senator has given thought to writing into the bill some express provision looking to a time when, if in the providence of the Almighty we should arrive at a situation when the budget shall be less than the revenues, we might hope for a reduction of our taxes.

Mr. McCORMICK. The Senator will recognize that under section (b) the responsibility is laid on the President to outline a policy either for the reduction of taxes or for the carrying out of works which he may deem necessary.

Mr. ROBINSON. Of course, it is questionable whether Congress can direct the President to make any sort of recommendation at all.

Mr. McCORMICK. And that principle runs through the bill.

Mr. ROBINSON. I believe that if Congress can, as it has attempted to do in the paragraph I referred to a moment ago, direct the President to make recommendations to Congress for new taxes, it has an equal power to direct the President to make recommendations for the reduction of taxes or the payment of existing loans. I wonder why it did not occur to some one charged with responsibility directly in this matter to put that ray of light into the bill?

Mr. OVERMAN. There is nothing in the bill that takes away the power of Congress to levy taxes.

Mr. McCORMICK. Nothing whatever.

Mr. ROBINSON. The remark of the Senator from North Carolina does not in any sense meet the suggestion that I made. I repeat that if the power of the President to make recommendations to Congress is a constitutional power, then the Congress itself can neither add to nor detract from it. Congress can not tell the President what he should recommend to it. But if we see fit to tell the President, in spite of the constitutional provisions governing the subject, that he must make recommendations for the levying of new taxes if the budget is greater than the estimated revenues, we might on the other hand also suggest to him to make recommendations for a reduction of taxes if the budget is less than the estimated revenues.

Mr. McCORMICK. The provisions touching the character of the budget and the duty of the President were written in the subcommittee. All the aspects of the question to which the Senator from Arkansas refers were considered by that subcommittee. It was not our judgment that we should lay upon the President the hard-and-fast rule that if there were a surplus he should recommend, and recommend only, a diminution of taxation. He might consider the amortization of the public debt or the carrying out of public works.

Mr. ROBINSON. Or the discovery of some new means of increasing the public expenditures.

Mr. McCORMICK. Of course.

Mr. SMOOT. I think both the Senator from Arkansas and the Senator from Illinois will be dead long, long years before such a thing happens.

Mr. ROBINSON. And the Senator from Utah will be in the same unfortunate category.

Mr. SMOOT. No doubt I will.

Mr. WATSON of Indiana. Probably that is why the Senator from Arkansas appealed to Providence on the question of a reduction of taxation, because, judging from the present outlook, if taxes are ever reduced it will be by providential and not congressional action.

Mr. McCORMICK. Mr. President, there are two typographical errors in the bill, which I ask to have corrected by amendment. I move, on page 6, line 17, that the word "or" be inserted after the word "supplemental."

The VICE PRESIDENT. The Secretary will state the proposed amendment.

The ASSISTANT SECRETARY. On page 6, line 17, insert the word "or" after the word "supplemental," so that it will read: "Any supplemental or deficiency estimate."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. McCORMICK. On page 10, line 21, I move that the letter "r," at the end of the word "officer," the last word in the title, be stricken out.

The VICE PRESIDENT. The proposed amendment will be stated.

The ASSISTANT SECRETARY. On page 6, line 21, in title 3, strike out the word "officer" and insert in lieu thereof the word "office."

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. McCORMICK. I have no other amendments to offer, and there are no committee amendments.

Mr. HARRISON. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. Strike out subdivision (b), on page 7, embraced in lines 3, 4, 5, and 6, and insert in lieu thereof the following:

No person appointed by the director shall be paid a salary in excess of $5,000 a year, and not more than three persons appointed by him shall be paid a salary at that rate.

Mr. HARRISON. Mr. President, I merely desire to say in this connection that that is following the exact language of the bill that was passed at the previous session of Congress and which was vetoed by President Wilson. It would seem to me that if at that time the salary was fixed and the number was fixed at that salary, certainly in view of present conditions in the country and the order of retrenchment that is going on we ought not to provide more places at higher salaries. For that reason I have proposed the amendment.

Mr. McCORMICK. Mr. President, I merely wish to repeat what I have already said by way of reply to the Senator from Mississippi on that point. The question of the payment of a salary of $6,000 a year to four persons as against the payment of a salary of $5,000 a year to three persons is one of discretion and judgment. I very much hope that the amendment offered by my friend from Mississippi will not be agreed to by the Senate.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

On a division, the amendment was rejected.

Mr. HARRISON. I desire to offer another amendment. On page 6, line 11, I move to strike out "$9,000" and insert "$7,500." This is the salary to be paid the assistant director.

I have offered the amendment for the reason that when the legislation was before the Senate at the previous session of Congress it provided for the assistant director to be paid $7,500 and the director $10,000. The judgment of the Senate was that the salary of the assistant director should be $7,500 and the judgment of the House was the same. I see no reason why the salary should be increased at this time $1,500, as I am quite sure that there are enough of long, lean, hungry, lanky Republicans——

Mr. SMOOT. And Democrats——

Mr. HARRISON. Yes——

Mr. McCORMICK. More Democrats now.

Mr. HARRISON. Yes; if they should have the audacity to ask for it, and would take the position and be glad to serve at that salary.

Mr. McCORMICK. In order to put the position within the reach of the Democrats, I am willing to accept the amendment.

Mr. HARRISON. I thank the Senator. I was in hopes the Senator from Illinois would accept the amendment I offered a moment ago, but on the division I noticed that every Democrat voted to cut down the amount as a matter of economy. If any did not so vote, he escaped my eye and I did not see him. I noticed, too, that all the Republicans present voted to create these four additional places at this very high increase of salary. I am glad to see that the spirit of economy has come over the dreams of the distinguished Senator from Illinois and that he accepts my last amendment.

The VICE PRESIDENT. The proposed amendment will be stated.

The ASSISTANT SECRETARY. The Senator from Mississippi moves, on page 6, in line 11, to strike out $9,000 and insert in lieu $7,500.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. KING. Mr. President, may I inquire of the Senator having the bill in charge whether from the aggregate "lump-sum" appropriation there may be created more positions than now exist in these departments? In other words, is there any limitation other than that fixed by the amount appropriated in this bill upon the number of employees that may be brought into service in the various bureaus or subbureaus created?

Mr. McCORMICK. The Senator, who shared in the labor upon the first bill, will remember that there was a limit fixed for the expenditure.

Mr. KING. There was a limit of $225,000.

Mr. McCORMICK. But there is no other limitation. The committee at the time the bill was drawn did not believe that, creating a bureau de novo, we could fix the exact salaries or the exact number of employees. It was for that reason that we fixed the limit of $225,000, and if the Senator will remember that was less than the sum we originally proposed to be appropriated for the use of the bureau.

Mr. KING. As the Senator said, I was on the subcommittee in the former Congress that prepared the budget bill which was reported to the Senate. I have had no opportunity to compare the provisions of this measure with the bill passed at the last session of Congress, and my inquiry is addressed rather to ascertaining what, if any, change is made in the bill with respect to the number of employees provided for to serve within the budget bureau.

Mr. SMOOT. I will say to my colleague that there is no question that the $225,000 will be used if we get the bill in operation by June 30 of this year. What I am afraid of is that the first year there will be a deficiency. That is the only thing I am afraid of.

I wish to call to the attention of my colleague now the fact that there are already applications for deficiency appropriations to the amount of $330,000,000 pending before the Committee on Appropriations, deficiencies already existing for the present fiscal year, and that is only to take care of the deficiencies until June 30. I think by June 15 the estimated amount of deficiencies will be nearly $500,000,000.

Mr. McKELLAR. May I ask the Senator from what departments they come principally?

Mr. SMOOT. The State Department, the War Department, the Navy Department, and nearly every bureau in them.

Mr. McKELLAR. They are coming in here wholesale?

Mr. SMOOT. I expected, Mr. President, that deficiency estimates would come in to a limited amount, but I never thought they would aggregate the total which has been reached.

Mr. McKELLAR. Do deficiency estimates come in in cases where deficiencies are prohibited by law, or only in instances where the law permits deficiencies?

Mr. SMOOT. I will say to the Senator from Tennessee that I have taken the position that the construction of the law—I mean technically—does not allow a deficiency of any kind, but that the Congress of the United States must make an appropriation.

Mr. OVERMAN. The Senator from Utah will admit that a deficiency may be created where Congress requires certain work to be done and provides that an appropriation shall be made. Then, of course, the department has to go on and spend the money.

Mr. SMOOT. In such a case it is not a deficiency.

Mr. OVERMAN. I refer to a case where the money is not provided by an appropriation but Congress directs that a certain thing be done, and the department has to do it.

Mr. SMOOT. Yes; of course, there is no doubt as to that.

Mr. OVERMAN. But I do not think that Congress has taken any such action. I can not understand why there should be deficiency estimates for $500,000,000. We have made the appropriations according to the estimates, and where do the deficiencies come from? We gave the departments every cent they asked for.

Mr. SMOOT. No; I will say to the Senator we did not do that.

Mr. OVERMAN. We tried, however, to do what was necessary.

Mr. SMOOT. We gave them every dollar that we thought they ought to have, but we did not give them every dollar for which they asked.

Mr. McKELLAR. The Senator is aware, I presume, that under the construction of the law in matters such as subsistence for the Army the department is allowed to incur deficiencies?

Mr. SMOOT. In emergency matters.

Mr. McKELLAR. In emergency matters.

Mr. SMOOT. Yes; but now they have construed an emergency matter to mean the payment of employees in an ordinary bureau or division of the Government.

Mr. McKELLAR. We are at fault in not making the law perfectly plain, so that deficiencies may not be allowed under such circumstances.

Mr. SMOOT. There is nothing left of the law. With the construction that has been placed upon it, we might just as well repeal it as to have it on the statute books.

Mr. KING. Mr. President, we have discussed upon a number of occasions the provision of the statute to which the Senator from Tennessee and the senior Senator from Utah have re-

ferred, and to what extent it would be applicable as a criminal statute to punish employees of the Government who expend amounts in excess of appropriations made by Congress. I think the statement made by the senior Senator from Utah has been the one accepted generally by the Senate, and his interpretation of the statute has been the one usually accepted, namely, that the act referred to is a penal statute and its provisions are applicable to those officials of the Government who make expenditures in excess of the appropriations made by Congress. Threats have been made from time to time by members of the Appropriations Committee and by other Senators that they would invoke this penal statute if further deficiencies were incurred by the various departments. It seems to me that the Appropriations Committee ought to call the attention of the Attorney General of the United States to the various departments and officials who have incurred obligations not authorized by Congress, with a view to their prosecution. The only way to prevent these enormous deficiencies is to refuse to appropriate to meet them, or send to the penitentiary a number of officials who violate the law. If there were a few prosecutions, I feel sure that this inexcusable practice would cease.

Our Republican friends, now in charge of the Government, attempted in the last appropriation bills to enforce economy in some of the departments. The Appropriations Committee, both the Republicans and the Democrats upon the committee, attempted economies, although they were too liberal in many appropriations which were made; but it now transpires that the Republican officials who were pledged to economy are expending money to the extent of hundreds of millions of dollars in excess of the appropriations made by Congress. I think their conduct is most reprehensible and calls for criminal action against some officials in some of the departments and bureaus. If the Appropriations Committee fails to take up this matter I shall offer a resolution within a few days asking that the matter be referred to the Attorney General for such action as the facts warrant.

There must be some plan adopted to prevent the Government from being committed by officials not authorized so to do to the payment of hundreds of millions of dollars. These obligations are incurred, and then the departments complacently send in their bills and demand that Congress legalize their illegal acts.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the junior Senator from Utah yield to his colleague?

Mr. KING. I yield.

Mr. SMOOT. I will say to my colleague that as to certain appropriations which were made to carry on the Government until June 30 of this year, before six months had elapsed the entire amount had been expended and the departments were running on deficiencies. That was also true last year. This is not the first time that such a thing has happened. Of course, my colleague knows that has been almost the usual rule.

Mr. McCORMICK. Mr. President, let me invite the attention of the twin guardians of the Treasury from the State of Utah to section 216 of the budget bill.

Mr. KING. If the Senator from Illinois intends to indulge in his usual attempts at humor, I decline to yield. There may be a time and place for the humor of the Senator from Illinois. However, if he intends his remarks as a compliment——

Mr. McCORMICK. He did.

Mr. KING. I will say that I wish the Senator from Illinois would practice a little economy and vote with the senior Senator from Utah as well as with other Senators from time to time who favor economy, and are endeavoring to lift the burden of taxation that now oppresses the people.

I wish to say to the Senator from Illinois, since he has raised this question, that unless he and his party practice economy, the electorate will send to the other body, if not to this, men who will carry out economies and reduce the burdens of taxation which are now pressing upon the people. It seems to me that the Senator does not take cognizance of present conditions in the United States. He does not seem to be much concerned about how the money is to be raised to meet the deficiencies that it is evident will be created by the present Republican administration.

In every part of the land business depression exists; bankruptcy threatens thousands of business enterprises. It is a serious question where the revenue is to come from to meet the proper and legitimate expenses of the Government, to say nothing of the illegitimate and extravagant demands that are daily being presented for consideration.

Mr. President, I voted for the budget bill at the last session of Congress; I shall vote for the pending budget bill. I state now, as I stated then, that I do not look for any great reform to eventuate from the bill. We may have all the budget bills the wit of man can devise, but under our theory of government and under the course of legislation which we have adopted we can not restrain extravagant appropriations until the American people and their representatives here earnestly desire economy and efficiency in the administration of the affairs of the Government. We can not have economy so long as the American people demand that Congress shall undertake the duties of individuals and assume the responsibilities of the States. We can not have economy in the Federal Government so long as the people believe that the Federal Government is the guardian of their lives and the author of their fortunes and misfortunes, and by the creation of boards and departments and bureaus and commissions must take control of the business and lives and activities of the people. When the Government is run as a Government and when the principles of the Constitution are applied in the affairs of the General Government then will be reforms and economies. This bill may accomplish some slight reform, but I predict for it, Mr. President, a substantial failure, and I predict that the advocates of the measure will be profoundly disappointed in its operations and in the results which will flow from it.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 15 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 27, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 26 (legislative day of April 25), 1921.

ASSISTANT TO THE ATTORNEY GENERAL.

Guy D. Goff.

DISTRICT ATTORNEY.

John Foster Symes, district of Colorado.

COLLECTOR OF INTERNAL REVENUE.

John C. Noel, district of Virginia.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

To be major generals.

Clarence Ransom Edwards.	William Mason Wright.
James William McAndrew.	George Windle Read.
John Leonard Hines.	Charles Henry Muir.
Henry Tureman Allen.	Charles Thomas Menoher.
David Cary Shanks.	William George Haan.
Adelbert Cronkhite.	George Bell, jr.

To be brigadier generals.

Grote Hutcheson.	Mark Leslie Hersey.
Jesse McIlvaine Carter.	Eli Alva Helmick.
Walter Henry Gordon.	Robert Lee Howze.
George Brand Duncan.	William Lassiter.
William Weigel.	Fred Winchester Sladen.
Ernest Hinds.	Harry Hill Bandholtz.
Ulysses Grant McAlexander.	Hanson Edward Ely.

ADJUTANT GENERAL'S DEPARTMENT.

To be assistant to The Adjutant General.

James Taggart Kerr.

INSPECTOR GENERAL'S DEPARTMENT.

To be Inspector General.

John Loomis Chamberlain.

FINANCE DEPARTMENT.

To be Chief of Finance.

Herbert Mayhew Lord.

ORDNANCE DEPARTMENT.

To be assistants to the Chief of Ordnance.

William Sullivan Peirce.
George Washington Burr.

To be major.

Reiff Hesser Hannum.

To be captains.

Herman French Safford.
Thomas Hay Nixon.
Hiram Baldwin Ely.
Peter Kenrick Kelly.
Walter Earl Ditmars.
Frank Jarvis Atwood.

To be first lieutenants.

John Joseph Breen.
John Wesley Orcutt.
Kenneth Willey Leslie.

CORPS OF ENGINEERS.

To be assistant to the Chief of Engineers.

Harry Taylor.

To be major.

Robert Crayton Williams.

To be first lieutenant.

Marcus Prevost Taylor.

QUARTERMASTER CORPS.

To be assistants to the Quartermaster General.

John Miller Carson.
George Faber Downey.

To be major.

Augustus Vigilant Noble.

To be first lieutenants.

William Eldridge Moore.
Deane Childs Howard, jr.

CHEMICAL WARFARE SERVICE.

To be Chief of Chemical Warfare Service.

Amos Alfred Fries.

To be lieutenant colonel.

Claude Ernest Brigham.

To be captain.

Geoffrey Marshall.

To be first lieutenant.

Frank Buffum Gorin.

SIGNAL CORPS.

To be Chief Signal Officer.

George Owen Squier.

To be major.

William Neill Hughes, jr.
Donald Bridgman Sanger.

To be captains.

Louis Cansler.
William Henry Egle Holmes.

To be first lieutenant.

Winant Pullis Johnston.

AIR SERVICE.

To be Chief of Air Service.

Charles Thomas Menoher.

To be Assistant to the Chief of Air Service.

William Mitchell.

To be major.

Leo Gerald Heffernan.

To be captains.

Harry Batten Flounders.
Gerald Evans Brower.

To be first lieutenant.

Julian Buckner Haddon.

FIELD ARTILLERY.

To be Chief of Field Artillery.

William Josiah Snow.

To be lieutenant colonels.

George Parker Tyner.
Clifton Ranney Norton.

To be majors.

John Burhyte Wilmot Corey.
Herbert Spencer Struble.

To be first lieutenant.

John Michael Johnson.

COAST ARTILLERY CORPS.

To be captain.

Milton Heilfron.

To be first lieutenants.

Harold Patrick Hennessy.
Paul Wallace Cole.

MEDICAL CORPS.

To be captains.

Edward Cleveland Hagler.
Harry Gardner Johnson.
John Murray Welch.
John Adams Logan.
Clarence Ulm Snider.
John Bunting Haines.
Philip Lewis Cook.
George Edward Lindow.
James Malone Bryant.
Martin Fred DuFrenne.
William James Carroll.
Robert Lee Peyton.
John Wilson Somerville.
Charles Henry Manlove, jr.
Carl Benjamin De Forest.
Samuel Demetrius Avery.
William Robert Lewis Reinhardt.
Francis Joseph Clune.

To be first lieutenant.

Royal Rohan Baronides.

VETERINARY CORPS.

To be lieutenant colonel.

Eugene John Cramer.

To be first lieutenants.

William Orville Hughes.
Harry Edward Van Tuyl.
Charles Bailey Skinner.
Herbert Kelly Moore.

CHAPLAINS.

Milton Omar Beebe.

To be majors.

Archie Wright Barry.
George Cornelius Charlton.
Charles Harrison Corlett.
William Korst.
Robert Louis Moseley.
George Horton Steel.
Harry Franklin Wilson.

To be first lieutenant.

Earle Mauritius Stigers.

CAVALRY.

To be Chief of Cavalry.

William Ames Holbrook.

INFANTRY.

To be Chief of Infantry.

Charles Stewart Farnsworth.

REGULAR ARMY.

To be majors.

Horace Hayes Fuller.
Frank Cadle Mahin.
Karl Chris Greenwald.
Adrian Kenneth Polhemus.
Harry Oliver Davis.
John Easter Harris.
Pearson Menoher.
Archie Wright Barry.
George Cornelius Charlton.
Charles Harrison Corlett.
William Korst.
Robert Louis Moseley.
George Horton Steel.
Harry Franklin Wilson.
Joseph Caldwell Morrow, jr.
Frank Blair Kobes.

To be captains.

Edwin Todd Wheatley.
George Richard Thompson.
John Winthrop Mott.
Jess Garnett Boykin.
John Charles MacDonald.
Harvey Shelton.
Hugh Bryan Hester.
James Mahon Roamer.
Maylon Edward Scott.
Lewis Burnham Rock.
Charles Moorman Hurt.
James Dallace Bender.
Louis Howard Thompson.
Ellis Bates.
George Pryor Johnson.
Clyde Virginius Finter.
Michael Condon Shea.
Paul Dillard Carter.
Charles John Wynne.
Paul Henry Weiland.
Marvin Wade Marsh.
Ralph Andrew Eiler.
Henry Winter Borntraeger.
Edwin Rudolph Petzing.
Richard Carvel Mallonee.
Theodore Ernest Voigt.
David Balhassie Simpson.
Douglas Johnston.
Lawrence Pradere Hickey.
Severn Teackle Wallis, jr.
Charles Murray Rees.
William May.
Samuel Tankersley Williams.
Chester Wright Gates.
Harold Herbert Fisher.
Silas Warren Robertson.
Donald Van Niman Bonnett.
William Henry Johnson.
Ernest Andrew Reynolds.
Roy William Hern.

Holland Spencer Chamness.
Julian Horace George.
William Camillus Kabrich.
Frank Upton Greer.
Walter Cortland Wagner.
Laurin Lyman Williams.
Anderson Hassell Norton.
Henry Christopher Harrison.
Hanford Nichols Lockwood, jr.
John Markham Ferguson.
Joseph Saunders Johnson, jr.
John Calvin Sandlin.
Clarence Eugene Brand.
Leslie Eugene Bowman.
Alonzo Patrick Fox.
Hugh Joseph Gaffey.
Horace Benjamin Smith.
Joseph Addison Dubois.
Barlow Winston.
Maurice Rose.
Florain Dennis Giles.
Robert Matthews Burr.
Chester Morse Willingham.
Gene Russell Mauger.
Frank L. Burns.
Harold Edwards Stow.
William Burl Johnson.
Wilfred Hill Steward.
Merl Louis Broderick.
Winfield Rose McKay.
Lester Austin Webb.
Samuel Lewis Buracker.
Arthur Edwin Burnap.
James Bernays Lowery.
James Harrison Donahue.
David Almadus Bissett.
Thomas Patrick Walsh.
Warren Benedict Scanlon.
William Robert Hamby.
Buckner Miller Creel.
Henry Maris Black.
Wallace Francis Safford.
Willard David Murphy.
Joshua Ashley Stansell.
John Marcus Erwin.
Raymond Eccleston Serveira Williamson.
David Charles George Schlenker.
John Richard Wilmot Diehl.
Rudolph Daniel Delehanty.
William Henry Whiting Reinburg.
Elmer Hugo Almquist.
Frank Leslie Carr.
Frank Edmund Bertholet.
Marion Carson.
Wilson Gunning Bingham.
Charles Cope Bartley.
Rossiter Hunt Garity.
Frank Charles Jedlicka.
Robert MacDonald Graham.
Leo Buffington Conner.
Arthur Burnola Custis.
Rudolph Francis Whitelegg.
Loyd Van Horne Durfee.
Desmond O'Keefe.
Hal Marney Rose.
Frederick John Durrschmidt.
John Ter Bush Bissell.
Milton Wickers Davis.
John Bellinger Bellinger, jr.
Charles Aloysius Mahoney.
George Senseny Eyster.
Henry Richard Anderson.
Shiras Alexander Blair.
Anton Zeman.
Charles Stalsburg.
Woodbury Freeman Pride.
John Wesley Orcutt.
Vance Whiting Batchelor.
John Archie King.
Wiley Hubbard O'Mohundro.
William Oliver Reeder.
William Rebert Gerhardt.
Theodore Earl Buechler.
Herman Uth Wagner.
Frederick Edwin Tibbetts, jr.
Samuel Durand Ringsdorf.
Redmond Francis Kernan, jr.
Philip Stevens Day.
Theodore Leslie Futch.
Russell Luff Meredith.
William Innes Wilson.
Harold Allum Cooney.
Henry Anson Barber, jr.
Miles Andrew Cowles.
Lawrence McCeney Jones.
Gordon Graham Heiner, jr.
George Walter Hirsch.
Forest Clifford Shaffer.
William Riley Deeble, jr.
Frank Fenton Reed.
John Will Coffey.
Grayson Cooper Woodbury.
Robert Alston Willard.
Clyde Hobart Morgan.
Robert Wilson Hasbrouck.
Howard Patterson Faust.
John Taylor deCamp.
Wallace Duncan Collins.
Sargent Prentiss Huff.
William Henry Donaldson, jr.
Duncan Gregor McGregor.
Thomas Jackson Heavey.
William Edward Whittington.
Harold Lewis Milan.
Ivan Sanders Curtis.
Aln Dudley Warnock.
Eugene Nelson Slappey.
Harwood Christian Bowman.
Laurence Henry Hanley.
Rosenham Beam.
Harry McCorry Henderson.
Robert Van Kleeck Harris, jr.
Pleas Blair Rogers.
Richard Grant Hunter.
Hubert Vincent Hopkins.
Wade Woodson Rhein.
Benton Gribble Shoemaker.
Ben Allen Mason.
Harry Herman Young.
Keith Bolling Wise.
Frank Curtis Mellon.
Donald Wilson.
Robert T. Hayes.
Claud Greene Hammond.
James Patrick Moore.
Albert Eugene Andrews.
Dorris Aby Hanes.
John Wesley Rodman.
Frank Austin Heywood.
John Jacob Bethurum.
William Henry Halstead.
Randolph Gordon.
Henry Passant Lewis.
Glenn Adelbert Ross.
Philip Coleman Clayton.
Ellis Bashore.
Joseph Leonard Tupper.
George Thurman Fleet.
Clyde Alexander Fowler.
William McCaskey Chapman.
Norman McNeill.
Glen Henry Anderson.
Bryant Edward Moore.
Leo Vincent Warner.
Howard Alston Deas.
Henry William Bobrink.
Onslow Sherburne Rolfe.
Henry Perkins Gantt.
Jesse Brooke Matlack.
Parry Weaver Lewis.
Edward Wrenne Timberlake.
William Wallace Jenna.
William Richard Fleming.
Francis Porter Simpson.
Harry Cooper Barnes, jr.
Robert John Hoffman.
Clare Wallace Woodward.
John Stevenson Mallory.
Frederick Dent Sharp.
William Sydney Barrett.
Paul Ryan Goode.
Harry Niles Rising.
Henry Cornelius Demuth.
Lowell Meeker Riley.
George Draper Watts.
Emil Krause.
Robert Lynn Bacon.
Walter Gibson White.
Edwin Jacob House.
Arthur Charles Purvis.
James Jackson Hea.
Edgar Bruce Moomau.
Carlisle Brittannia Wilson.
Robert Edward Wysor, jr.
Lewis Allison Hudgins.
William Jennings Davis.
Leonard Harrison Frasier.
Lawrence Lee Simpson.
Thomas Boroughs Richardson.
Samuel Wilber Stephens.
Richard Cohron Lowry.
Albert Edgar Billing.
Frederick Hahn.
Robert Oney Wright.
Howard Winthrop Turner.
Antonio Vazquez-Bruno.
Nels Erick Stadig.
Louis Cansler.
Ashley Spencer LeGette.
Ernest Esser.
Ruthford Loren Herr.
William Connor Samford.
Floyd William Ferree.
Modesto Enrique Rodriguez.
Jerry Vrchlicky Matejka.
Ira Clarence Eaker.
Marcus Aurelius Smith Ming.
William Agnew Howland.
Peter Hanses.
George Edward Huthsteiner
John Adams Hettinger.
Oscar Nelson Schjerven.
Paul Joseph Matte.
John Adams Ballard.
Chester David Hilton.
Benjamin Mills Crenshaw.
Robert Wilbar Wilson.

To be first lieutenants.

Paul Edmund Burrows.
George Harold Brown.
Elmer Daniel Perrin.
Wallace Robinson Fletcher.
Dale Vincent Gaffney.
Thomas Kennedy Matthews.
Kenneth Bonner Wolfe.
Richard Hartnett Magee.
Charles Simpson Carroll.
Henry Harold Reily.
Samuel DeWitt Tallmadge.
Donald Dakin Lamson.
Augustus Dawson Sanders.
William James Wagenknight, jr.
Cola Edgar Stone.
Mitchell Franklin Orr.
Edward Milan Taylor.
Dayton Dudley Watson.
Herschel David Baker.
Herbert Edward Baker.
Donald David Fitzgerald.
Ulmont Ogden Cumming.
Thomas Standifer Gunby.
Andrew Paul Sullivan.
Austin Walrath Martenstein.
Richard Francis Stone.
Kameil Maertens.
Stanley Powloski.
Harry Lincoln Calvin.
William Tillmon Agee.
Fraser Richardson.
Clifford Irving Hunn.
Chester Howard Elmes.
John Vernon Hart.
Lewis Dabney Hixson.
Tonnes Dennison.
Louie Clifford Mallory.
Hans Christian Jespersen.
Engmann August Andersen.
Benjamin Harrison Graban.
Ernest Emery Harmon.
Dean Bryan Belt.
Christian Stephen Andersen.
Gerald Bradford Devore.
Albert Francis Hegenberger.
Harold Farnsworth Hubbell.
Laurens Claude.
John Robert Culleton.
Morrison Page Chitterling.
George Honnen.

PHILIPPINE SCOUTS.

To be majors.

Esteban Boadilla Dalao.
Thomas Kenneth Collins.
Conrad Skladal.
Wellborn Dent.
Vicente Lim.

To be captains.

David Bernard Doty, jr.
James Donison Carter.
Fidel Segundo y Venturo.
Salvador Formoso Reyes.
Louis Rada Salvosa.

To be first lieutenants.

Mariano S. Sulit.
Fermon Arthur Shults.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS.

Hugh S. Johnson.
Charles Gates Dawes.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April 26, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, consider and hear us that we may do our work with courage, endure its hardships with patience, and achieve its successes with humility. Be merciful unto us and teach us that we may apply our hearts unto wisdom. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, by direction of the Committee on Appropriations I report the bill (H. R. 5010) making appropriations for the Army for the next fiscal year.

The SPEAKER. The gentleman from Kansas reports the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The SPEAKER. Referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. GARRETT of Tennessee. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Tennessee reserves all points of order on the bill.

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4803, the naval appropriation bill, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PAY, MISCELLANEOUS.

For commissions and interest; transportation of funds; exchange; mileage to officers of the Navy and Naval Reserve Force while traveling under orders in the United States, and for actual personal expenses of officers of the Navy and Naval Reserve Force while traveling abroad under orders, and for traveling expenses of civilian employees; for actual traveling expenses of female nurses; actual expenses of officers while on shore patrol duty; hire of launches or other small boats in Asiatic waters; for rent of buildings and offices not in navy yards; expenses of courts-martial, prisoners and prisons, and courts of inquiry, boards of inspection, examining boards, with clerks, and witnesses' fees, and traveling expenses and costs; expenses of naval defense districts; stationery and recording; religious books; newspapers and periodicals for the naval service; all advertising for the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); copying; ferriage; tolls; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; recovery of valuables from shipwrecks; quarantine expenses; reports; professional investigation; cost of special instruction at home and abroad, including maintenance of students and attachés; information from abroad and at home, and the collection and classification thereof; all charges pertaining to the Navy Department and its bureaus for ice for the cooling of drinking water on shore (except at naval hospitals), and not to exceed $250,000 for telephone rentals and tolls, telegrams and cablegrams; postage, foreign and domestic, and post-office box rentals; and other necessary and incidental expenses: *Provided*, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, inspection, and messenger service in navy yards and naval stations, for the fiscal year ending June 30, 1922, shall not exceed $750,000, and for necessary expenses for the interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction, and for payment of claims for damages under the naval act approved July 11, 1919; in all, $3,500,000.

Mr. NOLAN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from California will state his point of order.

Mr. NOLAN. I make a point of order against that part of the paragraph beginning on page 3, line 12, after the word "expenses," down to and including the words "operating base," in line 16 on page 3. I make the point of order, Mr. Chairman, on the ground that it is legislation on an appropriation bill and does not come within the limitation and does not on its face restrict expenditures.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, it is in my judgment a mere limitation upon the expenditure of the fund. It provides that no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base located within that district. It is a limitation upon the use or expenditure of the fund which is permitted under the rule. I will say, further, Mr. Chairman, that there is no law governing this matter of naval districts. The naval districts are created by regulation of the department, so that the limitation changes no existing law.

Mr. ELSTON. Will the gentleman yield for a moment? Does the existing law, however, permit a discretion in the Secretary of the Navy to make the appointment of commandants of naval districts without restriction?

Mr. KELLEY of Michigan. Well, undoubtedly it does, because we have done that.

Mr. ELSTON. So there is provision of law for the Secretary of the Navy to make appointment of the commandant of a naval district?

Mr. KELLEY of Michigan. Well, naval districts are created by regulation. The general law provides that the Secretary of the Navy shall make the necessary rules and regulations for the control of the Navy, but it does not specifically authorize the establishment of these districts. Now, this limitation which we have put on here provides that the money which we appropriate shall not be expended in a certain direction, which is a well-known authority under the general rules limiting the expenditure of appropriation where we do not specifically change existing law.

Mr. ELSTON. Mr. Chairman, this clause does change the existing law to the extent of limiting the discretion vested in the Secretary of the Navy, which is more inclusive than it would be if this clause were not passed. The Secretary of the Navy has unlimited discretion to make appointments of the commandants of naval districts. The effect of this clause is to direct him to make appointment of an officer having particular qualifications. In other words, it is more than a negative clause; it is a positive clause stating how he shall make the appointment. There are any number of precedents to the effect that a limitation of that kind is not in order. You can make a limitation cutting off under certain contingencies a whole appropriation, but you can not make a limitation in such a way that the whole appropriation may be available for use in a specific manner. Now, that is the effect of this clause. In other words, it directs the Secretary of the Navy to make his appointment of the commandant of a naval district from a selected list, which shall include those naval officers who are also commandants of a naval district.

Mr. KELLEY of Michigan. Mr. Chairman, the lines referred to do not direct any officer of the Government as to making appointments or who shall be appointed. It simply says that the money appropriated in this bill shall not be used for a certain purpose, unless it is expended in harmony with the directions contained in those lines.

The CHAIRMAN. Will the gentleman from Michigan permit an inquiry?

Mr. KELLEY of Michigan. Yes.

The CHAIRMAN. Does not the proviso requiring that commandants of navy yards and naval training stations or naval operating bases must perform additional duties when they are placed in charge of naval districts?

Mr. KELLEY of Michigan. No; this simply goes to the point of directing the Secretary of the Navy not to spend any money on naval districts unless the commandant of the naval district is the commandant of the chief yard of that district. Now, that does not direct the continuation of these districts at all, but if they are continued no money appropriated in this bill shall be expended for their support except as directed in this provision.

Mr. ELSTON. Suppose that this clause related, we will say, to an appropriation for the park service, and there should be a clause inserted to the effect that no part of the appropriation should be used to pay the salary of a director of parks unless at the same time he should be the chief of the Forest Service? That would be a direction to the appointing officer that he shall not have discretion to make his appointment except he follows the direction of Congress and merges two positions into one. This clause directs the Secretary of the Navy, in effect, to make his appointment not out of the general list containing properly

qualified persons but to make that appointment from a particular selected list without respect to ideal qualifications.

Mr. KELLEY of Michigan. Suppose under the form of a limitation it should be provided that no money appropriated or carried in this bill should be used for the expenses of these naval districts at all?

Mr. ELSTON. That would we different.

Mr. GREENE of Vermont. It would be perfectly competent for the House to do that and to bring in a bill to do it under the present rule.

Mr. KELLEY of Michigan. As a matter of limitation, under the rule, the lines would be in order if they provided that no money in this bill should be used for the support of naval districts at all. We do not go to that extent, but simply say that no money shall be used for the support of these districts where an independent office is maintained. It does not show on its face that it will result in a reduction in expenditures, and therefore I am not justifying it on that ground; yet, as a matter of fact, the purpose of this is to effect economy.

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. WOOD of Indiana. Mr. Chairman, in answer to the suggestion made by the Chair a moment ago, whether or not this imposed additional duties on the commandant, even if that were correct it would still be in order and within the rule. In substantiation of this position, I want to call the Chair's attention to the case where the governor of the Five Civilized Tribes of Indians was abolished and where a new office was created, and the duties of the former were added to the new duties conferred upon the latter. And I call attention to page 825 of the Rules of the House of Representatives, where a point of order was raised. The gentleman from Illinois [Mr. MANN] made a point of order against the following proviso, which reads:

That the offices of the Commissioner of the Five Civilized Tribes and superintendent of Union Agency, in Oklahoma, be, and the same are hereby, abolished and in lieu thereof there be appointed by the President, by and with the advice and consent of the Senate, a superintendent for the Five Civilized Tribes, with his office located in the State of Oklahoma, at a salary of $5,000 per annum.

The Chairman said:

It is contended that this proviso is in order under that portion of the second clause of the Holman rule, which reads as follows:

"Nor shall any provision in any such bill or amendment thereto changing existing law be in order except such as, being germane to the subject matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill."

The first question, of course, for the decision of the Chair is whether or not the proviso in the bill against which the point of order is made is germane to the subject matter of the bill. This section of the bill provides for expenses of the Five Civilized Tribes in Oklahoma and the compensation of employees. The proviso seeks to abolish the offices of commissioner and superintendent of Union Agency in Oklahoma, which are vested in part, if not in whole, with the administration of the affairs of the Five Civilized Tribes, and clearly, in the opinion of the Chair, the proviso is germane to the subject matter of the bill.

This clearly discloses that it comes within the exception, for the Chair will take judicial knowledge of the fact that this commandant would assume the duties of this entire district, and it will retrench the expenses incident to the employment of additional men to perform the duty that is made incumbent by this proviso upon the commandant.

The Chair said:

The gentleman from Illinois [Mr. MANN] makes the point of order that there is nothing in the proviso to show that the new office created is to perform the duties performed by the two offices which the proviso seeks to abolish. The Chair thinks the language in the proviso to the effect that these two offices are to be abolished and, quoting from the proviso, "and in lieu thereof there be appointed by the President, by and with the advice and consent of the Senate, a superintendent of the Five Civilized Tribes," clearly shows that the new office is to perform the duties which have been heretofore performed by the two offices which this proviso seeks to abolish, and the Chair therefore overrules the point of order.

Clearly that is on all fours with this proposition. Even if it does confer new duties on this commandant, it results in the retrenchment of expenditures by the reduction of the force necessary to perform the duties of this district in the event that the proviso in question is adopted.

Mr. NOLAN. Mr. Chairman, I would like to call the attention of the Chair to a specific case, the twelfth naval district. If this proviso is adopted it will add additional duties to the work of the commandant of the naval base, navy yard, or naval training station. At the present time their duties are in connection with their particular naval base, naval training station, or navy yard over which they preside. If this proviso goes into effect, it adds to their duties a tremendous responsibility, the supervision of the entire northern section of California and all of the northern coast, taking into consideration a number of naval activities, and transfers to the commandant of one of our yards jurisdiction over all of this territory, and gives him authority over matter that is entirely foreign to his position as commandant of a particular institution. If the Committee on Naval Affairs is desirous of changing the law, they ought to bring in specific legislation, and not have this coming in here continuously on appropriation bills. My point of order is that it is not a limitation under the rules of the House.

Mr. MADDEN. Will the gentleman yield?

Mr. NOLAN. I yield.

Mr. MADDEN. The gentleman admits if this limitation should become the law by its enactment into this bill it would place added responsibilities on the commandant of the navy yard?

Mr. NOLAN. And added duties.

Mr. MADDEN. And yet by inference he also admits that it would take away activities that are now performed by other individuals, and thereby reduce the cost of the operation of the district, does he not?

Mr. NOLAN. You could apply that same principle to every activity of the Government. You could merge the Army and the Navy together, and you could merge with them the Post Office Department.

Mr. MADDEN. Does the gentleman admit what I say?

Mr. NOLAN. It might have that effect.

Mr. MADDEN. Now, then, if the gentleman admits that he must also admit that the limitation is simply a limitation and not legislation. It simply seeks to regulate the conditions under which the money appropriated shall be expended.

Mr. NOLAN. It is legislating on an appropriation bill under the guise of a limitation.

Mr. MADDEN. I do not agree with the gentleman. I think it reduces expenses on its face, and is in order under the Holman rule.

Mr. HUSTED. Mr. Chairman, it is the well-settled practice of the House that a limitation may not affirmatively affect Executive discretion. This limitation certainly does not affirmatively affect Executive discretion. There is no direct, necessary compulsion upon anybody. It does affect Executive discretion, however, by imposing a negative upon the expenditure of the funds, and that is the only way in which it could affect Executive discretion. It provides that the funds can not be expended unless certain things are done. That, I contend, Mr. Chairman, is well within the rule. It is always in the nature of a limitation in some respect to affect existing law. That is the very purpose of a limitation.

Now, there are certain ways in which limitations can be made in bills, and one is that it can be done if it goes no further than the placing of a simple negative on the expenditure of the money, and that is all that is done by this limitation.

Mr. MONDELL. Mr. Chairman, if the Chair will allow me just a moment, in answer to the contention of the gentleman from California [Mr. NOLAN], to the effect that the limitation, if approved, would add to the duties of certain officers, that is undoubtedly true. But that is not an argument against the limitation. The duties of commandants of naval stations are not fixed and limited by law. They are matters of regulation, matters of the development of the business of building and maintaining the Navy under differing conditions. It is no argument against the limitation to say that one effect of the limitation would be that some official's duties would be somewhat increased or decreased. The question is, Is there a limitation on the expenditure under the rule? This is clearly such a limitation, a limitation which affects in a slight degree the discretion of an executive officer, but in a negative way, which is clearly authorized under the rule, as evidenced by quite a number of decisions.

Mr. ELSTON. Mr. Chairman, it has been held that a limitation may be put on an appropriation bill which affects qualifications, but this does more than touch qualifications. It also requires, in order that the appropriation may be used, a merger of executive offices, two into one. Now, if that in principle can be done as to two executive offices or bureaus in one department it may be applied to separate departments and a merger thus effected under the guise of a limitation. That can not be done in an appropriation bill.

Mr. MONDELL. Mr. Chairman, the gentleman's argument might be sound if this were an effort to merge two legislative offices.

Mr. ELSTON. It has that effect.

Mr. MONDELL. But it is not. The office of chief or commandant of a naval division is not a legislative office. It is an office or a function created by naval orders, and it would be quite within the discretion of the Secretary to do exactly what the limitation would require him to do, so that it comes clearly within the rule.

The CHAIRMAN. The gentleman from California [Mr. NOLAN] makes the point of order on the proviso on page 3, reading as follows:

Provided, That no part of this appropriation shall be available for the expense of any naval district unless the commandant thereof shall be also the commandant of a navy yard, naval training station, or naval operating base.

He submits that that language is legislation upon an appropriation bill, and therefore in violation of the rule of the House inhibiting that.

The language seeks to limit the appropriation contained in the paragraph for the expenses of naval districts, and provides a negative prohibition against the use of money for naval districts in that the money shall not be available unless the commandant of the district shall also be the commandant of a navy yard, naval training station, or naval operating base.

It is well settled by precedent that a limitation upon an appropriation must be in effect a negative prohibition on the use of the money, and not an affirmative direction to the executive officer. It seems to the Chair that the language contained in this proviso is a negative prohibition against the use of this appropriation, in that it is not to be available unless the commandant of the district in which the money is to be expended is also the commandant of a navy yard, naval training station, or naval operating base, and that it is not an affirmative direction to the officer, and, because the matter of naval districts is a matter of naval regulation and not of specific statute it is not a change of existing law, although in apparent conflict with a matter covered by regulations of the Navy. The Chair, therefore, overrules the point of order.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that the Clerk may correct the spelling of the word "jurisdiction" on page 3, line 22.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "jurisdiction" on page 3, line 22.

There was no objection.

The CHAIRMAN. The Clerk will read.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 3, line 1, strike out the word "diplomas," and in lines 3 and 4 strike out the words "cost of instruction," and in lines 4 and 5 strike out the words "maintenance of students."

Mr. BLANTON. Mr. Chairman, if my colleagues will permit, I would like to use a quarter of a minute in calling attention to an enterprise of the Rainbow Division here in Washington. One of the officers of the veterans, District of Columbia Chapter of the Rainbow Division, Mr. Mulford, has asked me to bring to your attention the fact that the Rainbow Division is now carrying on an exposition here to-day, and continuing until May 7, down on the Union Station Plaza, and that the objects of that exposition are approved in a letter from President Harding and also in a communication from Vice President Coolidge.

Now, Mr. Chairman, addressing myself to the amendment, I want to read to the Committee of the Whole the following, from the speech of the gentleman from Alabama [Mr. OLIVER] yesterday concerning diplomas and the cost of instruction and the maintenance of students, which words I have moved pro forma to strike from the bill.

On page 576 I read the following from Mr. OLIVER's speech:

Mr. OLIVER. Now, there is another matter that may be of interest to the House, and one which the Committee on Appropriations has no power to correct, but I am glad the chairman of the legislative Committee on Naval Affairs is present, so that he may take such action as he deems advisable with reference to the matter. Doubtless the Secretary of the Navy himself may correct it without legislation. It was developed before the naval subcommittee that yielding to the insistence of naval officers the 1922 class at Annapolis had been ordered graduated in December, 1921, and there is a rumor afloat that the 1923 class may be graduated in June, 1922. Every member of the subcommittee on appropriations, and I think members of the House legislative committee, are of the opinion that this course is unwise. The authorities at Annapolis—the high naval officers there—have disapproved it and feel that it will be hurtful to the service and harmful to the young naval officers.

Mr. BUTLER. Does the gentleman understand the reason for it?

Mr. OLIVER. The reason doubtless is the fear on the part of some officers, now holding high temporary commission, that they may not be able to maintain that rank after December next, unless there is an inflow from the bottom. Is that the gentleman's belief as to the reason?

Mr. BUTLER. Yes.

Mr. Chairman, the people of this country, whose money is spent to the amount of nearly $400,000,000 in this bill for the carrying on of our naval program, have believed that the instruction of students at the Naval Academy at Annapolis, that the cost of such instruction and the maintenance of such students at that institution, and the diplomas which are issued to them at the end of a certain course of study are in the interest of the Navy of this country and not merely in the interest of the promotion of naval officers, as indicated by this colloquy between our distinguished friend from Alabama [Mr. OLIVER] and the distinguished gentleman who is chairman of the Naval Affairs legislative committee [Mr. BUTLER]. They admit—and no one knows better than they the purpose of it—that the graduation of the 1922 class is to be made in December, 1921, and that from what they can learn the 1923 class is to be graduated in 1922, if you please, six months in the first case and in the second a whole year before they should be graduated, merely to help the naval officers maintain their present rank and position, which but for this earlier graduation they could not maintain.

My friend from Alabama [Mr. OLIVER] indicated that the House now is powerless to remedy the situation. He indicated that possibly the chairman of the Naval Affairs legislative committee might possibly find some way to remedy this condition. That was the indication of the gentleman.

Mr. OLIVER. No; I stated that the Appropriations Committee was powerless under the rules to propose legislation.

Mr. BLANTON. Oh, yes.

Mr. OLIVER. Because I do not think the Committee on Appropriations has any legislative authority.

Mr. BLANTON. No.

Mr. OLIVER. And I stated that I was glad that the chairman of the legislative committee was present in order that he might take such steps as he thought advisable.

Mr. BLANTON. I think the gentleman is correct, but I do not agree with him that the Committee on Appropriations now is powerless.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. BLANTON. I do not agree with my friend that the appropriations subcommittee have not the authority now to stop it by placing a proper limitation on this appropriation, because the Appropriations Committee holds the purse strings; they furnish the money that carries on the institution. They furnish the money that pays the salaries of these naval officers who are seeking to graduate a year too early a number of naval students who are to become the naval officers of this land. They can say to that bunch, "If you do not carry out the program properly, if you do not give these students the proper four years' course of instruction, we are going to cut off your salaries," and they will stop it, and they will change their plans awfully quick.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Indiana.

Mr. SANDERS of Indiana. Will the gentleman point out how his amendment would correct these evils?

Mr. BLANTON. My present amendment is simply a pro forma one, made to give me the floor so that I could bring to the attention of these two gentlemen, in whom we have confidence, the fact that one humble Member from Texas believes they ought to take some kind of action now to let these naval officers understand that the Congress of the United States is not going to stand for any such monkey business, but that these students must be given the regular four years' course prescribed, that they are not going to be graduated six months or a whole year earlier just in order to help naval officers maintain their present rank and position.

I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his pro forma amendment. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Chairman, I ask unanimous consent to speak two minutes.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. BUTLER. Any parliamentary move that will give me the opportunity to explain to my friend. Yesterday in a conversation with my friend the gentleman from Alabama [Mr. OLIVER] it appears from the RECORD that I assented to what Mr. OLIVER had said, because I am reported to have said "Yes." Now, Mr. OLIVER and I always agree, therefore I may have assented, because I am accustomed to agreeing with the views of the gentleman from Alabama, but I rather regret that I did not have the opportunity to explain what was told me by the Chief of Navigation. I made some inquiries.

Mr. OLIVER. Will the gentleman permit me?

Mr. BUTLER. Yes.

Mr. OLIVER. I do not recall just exactly the gentleman's reply, and it may have been that we did not understand each other.

Mr. BUTLER. I may have assented, because I want to confess now that the gentleman from Alabama put into my head the reason why this graduation period may have been advanced. It was stated to me, however, that it is the purpose of the Bureau of Navigation to discharge from the active service officers on the reserve list, and in order that they may have officers to take the place of those on the reserve list they intend to advance the time of graduation.

Now, let me say to the gentleman from Texas [Mr. BLANTON] that I would not feel myself competent to prescribe the period of instruction at Annapolis. The act of Congress prescribed it and then it was modified. I do not know whether it should be three years or four. However, I believe in bringing these young graduates into the service as early as possible, whether the period be two years, three years, or four years. I do not wish to avoid my part of the responsibility of making the appropriation for the Naval Academy, to administer instruction to these young men, and as soon as they are fitted for duty as officers I would not ask to have them retained at the academy, but would rather see them brought into the service. But if that purpose is the one the gentleman from Alabama had in mind, I would deplore it.

Mr. OLIVER. The gentleman will recall that at the hearings before the House legislative committee the early part of this year there was strong insistence by the Navy Department that you permit temporary officers to remain another year. The gentleman from Pennsylvania at that hearing indicated he would not be friendly to that idea. After learning the attitude of the House Naval Committee on the subject this plan seems to have been thought of for the first time.

Mr. BUTLER. I think the gentleman's reasoning is good.

Mr. OLIVER. The gentleman is aware of the history of the matter and also knows that more than a year ago they discontinued the practice of graduating classes after a three-year course only. In fact, they never graduated under this act a whole class in advance, but always split the class. Now, long after the armistice has been signed they propose to graduate an entire class about seven months in advance and let them miss this year's cruise.

Mr. BUTLER. Yes; and it created a good deal of surprise.

Mr. OLIVER. Is not the gentleman further advised that if the temporary officers are not continued after December and an influx of young officers is not had from some source, there is strong likelihood that some officers holding temporary commissions will be dropped to a lower grade?

Mr. BUTLER. I think it would work that way. I will ask the gentleman from Michigan [Mr. KELLEY] to help me recall. I have it in mind that next December, unless, under the authority of some act of Congress, these war grades will have to cease, and I, without committing myself, will say that I will have to be changed around a good many times before I alter my present opinion.

Mr. HUSTED. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. HUSTED. Does the gentleman think the course at the Naval Academy could be advantageously reduced to three years?

Mr. BUTLER. I hope the gentleman will not press me for an answer. My present judgment is that Congress might properly fix the course at three years. However, I may not be right about that.

Mr. HUSTED. Has the matter been considered by the Navy Department?

Mr. BUTLER. It has not been considered by the Naval Affairs Committee, but I think it will be.

Mr. KELLEY of Michigan. Mr. Chairman, as far as the graduation of this class ahead of time is concerned, my own opinion is that it ought not to be done. The law fixes the regular course at Annapolis at four years, but because of a necessity for a larger number of officers during the war we authorized the Navy Department, in its discretion, to graduate the boys ahead of time. I have not the law at hand, but my recollection is that it expires by limitation fixed in the act on the 6th of October, 1921. Whether or not the Navy Department at this time could issue an order directing the 1922 class to graduate in January, 1922, with the authority for that kind of a thing repealed or inoperative after the 1st of October, is a legal proposition which is rather doubtful in my mind. But in any event the distinguished gentleman from Pennsylvania [Mr. BUTLER] will have ample time to thoroughly thrash the matter out and present to Congress any legislation made necessary, if legislation, in his judgment, is necessary to prevent the order being carried into effect—if he and his committee think it ought not to be done.

Mr. BUTLER. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. BUTLER. The gentleman is a well-educated man and I will ask him this question: Does he think that the course at Annapolis could be completed in three years? We miss the previous help of the gentleman from Michigan and the gentleman from Alabama [Mr. OLIVER].

Mr. KELLEY of Michigan. I should be much opposed to reducing the course of these college boys to three years, especially in view of the fact that we send selective men from the academy to the School of Technology in Boston to there take thorough instruction to prepare them for their difficult engineering duties. Nevertheless, the whole matter is for my friend from Pennsylvania and his committee.

Mr. BUTLER. The gentleman from Michigan would not claim that I should do what he would not do himself.

Mr. OLIVER. The subcommittee was told that the superintendent of the academy opposed the graduation of this class in advance of the regular time.

Mr. KELLEY of Michigan. He said that from the standpoint of the student and the standpoint of the academy he did not think it should be done; and, considering the larger standpoint of the Navy as a whole, he did not presume to venture an opinion.

Mr. OLIVER. He also stated that other naval officers at the academy shared his opinion, did he not?

Mr. KELLEY of Michigan. I do not recollect that.

Mr. BEGG. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BEGG. Is not the course at the Naval Academy—in mathematics especially—such that it would make it impossible for the average and below the average mental human being to accomplish?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. My own judgment is that when the Secretary of the Navy has had opportunity to review this matter a little more, possibly a different conclusion might be reached.

Mr. TOWNER. Mr. Chairman, I move to strike out the last two words. Manifestly, it would seem to me that a four years' course could not be properly abbreviated under any circumstances by cutting off the last year. Even if it were thought that the course in the Military Academy could be reduced from four years to three years, the reduction would have to be made by eliminations all along the line throughout each year. To cut off a four years' course at the end of three years would be certain to eliminate some of those things which would be absolutely essential for the proper preparation for the service intended. Unless there are extraordinary reasons more than those suggested, I think the House would feel it would be wrong, even a dangerous thing, to graduate a whole class one year ahead of time when they would be authorized to be graduated. Certainly the last year is as important in preparation for the service, as the schedule is made now, as any year. Some of those things that are essential, if anything is essential, would be considered in the last year's course. I agree with those gentlemen who have suggested it would be manifestly unwise for this House to allow this class to be graduated at the end of the third year unless there are extraordinary reasons, such as existed during the war and which do not now appear to exist, for so doing.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy, as follows: For aircraft and accessories in course of construction or manufacture on June 30, 1921, $440,000; for navigational, photographic, and aerological equipment, including repairs thereto, for use with aircraft built or building on June 30, 1921, $49,250; for maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, $4,534,181; for continuing experiments and development work on all types of aircraft, $1,615,000; for drafting, clerical, inspection, and messenger service for aircraft stations, $275,000; in all, $6,913,431: *Provided*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes.

Mr. KELLY of Pennsylvania. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman from Michigan a question regarding naval aviators who

now are a part of the Naval Reserve Force. I refer to the naval aviators being trained at the naval training stations.

Mr. KELLEY of Michigan. Some of them I think are still members of the Naval Reserve Force and others in the regular naval service.

Mr. KELLY of Pennsylvania. Eighty per cent of them are reserve officers, class 5, or temporary officers. Now, I am informed that the Navy Department plans to hold an examination in about two weeks, giving these flyers in the Reserve Force a chance to take an examination for the regular line.

Mr. KELLEY of Michigan. I think that is true.

Mr. KELLY of Pennsylvania. That examination is to be along lines of engineering, navigation, seamanship, and other things which these boys have never had an opportunity to study or to acquire as a matter of training. Whether they stay in the Navy or not is dependent upon the result of that examination. Does the gentleman believe that is a proper policy to pursue?

Mr. KELLEY of Michigan. I do not know what sort of an examination is to be given these boys. From the gentleman's bare statement that they are to be examined on subjects on which they have had no opportunity to prepare themselves, I would think there must be some question about it. Of course, that is very largely a matter of administration which I would not be willing offhand to pass an opinion on.

Mr. KELLY of Pennsylvania. I want to say that these officers have had invaluable experience in actual flying in the recent war. They have been, many of them, in service for four years and are thoroughly familiar with naval aviation. It has cost the Government $40,000 each to prepare them for expert duty as aviators. On the 16th of May they are ordered to take an examination in seamanship, in navigation, in engineering, and other activities in which they have had no experience.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. KELLEY of Michigan. My understanding is that these young men, if they pass the examination, then enter the regular naval service. There is no aviation corps, as the gentleman knows, in the Navy; so that a young man coming in as an ensign or as a lieutenant, junior grade, or as a lieutenant, then becomes an officer in the Navy. It has been the policy as they are working it out to interchange men with aviation and the fleet, so that after the period of time during which the young man is adapted for aviation has gone by he will then be fitted to take up the regular work in other branches of the Navy. I do not think an aviation officer would be fitted for aviation more than for a few years. Flying seems to require young blood and young heads. Unless some very broad educational requirements are put into effect, the Navy might wake up to find that it has a large number of officers on hand which it could not use outside of aviation, who would be too old for aviation itself.

Mr. KELLY of Pennsylvania. The point I am making is that aviation itself is a specialized pursuit which requires the entire time of men engaged in it, and that aviation itself has a vast field of engineering, navigation, and so forth.

Mr. KELLEY of Michigan. There are those who have advocated an aviation corps, just like the Engineering Corps, but so far that has not met with the approval of the Naval Affairs Committee of the House, as I understand it.

Mr. KELLY of Pennsylvania. But to pursue the program and have these boys examined on the 16th day of May and then discharged from the Navy if they do not pass, and they can not pass, means a loss of millions of dollars put into their training by the United States Government. The Navy Department estimates it will take $40,000 to prepare one of these young men. Further, it is proposed if a reserve aviator passes the examination to send him to sea, where he will get away from his training and specialized work, and there will be that great loss to the Government in money and in efficiency.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. PADGETT. The idea is for the benefit of the young men themselves. A number of them have been studying in order to get into the regular naval service. If they succeed in passing the qualification examinations, they go into the regular service; if they do not, they are still competent to be employed in a limited aviation service.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KELLY of Pennsylvania. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KELLY of Pennsylvania. The result of this policy if carried into effect as outlined now will be that the Navy will lose the expert services of some 350 men who have been trained in highly specialized work for three or four years at an expense of $40,000 each to the Government. The point I am trying to make is that there might well be a modification of that program, and have the examination based entirely on aeronautics. Seventy per cent of the force and weight of this examination will be on subjects dealing with sea service, and these young officers are not prepared to take an examination of that kind.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. Yes.

Mr. KELLEY of Michigan. Does the gentleman know whether or not the boys were put on notice during the last three or four years in respect to the sort of examination they would have to meet to go into the regular service?

Mr. KELLY of Pennsylvania. I do not believe they have had such notice. In any case, I believe such a policy not to be in accord with efficiency and economy. Aviation officers should be restricted to aviation duties, for that is a field worthy of the undivided attention of the most accomplished specialists. There are sciences of aviation engineering, aviation ordnance and gunnery, aviation navigation, aviation seamanship, and so forth, sufficient to occupy the best and most capable men.

This is the present situation. Examination for commission in the regular line of the Navy will be the same for men who have had 10 years of sea duty and men who have had no sea duty but are highly trained aviators. When the majority of the subjects deal exclusively with sea service, it must be realized that the aviators are at tremendous disadvantage. They are certain to be crowded out, and naval aviation will lose its most experienced and valuable officers.

I understand that line officers in the Bureau of Engineering are restricted to engineering dutes. I maintain that aviation is important enough to warrant the development of officers for that duty alone. We have the officers now, with hundreds of hours in the air and with experience which would cost millions of dollars to secure for other officers. I believe we should make sure that this experience will not be lost to the Navy.

It can, perhaps, be accomplished without any great change of program, save a special examination in aeronautics for these aviators. I would commend to my good friend, Mr. BUTLER, chairman of the Naval Affairs Committee, an inquiry into the matter, with a view to learning whether such a change can not be made. I know he does not desire to see these young officers, able and enthusiastic, barred from the Navy because of a test they should not be expected to meet.

Mr. HICKS. Will the gentleman yield?

Mr. KELLY of Pennsylvania. I will.

Mr. HICKS. I am very much interested in what the gentleman is saying, because I realize the hardship that is going to be suffered by many of these aviators of ours when they are called upon to pass the contemplated examinations. For one, I have been a believer in a corps of aeronautics, so that a man entering the aviation service would know that is to be his life work, and I believe he would be a better aviator if he knew he was to be an aviator all his life instead of being transferred to the bridge of a ship or to the engine room; but that has not met with the favor of the Navy Department and it has not met with the favor of the Naval Committee. It seems to me that in this age of specialists better results can be obtained if men confine themselves to specific activities. Perhaps the creation of an aviation corps is a little in advance of the time, and the main argument of those who oppose it is—am I interrupting the gentleman too much?

Mr. KELLY of Pennsylvania. No; go ahead.

Mr. HICKS. Is that an aviator's activities are only limited by a few years of his life, and that a corps would soon become top-heavy.

Mr. BUTLER. While his heart is young?

Mr. HICKS. And therefore an aviator, if he is also an engineer or a navigating officer, can be transferred from aviation to the engine room or the bridge of the vessel, making the service more elastic, and that the man is more likely to be a better navigating officer or engineer for being an aviator and a better aviator for being an engineer or navigating officer. It is a splendid idea, a fine theory, but I doubt very much if it stands for efficiency in aviation or economy in utilizing officers for aviation when they can be utilized to better advantage in the line.

Mr. KELLY of Pennsylvania. In this day of efficiency, economy, and specialization I believe we ought to use proper methods in this great new science, and I hope that the Committee on Naval Affairs will interest themselves in it.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HUDDLESTON. Mr. Chairman, I thank the gentleman from Ohio [Mr. KNIGHT] for the speech that he has just made. I am glad to have heard his speech. I am glad to know that there is at least one among the new Members of the House who is willing to put his feet upon the solid rock upon which the gentleman has taken his stand.

I am glad to have heard the gentleman's speech. I am glad to hear somebody's speech in this House who really means what he says and who is willing to vote in accordance with the logic of his arguments. Perhaps the gentleman will not hold himself to that high standard when he has been here for a long time—others have not done so—but it speaks much for him that he is willing to stand by it now. Speaking from the opposite side of the Chamber I applaud what he has had to say, and the fact that he is willing to abide by the logic of his arguments.

Too often we have heard eloquent and able gentlemen standing upon the floor of this House debate this bill giving irrefutable reasons why the nations of the world should disarm; too often have we heard these gentlemen use eloquent phrases and unanswerable arguments denouncing the suicidal policy of militarism, and the folly, the monumental folly, of nations that persist in building great navies and raising great armies and then spoil it all by saying, "but I am going to vote for this bill." [Applause.]

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. HUDDLESTON. If the gentleman will excuse me, I have only five minutes.

It is time when Members of this House should stand by the logic of their arguments. If you believe in disarmament, there is only one way to show your sincerity, and that is to vote for disarmament. [Applause.]

I want to say to the gentleman from Ohio [Mr. KNIGHT] that I shall stand on this side, as he stands on that side, and show the faith that is in me by voting against this bill and every other bill which may be brought forward in line with the same policy and which shows the same foolish spirit.

I have been making this kind of speeches, similar in kind to that which the gentleman has made, for two years. I had become discouraged. I had decided that there was nobody in the House that would vote against these bills. I am proud to see that now in the new Congress there are those who will vote against them. I want to say to the gentleman from Ohio [Mr. KNIGHT] that I have voted against every Army appropriation bill, every naval appropriation bill, and every fortifications appropriation bill offered in this House since the armistice was signed.

It is time for those who believe that the world should disarm to give some evidence of it. The only way to disarm is to disarm. I am tired of hearing eloquent pleas and splendid arguments in favor of disarmament when nobody votes for it. I hope we will have a record vote on this bill and that others may be found to stand along with the gentleman from Ohio [Mr. KNIGHT]. Let us have done with political bluffing, let those who profess to desire disarmament show their good faith by voting for it. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. KELLEY of Michigan. Mr. Chairman, of course I do no want to unduly press matters, but I was going to make the suggestion to the Members that so far as convenient arguments of general character in reference to disarmament be reserved until we reach that portion of the bill which carries the appropriation for new construction. At that point we will try to arrange time and to be fairly generous. In the meantime let us confine ourselves as closely as we can to the particular sections of the bill, although I am not going to be at all arbitrary.

Mr. SANDERS of Indiana. Does not the gentleman think that we are entitled to about 5 or 10 minutes on the other side of the question now?

Mr. KELLEY of Michigan. I am not going to suggest any particular time, but I do suggest in the interest of forward movement that the discussion be withheld until we reach the portion of the bill to which I have referred.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent that the pro forma amendment be withdrawn, and then I move to strike out the last three words.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The gentleman from Indiana [Mr. SANDERS] moves to strike out the last three words.

Mr. SANDERS of Indiana. Mr. Chairman, I am quite willing to abide by the suggestion of the chairman of the subcommittee with reference to a general discussion of disarmament, but I do not think that the remarks of the two distinguished gentlemen who have just preceded me should go unchallenged at this time. I do not think an hour should pass without a challenge being made to the sentiments which they express.

The gentleman from Ohio [Mr. KNIGHT] says that he is going to vote against this bill. The gentleman from Alabama [Mr. HUDDLESTON] says he is going to vote against this bill and that he has voted against every Army and Navy appropriation bill since the armistice; that he has voted against every bill that appropriated money for the fortifications of this country since the armistice was signed. Why, Mr. Chairman, I have been in the House only about four years, but when I came here it was the popular thing for Members of the House of Representatives, representing the American people, to say that they stood for preparedness, and it was the expressions in favor of preparedness that received the applause from the membership of this House and from the American people. How soon are we to forget the lessons which were then learned? Suppose, Mr. Chairman, that the majority of the membership of this House should rise from their seats and say that they intended to vote against this appropriation bill for our Navy and against the appropriation bills for our Army and against the appropriation bills which provide for the necessary defense of the coasts of this mighty Nation. Well, of course, these gentlemen do not expect a majority to vote against these appropriation bills. These gentlemen expect a majority to stand up here and put these appropriation bills through and have their remarks in favor of disarmament to go to the people.

They know that if the theory should obtain, and they would disarm this mighty Nation of ours, the country would rise up against such an action and send a new set of Representatives of the real, red-blooded American people, who believe in the might and the strength of this Nation. [Loud applause.]

When did we come to the point where we must despise the might and the strength and the power of this Nation? Beautiful theories are fine. They were fine in the Revolutionary days. It was beautiful to hear expressions made of how people ought not to be taxed without representation, but it was only when these people used the power of the people that we obtained our independence. In 1812, when we were all but driven off the sea, people explained in beautiful language and our diplomats in wonderful language how we were being imposed upon by other nations, but it was only when the power of this mighty Republic was used that we were able to have the freedom of the seas. Prior to the Civil War days clear statements were made with reference to the necessity of a Union, but it was only in the final result, when the power of this country was used, that that question was settled.

We had it explained in beautiful language, and——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SANDERS of Indiana. Mr. Chairman, I ask unanimous consent for four minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SANDERS of Indiana. In the days preceding the Spanish-American War the diplomats of this country pointed out the injustice and the inhumanity of the contentions of Spain, and I would like for the gentleman from Alabama [Mr. HUDDLESTON], who served his country in the Spanish-American War, if I remember correctly, to remember that it was only when the call of the might of this country was made and we assembled the power of this Nation that we finally cured the evils of those days.

When we had our troubles with Germany President Wilson through diplomatic channels stated admirably in many instances the position of the United States of America and showed that our rights were being trampled on, and he did it time and time again, but Germany continued to trample upon our rights. It was only when we assembled in arms upward of four and a half millions of men and gave notice to the world that ten millions of men would be used if necessary; it was only when we used the battleships that had been builded against the cries of the pacifists in this House and in this country, and used all the implements of warfare that had been builded with appropriations which are now condemned; it was only when these were all used, Mr. Chairman, that we won a victory and brought peace to this country, security for our people, and respect to the American flag. Therefore, Mr. Chairman, I say, why despise all at once the power and the might of this Nation? [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. MCARTHUR. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Oregon is recognized.

Mr. McARTHUR. Mr. Chairman and gentlemen of the committee, the arguments that we have heard from the gentleman from Ohio [Mr. KNIGHT] and the gentleman from Alabama [Mr. HUDDLESTON] remind me of the things I used to hear when I first came to this House six years ago. There was at that time a small minority—not a political minority, but a small minority of the membership—who voted for better measures of naval and military preparedness. It was a small minority as compared with the total membership of the House, and it was ineffective in so far as securing immediate results. Had the House listened to the views of that small minority, which was led by the late lamented Augustus P. Gardner, of Massachusetts [applause], I venture the statement, without fear of successful contradiction, that when we were at last called upon to enter the lists in the great World War there would have been saved to this country hundreds of thousands of lives and billions of treasure.

And the same voices that were raised in opposition to naval and military preparedness six years ago—before we went into the World War—are to-day raised against an adequate measure of military and naval preparedness. I am not going to be swayed from the pathway of my plain and positive duty by the shallow arguments of those who rise here and forget the lessons of the recent war. I, for one, am going to stand by the committee that has reported this legislation. I am going to stand by every fair measure for naval and military preparedness for this country, and I am not going to take any stock in this disarmament propaganda until we can bring all the nations of the world together in a disarmament plan and until I know that the other nations will keep the faith. [Applause.]

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. HILL. Mr. Chairman and gentlemen, as one of the new Members of the House, I am brought to my feet by the repetition of the name of a former Member of this House, the Hon. Augustus P. Gardner, and I am brought to my feet reluctantly, because I am a new Member, but I rise to second the words of the gentleman from Indiana [Mr. SANDERS] and the words of the gentleman from Oregon [Mr. McARTHUR]. I say to you that I do not yield to anyone in the desire to have economy in this country, but I shall vote for this bill and I shall vote for every other bill that means proper and adequate national defense for these United States. [Applause.]

Back in 1917, on November 18, "Gussie" Gardner introduced his resolution in this House providing for an investigation of the defenses of this Nation, and about the same time Maj. Gen. Wotherspoon, Chief of Staff of the Army of the United States, made his report as Chief of Staff and showed that the so-called land defenses of this Nation were utterly absurd. In those days, as "Gussie" Gardner—and we who loved that great American like to call him by that name—said, the United States was like a man with a chip on each shoulder and both arms in a sling. And I say to you, gentlemen, that unless at this time we provide the Government that we believe in with two strong arms, a Navy arm and an Army arm, we will again be what we were before this war—Uncle Sam, with a chip on each shoulder and both arms in a sling!

And I want to say one more word to you. Of course, we want disarmament, if possible. Of course we want economy, if possible, and there is not a man in this broad United States who hates war more and wants war less than the men who saw the splendid work of the Navy of the United States when we crossed on the transports in June, 1918. But I say to you that we must remember at this time the words of Theodore Roosevelt:

> The man who says, "I did not raise my boy to be a soldier" is as bad as the woman who says, "I did not bring up my daughter to be a mother."

[Applause.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. JONES of Texas rose.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. JONES of Texas. Mr. Chairman and gentlemen of the committee, I do not see any occasion for everybody becoming so warlike this morning. These speeches indicate that everybody is getting blood soaked and belligerent and preparing to go into battle right now. As a matter of fact, our Nation is at peace and there are no war clouds dark and lurid swirling above our heads and threatening a deluge of bloodshed and carnage. We are at peace with every nation on the face of the earth. Our external skies are clear. Our lives are secure. Our commerce is safe. There are no smoke screens of battle or rivers of human blood, such as historians have pictured of the warriors of old who have stood at the cannon's mouth and faced a storm of lead and fire.

So why get all worked up and bring back the days of 1917, when the whole country and the world were aflame? Now, I believe my friend from Alabama [Mr. HUDDLESTON] and the gentleman from Ohio [Mr. KNIGHT] are a little extreme in their position, but I believe they are no more so than those who have talked on the other side of this question; and I, for one, am getting tired of the man who really is sincerely in favor of disarmament in this country being branded as a pacifist and a coward. [Applause.] I do not believe it requires any more courage to plead for a big Army and a big Navy than it does to plead for a small Army and a small Navy. I do not believe it requires any less American courage for a man to walk down the street and into a realm of danger unarmed than it does to buckle on a six-shooter and a sword and a carbine and parade like a braggart.

There is one way and one way only among nations, as among individuals, to have peace and harmony, and that is for the man who is strong physically, who possesses a strong arm, and who possesses courage to say, "I will do my part toward seeing that individuals disarm"; and the same thing applies to nations. I believe in a strong Navy. I do not believe we ought to have the finest Navy in the world, but I do believe that in order to get our products to market and to take care of our commerce and see that it is protected we need a good Navy. I do not believe we need it in the form of battleships so much as in the form of modern equipment. Under the sea and in the air the effective weapons of the future will probably operate. However, just because we need a strong Navy I do not see any use of saying, "We are going to build the finest and the biggest and the most of everything on the face of the earth." Somebody must pay for all of this. The man who follows the plow, the merchant, the business man—all are called upon to help pay the bill. I do not believe it is necessary for us to have a great Army in this country. There must be some economy in our appropriations. There seem to be a few gentlemen in the House of Representatives who think it is satisfactory to say, "I believe in international disarmament; I believe the nations ought to disarm, but I want us to remain armed." There is no nation on the face of the earth that is in such a good position to say to the other nations of the world, "We will lead the way and let you follow." [Applause.] After we have cut down our Army and held our Navy back in its development there will be plenty of time for us to go ahead and make our preparations if the other nations do not follow our example. I want to see our beautiful theories that we hear expressed from the lips of some of these eloquent Members put to the test of actual facts. There is one way to do it. America has the strength. She has the power. She can do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONES of Texas. I ask unanimous consent for four minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for four additional minutes. Is there objection?

Mr. KELLEY of Michigan. Of course, I am not going to object, and yet I think we really ought to make some progress with the bill. This debate is entirely out of order.

Mr. JONES of Texas. The gentleman listened to three speeches on the other side of this question.

The CHAIRMAN. The Chair hears no objection. The gentleman is recognized for four additional minutes.

Mr. JONES of Texas. I think something ought to be said on the middle ground of this subject. There are people who have been taking extreme positions.

Mr. HUDDLESTON. The gentleman says something ought to be said on the middle ground. What does the gentleman understand my position to be? I say I am going to vote against this bill, which is to make our Navy the greatest Navy in the world. I am opposed to that.

Mr. JONES of Texas. I am just taking the natural inference from the gentleman's own words. I may have misjudged him, but he said he had voted against every Army bill and every Navy bill since the signing of the armistice, and he has not said he would have voted for a smaller Army or a smaller Navy.

Mr. HUDDLESTON. I did not get the chance.

Mr. JONES of Texas. The gentleman had 10 minutes. I can say that in less than 10 minutes.

Mr. HUDDLESTON. I had only five minutes and the gentleman has nine.

Mr. JONES of Texas. The gentleman need have no fear. I was taking up for the gentleman as much as I was taking up for the other side. I am sure the gentleman would vote for some sort of a Navy and for some sort of an Army. I do not know whether it would be large enough or not. He can make his own explanation about that. I am making no fight on him, as I am making no fight on the man who takes the other extreme, but I would like to see the position taken in this country that while we are going to maintain an Army and a Navy for national protection, and we are going to have the Navy strong enough to take care of our rights on the high seas, we are not going to arm enough to try to bluff the whole world. [Applause.] We are not running a game of bluff. We want simply to take care of the interests and the rights of America. But you are not going to have disarmament in this country nor in the world by simply preaching it and practicing the other extreme. Somewhere, somehow, some great nation on this earth must take the first step, and I would like to see America take that first step. [Applause.] Are we going to carry on war forever? Is that to remain forever the principal subject of the historian and the theme of the poet's song? I want to see the poet and the historian select a new star of hope, and with eyes fixed on that star let the world walk into the new sunlight of lasting peace.

Mr. GRAHAM of Illinois. I would like to know what the gentleman means by his expression when he says he would like to see the United States take the first step. Does he mean that we should start to disarm now before anybody else does?

Mr. JONES of Texas. Oh, nobody wants to disarm completely. What we want is a limitation of armaments and a consequent reduction. I was simply saying that we should maintain a reasonable Army and a reasonable Navy, and not take the position some have taken here that we ought to go forward and build the greatest Navy in the world before this question of disarmament is brought to a head.

Mr. GRAHAM of Illinois. Then, until the time comes by international agreement when we can disarm, the gentleman is in favor of our being prepared.

Mr. JONES of Texas. In regard to taking some steps toward disarmament, the United States is in a better position than any other nation on earth, and they should not interfere with the movement by voting for great armaments. We can do that later on. If that is done it will show our good faith. I would like to see disarmament begun rather than talked about. Why is not some affirmative action being taken?

Mr. GRAHAM of Illinois. By taking it up by diplomatic interchange, but are you going to start it by refusing to build the ships and keep up an adequate preparedness?

Mr. JONES of Texas. Well, why does not the President call upon the nations for international disarmament? He has the power, the prestige, and the authority. Why the delay?

The CHAIRMAN. The time of the gentleman from Texas has expired, and all time has expired.

Mr. HUSTED. Mr. Chairman, I move to strike out the necessary number of words.

The CHAIRMAN. There are two amendments pending.

Mr. HUSTED. I ask unanimous consent that the pro forma amendments be withdrawn.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the pro forma amendments be withdrawn. Is there objection?

There was no objection.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent that all debate on the paragraph and all amendments thereto conclude in 10 minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the paragraph and amendments thereto conclude in 10 minutes. Is there objection?

Mr. GRAHAM of Illinois. Reserving the right to object, I would like to have five minutes. I have not taken any time on the bill.

Mr. HUDDLESTON. Reserving the right to object, I want five minutes.

Mr. KELLEY of Michigan. Can not the gentleman take it on another paragraph?

Mr. HUDDLESTON. I can, but it is just as well to take it now as later on. What is the difference? I would like to discuss this matter a little further just at this time, and I do not think it unreasonable to take 10 minutes on the bill as I have only had 5.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. HUDDLESTON. Reserving the right to object——

Mr. KELLEY of Michigan. I will make it 15 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the paragraph and amendments thereto conclude in 15 minutes. Is there objection?

Mr. GRAHAM of Illinois. I object.

Mr. HUSTED. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the gentleman from Alabama and the gentleman from Ohio, who said they intended to vote against this bill, are not alone in their advocacy of disarmament. I do not believe there is a Member of this House who is opposed to the proper reduction of armament. We all want to get rid of the terrible burdens that are imposed on this country and upon all the great nations of the world as a consequence of arming for war. The question is not whether we are for or against disarmament but as to how it is to be done. The gentleman from Alabama says the only way to disarm is to disarm. I assume that he is influenced by the belief that if this country starts to disarm all the other powerful nations of the world are immediately going to follow suit. I for one am not willing to proceed on that assumption. We all know that as the world is constituted to-day a nation is powerful just exactly in proportion to its ability to enforce its will. We want this Nation to remain powerful for the purpose of enforcing its will for the good of humanity, for the good of civilization in the days that are to come, just exactly as we did on the fields of France in the year 1918. [Applause.] Not by war, I hope, and not by the threat of war, but by the exercise of influence on the side of right and justice between the nations of the world. [Applause.]

I am in favor of disarmament, but I am in favor of a proportional disarmament. I am in favor of disarmament by agreement among the nations of the world, which will not see America give up her strength until the other nations have signified their willingness and have shown their intention to do it also.

The gentleman from Ohio said that he intends to vote against the bill because the question has not been settled as to whether the battleship is to remain in the future, as it has been in the past, the main strength of the Navy. I admit there is a divided opinion in naval circles about it, not only in our own Navy but in the navies of other nations. The question is unsettled, and it seems to me it would be the height of folly, in view of the present situation, for us to give up the plan which has always proved to be the correct plan until another plan has been proved to be better. That has certainly not been proved.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Chairman, I have no quarrel with the gentlemen who will vote for this bill in the honest belief that we ought to have the greatest Navy in the world. That is a matter between them and their constituents; I can stand it if the people whom they represent here can. All gentlemen who honestly believe that, before we begin to talk about disarmament, we ought to go ahead and build the biggest Navy in the world, are bound to vote for this bill. While I do not admire their judgment, at least I can respect their courage and sincerity. What I object to is Members professing to be in favor of disarmament and then going ahead and voting for the biggest Navy in the world. I object to their looking one way and shooting the other. I object to professions without action—to argument and fair words on one side with votes on the other. If you think we ought to have the biggest Navy in the world, vote for this bill; if you do not think that, then the only way you can show your position is to vote against this bill. [Applause.] That is the logic of the situation.

The trouble with these preparedness advocates, as is well illustrated by some of the gentlemen who have spoken, is that they prate of "adequate preparedness" without really knowing what they mean. I have heard that expression in this House until I am nearly sick of it. I have a good strong stomach, but I am getting about enough of it. As I say, the trouble with them is that they are in a state of mental fog; they do not know what "adequate preparedness" is. It is absolutely impossible for one of them in a day's time to tell you what he means by adequate preparedness. There never was a nation that was adequately prepared. Germany was not adequately prepared when she entered the World War. Great Britain has been mistress of the seas for 300 years, yet was not

adequately prepared on the sea when she entered the war. To be "adequately prepared" is to be prepared against any reasonably possible contingency. It means to be armed against any reasonably possible combination of nations which may be formed. It means, in short, to assume such a burden of militarism as to make it a poor choice between bearing its evils and submitting to defeat by a foreign power. No nation can afford to be adequately prepared—its cost will exceed any possible benefit. Hence it may be said that any nation that is adequately prepared is governed by fools. That is plain language, but I mean it.

What is adequate preparedness? We have had some statesmen in this country who compare in wisdom in a measure with the gentleman from Indiana [Mr. SANDERS] and with the modest gentleman from Maryland [Mr. HILL], who was obviously so reluctant to come to his feet. In other days, men almost as wise as they even at the time to which the gentleman from Indiana refers, in 1898, thought that a standing army of 25,000 men was adequate, and that a Navy of perhaps one-fiftieth of our present strength was adequate. Have we had a new and great light? Have new Daniels come to judgment? Have new and greater statesmen come into this Capitol? Do these men know so much more now than the great statesmen knew then? Perhaps so, perhaps so. To listen to these gentlemen, to observe their assurance, and to note the emphasis with which they speak and their dogmatic manners, one would be inclined to believe so. But perhaps an incredulous man, an iconoclast, an obstinate fellow reluctant to believe, may find room for reasonable and honest doubt. Their opinion to the contrary, perhaps he may be justified in holding that the elder statesmen knew a thing or two.

Mr. ROSENBLOOM. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. The gentleman will please excuse me, as I have not the time.

Mr. Chairman, it was considered in the time to which I refer that our Army and Navy were sufficient. What do these gentlemen, these new statesmen, stand for? Do you believe in universal compulsory military service? Answer me that, some of you. Do you believe in piling up the cost of Government into billions a year for what you call "preparedness"? Do you believe in adequate preparedness that would enable us to meet any two nations of the world in contest? England and Japan are in alliance. Do you believe in preparing ourselves on land and sea in such form and strength as to meet a combination of that kind? I dare you to say that you do. If you do, say so; then truly, if I understand American feeling aright, we will surely see some new faces in this House.

Mr. ROSENBLOOM. Mr. Chairman, will the gentleman yield—for information?

Mr. HUDDLESTON. Oh, the gentleman will excuse me. I am like the average preparedness Congressman. I have no information—only a luxuriant imagination. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. NORTON. Mr. Chairman, I move to strike out the last two words.

Mr. KELLEY of Michigan. Mr. Chairman, before the gentleman proceeds, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. NORTON. Mr. Chairman, I am glad that I am one who can answer the gentleman from Alabama [Mr. HUDDLESTON] and say that I do hope personally and individually to see America the leader on the oceans of the world. [Applause.] I am not afraid to say that the time has not come, nor will it ever come, when the United States with all of its wealth ought not to be able to construct two boats to one of any other country, and so long as I am a Member of the House and that question ever arises I shall always vote in order that the United States may lead all of the rest of the world. History shows that every country in the world which has had the leading navy of the time has been the leading country of the time. What has made Great Britain what she is to-day? Why does she, a small country, lead to-day? The United States with all of its wealth, all of its power, can well afford to construct such vessels as are necessary to warn the world that if they want trouble with the United States they shall have it. There is nothing like preparedness to keep the country out of war. I believe in preparedness in the Army, but first of all in the Navy. We have a great coast to protect. We are a world power, and it is the duty of the United States to lead all commerce, at all times, and I for one am willing to say to the gentleman that if the occasion arises I shall vote for two boats for England's one or one of any other country.

The Clerk read as follows:

Naval training station, Rhode Island: Maintenance of naval training station, Rhode Island, labor and material, buildings, and wharves; dredging channels; extending sea walls; repairs to causeway and sea wall; general care, repairs, and improvements of grounds, buildings, and wharves; wharfage, ferriage, and street car fare; purchase and maintenance of live stock, and attendance on same; wagons, carts, implements, and tools, repairs to same, including the maintenance, repair, and operation of two horse-drawn passenger-carrying vehicles to be used only for official purposes; fire engines and extinguishers; gymnastic implements; models and other articles needed in instruction of apprentice seamen; printing outfit and materials, and maintenance of same; heating and lighting; stationery, books, schoolbooks, and periodicals; fresh water, and washing; packing boxes and materials; and all other contingent expenses; lectures and suitable entertainments for apprentice seamen; in all, $185,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, and messenger service for the fiscal year ending June 30, 1922, shall not exceed $15,701.60.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word in order to ask a question of the chairman of the committee. This question should have been asked on the paragraph about the Hydrographic Survey. This is a bureau, is it not, in the Navy Department?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. It occurred to me for a considerable time that the function of this bureau might well be consolidated with that of the Coast and Geodetic Survey.

Mr. KELLEY of Michigan. I think possibly the suggestion of the gentleman is meritorious.

Mr. GRAHAM of Illinois. I am convinced in my own mind from what I know about it that there is great duplication of overhead in those two bureaus.

Mr. KELLEY of Michigan. Of course, this survey is for outside of the territorial jurisdiction of the United States, for the coast outside of the United States.

Mr. GRAHAM of Illinois. Still they might be maintained by the same organization?

Mr. KELLEY of Michigan. I think so. It might properly be considered in the general plans of consolidating the bureaus and departments.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. HICKS. The Naval Committee took up this matter that the gentleman from Illinois is now speaking about, and we found that these particular surveys are, as stated by the gentleman from Michigan, for ocean chart making—for instance, in the Philippine Islands, in the West Indies, and so forth—entirely outside of the work of the Coast and Geodetic Survey. As a matter of fact there is no duplication, and a large part of this money that is appropriated here is for the purchase of charts from the British and other Governments. As the gentleman knows, the British Government maintains probably the most extensive chart-making bureau in the world. During the war, especially, we purchased a vast number of those British charts of waters where we had no surveys. This work now carried on does not interfere with the Coast and Geodetic Survey; it does not overlap; it is for work beyond continental United States.

Mr. GRAHAM of Illinois. I know that is true, but most of this is for drafting, for copying.

Mr. HICKS. And they use naval vessels, I may say, for that purpose.

Mr. GRAHAM of Illinois. Is there any idea in the minds of the commission who are now investigating this subject of possibly combining this in one?

Mr. HICKS. I do not know about the work of the commission, and it seems to me it might be done without any detriment to the service, but the Committee on Naval Affairs has considered it, and up to this time we have not felt like recommending that this service be combined with the Coast and Geodetic Survey.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferriage, technical books, and incidental expenses attending inspection of ordnance material, $20,000.

Mr. STEPHENS. Mr. Chairman, I desire to present an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 17, after line 2, insert a new paragraph, as follows:

"That no part of the appropriations heretofore, herein, or hereafter made for 'increase of the Navy' under the Bureau or Ordnance and no part of allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for services or materials used in the construction of any shop, building, living quarters, or other structure unless the appropriation shall in terms specifically authorize such construction: *Provided*, That hereafter ordnance materials procured under the various ordnance appropriations shall not be available for issue, to meet the general needs of the naval service, under the appropriation from which procured."

Mr. BYRNES of South Carolina. Mr. Chairman, I make the point of order, or I will reserve the point of order if the gentleman wishes to discuss his amendment.

Mr. STEPHENS. I desire just to present the amendment——

Mr. BYRNES of South Carolina. I will reserve the point of order.

Mr. STEPHENS. Mr. Chairman, the amendment in effect is to provide that any appropriations made, for instance, in the Ordnance Department, would be used specifically for ordnance purposes, and that the money appropriated for this particular department could not be used for another department without an accounting between the two departments. Perhaps I can explain it better by saying that if the Ordnance Department should purchase, among its other material, a lot of lumber and other building materials, the Department of Yards and Docks could not use this material in the building of houses or other buildings without giving credit to the Ordnance Department for such expenditure. I am offering this amendment in order to correct what has come to my attention within the last few days—the method by which a building could be erected without authority or without properly accounting for the necessary funds that have to go into that building. In other words, if the Ordnance Department has material and the Yards and Docks uses that material in building a house or other building there is no accounting in either department to show that the material was used in the building of this house or building. This amendment is to correct conditions of that kind. I think that is all I desire to say.

Mr. KELLEY of Michigan. Mr. Chairman, of course the provision is subject to the point of order, and I understand the gentleman from South Carolina has made it.

Mr. BYRNES of South Carolina. I reserved the point of order, and I make it.

The CHAIRMAN. The point of order is sustained.

Mr. McKENZIE. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I will.

Mr. McKENZIE. Has it been the policy pursued in the Navy to permit appropriations made by Congress to be utilized for the construction of permanent buildings not authorized by the Congress?

Mr. KELLEY of Michigan. I will say to my friend from Illinois that there is a provision of law affecting the Ordnance Department alone which does permit the interchange of funds, and if there is a deficiency in one item and a balance has been saved out of another they can apply the balance where the deficiency exists. That is not true of any other bureau of the Navy, and I am inclined to think that it ought not to be so in the Ordnance Department, but the reason that was given at the time the law was passed was that it facilitated in ship construction by permitting equipment designed for one ship but not needed at the moment on that ship so to be transferred to another ship. It facilitated the progress of construction. I presume that that had something to do with the action of Congress in making this exception in favor of the Ordnance Department, but I think it is a question that the Committee on Naval Affairs having charge of legislation should consider very seriously, as I am inclined to believe that there are some abuses growing out of it, although I can not so state positively at this time. I think the practice needs attention.

Mr. McKENZIE. The real point of my question is not so much the transfer of one fund to another or vice versa, switching them about, but the point I am driving at is whether or not the officers in the Navy will proceed to put up a building for a commandant or build a shop somewhere not authorized by the Congress.

Mr. KELLEY of Michigan. That would not be true of any department except the Bureau of Ordnance.

Mr. McKENZIE. I see.

Mr. KELLEY of Michigan. In pursuing this inquiry somewhat without having opportunity to go into it thoroughly, in reference to the armor plate factory and ordnance factory at Charleston, W. Va., it seemed to the committee that funds intended for other purposes had been used in the equipment of buildings there which had been erected during the war out of funds properly appropriated for that purpose. At any rate, the sums of money——

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY of Michigan. I ask for five minutes additional.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. The sums of money asked for by the Bureau of Ordnance for the repairs and preservation of buildings at Charleston seemed all out of proportion to what would be needed for the repairs of an entirely new plant, and this was taken into account in making the appropriation. The committee reduced the amount asked for by the Bureau of Ordnance from $17,500,000 to $14,000,000, which, I think, takes care of the situation. However, there is the chance for abuse if funds appropriated for one purpose—I mean for ships or guns—can be used for the equipment of shops under a general provision making all appropriations for ordnance one fund. But, of course, the Committee on Appropriations has no authority to report a repeal of the existing law in this particular.

Mr. McKENZIE. If the gentleman will permit, after his statement I can not understand why my good friend from South Carolina [Mr. BYRNES] would interpose a point of order.

Mr. BYRNES of South Carolina. The Appropriations Committee has been criticized quite often on the floor for putting legislation in bills, and unless the legislative committee of this House is in favor of it I should not want to do it.

Mr. KELLEY of Michigan. I think the gentleman from South Carolina did right in making the point of order, because we ought to be sure of the effect of the proposed provision. If it would make it necessary to put a particular gun on a particular ship, that, of course, would be a great handicap. The corrective legislation should cure the bad practice without introducing any handicap of public work.

Mr. BUTLER. How much are you going to give my committee to do? Here is one of my colleagues who offers an amendment. It is a matter of legislation, and notwithstanding the zeal I may have for the jurisdiction of the committee of which I am a member, I believe this is a good thing to do and ought to be done now and put on this bill as offered. Therefore I shall ask the gentleman from South Carolina to withdraw the point of order. We have some intimations that things are happening that make this necessary.

Mr. KELLEY of Michigan. If my friend from Pennsylvania [Mr. BUTLER], the chairman of the Committee on Naval Affairs, is convinced that this provision suggested by the gentleman from Ohio [Mr. STEPHENS] will not tie up the construction or prevent the transfer of guns from one ship to another, I would gladly accept his judgment, as would also the gentleman from South Carolina [Mr. BYRNES], I am very sure.

Mr. BUTLER. I do not know how far-reaching it is, but I know it will cover a case that my colleague the gentleman from Ohio [Mr. STEPHENS] has in mind. A certain condition came to our attention yesterday that makes me think it should go in.

Mr. STEPHENS. It will cover all cases where money has been expended for material and the material is used by this department or by some other department, because in that use it would have to be accounted for. In other words, if the material is needed by the Ordnance Department, and it is used for building purposes, the Department of Yards and Docks must give them credit for it before it can be used. Therefore it is accounted for. As it is now, these buildings can go on without any accounting. You do not know where they get the material or where the money comes from. They have got the material.

Mr. KELLEY of Michigan. I think the gentleman from Ohio [Mr. STEPHENS] has stated the practice a little too broadly.

Mr. STEPHENS. Maybe I have.

Mr. KELLEY of Michigan. My understanding is that the only question involved in the matter is whether or not all the various funds which are appropriated for particular purposes may be under law in the end welded together into one fund, so that if there is a shortage in one item carried for the Ordnance Department and an excess in another, they can use the balance in one fund to make up a deficiency in another.

Mr. STEPHENS. Absolutely.

Mr. KELLEY of Michigan. This is the only department of the Navy that can do that, and the reason that was given, as I said, was that it facilitated in the construction of ships by enabling the bureau to put the guns on the ships that were farthest advanced.

Mr. JOHNSON of Mississippi. Mr. Chairman, all this is out of order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN (Mr. DOWELL). The gentleman will state it.

Mr. BYRNES of South Carolina. I want to know if I can withdraw the point of order.

The CHAIRMAN. The Chair has not ruled upon the point of order.

Mr. BYRNES of South Carolina. Anticipating that, I want to suggest to the gentleman that he offer his amendment again. In view of the fact that the chairman of the Committee on Naval Affairs states that his committee has investigated the matter and they are satisfied it should be in this bill, I will not make the point of order against it.

Mr. STEPHENS. Mr. Chairman, I desire to reoffer the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STEPHENS: Page 17, after line 2, insert a new paragraph, as follows:

"That no part of the appropriations heretofore, herein, or hereafter made for 'Increase of the Navy,' under the Bureau of Ordnance, and no part of the allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for service or materials used in the construction of any shop, building, living quarters, or any other structure, unless the appropriation shall in terms specifically authorize such construction: *Provided*, That hereafter ordnance materials procured under the various ordnance appropriations shall not be available for issue to meet the general needs of the naval service, out of the appropriation from which procured."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I wish to inquire of the gentleman whether his amendment does not go too far in seeking to prohibit the use of funds heretofore appropriated for certain purposes for which perhaps the Navy Department has already entered into contract?

Mr. STEPHENS. It does not affect them in the least.

Mr. STAFFORD. The wording of the amendment says that the appropriations heretofore made shall not be used. If the Navy Department has made contracts relying upon the availability of those appropriations, you have put in a prohibition that prevents them from using the money for the purpose designated.

Mr. STEPHENS. The money heretofore appropriated in any particular bureau or division—for instance, Ordnance or Yards and Docks. That means that the money that was appropriated for the Ordnance Department is solely for that department, and the money appropriated for the Ordnance Department can not be utilized for the general use of the Navy.

Mr. STAFFORD. Assuming the case that the Navy Department has at the present time utilized or allotted some of the money that had heretofore been appropriated in prior appropriation bills for the very purpose the gentleman seeks to prohibit, would not that prohibit the Navy Department in the utilization of those funds?

Mr. KELLEY of Michigan. If the gentleman will permit me, in reading the amendment offered by the gentleman from Ohio [Mr. STEPHENS] I interpret it to mean this, that it would not prevent the use of funds heretofore appropriated for any particular purpose for that particular purpose, but it would prevent their being used for any purpose other than the purpose specifically set out in the bill making the particular appropriation.

Mr. STAFFORD. But assuming the case which I instanced to the gentleman from Ohio [Mr. STEPHENS], where the Navy Department may have utilized funds from other sources for this very purpose, the question is whether the passage of this amendment, which is legislation, would not prevent the Comptroller of the Treasury from authorizing the use of these funds, because Congress says these funds shall not be used, and yet the Navy Department may have counted on the utilization of these funds.

Mr. KELLEY of Michigan. That is what he proposes to accomplish, that the money shall not be used for any purpose other than that for which it was appropriated.

Mr. STAFFORD. So far as any contracts arising in the future are concerned, I think the amendment is worthy of adoption, but I can see where perhaps it will interfere with the working of the Navy Department if you give it too broad an application.

Mr. STEPHENS. There are no instances of that kind. This is only to prevent the use of material or appropriations in any particular department—the material of that department—for the general use of the Navy in some other department.

Mr. STAFFORD. The language is broader than the extent to which the gentleman tries to limit it in his explanation.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Illinois.

Mr. McKENZIE. I desire to put up to the gentleman from Wisconsin a proposition: Suppose that out of the appropriation for ordnance the Navy Department, under the authorization of law, had expended $50,000 of the ordnance appropriation in the putting up of buildings without Congress being advised of that action. Now, suppose that this amendment is adopted, and the building is not completed. All that the officers in the Navy will have to do is to come to Congress, put their cards on the table, admit that they have been using money that was not authorized for that purpose, and ask Congress, if it regards it as a worthy project, to give them money to complete the building.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WINGO rose.

Mr. BEGG. Mr. Chairman, I reserve a point of order further.

The CHAIRMAN. The gentleman from Arkansas [Mr. WINGO] is recognized.

Mr. WINGO. Mr. Chairman, I do not think the amendment as originally offered is subject to a point of order, although I do not wish to take the position of criticizing the opinion of the Chair. The amendment was treated as out of order without thorough consideration. I wish to direct attention to the question raised by the gentleman from Wisconsin [Mr. STAFFORD]. The proposed amendment is divided into two divisions, and it is only the first provision that undertakes to cover appropriations heretofore made. I will read the first part of it, which provides:

That no part of the appropriations heretofore, herein, or hereafter made for increase of the Navy under the Bureau of Ordnance, and no part of the allotments of appropriations heretofore or hereafter made to said bureau shall be available for services or material used in the erection of any shop, building, or other construction unless Congress specifically authorizes such construction.

That is the only part that undertakes to cover appropriations heretofore made. Plainly that is not subject to a point of order, although there may be a contention that the proviso is subject to a point of order. I read the proviso:

Provided, That hereafter ordnance materials procured under ordnance appropriations shall not be available for issue to meet the general needs of the service under the appropriation from which they are procured.

I contend that that is not subject to a point of order.

Mr. MADDEN. It is permanent law. It says "hereafter."

Mr. WINGO. I know; but it is a limitation upon this specific provision, and the only ground that you can contend that it is legislation is the ground that it is permanent. But it will reduce expenditures, and it will not only reduce expenditures but it will also correct an evil, such as that which the gentleman from Ohio [Mr. STEPHENS] points out, which, if true, is very reprehensible.

Mr. KELLEY of Michigan. Does the gentleman contend that the restriction on the use of funds, not only those appropriated in this bill but those appropriated in former bills, is not subject to a point of order?

Mr. WINGO. If it undertakes to reduce expenditures, it would not be. It shows that on its face.

Mr. KELLEY of Michigan. Oh, no.

Mr. WINGO. The law provides that you shall not make an appropriation for one purpose and use it for another purpose. But it may be that it is necessary to do this.

Let us take the first part, particularly referred to by the gentleman from Wisconsin [Mr. STAFFORD]. If they are taking appropriations for other purposes and building shops and living quarters and other structures, then it is reprehensible, and this Congress ought to call a halt on it. If they are not doing it, then it will not hurt.

Mr. KELLEY of Michigan. The gentleman would not say that it is reprehensible if it is authorized by law or if they are authorized by law to do it, which they are.

Mr. WINGO. This provision says they are not authorized to do it. They may have a technical provision of the law under which they say they are permitted to do it. There is no question but that morally it is reprehensible. It is taking an appropriation and using it for a purpose contrary to the expressed purpose mentioned in the act, and Congress is not advised of it.

Mr. KELLEY of Michigan. No. Under the Ordnance Department there is a provision of law for an interchange of funds.

Mr. WINGO. Is there a provision of law providing that you can take money appropriated for ordnance and use it for building officers' quarters?

Mr. KELLEY of Michigan. No; it does not say that; but——

Mr. WINGO. They have a law under which they contend that where, for illustration, there is an appropriation for guns on one vessel, they may use the gun on another project. But if an appropriation to build guns is allotted to that purpose and subsequently officers' quarters are needed, and with that money they go and build officers' quarters, the principle is the same, whether you build a hundred dollar shack or an expensive set

of officers' quarters. The appropriation should be made specifically in any case.

Mr. KELLEY of Michigan. I agree with the gentleman; but the fact is that there are appropriations made for various sorts of construction.

It is seldom that a bill goes through that does not carry some appropriation for a building of some kind. That is a specific appropriation for building. Now, a general clause is contained in the law controlling the ordnance expenditures which provides that their funds are interchangeable. If there is a shortage in their building fund, they simply reach over and take any excess funds from some other appropriation and splice out the building fund, and I think they are within their legal rights in doing so.

Mr. WINGO. Yes.

Mr. KELLEY of Michigan. But I think it is a very bad policy.

Mr. WINGO. It is a strained construction. The gentleman knows what they do. It is no reflection, because, after all, you have got to judge these gentlemen in the departments by their precedents. They are bound by them. But you know there have been times when they knew in advance they were going to build a more expensive structure than they asked an appropriation for, and then under this transfer system they have gone ahead and carried out their original plans, which they did not disclose to Congress, and they used more funds than Congress authorized them to use, and yet they sit back and say, "Under the technical interpretation of the law we can do it." I think the amendment of the gentleman from Ohio calls a halt on that. Let us get back to economy. Let us say to them, "If you want a building of any kind, come in and lay your cards on the table, show your hand, and do not take an appropriation intended to build guns or other ordnance and use it to build bungalows."

Mr. BEGG. I desire further to reserve the point of order, for the purpose of asking a question. I should like to ask the distinguished gentleman from Pennsylvania [Mr. BUTLER] if he does not consider this amendment that is offered as pure, clean-cut legislation?

Mr. BUTLER. I do.

Mr. BEGG. Well, Mr. Chairman——

Mr. BUTLER. Will the gentleman let me state further?

Mr. BEGG. I certainly will.

Mr. BUTLER. I do not know how far it will reach. I had intended to ask the gentleman whether he would not eliminate from the amendment the second part of it. It will then meet the purpose which I think the gentleman intends to have it reach.

Mr. BEGG. With that statement I shall make the point of order. There is plenty of time to bring in from the gentleman's committee a bill to rectify this condition. In the last session of Congress we were told that we had not time, and that we had to let these things go. But if the Chair sustains the point of order that this is legislation on an appropriation bill, that will give the Committee on Naval Affairs an opportunity to consider the legislation.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BEGG. I will be glad to yield.

Mr. GRAHAM of Illinois. Did the gentleman from Ohio hear the statement of the gentleman who offered the amendment to the effect that something had to be done at once to cure an existing condition?

Mr. BUTLER. But it is not in order to legislate on an appropriation bill.

Mr. GRAHAM of Illinois. Suppose we can save something by this, why do you want to interpose an objection, if we can get real economy?

Mr. BEGG. Bring in your legislation in the regular way if you want to meet that situation.

Mr. BUTLER. It will never be reached.

The CHAIRMAN. Does the gentleman from Ohio insist on his point of order?

Mr. BEGG. I do, Mr. Chairman.

Mr. BUTLER. I suggest to the gentleman that he take out the latter part of the amendment and let the first of it stand.

Mr. SANDERS of Indiana. Will the gentleman withhold his point of order for a minute? I want to make a suggestion.

Mr. BEGG. I will withhold it if the gentleman wants to say something, if the Chair cares to have him do that.

The CHAIRMAN. The Chair only asked a question.

Mr. BEGG. I am perfectly willing to withhold the point of order for a moment.

Mr. SANDERS of Indiana. I want to make this suggestion to the chairman of the committee: In view of the fact that there is some question about the wording of this amendment, and about whether part of it ought not to be left out, why would it not be wise for the chairman of the committee to ask unanimous consent to pass it for the present and bring it up later, after you have had time to go over it?

Mr. KELLEY of Michigan. I will simply say that with further consultation with the chairman of the Naval Committee, and perhaps a little further inquiry, we would be better able to know exactly how far this goes. I have a feeling that it is more than ought to be done.

Mr. BUTLER. The first part of it is all right.

Mr. KELLEY of Michigan. The point of order has been made against it.

Mr. BEGG. It is in reservation.

Mr. KELLEY of Michigan. I ask that the matter may be passed for the present with the point of order reserved.

Mr. BUTLER. And that you have permission to return to it.

Mr. BEGG. That is all right.

Mr. KELLEY of Michigan. I ask unanimous consent that the amendment be considered as pending with the point of order reserved.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the paragraph be passed with the amendment pending, to be returned to later.

Mr. BEGG. And the point of order reserved.

Mr. KELLEY of Michigan. The request was for the purpose of considering this amendment only.

The CHAIRMAN. Is there objection?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object, I suppose it will be understood that if eventually this point of order is withdrawn, then under the rules of the House other amendments may be offered?

Mr. KELLEY of Michigan. Other amendments to this amendment, if germane and not antagonistic to the rule.

Mr. GARRETT of Tennessee. I do not want to confine it to this one amendment, because I think there is an amendment that possibly may be offered to the amendment if it gets by the point of order.

Mr. KELLEY of Michigan. That is entirely agreeable.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. KELLEY]?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CAMPBELL of Kansas having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Cravens, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 2185. An act providing for a "Pageant of Progress Exposition" cancellation stamp, to be used by the Chicago post office.

The message also announced that the Vice President had appointed Mr. KENYON and Mr. JONES of New Mexico members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Labor.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Training station, San Diego, Calif.: To complete the development of a permanent training station, San Diego, Calif., $1,000,000.

Mr. OSBORNE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. OSBORNE: Page 20, line 24, after the figures "$1,000,000" insert two new paragraphs, as follows:

"The Secretary of the Navy is authorized to accept from the city of Los Angeles, Calif., free from incumbrances and without cost to the United States Government in excess of $1, a certain tract of land in the harbor of Los Angeles, Calif., containing 225 acres, more or less, for use as a site for a naval submarine base.

"Naval submarine base, Los Angeles Harbor (San Pedro), Calif.: Toward development of a submarine base, $1,000,000."

Mr. OSBORNE. Mr. Chairman, the subject of the naval defense on the Pacific coast has occupied the attention of thoughtful people and of naval officers for the last five years. About five years ago Congress authorized a commission consisting of naval men to examine the naval defenses of the country. This commission reported to Congress, I think, just about five years ago and recommended particularly on the Pacific coast certain works of defense deemed necessary for a proper protection of the coast. The item which I have presented covers a unit of this proposed Pacific coast defense. The city of Los Angeles, owning some very valuable property at Los Angeles Harbor, has tendered this ground amounting to some 225 acres and valued

at a conservative estimate on account of its position at between four and five million dollars.

Mr. LAYTON. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. LAYTON. Did I understand the gentleman to say that the proper naval authorities have surveyed this place——

Mr. OSBORNE. Oh, yes.

Mr. LAYTON. And have recommended it as one of the units of the Pacific coast defense?

Mr. OSBORNE. That is the fact, and it is to carry out the plan that my amendment is offered. I will state that in another legislative body which had the bill under consideration in the last Congress this item was placed in the bill so far as the work of the committee reporting the bill could put it in the bill. It is a part of the bill as presented at the other end of the Capitol. I rather anticipated a point of order on this item, and I present it for the reason that I do not wish it to be said when it may possibly come back to this House in some form—I do not want it to be said that we defaulted in any way in bringing this very serious matter to the attention of this branch of Congress.

Mr. Chairman, the Pacific coast is becoming more and more important to the general welfare of the United States. It has no sea defense whatever, and this item is one of those of several extending from Puget Sound to the Mexican line whereby we hope to place the Pacific coast in a proper condition of defense in order that it may prevent a possible invasion of the country from abroad. You can not, gentlemen of the Congress, give too great or too earnest attention to this condition of things on the Pacific coast. I am not at all inclined to be agitated or hysterical about it, but it is, to my mind, a question that every Member of this House, on his conscience and his honor, should take into careful and studious consideration. I would be glad if the gentleman from Illinois would withdraw his point of order and permit the amendment to be considered on its merits and passed.

Mr. MADDEN. Mr. Chairman, I make the point of order that it is legislation on an appropriation bill and not warranted by law.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Fuel and transportation: Coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, $17,500,000: *Provided*, That $1,000,000 of this appropriation shall be available for use, in the discretion of the Secretary of the Navy, in mining coal or contracting for the same in Alaska, the transportation of the same, and the construction of coal bunkers and the necessary docks for use in supplying ships therewith; and the Secretary of the Navy is hereby authorized to select from the public coal lands in Alaska such areas as may be necessary for use by him for the purposes stated herein.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word in order to get some information which was not furnished in the Committee on Appropriations, as to what was done in regard to utilizing the Alaskan coal fields for the Navy.

Mr. KELLEY of Michigan. This appropriation of $1,000,000 has been carried in every naval bill for the last five years, but has never been expended.

Mr. STAFFORD. Has not any part of it been used? It was argued years ago when the Government launched upon the extravagant and expensive project of building the Alaskan railroad to Fairbanks that it would enable the naval department to reach the Manatuska coal fields, which would be of great value to the Navy.

Mr. KELLEY of Michigan. A very small amount has been used in experimenting with coal that has been found up there, and some little amount has been used in trying to determine the extent of the coal beds.

Mr. STAFFORD. The original argument advanced by the naval department in favor of building the railroad was that this would be of great advantage to the Navy, to induce Congress to launch into this extravagant proposal.

Mr. KELLEY of Michigan. I was about to say that they would strike a vein which would give promise of being an extensive bed, but it would soon run out—or "pinch out," as they say. But no commercial development of coal has gone forward and no considerable portion of this million dollars has been expended. However, we have kept this sum available.

Mr. STAFFORD. It is merely a camouflage to make people believe that perhaps something may ultimately develop from the Government-owned railroad up there.

Mr. MADDEN. The gentleman from Wisconsin may know that when they first projected this railroad up there they said that they could build it for $35,000 a mile, and I predicted that it would cost $150,000 a mile.

Mr. STAFFORD. That is not uncommon so far as Government estimates are concerned.

Mr. MADDEN. They have not completed the road and they have not reached the Matanuska, or any other coal field, although it was said when the $35,000,000 were appropriated originally to build the road that it was necessary to invest that amount of money in order that we might be able to coal the American Navy on the Pacific coast. We were then buying coal from England and Wales and paying from $25 to $40 a ton for it. It was said that we have the greatest semianthracite coal field at Matanuska that the world ever dreamed of, and that we would be able to bring the coal down there on this railroad to coal the American Navy in the Pacific Ocean, but we have not yet completed the road. We have spent $35,000,000 and $10,000,000 more and we will probably be able to spend $10,000,000 more before the road is finished, and then thirty or forty million dollars more before the coal is reached, and $50,000,000 more before we get the coal to the Pacific Ocean to coal the fleet.

Mr. STAFFORD. Mr. Chairman, the gentleman has furnished the information desired and I withdraw the pro forma amendment.

The Clerk read as follows:

In all, pay of professors and others, Naval Academy, $546,350.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 32, line 12, at the end of the line, insert "*Provided*, That no part of this appropriation shall be used for the pay of instruction of midshipmen unless such instruction is for a regular course of a period of four years."

Mr. MADDEN. Mr. Chairman, I reserve the point of order.

Mr. STAFFORD. Mr. Chairman, most of us were surprised this morning to hear from the chairman of the Naval Affairs Committee, and confirmed by the chairman of the subcommittee reporting this bill, that under an amendment, which was of war origin and which had its only purpose to provide officers for the war service, officials of the Navy Department were subverting the purpose of the law by attempting to continue in two years after the war is over. Everyone with the slightest knowledge of college education knows that the last year is the golden year of instruction, and everyone who has the slightest information in respect to instruction at Annapolis knows that these students, a large number of whom enter at the age of 16, are unfitted for the responsibilities of their office in commanding ships even after a four years' training, much less after a three-year term. I think it is the consensus of opinion of this Chamber that the period of instruction should be at least four years, and the only way this House can express itself on that matter is to carry a direction in this bill.

I am not in sympathy with the new idea that appropriation bills, as they leave this House, should carry no legislation. I have heard it suggested by the chairman of the subcommittee that this work is a part of the province of the Committee on Naval Affairs. Well may that Committee on Naval Affairs perform its duty to the limit and bring in a bill here which may pass this House, only to find itself, as has been so frequently instanced, blocked in another body by the objection of one of its Members. Many times it is absolutely necessary for this body to have legislation on an appropriation bill in the form of a rider if it is to have the legislation at all. The history of all appropriation measures for the last decade or two is that on many occasions it is necessary to carry such legislation on appropriation bills. When this naval appropriation bill was presented in its present form to the Senate over 100 amendments proposed by Senators were reported to it. It is now proposed that this body should cease functioning in its legislative capacity, because there is some little rivalry between the legislative committee and the Appropriation Committee. I would suggest, and I suggest it very humbly, that the legislative committee bring in legislation and offer it on this appropriation bill, well-considered legislation, and have it incorporated on this and other bills, so that we can be sure that the legislation expressed by this House will be given some consideration sooner or later before the appropriation bill is passed. It is for that purpose that I offer this amendment.

Mr. MADDEN. Mr. Chairman, I withdraw the reservation, and I desire to say in this connection——

Mr. GARRETT of Tennessee. Mr. Chairman, I renew the point of order.

The CHAIRMAN. The gentleman from Tennessee renews the point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. GARRETT of Tennessee. I do not think it is subject to the point of order, but I desire to ask the gentleman from Wisconsin a question.

Mr. MADDEN. Mr. Chairman, I am in thorough accord with the purpose of the amendment. I was not quite clear at first whether it was subject to the point of order, but I am quite sure now that it is not. I believe that the time has come when the Navy Department and all connected with the Navy Department should realize that they can not put men into the Naval Academy and turn them out at any period they may fix.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARRETT of Tennessee. I think generally we are agreed about that. I do not think this amendment is subject to the point of order, and I expect to withdraw the reservation of the point of order at the proper time, but let me ask this question. Will this amendment stop the practice complained of? The professors and the cadets themselves, if I understand it, have nothing to do with the orders directing their graduation at a fixed time.

Mr. MADDEN. That is what I understand.

Mr. GARRETT of Tennessee. The orders come from somewhere else, not from the professors at the Naval Academy, and are we not in danger of withdrawing the pay from the professors who are not responsible and from the cadets who certainly are not responsible, rather than striking at persons who are responsible? I do not know who they are.

Mr. MADDEN. Mr. Chairman, I suppose that some responsible authority in the Navy Department has directed the course that is about to be pursued in the Naval Academy, and that the boys in the Naval Academy are to be graduated at two and a half or three years instead of four.

It has been said—with what truth I am not able to say—that the purpose of graduating these classes after a short course instead of a four-year course is that there may be more officers in the Navy, and that thereby men in the higher ranks may be able to retain the higher rank. Then it has been said, too, on the other side, that we have a large reserve force of officers in the Navy, that they wish to dismiss them from the service, that because of the desire to dismiss the reserve officers they need to graduate these men in classes sooner than they would otherwise be graduated.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HUSTED. The gentleman from Wisconsin [Mr. STAFFORD] stated that the fourth year at the Naval Academy was the golden year, and he seems to intimate—at least, I got the impression—that the work of the fourth year was entirely eliminated. Is that true?

Is it not true that possibly some elimination has been compressed in the three years, and the boys at the Naval Academy really do get most of the work of the fourth year?

Mr. MADDEN. Well, I do not know as to that, but I do know this, that a man has to be a very bright man to do in three years what he ought to do in four. If he gets the same training in three years that he gets in four, of course, there could not be any objection to his being turned out as graduated.

Mr. HUSTED. There is some very respectable opinion in the country in favor of reducing the course at universities from four to three years.

Mr. MADDEN. I have not any doubt about that. I believe that, inasmuch as the Treasury of the United States is largely affected by this, and we are concerned on the Appropriations Committee and in the House, I assume, with a charge against the Treasury, that our first and last obligation here is to conserve the finances of the country, and I believe this amendment will conserve it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I did not intend to refer to this matter when the bill was reported to the House, but inasmuch as it has been discussed I want to state the facts as the subcommittee learned them. When the matter was first brought to the attention of the Secretary of the Navy by the gentleman from Alabama, as I recollect, I was rather impressed with the fact that the Secretary of the Navy, Mr. Denby, had not had the matter brought to his attention in a way that induced him to give to it the careful consideration that he would ordinarily have given to it. Later, when the superintendent of the academy came before us, he stated most positively that he believed it was essential that the midshipmen should have this four years' course, and that was his recommendation. No one will doubt after listening to him that they should have the four years' course. So far as the financial end of it is concerned, to graduate these boys in December does not lessen the expense, because the faculty will remain there—they could not be dismissed—and there is no saving in it. No argument has been advanced in justification of the order, except that the Navy needed more officers, and, therefore, it was necessary to graduate the boys in December instead of waiting until June. I am satisfied it ought not to be done. When the matter was called to the attention of the Secretary, the chairman of the committee [Mr. KELLEY of Michigan] expressed the opinion that this should not be done. The Secretary stated to us that he intended looking into it, and stated it in a way that certainly led me to hope that he would repeal this order, because, of course, he issued the order; it could not be done without his signature. I believe it was presented to him with other matters in the rush of business incident to his taking charge of the department, and that now when he has had the matter called to his attention I feel confident that he is going to repeal it. It may be that I am prejudiced in his favor, but I think well of him, and I feel confident even if this amendment is not adopted that Secretary Denby will upon careful consideration reach the conclusion, so generally held by the Members of the House, that these boys should have the four years' course. The importance of the last year is stressed by the superintendent, who, however, makes it plain that he has nothing to do with the policy of the department in a matter of this kind.

Mr. GARRETT of Tennessee. Mr. Chairman, I am not out of sympathy with the desire to have the four years' course for these young men in the Naval Academy. On the contrary, I am in full sympathy with the proposition, but if we are going to undertake legislatively to do something along that line we must do it in an intelligent legislative way. I am impressed with the thought that the amendment offered by my friend from Wisconsin does not go at the matter in the right way.

Mr. MADDEN rose.

Mr. GARRETT of Tennessee. The paragraph in the bill reads:

In all, pay of professors and others, Naval Academy, $546,350.

Now, the amendment proposes that no part of that shall be paid to any of these unless they have the four years' course. That is the meaning of the amendment offered by the gentleman from Wisconsin. Well, the professors are not responsible for the order. We know now from the statement made by the gentleman from South Carolina that the Secretary of the Navy is responsible for it. Certainly the cadets are not responsible for it. Are you going to take their pay from them if this order is not revoked by the Secretary of the Navy? I yield to the gentleman.

Mr. MADDEN. Does the gentleman know whether the length of the course is at the option of the Secretary of the Navy, or is not there a law which prescribes the number of years for the course?

Mr. GARRETT of Tennessee. Well, I understand it has been stated in debate that during the war we passed a law, which was not repealed along with other war laws, which conferred upon the Navy Department under orders issued by the Secretary of the Navy—of course, the head of the department—the power to graduate classes——

Mr. MADDEN. Will the gentleman allow me to read the law that he has referred to; it is short?

Mr. GARRETT of Tennessee. Certainly.

Mr. MADDEN (reading)—

That the President be, and is hereby authorized, until August 1, 1921, to reduce, in his discretion, the course of instruction of the United States Naval Academy from four to three years, and to graduate classes which have concluded such reduced course of instruction.

I do not believe under that law he would have the power to issue the order.

Mr. GARRETT of Tennessee. That said August, 1921?

Mr. MADDEN. Yes, sir; that would be next December.

Mr. GARRETT of Tennessee. It is not August, 1921, yet.

Mr. MADDEN. But he proposes to graduate them in December, so that would be after——

Mr. GARRETT of Tennessee. The order perhaps could be issued; perhaps it has been. Did that say Secretary of the Navy or——

Mr. MADDEN. The President.

Mr. BLANTON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Has this order been signed by the President?

Mr. BLANTON. Will the gentleman from Tennessee yield?

Mr. GARRETT of Tennessee. I yield.

Mr. BLANTON. The purpose of this amendment is the only expeditious way the House has of telling the Secretary of the Navy that the Congress does not want this graduation to occur in December. The gentleman does not believe for one minute that after the passage of this amendment, which prevents this $500,000 becoming available, the Secretary of the Navy would go right ahead and deprive all of these instructors of their money? I think it should have the effect of immediately rescinding this order.

Mr. GARRETT of Tennessee. I do not know about that. I do know it does not seem to me to be a very intelligent thing, when we are attempting to legislate, to withhold money from persons who are not responsible for an order affecting them, in order to bring about a revocation of that order. It does not seem to me to be an intelligent thing to do.

Mr. KELLEY of Michigan. Mr. Chairman, of course the purpose of the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD] is to practically force the Navy Department to rescind the order graduating the 1922 class in December of 1921. As I stated this morning, I think it unwise to shorten the four-year term of the boys at the academy to three years and a half. The Secretary of the Navy, as stated by the gentleman from South Carolina [Mr. BYRNES], discussed this quite frankly with the committee the other day, while it was not strictly a matter over which we had any jurisdiction, and he gave assurance to the committee that he would consider the situation further and determine whether or not, in view of certain suggestions which were made at the time, he would change the order. Of course, I have not any authority whatever, representing the Appropriations Committee, to report a provision of law on this bill requiring the midshipmen at the academy to remain there during the four years. I am not sure but what if they were given intensive work during the summer they might not finish the four-year course which is called for in this amendment by January 1, 1921. The amendment does not say that they shall be required to remain at the academy for the full four years. I am not at all certain that the amendment offered by the gentleman from Wisconsin is so worded as to accomplish the purpose he has in mind.

Mr. STAFFORD. Does not the amendment state a regular course of four years?

Mr. KELLEY of Michigan. A regular course of four years, but it might be held that a regular course of four years might be completed in January, 1921, if intensive study were undertaken during the period ordinarily given over to vacations. I am in hearty accord with the idea that this class should not be graduated ahead of time except for the most weighty of reasons. However, I am rather inclined to think, in view of the short time the Secretary has been in office and has had an opportunity to examine into this matter, that we can very safely, now that the situation has been called to his attention, leave the matter to him.

Mr. BRIGGS and Mr. CHINDBLOM rose.

The CHAIRMAN. To whom does the gentleman from Michigan yield?

Mr. KELLEY of Michigan. I yield first to the gentleman from Illinois [Mr. CHINDBLOM].

Mr. CHINDBLOM. Can the gentleman state whether it is the intention of the department to enroll a new class immediately after December, and consequently have the class graduating about Christmas time ever hereafter?

Mr. KELLEY of Michigan. No. Of course the new class will go in now the 1st of July.

Mr. CHINDBLOM. What about next year?

Mr. KELLEY of Michigan. Not until the following July.

Mr. CHINDBLOM. So there would be vacancies in the academy, then, perhaps for a half year?

Mr. KELLEY of Michigan. I should think there would be.

Mr. BRIGGS. Will the gentleman yield?

Mr. KELLEY of Michigan. I yield.

Mr. BRIGGS. Is there any reason why the House now can not adopt an amendment repealing this act which expires apparently in August?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BRIGGS. Unless the four years is shortened to less time.

Mr. KELLEY of Michigan. Of course, such an amendment as the gentleman suggests would be subject to a point of order on this bill.

Mr. CHINDBLOM. That would not change any order issued.

Mr. BRIGGS. Would it not be well to offer an amendment of that kind, repealing it, and see if anybody would offer a point of order? I do not believe anybody would offer it.

Mr. GARRETT of Tennessee. I suggest to the gentleman from Texas, if he would permit, that, of course, this act would expire on August 1, anyway; and, as suggested by the gentleman from Illinois [Mr. CHINDBLOM], possibly a repeal of the order would be made. Has this order been approved by the President?

Mr. KELLEY of Michigan. I do not know.

Mr. GARRETT of Tennessee. I should judge that the law, as read by the gentleman from Illinois [Mr. MADDEN], had to be approved by the President before it became effective.

Mr. KELLEY of Michigan. The superintendent of the academy testified before the committee that the order had been issued, and I suppose it has been issued in the regular way. Personally I have some doubt as to the legality of shortening the course under the act which expires by limitation on August 1. If the Secretary of the Navy——

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. KELLEY of Michigan. If the Secretary of the Navy or the President could shorten the course under that act for next year by acting now before the law expires they could also for the year following and the year following that, and thereby shorten the course to three and one-half years for an indefinite number of classes. I do not think that was the intention of Congress.

Mr. SUMNERS of Texas. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes.

Mr. SUMNERS of Texas. Does the gentleman know whether since the institution of this three-year course the academy has been crowding its curriculum and that therefore the boys should not be held there for another year? Is there any information on that?

Mr. KELLEY of Michigan. I have not heard that reason advanced.

Mr. BYRNES of South Carolina. If the gentleman will yield, on the contrary, the superintendent says he opposes shortening the term, and that it would be a great misfortune if the boys were not allowed a four-year term.

Mr. STEVENSON. I have in the last day or two had communications from parents of boys at the Military Academy at West Point saying that there was to be a bill introduced to allow them to graduate in December and lobbying me to vote for that bill. Possibly there is a propaganda up here that is endeavoring to have shortened the whole curriculum of those two institutions.

Mr. KELLEY of Michigan. I feel confident that with the unanimity of sentiment that exists in the House respecting this matter, the Secretary of the Navy will give the matter of rescinding the order very serious consideration. I have no authority, of course, to speak for him, but I am satisfied that on a further examination of the question and with a full appreciation of the sentiment of the House the Secretary would be inclined to go a long way toward meeting the views of the House.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. STAFFORD. I presume that the gentleman refers to the unanimity of sentiment that will be reflected in a vote on the amendment.

Mr. KELLEY of Michigan. No; I mean as reflected in the discussion.

Mr. STAFFORD. It would be stronger if we had a unanimous vote on this amendment.

Mr. BANKHEAD. The practical effect of it would be to impose a penalty on the instructors at the Naval Academy for a matter for which they are not responsible and in which they are not at fault.

Mr. KELLEY of Michigan. Probably the practical effect would be the rescinding of the order.

Mr. BANKHEAD. I want to call attention further to the reading of the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD]. It says:

> No part of this appropriation shall be used for pay of midshipmen unless such instruction is for the regular course of a period of four years.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BANKHEAD. I do not know what the facts are, but I imagine it is possible that some of the instructors down there give instruction to members of more than one class. If this amendment prevailed, some of those instructors who had more than one class would have to make a calculation as to what part of their instruction was given to one class and what part to another and the accounting officer would have to divide up the pay given to these instructors.

Mr. CHALMERS. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. CHALMERS. I want to say that before the gentleman from Michigan became a distinguished statesman he was engaged as a distinguished educator, and he knows and we know that a crowded summer term would in no wise take the place of a senior year. Time is an important element in the education of a young man.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KELLEY of Michigan. Mr. Chairman, may I have one more minute?

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. CHALMERS. I agree with the chairman of the committee, and I agree with the distinguished leader on the other side of the House [Mr. GARRETT of Tennessee] in the idea that we ought not to take any chance in cutting off the students and the professors of this school from the pay roll. As I say, time is an important element in the consideration of this question. I have had some experience in the education of youth, and I have had some opportunity to examine the course of study and curriculum of this institution, and I believe that in the course of study of this academy, particularly in higher mathematics, that a young man of 19 years of age is not mature enough to complete his course of study in a shorter time than that regularly provided, and I think the course of study ought to be maintained at four years.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. CHALMERS. Yes.

Mr. BRIGGS. I want to say that in talking two years ago with one of the instructors at the Naval Academy I was told that instead of shortening the course from four years to three it was the opinion of that gentleman that the course ought to be extended from four to six years, because the course of study had become so complex and the field covered so broad that that length of time was required.

Mr. CHALMERS. I agree with the gentleman.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. BLANTON. If we should defeat this amendment, would not the order go right ahead? The only way we can show our disapprobation in this matter is to pass this amendment.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. KELLEY of Michigan. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. KELLEY of Michigan. Mr. Chairman, it is quite possible that the Secretary of the Navy issued this order without looking at the matter from all angles. He has been in office but a few weeks, and a multitude of new matters of great importance have passed over his desk. The Secretary has promised to review this matter, now that it has been brought to his attention. Further, the amendment is so worded that possibly an instructor might have to divide his services among each one of the four classes in order to draw his pay. I think we can very safely, under all the circumstances, leave the matter to the Secretary. If anything further is required, there will be ample time, as it is quite a while before next January, when this class is scheduled at present to graduate. I feel quite sure that the gentleman from Pennsylvania [Mr. BUTLER] is in hearty accord with this view.

Mr. BUTLER. Do not impose any more duties on my committee. I think this debate will reach the ears of the Secretary of the Navy. Do not aim a blow at the boys at Annapolis or threaten to cut their money off for something with which they had nothing to do.

The CHAIRMAN. On this provision there is the reservation of the point of order.

Mr. GARRETT of Tennessee. Mr. Chairman, I withdraw that.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore authorized, to be available until expended, $33,000,000.

Mr. MOORE of Virginia. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 43, after the paragraph ending at line 17, insert the following sentence: "But the President is authorized in his discretion to suspend wholly or partially the expenditure of the sums aggregating $90,000,000 specified in this and the two next preceding paragraphs if and when under his direction an agreement approved by him is reached or about to be reached for the curtailment of naval construction by the Governments of the United States, Great Britain, and Japan."

Mr. KELLEY of Michigan. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the amendment.

Mr. FISH. Mr. Chairman——

The CHAIRMAN. The gentleman from Virginia [Mr. MOORE] is recognized.

Mr. FISH. A parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Virginia yield for a parliamentary inquiry?

Mr. FISH. The parliamentary inquiry is addressed to the Chair. Is it in order to offer an amendment to the amendment just offered?

The CHAIRMAN. It is, when recognition is secured.

Mr. FISH. At the proper time I desire to offer such an amendment.

Mr. KELLEY of Michigan. I do not waive any rights under the point of order.

Mr. MOORE of Virginia. Mr. Chairman, the purpose of this amendment is not to instruct the President or to lay him under any obligation. If it is adopted it will not diminish any power he possesses. Its purpose is to place a limitation upon the appropriation by increasing the authority of the President and enabling him to suspend the expenditure contemplated should it be found before the $90,000,000 is expended, or pending its expenditure, that it has been possible to reach an agreement of the three great nations mentioned relative to disarmament. The amendment provides that should an agreement acceptable to the President be effected or in prospect, then he is authorized to stop the construction outlay.

Now, Mr. Chairman, I understand the general rule under which we are acting. I do not contend that the Holman rule has any application, but I invoke the precedents under which it has been held that a limitation upon an appropriation is permissible and does not violate the general rule which forbids legislation on an appropriation bill.

If it should be said that this is a limitation upon the Executive and not upon the appropriation itself, I repeat that it can not be construed in that way. The only thing that it conceivably does is to restrict or restrain the expenditure of the $90,000,000 in a certain contingency.

Mr. KNIGHT. Will the gentleman yield for a question?

Mr. MOORE of Virginia. Yes.

Mr. KNIGHT. May I ask the gentleman if under the act of 1916 this very power is not conferred upon the President of the United States?

Mr. MOORE of Virginia. It was so stated yesterday; and, of course, before offering this amendment I have very carefully examined that act. It provides that at any time prior to the close of the war——

Mr. KNIGHT. We are still at war, are we not?

Mr. MOORE of Virginia. Yes; we are at war, although in a few days the war may be ended by a joint resolution, and then the provision of the act of 1916 will entirely cease to operate.

Mr. CONNALLY of Texas. Will the gentleman yield right there?

Mr. MOORE of Virginia. Just one moment, and then I will yield to my friend. The act of 1916 authorizes the President to do what? Only one thing: To call a conference of the great powers, this country to be represented in the conference by nine delegates selected by the President, the design of the conference being to bring about the establishment of an international tribunal for the settlement of disputes, and possibly to work a curtailment of armaments.

Mr. KNIGHT. May I ask the gentleman——

Mr. MOORE of Virginia. One thing further, if my friend will permit me. And if he should do all that, if he should convene the conference and get the tribunal established—which we know even if he were to send out his call to the nations to-day is a thing that could not be accomplished for a long

time—even then he could not interfere with an expenditure connected with contracts already made.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CHINDBLOM. Mr. Chairman, a parliamentary inquiry. Was the gentleman addressing the Chair with reference to the point of order?

The CHAIRMAN. The point of order has not been made.

Mr. KELLEY of Michigan. I reserved the point of order.

Mr. MOORE of Virginia. I had supposed that the point of order was pending.

Mr. KELLEY of Michigan. I make the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KELLEY of Michigan. The language of the amendment is very clearly legislation, which is not upon its face designed to bring about a reduction of expenditures. It authorizes the President to suspend wholly or partially the expenditure of the $90,000,000 mentioned in this and the next two preceding paragraphs if an agreement approved by him is reached or about to be reached for the curtailment of naval construction by the Governments of the United States, Great Britain, and Japan.

The gentleman argued that by withholding $90,000,000, if in the discretion of the President it should be withheld, would effect a reduction of expenditures. The very opposite probably would be the effect. The withholding of this expenditure would cost the Government many times the amount carried in this bill for broken contracts and canceled obligations into which the Government had under the law fully and completely entered. Of course there would be no claim even upon the part of the gentleman from Virginia that there would be a reduction, unless the President did actually suspend this construction. But the fact is that the suspension of the construction would be quite as expensive as the building of the ships, and there is nothing upon the face of the amendment which would justify the House in assuming that simply because the $90,000,000 might possibly be withheld from expenditure, the Government would thereby be saved that amount, because these contracts are all awarded. The work is in various stages of completion. Some of the ships are almost completed. We have spent $550,000,000 upon this program already, and the refusal to spend more would render what we have already spent absolutely valueless; so that instead of a saving, it would be a tremendous loss financially.

The CHAIRMAN. Will the gentleman from Michigan permit an inquiry?

Mr. KELLEY of Michigan. Certainly.

The CHAIRMAN. Is the gentleman familiar with the language of the Hensley amendment?

Mr. KELLEY of Michigan. I think so.

The CHAIRMAN. It reads:

> If at any time before the construction authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, an international tribunal or tribunals competent to secure peaceful determinations of all international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditures as may be inconsistent with the engagements made in the establishment of such tribunal or tribunals may be suspended, when so ordered by the President of the United States.

The inquiry is whether or not the amendment of the gentleman from Virginia does not come within the authorization of that language.

Mr. KELLEY of Michigan. If it please the Chair, I think not. The language the Chair has read I desire particularly to call attention to. "If at any time before the construction authorized by this act shall have been contracted for." In that case there is no expenditure involved which would have to be canceled later on. The President was authorized at any time before the contracts were let to cancel the program. That, of course, would result in a great saving in money to the Government. But the gentleman from Virginia proposes now, after we have spent $550,000,000 upon the program, to argue to the Chair that by canceling the expenditure of $90,000,000 we will thereby save money for the Government, notwithstanding the fact that we would lose not only the $550,000,000 that we have expended but would have to settle with every one of the contractors clear back to the last man.

In my judgment, based on the testimony taken before the committee, to do that we would have to go ahead and put up by taxation as much money as we will be called upon to pay to finish the ships, and then not have anything to show for the expenditure. The gentleman from Virginia can not argue with any force that because his amendment might possibly reduce the sum total of the bill by $90,000,000 that, therefore, the expenditures of the Government had been reduced; on the contrary, they would be vastly augmented.

Mr. BLACK. Will the gentleman yield?

Mr. KELLEY of Michigan. Certainly.

Mr. BLACK. The present bill provides that none of the $90,000,000 shall be expended except where contracts have been made or the construction under way. It says, "*Provided*, No part of this appropriation can be expended except on vessels now being constructed or heretofore contracted for."

Mr. KELLEY of Michigan. That is right.

Mr. BLACK. I am not controverting the gentleman's position, but I can not see what change the Moore amendment would make.

Mr. KELLEY of Michigan. Practically all the ships which were authorized by the 1916 program—in fact, all that the Government desires to complete—have been contracted for. This amendment offered by the gentleman from Virginia provides that the President is hereby authorized to cancel those contracts. How can it be argued that the granting of such authority is not out-and-out legislation? There is not a power that could be conferred on the President by Congress that would be a greater exercise of legislative function than to authorize him to cancel contracts which the Government had legally entered into to the extent of nearly $1,000,000,000. The amendment is clearly affirmative legislation and not a limitation, and is subject to the point of order.

Mr. HICKS. Mr. Chairman, may I be heard on the point of order? I agree in the view taken by my colleague [Mr. KELLEY] that this is clearly subject to a point of order. I want to qualify what he said in regard to the importance of the reduction of expenditures, which would be the only way that this could go into this bill.

It must show that it is a reduction of the expenditure by one of three ways. The gentleman from Michigan has taken up the view that this will not reduce expenditures. Let me call the attention of the Chair to a decision rendered by Mr. Saunders, of Virginia, one of the ablest parliamentarians the House had a number of years ago. He stated one or two propositions which I think are fundamental and absolutely true, as parliamentary practice goes.

He stated that for legislation to be proper on an appropriation bill it must, of course, show retrenchment; then he states that the reduction must appear as a necessary result, that it must be apparent to the Chair that the amendment will operate of its own force to effect a reduction. Then he goes on further and says that this result must be the necessary result and not a conjectural result or a problematical result.

Now, this proviso says that the President may if he calls this conference have the right to cancel this expenditure. Can anyone say if the President does call a conference what it will determine in relation to the curtailment of armament? It may not be the curtailment of the 1916 program. It may be the curtailment of some future program and therefore not affect the appropriations in this bill by one single dollar.

That is something so problematical as to what this conference might do, even though the provision were adopted, that it does not seem to me that it is competent for the Chair or for this committee to entertain a proposition which would reduce expenditures, even though it were adopted.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. HICKS. Yes.

Mr. BANKHEAD. It seems to me that the gentleman from New York [Mr. HICKS] and the gentleman from Michigan [Mr. KELLEY] on this proposition are making a moot argument, for the reason that the gentleman from Virginia [Mr. MOORE] does not contend that this amendment is germane under the Holman rule, but, on the contrary, he offers it on the assumption that it is a limitation on the appropriation.

Mr. HICKS. I can not agree with the gentleman from Alabama that this is a limitation. It would seem to me to be legislation on an appropriation bill, and the only way it could be justified to be in order is that it reduces expenditures in the Public Treasury.

Mr. BANKHEAD. The gentleman was assuming a position that the gentleman from Virginia did not assume. He never contended that it was a retrenchment.

Mr. HICKS. It seems to me that this is clearly subject to the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman from New York yield to me?

Mr. HICKS. Yes.

Mr. KELLEY of Michigan. I ask the gentleman from Alabama [Mr. BANKHEAD] if he has carefully read the amendment offered by the gentleman from Virginia, and, if so, whether or not it does not authorize the President to cancel contracts aggregating nearly a billion dollars?

Mr. BANKHEAD. I think that is a fair interpretation of it.

Mr. KELLEY of Michigan. Then how can the gentleman contend that that is not affirmative legislation?

Mr. BANKHEAD. I am not making that contention. I am simply seeking to correct the gentleman from New York [Mr. HICKS] in his argument that the gentleman from Virginia [Mr. MOORE] was relying upon this amendment under the Holman rule.

Mr. HICKS. The gentleman from New York merely assumes that this must be a cancellation of contracts from the very language of the amendment offered by the gentleman from Virginia.

Mr. KELLEY of Michigan. The gentleman from New York was giving three or four reasons why it is subject to the point of order.

Mr. FISH. Mr. Chairman, I would like to point out to the committee that if this amendment be accepted, and if we entered into some agreement with these nations named in the amendment, there would be a very substantial reduction from the $90,000,000 authorized in the bill. I have listened with some amusement, both to-day and a few months ago when this bill was under consideration, to statements that if we cancel contracts we would not only not save money but that we would lose money. I submit that such an assertion is absurd. There are many ships in course of construction now—take the battle cruisers for example—which are but 2 or 3 per cent completed. I think it is only fair to say that if the Government went to the contractors and said to them, "You have done 3 per cent of the work; how much will you cancel your contract for?" that those contractors would be very willing to talk business like any other contractor and cancel the contract with the Government, whereby the contractor would make a reasonable profit and the Government would make a very substantial saving. This amendment should be in order if it provides any reduction in the expenditure of the ninety million appropriation. It is a fair assertion to make that there will be a reduction on the ships now in course of construction.

The statement has been made that we will lose $500,000,000 on the 1916 program if this amendment prevails. A large part of our 1916 program is already completed. This $90,000,000 completes some more, and it is a perfectly fair statement to make that there will be a substantial reduction if this amendment prevails and the President calls into conference England and Japan and they reach an agreement for a substantial reduction of naval armaments.

Mr. MOORE of Virginia. Mr. Chairman, I wish to state my position with reference to this matter so that so far as I am concerned there may be no misunderstanding. I realize that to get the benefit of the Holman rule it must be made to appear that an amendment offered to an appropriation bill must bring about a reduction. Frankly, I do not believe it is sufficient to conjecture that there will be a reduction. It must be evident that a reduction will be accomplished. Therefore I do not base this amendment on the Holman rule, but it places a limitation upon the appropriation, that is to say, a limitation upon the use of the money appropriated. I have looked at the precedents governing that proposition, and I find if a limitation applies to the Executive it is not permissible, but that where, on the other hand, it applies to the appropriation itself, to the money, to the use of the money, then it is permissible, even though it may be conjectured that the amendment might disappoint expectations as to what might or might not be done in the way of saving or not saving.

The cold proposition is this, as I view the matter: The amendment suggests a limitation upon the appropriation contained in the bill. That limitation is created not by ordering the President to do anything or even requesting him to do anything, but by simply vesting in him a discretion to do something in the event he should find that conditions arise, as pointed out in the amendment, justifying action. I have examined the precedents sufficiently to make me confident of the correctness of that view, and I desire to call the attention of the Chair to one of them.

When the naval appropriation bill was under consideration in 1900 there was a clause in the bill, as reported by the committee, providing an appropriation to be expended by the President in his discretion to meet emergencies. A point of order was made and the point of order was overruled. In the discussion of the point of order all of the arguments on the limitation question that we have heard here this afternoon were offered or could have been offered in support of the point of order, but the Chair held that the clause conferring discretion upon the President was only a limitation on the appropriation, and being a limitation that none of the surmises of gentlemen, none of their forebodings as to what might occur, if the President should act this or that way, were to be taken into account; that the simple question to be answered was as to whether the provision on its face constituted or did not constitute a limitation.

Mr. BARKLEY rose.

The CHAIRMAN. Does the gentleman from Kentucky desire to discuss the point of order?

Mr. BARKLEY. Yes; I desire to oppose the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BARKLEY. Mr. Chairman, the gentleman from Michigan and the gentleman from New York have urged as a reason for the point of order that this amendment may not save money to the Government, but, on the contrary, it might result in an increase of the expenditures. With all due respect to the gentleman from Michigan and the gentleman from New York, it occurs to me that the question of whether the cancellation of contracts or the suspension of this expenditure of $90,000,000 might result in an assertion of claims against the Government by contractors is not a legitimate matter for the Chair to consider in determining the point of order. There is no provision in this amendment for the cancellation of outstanding contracts. This amendment provides a limitation upon the expenditure of the $90,000,000 involved. The effect of the amendment is that the President of the United States may suspend the expenditure of this $90,000,000 if and when some sort of arrangement is made between certain nations with respect to disarmament or a reduction of armament. If we are to speculate and if the Chair can speculate in determining a point of order that claims may arise by contractors against the Government growing out of the cancellation of contracts already let, we may on the other hand offset that speculation by assuming that if the contracts are canceled that the amount of money saved to the Government in the future by reason of not having those ships to maintain and appropriate money for would likewise be a saving to the Government on account of the cancellation of the contracts. But I do not think that is legitimate matter for the Chair to consider. The Chair is called upon to determine whether this is a limitation upon the $90,000,000 involved, not upon the billions or hundreds of millions that have already been contracted for, not upon the $360,000,000 suggested by the gentleman from Illinois as yet involved in the 1916 program, but whether this amendment is a proper limitation upon this particular $90,000,000 carried in this bill, and if it is a limitation upon it, it occurs to me it is in order. In other words, the effect of its adoption will be that this amount of money is appropriated for the continuation of the 1916 program subject to the limitation that the President may suspend it under certain circumstances which are set out.

The CHAIRMAN. Will the gentleman permit an inquiry?

Mr. BARKLEY. Certainly.

The CHAIRMAN. What is the limitation that denies the expenditure of this appropriation?

Mr. BARKLEY. The limitation is that the President, if there is a conference, an agreement between certain nations in regard to the reduction of armament, or there is about to be such an agreement, then the President is authorized to suspend this $90,000,000 expenditure—and the amendment does not say whether there shall be permanent suspension or temporary suspension. It does not absolutely provide that there shall be absolutely nullified all these contracts which have been heretofore let and they shall be canceled, but it merely provides this particular $90,000,000 shall be suspended if the President should so order, basing the order upon the conditions set out in the amendment.

Mr. MADDEN. Will the gentleman yield?

Mr. BARKLEY. I do.

Mr. MADDEN. It does not provide that it shall be suspended?

Mr. BARKLEY. No.

Mr. MADDEN. As a matter of fact, there is no evidence that it even saves $90,000,000?

Mr. BARKLEY. Of course, there is no way of predicting that the President would suspend even if an agreement were made, but it is a limitation upon the expenditure subject to the exercise of his discretion.

Mr. FISH. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. FISH. Is it not a fact if the gentleman were building a house and the house is 3 per cent constructed and he wanted to break that contract and he went to the contractor he would save a good deal of money?

Mr. BARKLEY. I think that inquiry is perfectly pertinent if the Chair were to consider that question. It seems to me to be far-fetched to say that if a battleship is half completed and the Government canceled the contract, which it reserves the right to do in all contracts it makes, that it can not agree to terms with the contractor.

Mr. HICKS. Will the gentleman yield?

Mr. BARKLEY. I will.

Mr. HICKS. How does the gentleman know that if this agreement takes place that the curtailment of armament would affect the 1916 program? It may be the curtailment of some future program which has nothing to do with this at all.

Mr. BARKLEY. Of course, in that case the suspension would be so far in the future that a new program would have to be provided in some future bill, but we are limiting the expenditure of this particular appropriation, which applies to the 1916 program.

The CHAIRMAN. The time of the gentleman has expired. The Chair is ready to rule.

Mr. MONDELL. Will the Chair hear me for just a moment?

The CHAIRMAN. Is the gentleman opposed to the point of order?

Mr. MONDELL. The gentleman believes the point of order is well taken.

The CHAIRMAN. The Chair will hear the gentleman, although the Chair is ready to rule.

Mr. MONDELL. If the Chair is ready to rule my way, I do not desire to say anything except that in justice to the Chair I think just a word should be said. The gentleman from Kentucky has been making an argument which is not supported by the gentleman from Virginia who offered the amendment. The gentleman from Virginia is well enough versed in parliamentary law to know that his amendment is not in order as a reduction of expenditures because the reduction if any were possible would be entirely problematical. The Chair a moment ago made reference to the Hensley Act. While this is not offered in the usual form of a limitation, it is undoubtedly intended as a limitation under the so-called Hensley Act. So if it can be regarded as a limitation at all, which is doubtful, it could only be so regarded because it was in accordance with the terms of the Hensley Act, and simply provided a limitation if the President did what he is authorized to do under the Hensley Act. This provision does not come within the four corners of the Hensley Act.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. MONDELL. Yes.

Mr. MOORE of Virginia. The gentleman has stated his view very clearly that this as a limitation, if it can be so regarded, can not be founded on the Hensley Act.

Mr. MONDELL. No; and unless it can, it has no standing in court whatever.

Mr. MOORE of Virginia. That is where I respectfully take issue with the gentleman.

Mr. MONDELL. Does the gentleman claim that it comes within the Hensley Act?

Mr. MOORE of Virginia. No, sir. I am claiming that without regard to the Hensley Act it expresses a limitation upon this appropriation of $90,000,000.

Mr. MONDELL. If the Chair will allow me, the gentleman agrees that his amendment is not founded upon the Hensley Act. Clearly this is not a limitation allowable under the rule, unless the President has authority to do what it is proposed to have him do in the so-called limitation. Unless the President has authority to secure an agreement by the Governments of the United States, Great Britain, and Japan relative to the curtailment of naval construction, then clearly this provision is not in order as a limitation. The gentleman from Virginia [Mr. MOORE] is quite right that it does not come within the Hensley Act, because the Hensley Act does not provide for any such understanding or arrangement as is proposed or suggested here. That act provides that if at any time before the construction authorized by the act the President shall take certain action, then and in that event there may be a curtailment of the construction. But the program is well under way; all parts are either under contract or in construction. We have long since passed the point where the Hensley Act, or that provision of it, operates. The earlier section of the Hensley Act is a general declaration of policy to adjust and settle international disputes through mediation and arbitration, and provides for the appointment of commissioners to a conference embracing all the great Governments of the world, called to do certain things, and empowered not merely to pass upon questions of naval armament but upon all questions properly coming before an arbitration tribunal. There is no such organization suggested or proposed in this limitation.

Mr. COCKRAN. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. COCKRAN. I would like to ask the gentleman from Wyoming [Mr. MONDELL], the leader of the House, if he doubts that the President has power to make an agreement with foreign nations regardless of any act? He has inherent constitutional power to enter into agreements, subject, of course, to ratification by the legislative body.

Mr. MONDELL. I am not discussing that. There is law on the subject, the Hensley statute——

Mr. COCKRAN. Which law? Does the gentleman mean the Hensley Act?

Mr. MONDELL. The Hensley amendment to the naval bill, which authorizes the President to do certain things.

Mr. COCKRAN. Surely the gentleman will agree that the Hensley Act simply provides the machinery by which the President can put in force one of his executive powers; but, supposing he put that power in force without any assistance from this act, he would still be within his constitutional right?

Mr. MONDELL. Would that be true or not?

Mr. COCKRAN. I am merely putting the question.

Mr. MONDELL. When the Congress proceeds under the guise of a limitation to authorize or direct the President to do certain things, the Congress is legislating, and legislation is not ordinarily in order on an appropriation bill.

Mr. COCKRAN. Quite true. If I understood the gentleman's objection to this particular amendment, it was that it was not based upon the Hensley Act, and it was only through the Hensley Act that the President could perform this duty upon which this reduction was made contingent?

Mr. MONDELL. If there is no act authorizing the President to do this thing, and the Congress proceeds to give him authority and direction to do it, the Congress is legislating, and legislation is not in order on an appropriation bill, except it be in connection with the reduction of expenditures under the Holman rule.

Mr. COCKRAN. May I ask the gentleman if he understands this amendment directs any action on the part of the President? I do not so understand it.

Mr. MONDELL. What this amendment was intended to do was to give the President discretion to suspend construction in a certain contingency provided for in the limitation, if we may refer to it as such.

Mr. COCKRAN. In a certain contingency which is not provided for in the amendment, because the President has the right to do that anyway.

Mr. MONDELL. When we attempt to direct the President to do that we are legislating, unless we are merely invoking authority the President now has.

Mr. COCKRAN. I agree that that is so.

Mr. MONDELL. This can not be considered a limitation, but if it were in the form of a limitation it would not be in order unless it came within the purview of the present law and merely provided for the carrying out of the present law, which it does not do.

The CHAIRMAN. The Chair is ready to rule.

Mr. COCKRAN. Mr. Chairman, may I have the amendment read?

The CHAIRMAN. Without objection, the amendment will again be reported.

The amendment was again read.

The CHAIRMAN. To the amendment just reported the gentleman from Michigan [Mr. KELLEY] makes the point of order.

It is clear to the Chair that the amendment offered by the gentleman from Virginia [Mr. MOORE] is not in order under any interpretation or provision of the Holman rule, so called. If it be in order at all, it is because it is a limitation upon an appropriation or appropriations in the bill to which the amendment refers.

In order for a limitation to be in order, in the view of the Chair, it must be clear and definite, and must deny the use of the appropriation or the expenditure of the money to which the amendment refers. In this amendment, however, it is not a specific denial or withholding of the expenditure, but it is in a sense speculative. There is no clear denial of the appropriation, and in the view of the Chair it does not come within that class of provisions which are in order on appropriation bills, and the Chair therefore sustains the point of order.

Mr. CONNALLY of Texas: Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 43, line 17, after the figures "$33,000,000" insert "*Provided, however,* That this appropriation shall only be available until the President, on behalf of the United States, reaches an agreement with the Governments of Great Britain and Japan for the curtailment or limitation of naval construction or armament."

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. Does the gentleman from Texas [Mr. CONNALLY] desire to be heard on the point of order?

Mr. CONNALLY of Texas. Mr. Chairman, the amendment is offered on the theory that it is a limitation on this particular appropriation. As I understand the rule as to limitations upon an appropriation, the House can attach such conditions to the expenditure of money as it may see fit, because the power either to spend or not to spend contains all the lesser conditions under which it may be spent. If the House should see fit to do so, it could say that no part of this appropriation shall be paid to red-headed men, for instance. It would be rather an absurd provision, and yet that would be a limitation. So this particular amendment provides that this appropriation shall only be available until the President reaches such an agreement.

Now, what do we find? If the House should see fit it could provide that this appropriation can only be available until the 1st of next December or the 1st of next November, if it so desired, because that would constitute a limitation or a condition limiting the manner in which the money might be expended. So this particular amendment, when it provides that this appropriation shall be available for a limited period, is merely attaching a further condition to its expenditure. In other words, it shall only be available during this particular fiscal year unless prior to the expiration of the fiscal year the President reaches an agreement with the Governments of Great Britain and Japan limiting their armament. It becomes the duty of the disbursing officer to ascertain that fact, and if he should so find, the money remains in the Treasury.

Mr. PADGETT rose.

Mr. HICKS. Mr. Chairman, will the gentleman from Tennessee withhold for just a moment?

Mr. PADGETT. Yes.

Mr. HICKS. It was very difficult for some of us to catch the reading of the amendment. I would ask that it be reread.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The amendment was again read.

Mr. PADGETT. I wish to make the additional point of order that it changes existing law. Appropriations under the law are available only for the next fiscal year, and this one makes it available eternally if the President never reaches such an agreement. This says it shall be available until the President reaches such an agreement.

Mr. CONNALLY of Texas. Oh, no.

Mr. KELLEY of Michigan. I make the point of order for the further reason that it is not a limitation as to the use of the money at all. It does not purport to be.

Mr. TOWNER. Mr. Chairman, I desire to make the suggestion that this is in effect exactly the same proposition which was involved in the matter already decided by the Chair. In fact, it ought to be said, and I think ought to be understood, that no limitation can be based upon an indefinite "if." This means that if the President shall call the nations together, and if they agree upon a plan for disarmament, and if the nations thereafter shall sanction such an agreement, and if such a proposition can be called into effect, that then this appropriation shall not be made available.

Mr. BARKLEY. Will the gentleman yield?

Mr. TOWNER. Certainly.

Mr. BARKLEY. Is it not true that many limitations upon appropriation bills are based upon a contingency that may or may not happen?

Mr. TOWNER. There is one class that may. For instance, they may put into the hands of the President the authority to act. They may say a certain thing may or may not be done, but this depends upon an entirely different contingency.

Mr. BARKLEY. But it is not necessary to do that in this case, because the President already has the authority to do the thing which is the contingency upon which the appropriation shall not be available. But that does not change the situation. The fact is there; the contingency is there. It rests, in fact, upon three or four different contingencies; so that, to my mind, it would be supremely ridiculous to hold that this could be considered as a limitation.

Mr. PADGETT. Mr. Chairman, at the time I made the point of order I did not know that this was limited to an appropriation under the increase of the Navy. That is a continuing appropriation, and is not limited by the fiscal year. Therefore I was in error when I overlooked the fact that the appropriation was limited to the increase of the Navy.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Texas [Mr. CONNALLY] offers an amendment to the paragraph included in lines 15, 16, and 17, the effect of which is that the appropriation shall only be available until the President, on behalf of the United States, reaches an agreement with the Governments of Great Britain and Japan for the curtailment or limitation of naval construction or armament. In the opinion of the Chair that does not come within the rule as to limitations on an appropriation, and the Chair sustains the point of order.

Mr. CONNALLY of Texas. I want to offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 43, line 17, after the figures "$33,000,000," insert "*Provided*, That no part of this sum shall be expended until the President of the United States shall have invited the Governments of all nations to send accredited delegates to an international convention to be held in the United States to consider ways and means of bringing about joint disarmament."

Mr. MONDELL. Mr. Chairman, I make a point of order, and I desire to discuss it briefly.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MONDELL. I may withdraw the point of order, because I do not wish to embarrass the Chair.

The CHAIRMAN. The Chair would suggest that the gentleman need not let that control his action.

Mr. MONDELL. I had some doubt on a previous occasion with regard to the second ruling of the Chair. I believe the judgment of the Chair was in the first instance entirely sound, and that the Chair was rather overpersuaded finally to reverse his judgment in the matter. When the gentleman from Illinois [Mr. BROOKS], on the 14th of February last, offered this limitation the Chair made this inquiry:

Does the gentleman from Illinois contend that the President has authority now to invite the Governments of all nations to send delegates to an international convention to be held in the United States with a view to bringing about general disarmament?

To which, after some discussion, the answer was made that in the opinion of the gentleman the President had that authority, and the attention of the Chair was called to the Hensley Act.

Now, the Chair evidently took the position, and very properly, that unless there was some provision of law authorizing the President to send delegates to an international convention to pass upon these questions the item was not in order as a limitation.

The Chair's final decision of the matter was made, I assume, entirely on the theory that what was proposed to be done was authorized by the Hensley Act. I do not think it was. The Hensley Act authorized the President to call an international conference. It did not limit the President's discretion as to the point where that conference should be held. It certainly made no provision for a conference of a limited number of nations. It was a general conference to be held at any point to be determined upon by the President. Believing as I do that the Chair was right when he interrogated the gentleman from Illinois as to whether there was a law authorizing the calling of such a conference, believing further that existing law does not authorize the particular character of conference contemplated by the amendment, I can not believe, or at least I did not believe until the Chair ruled on a former occasion, that the amendment was in order.

The CHAIRMAN. As the gentleman from Wyoming states, a similar amendment was offered on a previous occasion when the present occupant of the Chair was presiding in committee, and after considerable discussion the point of order was overruled. The amendment which is offered, in the view of the Chair, is a limitation upon the appropriation and withholds or denies the expenditure until the President shall have called a conference which, under a fair interpretation in the naval bill of 1916, he is authorized to do. And while it is very close to being a directory provision in the law the Chair is of the opinion now, as he was on a former occasion, that it is within the power, and he overrules the point of order.

Mr. KELLEY of Michigan. Mr. Chairman, a similar amendment to that offered by the gentleman from Texas—in fact, this very amendment—was offered to the bill in the last Congress. We debated it here for a good many hours and, as my recollection goes, it was defeated by a vote of about 5 to 1. The wisdom of the action on that occasion becomes apparent upon the mere reading of the proposal. The pending amendment is worthy of consideration only because it is offered in a good cause, but it would involve that cause in infinite embarrassment and possible defeat. It provides that this money which we are appropriating here—$90,000,000—shall not be available until the President calls an international conference to consider the question of reduction of armaments. And as soon as he does that, forthwith the limitation is removed and the Government then must go on and spend this money. No more embarrassing situation could be dreamed of than to issue to the nations of the world an invitation to consider the question of disarma-

ment and thereupon immediately proceed to expend the sum of $90,000,000 in warship construction. It makes the expenditure of this great sum for war purposes contingent on calling a world conference to consider disarmament. Why, the good faith of America would be immediately challenged, and rightly so, by every nation of the world if upon the assembling of the delegates from Great Britain, from France, from Italy, and Japan the sum of $90,000,000 was immediately released to carry forward the construction of a great naval program which was made available by the calling of the conference itself. Such action might jeopardize the leadership of America in this great movement and defeat the very ends to be attained. It is certainly a most anomalous proposal.

The world would challenge our good faith. Now we stand foursquare to the world. Every great nation knows that the President is desirous of securing a reduction or limitation of armaments. He has told us over and over again, and only the assent of the balance of the world to that program is necessary.

That being the case, the success of disarmament lies with the other great nations. Will they go forward with us? If so, success is achieved. As stated by the distinguished gentleman from New York [Mr. COCKRAN], America desires to take the lead in reduction of armament. Will the world follow? We have loaned to foreign nations great sums of money. I have never been in favor of nagging them about the time of the repayment of the amount. I believe that the time within which it shall be paid should be fixed with generosity. But when we invite the nations of the world and make our proposals for limiting armaments, thereby lifting this tremendous burden incident to heavy armament, if they say no, if they persist in spending money in keeping up great military establishments, if they have money to spend in maintaining great naval establishments contrary to the wishes of America, it is time for America to call her loans. [Applause.] That is the situation. We want to curtail armament. We want to reduce the naval expenditures. But, remember, it is as important that the reduction when it comes shall come on the right basis. The construction of these ships will make reduction of armament possible, because it puts us in a position where we ourselves can consent to reduction without jeopardizing the security of America. [Applause.]

Many things must be considered in the matter of calling this proposed conference. Just when it can be called with greatest chances of successful action can be safely left to the President. We do not need to crowd action upon him possibly at an inopportune moment. Let the President go forward unhampered by action of overzealous friends of disarmament. Let him work out this great problem. If he can put it through and lift from the shoulders of the nations of the world the enormous burden incident to great military and naval establishments, he will be one of the greatest world benefactors of this or any other age. [Applause.]

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, if this were merely a contest in forensic ability, I would not undertake to discuss the question, following the gentleman from Michigan. I beg to remind the committee, however, that for two days we have been regaled with oratory on both sides of the Chamber, pleading, appealing to the sentiments of the country, to do something toward disarming, to do something to lift from the weary backs of the people of the world the great load of taxation that is crushing them to powder, and to do something to remove from the horizon the threat of war that ever hangs over us as long as we are engaged in this tremendous race for armaments. Yet with the echoes of that oratory still ringing in our ears, upon the first tangible, concrete opportunity that is presented to this House to do something on its written records, rather than with its voice, we find the Republican side of the House using every parliamentary device to defeat even the consideration of measures of that kind. At last, however, driven to the extremity of being forced to vote upon it, we find gentlemen of the Republican side of the House rising in their places and saying that we want to lead the world in disarming, but that to do so we must build the greatest Navy that floats upon the seas, without at the same time requesting them to join in a program of disarmament. I call the attention of gentlemen to the fact that the language of this amendment provides simply that the appropriation for new ships shall not be expendable until when? Until an agreement is reached? No. Until a treaty is secured with foreign Governments and submitted to the Senate for ratification? No. But that this money shall not be available until the President of the United States issues his invitations to the powers of the world to meet in the United States to discuss this dream of which gentlemen prate so much and yet when its realization is offered, when produced in the flesh, hold up their hands in holy horror and say, "Avaunt, we want nothing of you." It provides that the moment the President of the United States, under the authority of law which he now possesses, issues the invitation to the nations of the world, the money becomes available, and our navy yards and construction plants, on the morrow after the invitation is sent by wireless and by the cables to the world, may go to work, and the hammers and the machines in our factories will go ahead, as the gentleman from Michigan [Mr. KELLEY] said, to build this great Navy, and the President——

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Not now. The gentleman from Illinois [Mr. MADDEN] has the happy faculty of interrupting a gentleman just when he thinks he is most effective. Let me say this to the gentleman from Michigan [Mr. KELLEY]. He appeals to this House not to hamper the President, not to put him in a position where he will go before the other nations of the earth with an abandoned construction program, while they are proceeding to build theirs. But this amendment will aid the President by putting into his hands a great weapon, because he will say, as they gather around the council table, "Gentlemen, I have invited you here to discuss disarmament. We are anxious for it, but I want you to listen out yonder to the sound of the hammers in the navy yards, and to say to you that unless you do disarm the American people are going to insist that those battleships continue to be constructed, and that if you enter into this contest with us, all of the resources, all of the wealth of this great Nation is pledged to the construction of a fleet beside which yours will not compare." Oh, they say, they want to aid the President. All of us want to aid him, and I have no desire to embarrass or hamper the President of the United States. He is my President as well as he is yours, and if he can, as he professes—and I am sure sincerely—bring about the creation of an association of nations for the prevention of wars, and for the limitation of armaments, he will erect in the hearts of his countrymen a more enduring memorial than were he the leader of her successful armies on bloody fields. I want to say that we have now, gentlemen of the Republican side of this House, an opportunity not only to put into words but to put into deeds the things that we have been professing. Does it constitute any embarrassment to the President of the United States to indicate to him that the Congress, representing the people—fresh on the majority side at least from the people——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Mr. Chairman, I appeal to new Members who have come to this Chamber for the first time. Will it constitute any reflection upon the President of the United States for you, fresh from your constituencies and breathing sentiments expressed this morning by the gentleman from Ohio [Mr. KNIGHT] and by the other distinguished gentleman from Ohio [Mr. BURTON], who has sat in both bodies of Congress, who delivered an eloquent appeal for disarmament yesterday—do you consider it any reflection upon the President of the United States for the great representative body to express its sentiments on the question of peace or on the question of disarmament?

Why, we express our sentiments here by resolution on a great variety of subjects, but when it comes to this great question that to-day is challenging the attention of the whole civilized world, and to which your President and to which your Senate and to which your House of Representatives are pledged before the bar of public opinion of this country, the voice is, "Hush, do not say anything about that; talk about something else; do not talk about disarmament; go on building your battleships"; and when anybody suggests you call a conference of the powers of the world to discuss that great question, work on the soft pedal; leave it to diplomacy behind closed doors, where the people do not know what happens; but when you bring it out in the sunlight, where the people of the United States may see and hear, do not say a word about it. Wait, wait, wait, until another war comes and takes our boys upon foreign fields and leaves many of them there, and then we will again, as we have done before, discuss the beauties of peace and the beauties of disarmament which we shall all enjoy when we reach the great beyond. Now I shall yield to the gentleman from Illinois.

Mr. MADDEN. The gentleman has passed the point where I desired to interrogate him, but I will answer him in my own time.

Mr. PADGETT. Will the gentleman yield?

Mr. CONNALLY of Texas. I will yield.

Mr. PADGETT. I suggest that our Government is under contract and all this money is obligated, and if we deny appropriations the Government will be subject to damages for breach of promise that will far surpass the amount of money——

Mr. CONNALLY of Texas. I will say to the gentleman from Tennessee that he is as logical as the gentleman from Michigan was this morning, who laid down the broad proposition that if we cancel the building contracts for battleships it will cost more than it would to build them.

Mr. KELLEY of Michigan. Is the gentleman prepared to dispute the correctness of that?

Mr. CONNALLY of Texas. I will say in that event if you can build cheaper than by letting them alone, where do you get all of this cry about the crushing load of militarism and armament?

Mr. KELLEY of Michigan. Well, the gentleman understands that when you have started a ship and made a contract and have furnished the material and it is on the ground——

Mr. CONNALLY of Texas. I will say to the gentleman that my amendment does not stop the building. My amendment only says that when the President——

Mr. KELLEY of Michigan. I am not finding fault with the gentleman's speech. I was finding fault with his criticism of the logic of the facts which I presented.

Mr. CONNALLY of Texas. I will say to the gentleman his logic was good in part, but his premise was at fault.

Mr. KELLEY of Michigan. Perhaps I was overconcerned, but I admire the gentleman too much to like to see him even temporarily in error.

Mr. CONNALLY of Texas. I did not intend to offend the gentleman from Michigan by reference to his logic.

Mr. ROSENBLOOM. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from New York.

Mr. ROSENBLOOM. From West Virginia.

Mr. CONNALLY of Texas. The gentleman looked so prosperous that I thought he was from New York. [Laughter.]

Mr. ROSENBLOOM. I thank the gentleman for the compliment. However, as one of the newly elected Members who made an appeal on this matter——

Mr. CONNALLY of Texas. I fear the gentleman will not succeed in his appeal, because the leader sits over on that side.

Mr. ROSENBLOOM. I understand, but I am here newly elected, succeeding a gentleman of the gentleman's political faith by reason of a slogan we emphasized throughout my district which kept him at home and sent me here, and that slogan was "America first." I think there is opportunity to answer that.

Mr. CONNALLY of Texas. I will say to the gentleman I want America first. If we are going to compete in armament, I want America to have the greatest Navy in the world, but I would much rather my Nation would earn the title "America first" in establishing a great tribunal or association or court that will insure to the nations of the earth the blessings of peace and an arbitrament according to justice and righteousness, than that America should lead that gory procession headed by Alexander, Cæsar, and Napoleon, whose monuments are the tombs and the crosses above the bones of millions of soldiers on hundreds of battle fields that scar the fair face of Europe and that of all civilized nations. Mr. Chairman, I realize that gentlemen who are fresh from the people on the Republican side will not respond to my appeal. While they are fresh from the people they are much fresher from the majority leader. [Laughter and applause on the Democratic side.] The majority leader's contact with them is much more recent, and they are not going to vote for disarmament, notwithstanding their feelings in that regard.

Adopt this amendment and let us put into concrete action that for which we say we stand. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARRETT of Tennessee. Does the gentleman from Michigan [Mr. KELLEY] hope to conclude the bill to-night?

Mr. KELLEY of Michigan. It seems as though we might do so. This provision is the very last thing of any consequence.

Mr. GARRETT of Tennessee. This has been a very oppressive day, and there will be a roll call or two.

Mr. KELLEY of Michigan. I think we can finish in 15 or 20 minutes.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] is recognized for five minutes.

Mr. MADDEN. Mr. Chairman, if oratory was logic the gentleman from Texas [Mr. CONNALLY] would be the leading logician in the United States, for he certainly is eloquent if he is not anything else. But his amendment does not propose disarmament. His amendment proposes to embarrass the President of the United States. It proposes to instruct the man elected by the people of the United States to the Presidency in his international obligations under the Constitution. His amendment proposes to insult the nations that may be invited here by the President to discuss peace. He proposes to say to the President that "unless and until you invite the nations of the world to the United States to discuss the question of peace, $90,000,000 now appropriated for the construction of ships shall not be available, but at the very moment you send the invitation the mill wheels may commence to move and the hammers commence to pound." And you invite these people here under the noise of this construction. You say to them, "We invite you to talk peace; we invite you to listen to our preparations for war."

Mr. BLACK. Will the gentleman yield for a question?

Mr. MADDEN. No; I do not yield just now, thank you. So the gentleman has no logic either in his argument or in his amendment. The President is authorized by reasons of his being the President to invite the nations of the world——

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. MADDEN (continuing). Under the Hensley Act, to discuss peace, and he ought to be permitted to invite them, if he wants to do so, without any embarrassment. But the gentleman from Texas [Mr. CONNALLY] does not want to permit him to do that without embarrassment.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CONNALLY of Texas. Does the gentleman object to the calling of such a conference?

Mr. MADDEN. No. On the contrary, I believe the gentleman seeks to insult the President by the introduction of his resolution, saying that he can not use $90,000,000 unless he calls a conference. You want to bribe him to call the conference. Does the gentleman believe that is the way to treat the President? Does he believe that that is the way to treat the people of the world? Does the gentleman believe that that is the way to begin a peace conference between the United States and the other nations of the world? Does the gentleman believe that with the passage of such an amendment, with notice to the world that at the very moment they come here to talk peace we will begin to give evidence of our preparation for war, that the nations of the world would respond under such conditions? No. He knows they would not, and he only wants to embarrass the President. There is no logic, no reason, no justification for the consideration and the adoption of any such amendment to this bill. [Applause.] The President will in due time, in his own way, under the authority vested in him, meet the issues without being coerced into it. His obligations are great, the issues are complex; we should aid not embarrass. This amendment should be defeated. I am sure it will be. [Cries of "Vote!" "Vote!"]

Mr. BLACK. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. BLACK. To favor the amendment of the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The Chair will state that all time on the amendment has expired.

Mr. BLACK. I move to strike out the last word.

Mr. KELLEY of Michigan. Will the gentleman yield to me, without interferring with his right?

Mr. BLACK. Very well.

Mr. KELLEY of Michigan. I wonder if we can not arrive at some understanding as to how much time will be needed to finish this amendment.

Mr. BYRNES of South Carolina. I suggest that if there is going to be much debate on it, with the possibility of roll calls following, we should consider going over until to-morrow, if we can do so.

Mr. KELLEY of Michigan. Let us finish this amendment, anyhow, and then we will see where we stand.

Mr. BYRNS of Tennessee. Unless the gentleman is going to move to close debate on this and if the question is going to be discussed, we want half an hour on this side.

Mr. MONDELL. Will the gentleman from Michigan yield?

Mr. KELLEY of Michigan. I do.

Mr. MONDELL. Mr. Chairman, many of the gentlemen had hoped that we would conclude the consideration of this bill this evening, but there seems to be a disposition to discuss the amendment now before us at some length. In view of that fact, it seems to me quite apparent we can not conclude the consideration of the bill until quite a late hour.

I do not think that the business of the House is in such a condition or such a situation where we would be justified in holding the Members of the House here late to-night, so it oc-

curred to me, if the gentleman from Michigan [Mr. KELLEY] agrees, that it might be as well to rise at this time. I will say, however, that to-morrow is Calendar Wednesday, and we expect to have matters possibly from the Committee on the Judiciary before the House to-morrow, and this bill will be taken up again on Thursday morning.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman from Wyoming permit me to ask him a question?

Mr. MONDELL. Certainly.

Mr. GARRETT of Tennessee. I have not seen the calendar. What is the matter expected from the Committee on the Judiciary?

Mr. MONDELL. I do not know definitely what they expect to take up. They have a bill which the House passed at the last session, relative to trade with China, and they have another bill relative to the character of testimony before the United States courts. I think those are the bills they intend to take up.

Mr. KELLEY of Michigan. Mr. Chairman, I had hoped that the discussion was nearly exhausted and that we might finish the bill to-night, the pending amendment being the only amendment of any importance that would be offered. But inasmuch as there are many gentlemen on the other side who wish to discuss the matter further, if the gentleman from Texas [Mr. BLACK] does not care to proceed now——

Mr. BLACK. I would really prefer to speak in the morning——

Mr. KELLEY of Michigan. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, had come to no resolution thereon.

WITHDRAWAL OF PAPERS.

Mr. HIMES, by unanimous consent, was granted leave to withdraw from the file of the House, without leaving copies, the papers in the cases of Lillian B. Swaney, H. R. 13344; Liberty loan subscribers, Mineral City Bank, H. R. 11257; and John S. Ellis, H. R. 5113, Sixty-sixth Congress, no adverse reports having been made thereon.

EXTENSION OF REMARKS.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the question of civil service.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the subject of civil service. Is there objection?

Mr. McCLINTIC. Mr. Speaker, I regret that I shall have to object.

The SPEAKER. The gentleman from Oklahoma objects.

LEAVE TO ADDRESS THE HOUSE.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes to-morrow morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for 20 minutes to-morrow morning. Is there objection?

Mr. THOMPSON. I have not asked very much from this House, and I would like to be heard.

Mr. MONDELL. To-morrow is Calendar Wednesday, Mr. Speaker.

Mr. THOMPSON. This is not an unreasonable request.

Mr. MONDELL. I do not think that under the rule, in justice to the House, consent to a request of this kind could be given on Calendar Wednesday. I feel constrained to object.

ADJOURNMENT.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 20 minutes p. m.), the House adjourned until to-morrow, Wednesday, April 27, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

86. A letter from the Secretary of the Navy, transmitting request for amendment of naval appropriation bill for 1922, to provide for procuring historical pictorial record of the American Fleet in foreign waters; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ELSTON, from the Committee on Appropriations, to which was referred the joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available, reported the same without amendment, accompanied by a report (No. 19), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ANTHONY, from the Committee on Appropriations, to which was referred the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 20), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN, from the Committee on Agriculture, to which was referred the bill (H. R. 4981) to amend an act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes," approved June 30, 1906, as amended, reported the same without amendment, accompanied by a report (No. 21), which said bill and report were referred to the House Calendar.

Mr. GRAHAM of Pennsylvania, from the Committee on the Judiciary, to which was referred the bill (H. R. 28) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes, reported the same with an amendment, accompanied by a report (No. 22), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. VOLSTEAD, from the Committee on the Judiciary, to which was referred the bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 23), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 2373) to authorize association of producers of agricultural products, reported the same with an amendment, accompanied by a report (No. 24), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KNUTSON, from the Committee on Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 5214) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, accompanied by a report (No. 15), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1489) granting a pension to Annis Tatum; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1761) for the relief of Ellen M. Willey; Committee on Claims discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 4603) for the relief of F. H. Abbott; Committee on Claims discharged, and referred to the Committee on Expenditures in the Treasury Department.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KNUTSON: A bill (H. R. 5214) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars

other than the Civil War, and to widows of such soldiers and sailors; committed to the Committee of the Whole House.

By Mr. McKENZIE: A bill (H. R. 5215) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War; to the Committee on Military Affairs.

By Mr. WARD of North Carolina: A bill (H. R. 5216) to provide for prompt adjustment of claims against common carriers for loss and damage to freight in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. ECHOLS: A bill (H. R. 5217) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

By Mr. ELLIOTT: A bill (H. R. 5218) to correct the position on the Army promotion list of officers appointed under the provisions of the act approved June 4, 1920, and who, during the emergency, held field rank; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 5219) to create a bureau of aeronautics in the Department of the Navy; to the Committee on Naval Affairs.

By Mr. HILL: A bill (H. R. 5220) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. KNUTSON: A bill (H. R. 5221) to amend an act entitled "An act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January 14, 1889; to the Committee on Indian Affairs.

By Mr. SUTHERLAND: A bill (H. R. 5222) to provide for the retention by the Government of the property in Seward, Alaska, known as the Alaska Northern Railway office building, and its use for court purposes; to the Committee on the Territories.

By Mr. SWING: A bill (H. R. 5223) to exempt from cancellation certain desert-land entries in Riverside County, Calif.; to the Committee on the Public Lands.

By Mr. MARTIN: A bill (H. R. 5224) authorizing the Secretary of the Navy to certify to the Secretary of the Interior for restoration to the public domain lands in the State of Louisiana not needed for naval purposes; to the Committee on the Public Lands.

By Mr. CLOUSE: A bill (H. R. 5225) to provide for the appointment of a district judge in the middle judicial district of the State of Tennessee, and for other purposes; to the Committee on the Judiciary.

By Mr. HAYDEN: A bill (H. R. 5226) authorizing appropriations for sundry expenditures by the Bureau of Indian Affairs in the State of Arizona; to the Committee on Indian Affairs.

By Mr. TINKHAM: A bill (H. R. 5227) authorizing the Secretary of Commerce to establish in the National Bureau of Standards a division to be known as the division of construction and housing; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS: A bill (H. R. 5228) levying a tax upon future sales of grain on any market, providing for the collection and dissemination of information as to grain markets, providing a penalty for the violation thereof, and for other purposes; to the Committee on Agriculture.

By Mr. SANDLIN: A bill (H. R. 5229) to provide for a site and public building at Coushatta, La.; to the Committee on Public Buildings and Grounds.

By Mr. TEMPLE: A bill (H. R. 5230) to provide for the completion of the topographical survey of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. MERRITT: A bill (H. R. 5231) to amend the war risk insurance act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. KNIGHT: Joint resolution (H. J. Res. 85) providing for the appointment of a commission to investigate and report upon naval armament; to the Committee on Naval Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 86) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto providing military necessities permit; to the Committee on Military Affairs.

By Mr. FISH: Resolution (H. Res. 72) to encourage and promote the teaching of the English language, American history, and civil government in schools, colleges, and universities; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ACKERMAN: A bill (H. R. 5232) for the relief of Ralph C. Whiting; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 5233) granting an increase of pension to James A. Padgett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5234) granting a pension to Robert W. Hayden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5235) granting a pension to Elizabeth Acton; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 5236) authorizing the Secretary of War to donate to the town of Rye, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CABLE: A bill (H. R. 5237) granting a pension to Bessie P. Leffel; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 5238) granting a pension to Myra M. Dasher; to the Committee on Invalid Pensions.

By Mr. DEAL: A bill (H. R. 5239) authorizing the Secretary of War to donate to the town of Courtland, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5240) authorizing the Secretary of War to donate to the town of Princess Anne, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5241) authorizing the Secretary of War to donate to the city of Suffolk, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5242) authorizing the Secretary of War to donate to the town of Smithfield, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5243) authorizing the Secretary of War to donate to the town of Franklin, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5244) authorizing the Secretary of War to donate to the city of Portsmouth, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5245) authorizing the Secretary of War to donate to the city of Norfolk, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5246) for the relief of Cleveland L. Short; to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 5247) authorizing the Secretary of War to donate to the town of Zolfo Springs, State of Florida, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 5248) for the relief of Ellis Pugh; to the Committee on Claims.

Also, a bill (H. R. 5249) for the relief of Ephraim Lederer; to the Committee on Claims.

Also, a bill (H. R. 5250) for the relief of Herman Schnell; to the Committee on Claims.

Also, a bill (H. R. 5251) for the relief of Ruperto Vilche; to the Committee on Claims.

Also, a bill (H. R. 5252) for the relief of the Kailan Mining Administration, of Tientsin, China; to the Committee on Claims.

Also, a bill (H. R. 5253) for the relief of Creeden & Avery (Ltd.), of Vancouver, Canada; to the Committee on Claims.

By Mr. EVANS: A bill (H. R. 5254) granting a pension to John W. Albrey; to the Committee on Pensions.

By Mr. FENN: A bill (H. R. 5255) for the relief of Lena Donner; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 5256) granting a pension to Samuel M. Griffith; to the Committee on Pensions.

By Mr. FISH: A bill (H. R. 5257) for the relief of George J. Covert; to the Committee on Military Affairs.

By Mr. FOSTER: A bill (H. R. 5258) for the relief of Darius Atkinson; to the Committee on Military Affairs.

By Mr. GREENE of Vermont: A bill (H. R. 5259) for the relief of the heir at law of A. Barker; to the Committee on Claims.

By Mr. HIMES: A bill (H. R. 5260) for the relief of David B. Turnipseed; to the Committee on Military Affairs.

By Mr. HOUGHTON: A bill (H. R. 5261) to correct the muster of William Ramsey; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 5262) for the relief of John W. Murphy; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 5263) granting a pension to W. C. Bennett; to the Committee on Pensions.

By Mr. KEARNS: A bill (H. R. 5264) for the relief of William Thomas Matingley; to the Committee on Military Affairs.

By Mr. KIESS: A bill (H. R. 5265) granting a pension to William Washburn; to the Committee on Pensions.

By Mr. LAMPERT: A bill (H. R. 5266) for the relief of Franklin G. Percival, lieutenant, United States Navy, retired; to the Committee on Naval Affairs.

By Mr. LINEBERGER: A bill (H. R. 5267) for the relief of Alfred Hardy; to the Committee on Claims.

Also, a bill (H. R. 5268) for the relief of Jason J. Green; to the Committee on War Claims.

By Mr. McFADDEN: A bill (H. R. 5269) granting a pension to Anna M. Quinlan; to the Committee on Invalid Pensions.

By Mr. McDUFFIE: A bill (H. R. 5270) for the relief of Maj. Francis M. Maddox, United States Army; to the Committee on War Claims.

By Mr. MAPES: A bill (H. R. 5271) granting a pension to Frances A. Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5272) for the relief of Fred E. Hamel; to the Committee on Claims.

By Mr. MORIN: A bill (H. R. 5273) for the relief of Julius Zanone; to the Committee on War Claims.

By Mr. MURPHY: A bill (H. R. 5274) for the relief of William D. McKeefrey; to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 5275) authorizing the Secretary of War to donate to the city of Mammoth Springs, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5276) authorizing the Secretary of War to donate to the town of Mount View, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5277) authorizing the Secretary of War to donate to the city of Melbourne, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5278) authorizing the Secretary of War to donate to the city of Searcy, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5279) authorizing the Secretary of War to donate to the city of Heber Springs, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5280) authorizing the Secretary of War to donate to the city of Pocahontas, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5281) authorizing the Secretary of War to donate to the city of Batesville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5282) authorizing the Secretary of War to donate to the city of Quitman, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5283) authorizing the Secretary of War to donate to the city of Newport, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5284) authorizing the Secretary of War to donate to the city of Williford, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5285) authorizing the Secretary of War to donate to the city of Black Rock, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5286) authorizing the Secretary of War to donate to the city of Walnut Ridge, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5287) authorizing the Secretary of War to donate to the city of Hardy, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5288) authorizing the Secretary of War to donate to the city of Newark, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5289) authorizing the Secretary of War to donate to the city of Brinkley, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5290) authorizing the Secretary of War to donate to the city of Salem, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5291) authorizing the Secretary of War to donate to the city of Clarendon, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5292) authorizing the Secretary of War to donate to the city of Calico Rock, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5293) authorizing the Secretary of War to donate to the city of Evening Shade, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 5294) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. PARKS of Arkansas: A bill (H. R. 5295) authorizing the Secretary of War to donate to the town of Prescott, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5296) authorizing the Secretary of War to donate to the town of Arkadelphia, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5297) authorizing the Secretary of War to donate to the town of Camden, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5298) authorizing the Secretary of War to donate to the town of El Dorado, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5299) authorizing the Secretary of War to donate to the town of Hampton, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5300) authorizing the Secretary of War to donate to the town of Lewisville, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5301) authorizing the Secretary of War to donate to the town of Hamburg, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5302) authorizing the Secretary of War to donate to the town of Warren, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5303) authorizing the Secretary of War to donate to the town of Lake Village, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5304) authorizing the Secretary of War to donate to the town of Magnolia, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5305) authorizing the Secretary of War to donate to the city of Hope, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5306) authorizing the Secretary of War to donate to the town of Washington, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PATTERSON of Missouri: A bill (H. R. 5307) for the relief of William Eller; to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 5308) authorizing the Secretary of War to donate to the town of North Arlington, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 5309) for the promotion of Col. Lloyd M. Brett, United States Army, retired; to the Committee on Military Affairs.

By Mr. REBER: A bill (H. R. 5310) for the relief of Claude Mantz; to the Committee on Claims.

By Mr. RODENBERG: A bill (H. R. 5311) granting an increase of pension to Peter Urban; to the Committee on Pensions.

By Mr. ROSENBLOOM: A bill (H. R. 5312) granting a pension to Edgar Travis; to the Committee on Pensions.

Also, a bill (H. R. 5313) granting an increase of pension to Oakley Randall; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 5314) granting an increase of pension to George A. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 5315) granting a pension to William D. Wilson; to the Committee on Pensions.

By Mr. SMITHWICK: A bill (H. R. 5316) granting a pension to Ida L. Fay; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 5317) granting an increase of pension to Fanny F. Robertson; to the Committee on Pensions.

By Mr. SPEAKS: A bill (H. R. 5318) for the relief of George W. Allison; to the Committee on Claims.

By Mr. SPROUL: A bill (H. R. 5319) granting a pension to Louisa J. V. Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5320) to correct the military record of Sylvester De Forest; to the Committee on Military Affairs.

Also, a bill (H. R. 5321) to carry out the findings of the Court of Claims in the case of William M. De Hart; to the Committee on War Claims.

By Mr. STRONG of Pennsylvania: A bill (H. R. 5322) granting an increase of pension to Kate A. Phillips; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 5323) for the relief of J. F. Huddleston; to the Committee on Claims.

Also, a bill (H. R. 5324) for the relief of J. H. Ballinger; to the Committee on Claims.

By Mr. TREADWAY: A bill (H. R. 5325) authorizing the Secretary of War to donate to the town of Ashfield, State of Massachusetts, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TYSON: A bill (H. R. 5326) to place William H. Armstrong on the retired list of the Army; to the Committee on Military Affairs.

By Mr. WALSH: A bill (H. R. 5327) granting a pension to Abby G. W. Ross; to the Committee on Pensions.

Also, a bill (H. R. 5328) granting an increase of pension to Thomas Kelley; to the Committee on Pensions.

Also, a bill (H. R. 5329) granting an increase of pension to Mary B. Howland; to the Committee on Pensions.

Also, a bill (H. R. 5330) granting an increase of pension to Carrie C. Washburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5331) granting a pension to Annie Casey; to the Committee on Invalid Pensions.

By Mr. WEBSTER: A bill (H. R. 5332) for the relief of James Doherty; to the Committee on Claims.

By Mr. WINSLOW: A bill (H. R. 5333) granting an increase of pension to Antoine Tisdelle; to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 5334) granting a pension to Thomas J. Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5335) granting a pension to Anna B. Mount; to the Committee on Pensions.

By Mr. YOUNG: A bill (H. R. 5336) for the relief of Clara D. Miller; to the Committee on Claims.

By Mr. MOORE of Illinois: A bill (H. R. 5337) authorizing the Secretary of War to donate to the town of Oakland, State of Illinois, one German cannon or fieldpiece; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

307. By Mr. GALLIVAN: Petition of John J. Keefe, of South Boston; James P. Holland and Charles A. Orcutt, of Boston, favoring a revision of the tax laws; to the Committee on Ways and Means.

308. Also, petition of the Macallen Co., of Boston, Mass., favoring a modification of the tariff on mica; to the Committee on Ways and Means.

309. By Mr. MORIN: Petition of South Hill High School, H. E. Winner, principal, Pittsburgh, Pa., urging immediate and favorable action on the Smith-Towner bill; to the Committee on Education.

310. By Mr. BIXLER: Petition of citizens of Franklin, Pa., protesting against the passage of the Fess-Capper bill; to the Committee on Education.

311. By Mr. ARENTZ: Petition of the Indians of the Paiute Tribe of the Walker River Reservation, Nev., urging relief from irrigation of certain lands in Nevada; to the Committee on Irrigation of Arid Lands.

312. By Mr. BIXLER: Petition of citizens of Greeneville, Pa., protesting against the passage of the Fess-Capper bill; to the Committee on Education.

313. By Mr. KING: Petition of A. R. Mathes and 80 other members of the Presbyterian Church of Knoxville, Ill., urging strict enforcement of the liquor laws; to the Committee on the Judiciary.

314. By Mr. LINEBERGER: Petition of a mass meeting of citizens of Los Angeles, Calif., relative to the practice of peonage in the Southern States; to the Committee on the Judiciary.

315. By Mr. BURTNESS: Petition of the Legislature of the State of North Dakota, urging the prosecution of the so-called St. Lawrence-Great Lakes tidewater project; to the Committee on Interstate and Foreign Commerce.

316. By Mr. CURRY: Petition of the Local Fruit Growers and Shippers' League, of Lodi, Calif., favoring the return to former reasonable freight rates; to the Committee on Interstate and Foreign Commerce.

317. By Mr. ARENTZ: Petition of the Annual Convention of the International Mining held at Portland, Oreg., urging the investigation of the Powder Trust, etc.; to the Committee on the Judiciary.

318. By Mr. RAMSEYER: Petition of the General Assembly of the Iowa Legislature, urging the passage of legislation for the improvement of the Great Lakes and St. Lawrence River, etc.; to the Committee on Interstate and Foreign Commerce.

319. By Mr. BIXLER: Petition of citizens of Sharon, Pa., protesting against the passage of the Capper-Fess bill; to the Committee on Education.

320. By Mr. SPEAKS: Papers to accompany House bill 5190, for the relief of Joseph Maier; to the Committee on Claims.

321. By Mr. FOCHT: Papers to accompany House bill 4012, granting a pension to Catharine Miller; to the Committee on Invalid Pensions.

322. Also, papers to accompany House bill 4011, granting a pension to Loretta Butkett; to the Committee on Invalid Pensions.

323. Also, papers to accompany House bill 4013, for the relief of Mrs. Susan Hixson; to the Committee on Invalid Pensions.

324. By Mr. BURROUGHS: Resolution of Mrs. Bessie J. Gray, councilor, Old Glory Council, No. 14, Sons and Daughters of Liberty, Center Barnstead, N. H., indorsing bill to restrict immigration; to the Committee on Immigration and Naturalization.

325. Also, resolution of city council, city of Rochester, N. H., protesting against the passage of the Smith-Towner bill; to the Committee on Education.

326. Also, resolution of Tahanto Division, No. 335, Brotherhood of Locomotive Engineers, Concord, N. H., protesting the passage of the sales tax proposition; to the Committee on Ways and Means.

327. By the SPEAKER (by request): Petition of National Baseball Federation, Cleveland, Ohio, favoring the removal of tax on recreational supplies and equipment; to the Committee on Ways and Means.

328. Also (by request), petition of Asphalt Workers' Local Union, No. 84, San Francisco, Calif., favoring amnesty for all political prisoners; to the Committee on the Judiciary.

329. Also (by request), petition of American Association for the Recognition of the Irish Republic, of Louisiana, with 1,170 signatures, favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

330. By Mr. HADLEY: Petition of J. Steadman Post, No. 24, Grand Army of the Republic, Bellingham, Wash., favoring an increase of pension to all Civil War veterans; to the Committee on Invalid Pensions.

331. By Mr. SINCLAIR: Telegram from Northwestern Division of North Dakota Educational Association assembled in convention at Minot, N. Dak., favoring passage of Smith-Towner bill; to the Committee on Education.

332. By Mr. J. M. NELSON: Petition of sundry citizens of the town of Cobb, Wis., protesting against the Federal aid for highways; to the Committee on Roads.

333. By Mr. KISSEL: Petition of American Association of Engineers (Inc.), New York, urging Federal aid for roads; to the Committee on Roads.

SENATE.

WEDNESDAY, *April 27, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee that our times are in Thy hand, and we are sure of their disposition to the glory of Thy name and our highest good. Grant us Thy blessing this morning, and through all the deliberations may Thy wisdom be imparted. Bless our land and its interests, the President, and all for whom we should pray at this time. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, April 25, 1921, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. NORRIS presented resolutions of the Legislature of Nebraska, which were referred to the Committee on Commerce, as follows:

STATE OF NEBRASKA,
Secretary of State.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the attached is a true, full, and correct copy of senate file No. 23, passed by both houses of the fortieth session of the Nebraska Legislature and approved by Gov. Samuel R. McKelvie, April 14, 1921, at 4 o'clock p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln this 16th day of April in the year of our Lord 1921 and of the independence of the United States the one hundred and forty-fifth and of this State the fifty-fifth.

[SEAL.]

DARIUS M. AMSBERRY,
Secretary of State.

Senate file 23.

A bill for a joint and concurrent resolution memorializing the Congress of the United States and the United States Senators and Representatives from Nebraska relating to the development of a waterways system from the Great Lakes to the Atlantic Ocean.

Whereas cheaper transportation facilities for the marketing of grain from the great corn belt is of vital importance and means much financial saving to the grain producers of Nebraska; and

Whereas the Dominion of Canada has already undertaken the opening of the St. Lawrence waterway and the improvement of the Welland Canal; and

Whereas a development of an internal waterways system that would enable ocean carriers to reach the western ports of the Great Lakes would produce an estimated saving of $10,000,000 per year on shipments of wheat and corn alone from the State of Nebraska: Therefore be it

Resolved by the Senate of the State of Nebraska (the House concurring), That we give substantial support to the movement for the development of the Great Lakes-St. Lawrence tidewater project; be it further

Resolved, That the Congress of the United States is hereby memorialized and the United States Senators and Representatives from Nebraska are hereby requested to urge legislation in the United States Congress touching the speedy development of said project; be it finally

Resolved, That certified copies of this resolution be sent by the secretary of state to the President, the presiding officers of both branches of Congress, and each of the United States Senators and Representatives from Nebraska.

PELHAM A. BARROWS,
President of the Senate.
CLYDE H. BARNARD,
Secretary of the Senate.
WALTER L. ANDERSON,
Speaker of the House.
F. P. CORRICK,
Chief Clerk of the House.

Approved:
April 14, 1921, 4 o'clock p. m.

SAMUEL R. MCKELVIE,
Governor.

This is to certify that the within senate file No. 23 originated in the senate and passed the legislature at its fortieth session on the 11th day of April, 1921.

CLYDE H. BARNARD,
Secretary of the Senate.

Mr. WILLIS presented a resolution of the Ohio-West Virginia Group Council, Service Star Legion, favoring the enactment of legislation to consolidate the Bureau of War Risk Insurance, United States Public Health Service, and Rehabilitation Division of the Federal Board for Vocational Education; making an appropriation for more adequate hospitalization; to decentralize the Bureau of War Risk Insurance by the establishment of 14 regional offices; granting vocational training to disabled ex-service men having a disability of 10 per cent or more, and vocational training for war widows and orphans; and granting disabled emergency officers of the World War the same privilege of retirement on three-fourths pay as officers of the Regular Army, which was referred to the Committee on Finance.

Mr. WARREN presented a resolution adopted by the Wyoming Stock Growers' Association in its annual convention held at Lusk, Wyo., April 14 and 15, 1921, favoring the enactment of tariff legislation for the protection of the live-stock and other agricultural industries, which was referred to the Committee on Finance.

He also presented a resolution of the Wyoming Stock Growers' Association protesting against excessive and unreasonable freight rates now imposed by the railroads on live-stock and agricultural products in the State of Wyoming, and favoring an immediate reduction in transportation charges to a prewar basis, etc., which was referred to the Committee on Interstate Commerce.

Mr. CAPPER presented memorials of Division No. 165, Order of Railway Conductors, of Fort Scott, and Local No. 669, Brotherhood of Locomotive Firemen and Enginemen, of Kansas City, both in the State of Kansas, remonstrating against the enactment of legislation repealing the excess profits tax law and substituting therefor a sales or turnover tax, which were referred to the Committee on Finance.

He also presented a resolution of the American National Live Stock Association, of El Paso, Tex., favoring the passage of the truth in fabric bill, which was referred to the Committee on Interstate Commerce.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TRAMMELL:

A bill (S. 1248) for the relief of D. Beatrice Arline; to the Committee on Claims.

A bill (S. 1249) to repeal section 15a of the interstate commerce act of February 4, 1887, as amended by section 422 of an act approved February 28, 1920; to the Committee on Interstate Commerce.

By Mr. KENDRICK:

A bill (S. 1250) for the relief of purchasers of Indian lands and water rights on the diminished or ceded Shoshone or Wind River Reservation, Wyo., and for other purposes; to the Committee on Indian Affairs.

A bill (S. 1251) providing for investigations for irrigation works in Green River, Wyo.; to the Committee on Irrigation and Reclamation.

By Mr. STERLING:

A bill (S. 1252) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education and Labor.

A bill (S. 1253) creating an immigration board and prescribing the powers and duties thereof, and amending the act of February 5, 1917, entitled "An act regulating immigration of aliens to and residence of aliens in the United States," and amending also the act of June 29, 1906, entitled "An act to provide for a uniform rule for the naturalization of aliens throughout the United States and establishing the Bureau of Naturalization," and acts amendatory thereof, and for other purposes; to the Committee on Immigration.

By Mr. TOWNSEND:

A bill (S. 1254) providing for the appointment of an additional district judge in and for the eastern district of Michigan; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 1255) granting to Henry Cronin a commission as first lieutenant in the Army; and

A bill (S. 1256) donating 155-millimeter howitzer gun No. 2997 to the city of Pittsburg, Kans.; to the Committee on Military Affairs.

A bill (S. 1257) to amend an act entitled "An act granting to the State of Kansas the abandoned Fort Hays Military Reservation, in said State, for the purpose of establishing an experiment station of the Kansas State Agricultural College and a western branch of the State Normal School thereon, and for a public park," approved March 28, 1900, as amended; to the Committee on Agriculture and Forestry.

A bill (S. 1258) for the relief of Samuel M. Robinson; to the Committee on Claims.

A bill (S. 1259) granting a pension to Medora B. Ambrose (with accompanying papers); to the Committee on Pensions.

By Mr. KEYES:

A bill (S. 1260) authorizing the Secretary of War to donate to the town of Peterboro, N. H., one German cannon or fieldpiece; and

A bill (S. 1261) authorizing the Secretary of War to donate to the town of Milford, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WARREN:

A bill (S. 1262) granting to the State of Wyoming 2,000,000 acres of public land to aid in the maintenance of a system of public roads; to the Committee on Public Lands and Surveys.

By Mr. KENYON:

A bill (S. 1263) granting a pension to Millie S. Jones; and

A bill (S. 1264) granting a pension to Ezra Edwards; to the Committee on Pensions.

By Mr. SHORTRIDGE:

A bill (S. 1266) to exempt from cancellation certain desert-land entries in Riverside County, Calif.; to the Committee on Public Lands and Surveys.

By Mr. ELKINS:

A bill (S. 1267) for the relief of Emma J. McKusick; to the Committee on Claims.

By Mr. BURSUM:

A bill (S. 1268) authorizing the President to appoint Capt. Robert C. Gregory a captain of Infantry in the United States Army and place him upon the retired list of the Army;

A bill (S. 1269) authorizing the Secretary of War to award the congressional medal of honor to Second Lieut. Etienne de P. Bujac; and

A bill (S. 1270) to award the distinguished service medal, posthumously, to the late Lieut. Col. Charles M. de Bremond, Field Artillery; to the Committee on Military Affairs.

A bill (S. 1271) granting a pension to Fred Fornoff; and

A bill (S. 1272) granting a pension to Mattie E. Grimes; to the Committee on Pensions.

By Mr. ASHURST:

A bill (S. 1273) for the relief of settlers and entrymen on Baca Float No. 3, in the State of Arizona; and

A bill (S. 1274) to appropriate $200,000 for the survey of public lands in Arizona; to the Committee on Public Lands and Surveys.

By Mr. CALDER:

A bill (S. 1275) authorizing an appropriation for the World's Poultry Congress; to the Committee on Agriculture and Forestry.

By Mr. BALL:

A bill (S. 1276) to authorize the Commissioners of the District of Columbia to close streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening of other streets, roads, or highways, and for other purposes; to the Committee on the District of Columbia.

By Mr. McLEAN:

A bill (S. 1277) authorizing the Secretary of War to donate to the town of Wolcott, Conn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McCUMBER:

A bill (S. 1278) granting an increase of pension to Grace S. Zane; to the Committee on Pensions.

A bill (S. 1279) for the relief of the Snare & Triest Co.;

A bill (S. 1280) for the relief of Eli N. Sonnenstrahl;

A bill (S. 1281) for the relief of Capt. Edward T. Hartmann, United States Army, and others;

A bill (S. 1282) for the relief of the estate of John Stewart, deceased;

A bill (S. 1283) for the relief of the Chicago, Milwaukee & St. Paul Railway Co.; the Chicago, St. Paul, Minneapolis & Omaha Railway Co.; and the St. Louis, Iron Mountain & Southern Railway Co.;

A bill (S. 1284) for the relief of the Standard American Dredging Co.; and

A bill (S. 1285) for the relief of the North American Dredging Co.; to the Committee on Claims.

By Mr. WADSWORTH:

A bill (S. 1286) for the relief of Capt. Page Van R. Stires; to the Committee on Claims.

A bill (S. 1287) directing the remission of customs duties on certain War Department property (with accompanying papers); to the Committee on Finance.

A bill (S. 1288) to provide for the appointment of one additional judge of the district court of the United States for the southern district of New York; to the Committee on the Judiciary.

A bill (S. 1289) for the relief of Oliver A. Campbell; and

A bill (S. 1290) to regulate the marriage of persons in the military and naval forces of the United States in foreign countries, and for other purposes; to the Committee on Military Affairs.

A joint resolution (S. J. Res. 40) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 41) authorizing transportation for dependents of Army field clerks and field clerks, Quartermaster Corps; to the Committee on Military Affairs.

RURAL CREDIT SOCIETIES.

Mr. KENYON. I introduce a bill to create rural credit societies, and for other purposes.

I should like to suggest that at the last session of Congress a similar bill was referred to the Committee on Agriculture and Forestry. There might be some legitimate question whether it should go to the Committtee on Banking and Currency. The chairman of that committee is not here. However, I should like to have the bill referred to the Committee on Agriculture and Forestry.

Mr. FLETCHER. I suggest to the Senator that the Committee on Banking and Currency has several matters pending before it appertaining to rural credits. This may be of a somewhat different nature, but that committee has usually handled this character of legislation.

Mr. KENYON. That is correct, but I have felt that as to this bill there should be joint hearings by the Committee on Agriculture and Forestry and the Committee on Banking and Currency. I think the Committee on Agriculture and Forestry may have a more sympathetic interest in a system of rural credits than possibly the Committee on Banking and Currency; but I do not think the Committee on Agriculture and Forestry ought to go ahead without conference and joint action with the Committee on Banking and Currency. The question is so important, as the Senator from Florida, of course, realizes, because he has been advocating a rural credit system, that some action ought to be taken, and I think more prompt action will be taken by the Committee on Agriculture and Forestry acting jointly with the Committee on Banking and Currency.

Mr. FLETCHER. If that could be arranged, I think it would be a good course to pursue.

Mr. KENYON. If the chairman of the Committee on Banking and Currency has any serious objection to this reference, I shall take it up with him, but I do feel that there should be joint consultation and consideration.

Mr. FLETCHER. He is absent just now; but I know there are some matters pending before the Committee on Banking and Currency bearing on the subject.

Mr. KENYON. I know that is true.

Mr. FLETCHER. If there could be joint committee hearings and a consideration of the measure in that way I believe it would be advisable.

Mr. KENYON. That is exactly the object I have in asking that the bill may be referred to the Committee on Agriculture and Forestry. We shall take no action without consultation with the Committee on Banking and Currency.

The bill (S. 1265) to create rural credit societies, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

ASSISTANT CLERK TO VICE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. 57), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Vice President of the United States be, and he hereby is, authorized to employ an assistant clerk at $1,740 per annum during the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The VICE PRESIDENT. The morning business is closed.

Mr. LODGE. Mr. President, in accordance with the notice I gave, I move that the Senate proceed to the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts.

Mr. UNDERWOOD. I understand that the Senator does not intend to push the joint resolution to a vote for a short while?

Mr. LODGE. I do not expect to get a vote on it to-day. I know there are one or two speeches to be made, but on a subject perhaps not directly connected with it. I wish to get it before the Senate.

Mr. UNDERWOOD. I merely desired to understand that the Senator would not push the joint resolution to a vote for a day or two.

Mr. LODGE. No; I do not expect to do so. I wish to state, however, that I desire to get it disposed of as soon as possible on account of the emergency tariff bill, which we hope will be brought before the Senate shortly.

Mr. UNDERWOOD. I do not think there is any disposition on this side to delay unduly the consideration of the joint resolution.

Mr. LODGE. I understand that.

Mr. UNDERWOOD. But some of the Senators on this side of the Chamber who desire to speak are not prepared to-day, and we would like to have it go over a day or two.

The VICE PRESIDENT. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of the joint resolution.

The motion was agreed to.

The VICE PRESIDENT. The joint resolution is before the Senate as in Committee of the Whole.

PROPOSED SALES TAX.

Mr. SMOOT. Mr. President, I desire to take a few moments of the Senate's time this morning for the purpose of explaining briefly the provisions of the sales tax bill which I have introduced, known as Senate bill 202, which I hope may become a part of the revenue laws of our country. For the RECORD and as a part of my speech I send to the desk a copy of the bill and ask that it be printed in the RECORD without reading.

The bill (S. 202) to provide revenue, and for other purposes, introduced by Mr. SMOOT on the 12th instant, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as "The sales tax act, 1921."

TITLE I.—GENERAL PROVISIONS.

DEFINITIONS.

SEC. 2. That when used in this act—

The term "person" includes individuals, partnerships, corporations, and associations;

The term "Secretary" means the Secretary of the Treasury;

The term "commissioner" means the Commissioner of Internal Revenue; and

The term "collector" means collector of internal revenue.

TITLE II.—SALES TAX.

SEC. 201. That in addition to all other taxes, there shall be levied, assessed, collected, and paid upon all goods, wares, or merchandise sold or leased on or after July 1, 1921, a tax equivalent to 1 per cent of the price for which so sold or leased; such tax to be paid by the vendor or lessor.

SEC. 202. (a) That this title shall not apply to sales and leases made during any year in which the total price for which the taxable sales and leases are made does not exceed $6,000.

(b) In computing the tax due under this title every taxpayer shall be entitled to an annual exemption of $6,000.

(c) In any case where the full amount of the exemption is not claimed in computing the tax due for the first quarter, the part not so claimed shall be deducted in computing the tax due for the second quarter or succeeding quarters. For the purpose of this act the first quarter shall be the months of July, August, and September; the second quarter, the months of October, November, and December; the third quarter, the months of January, February, and March; and the fourth quarter, the months of April, May, and June.

(d) The taxes imposed by this title shall not apply to sales or leases made by (1) the United States; (2) any foreign Government; (3) any State or Territory, or political subdivision thereof, or the District of Columbia; (4) any mutual ditch or irrigation company; (5) any hospital; or (6) Army and Navy commissaries and canteens; or (7) any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

(e) The taxes imposed by this title shall not apply to sales or leases of articles taxable under Title VI or VII or paragraphs (1), (2), (3), (12), and (20) of section 900 of the revenue act of 1918.

(f) Under such rules and regulations as the commissioner, with the approval of the Secretary, may prescribe, the taxes imposed by this title shall not apply in respect to articles sold or leased for export and in due course so exported.

SEC. 203. That in computing the taxes imposed by this title no credit shall be allowed for any tax reimbursed or paid in any manner to any person in connection with any previous transaction in respect to which a tax is imposed by law.

SEC. 204. That every person liable for any tax imposed by section 201 shall make quarterly returns under oath in duplicate and pay the tax imposed by such section to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the commissioner, with the approval of the Secretary, may by regulation prescribe.

The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month from the time when the tax became due.

SEC. 205. That in the case of an overpayment of any tax imposed by this act, the person making such overpayment may take credit therefor against taxes due upon any quarterly return.

SEC. 206. That the commissioner, with the approval of the Secretary, is authorized to make all needful rules and regulations for the enforcement of the provisions of this act.

The commissioner with such approval may by regulation provide that any return required by this act to be made under oath may, if the amount of the tax covered thereby is not in excess of $10, be signed or acknowledged before two witnesses instead of under oath.

SEC. 207. That on and after July 1, 1921, sections 628, 629, 630, 902, 904, 905, 906, 907, and 900, except paragraphs (1), (2), (3), (12), and (20), are repealed, except that such sections shall remain in force for the assessment and collection of all taxes which have accrued thereunder and for the imposition and collection of all penalties which have accrued and may accrue in relation to any such taxes.

Mr. SMOOT. Mr. President, I have given considerable study to the wisdom of enacting into law a general sales tax, and now present three alternative propositions as a basis for such tax which, stated briefly, are as follows:

1. A rate of one-half of 1 per cent, but not to exceed 1 per cent, on all sales without distinction of integrated or unintegrated concerns.

2. A rate of three-fourths of 1 per cent, but not to exceed 1½ per cent, with a credit for taxes previously paid on goods bought for resale.

3. A rate of 1 per cent, but not to exceed 2 per cent, without distinction of integrated or unintegrated concerns, but exempting each dealer on the first $50,000 of annual sales.

For simplicity of administration and collection of the tax, I have concluded to support the first-named plan, and for the purposes of this bill have specified a rate of tax of 1 per cent. If at any time the amount to be raised from such a tax is to be reduced or increased, the only amendment required to the law would be to change the rate of tax.

The bill I have offered follows closely the provisions of the Philippine sales tax, which to-day is the most satisfactory tax to all classes and the most productive that is imposed in the islands.

I now ask the attention of Senators to a brief explanation of the principal provisions of the bill. Later, when the revision of the revenue laws is before the Senate, I shall take pleasure in discussing it in detail.

1. WHAT IS A GENERAL SALES TAX?

A tax on the gross value of goods, wares, and merchandise, whether raw material or manufactured or partially manufactured products, whether of domestic or of foreign origin, and such as are generally sold or exchanged and delivered for domestic consumption, whether in barter or on a cash, credit, or installment basis, which tax shall accrue at the time of sale or lease of all such goods, wares, and merchandise, at the rate of 1 per cent of their total value at the time of such change of ownership. This tax also applies to the total amount or amounts received on all leases of goods, wares, and merchandise.

The 1 per cent sales tax is similar to an overhead charge, to be added to the cost of the goods and finally paid by the ultimate consumer, but there is nothing in the bill to prevent the seller of the goods from absorbing the 1 per cent charge, and that no doubt will be done with many establishments where their sales profits are large.

2. WHAT ARE THE PROPOSED EXEMPTIONS?

All sales and leases are exempt from this tax when made by—

(1) The United States or by any State or Territory, or political subdivision thereof, or by the District of Columbia, or by any Army or Navy commissary or canteen.

(2) By any foreign Government.

(3) By any mutual ditch or irrigation company.

(4) By any hospital or by any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

Sales and leases of the following goods, wares, and merchandise shall also be exempt from this tax:

(1) Such as are sold or leased for export and in due course are actually exported.

(2) Such as are subject to the taxes imposed in Titles VI and VII of the revenue act of 1918; i. e., beverages, cigars, tobacco, and manufactures thereof.

(3) Such as are subject to the taxes imposed in paragraphs (1), (2), (3), (12), and (20) of section 900 of the revenue act of 1918; i. e., automobiles, automobile trucks and wagons, motor cycles and tires, parts, and accessories; dirk knives, stillettos, and so forth; yachts, motor boats, and so forth, to be used as pleasure boats.

(4) Total sales and leases on goods, wares, and merchandise which in any taxable year do not exceed $6,000.

3. WHAT ARE ITS ADVANTAGES WHEN COMPARED WITH OTHER TAXES?

(a) Its extreme simplicity of assessment and collection. The employment by the taxpayers of costly tax experts is quite unnecessary as is the burdening of the tax administrative machinery with complicated, expensive, and long-drawn-out audits causing long delays in the collection of taxes. It is not inquisitorial; it does not raise difficult questions about losses, depreciation, and the like; it is more easily allocated among competing jurisdictions than a tax upon net income. No revenue defrauder in the Philippines ever claimed ignorance of the law in palliation of his offense.

I notice in the morning paper to-day a dispatch from Buffalo, N. Y., reading as follows:

MADE INSANE BY TAX BLANK—WOMAN FEARED STORE WOULD BE SEIZED FOR ERROR IN REPORT.

BUFFALO, N. Y., *April 26.*

Papers filed in the county clerk's office here to-day state that Ethel J. Mahan, owner of a grocery store, became so worried over fear that the Government would confiscate her business because of possible errors in her income-tax report that she lost her mind.

The woman was committed to the State hospital for the insane by Acting County Judge Ottoway.

At some future time, Mr. President, I want to go into this question more in detail.

(b) Each taxpayer pays out of his gross income his sales tax and automatically grades the amount according to his ability to pay; this grading is far more exact, scientific, and equitable than are the artificial steps or brackets imposed by the net income-tax system of existing revenue laws. Under a sales tax the taxpayer pays as he goes along and does not feel the burden, while under the existing revenue law hundreds of thousands of income taxpayers are to-day, when reduced incomes are the rule, greatly harassed by the payment of taxes which accrued a year ago when incomes and profits were greater than they are to-day.

(c) The tax rate is low and uniform on all goods, wares, and merchandise. The fact that it applies alike to all mercantile transactions makes possible for greater productivity, together with a low tax rate. The absence in the Philippines of discriminatory tax rates leaves all taxpayers satisfied (1) because all pay the same rate, and (2) because goods sufficiently similar to be competitive, even though not identical, are taxed alike. The high discriminatory tax rates imposed under existing revenue laws appeal to the taxpayers as extremely unfair and are resented by them. This is the main cause why the tax administration has thrown up its hands, recommending the repeal of some of these consumption taxes, because they say they are easily evaded and too costly to collect.

(d) The taxpayer can tell to a cent and with absolute certainty and with a minimum of effort at the close of business each day exactly where he stands as to profits and tax liability. Under the complicated existing excess-profits tax the taxpayer never knows, to a certainty, what amount of profit he has to add to his business to come out whole. Naturally he adds all he thinks necessary, and experience has demonstrated that in many cases he has doubled or trebled the amount, all of which inevitably results, as the goods pass along to the ultimate consumer, in a pyramiding of prices. An investigation made by the Department of Justice in connection with the Lever Act tended to show that as a direct result of the unwise and complex provisions of the excess profits law the prices of certain commodities to the ultimate consumer were increased over 23 per cent. A simple, sane, intelligible sales tax at a rate of 1 per cent, even though pyramided several times, would nevertheless be but a fraction of 23 per cent and would certainly result not in an increase but in a substantial reduction of the present high prices of necessities.

4. WHAT OTHER TAXES IN THE UNITED STATES DOES ITS METHOD OF OPERATION AND ACCUMULATION RESEMBLE?

(a) Customs duties on imports. Even though the customs duty is not repeated on each turnover of imported goods on their way from the importer all the way through various middlemen, still the effect on the ultimate consumer of the pyramiding of the various profits on the values, both of the cost of the goods and of the customs duties, is usually several times as great as is the accumulation of the sales taxes. The customs duties usually begin with a high specific or ad valorem rate; therefore the final tax content of the cost of the goods to the ultimate consumer is several times as great as a 1 per cent sales tax can ever reach, even with half a dozen turnovers. But American consumers during many years have become so accustomed to the high customs duties and to their manner of accumulation that now they seldom remember that they are paying highly compounded duties whenever they buy imported goods.

(b) Tobacco products, beverages, etc., paying high excise or luxury tax rates. The same remarks apply in this case as in the matter of the accumulation of customs duties in the preceding paragraph.

(c) Personal property taxes for local purposes, imposed periodically by city and State governments, on goods, wares, and merchandise on the shelves and in the warehouses of merchants and manufacturers. The tax rates in these cases are usually about the same rate as is the sales tax rate, though often in some localities much greater. This tax is collected on merchants' stock of goods before they are sold. The sales tax would be collected on identically the same goods at the time of their sale and not before. Surely the merchant and manufacturer are better able to pay their taxes when they have made a sale and have the money than they would be on a lot of dead stock.

5. WHAT HAVE ITS RESULTS BEEN IN THE PHILIPPINES DURING THE FIRST 16 YEARS OF ITS OPERATION?

(a) It has become the most productive item in the insular tax system.

(b) It has not hampered any type of business or manufacture in the island; it is precisely during the life of the sales tax law that commerce and industry of all kinds have thrived as never before.

(c) The Philippine Government is enthusiastic over the results of the sales tax and so cabled the Secretary of the Treasury in Washington four months ago, stating that their sales tax was the "most equitable, productive, simple, and economical" tax they had; that the original tax rate of one-third of 1 per cent had been increased to a full 1 per cent; and that the Philippine Government was then (December, 1920) considering the advisability of again increasing the tax rate, this time from 1 per cent to 2 per cent per turnover.

(d) Prominent merchants with offices in Manila and New York City have in printed statements been equally as enthusiastic over the operation of the sales tax law as is the Philippine Government, as quoted in the foregoing paragraph. Industrial and commercial methods and conditions in the Philippines have, during the last 22 years, become thoroughly Americanized as scores of reputable witnesses—formerly in the Philippines and now in this country—are willing to testify. All of which should be sufficient to prove an error in judgment on the part of those in this country who have, on scant knowledge of their own, condemned the Philippine sales tax as being in principle rank economic heresy and in operation impracticable.

6. WHERE DOES ITS FINAL INCIDENCE NORMALLY REST?

Normally, the entire taxes paid on each turnover are shifted and rest finally on the ultimate consumer, this because the purpose of all business is profit and the cost of goods includes every item of expense such as raw material, labor, freight, rent, traveling expenses, interest, selling expenses, losses, and taxes. All of these items are normally shifted to the ultimate consumer. It can be demonstrated with mathematical accuracy that even with a half dozen turnovers, and the corresponding 1 per cent taxes, the price of commodities to the ultimate consumer is very rarely increased over 3½ per cent. Compare this with the 23 per cent increase resulting from the operation of the excess-profits tax. The 2½ or 3½ per cent tax content in commodities bought by the ultimate consumer means that a lot of goods which, sales tax paid, cost him $102.50 to $103.50 would, without the tax, cost only $100. But as a matter of fact the sales tax encourages thrift and eliminates the 23 per cent which the operation of the excess-profits tax now loads on many commodities. Therefore the net result of a moderate general sales tax rate would be a considerable reduction to the ultimate consumer in the value of the $100 worth of goods in the example given above.

Compared with the merchants' and manufacturers' ordinary profits on each turnover of goods, the 1 per cent sales tax is so small that it was found, after many years' experience in the Philippines, that normally in ordinary commercial transactions very little attention was paid to the tax. Under abnormal conditions, where the profits were larger than usual the sales tax was absorbed.

7. HOW DOES IT AFFECT THE INDEPENDENT MANUFACTURER AS COMPARED WITH THE INTEGRATED MULTIPLE-PROCESS CONCERN?

For an intelligent comprehension of this problem several factors must be considered:

(1) As a rule, the integrated concern produces its own raw material at a minimum cost or pays less for its raw-material purchases in bulk than do its small competitors.

(2) It is generally thought that the integrated concern because of its production in bulk, more economical machinery, smaller overhead expense per unit and multiple process from raw material to finished product, turns out goods at a lower cost than do its smaller competitors.

Per contra it is well known:

(1) That not all independent manufacturers do business on a small scale, and

(2) That independent manufacturers who specialize on certain finished products are able to successfully compete with the bulk production of large integrated concerns manufacturing the same finished products.

(3) That the activities of many concerns, such as automobile manufacturers, consist mainly in assembling parts manufactured by several integrated or independent concerns.

For the purpose of this argument, we are to consider how a 1 per cent sales tax on final output affects (1) a large integrated concern with, say, six multiple processes between the raw material and the finished product as distinguished from (2) a half dozen independent concerns, each performing one of the six multiple processes, performed by the integrated concern, and each paying a 1 per cent sales tax on their output of the partially manufactured product.

The natural assumption would be that the six independent concerns among them would pay six times the amount of sales tax that the integrated concern would pay on the same output. But this assumption would be wrong, for the following reasons:

(a) Each of the six independent concerns would shift along to the next independent manufacturer in line all of the original costs of raw material plus the various costs at that stage of the partially manufactured product plus his own profit and the compound profits of the manufacturers who had preceded him and add the 1 per cent turnover tax to the bulk sum of all these items. The total of these six profits en route would make the finished product to the ultimate consumer several times the amount for which the first independent manufacturer purchased the raw material. Therefore, instead of 6 per cent—1 per cent on each turnover—the tax content of each dollar the ultimate consumer paid for a finished product would, normally, range between 2½ per cent and 3½ per cent.

(b) The integrated, multiple-process concern would add merely the cost of production in each of its processes to the partially manufactured goods entering the next process and add to the total cost its profit, together with 1 per cent of the total sale price of the finished product, which is normally sold in competition with and at approximately the same price as similar finished products are sold by the last one of the six independent manufacturers.

Therefore, the advantage which the large integrated concern would have over each of the independent concerns would be from two-fifths to three-fifths of 1 per cent—that is, 2½ per cent or 3½ per cent divided by 6. But as independent manufacturers, large and small, have thrived and continue to thrive alongside of large integrated multiple-process concerns the natural assumption is

that they will continue to thrive, regardless of a fraction of 1 per cent advantage. Whether this advantage will be used is doubtful. So far the large concerns have shown no disposition to drive their small competitors out of business. No doubt the large manufacturer is more than satisfied to allow his small competitor to set the price.

Logically competition and the sales tax would result in an increase of 1 per cent or 2 per cent or 3 per cent to the ultimate consumer, and the repeal of the excess-profits tax would result in a decrease to the ultimate consumer of several times that amount. As for the small independent manufacturer and the large integrated multiple-process concern, they should continue in the future, as they have in the past, to operate alongside of each other.

The following table shows how a year ago a suit of men's clothing, retailing at $60, would increase in value from the raw material to the finished product.

By the way, if the same suit of clothes were manufactured to-day, with wool at its present price, there would be a different result from that shown by this table:

	1 per cent tax.
1. Raw wool in grease, about $6.50	$0.065
2. Wool dealer scours wool and sells to spinner, $8	.08
3. Spinner converts into yarn and sells yarn to the manufacturer, $10	.10
4. Manufacturer weaves and finishes into cloth and sells 3½ yards at $4	.1333
5. Trimmings, linings, etc., 50 per cent of cloth	.1891
6. Tailor makes into suit and sells at $40	.40
7. Suit is sold at retail for $60	.60
Total tax price on consumption	1.5074

which equals 2.61 per cent of the value of suit to the purchaser.

If the sales tax bill becomes a part of the revenue laws of our country Congress can repeal not only the items provided for in the bill as presented by me, but can repeal all of the irritating, nagging, discriminatory taxes amounting to hundreds of millions of dollars, and the excess-profits tax, the result of which has worked such havoc with the business concerns of our country, which have in many cases been compelled to pay the excess-profits tax on paper profits.

I have received a few letters of complaint against a general turnover tax from concerns doing business on an average of 2 per cent to 3 per cent profit on their turnover sales and claiming that if the 1 per cent sales tax is imposed it would ruin their business. Perhaps in some cases the imposition of the tax, if it had to be paid by the merchant, would seriously cripple their business; but such concerns must understand that the tax imposed is to be paid by the purchaser. It is to be added to the regular price charged for all goods sold. If the merchant desires to absorb the tax there is no objection to his doing so, but the law does not contemplate any such result.

Some day not far distant America will have a general sales tax law; and with new forms of pensions and bonuses that will become a heavy drain upon the Treasury, together with the 2½ per cent sinking fund for retirement of the public debt and nearly $1,000,000,000 of interest to be paid annually upon the Government obligations, the sooner a general sales tax bill is enacted into law the better it will be for America.

Congressman MONDELL repeatedly announces that the House of Representatives will demand a lifting of taxes and not a shifting of them. I want both a lifting and a shifting of taxes, and I know the American people want the same. The expression "consumption taxes" scares the politician much more than it does the American taxpayer. Every internal tax imposed is a consumption tax. The demagogic cry of the unloading of the taxes now supposedly placed on the shoulders of the rich onto all the working population of the United States through a sale tax on goods, wares, and merchandise is a theory and not a fact, and theories never have and never will be accepted as payment for taxes that must be collected to maintain the Government. I declare in the most positive terms that it is such people of the United States that are now paying the taxes, and it will continue so no matter in what form the tax is imposed, unless it be a tax taking part or all of the capital or property of certain classes of citizens.

Many of the taxes imposed under the present revenue laws are disguised and heavily inflated consumption taxes, and when finally paid by the consumer result in an ever-rising cost of the necessities of life. They have promoted extravagance and inflation, restricted competition, obstructed the development of our natural resources, discriminated between taxpayers, and are next to impossible to administer.

Mr. WALSH of Massachusetts obtained the floor.

Mr. POMERENE. Will the Senator yield for a question?

Mr. SMOOT. I am through.

Mr. POMERENE. I just want to ask the Senator a question.

Mr. SMOOT. Certainly, if the Senator from Massachusetts does not object.

Mr. WALSH of Massachusetts. I do not object.

Mr. POMERENE. I was not able to be in the Chamber when the Senator began. As I understood his argument, he applies the sales tax to the manufacturer. I was wondering whether he would extend the principle of it to the professional man.

Mr. SMOOT. In this bill it is not so extended. I have limited it to goods, wares, and merchandise for this reason, that I am quite sure, Mr. President, that there would be objections, from many sources, if it were applied to the professional man, or if to the sale of electricity, or if it were applied to the laboring man selling his labor. It is simple in principle and if enacted into law the American people will soon learn its worth and, I believe, approve of its results, and I am quite sure, if it is necessary to raise more money, the sources of taxation could be extended. But with this 1 per cent sales tax on goods, wares, and merchandise every other tax, Mr. President, can be repealed, with the exception of the income tax; a normal tax upon business; the tobacco tax; the inheritance tax; and the amount collected at the ports of entry. These taxes will pay all that will be required to maintain our Government and take care of the 2½ per cent sinking fund.

Mr. POMERENE. Would the Senator apply this tax to the farmer and the stock raiser?

Mr. SMOOT. The farmer and the stock raiser are exempt up to $6,000, as is every merchant in the United States.

Mr. POMERENE. The Senator referred also to the sale of electric power, and so forth. What tax would he substitute for the sales tax so as to make that class of industries bear their proportion?

Mr. SMOOT. That class of industries are generally public utilities, and they are regulated as to the price for which the power shall be sold.

Mr. POMERENE. Another question. What amount of revenue does the Senator expect would be raised if his bill should pass as it is now drafted?

Mr. SMOOT. One billion five hundred million dollars.

Mr. POMERENE. Does the Senator expect to do away with the excess-profits tax entirely?

Mr. SMOOT. Entirely.

Mr. POMERENE. Would the $1,500,000,000 meet the necessities of the Government, without the excess-profits or any other tax?

Mr. SMOOT. All others, with the exceptions I have named.

Mr. POMERENE. The Senator would continue the income tax?

Mr. SMOOT. Yes; the income tax would be continued.

Mr. FLETCHER. Mr. President, I rose to ask the same question as that last put by the Senator from Ohio, as to how much revenue the Senator from Utah expected would be obtained by this tax; I believe he said one billion five hundred million. That would be about $15 per capita.

Mr. SMOOT. About that sum.

Mr. FLETCHER. I believe the result in the Philippines has been that they raised about $7,000,000, with a population of about 8,000,000. About $1 per capita has been the experience in the Philippines, I understand.

Mr. SMOOT. No; there are over 10,000,000 people in the Philippines, and they raised $7,000,000, which would be about 70 cents per capita. Most of the population there, of course, do not do any business and are exempted from the tax.

Mr. FLETCHER. They collect 70 cents per capita in the Philippines, and the Senator proposes to levy here a tax which would approximate about $15 per capita. Of course, conditions are different in the United States from what they are in the Philippines. Does the Senator distinguish between his bill as a sales-tax proposition and a turnover-tax proposition?

Mr. SMOOT. There are many, many plans which could be followed. I do not know whether the Senator was here when I began.

Mr. FLETCHER. I listened to the Senator's interesting remarks very carefully, but I could not quite gather whether he draws a distinction between a turnover tax and a sales tax.

Mr. SMOOT. The way most of the people understand it, a sales tax means the last sale, to the ultimate consumer.

Mr. FLETCHER. I think that is true.

Mr. SMOOT. But a turnover tax is a sales tax. In the consideration of the subject I suggested a bill that would levy a rate of three-fourths of 1 per cent, with a credit for taxes previously paid on all goods bought for resale. That meets with the approval of a great many people in the United States. Another proposition, coming from some of the officials of the

Treasury Department, was for the imposition of a rate of 1 per cent, without distinction between integrated and nonintegrated concerns, but exempting each dealer on the first $50,000 of annual sales.

Mr. FLETCHER. The tax is not limited under the Senator's proposition to the payment of the sales tax when the goods are finally sold to the consumer?

Mr. SMOOT. No.

Mr. FLETCHER. It applies to all the different stages of manufacture and through the final sale of the goods?

Mr. SMOOT. Yes; to every turnover.

Mr. FLETCHER. Has the Senator examined the experiences of other countries? For instance, I believe Mexico has a similar tax, but is it not quite true that people have found a way of avoiding the tax in Mexico so that the system is not satisfactory there?

Mr. SMOOT. No; the system is satisfactory, and it is in operation now.

Mr. FLETCHER. It is in operation, but my information is that a great many of the large taxpayers escape it, whereas the little fellows have it to pay.

Mr. SMOOT. This is the first time I have ever heard that. They certainly can not under my bill.

Mr. FLETCHER. As to the Canadian experience, there is a similar law in Canada, I believe. Has the Senator investigated the Canadian law?

Mr. SMOOT. I have.

Mr. FLETCHER. Does the Senator make exemptions here similar to those that are made in Canada?

Mr. SMOOT. No. If the Canadian law were put into force in the United States the administration of it would be very difficult indeed. It would be just as difficult as we find now in the collection of the so-called luxury tax. The honest merchant pays his luxury tax; the dishonest man does not pay it in full.

Mr. FLETCHER. Has the Senator examined the French law?

Mr. SMOOT. Yes; the French law is even worse than the Canadian law.

Mr. FLETCHER. I think their experience is that they have not been able to collect more than about 50 per cent of the budget estimate.

Mr. SMOOT. No; not as a whole, but from certain goods taxed similar to our luxury taxes. France had a sales tax during the war, and it was about the only source through which she collected the money she was compelled to raise outside of the sale of bonds to carry on the war.

Mr. McCUMBER. Mr. President, I wish to ask one question of the Senator from Utah. The Senator stated, if I understood him correctly, that even though there were five or six turnovers the ultimate consumer would not pay more than 2 to 2½ per cent. That same thing was asserted also in the little primer which was gotten out by the Sales Tax Committee. I read it carefully. I confess I fail to understand how that is possible, and I would ask the Senator if, in the initiation of the consideration of the matter, he will not make that a little more clear to me.

For instance, take goods that the manufacturer sells for $100. That is the first turnover. He adds 1 per cent and that article is sold for $101. Without taking any profit at all and, of course, there would have to be a little profit the next time, that $101 is turned over and the amount then would be $102.01. The third time it is turned over it would be $103.04. The fourth time it is turned over it would be $104.07, and the fifth time it would be $105.11. Of course, that would be without any profit whatever. I can not for the life of me understand how, if we add $1 to $100 each time that it is turned over, and if it is turned over five times, there will not be $5 added to the ultimate consumer.

If the Senator can make that clear to me and to the Senate, he will have accomplished something I have not been able to accomplish for myself.

Mr. SMOOT. It seems to me so simple that I can not see why the Senator has not understood it.

Mr. McCUMBER. Possibly that is the trouble—that it is so simple.

Mr. SMOOT. In the first place, no such transaction ever did or ever will occur. It is impossible to take raw material and manufacture it into a finished product and no increase in the value with the exception of the 1 per cent sales tax.

Mr. McCUMBER. Of course, I am assuming he will make a profit.

Mr. McCORMICK. What about corn? The farmer is not making any great profit on corn.

Mr. SMOOT. He has an exemption of $6,000 on the sale of corn. If he sells more than $6,000, of course, he would be subject to the tax over and above the $6,000.

Mr. McCUMBER. With a turnover of five times from the manufacturer of the completed article, which sometimes even passes through five different hands before it reaches the ultimate consumer, what I am trying to get at is how it can escape $5 being added to the $100. The 1 per cent sales tax first applies to the raw material in addition to the natural profits.

Mr. SMOOT. The Senator's proposition is that there shall be five turnovers with no profit. I have called attention to one case, and I have hundreds of others, and the Senator can see exactly how the usual processes work out. Take wool in a suit of clothes, say $6.50. The tax is 6½ cents.

Mr. McCUMBER. The Senator does not understand my question. I am taking a completed article, the raw material not being considered at all. The manufacturer makes a completed article. That is the first turnover from him to the commission man or the wholesaler. He turns over that article, $100 worth of it, and there is $1 tax. It passes through some four hands, we will say, before it reaches the ultimate consumer, each one of them taking an extra dollar.

I agree with the Senator so far as raw material through the several stages of manufacture is concerned, but I understood the Senator to make the statement as to the average turnover. I know in many instances the turnover is three or four times after it leaves the manufacturer before it reaches the ultimate consumer. What I am trying to find out is how the Senator figures it that the ultimate consumer would escape paying $1 on $100 for each turnover, five times if it was turned over five times.

Mr. SMOOT. That would be the case with manufactured goods if no profit was made on each turnover. But that never happens, and such turnovers should be discouraged. There must be very few of them. If there is any complaint, it might be directed at the different stages of manufacture. As the raw material is increased in price through the stages of manufacture, the 1 per cent tax is paid upon the increased value. When it reaches the ultimate consumer he pays 1 per cent upon the sales price and the tax imposed on each step will not average to the consumer in extreme cases more than 3 per cent.

Mr. KENYON. Mr. President, if the Senator has cleared that up—although the whole thing seems to be getting about as clear as the Einstein theory—I should like to propound a practical question to him as to agriculturists. The farmers in my State are now receiving about 28 cents a bushel for corn, and statistics from the Agricultural Department show that it actually costs them 90 cents a bushel to raise that corn. They take the corn to market and sell it. If they have enough to come above the exemption, whatever it may be, they have a tax to pay on it.

Mr. SMOOT. On all over $6,000. If they had $10,000 worth, they would have to pay 1 per cent on $4,000, or $40.

Mr. KENYON. Even though they were practically losing 60 cents a bushel on the corn?

Mr. SMOOT. Yes; if such is the case, but this condition seldom happens. He may pay this tax and be relieved of other taxes amounting to a great deal more than he is now paying under existing law that can be repealed if the sales tax is adopted.

Mr. KENYON. The man who makes the great profit is an element that is not taken into consideration at all in getting at the taxes. The fact the farmer has practically lost everything he has is not taken into consideration, and still he has the tax to pay. That is an injustice, it seems to me, in the sales tax.

Mr. SMOOT. We are right now in a stage of getting back to normal conditions. Everybody nearly is losing money.

Mr. KENYON. There are things happening to farmers that seem to be happening to no one else in the country.

Mr. SMOOT. It is happening to nearly every one, I will say to the Senator. The farmer feels it direct and we hear of it perhaps more quickly.

Mr. KENYON. The farmer's prices are back below the prewar prices, while in other industries that is not true.

Mr. SMOOT. Many of them. I can tell the Senator many cases where they are back below prewar prices—many of them, indeed.

TREATMENT OF EX-SERVICE MEN.

Mr. WALSH of Massachusetts. Mr. President, in undertaking to make some observations in regard to the general treatment by our Government of the ex-service men of the recent war, I am conscious that my remarks may be misinterpreted and subjected to the accusation that they are purposed on the grounds of mere political propaganda. A brief explanation therefore, of my interest in this subject and some reasons for taking the

time of the Senate to discuss it might well be stated at the very outset.

During the recent recess of Congress, while at my home in Massachusetts, by mere chance I had occasion to visit one of the buildings used for hospitalizing some of the World War veterans. The conditions which revealed themselves were totally incredible, and such a deep impression was made upon me by the apparent neglect of our young heroes that I was moved to devote several days in a further investigation of hospital facilities in the Commonwealth which I have the honor in part to represent. I did more than examine hospital conditions; I talked with the patients, had questionnaires regarding their compensation claims prepared and filled out by them, and sought to obtain their general mental attitude toward the Government.

It is therefore with personal authority that I speak, and the conclusions and the recommendations that I make bold to suggest are the result of much consideration—indeed, I might say anxiety because of the seriousness of this problem. I must admit to having been influenced by an earnest desire to contribute something toward formulating a constructive policy to remove the growing and already generally accepted view of these men and their families that our Government has not shown the same degree of promptness and earnestness in attending to their affliction growing out of their service as it did in encouraging and summoning them to duty in the hour of the country's distress.

I must confess, my fellow Senators, that during my years of public service I have rarely felt more keenly the neglect of a great opportunity to render a real service to those deserving much of our country than I did during the days that I saw these young men in the improvised hospitals where they are domiciled, and talked with them about their incapacitation and their experiences in seeking Government assistance. I believe, after a fairly comprehensive study of the problem, that the indictment which they have been steadily shaping in their minds is one the validity of which we are almost compelled to admit.

As I saw these poor fellows stretched out on their beds of pain, discouraged and despondent of the Government's treatment of them, I could not help but contrast the scenes before my eyes with those scenes of a few years ago when these same young men, in the full bloom of healthy and promising manhood, marched through the streets of our communities amid cheers and plaudits of all our people. How we vied with each other in wishing them Godspeed; and how our hearts throbbed with emotions of affection and gratitude for that fine American spirit which moved them to undertake so cheerfully and willingly the hardships and trials of camp and face the shells and deadly gases in the hell regions of Europe! Again and again I recalled that phrase heard so often on every platform and which is familiar to every service man: "When you boys return you can have anything your hearts crave and everything a grateful country can give you."

Men in public life have frequently been reminded that republics are ungrateful, but somehow all Americans have been imbued with the firm conviction and belief that treatment of returned soldiers was one exception to the ingratitude of governments. Have we not boasted that in our democracy there was no such word as ingratitude in dealing with those who sacrificed body and life upon the battlefield for the perpetuation of democratic ideals?

I do not assert that it has not been the desire and intent of the entire Nation to provide these returned war heroes with every benefit and every care which the Government could possibly bestow; for during the fighting period when thousands of our youth left or were called from their civil occupations to assume the very great task of upholding the national honor, I need not recall that it was the common purpose of the whole people to reward the valor and service of our fighting forces.

Nor could it logically be claimed that Congress willfully neglected to provide for the care of the incapacitated and the restoration of the temporarily unfit to civil pursuits. Legislation was passed in favor of liberal insurance, compensation, vocational training, and hospitalization for all who had been handicapped by their service in the Army and Navy. Without reflecting on the purpose of the framers of these laws and recognizing also that of necessity they were hastily drawn, nevertheless I believe it is a fact that the laws have been open to so many different constructions and interpretations on the part of the various boards and bureaus created by them that as a result the administrative system, borne down with duplication and wasted effort, has practically collapsed, leaving the veterans for whom relief was intended to help themselves altogether until the bungling, slow-moving, tape-laden Government bureaucracy manages at last to find some way to help them.

In any review of these laws we should bear in mind that, as I have said before, they were necessarily hastily drawn; that they were drawn for the most part by men who could not reasonably be expected to serve in the war and who were consequently somewhat detached from the needs of the service man and his point of view. The experts called in to advise in the matter of this legislation, we must remember, were business men, shrewd, calculating, and with the practicable and profitable ideas common to business men. There was no precedent of extending relief and no definite appreciation of the needs of the soldiers, so accordingly there was an absence of the generous and sympathetic impulses which naturally arise from direct contact with the kind of trials, suffering, and personal losses that we have all witnessed since the return of our fighting forces from France.

One of the great difficulties with this problem lies, I am convinced, in the fact that the three principal bureaus of soldier rehabilitation (Bureau of War Risk Insurance, Federal Board for Vocational Education, and Public Health Service) have failed miserably in coordinating the scope and character of their operations.

It is my purpose to consider the problem of rehabilitation under four different heads, namely: Insurance, compensation, vocational training, and hospitalization.

INSURANCE.

Mr. President, a close examination of the methods by which the bureaucracy created to take care of the ex-soldiers has been functioning will disclose an amazing indifference toward the original purpose of veterans' relief legislation.

Can we believe that Congress intended the right of each service man to insure himself under the terms of the war risk insurance act to be one which might be withdrawn irrevocably because of temporary inability of the individual soldier to keep up his payments, arising, let us assume, out of loss for the time of his prewar earning power?

It is a matter of very considerable doubt that Congress intended to prevent the reinstatement of a war risk insurance policy except in case the service man can swear that his physical condition is equally as good as at the time he was admitted to the privileges of insurance under the war risk insurance act. The machinery for disposing of these pending insurance cases, allowing always for the stresses and strains of war upon the physical and mental condition of the soldiers, should be immediately rebuilt so as to attend in all respects to the needs and the deserts of the war veterans.

How can we in conscience deprive of the benefits of insurance the parents or wife of an American service man who faithfully and without stint contributed his services to his country in time of its extremest peril, and who while in the performance of that service contracted a disease which since November 11, 1918, caused his death, simply because while suffering from disease the son or husband was unable to save the money to pay his premiums or was unable to expedite the department of our Government in providing him with compensation to take care of his disability? And yet thousands of fathers, mothers, and wives have found themselves in this very position and have been compelled to suffer, not only the loss of the comfort, aid, and companionship of a devoted son or husband, but have been impoverished themselves because they had not the wherewithal from the date their loved one was discharged to the time of his death to meet the insurance premiums.

To put the issue squarely before us, I purpose to file a bill which seeks to provide that the dependents of every ex-service man whose policy has lapsed since the signing of the armistice and who has met with death through disease contracted in the war shall be forthwith paid the sum named in the original policy upon the deduction of all premiums due from the time the policy lapsed to date of the insured's death.

Again, there is no provision in the present insurance laws to reinstate the policies of those men who through no fault of their own were forced to discontinue their insurance. The present law provides that no one can have a policy reinstated unless he can show himself physically sound at the time he seeks reinstatement. Such a provision entirely eliminates all tuberculous and like cases. Neither does the present law allow for the mental and physical deficiencies harassing the soldier upon his return from the abnormal conflicts of war to civilian life.

I am aware of many cases of ex-service men who faithfully paid premiums on their policies during the war period, but who have permitted them to lapse after they came out of the service and who later contracted serious illness. To assist such cases I shall also present a bill to provide that every service man formerly insured under the war risk insurance act and whose policy has lapsed shall be entitled within one

year after the passage of this act to the reinstatement of his insurance without physical reexamination, upon the payment of two months' premiums.

I argue these laws on three grounds: First, because humaneness commands that this Nation do everything possible for those who have done so much for their country. Secondly, because it is expedient in view of the fact that unless we provide for the needs of these men and their dependents we will be forced at some subsequent time to serve them with pensions which will be far more expensive and troublesome to the Government. The chief defense this Government will have in future years against a movement for extensive pensions will be that its obligations to service men and their dependents have been canceled. Thirdly, because in many cases the Government's failure to adjust compensation claims has deprived the ex-service men of the means to pay the premiums due on their policies.

The section of the war risk insurance act which provides for the payment of insurance in 240 equal monthly installments is unsatisfactory and a source of trouble to the heirs of deceased service men. Therefore, I shall also submit a bill which will provide the payment of the full value of the policy in three installments—one-third at the time of death, one-third one year after death, and the remaining third two years after death. Nearly three years have elapsed and consequent contact with a merciless world has impressed the dependents of our living and dead soldiers with the necessity of frugality and prudence; and therefore I am sure we need no longer fear wild extravagance if insurance is paid in larger sums.

COMPENSATION.

Another more patent, more serious instance of collapsed war-relief instruments is the matter of compensation to those who were disabled or handicapped in the service. Is it not lamentable to behold thousands of young veterans compelled to wait for action, some of them suffering in hospitals, others even dying, before the Government agencies can help them? Eighty-three thousand cases of veterans seeking compensation were in the files of the War Risk Bureau awaiting attention at the end of November, 1920, and since that time the number has undoubtedly increased, chiefly because the bureau demanded the soldiers asking assistance and help which was lawfully theirs under the war insurance act to furnish an indisputable, impenetrable set of legal affidavits before their cases were even considered for settlement. In addition to the soldier's physical disability, he has been burdened with the impossible task of proving beyond any doubt or question how, when, where, and with what effect his disability occurred, as well as of answering satisfactorily other phases of an irrelevant questionnaire which does not take into account the natural tendency of the soldier, at the end of the war, to conceal his physical deficiencies in order to get immediately discharged, no more than it considers the desire of the examining physicians at different cantonments to set a high medical record for their own particular station. What can we think of Government machinery intended to function in the interests and welfare of our wounded and incapacitated soldiers and yet which demands in most cases from three to seven months in order to dispose of a soldier's claim for compensation?

It is not my purpose to lay all the blame for the delay and neglect which is visible on every side at the door of the official bureaus created for war relief purposes, because after having read the act I conceive it very possible that on account of its loosely drawn character various bureaus might differently interpret and construe its provisions. The refusal to pay compensation in the case of any man becoming ill or unfit unless his disability has appeared within a period of one year after his discharge from the service seems to be altogether arbitrary and unjust; for, according to the most authoritative medical experts who have studied this question, it will be 1929 before the peak has been reached in the development of the number of psychic and mental cases arising out of the late war. I shall therefore submit a bill to extend the period within which an ex-soldier may be considered eligible for compensation.

The chief objection I have to offer against the present method of compensation is its centralization. The official who makes the physical examination in the regional divisions of this bureau, and comes in personal contact with the applicant, has no authority to adjudicate the case. After collecting the data, the application is forwarded to Washington, where a judicial examination of the written statements of physician and applicant is made and there is after long delay an adjudication, with the result almost invariably that a letter comes back to the applicant asking for affidavits and further evidence connecting his disability with his service. Rarely, if ever, I am informed, is there final adjudication from the Washington bureau of the applicant's case within three months, and the delay extends from six to seven or more months.

It may not be amiss to state just what is the proceeding where compensation is sought by an incapacitated ex-service man.

Imagine, if you can, the feelings of a young ex-soldier in the State of Maine, on the Canadian border, finding himself afflicted with lung trouble, which he knows is the result of his strenuous and laborious service during the war, as he contemplates the delay and the endless red tape that he must endure before he can give up his employment and take the necessary rest to restore his health. Follow him as he leaves his home, compelled at last to turn to his Government for aid; traveling for hours and at times all night, at considerable expense, to visit the representatives of his Government at the nearest regional office, where he can be examined by a public-health physician. The examination is held, he returns home with no more information than when he left, except that his application, with medical statements, has been forwarded to Washington. Weeks, more generally months, pass, and he and his family must bear the expense of medical treatment and care, and endure the loss of income due to incapacitation, while he waits for action at Washington. At last the day comes, and the mail brings a report. It is a stereotyped letter—one that is sent after an examination of nearly all claims, and demand is made that he give further proof that he is suffering from an ailment which he contracted during the period of his service. No American Legion post, Red Cross, Knights of Columbus, Young Men's Christian Association, or other agency is at hand to give advice, so local lawyers and physicians are consulted, affidavits are prepared and sent to Washington. More delay follows, and in some cases death has relieved the mental anxiety and physical pain before the Government he so cheerfully and bravely served in its hour of trial has found time and a way to give him the little compensation that would have cheered his heart and sent him into eternity with the realization that a grateful Government would never cast its watchful eye away from caring and helping those who had been robbed of the comforts and assistance that he was able to give them in the days of his vigorous youth, before the ravages of war had shaken his constitution and prostrated him.

Mr. President, let us cut this red tape—let us act. Put behind us forever this delay, postponement, suspicion, and distrust. What will help more than anything else to solve this problem and restore confidence in our ex-service men is the placing of absolute authority to act and settle these claims with the local agencies, that personally meet and come in contact with the disabled ex-service men. I urge, therefore, such a change in the present law as will remove the widespread feeling among applicants for compensation that this Government presumes that incapacitated ex-service men are crooked, dishonest, or impostors, without affirmative evidence from them to the contrary.

Let us analyze more in detail the extent of the proof required under the present law to establish a claim for compensation. Section 306 provides that no claim shall be allowed to an incapacitated ex-service man unless his disability has developed within one year after discharge from the service. This law practically eliminates from compensation every ex-service man who becomes incapacitated after one year following his discharge. The law also places a time limit of five years upon the filing of compensation claims. Both these provisions should be repealed. In the first place, the law assumes that no disability can result after one year following discharge from service; and, in the second case, that even if this disability has occurred, and yet the soldier neglects to file his claim within a period of five years following his discharge, he shall be automatically excluded from the privileges of the act and left to his own resources to take care of his incapacitation.

In other words, neither of the provisions reckons with the fact that an illness bringing disability such as tuberculosis or a neuropsychiatric condition can very possibly be delayed in its appearance for over one year; nor does it admit of the right of the soldier in the event of its subsequent appearance to claim his compensation if the period elapsed since the date of his discharge has been five years.

Mr. President, the proof that these provisions of law are unreasonable is furnished by evidence everywhere of hospitals overcrowded with ex-service men suffering from disabilities contracted subsequent to the one-year period. While I appreciate that there have been some favored exceptions made to the strict interpretation of this law, yet the fact remains that the cold

letter of the law itself debars thousands of deserving and worthy cases from compensation. Incapacitated service men should have their compensation as a matter of right and not of favor.

We must remember that these conditions were inserted in a law that was made during the war and before we fully realized the extent of the physical havoc that this war would make among the young manhood of the land. There should be no delay in repealing at once sections 306 and 309 in view of the knowledge we now have of the widespread extent of such diseases as tuberculosis and neuropsychiatric afflictions, most of which afflictions have appeared among ex-service men who were discharged from the service after medical examination as physically sound and who developed none of the symptoms of these diseases until more than one year thereafter.

The service men have long since become disgusted with the arrangements for compensating them.

When asked what reply he had received from the War Risk Insurance Bureau in regard to his compensation, one veteran in a Massachusetts hospital replied: "No result; always the same old story—more medical evidence." A soldier in the Walter Reed Hospital in Washington who wrote to the Director of the War Risk Bureau asking if 10 affidavits would be sufficient to link up his disability with his service record received the reply, "I do not think so." Still another applicant who, when asked what was his physical condition at the time of his discharge, replied, "Good, according to Government doctors, but wanted to get home and did not make complaint." Instances like these are frequent and, I dare say, quite typical of the attitude which the bureau has shown to claimants.

I find another source of common complaint is the uncertainty of what compensation may be allowed to disabled soldiers, suffering with varied degrees of disability. It frequently happens, for illustration, in the tuberculosis hospitals that one patient will be receiving as compensation the amount for full disability, while his hospital mate, with a similar disability, may be receiving but one-tenth of that amount.

There seems to be no way of increasing the compensation speedily when once granted in those cases where the disease is progressive. For example: In cases of incipient tuberculosis, the compensation first given may be very small, but where the disease has extended itself, bringing a larger degree of disability, there seems to be no prompt means of compensating the sufferer adequately and admitting him to the new classification to which he is entitled.

To remove the injustices now prevailing I purpose to offer, in addition to bills calling for the repeal of sections 306 and 309, a bill that will provide that all ex-service men claiming disability resulting from chronic bronchitis, pleurisy, or any neuropsychiatric diseases shall be held and taken to have contracted such diseases in line of duty and not by his own willful misconduct, unless it can be proved by the Bureau of War Risk Insurance, by further evidence than that contained in the medical record of such claimant's discharge, that such disease has been contracted not in the line of duty, but by his own willful misconduct.

Mr. POMERENE. Mr. President, does the one-year limitation apply to those nervous cases?

Mr. WALSH of Massachusetts. All cases—every case. The cold letter of the law debars every person from getting compensation unless disease appears within one year after discharge. It is only fair to say that there have been exceptions made; there has been a fairly liberal construction of that law; but when a man applies with tuberculosis that has developed since—and I will give you some cases later on—he must prove that some symptom appeared within a year and that it is traceable to his service.

Mr. POMERENE. I think it is medically accurate to say that these cases are very often progressive.

Mr. WALSH of Massachusetts. Certainly.

Mr. POMERENE. And they may not develop until a considerable time afterwards.

Mr. WALSH of Massachusetts. Quite true.

Mr. POMERENE. But certainly they ought to be cared for if the service is in any wise responsible for that condition.

FEDERAL VOCATIONAL EDUCATION.

Mr. President, the prominent idea of any sound rehabilitation program must be founded on the principle of restoring the afflicted or handicapped war veterans either to the work that they were pursuing before their entrance into the service or into lines of activity for which by temperament and disposition they are especially adapted.

The Federal Board for Vocational Education, established to furnish training and education to those of the ex-service men who are entitled to it under the law, has managed in recent months to dispose of the greater number of cases that have come to its attention, but even here I feel there is room for improvement.

It was only last week, when interviewing an official in regard to the number of men who were in training and whose claims are at present before the board, it came to my knowledge that in this regional district (Washington) alone there are over 700 soldiers who have been adjudged eligible for vocational training under the act but who have not yet received it, because they were considered mentally and nervously unfit for training in any regular university or college course where they would be subject to the same rules and requirements as other students at these schools. This is indicative of one thing, namely, that the Federal Board for Vocational Education has failed to organize a corps of specially qualified men to train cases of neuropsychiatric nature and has neglected to cooperate with the Public Health Service for the establishment and equipment of special institutions where these men could be simultaneously hospitalized and educated.

I have no specific data on the point, but I shall venture with the official to whom I talked about this matter that a number of men in all parts of the country can be found who are not receiving the benefits for which they were declared eligible. This leads to a deliberation on the exact status of these men. Let us take, for instance, the case of the man who was nervously afflicted by shell-shock, so as to render him unfit for a normal civilian occupation, and yet was not granted by the Bureau of War Risk Insurance a degree of disability compensation sufficient to support him and his dependents. He finds himself in the unhappy plight of a man drawing inadequate compensation, entitled to vocational training, but temperamentally unfit for it, and obliged to sit quietly by and wait until the royal bureaucracy shall decide to make a ruling covering these cases or until an apathetic Congress gets ready to change the law.

What sort of consideration is this that leaves a man who has been disabled in the service of his country stranded without the means of subsistence or even the opportunity of helping himself back to civilian life and of once more resuming the duties of citizenship?

At this time let us urgently invoke the proper authorities to give this matter their full attention and speedily arrive at a decision regarding these cases.

HOSPITALIZATION.

The grievances of the veterans and their complaints against the system of insurance, compensation, and vocational training, as our evidence shows us, are indeed well based on facts that constitute a severe indictment against the present instrumentality of dealing with our soldiers' problems, one which is severely gross enough to call for a reversal of our methods.

But there is another condition obtaining which I think is even more grievous. It is bad enough to withhold insurance or compensation or vocational training from one who is deserving of it, but it is unthinkable, it is inhuman, to think that we should withhold the proper hospital accommodations from wounded men and incapacitated soldiers and compel them either to remain at home without sufficient care and medical attention or to go into hospitals so crowded, so unclean, so unsanitary, so poorly conducted and managed that they constitute a still greater menace to the welfare of soldiers than their disability.

The care of mental cases has been almost entirely neglected, and, while they are the most serious, the most far-reaching in their effects of all the afflictions due to the war, they have received little attention, and thousands of them are forced to let their illness become aggravated day by day while waiting for the Government to build the hospitals necessary for their care.

It is a sad reflection indeed upon the ingenuity of the present war bureaus that they have been unable to find some buildings in the country that they can convert into hospitals for these men, even if they be in army cantonments, where modern hospitals were built a few years ago at great expense and which are now abandoned.

As the hospitals are to-day, there is in many instances a lack of sanitary accommodations, uncleanliness, disorder, and filth. There is an inadequacy of medical aid and advice, a shortage of the most elementary hospital equipment, and a startling absence of discipline and morale.

Even school children know that the cure for tuberculosis is rest, plenty of fresh air, and good food. Without discipline there can be no proper rest, and discipline is almost unknown in many of these hospitals. The per capita boarding-out method means that fresh air, cleanliness, and food is to be subordinated to the making of a fair profit by the keepers of these boarding

hospitals. We should abolish at once this indefensible system of boarding out patients. We do not even pursue such a plan in caring for paupers.

What would you think of a private physician who consigned a tuberculous patient to the stuffy garret of a crowded building managed by a man or woman untrained in medicine, there to remain without fresh air and without sanitary conditions?

What would you think of a private physician who permitted a patient suffering from this disease to stay indoors at his own pleasure? What would you think of a private physician who would order tuberculous patients to be fed under contract at so much per capita? What would you think of a private physician who would send a tuberculous patient to a home for treatment where, with 50 other similarly afflicted patients, the only recreation room was the dining room? What would you think of a private physician who would send a tuberculous patient to a house containing 50 or more patients where there was but one bathtub and absolutely inadequate toilet facilities? What would you think of a private physician who permitted several tuberculous patients suffering from various stages of this disease to eat, sleep, and be housed in practically the same room?

What would you think of a private sanatorium that has no rule or regulation whatever in regard to providing facilities for the cleanliness of body and clothing of its patients?

I have no doubt but what you would not only condemn this physician severely, but you would report him immediately to the local board of health for maintaining an establishment which was a menace to the community in which it was located.

I regret that I have not in my possession some photographs which I requested to be taken showing the interior of some of the rooms where these tuberculous patients are housed. They would, better than anything I can say, give evidence of the limited facilities for light and air, and the presence of even five or more persons sleeping in rooms intended to accommodate one person, or at best not more than two.

I remember very particularly visiting one hospital where I found, not in an attic—that is too attractive a description—but in a trunk attic or storage attic, seven patients. Access to this improvised dormitory necessitated bending the body almost at right angles in order to reach the sleeping apartment from the second floor. There would not be the slightest possibility of a single life being saved from among the seven patients housed in that attic if fire should break out in that house.

Mr. President, I declare, without fear of contradiction, that invalid ex-service men have been and are to-day housed in so-called hospitals under conditions that a self-respecting community would not tolerate its incapacitated criminals to live. Indeed, a comparison with the living conditions which the Government provides for its immigrants at the immigration stations throughout the country and those for our incapacitated service men would be most favorable to the former.

I recall visiting a young lieutenant who was confined in one of these hospitals suffering with tuberculosis. Four months before the time of my visit he had suffered violent hemorrhages and was unable during that period of time to leave his bed. He was in a room with two other patients, both of them seriously sick with that dread disease, but more or less capable of dressing themselves and recreating in the daytime within other parts of the house. The room in which these three persons were housed would be described as a rear servant's room, poorly lighted and very inadequately aired.

The lieutenant related to me a pathetic story. He said that he had been obliged to purchase at his own expense toilet and medical appliances necessary for his case. Further, that his wife, who during the course of his illness gave birth to a child, was obliged to move to the village where the hospital was located and daily go back and forth to him in her weakened condition to give him a bath and administer to his other wants. The alcohol with which she rubbed him they furnished from their own funds; in fact, there was practically no medicine or medical supplies available. When his wife left the hospital nightly he was left without any bell or other means in his room to summon assistance during the nighttime or even to call for a drink of water. He informed me that one of his sick roommates got up frequently during that time and acted as his nurse. And still this very lieutenant was one of the brave boys who fought so valiantly during the war and was promised so much from the gratitude of this Nation. I might add that I was pleased to learn later in talking with some of his home townspeople that the local American Legion had raised enough funds to supply this bedridden lieutenant with a nurse. If officers meet with this kind of treatment in this so-called hospital, what must be the treatment accorded to the ordinary private?

It is interesting to note before passing from the case of this lieutenant that he filed his application for compensation September 24, 1920, and a few days ago—April 21, 1921—upon my inquiry of the Bureau of War Risk Insurance, I was advised that the evidence submitted was not thought sufficient to connect his disability with his military service. The Director of the Bureau of War Risk Insurance wrote me what seems to be an admission of the justice of this claim. I quote:

> The records disclose that he was treated one month after his discharge for an acute infection, pulmonary condition, and 21 months thereafter he was treated for tuberculosis. It is therefore my opinion that the tuberculosis is traceable to his acute infectious condition, which was incurred by the claimant subsequent to his discharge from the service, and which was not in any way connected with his service.

This case is only one of hundreds in my files. It is typical of the delay our incapacitated soldiers are enduring and the technical objections made to their compensation claims.

STATEMENT OF YOUNG OFFICER ABOUT CONDITIONS IN HOSPITAL WHERE HE WAS HOUSED.

Before closing the story of this lieutenant in one of the public health hospitals of the country, I quote from his letter which contains facts which he has personally related to me:

> Now, Senator, I am not striving to close up this institution. If there is no other place the ex-service men may be cared for, this is better than none at all. On the other hand, I do hope that you will be able to do something, with my help, as I realize that few are able to say, or else they are afraid to say, the real truth. I feel it a duty to myself, also to my comrades, for to me it is a crime and a shame that these men have to put up with such conditions after what the majority of them have been through.
>
> I have divided these facts up into three headings, viz, "Sanitation," "Medical Aid and Advice," "Hospital Equipment." I think it will be easier for you to come to a clearer understanding. I have tried to eliminate the petty complaints and put down only legitimate facts.
>
> SANITATION.
>
> Main hospital has 50 patients, besides several of the help.
> One men's toilet on the upper floor which serves 37 people; one on the lower to serve a like number, which is against the State law.
> No hot water for first seven months after institution opened up, and after it was installed it is only hot about two hours a day.
> There is no laundry, therefore it is necessary that the men wash their clothes in bath tubs.
> It is a known fact that men have gone from two weeks to one month without a bath, some men contracting lice.
> Floors washed twice in six months.
> Never any disinfectant put on telephones and seldom used in toilets. Rooms never disinfected.
> Expectoration boxes seldom collected and left lying around.
> Dishes not properly sterilized.
> Only one sheet, one pillow case, and one towel issued weekly, one sheet being used two weeks for bed patients.
> Sweeping neglected some days. Dust collector seldom used.
>
> MEDICAL AID AND ADVICE.
>
> No lectures of any kind given to men on tuberculosis.
> No instructions as to proper care of yourself.
> Bed patients frequently asked to get up when they should be in bed.
> Hard to get medicine for coughs and other ailments; patients frequently buying their own and seeking outside aid.
> Examinations very meager.
> No urine or blood tests, etc., ever taken.
> Physician in charge left hospital five days without a physician; outside physician calling only once a day.

Mr. POMERENE. Who is the officer in charge of that hospital?

Mr. WALSH of Massachusetts. This is one of the boarding-out hospitals. There is no officer.

Mr. POMERENE. Somebody is responsible for that condition.

Mr. WALSH of Massachusetts. The Public Health Service, of course. The Public Health Service has made contracts with private individuals, I believe, some of them not even physicians, to assume the boarding of tuberculous patients at $3 per day, and this is a hospital where a man is accepting boarders sent to him from the public health physicians, and receives $3 per day for their care.

Mr. POMERENE. If any officer is responsible for that, he ought to be court-martialed.

Mr. WALSH of Massachusetts. The letter continues:

> HOSPITAL EQUIPMENT.
>
> Not enough help.
> No nurse, attendant, or orderly throughout the night.
> Days during the winter when there was no coal for furnace in the hospital.
> Never any ice on hand during the winter months. Hemorrhage patients who needed ice being forced to use it out of an ice-cream freezer which was left at the hospital after a party.
> Patients forced to buy their own equipment, such as bedpans, ice caps, hot-water bags, temperature sticks, drinking tubes, etc.
> Patients forced to sit on boxes at dining table at different intervals.
> Second-grade milk and eggs used.
> No basins large enough to give bed patients a bath.
> No bells to summon help in sleeping rooms.
> Men in bed would suffer greatly if it were not for outside assistance of relatives.
> Oftentimes it is hard to get sputum boxes, there being none available.

I refer to another hospital which I visited which has recently been changed over from being a boarding hospital to a public hospital. The officer in charge informed me that had last winter been a cold winter the men would have frozen in

their beds, because the building which they used had no cellar and no basement of any kind, simply being a summer hotel or summer boarding house; indeed, not a hotel. This particular building is now being conducted by a Public Health Service officer, whom I found in the last few weeks very much interested in the work, and very anxious to improve previously existing conditions. He had already made many beneficial improvements. He said the hospital was bought from the Red Cross, which I understood had previously conducted it. I asked what the purchase price was or the lease price.

Mr. POMERENE. Bought by whom?

Mr. WALSH of Massachusetts. It was leased by the Government through the Public Health Service. I asked the rental price paid under the lease and also asked for the optional purchase price. The Government is paying to-day for that second-class camp boarding house $6,000 a year rental. The optional price for the purchase of it is $50,000. I went to the assessor's office in the village near by, and found that the whole property is assessed at $10,000. The Government is paying per annum $6,000 rental for property which is assessed at only $10,000.

Mr. POMERENE. May I ask, in order to make that a little more clear, whether the law of Massachusetts requires that property shall be assessed according to its actual value in money?

Mr. WALSH of Massachusetts. Yes; and property is in many instances assessed at more than its actual value.

The situation disclosed by personal visits was such that I was anxious to get the impression a visit to these hospitals would make on others. There may be in Ohio or Texas or Wyoming some first-class institutions, but Massachusetts has boasted of its health laws and has boasted that it was the first State in the Union to have a State board of health. It boasts of its splendid health department and of the training and education given in its schools and hospitals in matters of sanitation and health. I was astonished to find in my own State the conditions which I am describing to you.

I therefore asked a general in the active service of the United States Army to visit some of these institutions. I quote in part from a letter which he has written me on the subject——

Mr. LA FOLLETTE. Mr. President——

Mr. WALSH of Massachusetts. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. Will the Senator make clear for the RECORD why these ex-service men are not in Government hospitals and immediately under the care of the Government?

Mr. WALSH of Massachusetts. It is very difficult to explain. I can not explain it except the officials will state that they have not been able to get the assistance, that they have not been able to get the equipment, that they have not been able to get the location and the buildings, so they have gone out into the country and found persons who had private houses that would accommodate 25 or more people. In fact, some of these so-called hospitals are houses built to accommodate a family of about 8 people, and they have about 40 patients in them. The agents of the Government would make a contract with the proprietors of such houses to board the patients at so much per capita. They say they can not get good locations. You know and I know how people all over the country were vying with each other during the war to give for the service of our country and for hospital purposes the finest estates in the land.

Mr. POMERENE. Let the RECORD show, if the Senator has the information, who the officer was that made the contracts for the alleged care of these soldiers.

Mr. WALSH of Massachusetts. The officer, of course, was the public health official for the New England district located in Boston.

Mr. POMERENE. That is, the Federal officer?

Mr. WALSH of Massachusetts. The Federal officer, of course.

Mr. POMERENE. What is his name?

Mr. WALSH of Massachusetts. I do not know his name. It is a matter that can be very easily determined. I am not criticizing individuals as much as I am the system.

Mr. POMERENE. That matter ought to be pursued to the end.

Mr. WALSH of Massachusetts. In fact, these officers are frequently changed and I would not want to attempt to name the man who made contracts months ago, because these so-called hospitals have been in operation for some time. I could not say who the officer was that made each contract, but it is a matter very easy to determine.

I wish to suggest, and I hope the Senator will agree with me, that the whole subject is one that should be investigated by the Senate. A committee should go to these hospitals and to these men and talk to them, and see for themselves what the conditions are and the extent of disaffection. We, Members of this Congress, should investigate conditions at once and give assurance to the country that we do not purpose to see this neglect continued.

Mr. POMERENE. I agree with the Senator from Massachusetts. The conditions exist in these hospitals, and I have no doubt about it, otherwise the Senator would not have described them as he has. I agree with him that there ought to be this investigation, but we have connected with the Army an inspection service as well as the Public Health Service, and it would seem to me that there has been serious neglect not only on the part of the Health Service but on the part of the inspection service.

Mr. WALSH of Massachusetts. I will say to the Senator that I am glad he asked the question, because it recalls to me a fact I have overlooked. After visiting some of the hospitals I communicated with the chief official of the Public Health Service in Boston asking him to give me the names and locations of all the hospitals in New England and the number of patients in each; and in answer he gave the information, and he pointed out in his letter that certain hospitals were unsatisfactory and that these were to be discontinued.

The hospitals are still in existence and the conditions are still the same, but they do claim that they are going to make some changes in some of the hospitals. If I found in Massachusetts the condition that I have described in these hospitals I do not know what must be the conditions in the northern part of the State of Maine, in New Hampshire and Vermont, and out in the West far away from the centers of population.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER (Mr. SHORTRIDGE in the chair). Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. WALSH of Massachusetts. Certainly.

Mr. LA FOLLETTE. Will the Senator state how many of these hospitals there are in Massachusetts such as he has been describing?

Mr. WALSH of Massachusetts. There are 42 contract hospitals in Massachusetts and 69 in New England. Of course, I assume many of them are well operated.

Mr. LA FOLLETTE. The hospitals are rented and under contract by some official of the Federal Government?

Mr. WALSH of Massachusetts. Some hospitals are under contract, though not all of them. There are some hospitals which the Government conducts, but there are other hospitals which I call boarding hospitals, where they board at $3 per capita nervous and tuberculous patients, and where there is of necessity a desire upon the part of the owner or director of the institution to make something out of that $3.

Mr. LA FOLLETTE. Is there no supervision, no visitation of these boarding hospitals by the Federal officers who are responsible for the conduct of them?

Mr. WALSH of Massachusetts. Yes; there are visits made by the officers.

Mr. LA FOLLETTE. So that the Federal officials are cognizant of the situation?

Mr. WALSH of Massachusetts. Oh, there is no doubt about it. I quote here what an Army general said who visited these hospitals:

> What was in evidence was a generally prevalent discontent. This discontent, so the men told me, came from a lack of good food. They stated that the food was not as good as they got in the Army from their ordinary rations, although the Government was paying $3 a day for their board. It seemed to me a great source of discontent was due to the idleness of the men. Nothing to do, nothing much to interest them. Patients should be employed, kept interested and entertained according to their capabilities. * * * They were bolsheviki in their talk and disloyal in their sentiments toward the Government. The morale tone of the place was all wrong. It seemed to me that a young man, otherwise well intentioned, really needing care and attention, would soon develop tendencies which would injure him in life very materially.
>
> It seems to me what these men need is an assurance that every meal would be at least as good as he would get in the military service.
>
> Give them helpful surroundings, good food, good nurses, good hospital attendance, and very shortly all this talk and lack of care for our soldiers of the war would not only have no basis of fact but would absolutely cease.

I have been surprised at the extent to which the press has been commenting on the subject. Here is a comment made by one of the largest publishers of the country in a recent edition of his newspaper:

> I think the most important thing in America to-day is the relief of these soldiers. They are allowed to "rot," we might say, without any interest on the part of the people or Government.
>
> You can get contributions for Armenia or any kind of an out-of-the-way place in the world, but you can not get anything for our American soldiers. It is unbelievable and incomprehensible. I can not understand what animates people to give to these foreign nations and not give to our own, especially to these boys who sacrificed everything for their country—and above all to the boys who are physically unable to take care of themselves.

Another publication says:

Not niggardliness but mismanagement is behind the fact that thousands of our disabled soldiers of the Great War are still waiting, exploited, neglected, forgotten, for the draft of honor to be redeemed.

Mr. President, this is the pathetic story of our wounded and disabled war heroes. It is humanly impossible to tell it fully, so great is the extent and so horrible the nature of the neglect. I shall no longer presume upon the time of the Senate to continue enumerating the abuses to which the ex-soldiers have been victims; conditions I have outlined speak for themselves.

But I do want to lay stress on the urgency of quick action in these matters. The boys who came to the service of this Nation in the days of war constitute the bravest and the noblest types of citizenship. They are symbols of the strength, the vitality, the greatness of this country. From their fine example of service to a cause and sacrifice for an ideal the generations to come will draw their moral precepts. In their hands rest the power of molding the future character of the Nation; for them the task of enriching American ideals. It is their function—and no one can perform it better than they who were willing to die in the name of this glorious Republic—to keep democratic forms true to the purpose of their creation. It is their duty to hold the torch of patriotism aloft and inspire the youth to come with love for God and country.

We can not turn ourselves against the welfare of such a force *for good;* we must extend to it every help and every privilege within our power. Above all we should assure these men that this country is mindful of what they have done, of what they have given; and that we intend to see justice for them. For if we further neglect their needs and deny them deserved gratitude for what they have so nobly achieved, then we shall destroy their confidence in this Government, and the stanchest and most responsive arm of the national faith shall vanish and be gone.

Mr. President, I am sending to the desk several remedial bills that I introduce concerning the matters I have just discussed, and I trust they will receive quick and favorable attention. I ask that the bills may be read by their titles.

The bills were severally read twice by their titles and referred to the Committee on Finance, as follows:

A bill (S. 1291) to provide for the payment of term war-risk insurance in lump sum in certain cases;

A bill (S. 1292) to further extend the benefits of the war risk insurance act to the beneficiaries of those who served in the World War in certain cases;

A bill (S. 1293) to further extend the benefits of the war risk insurance act to those who served in the World War and whose insurance has lapsed;

A bill (S. 1294) to modify the requirements of proof of incapacity under the war risk insurance act; and

A bill (S. 1295) to repeal the time limit provision for filing and allowing incapacity compensation claims under the war risk insurance act.

Mr. POMERENE. Mr. President, the Senator from Massachusetts stated a moment ago that he contemplated presenting a resolution asking for an investigation by the Senate of the matters referred to by him. May I ask whether he has prepared such a resolution?

Mr. WALSH of Massachusetts. I have not prepared such a resolution in connection with the bills which I have introduced, but I have one now in process of preparation.

Mr. POMERENE. Mr. President, I hope such a resolution will be immediately submitted. The investigation which the Senator's resolution contemplates ought not to be delayed until to-morrow, but it ought to go on to-day. [Applause in the galleries.]

The PRESIDING OFFICER rapped with his gavel.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

Mr. LODGE. Mr. President, Senate joint resolution No. 16, in regard to peace with Germany and Austria-Hungary, which has been reported from the Committee on Foreign Relations, and is known as the Knox resolution, is before the Senate. I have had no notice that any Senator on this side of the Chamber desires to speak on the joint resolution. If there be any Senators on the other side of the Chamber who desire to speak upon the resolution, I hope they will do so, for I am anxious to get the resolution disposed of as soon as possible, in order to clear the way for the consideration of the emergency tariff bill. If there is no Senator who is now ready to proceed with the discussion of the joint resolution——

Mr. UNDERWOOD. Mr. President, as I stated to the Senator from Massachusetts this morning in a private conversation, I do not think there will be any attempt to delay action on the pending joint resolution, but I understand there are several Senators on this side of the Chamber who desire to address the Senate on the subject. Aside from that, the Senator from Nebraska [Mr. HITCHCOCK], who is the senior Democrat on the Foreign Relations Committee, is unavoidably detained from the city on account of business and will not return until to-morrow. For these reasons, we are not now prepared for a vote on the joint resolution and should like to have the matter go over. I think if the Senator from Massachusetts is willing to be patient with us for a day or two we shall be prepared to vote upon the joint resolution.

Mr. LODGE. Of course, I am entirely ready to do that, and I am sure Senators on the other side will be ready to enable us to reach a vote as soon as possible.

Mr. UNDERWOOD. Of course, we are opposed to the joint resolution, as I think a large majority of Senators on this side of the Chamber will be opposed to the emergency tariff bill. When that bill comes before the Senate we expect to have an opportunity to express our opposition to it, but there is no desire for any undue delay. When Senators on the other side of the Chamber are prepared to report the emergency tariff bill I think we shall aid the Senator from Massachusetts in expediting a vote on the pending resolution, in order that the emergency tariff bill may be taken up without delay.

Mr. LODGE. Then, Mr. President, I ask that the joint resolution be temporarily laid aside.

There are several bills which Senators desire to have considered. I have one or two small bills myself which have been reported from the Committee on Foreign Relations which I shall be glad to have disposed of. After that shall have been done we may have an executive session, as there are two treaties, to which there is no opposition, which ought to be disposed of.

The PRESIDING OFFICER. Without objection, at the request of the Senator from Massachusetts, the joint resolution will be laid aside.

OWNERSHIP OF FOREIGN OIL COMPANIES.

Mr. LODGE. Mr. President, in speaking on the Colombia treaty I made certain statements in regard to the oil industry and the ownership of certain oil companies. I did so on information from the department, which I believed to be accurate, and which I am not yet sure is not accurate in a measure; but I have received a letter from Gen. Avery D. Andrews, who represents the Royal Dutch and the Shell Transport Co. combination, who thinks that some of the statements were incorrect. I ask that his letter to me on that subject—it is not necessary to read it—be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter referred to is as follows:

NEW YORK, *April 27, 1921.*

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My attention has been called to your speech in the United States Senate upon the Colombian treaty, as reported in the CONGRESSIONAL RECORD of April 12, and particularly to your statement that the control of the Royal Dutch-Shell group is vested in the British Government. Before discussing this statement I wish to briefly point out that the interests to which you refer consist of two entirely separate and distinct corporations, as follows:

One is the "Koninklijke Nederlandsche Maatschappij tot Exploitatie van Petroleumbronnen in Nederlandsche Indie," which translated means "The Royal Dutch Co. for the Working of Petroleum Wells in Netherlands India," and is commonly known as the "Royal Dutch Co." This company is organized under the laws of the Netherlands, with its headquarters at The Hague. Its charter requires that all of its three directors and a majority of its seven commissaries shall be Dutchmen or domiciled in the Netherlands. The shares of the company are largely owned by and the control is vested in citizens of the Netherlands, although many thousands of shares are owned by American citizens.

The other company is "The Shell Transport & Trading Co.," a corporation organized and existing under the laws of the United Kingdom, with its headquarters in London, and commonly called the "Shell Co." Its shares are owned chiefly by and the control of the company is vested in British citizens, although many thousands of its shares are also owned by American citizens. It is as to this company that allegations of control by the British Government have frequently been made, and invariably denied, both by the company itself and by the British Government.

These two companies are holding companies only. They jointly own many subsidiaries which are actively engaged in the petroleum business, the usual division being a 60 per cent ownership by the Royal Dutch Co. and 40 per cent by the Shell Co. My own official position is that of chairman of the boards of directors of the several American subsidiaries and the chief legal adviser of the group in America.

With these preliminary statements as to the corporate structure of the group and my own connection therewith I will now refer particularly to your statement in the Senate, as follows:

"Mr. Chamberlain announced the other day in the House of Commons that England still controlled the Anglo-Persian Co. and England also controls the Royal Dutch and Shell Transport combination, whose holdings are exhibited in the table"—

and to your various statements stating that such control is vested in the British Government. In this connection I invite your attention to

the following cable, which I have just received from Hendrikus Colijn, Esq., managing director of the Royal Dutch Co., dated London, April 21, reading as follows:

"Authorize you state publicly and officially that the British Government have not and never have had any interest, direct or indirect, in either the Shell Transport & Trading Co. or the Mexican Eagle Co."

In response to my inquiry why the name of the Royal Dutch Co. had been omitted from the foregoing cable, I have received a further cable from Mr. Colijn, dated London, April 22, 1921, as follows:

"Can not add Royal Dutch Co. to exact wording our cable to you of April 21, because during war, to maintain florin exchange, British Government requisitioned many Royal Dutch shares of British private ownership, just as, to maintain dollar exchange, they requisitioned American shares of British private ownership.

"Royal Dutch shares were in due course sold for this purpose, and to-day British Government have no interest, direct or indirect, in Royal Dutch.

"You may embody this statement, publicly and officially, in any other statements you are making."

From a careful reading of your statement above quoted, it is possible that you have understood that Mr. Chamberlain's announcement referred to the Royal Dutch-Shell group; but the facts are that his statement referred to the Anglo-Persian Co. only, as shown by the following official quotation of his remarks:

"Viscount Curzon asked the chancellor of the exchequer how many shares the British Government now holds in the Anglo-Persian Oil Co.; what is the present value of the shares; for how long the Government will retain this holding in shares; if it is the intention of the Government to dispose of the shares in any way; and, if so, what action they propose to take?

"Mr. CHAMBERLAIN. His Majesty's Government holds in the Anglo-Persian Oil Co. 5,000,000 ordinary shares, 1,000 preference shares, and 199,000 debentures. There is no market quotation for the ordinary shares. The Government has no intention of disposing of its holding."

The Royal Dutch-Shell group, through its subsidiaries, has for some years purchased and marketed certain petroleum products from the Anglo-Persian, just as it purchases such products from many other companies, including the Standard Oil group, the Texas Co., the Union, Sinclair, Gulf, and many other companies. The official report of the discussion in the House of Commons on this Anglo-Persian contract is as follows:

"Viscount Curzon asked the prime minister whether he will state the terms of the contract under which the Anglo-Persian Oil Co., in which the British Government has a controlling interest, agrees to supply the Shell Oil Co. with its produce until the end of the year?

"Sir H. GREENWOOD. I regret that I am unable to disclose the terms of commercial contracts entered into by the Anglo-Persian Oil Co. This particular contract, as I have previously stated, was concluded in 1912 before His Majesty's Government acquired an interest in the company.

"Sir J. D. REES. Is it not the case that when the contract was entered into there was absolutely no other means of marketing the oil which was so much required?

"Sir H. GREENWOOD. The answer to the second supplementary question of the honorable gentleman (Sir J. D. Rees) is, in the main, correct. The Government took control over the company in 1914 and agreed that it would not interfere with the commercial contracts of the company; therefore I am not in a position to disclose them."

This contract expires in 1922, and Sir Charles Greenway, chairman of the Anglo-Persian Oil Co., has publicly stated that his company proposes to market its own products in the future, and that facilities for that purpose are being created.

There have been several references in the House of Commons to the alleged story of control of this group by the British Government. The following is an extract of an official report during April, 1920:

"Sir W. Joynson-Hicks asked the chancellor of the exchequer whether the Government have had frequent opportunities of acquiring a controlling interest in the Royal Dutch-Shell Co.; and, if so, why they refused to enter into an arrangement which, as in the case of the Anglo-Persian Oil Co., would ultimately prove of great advantage to the national interests?

"Mr. CHAMBERLAIN. I am not aware that this Government or its predecessors have had any opportunity of acquiring a controlling interest in the Royal Dutch-Shell group in any way comparable with the interest obtained in the Anglo-Persian Oil Co."

A few days later the following statement appears in the official record:

"Sir W. Joynson-Hicks asked the prime minister whether the Government is in negotiation with the Shell group of oil companies in reference to a purchase of control; and, if so, whether he can make any statement?

"Mr. CHAMBERLAIN. The answer to the first part of the question is in the negative; the second part does not therefore arise."

As stated in Mr. Colijn's cable of April 22, the British Government did, during the war, acquire certain shares of the Royal Dutch Co. for exchange purposes. These shares were acquired in precisely the same manner as bonds and shares of American and other foreign corporations were acquired, and for the purpose of stabilizing exchange between Great Britain, the United States, Holland, and other neutral and allied countries. These shares were acquired for the sole and express purpose of maintaining Dutch exchange, and for no other, and were all disposed of in due course. The following is an official quotation from the record of the House of Commons of February 16, 1920:

"Mr. Dawes asked the prime minister whether he will say how many shares of the Royal Dutch Petroleum Co. were expropriated by the Government in 1917; what is the capital appreciation of the shares on their value on February 10, 1920; what amount has been paid in dividends since the shares were taken over; whether the Government is officially represented on the board of direction of the company; if so, whether the representative reported the proposed increase in the price of petrol to the Government, and whether he received instructions to approve of such increase or otherwise?

"The chancellor of the exchequer (Mr. Chamberlain): In connection with the support of the foreign exchanges, shares to the nominal value of 5,323,100 florins in the company were requisitioned in November, 1917, at the current market price of £51 per subshare of 100 florins. All these shares have long ago been sold for the purpose for which they were bought, and no dividends are received on them. I understand the shares now stand at £89. The answer to the fourth part of the question is in the negative, and the remainder does not arise."

There are many other statements in your speech concerning the Royal Dutch-Shell Group as to which you have evidently been given inaccurate information; but I trust that this letter will be accepted as final and conclusive proof of the fact that the British Government does not own or control the Royal Dutch-Shell Group and has no interest therein, direct or indirect.

Inasmuch as your statement was made in a formal speech before the United States Senate, and thus given the great prestige and publicity which your official utterances always command, I respectfully request that, in justice to the companies which I represent and their many American shareholders, this letter be given the same publicity by being read upon the floor of the Senate and published in the CONGRESSIONAL RECORD.

Thanking you in advance for your courteous attention to this request and to the statements herein contained, and holding myself entirely at your service to furnish you with any additional information in my power, I am,

Very sincerely, yours, AVERY D. ANDREWS.

CENTENNIAL OF THE INDEPENDENCE OF PERU.

Mr. LODGE. I ask unanimous consent to take from the calendar and to have considered at this time the joint resolution (S. J. Res. 34) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru. The action proposed by the joint resolution was asked for by the last administration, and the request has been renewed by the present administration. A reading of the joint resolution at the desk will inform the Senate what it is.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Resolved, etc., That a commission is hereby created, consisting of six members and a secretary, to be appointed by the President of the United States, to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru in said Republic during the month of July, 1921.

That to meet the expenses of the commission the sum of $15,000 be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended at the discretion of the Secretary of State.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FOREIGN DEPOSITARIES OF PUBLIC MONEYS.

Mr. McLEAN. I ask unanimous consent for the immediate consideration of Senate joint resolution No. 7, authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries. I will state that this is a measure which was passed by the Senate at the last session, but failed to pass the House. It was introduced again at the request of the Secretary of the Treasury.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. J. Res. 7) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States, which was read, as follows:

Resolved, etc., That the Secretary of the Treasury may designate such depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States as may be necessary for the transaction of the Government's business, under such terms and conditions as to security and otherwise as he may from time to time prescribe.

The joint resolution was reported to the Senate without amendment.

Mr. KING. Mr. President, I desire briefly to call attention to a matter not relevant, however, to the bill now before the Senate. We have heard a great deal of late concerning "lobbies and lobbyists," and the efforts of various organizations to secure legislation at the hands of Congress. There is no question but what there are many organizations and interests represented in Washington, and it is true that those representing them are exerting their influence to secure or prevent legislation. I do not intend at this time to detain the Senate by a discussion of the rightfulness or the impropriety of organizations, industries, and interests in maintaining at Washington one or more agents and representatives for the purpose of influencing congressional action. Of course, individuals, corporations, or sections are entitled to be heard when legislation affecting them is under consideration; but unquestionably there have been improper methods employed in the past to secure and to prevent legislation; and I have no doubt but what selfish interests will appear during this session of Congress and exert every possible effort to secure favorable legislation. Whenever tariff bills are projected, industries which have been the beneficiaries of tariff legislation have usually besieged the halls of Congress and brought powerful influences to bear to secure the enactment of legislation which would be favorable to them.

Unfortunately there are organizations which utilize every avenue possible to influence public sentiment in their behalf, and oftentimes conventions and meetings of an educational or fraternal or social character are converted into instrumentalities to further the propaganda or selfish business interests in our country.

Recently the Daughters of the American Revolution convened in this city. This convention of splendid American women became the advertising vehicle of an industry in the United States which many believe to be a monopoly. I read from a recent issue of the Evening Star, which describes the resolution adopted in behalf of the dye industry. It is as follows:

Importation of German dyes into the United States was formally opposed to-day at the thirtieth congress of the Daughters of the American Revolution, in session at the Continental Memorial Hall here.

The resolution acted upon by the congress formally indorsed the movement for an embargo against the importation of these German products.

Renewed importation of German dyes, the resolution read, will not only impede the recently discovered American industry, but "will greatly interfere with domestic chemical research under the United States Chemical Warfare Service."

The resolution was introduced this morning by Miss Janet Richards, was favorably reported by the resolutions committee, and adopted without a dissenting vote.

I hope that corporations engaged in the manufacture of dyes in the United States did not inspire the convention to take the course referred to in the article which I have just read. The D. A. R. organization enjoys the respect and admiration of the American people, and it is a matter of sincere regret that it has wittingly or unwittingly become a propagandist of the dyestuffs interests of the United States. If this society or other societies organized for patriotic, educational, or social purposes permit themselves to be used for propaganda purposes or to support or oppose economic and political policies of a controversial nature, they will lose their influence and cease to be regarded with respect and, indeed, affection by the great mass of the American people.

It is unfortunate that the resolution which was adopted was offered, and it is still more unfortunate that it was adopted, and if it shall appear that the proponents of the resolution or those who were responsible for its submission or adoption were influenced by representations upon the part of the dye industry of the United States, then the course pursued calls for severe criticism and, indeed, strong condemnation. There are many in the United States who believe that the dye industry in the United States constitutes a monopoly and that improper efforts have been made by those interested in the industry to influence public sentiment and to promote unjust and iniquitous legislation. In my opinion the dye industry is a monopoly; it is the beneficiary of a high tariff and is taking advantage of the situation resulting from the war to mislead the American people and to secure legislation which will strengthen its power and give it absolute control over the domestic market.

I am in receipt of a letter from a distinguished American citizen in which he expresses his view concerning this propaganda, and it is so pertinent to the subject that I desire to read it:

DEAR SENATOR: The inclosed clipping is from the Evening Star of this date, and illustrates the extent to which a huge monopoly will go in utilizing influences to aid it in legislating to perpetuate its clinch upon the throats of the American consumer. But I never thought it possible that the D. A. R. would lend itself to such a cause.

The American dye industry is now in the grip of two huge concerns, of which the Du Pont is one. Its export trade is larger than the German export trade to America ever was. Its exports are also greatly increasing. Its duties are very high. They were drawn by and for the industry. There is no menace of German importations, and if there were the American monopoly can care for itself, as it well knows. But protection to everybody and everything, with continued high prices to the consumer, is the policy, and the Daughters of the American Revolution has become the agency for its bombardment of the American Congress. What a spectacle!

There are many persons who share the views of the writer of this letter, and they will regret the action of the convention and feel that it has been imposed upon and has sought to lend its influence to an ignoble end.

The VICE PRESIDENT. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 35 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 16 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 28, 1921, at 12 o'clock meridian.

CONVENTION WITH GREAT BRITAIN.

In executive session this day the following convention was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

I transmit herewith, to the end that I may receive the advice and consent of the Senate to its ratification, a supplementary extradition convention between the United States and Great Britain, signed January 15, 1917, making willful desertion or willful nonsupport of wife or children extraditable offenses where, the offense having been committed in the United States or in the Dominion of Canada, the person charged with the offense is found in the Dominion of Canada or in the United States, respectively.

WOODROW WILSON.

THE WHITE HOUSE,
Washington, January 31, 1917.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, if he approve thereof, to receive the advice and consent of that body to its ratification, a supplementary extradition convention between the United States and Great Britain making willful desertion or willful nonsupport of wife or children extraditable offenses where, the offense having been committed in the United States or in the Dominion of Canada, the person charged with the offense is found in the Dominion of Canada or in the United States, respectively.

Respectfully submitted.

ROBERT LANSING.

DEPARTMENT OF STATE,
Washington, January 30, 1917.

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India, being desirous of enlarging the list of crimes on account of which extradition may be granted under the conventions concluded between the United States and Great Britain on the 12th July, 1889, and the 13th December, 1900, and the 12th April, 1905, with a view to the better administration of justice and the prevention of crime, have resolved to conclude a supplementary convention for this purpose and have appointed as their plenipotentiaries, to wit:

The President of the United States: The Hon. Walter Hines Page, ambassador extraordinary and plenipotentiary of the United States at the Court of His Britannic Majesty; and

His Britannic Majesty: The Right Hon. Arthur James Balfour, member of the Order of Merit, a member of Parliament, His Majesty's principal secretary of state for foreign affairs;

Who, after having communicated to each other their respective full powers, which were found to be in due and proper form, have agreed to and concluded the following articles:

ARTICLE 1.

The following crimes are, subject to the provision contained in article 2 hereof, added to the list of crimes numbered 1 to 10 in the first article of the said convention of the 12th July, 1889, and to the list of crimes numbered 11 to 13 in article 1 of the supplementary convention concluded between the United States and Great Britain on the 13th December, 1900, and to the list of crimes numbered 14 to 15 in article 1 of the supplementary convention concluded between the United States and Great Britain on the 12th April, 1905, that is to say:

16. Willful desertion or willful nonsupport of wife or children.

ARTICLE 2.

The operation of the present convention is confined to cases in which the offenses mentioned in the preceding article having been committed in the United States or in the Dominion of Canada, the person charged with the offense is found in the Dominion of Canada or in the United States, respectively.

ARTICLE 3.

The present convention shall be considered as an integral part of the said extradition conventions of the 12th July, 1889, and the 13th December, 1900, and the 12th April, 1905, and the first article of the said convention of the 12th July, 1889, shall be read as if the lists of crimes therein contained had originally comprised the additional crimes specified and numbered 16 in the first article of the present convention, subject to the provision contained in article 2.

The present convention shall be ratified, and the ratifications shall be exchanged either at Washington or London as soon as possible.

It shall come into force 10 days after its publication in conformity with the laws of the high contracting parties, and it shall continue and terminate in the same manner as the said convention of the 12th July, 1889.

In testimony whereof the respective plenipotentiaries have signed the present convention in duplicate, and have thereunto affixed their seals.

Done at London, this 15th day of January, 1917.

[SEAL.] WALTER HINES PAGE.
[SEAL.] ARTHUR JAMES BALFOUR.

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, of the Sixty-fourth Congress, a convention between the United States and Great Britain, signed January 15, 1917, making the willful desertion of wife or children in the United States and Canada an extraditable offense, with the following amendments:

In article 1 strike out the words "wife or" and before the word "children" insert the words "minor or dependent."

TREATY WITH SIAM.

In executive session this day the following treaty was ratified, and, on motion of Mr. LODGE, the injunction of secrecy was removed therefrom:

To the Senate:

With a view to receiving the advice and consent of the Senate to their ratification, I transmit herewith a treaty concluded between the United States and Siam on December 16, 1920, revising the treaties theretofore existing between the two countries, and a protocol signed the same day, which is attached to and made a part of the treaty.

I also inclose, for the information of the Senate in connection with the treaty, copies of notes exchanged between the Siamese minister and the Acting Secretary of State at the time of the signature of the treaty.

WOODROW WILSON.

THE WHITE HOUSE,
December 23, 1920.

The PRESIDENT:

The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate to receive the advice and consent of that body to their ratification, a treaty concluded between the United States and Siam on December 16, 1920, revising the treaties theretofore existing between the two countries, and a protocol, signed on the same day, annexed to the said treaty and made a part thereof.

The undersigned also recommends that the inclosed copies of notes exchanged at the time of the signature of the treaty be also communicated to the Senate for its information.

Respectfully submitted.

ALVEY A. ADEE.

DEPARTMENT OF STATE,
Washington, December 21, 1920.

Treaty between the United States and Siam revising existing treaties.

The President of the United States of America and His Majesty the King of Siam being desirous of strengthening the relations of amity and good understanding which happily exist between the two States, and being convinced that this can not be better accomplished than by revising the treaties hitherto existing between the two countries, have resolved to complete such revision, based upon the principles of equity and mutual benefit, and for that purpose have named as their plenipotentiaries, that is to say:

The President of the United States of America: Norman H. Davis, Acting Secretary of State of the United States;

His Majesty the King of Siam: Phya Prabha Karavongse, Envoy Extraordinary and Minister Plenipotentiary of Siam to the United States;

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE I.

There shall be constant peace and perpetual friendship between the United States of America and the Kingdom of Siam. The citizens or subjects of each of the high contracting parties shall have liberty to enter, travel, and reside in the territories of the other, to carry on trade, wholesale and retail, to engage in religious, educational and charitable work, to own or lease and occupy houses, manufactories, warehouses and shops, to employ agents of their choice, to lease land for residential, commercial, religious and charitable purposes, and for use as cemeteries, and generally to do anything incident to or necessary for trade upon the same terms as native citizens or subjects, submitting themselves to the laws and regulations there established.

They shall not be compelled under any pretext whatever to pay any internal charges or taxes other or higher than those that are or may be paid by native citizens or subjects.

The citizens or subjects of each of the high contracting parties shall receive, in the territories of the other, the most constant protection and security for their persons and property and shall enjoy in this respect the same rights and privileges as are or may be granted to native citizens or subjects, on their submitting themselves to the conditions imposed upon the native citizens or subjects.

They shall, however, be exempt in the territories of the other from compulsory military service, either on land or sea, in the regular forces or in the National Guard or in the militia; from all contributions imposed in lieu of personal military service and from all forced loans or military exactions or contributions.

The citizens and subjects of both of the high contracting parties shall enjoy in the territories and possessions of the high contracting parties entire liberty of conscience and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship.

ARTICLE II.

The dwellings, warehouses, manufactories, and shops, and all other property of the citizens or subjects of each of the high contracting parties in the territories of the other, and all premises appertaining thereto used for purposes of residence or commerce, shall be respected. It shall not be allowable to proceed to make a domiciliary visit to, or a search of, any such buildings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances, and regulations for nationals.

ARTICLE III.

There shall be reciprocally full and entire freedom of commerce and navigation between the territories and possessions of the two high contracting parties.

The citizens or subjects of either of the high contracting parties shall have liberty freely and securely to come with their ships' cargoes to all places, ports, and rivers in the territories of the other, which are or hereafter may be opened to foreign commerce and navigation; except as regards spirituous, distilled, or fermented drinks or alcoholic liquors or alcohol, and opium and the derivatives thereof, and cocaine, heroin, and other narcotic drugs, included within the scope of the international opium convention signed at The Hague, January 23, 1912, and arms and ammunition, the trade in all of which may, subject to the principle of most-favored nation treatment, be regulated and restricted at will by each of the high contracting parties within its territories and possessions, the sale and resale, by any person or organization whatsoever, of goods which are the produce or manufacture of one of the high contracting parties, within the territories and possessions of the other, shall be exempt from all governmental restrictions and limitations designed or operating to create or maintain any monopoly or "farm" for the profit either of the Government or of a private individual or organization.

ARTICLE IV.

The citizens or subjects of each of the high contracting parties shall have free access to the courts of justice of the other in pursuit and defense of their rights; they shall be at liberty, equally with the native citizens or subjects, and with the citizens or subjects of the most favored nation, to choose and employ lawyers, advocates, and representatives to pursue and defend their rights before such courts. There shall be no conditions or requirements imposed upon American citizens in connection with such access to the courts of justice in Siam which do not apply to native citizens or subjects or to the citizens or subjects of the most favored nation.

ARTICLE V.

Limited liability and other companies and associations, already or hereafter to be organized in accordance with the laws of either high contracting party and domiciled in the territories of such party, are authorized, in the territories of the other, to exercise their rights and appear in the courts either as plaintiffs or defendants, subject to the law of such other party.

There shall be no conditions or requirements imposed upon American corporations, companies, or associations in connection with such access to the courts of justice in Siam, which do not apply to such native corporations, companies, or associations of the most favored nation.

ARTICLE VI.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories and possessions of the other a perfect equality of treatment with native citizens or subjects and citizens or subjects of the most favored nation, in all that relates to transit duties, warehousing, bounties, facilities, and the examination and appraisement of merchandise.

ARTICLE VII.

The United States of America recognizes that the principle of national autonomy should apply to the Kingdom of Siam in all that pertains to the rates of duty on importations and exportations of merchandise, drawbacks, and transit and all other taxes and impositions; and subject to the condition of equality of treatment with other nations in these respects, the United States of America agrees to assent to increases by Siam in its tariff to rates higher than those established by existing treaties—on the further condition, however, that all other nations entitled to claim special tariff treatment in Siam assent to such increases freely and without the requirement of any compensatory benefit or privilege.

ARTICLE VIII.

In all that concerns the entering, clearing, stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the two countries, no privilege shall be granted to vessels of a third power which shall not equally be granted to vessels of the other country; the intention of the high contracting parties being that in these respects the vessels of each shall receive the treatment accorded to vessels of the most favored nation.

ARTICLE IX.

The coasting trade of both the high contracting parties is excepted from the provisions of the present treaty, and shall be regulated according to the laws, ordinances, and regulations of the United States of America and of Siam, respectively. It is, however, understood that citizens of the United States of America in the territories and possessions of His Majesty the King of Siam and Siamese citizens or subjects in the Territories and possessions of the United States of America shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances, and regulations to the citizens or subjects of other nations.

ARTICLE X.

Any ship of war or merchant vessel of either of the high contracting parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the high contracting parties should run aground or be wrecked upon the coasts of the other, the local authorities shall give prompt notice of the occurrence to the consular officer residing in the district or to the nearest consular officer of the other power.

Such stranded or wrecked ship or vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them.

If such owners or agents are not on the spot the aforesaid property or proceeds from the sale thereof and the papers found on board the vessel shall be delivered to the proper consular officer of the high contracting party whose vessel is wrecked or stranded, provided that such consular officer shall make claim within the period fixed by the laws, ordinances, and regulations of the country in which the wreck or stranding occurred, and such consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all duties of the customs unless cleared for consumption, in which case they shall pay ordinary duties.

In the case of a ship or vessel belonging to the citizens or subjects of one of the high contracting parties being driven in by stress of

weather, run aground, or wrecked in the territories or possessions of the other, the proper consular officers of the high contracting party to which the vessel belongs shall, if the owners or their agents are not present, or are present but require it, be authorized to interpose in order to afford the necessary assistance to the citizens or subjects of his State.

ARTICLE XI.

The vessels of war of each of the high contracting parties may enter, remain, and make repairs in those ports and places of the other to which the vessels of war of other nations are accorded access; they shall there submit to the same regulations and enjoy the same honors, advantages, privileges, and exemptions as are now or may hereafter be conceded to the vessels of war of any other nation.

ARTICLE XII.

The citizens or subjects of each of the high contracting parties shall enjoy in the territories and possessions of the other, upon fulfilment of the formalities prescribed by law, the same protection as native citizens or subjects or the citizens or subjects of the nation most favored in these respects in regard to patents, trade-marks, trade names, designs, and copyrights.

ARTICLE XIII.

Each of the high contracting parties may appoint consuls general, consuls, vice consuls, and other consular officers or agents to reside in the towns and ports of the territories and possessions of the other where similar officers of other powers are permitted to reside.

Such consular officers and agents, however, shall not enter upon their functions until they shall have been approved and admitted by the Government to which they are sent.

They shall be entitled to exercise all the powers and enjoy all the honors, privileges, exemptions, and immunities of every kind which are, or may be, accorded to consular officers of the most favored nation.

ARTICLE XIV.

In case of the death of any subject of Siam in the United States or of any citizen of the United States in Siam without having in the country of his decease any known heirs or testamentary executors by him appointed, the competent local authorities shall at once inform the nearest consular officer of the nation to which the deceased belonged, in order that the necessary information may be immediately forwarded to parties interested.

In the event of any citizens or subjects of either of the high contracting parties dying without will or testament, in the territory of the other contracting party, the consul general, consul, vice consul, or other consular officer or agent of the nation to which the deceased belonged, or, in his absence, the representative of such consul general, consul, vice consul, or other consular officer or agent shall, so far as the laws of each country will permit and pending the appointment of an administrator and until letters of administration have been granted, take charge of the personal property left by the deceased for the benefit of his lawful heirs and creditors.

ARTICLE XV.

It is understood by the high contracting parties that the stipulations contained in this treaty do not in any way affect, supersede, or modify any of the laws, ordinances, and regulations with regard to trade, naturalization, immigration, police, and public security which are in force or which may be enacted in either of the two countries.

ARTICLE XVI.

The present treaty shall, from the date of the exchange of ratifications thereof, be substituted in place of the convention of amity and commerce concluded at Bangkok on the 20th day of March, 1833, of the treaty of amity and commerce concluded at Bangkok on the 29th day of May, 1856, and of the agreement regulating liquor traffic in Siam concluded at Washington on the 14th day of May, 1884, and of all arrangements and agreements subsidiary thereto concluded or existing between the high contracting parties, and from the same date such conventions, treaties, arrangements, and agreements shall cease to be binding.

ARTICLE XVII.

The present treaty shall come into effect on the date of the exchange of ratifications and shall remain in force for 10 years from that date.

In case neither of the high contracting parties should have notified 12 months before the expiration of the said 10 years the intention of terminating it, it shall remain binding until the expiration of 1 year from the day on which either of the high contracting parties shall have denounced it.

It is clearly understood, however, that such denunciation shall not have the effect of reviving any of the treaties, conventions, arrangements, or agreements mentioned in Article XVI hereof.

ARTICLE XVIII.

This treaty shall be ratified and the ratifications thereof shall be exchanged either at Washington or Bangkok as soon as possible.

In witness whereof the respective plenipotentiaries have signed the present treaty and have thereunto affixed their seals.

Done in duplicate in the English language, at Washington, the sixteenth day of December, in the nineteen hundred and twentieth year of the Christian era, corresponding to the sixteenth day of the ninth month in the two thousand four hundred and sixty-third year of the Buddhist era.

NORMAN H. DAVIS. [SEAL.]
PRABHA KARAVONGSE. [SEAL.]

ANNEX.

PROTOCOL CONCERNING JURISDICTION APPLICABLE IN THE KINGDOM OF SIAM TO AMERICAN CITIZENS AND OTHERS ENTITLED TO THE PROTECTION OF THE UNITED STATES.

At the moment of proceeding this day to the signature of the new treaty of friendship, commerce, and navigation between the United States and the Kingdom of Siam, the plenipotentiaries of the two high contracting parties have agreed as follows:

ARTICLE I.

The system of jurisdiction heretofore established in Siam for citizens of the United States and the privileges, exemptions, and immunities now enjoyed by the citizens of the United States in Siam as a part of or appurtenant to said system shall absolutely cease and determine on the date of the exchange of ratifications of the above-mentioned treaty and thereafter all citizens of the United States and persons, corporations, companies, and associations entitled to its protection in Siam shall be subject to the jurisdiction of the Siamese courts.

ARTICLE II.

Until the promulgation and putting into force of all the Siamese codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure, and the Law for Organization of Courts, and for a period of five years thereafter, but no longer, the United States, through its diplomatic and consular officials in Siam, whenever in its discretion it deems it proper to so do in the interest of justice, by means of a written requisition addressed to the judge or judges of the court in which such case is pending, may evoke any case pending in any Siamese court, except the Supreme or Dika Court, in which an American citizen or a person, corporation, company, or association entitled to the protection of the United States is defendant or accused.

Such case shall then be transferred to said diplomatic or consular official for adjudication, and the jurisdiction of the Siamese court over such case shall thereupon cease. Any case so evoked shall be disposed of by said diplomatic or consular official in accordance with the laws of the United States properly applicable, except that as to all matters coming within the scope of codes or laws of the Kingdom of Siam regularly promulgated and in force, the texts of which have been communicated to the American Legation in Bangkok, the rights and liabilities of the parties shall be determined by Siamese law.

For the purpose of trying such cases and of executing any judgments which may be rendered therein the jurisdiction of the American diplomatic and consular officials in Siam is continued.

Should the United States perceive, within a reasonable time after the promulgation of said codes, any objection to said codes, namely, the Penal Code, the Civil and Commercial Codes, the Codes of Procedure, and the Law for Organization of Courts, the Siamese Government will endeavor to meet such objections.

ARTICLE III.

Appeals by citizens of the United States or by persons, corporations, companies, or and associations entitled to its protection, from judgments of courts of first instance in cases to which they may be parties, shall be adjudged by the Court of Appeal at Bangkok.

An appeal on a question of law shall lie from the Court of Appeal at Bangkok to the Supreme or Dika Court.

A citizen of the United States or a person, corporation, company, or association entitled to its protection, who is defendant or accused in any case arising in the Provinces, may apply for a change of venue and should the court consider such change desirable the trial shall take place either at Bangkok or before the judge in whose court the case would be tried at Bangkok.

ARTICLE IV.

In order to prevent difficulties which may arise from the transfer of jurisdiction contemplated by the present protocol, it is agreed—

(a) All cases in which action shall be taken subsequently to the date of the exchange of ratifications of the above-mentioned treaty shall be entered and decided in the Siamese courts, whether the cause of action arose before or after the date of said exchange of ratifications.

(b) All cases pending before the American diplomatic and consular officials in Siam on said date shall take their usual course before such officials until such cases have been finally disposed of, and the jurisdiction of the American diplomatic and consular officials shall remain in full force for this purpose.

In connection with any case coming before the American diplomatic or consular officials under clause (b) of Article IV, or which may be evoked by said officials under Article II, the Siamese authorities shall upon request by such diplomatic or consular officials lend their assistance in all matters pertaining to the case.

In witness whereof the undersigned plenipotentiaries have hereto signed their names and affixed their seals, this 16th day of December, in the nineteen hundred and twentieth year of the Christian era, corresponding to the sixteenth day of the ninth month in the two thousand four hundred and sixty-third year of the Buddhist era.

NORMAN H. DAVIS. [SEAL.]
PRABHA KARAVONGSE. [SEAL.]

NOMINATIONS.

Executive nominations received by the Senate April 27, 1921.

ASSISTANT SECRETARY OF THE TREASURY.

Edward Clifford, of Chicago, Ill., to be Assistant Secretary of the Treasury.

DEPUTY COMMISSIONER OF PENSIONS.

Hamlin M. Vandervort, of Illinois, to be Deputy Commissioner of Pensions, vice Frederick A. Royse, failed of confirmation at the previous session of the Senate.

MEMBERS OF THE INTERSTATE COMMERCE COMMISSION.

E. I. Lewis, of Indianapolis, Ind., for the term expiring December 31, 1925.

J. B. Campbell, of Spokane, Wash., for the term expiring December 31, 1924.

MEMBER OF FEDERAL RESERVE BOARD.

John R. Mitchell, of St. Paul, Minn., to be a member of the Federal Reserve Board for a term of 10 years.

MEMBER OF RENT COMMISSION, DISTRICT OF COLUMBIA.

William F. Gude, of the District of Columbia, to be a member of the Rent Commission of the District of Columbia, vice James F. Oyster, resigned.

SURVEYOR OF CUSTOMS.

Thomas W. Whittle, of New York, N. Y., to be surveyor of customs in customs collection district No. 10, in place of Thomas E. Rush.

APPRAISER OF MERCHANDISE.

Frederick J. H. Kracke, of Brooklyn, N. Y., to be appraiser of merchandise in customs collection district No. 10, in place of John K. Sague.

COLLECTORS OF INTERNAL REVENUE.

FIRST DISTRICT OF NEW JERSEY.

Edward L. Sturgess, of Glassboro, N. J., to be collector of internal revenue for the first district of New Jersey, in place of Samuel Iredell.

FIFTH DISTRICT OF NEW JERSEY.

Frank C. Ferguson, of East Orange, N. J., to be collector of internal revenue for the fifth district of New Jersey, in place of Charles V. Duffy.

UNITED STATES ATTORNEYS.

WESTERN DISTRICT OF ARKANSAS.

Samuel S. Langley, of Arkansas, to be United States attorney, western district of Arkansas, vice James S. Holt, appointed by court.

WESTERN DISTRICT OF VIRGINIA.

Thomas J. Muncey, of Virginia, to be United States attorney, western district of Virginia, vice Joseph H. Chitwood, appointed by court.

EASTERN DISTRICT OF VIRGINIA.

D. Lawrence Groner, of Virginia, to be United States attorney, eastern district of Virginia. Mr. Groner is now serving in that position under appointment by court.

UNITED STATES MARSHAL.

David A. Walker, of Texas, to be United States marshal, western district of Texas, vice John H. Rogers, whose term has expired.

REGISTER OF LAND OFFICE, DOUGLAS, WYO.

Birney J. Erwin, of Douglas, Wyo., to be register of the land office at Douglas, Wyo., vice Wade H. Fowler, resigned.

RECEIVER OF PUBLIC MONEYS, DOUGLAS, WYO.

Wilkie Collins, of Douglas, Wyo., to be receiver of public moneys at Douglas, Wyo., vice Miss Julia Mary Cross, failed of confirmation at the previous session of the Senate.

POSTMASTERS.

ARKANSAS.

Belle Armour to be postmaster at Newport, Ark., in place of G. R. Hays, resigned.

CALIFORNIA.

Alice C. Webster to be postmaster at Antioch, Calif., in place of Bessie B. Wightman, resigned.

Ambrose E. Burkhart to be postmaster at Bishop, Calif., in place of W. W. Yandell, resigned.

Daniel S. Devine to be postmaster at Hermosa Beach, Calif., in place of M. M. Pilkinton, resigned.

Finis L. Bigelow to be postmaster at Maricopa, Calif., in place of Mae Longfellow, resigned.

David W. Morris to be postmaster at Modesto, Calif., in place of W. W. Howell, resigned.

George V. Beane to be postmaster at Mojave, Calif., in place of Otto Hasse, resigned.

Flora E. McPherson to be postmaster at Orosi, Calif., in place of O. C. Goodin, resigned.

Isabelle F. Sylvia to be postmaster at Pleasanton, Calif., in place of D. H. Fallon, resigned.

William H. Brown to be postmaster at Riverbank, Calif., in place of Laura B. Rowden, deceased.

COLORADO.

Melissa H. Hayden to be postmaster at Breckenridge, Colo., in place of J. A. Theobold, resigned.

Frank L. Barton to be postmaster at Haxtum, Colo., in place of Hester E. House, resigned.

CONNECTICUT.

Joseph W. Delaney to be postmaster at Greenwich, Conn., in place of W. S. Meany, resigned.

DELAWARE.

Richard F. McClure to be postmaster at Claymont, Del., in place of G. V. Wagner, resigned.

ILLINOIS.

Charles C. Hamilton to be postmaster at Arthur, Ill., in place of J. W. Troy, resigned.

John Reineke to be postmaster at Cissna Park, Ill., in place of John Jakle, resigned.

George V. Robinson to be postmaster at Forrest, Ill., in place of J. O. Morris, resigned.

Charles W. Meier to be postmaster at Freeport, Ill., in place of H. Poffenberger, deceased.

Ruth M. Reilly to be postmaster at Highwood, Ill., in place of M. J. Gibbs. Incumbent's commission expired January 10, 1920.

Bertha A. Thorp to be postmaster at Litchfield, Ill., in place of Hugh Hall, resigned.

William H. Conkling to be postmaster at Springfield, Ill., in place of J. W. Patton. Incumbent's commission expired February 4, 1920.

IOWA.

Walter S. Campbell to be postmaster at Batavia, Iowa, in place of Lemuel O'Bryant. Incumbent's commission expired January 5, 1920.

Harry R. Grim to be postmaster at Belle Plaine, Iowa, in place of Harvey Slack, deceased.

Wheaton A. MacArthur to be postmaster at Burt, Iowa, in place of R. C. Smith, resigned.

E. Ray Morell to be postmaster at Grand River, Iowa, in place of Forest Cole, resigned.

Walter B. Luke to be postmaster at Hampton, Iowa, in place of Adolph Meyer, resigned.

Louis H. Severson to be postmaster at Inwood, Iowa, in place of D. J. Harris. Incumbent's commission expired March 1, 1919.

Fred O. Parker to be postmaster at Ireton, Iowa, in place of C. L. Paul, resigned.

James E. Graves to be postmaster at Osceola, Iowa, in place of E. T. Wall, resigned.

George J. Bloxham to be postmaster at Sheldon, Iowa, in place of W. A. Edington, resigned.

Leona B. Garrison to be postmaster at Swea City, Iowa, in place of W. F. Garrison, deceased.

Howard D. Peckham to be postmaster at Villisca, Iowa, in place of C. L. Arbuckle, not commissioned.

Charles W. Tyrrell to be postmaster at Waverly, Iowa, in place of H. J. Hoeger, resigned.

Henry A. Falb to be postmaster at West Bend, Iowa, in place of T. J. McCaffrey, resigned.

Seth B. Cairy to be postmaster at Whittemore, Iowa, in place of Thomas Carmody, resigned.

KANSAS.

Cecil F. Smith to be postmaster at Burns, Kans., in place of J. L. Koebele, deceased.

Rollin J. Conderman to be postmaster at Chetopa, Kans., in place of H. L. O'Bryan, resigned.

Jacob W. Wright to be postmaster at Elk City, Kans., in place of L. B. Davis. Incumbent's commission expired December 16, 1919.

Lulu E. Perkins to be postmaster at Gardner, Kans., in place of P. J. Murphy, deceased.

Victor H. Hoefer to be postmaster at Inman, Kans., in place of C. F. Hoefer, deceased.

LeRoy F. Heston to be postmaster at Kanorado, Kans., in place of J. C. Jones, resigned.

Albert Woodmansee to be postmaster at Kiowa, Kans., in place of Harry Spurrier, resigned.

Ethel I. Lounsbury to be postmaster at Long Island, Kans., in place of C. L. Lounsbury, deceased. Office became presidential January 1, 1920.

J. Raymond E. Simmons to be postmaster as Wellsville, Kans., in place of Catharine E. Simmons, resigned.

MAINE.

Pearl Danforth to be postmaster at Castine, Me., in place of N. W. Coombs, removed.

Joseph C. A. Daigenault to be postmaster at Jackman Station, Me., in place of J. D. Chamberland, resigned.

George M. Jackson to be postmaster at Millbridge, Me., in place of A. E. Dresser, resigned.

MASSACHUSETTS.

William J. Williams to be postmaster at Great Barrington, Mass., in place of J. R. McComb, deceased.

Charles A. Kimball to be postmaster at Littleton, Mass., in place of A. H. McDonald, resigned.

Harry T. Johnson to be postmaster at Medway, Mass., in place of R. M. O'Donnell, resigned.

Edgar A. Craig to be postmaster at North Easton, Mass., in place of T. A. O'Connor, resigned.

MICHIGAN.

Henry M. Lawry to be postmaster at Caspian, Mich., in place of F. H. Fisher, resigned.

Orrin T. Hoover to be postmaster at Chelsea, Mich., in place of Chauncey Hummel. Incumbent's commission expired February 25, 1919.

George A. McNicol to be postmaster at Hillman, Mich., in place of C. E. Farrier, deceased.

MINNESOTA.

Charles E. Engelhorn to be postmaster at Greenbush, Minn., in place of T. A. Togerson, resigned.

Dwight C. Jarchow to be postmaster at Harris, Minn., in place of J. A. McLean, declined.

Lawrence B. Setzler to be postmaster at Maple Plain, Minn., in place of A. E. Haskell, resigned.

MISSOURI.

Asbury L. Williams to be postmaster at Seymour, Mo., in place of A. H. Davis, deceased.

MONTANA.

John H. Hathaway to be postmaster at Wisdom, Mont., in place of C. J. Bell, resigned.

NEBRASKA.

Henry Eichelberger to be postmaster at Crete, Nebr., in place of E. S. Potter, resigned.

Lewis A. Meinzer to be postmaster at Falls City, Nebr., in place of C. C. Davis, resigned.

Ernest W. Clift to be postmaster at Humboldt, Nebr., in place of J. B. Davis, resigned.

Edward B. Jameson to be postmaster at Lakeside, Nebr., in place of W. L. Marcy, resigned.

Luther J. Saylor to be postmaster at Rising City, Nebr., in place of F. W. Mathews, resigned.

Isaac L. Pindell to be postmaster at Sidney, Nebr., in place of J. T. McIntosh, resigned.

NEW JERSEY.

Herbert E. Poulson to be postmaster at Far Hills, N. J., in place of L. V. Ludlow, resigned.

Clarence H. Wilbur to be postmaster at Freehold, N. J., in place of Joseph Atkinson, resigned.

Frank J. Bock to be postmaster at Newark, N. J., in place of J. F. Sinnott, deceased.

NEW YORK.

Mary J. O'Brien to be postmaster at Bedford, N. Y., in place of Margaret D. Cochrane, resigned.

A. T. Smith to be postmaster at Tully, N. Y., in place of A. B. Dewey, resigned.

William M. Philleo to be postmaster at Utica, N. Y., in place of J. G. Gibson, deceased.

NORTH CAROLINA.

William R. Anderson to be postmaster at Reidsville, N. C., in place of R. S. Montgomery, resigned.

NORTH DAKOTA.

Charles P. Thomson to be postmaster at Minto, N. Dak., in place of Caroline Sprafka, resigned.

Ernest C. Lebacken to be postmaster at Reynolds, N. Dak., in place of Helen D. Thompson, resigned.

OHIO.

Thomas R. Gordon to be postmaster at East Youngstown, Ohio, in place of R. J. McGrattan, declined.

Henry D. Weaver to be postmaster at Leetonia, Ohio, in place of W. E. Warren, resigned.

Guy E. Matthews to be postmaster at Liberty Center, Ohio, in place of R. G. Hardy, resigned.

OREGON.

William J. Warner to be postmaster at Medford, Oreg., in place of G. P. Mims, deceased.

PENNSYLVANIA.

Albred B. Bowe to be postmaster at Port Carbon, Pa., in place of H. M. Erch, not commissioned.

VERMONT.

Rudolph M. Cutting to be postmaster at Plainfield, Vt., in place of Antonio Bonazzi, resigned.

WASHINGTON.

Henning E. Johnson to be postmaster at Du Pont, Wash., in place of B. O. Skewis, resigned.

Leonard McCleary to be postmaster at McCleary, Wash., in place of Lula M. Craft, resigned.

WYOMING.

Prince A. Gatchell, jr., to be postmaster at Buffalo, Wyo., in place of S. E. Gilkey, removed.

A. Verne Wiggins to be postmaster at Lusk, Wyo., in place of W. A. Olson, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1921.

GOVERNOR OF PANAMA CANAL.

Col. Jay J. Morrow.

DISTRICT JUDGE.

Claude Z. Luse.

DISTRICT ATTORNEY.

William H. Dougherty.

UNITED STATES MARSHAL.

William R. Chellis.

UNITED STATES NAVY.

Rear admirals.

Charles F. Hughes.
Ashley H. Robertson.
Samuel S. Robison.

Captains.

Earl P. Jessop.
Thomas C. Hart.
Cyrus R. Miller.
Edward H. Watson.
Ivan C. Wettengel.
Arthur Crenshaw.
Harry E. Yarnell.
Amon Bronson, jr.
Arthur J. Hepburn.
Arthur MacArthur.

Commanders.

Charles W. Densmore.
Robert A. Dawes.
Clyde S. McDowell.
John Rodgers.
William D. Greetham.
Andrew C. Pickens.
Husband E. Kimmel.
David M. LeBreton.
Prentiss P. Bassett.
Paul E. Dampman.
Louis H. Maxfield.
Frederic T. Van Auken.
Guy C. Barnes.
Laurance S. Stewart.
Samuel S. Payne.
Franklin P. Conger.
Louis F. Thibault.
Ellis Lando.
Alfred H. Miles.
Henry T. Markland.
George H. Emmerson.
Philip Seymour.
David F. Ducey.
Donald T. Hunter.
Cary W. Magruder.
William H. Pashley.
Kinchen L. Hill.
Lee P. Warren.
Harry G. Donald.
Worrall R. Carter.
William R. Purnell.
Thomas C. Kinkaid.
Charles M. James.
Leland Jordan, jr.
Robert R. M. Emmet.

Lieutenants.

George S. Gillespie.
Sherrod H. Quarles.
Thomas F. Downey.
Benjamin S. Killmaster.
Robert W. Cary.
Archie E. Glann.
Otto Nimitz.
Alan Barnett.
Elmer R. Henning.
Harold O. Hunter.
Theodore E. Chandler.
Allan R. Wurtele.
John L. McCrea.
John S. Farnsworth.
Albert R. Stephan.
Russell S. Berkey.
Willard A. Kitts, 3d.
Gail Morgan.
Van H. Ragsdale.
T. DeWitt Carr.
Sidney W. Kirtland.
Paul W. F. Huschke.
Donald B. Duncan.
William P. O. Clarke.
Robert G. Tobin.
Harold B. Sallada.
Collin DeV. Headlee.
Ralph Wyman.
Ben H. Wyatt.
Leonard P. Wessell.
Joseph H. Currier.
Thomas B. Inglis.
Daniel W. Tomlinson, 4th.
George C. Hawkins.
Roy T. Gallenmore.
Robert B. Parker.
Junius L. Cotten.
John W. Rowe.
Guy D. Townsend.
Wilbur V. Shown.
George M. Keller.
William G. Ludlow, jr.
Donald R. Evans.
Thomas L. Sprague.
James D. Jacobs.
Clifton A. F. Sprague.
Herman E. Halland.
George G. Breed.
Gordon Rowe.
Christopher C. Miller.
Henry D. Stalley.
Olton R. Bennehoff.
William A. S. Macklin.
William K. Phillips.
Ellsworth Davis.
William G. B. Hatch.
Frank Hindrelet.
John H. Buchanan.
William A. Corn.
Robert A. Dyer, 3d.
George T. Howe.
William C. Burgy.
Marion Y. Cohen.
Delorimier M. Steece.
George F. Neiley.
Philip W. Yeatman.
Charles H. Mecum.
Robert S. Wyman.
Frank P. Thomas.
John F. Moloney.
Merrill T. Kinne.
Vincent H. Godfrey.
William J. Lorenz.
Donald M. Dalton.
Burton W. Chippendale.
Robert T. Darrow.
John B. Kneip.
Dallas D. Dupre.

George E. Ross, jr.
Thomas J. Haffey.
Robert A. Awtrey.
Clinton H. Havill.
Boyd R. Alexander.
Gilbert W. Sumners.
William J. Forrestel.
Isaiah Parker.
Frank H. Dean.
Andrew G. Shepard.
George T. Howard.
Adolph P. Schneider.
Carl F. Holden.
Benjamin F. Perry.
Scott Umsted.
Hubert E. Paddock.
Nelson J. Leonard.
John D. Small.
James P. Brown.
Irving R. Chambers.
Stuart A. Maher.
Ralph Kiely.
George C. Kriner.
Raymond Burhen.
John J. Mahoney.
Albert Osenger.
Frank F. Wead.
Paul R. Glutting.
Bartley G. Furey.
Augustus J. Selman.
Robert B. Carney.
Edwin S. Earnhardt.
Albert E. Schrader.
Arnold H. Bateman.
Henry L. Phelps.
George P. Brewster.
John Wilkes.
William P. Bacon.
Bruce P. Flood.
Henry C. Merwin.
James M. Steele.
Calvin T. Durgin.
George F. Chapline.
Richard E. Webb.
Thomas V. Cooper.
Richard H. Jones.
Carlyle Craig.
Fred W. Connor.
Randall E. Dees.
Alexander D. Douglas.
Julian L. Woodruff.
Lisle F. Small.
Nicholas Vytlacil.
Robert L. Randolph, jr.
Herbert B. Knowles.
Joseph W. Gregory.
Benjamin F. Staud.
Felix B. Stump.
Stanwix G. Mayfield, jr.
Franklin S. Irby.
Merrill Comstock.
Paul U. Tevis.
Andrew G. Reaves.
John H. Keefe.
John E. Reinburg.
Adolph J. Merkt.
Homer L. Grosskopf.
Wilbur W. Feineman.
Oscar W. Erickson.
Fred D. Kirtland.
Charles P. Cecil.
James A. Scott.
John D. Price.
Edwin F. Cochrane.
Martin B. Stonestreet.
Cassin Young.
James P. Compton.
Roman J. Miller.
Edward A. Mitchell.
Earle E. Muschlitz.
David C. Fox.
Charles L. Hayden.
Theodore M. Waldschmidt.
Robert R. Ogg.
John T. Metcalf.
Allan E. Smith.
Homer H. H. Harrison.
Archer E. King, jr.
Dewitt C. Watson.
Preston Marshall.
Osborne B. Hardison.
Conrad A. Krez.
Arthur T. Emerson.
Byron S. Dague.
John H. Carson.
Arthur W. Radford.
Jesse L. Kenworthy, jr.
William R. Casey.
Robert E. Keating.
Allen R. McCann.
John H. Jenkins.
John G. M. Stone.
Guy W. Clark.
James P. Conover, jr.
Peyton H. Park.
Isidore Lehrfeld.
Forrest P. Sherman.
Oscar H. Holtmann.
Frank R. Dodge.
Vincent R. Murphy.
Owen E. Grimm.
Pal L. Meadows.
Frederick S. Holmes.
Edwin H. Price.
Albert M. Bledsoe.
Harold Biesemeier.
Albert F. France, jr.
David E. Cummins.
John S. Phillips.
Homer W. Clark.
Guido F. Forster.
Gale A. Poindexter.
Thomas B. Hendley.
Karl Keller.
Philip W. Warren.
Carl W. Brewington.
Emile Topp.
Edward B. Rogers.
Thomas D. Ross.
John V. Murphy.
William H. Ball.
Charles W. Weitzel.
Kenneth M. Hoeffel.
Ernest B. Colton.
James Fife, jr.
George T. Cuddihy.
Charles W. Styer.
Martin J. Connolly.
Frederick L. Douthit.
Earl E. Stone.
Hayden H. Smith.
Clifton E. Denny.
Brownson P. Vosbury.
Stanley D. Jupp.
Robert T. Whitten.
Henry E. Thornhill.
Donald W. Loomis.
Jerauld Wright.
Harry W. Need.
Harry D. Hoffman.
Victor C. Barringer, jr.
Graeme Bannerman.
James D. Murray, jr.
Edward W. Wunch.
John D. H. Kane.
Harry W. von Hasseln.
Elmer E. Duvall, jr.
Ernest H. Krueger.
Watson O. Bailey.
Edmund J. Kidder.
Malcolm A. Deans.
Edwin D. Gibb.
Joseph H. Brady.
Peyton Harrison.
Frank B. Hillhouse.
Ralph C. Alexander.
Alexander C. Kidd.
Earle W. Mills.
Berwick B. Lanier.
Martin R. Derx.

John J. Twomey.
Kingsland Dunwoody.
Frederick W. Neilson.
Allen I. Price.
Richard W. Gruelick.
Ralph U. Hyde.
Edward J. Moran.
Francis W. Benson.
Francis T. Spellman.
Carl L. Hansen.
Volney O. Clark.
Earl W. Morris.
Kenneth L. Coontz.
Chauncey R. Crutcher.
Gordon B. Sherwood.
Louis L. Habryl.
Henry S. Kendall.
William E. G. Erskine.
Garry De Mott Custer.
Harold E. MacLellan.
Ralph H. Henkle.
Edmund J. A. Murphy.
Jack H. Duncan.
Ford L. Wilkinson, jr.
Leroy W. Busby, jr.
Ralph S. Riggs.
John M. Haines.
Mays L. Lewis.
Robert R. Ferguson.
Earl S. Hurlbut.

Lieutenants (junior grade).

John E. Ostrander, jr.
William P. O. Clarke.
Paul W. F. Huschke.
Harold B. Sallada.
Benjamin O. Wells.
Joseph H. Currier.
Otto Nimitz.
Thomas L. Sprague.
James D. Jacobs.
Clifton A. F. Sprague.
Herman E. Halland.
George G. Breed.
Gordon Rowe.
Christopher C. Miller.
Henry D. Stailey.
Olton R. Bennehoff.
William A. S. Macklin.
Thomas B. Inglis.
Daniel W. Tomlinson, 4th.
George C. Hawkins.
Roy T. Gallenmore.
Robert B. Parker.
Junius L. Cotten.
John W. Rowe.
Guy D. Townsend.
George E. Ross, jr.
Thomas J. Haffey.
William K. Phillips.
Sidney B. Blaisdell.
Richard C. Bartlett.
Arthur S. Adams.
Thomas P. Jeter.
Harry R. Thurber.
Lyle N. Morgan.
Logan C. Ramsey.
Henry R. Herbst.
Charles L. Andrews, jr.
Charles J. Rend.
Marshall R. Greer.
Frank N. Sayre.
Paul D. Dingwell.
Carleton McGauly.
John R. Redman.
William E. Hilbert.
Festus F. Foster.
James B. Sykes.
Douglas A. Powell.
William E. Clayton.
Bayard H. Colyear.
Walter D. Whitehead.
Robert L. Boller.
Paul H. Talbot.
John B. McDonald, jr.
James G. Atkins.
John L. Reynolds.
Herbert S. Woodman.
Jonathan H. Sprague.
Adolph J. Merkt.
Roman J. Miller.
Stanwix G. Mayfield, jr.
Edward A. Mitchell.
David C. Fox.
Charles L. Hayden.
Kingsland Dunwoody.
Homer W. Clark.
Thomas B. Hendley.
Peyton H. Park.
Alexander D. Douglas.
Louis L. Habryl.
Henry S. Kendall.
William E. G. Erskine.
Garry De Mott Custer.
Harold E. MacLellan.
Ralph H. Henkle.
Edmund J. A. Murphy.
Jack H. Duncan.
Ford L. Wilkinson, jr.
Leroy W. Busby, jr.
Ralph S. Riggs.
John M. Haines.
Mays L. Lewis.
Chauncey R. Crutcher.
Gordon B. Sherwood.
Alexander C. Kidd.
Harry L. Dodson.
Duane L. Taylor.
Louis Dreller.
Ray W. Bruner.
Roger F. McCall.
Herbert M. Scull.
Robert F. Nelson.

Felix B. Stump.
John H. Keefe.
Carl L. Hansen.
Emile Topp.
William H. Ball.
Forrest P. Sherman.
Oscar H. Holtmann.
Frank R. Dodge.
Vincent R. Murphy.
Owen E. Grimm.
Pal L. Meadows.
Frederick S. Holmes.
Edwin H. Price.
Dean D. Francis.
George M. O'Rear.
Eric M. Grimsley.
John B. Griggs, jr.
Henry C. Fengar.
Harry A. Rochester.
James J. Hughes.
Miles P. Duval, jr.
Homer I. Sherritt.
Ralph E. Jennings.
Fred W. Beltz.
Leonard C. Parker.
Francis H. Gilmer.
George C. Dyer.
William L. Marsh.
Ernest E. Herrmann.
Harold L. Challenger.
Robert G. Waldron.
Valentine H. Schaeffer.
Scott G. Lamb.
Charles B. Hunt.
James D. Lowry, jr.
Howard W. Fitch.
Gordon M. Jackson.
Rodman D. DeKay.
John J. Orr.
James J. Graham.
William H. Ferguson.
Edwin Friedman.
Adrian O. Rule, jr.
Daniel M. McGurl.
Russell S. Barrett.
Peyton S. Cochran.
John G. Crawford.
Cyril K. Wildman.
George F. Mentz.
Riffel G. Rhoton.
Earl S. Hurlbut.
Eliot H. Bryant.
William B. Stork.
Anthony McHugh.
Alexander Stuart.

Ensign.

August Rettig.

Surgeons with rank of lieutenant commander.

Willard J. Riddick.
James A. Bass.

Passed assistant surgeons with rank of lieutenant commander.

Ross T. McIntire.
Edward A. Brown.
John R. Middlebrooks.
Joel J. White.
Russell D. Elliott.
John Duff, jr.
Ladislaus L. Adamkiewicz.
Robert H. Snowden.
Francis E. Locy.
Maurice A. Berge.
Roger M. Choisser.
Loren W. Shaffer.
Robert P. Parsons.
Francis DeA. Gibbs.
Richard C. Satterlee.
Otis Wildman.
Benjamin G. Holtom.
Wilfred M. Peberby.
Frederick L. McDaniel.
Lyle J. Roberts.
Frederick R. Hook.
Harry S. Harding.
William T. Lineberry.
Thomas L. Morrow.
Clarence J. Brown.
Gilbert H. Mankin.
Felix P. Keaney.
John W. Vann.
Guy B. McArthur.
Bertram Groesbeck, jr.
Robert S. G. Welch.
Robert H. Collins.
Carl A. Broaddus.
William E. Beatty.
Burchard A. H. Winne.
Henry C. Johnston.
John R. Poppen.
Albert N. Champion.
Linwood H. Johnson.
Harold E. Ragle.
Fred W. Granger.
William P. Mull.
Cary D. Allen.
William W. Davies, jr.
Roger D. Mackey.
Max Silverman.
Herbert L. Barbour.
James E. Miller.
Charles W. Rose.
Marvin M. Gould.
Norman J. Haverly.
George T. Dill.
Eustace H. Prescott.
Frederick W. Muller.
John N. Slattery.

Passed assistant surgeons with the rank of lieutenant.

William H. Whitmore.
Jesse W. Allen.
Paul W. Wilson.
Edward H. Sparkman, jr.
Elwin C. Taylor.
John B. Bostick.
Bathune F. McDonald.
James K. Gordon.
Frederick N. Pugsley.
Walter P. Dey.
Richard W. Hughes.
John T. O'Connell.
Henry DeW. Hubbard.
Preston A. McLendon.
Melvin S. Stover.
Harrison L. Wyatt.
Joy A. Omer.
Brython P. Davis.
Donald H. O'Rourke.
Robert B. Miller.
Oscar Davis.
Charles P. Archambeault.
Anthony M. Menendez.
Rex H. White.
Carlton L. Andrus.
Edwin Peterson.
Joseph L. Schwartz.
Roger A. Nolan.
William H. Wynn.
George U. Pillmore.
Francis P. Gardner.
Enoch G. Brian.
Reuben H. Hunt.
Harry A. Keener.
John A. Marsh.
Emil J. Stelter.
Alfred H. Ehrenclou.
Jesse D. Jewell.
Harry P. Krummes.
Victor B. Riden.
Robert B. Team.
Ernest A. Daus.
Walter J. Spencer.
Paul T. Crosby.
Harold S. Sumerlin.
Leslie B. Marshall.
Lloyd B. Greene.
Claude R. Riney.
Nelson W. Sheley.
John H. Robbins.
Howard H. Montgomery.
John A. Topper.
Henry C. Weber.
Samuel W. Connor.
Benjamin F. Iden.
George M. Malkin.
Andrew H. Frankel.
John C. Kenning.
Wilbert W. Munsell.
Robert F. Sledge.
William H. Harrell.
Cecil G. Sutherlin.

Assistant surgeons with rank of lieutenant (junior grade).

Ben Hollander.
Joseph C. Flotte.
Frank T. Barker.
Floyd McJ. Allen.
Wilson G. Guthrie.
Robert M. Cochrane.
Duncan D. Bullock.
Jerome Braun.
David B. Peters.

Passed assistant dental surgeons with the rank of lieutenant.

Charles C. Bockey.
William A. Dorney.
Thomas White.
Fred A. Batkin.
Patrick A. McCole.
Frederick W. Mitchell.
Frank V. Davis.
Nicholas S. Duggan.
Rolland W. Quesinberry.
Charles P. Holland.
Henry Muenzer.
John S. George.
Leonard L. Martin.
Elmer C. O'Connell.

Assistant dental surgeons with the rank of lieutenant (junior grade).

George A. Campbell.
Walter I. Minowitz.
Harold J. Hill.
Leonard M. Desmond.
Ray E. Farnsworth.

Chaplains with rank of lieutenant.

Herbert Dumstrey.
Harrill S. Dyer.
Charles V. Ellis.
Allison J. Hayes.
Clinton A. Neyman.
Albert N. Park, jr.
Harry M. Peterson.
George S. Rentz.
Reuben W. Shrum.
Bart D. Stephens.
William N. Thomas.
James S. Day.
William P. Williams.
Patrick J. Hammersley.
Frank L. Janeway.
Hersey E. Rountree.
Bartholomew F. Fuske.
Albert R. Parker.
Walter L. Steiner.

Chaplains with rank of lieutenant (junior grade).

John H. S. Putnam.
Lewis D. Gottschall.
John H. Hyde.
William T. Holt.
Roman M. Peil.
Alfred de Groot Vogler.
Milton H. Petzold.

Passed assistant paymasters with rank of lieutenant.

Harry W. Rusk, jr.
Ralph W. Swearingen.
Robert B. Huff.
Rufus B. Langsford.
James P. Jackson.
Malcolm G. Slarrow.
Michael J. Stubbs.
Phillip A. Caro.
Edward R. Eberle.

Professors of mathematics with rank of commander.

Guy K. Calhoun.
Theodore W. Johnson.

Naval constructors with rank of commander.

George C. Westervelt.
Charles W. Fisher, jr.
Alexander H. Van Keuren.
Waldo P. Druley.
Holden C. Richardson.
Roy W. Ryden.
Herbert S. Howard.

Chief machinists to rank with but after ensign.

John P. Millon.
Will S. Holloway.
Arthur A. F. Alm.

Naval constructors with the rank of captain.

Lawrence S. Adams.
Stuart F. Smith.
William G. Du Bose.

Naval constructor with the rank of lieutenant.

Henry E. Rossell.

Assistant civil engineer with the rank of lieutenant (junior grade).

Robert L. McLellan.

Civil engineer with the rank of lieutenant.

Henry G. Taylor.

Chief machinist to rank with but after ensign.

James E. Kemmer.

Assistant civil engineers with rank of lieutenant.

Harold W. Johnson.
Charles L. B. Anderson.
Albert Hoar.
Dow H. Nicholson.
Harry LeG. Hilton.
Collins L. Macrae.
Albert A. L. Ort.
Robert R. Yates.

Assistant civil engineers with rank of lieutenant (junior grade).

Edward D. Graffin.
William W. Schneider.
Thomas J. Brady.
Floyd C. Bedell.
William O. Hiltabidle, jr.
Cushing Phillips.
Harry W. Kenney.
Henry E. Wilson.
William D. Chandler.
George R. Brooks.
Alexander Martin, jr.

Chief pharmacists to rank with but after ensign.

Lester E. Bote.
Datus M. Hervey.
Robert Martin.
Thomas C. Hart.
Walter C. Magoon.
Walter Zur-Linden.
Charles H. Dean.

MARINE CORPS.

Majors.

Richard H. Tebbs, jr.
George W. Van Hoose.
Samuel P. Budd.
Charles D. Barrett.

Captains.

Benjamin F. Fogg.
Leslie G. Melville.
George W. Hamilton.
Leroy P. Hunt.
Clifton B. Cates.
John H. Fay.
Gaines Moseley.
Leo D. Hermle.
Lemuel C. Shepherd.
Frank Whitehead.
Roswell Winans.
Robert Blake.
Alfred H. Noble.
James F. Robertson.
Charles I. Murray.
Percy D. Cornell.
Jonas H. Platt.
Francis J. Kelly, jr.
Samuel C. Cumming.
Gilder D. Jackson, jr.
John P. Harvis.
Augustus B. Hale.
Thomas J. Curtis.
James F. Moriarity.
Peter Conachy.
Robert E. Williams.
Walter T. H. Galliford.
Fred G. Patchen.
Edwin P. McCaulley.
Graves B. Erskine.
James A. Nelms.
Louis R. Jones.
William B. Croka.
Robert Yowell.
William W. Ashurst.
Francis P. Mulcahy.
Bailey M. Coffenberg.
Edward D. Kalbfleisch.
Robert M. Montague.
Francis S. Kieren.
William F. Beattie.
Oliver C. Hine.
William J. Crosson.
Daniel E. Campbell.
Maurice G. Holmes.
James E. Betts.
Wethered Woodworth.
James W. Webb.
John M. Tildsley.
Louis E. Woods.
William McN. Marshall.
George H. Scott.
Eugene F. C. Collier.
Evans O. Ames.
William H. Davis.
Franklin A. Hart.
George Franklin Adams.
George W. Spotts.
Emmett W. Skinner.
Jesse J. Burks.
William L. Crabbe.
Charles C. St. Clair.
John Waller.
Eugene L. Pelletier.
Otto Salzman.
Harry V. Shurtleff.
Francis E. Pierce.
Harry W. Gamble.
Roscoe Arnett.
Francis C. Cushing.
Charles L. Eickmann.
Frank Z. Becker.
Nathan E. Landon.
Eugene L. Mullaly.
Walter E. McCaughtry.
John P. McCann.
Maurice A. Willard.
Harry A. Ellsworth.
Charles B. Hobbs.
Warren C. Barnaby.
Maurice C. Gregory.
Gustav F. Bloedel.
Thomas Dwight.
John J. Haley.
Walter Wooding.
Frank D. Creamer.
William Mills.
Robert W. Maxwell.
William F. Thalheimer.
Howell Cobb.
Thomas F. Joyce.
Charles Grimm.
William Frederick Brown.
Augustus T. Lewis.
Robert W. Williams.
Arthur J. Stout.
Andrew E. Creesy.
Arthur H. Page.
Donald Curtis.
Jesse L. Perkins.
Clarence N. McClure.
Michael Kearney.
Edward H. W. Holt.
Bror G. Broadstrom.
Angus Wilson.
Ery M. Spencer.
James P. Smith.
Frank E. Verner.
Norman M. Shaw.
John F. Duffy.
John A. McDonald.
Clarence H. Mediary.
Stephen F. Drew.
Edward G. Huefe.
James H. McGan.
James E. Snow.
Hans O. Martin.
Louis J. Hughes.
Augustus Aiken.
William Merrill.
Joseph Jackson.
Earl C. Nicholas.
Thomas B. Gale.
Field Harris.
Charles M. Jones.
Lewis L. Gover.
Roy C. Swink.
Leon L. Dye.
Lee W. Wright.
Reuben B. Price.
George P. Doane.
Walter J. Green.
James E. Reich.
Carl S. Schmidt.
Charles Ubel.
Charles F. Kienast.
Earl B. Hammond.
Timothy J. Holland.
Charles D. Sniffin.
Robert J. Archibald.
Franklin T. Steele.
Newton Best.
William A. Worton.
Glenn E. Hayes.
Stewart B. O'Neill.
John F. Talbot.
John W. Thomason.
George F. Hill.
Merritt B. Curtis.
Charles T. Brooks.
Herbert Hardy.
Richard B. Buchanan.
Charles N. Muldrow.
John T. Walker.
Oliver P. Smith.
Hugh Shippey.
Joseph G. Ward.
Robert C. Anthony.
James D. McLean.
Henry D. Linscott.
William T. Clement.
Ralph E. West.
Keith E. Kinyon.
Frank D. Strong.
Benjamin Goodman.
Lyman Passmore.
Clifford O. Henry.
Joseph T. Smith.
Martin J. Kelleher.
Martin Canavan.
Joseph M. Swinnerton.
Leslie G. Wayt.
Archie Farquharson.
Robert W. Winter.
Glen C. Cole.
Max Cox.
Charles M. Lott.
Russell A. Presley.
Ernest L. Russell.
William F. Becker.
Charles F. Martin.
Raymond E. Knapp.
Hiram R. Mason.
Edward L. Burwell, jr.
Omar T. Pfeiffer.
John F. Blanton.
Campbell H. Brown.
Lewie G. Merritt.
George F. Smithson.
Ernest E. Eiler.
Harold D. Shannon.
Claude A. Larkin.
Wesley W. Walker.
Lucian W. Burnham.
Shaler Ladd.
John C. Wood.
Clyde P. Matteson.
Richard H. Jeschke.
Robert L. Nelson.
John H. Craige.
Louis S. Davis.
Horace W. Mitchell.
Joseph I. Nettekoven.
James Maguire.
Harry H. Shepherd.
Ralph G. Anderson.
William P. T. Hill.
William E. Riley.
Ray A. Robinson.
Robert L. Montague.
Ross L. Iams.
Richard B. Dwyer.
David R. Nimmer.

First lieutenants.

Louis Cukela.
Jacob Lienhard.
Frederick Israel.
Victor F. Bleasdale.
Merwin H. Silvertborn.
George Bower.
Cecil J. Widdifield.
Walter Sweet.
Fred J. Zinner.
Prentice S. Geer.
John Groff.
William W. Rogers.
Curtis T. Beecher.
Vernon Bourdette.
George F. Stockes.
Tom E. Wicks.
Murl Corbett.
James P. Schwerin.
William M. Radcliffe.
John H. Parker.
Walter S. Gaspar.
Elton C. Hersman.
William K. MacNulty.
Alfred Dickerson.
Thomas R. Shearer.
Jacob M. Pearce.
Charles C. Gill.
Norman S. Hinman.
Donald R. Fox.
Bruce J. Millner.
William P. Richards.
Willett Elmore.
John F. McVey.
Harry E. Horner.
Francis Fisk.
Wilbur G. Gunn.
Julius T. Wright.
Samuel J. Bartlett.
Harlan Pefley.
Harold D. Campbell.
Samuel W. Freeny.
William H. Harrison.
John P. Adams.
Otto E. Bartoe.
Ramond J. Bartholomew.
Bruce B. MacArthur.
Erwin Mehlinger.
Gilbert D. Hatfield.
George H. Morse.
William K. Snyder.
William T. Evans.
Benjamin W. Gally.
Alfred W. Ogle.
Donald J. Kendall.
Alton A. Gladden.
Lewis B. Reagan.
Dudley S. Brown.
Robert H. Pepper.
John B. Wilson.
James D. Colomy.
Galen M. Sturgis.
Joseph W. Knighton.
James A. Mixson.
Lades R. Warriner.
Oakley K. Brown.
Gus L. Gloeckner.
Leo F. S. Horan.
John M. Popham.
Thomas A. Tighe.
Richard O. Sanderson.
Chaplain G. Hicks.
Frank R. Armstead.
Henry S. Hausmann.
Frederick M. Howard.
Edwin J. Mund.
Lee H. Brown.

Oliver A. Dow.
Louie W. Putnam.
Robert J. Woodrich.
Harry Paul.
Austin G. Rome.
Samuel F. Birthright.
Clate C. Snyder.
Edgar S. Tuttle.
Charles E. Rice.
Bert A. Bone.
Robert C. Thaxton.
Euvelle D. Howard.
Hu H. Phipps.
Frederick C. Lusk.
Willis F. Ostrander.
James H. Williamson.
George T. Hall.
Willard P. Leutze.
Hal N. Potter.
Walter S. Hallenberg.
Jack H. Tandy.
Lewis R. Stickles.
Oliver T. Francis.
Carlos H. McCullough.
Edward A. Fellowes.
Robert C. Kilmartin, jr.
Edward A. Craig.
Julian P. Brown.
Andrew L. W. Gordon.
Bernard Dubel.
Earle M. Randall.
Leland S. Swindler.
Howard N. Stent.
Donald Spicer.
Ford O. Rogers.
Walter G. Farrell.
William L. Harding, jr.
John B. Neill, jr.
Henley M. Goode.
Ralph R. Robinson.
Walter E. Bilisoly.
John K. Martenstein.
Charles M. Portis.
St. Julian R. Childs.
Hamilton M. H. Fleming.
Frederick E. Stack.
Edward S. Shaw.
Merritt A. Edson.
Edward O. Bogert.
John A. Tebbs.
John C. Wemple.
Curtis W. LeGette.
Joseph H. Fellows.
Louis G. De Haven.
Lester A. Dessez.
Andrew R. Holderby.
Merton A. Richal.
John Kaluf.
George Nielsen.
Charles D. Baylis.
William G. Kilgore.
William F. McDonnell.
George W. Shearer.
Eli Savage.
Grover C. Wright.
Edward B. Moore.
David Kipness.
Earl W. Garvin.
Sherman L. Zea.
Harold W. Whitney.
Claude A Phillips.
John W. Beckett.
Harold F. Swindler.
John Halla.
Edward E. Mann.
Kenneth A. Inman.
Lester N. Medaris.
Charles C. Cameron.
Albert W. Paul.

Robert E. Mills.
Albert B. Sage.
John D. Lockburner.
Gustaf A. Brodstrom.
Richard Livingston.
Fred B. Hoyt.
Harold C. Major.
Jesse A. Nelson.
Fred S. Robillard.
Blythe G. Jones.
Herman R. Anderson.
Clarence M. Ruffner.
Frank X. Bleicher.
Frank B. Geottge.
Joseph C. Grayson.
Donald G. Oglesby.
Byron F. Johnson.
Nicholas E. Clauson.
Alfred C. Cottrell.
Wallace G. Gibson.
John T. Selden.
Elmer E. Hall.
Henry A. Carr.
Orrel A. Inman.
James E. Smith.
Frederick D. Harbaugh.
Albert E. Benson.
Frank S. Flack.
William J. Livingston.
Carl F. Merz.
Howard M. Peter.
Sydney J. Handsley.
Donald M. Taft.
Miller V. Parsons.
Basil G. Bradley.
Charles J. Lohmiller.
Henry F. Adams.
Charles W. Henkle.
Spencer N. Phillips.
Solon C. Kemon.
Harry B. Liversedge.
Merton J. Batchelder.
George E. Monson.
Arthur Challacombe.
Stewart P. Corning.
William J. Mosher.
Joseph F. Burke.
John F. Connaughton.
John W. McNamara.
Marvin Scott.
James W. Flett.
Harry W. Bacon.
William C. Hall.
Edward T. Bayman.
Fitzhugh L. Buchanan.
Arnold C. Larsen.
William J. Wallace.
William Floyd Brown.
James J. McClelland.
Harvey D. Alban.
Amor L. Sims.
Aubrey L. Johnson.
Moses J. Gould.
Basil H. Pollitt.
George W. Walker.
Marshall E. Simmons.
George R. Rowan.
James E. Stanners.
Theodore H. Cartwright.
Lucas I. Bruns.
Richard H. Schubert.
Herbert V. Hansen.
Grover C. Moore.
Kenneth R. Berkey.
William J. Whaling.
Leonard E. Rea.
Rees Skinner.
Arthur F. Sennholtz.

Second lieutenants.

William H. Faga.
Herman H. Hanneken.
Daniel R. Fox.
William Ulrich.
Ralph W. Culpepper.
Herbert C. Bluhm.

Brady L. Vogt.
Edward J. Keenan.
Thomas J. Kilcourse.
Frank H. Fleer.
Romain B. Julian.
Irving E. Ogders.

Thomas M. O'Sullivan.
Lloyd R. Pugh.
Henry A. Riekers.
Brownlo I. Byrd.
Paul F. Howard.
Lemuel A. Haslup.
Harry E. Leland.
Charles Gorkum.
Herbert C. Joerger.
John A. McShane.
Hans G. Hornbostel.
Paul A. Lesser.
Edward Selby.
Chauncey H. Applegate.
Edward F. O'Day.
Jacob J. Kesel.
James D. Waller.
Clifford Prichard.
Cyril W. Martyr.
Frank S. Gilman.
Ogbourne A. Hill.
Melvin E. Fuller.
Francis I. Fenton.
John W. Cunningham.
Charles H. Hassenmiller.
Ralph W. Luce.
Marshall Y. Chapman.
Harmon J. Norton.
Stanley Klos.
Willard R. Enk.
Minter L. Lowther.
Gerald C. Thomas.
Stephen Skoda.
Wilbur Summerlin.
Joseph F. Driscoll.
Adolph Stahlberger.
William P. Kelly.
Bert Van Moss.
Harry W. Miller.
Walter B. Casey.
Eric W. Ojerholm.
Monitor Watchman, jr.
Edgar G. Kirkpatrick.
Clarence H. Yost.
John T. Sheffield.
John D. O'Leary.
Clyde H. Hartsel.
Grover C. Darnall.
Delmar Byfield.
Charles Connette.
Arthur C. Small.
James Ackermann.
Henning F. Adickes.
Ralph C. Alburger.
Benjamin W. Atkinson.
William L. Bales.
Ralph C. Battin.
Frederick C. Biebush.
Edmund M. Callaway.
Gale T. Cummings.
Roy W. Conkey.
Terrell J. Crawford.
Howard B. Enyart.
George Esau.
William S. Fellers.
Augustus H. Fricke.

Joseph Ascheim.
Harry P. Smith.
Harry E. Darr.
William E. Quaster.
Elmert E. Liebensperger.
Charles W. Lavlett.
Francis Kane.
James J. Brennan.
Lester E. Power.
Clinton W. McLeod.
Charles A. Ingram.
Julian N. Frisbie.
Carl Gardner.
Gordon Hall.
Guy B. Hall.
Frank W. Hanlon.
James B. Hardie.
Allen S. Heaton.
George L. Hollett.
Herbert S. Keimling.
Herman Kingsnorth.
Ralph D. Leach.
George W. McHenry.
William L. McKittrick.
Arthur A. Nelson.
Otto B. Osmondson.
John M. Patton, jr.
Charles W. Pohl.
Bernard W. Pravitz.
Stanley E. Ridderhof.
Edward A. Robbins.
David A. Stafford.
William J. Stamper.
Chesley G. Stevens.
Jay D. Swartwout.
George H. Towner.
George S. Van Riper.
Leslie H. Wellman.
Walter W. Wensinger.
Ervin R. Whitman.
Goodyear W. Kirkman.
Walter V. Brown.
Lawson H. M. Sanderson.
Jacob F. Plachta.
Harold D. Rosecrans.
Louis F. Knorr.
Joseph L. Moody, jr.
Thomas M. Ryan.
Leo Sullivan.
Horace D. Palmer.
Duncan W. Lewis.
Hayne D. Boyden.
Franklin G. Cowie.
Christian F. Schilt.
Cornelius McFadden, jr.
Robert D. Foote.
Arthur J. Burks.
James S. Monahan.
John A. Bemis.
Raymond W. Hanson.
John T. Thornton.
Guy B. Beatty.
Howard N. Feist.
Edwin U. Hakala.
Irving G. Hamilton.
Max D. Smith.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April 27, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, Thou hast said:

Who shall ascend into the hill of the Lord? or who shall stand in His holy place?

He that hath clean hands, and a pure heart; who hath not lifted up his soul unto vanity, nor sworn deceitfully.

Help us to respond. Cleanse Thou us from secret faults, and enable us to walk in the light as Thou art in the light. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY.

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of the committees.

The Committee on the Judiciary was called.

COMPANIES TO PROMOTE TRADE IN CHINA.

Mr. VOLSTEAD. Mr. Speaker, from the Committee on the Judiciary I call up the bill (H. R. 4810) to authorize the incorporation of companies to promote trade in China.

The SPEAKER. The gentleman from Minnesota calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from Oregon [Mr. McARTHUR] will take the chair.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. McARTHUR in the chair.

Mr. VOLSTEAD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. VOLSTEAD. I yield to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman and gentlemen of the committee, this bill has the unanimous report of the Committee on the Judiciary of the House of this Congress, and it also had similar action in the last Congress. It also passed the last House by a large majority.

The purpose of this bill is to increase the commerce of the United States with China. It provides for an incorporation law to meet a situation that is very necessary to be met in order that we may encourage and assist American trade in China.

Under the present system, by which Americans are doing business in China to-day, they must incorporate their companies under the laws of some one of the 48 States. Many have done that, but the system is not at all satisfactory, for several reasons. One of the reasons is that it does not provide a uniform law. In other words, there may be one company incorporated under the law of New Mexico and another under the law of New Jersey, and so on. It causes uncertainty as to what is the law governing these companies.

Mr. GARNER. Will the gentleman yield?

Mr. DYER. I yield to the gentleman from Texas.

Mr. GARNER. I observe that this bill gives the Secretary of Commerce the power to revoke a charter. Does the gentleman know of any State statute in the Union that delegates similar power to revoke a charter after it has been granted, to do so without a hearing in court or otherwise, at the pleasure of some executive officer?

Mr. DYER. Mr. Chairman, in response to the gentleman from Texas I will say that this is thought necessary to take care of an extraordinary situation.

Mr. GARNER. Let me illustrate the situation, if the gentleman will allow me. The Standard Oil Co., or some other company, has a charter to do business in China, and the gentleman from Missouri is managing a campaign, and he says to these people, "Give up so much or we are going to cancel your charter, because we have the right to do it without examination or investigation, and no court in the country can help you."

Mr. HUSTED. Will the gentleman from Missouri yield?

Mr. DYER. I yield to the gentleman from New York.

Mr. HUSTED. I should like to say for the information of the gentleman from Texas that there is a limitation in the bill upon the right of the Secretary of Commerce to revoke a charter.

Mr. GARNER. What is the limitation?

Mr. HUSTED. There is this limitation, that the corporation may appeal to the court within 10 days after the revocation, and the court has the power to restrain the action of the Secretary of Commerce until the final determination of the suit.

Mr. GARNER. In the meantime the business of the corporation has ceased.

Mr. HUSTED. It has not, because it can immediately get a restraining order against the Secretary.

Mr. GARNER. I understand that, but if the gentleman from New York was doing some business in China and I was Secretary of Commerce and I went to the gentleman and suggested that it was in his interest to follow a certain line of procedure, with the intimation that if he did not follow it I intended to cause him to go into the courts to protect his interests, I imagine it would be very persuasive, would it not?

Mr. HUSTED. Well, if the gentleman will permit, of course these corporations are doing business at very long range, and it seemed to be the opinion of everybody who was consulted about the bill, and all of the departments of the Government, that the Government of the United States should have a very secure control over these corporations.

Mr. GARNER. I just wanted to call attention to the possibilities.

Mr. HUSTED. The provision was put in the bill that if the corporation felt itself aggrieved it might immediately appeal to the courts, and the courts have the power to restrain the action of the Secretary of Commerce until the final determination of the merits of the case in a proceeding brought for that purpose.

Mr. GARNER. If the gentleman from New York will permit, if the gentleman should suggest that the Legislature of New York pass a provision giving the secretary of state of New York the power to cancel a charter after it had been granted, without cause or otherwise, he would find that the commercial interests in New York would be very much opposed to it.

Mr. HUSTED. As a matter of fact the commercial interests in China are not only not opposed to it, but they are very much in favor of it, and the commercial interests in China are the ones that are insisting upon it.

Mr. GARNER. Will the gentleman yield further?

Mr. HUSTED. Yes.

Mr. GARNER. Certainly the commercial interests in China are in favor of this or any other provision that you will put into this bill so long as you put the heart in it which exempts them from taxation. That is all there is in this bill or all there ever will be in it—exemption from taxation.

I call the gentleman's attention to the further fact—and I want the committee to remember it—that there is agitation throughout the country now that we shall exempt the people doing business in China, and every American who lives outside of the Stars and Stripes, to exempt him from the income tax. That is why I am opposed to the bill.

Mr. DYER. We are not exempting Americans from payment of the income tax. There is no provision that exempts an American residing in China from paying the regular income tax. The only provision of the bill referring to taxation is to exempt these companies from the payment of a corporation tax on business they do wholly in China. The necessity for this is because they can not compete with the trade in China with other nations unless we do it. Great Britain is exempting its nationals and corporations from the payment not only of corporation tax of companies organized and doing business in China, but also exempting them from the payment of an income tax on income derived from business in China.

Mr. MILLS. Will the gentleman yield?

Mr. DYER. Yes.

Mr. MILLS. Is it the intention in this bill to exempt dividends paid to individual stockholders in these corporations?

Mr. DYER. It is not.

Mr. MILLS. Is it the intention to limit the exemption of the earnings of these corporations to money earned in China?

Mr. VOLSTEAD. Not strictly; but if more than 5 per cent of the profits are derived from business in the United States no exemption is granted.

Mr. MILLS. Will the 5 per cent earned in the United States under the terms of this bill be taxable?

Mr. VOLSTEAD. Taxable when paid to the stockholders; it will not be taxable when held by the corporation.

Mr. MILLS. The point I am raising is if the bill taxes any of the earnings made in this country, even though it be limited to 5 per cent, then ipso facto the law exempts the dividends paid to stockholders, which you do not intend to do. I want to ask the gentleman in charge of the bill whether he was entirely clear that he had given complete exemption to this corporation of all money earned, wherever earned, or whether he had limited the exemption to money earned in China.

Mr. VOLSTEAD. If the corporation derived less than 5 per cent of its profits from business in the United States, it will be exempt as far as the corporation taxes are concerned, but whenever the money is paid to the stockholders it is taxed the same as the dividends of any other corporation.

Mr. MILLS. I call the gentleman's attention to the fact that if a corporation pays any corporation tax, even if only 5 per cent, that ipso facto exempts every stockholder from the normal payment on dividends, even though the corporation may be exempt as to 95 per cent.

Mr. VOLSTEAD. Either I misstated it or the gentleman misunderstood me. If these corporations derive an income from business done in the United States in excess of 5 per cent

of their total income, they are subject to the tax the same as any other corporation. It is only in the event that they make less than 5 per cent on business in the United States that they receive any exemption.

Mr. MILLS. And they receive a complete exemption.

Mr. VOLSTEAD. No; the corporation receives an exemption.

Mr. MILLS. But that is complete.

Mr. VOLSTEAD. Yes; but the stockholders have to pay on whatever dividends they receive. This provision was drawn by the Ways and Means Committee and not by the Judiciary Committee. The Judiciary Committee refused to consider that question and it was referred to the Ways and Means Committee. The Ways and Means Committee drew the exemption which is contained in the bill, and it was, as I am told, considered very carefully by the Treasury Department.

Mr. MILLS. But a gentleman of the Treasury Department suggested to me that there might be some doubt about the 5 per cent provision if you allowed the 5 per cent exemption.

Mr. VOLSTEAD. There is no 5 per cent exemption. If any of these corporations earn more than 5 per cent on business in the United States they are not exempt at all, but pay the ordinary tax the same as any other corporation. The intention is to make these corporations practically domestic corporations of China. We do not propose to give them power that will enable them to compete with ordinary American corporations for business in the United States. If we did that we would give them a decided advantage over corporations created by the laws of the States, a thing we do not desire to do. If they do business in the United States so that they make as much as 5 per cent of their income therefrom, they get no exemption and are, then, on the same footing as any other corporation.

Mr. DYER. Mr. Chairman, as stated by the gentleman from Minnesota [Mr. VOLSTEAD], section 23 of this bill was prepared by the Committee on Ways and Means. The matter was submitted to that committee by the Judiciary Committee. That committee appointed a subcommittee, and afterwards reported to the full committee, and after hearings had, and upon the advice and assistance of the experts of the Treasury Department, the section was agreed to. There is no reason to complain in the manner indicated by the gentleman from New York [Mr. MILLS]. What we want to do is to give to our people and to our country and to our commerce the same opportunity of entering into the great trade that is now opening up in the Orient, in China, that is enjoyed by other countries.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes more to the gentleman.

Mr. DYER. Mr. Chairman, many years ago the United States enjoyed quite a trade in China. In fact, this country was the one that opened up the trade there and made it possible for foreigners to enter China to do business. Years after we had been there Great Britain came along and through her special laws passed for the purpose of taking part in China's trade, and because of our own laws we were practically driven from the sea, so far as the trade with China is concerned. Then Americans went into China to do business, but they had to incorporate under the laws of Great Britain, because they could not under the laws of the United States compete with companies organized under the laws of Great Britain. The British-American Tobacco Co. and other companies were compelled to take out charters under British laws, and they have operated to a large extent and no doubt, of course, are compelled to favor British interests and British commerce. Later on, in March, 1920, Great Britain, desiring to further take care of her own people, enacted into law a provision which prohibited foreigners from holding positions in British companies. They even went so far as to prevent foreigners from being managers of companies organized under British laws. The result is that companies organized by Americans with American capital, operated by American brains under British laws, doing business in China, were compelled to turn over their companies to the British or move into British territory. For instance, the British-American Tobacco Co., one of the largest concerns in China, which is controlled largely by American capital and American business men, in order that their manager, an American, might continue to be at the head of the company, was compelled to move its offices from Shanghai to Hongkong, because Hongkong is a British Province and is operated entirely under British law.

Mr. Chairman, those are some of the reasons that compel us to seek this legislation. We have a great opportunity for trade in China because of the friendship that the people of that country bear to America. Many of the Chinese of wealth, with ingenuity and opportunity, desire to enter largely into business and to unite with Americans in advancing their country's commerce and business. They can not go into American companies with their capital without being compelled to pay corporation taxes to the United States upon the money they invest and upon the business they do in China. As a matter of necessity, therefore, they go with their capital and their business to British companies and the Japanese and French companies, which are exempted from the payment of these taxes. A large part of the capital that will go to these companies will be Chinese capital. They will furnish at least one-half of the money that will operate these companies, which will bring to China the products of this country and tend to open up our factories and increase our business in this country. We will gain in prosperity here, our manufacturing concerns will sell their products to China, and we will gain many times more than we would lose because of the exemption granted to these corporations.

Mr. BLAND of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. BLAND of Indiana. On page 17 of the bill, line 19, there is a provision which refers to the national prohibition act. Just what effect did the committee decide that provision would have on the trade of companies organized under this proposed law?

Mr. DYER. It is the intention in this provision of the bill to prohibit Americans from going to China and engaging in the liquor business. It is the intention of the committee that Americans shall not be permitted under this law to incorporate and go to China and engage in the liquor trade. Of course, we can not prevent them from engaging in that business under some other law or under some British law, but we do not intend in this act of Congress to grant to Americans the right to engage in that business in China.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. GARNER. Mr. Chairman, as I understand the rule, on Calendar Wednesday general debate proceeds for two hours, one-half to be in the control of those in favor of the proposed legislation and one-half in control of those in opposition to it. I do not desire to control the hour in opposition to the bill and would rather have my colleague [Mr. SUMNERS of Texas], who is in favor of the bill, control that time. I would like to have him yield me 10 minutes.

Mr. WALSH. Is there anyone else over there who is opposed to the bill who desires to control the time?

Mr. GARNER. I do not know of anyone.

Mr. VOLSTEAD. I will be very glad to yield the gentleman from Texas [Mr. GARNER] five minutes.

Mr. GARNER. Mr. Chairman, I want to use these five minutes to call the attention of the committee to the purposes of this bill. This matter was before the last Congress for a year or more. A number of hearings were had. Because of the tax feature the Committee on the Judiciary sought the opinion of the Ways and Means Committee, and that is how I came to have knowledge of the purpose of the bill. If you will take out of this bill the provision with reference to the exemption from taxation, then there is not a man in the House who would want to move another step with it.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. GARNER. Yes.

Mr. DYER. The gentleman is mistaken about that. That is not one of the salient features. The salient feature is to have a law under which Americans may do business in China. I say this because of an investigation I made for more than two years, and a part of that investigation I made in China. This bill did not come out in the last year of the last Congress, but was brought to the attention of the Judiciary Committee of the House and the Judiciary Committee of the Senate more than two years ago by President Wilson, who asked for legislation of this kind.

Mr. GARNER. Gentlemen of the committee, I can no more illustrate to you that my statement is absolutely correct than to state to you that this bill has been agitated, hearings have been had on it, and every consent was consent to its report and passage except as to the taxing feature. Just as soon as they got permission to report the taxing feature they reported the bill, and they never would have reported this bill unless that provision had been in it.

Mr. LONGWORTH. Will the gentleman yield?

Mr. GARNER. I will.

Mr. LONGWORTH. I do not recall we had any formal division in the Committee on Ways and Means.

Mr. GARNER. No; I was going to make a statement about that. There never was, as my colleague from Ohio has just called to my attention, any resolution in the Ways and Means Committee indorsing this provision, but we did have a sub-

committee, and upon that subcommittee I served, and I declined to recommend the provision in the bill exempting these people from taxation, but the Judiciary Committee being unable to get this legislation from the Ways and Means Committee reported the bill anyway with the taxing feature in it. Now, gentlemen, what does it mean? You say it is a very small thing, and I agree, but there is not a man in this House but has had come to his desk, or at least many have come to mine, propaganda from organizations in this country which propose to exempt from taxation American capital invested under foreign flags. This is just a beginning; this is the entering wedge; and I ask you gentlemen, in all candor, if you exempt the American citizens doing business in China with American money, why should not you exempt the people in Canada, in Mexico, or in Cuba? Now, what would be the result of such a policy, say in Cuba? The statistics show that 52 per cent of the sugar produced there is produced by American capital, and you would be exempting from taxation that immense investment in Cuba. Why are we going to embark upon a policy of taxation in this country that the flag is to follow our business and yet is not to contribute for the Navy and the Army? Suppose those people in China become involved in some way by which they must call upon our Nation, and they call upon our consul, and our consul makes report to the State Department, and the State Department reports to the Navy, and we immediately send a transport to protect them, which we ought to do; in doing that I think they ought to pay their just proportion of the taxes to pay that expense. Now, I have no interest in this matter. I have given it very little consideration except the taxing feature, and I repeat that this bill would not be in here now and they would not give a hoot in the lower regions if it were not for the fact of getting this exemption in, and I want the committee to know that fact before they vote on this legislation.

Mr. VOLSTEAD. Mr. Chairman, I desire to be notified when I have spoken for five minutes. The gentleman from Texas [Mr. GARNER] is entirely mistaken about the motives that actuated the committee in reporting this bill. This bill would be here without regard to the tax exemption that it contains. I think I know pretty nearly the history of this legislation. When the proposition came to us first the bill was in such shape that the committee would not report it, and it was not because of the tax provision at all. It was too loosely drawn. It would have given to persons in China an opportunity to exploit those people. It had practically no restrictions in it. We took the bill and added one provision after another. We have drafted and redrafted it with the utmost care, and our chief concern has been to see that no one should get a charter for doing business in China that could unfairly exploit those people. The question of taxation was not a prime consideration in drafting this bill at all.

Mr. STEVENSON. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. STEVENSON. Will the gentleman object to an amendment striking out that tax exemption?

Mr. VOLSTEAD. Personally, I believe the tax exemption ought to remain in the bill.

Mr. STEVENSON. Oh, well.

Mr. VOLSTEAD. This bill gives no one power to do business in the United States; it is intended to give people who are permanent residents of China, but who are American citizens, an opportunity to do business in China.

Mr. STAFFORD. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. STAFFORD. Assuming the case of an American citizen resident in China, president of this corporation, receiving a salary, say, of $100,000; would that salary be taxable under existing law under this bill?

Mr. VOLSTEAD. Yes. It would be taxable just like the income of any other citizen of the United States resident in China. Such an income would be subject to taxation just exactly as though it was not derived from a corporation created under this bill. Our people resident in China are sought to be placed upon the same footing in business as other foreign people that are engaged in business there. We have got to compete with the English and other foreign corporations. They are exempted from taxation, and we ought to give our people the same opportunity that our competitors enjoy. That is what we are seeking to do. We do not intend to give them any special privilege, but an equal opportunity with the men with whom they have to compete.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. JOHNSON of Mississippi. We have extraterritorial jurisdiction in China; that is true, is it not?

Mr. VOLSTEAD. Yes.

Mr. JOHNSON of Mississippi. Now, suppose that this American capital goes to China and organizes a business and then they sell part of their stock, even a majority of their stock, to Chinese? There is absolutely nothing in this bill to prohibit it?

Mr. DYER. Yes.

Mr. JOHNSON of Mississippi. What is it?

Mr. VOLSTEAD. They can sell a majority, but they must reserve control, hence a majority of the voting shares can not be sold to the Chinese. It is the hope that we can interest Chinese capital in conducting this business. In that way we expect to get an opportunity to sell a lot of goods in that country. Under the provision of this bill, control of the corporations must remain with the Americans. We have copied the English scheme.

Mr. JOHNSON of Mississippi. All right. Another question: Now, having extraterritorial jurisdiction there, where a question arises between two Americans, the American court will cover it, will it not?

Mr. VOLSTEAD. Yes.

Mr. JOHNSON of Mississippi. Suppose a question arises where Chinese are interested stockholders in the business, then Chinese would be allowed to sit as judges together with American judges; would that not be true?

Mr. VOLSTEAD. Yes. My understanding is that that is a part of the treaty between China and this country.

Mr. JOHNSON of Mississippi. Then there is absolutely nothing in this bill that would not exempt the Chinese just as it would exempt the Americans?

Mr. VOLSTEAD. We have no right to tax the Chinese anyway.

Mr. JOHNSON of Mississippi. That is what I said. You give the Chinese the same right in this as you undertake to give the American people. You have no right to legislate over Chinese. I grant that.

Mr. VOLSTEAD. If China sees fit to impose a tax on the people they have the right so to do.

Mr. JOHNSON of Mississippi. These companies are not incorporated especially for the American people. This will enable the American people to use the Chinese to make money by which these men can profit. Does not the gentleman agree to that?

Mr. VOLSTEAD. No doubt.

Mr. ROSENBLOOM. Will the gentleman yield?

Mr. VOLSTEAD. I will.

Mr. ROSENBLOOM. Under the provisions of this act, would not a company in the United States be authorized to organize in China to exploit the natural resources and ship those natural resources here, such as timber and iron ore, or any other, and be exempt from taxation on the profits they had made in shipping that material into the United States?

Mr. VOLSTEAD. A corporation over there, if it did American business, so as to earn 5 per cent of its income from such business, would have to pay taxes.

Mr. ROSENBLOOM. Say that they ship back here raw material that would come in competition with ore on the Lakes?

Mr. VOLSTEAD. They would have to pay tariff taxes.

Mr. ROBSION. Will the gentleman yield?

Mr. VOLSTEAD. I will yield to the gentleman from Kentucky.

Mr. ROBSION. If I understand it, it exempts all the corporations, all the companies incorporated in the United States, doing business in China.

Mr. VOLSTEAD. It does not do anything of the kind. It does not exempt a single one of them. Corporations created under this bill for the purpose of doing business in China can get no exemption unless they earn less than 5 per cent of their income from business in the United States.

Mr. ROBSION. But they must be incorporated under the laws of this country?

Mr. VOLSTEAD. Under this act.

Mr. ROBSION. To do business in China?

Mr. VOLSTEAD. Yes.

Mr. Chairman, I yield to myself three minutes more.

Mr. SWEET and Mr. SANDERS of Indiana rose.

Mr. SANDERS of Indiana. I was going to say it is clearly the purpose of this act, and I think a very beneficial purpose, to induce Chinese capital with American capital over there by creating this corporation under our Federal law and exempting the corporation from tax, because it is not, of course, our purpose to tax the Chinese as individuals or as corporations. But if Chinese capital joins with American capital under a corporation from any State then that corporation is taxable, and we do tax Chinese capital in that way, and this is for the encouragement of the joint use of Chinese and American capital.

Mr. VOLSTEAD. I want to say another thing. If you do not pass a law something like this bill our people will not incorporate under any American law. They can not afford to do so. They will incorporate under some foreign law, and we will get no tax at all; because they can not compete if they do not get the limited tax exemption that this bill provides for.

Now I yield to the gentleman from Iowa [Mr. SWEET].

Mr. SWEET. Now, if I understand this bill correctly, the gist of it is that the management of the corporation will be by American citizens?

Mr. VOLSTEAD. It must be.

Mr. SWEET. And the gentleman has spoken somewhat at length in regard to this being a matter between Chinamen and Americans. Now, under section 4, it says:

Three or more individuals (hereinafter in this act referred to as the "incorporators"), a majority of whom are citizens of the United States, may, in accordance with the provisions of this act, form a corporation.

Now, is it not true that the corporation may be formed without any Chinamen being stockholders whatever?

Mr. VOLSTEAD. Surely.

Mr. SWEET. And another provision, in section 5(f):

A majority of the directors and a majority of such officers shall be citizens of the United States.

Now, that does not mean that the Americans will own a majority of the stock?

Mr. VOLSTEAD. It does not.

Mr. SWEET. And, in fact, the Americans may only own 10 per cent of the stock.

Mr. VOLSTEAD. That may be true. That is true, so far as some of the foreign corporations are concerned now. We are trying to equalize conditions.

Mr. EVANS. Will the gentleman yield for a question?

Mr. VOLSTEAD. I will.

Mr. EVANS. Referring to paragraph 3 of subsection (c), section 4, found on page 4 of the act, will not the provision of that paragraph permit and leave with the Secretary of Commerce entire control as to the conduct of the business of the United States? And is it a sufficient precaution?

Mr. VOLSTEAD. Well, we will consider that when we come to read it under the five-minute rule.

Now, I just want to say in conclusion that this bill has the indorsement of the Secretary of State and the Secretary of Commerce, and, so far as I know, it has no opposition in either department. Legislation of this kind was recommended by the former administration. It is recommended by this administration. There is a pressing need for legislation of this kind at this time, for the reason that until recently American citizens could incorporate under English laws, but England has lately seen fit to change that. Every corporation organized under English laws must now be controlled by Englishmen, and everyone who knows anything about business in the Orient knows that these corporations are the chief instrumentalities through which business is obtained there, and unless we are willing to give to our citizens in the Orient this opportunity we shall fail to hold our own and fail to build up any new trade there to amount to anything.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I desire to propound an inquiry to the chairman of the committee. I ask unanimous consent to do that. Two or three gentlemen on this side have asked for time, amounting to 15 minutes. It seems to me there is some confusion as to how this division of time is to be determined.

Mr. VOLSTEAD. I would like to see if we can have an agreement as to the time. Perhaps the gentleman from Texas can obtain recognition and distribute some time on his side.

Mr. WALSH. He can obtain recognition if he is opposed to the bill. If anybody is opposed to the bill, he is entitled to recognition.

Mr. WINGO. I am opposed to the bill.

The CHAIRMAN. Unless some member of the committee desires recognition, the Chair will recognize somebody else.

Mr. WINGO. Mr. Chairman, I have already risen. I ask for recognition.

Mr. VOLSTEAD. Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Minnesota reserves the balance of his time.

Mr. WINGO. Mr. Chairman, I desire recognition.

The CHAIRMAN. The gentleman from Arkansas is recognized.

Mr. WINGO. Mr. Chairman, I have not had time to study the bill very closely, but from a hurried reading and listening to the discussion as best I could I have come to the conclusion that I can not support the bill in its present form. I recognize there are strong arguments in support of the necessity for the formation of proper corporations to handle this character of business. As a general rule, I am opposed to Federal charters; but, of course, in certain classes of cases there are arguments in support of Federal charters. But that charter ought to be hedged around with proper restrictions.

I have read the bill very hurriedly, and I have not been able to find a provision that I was looking for. I will ask the chairman of the committee or some member of the committee to tell me whether or not you have a provision that protects the rights of the State to tax as personal property the shares of stock owned in this corporation by an individual citizen of the State. I have not found any such provision in the bill. Is it there?

Mr. VOLSTEAD. I did not catch the question.

Mr. WINGO. In the Edge Act, for example, there is a provision providing that the shares of stock of any corporation authorized under the provisions of this act shall be subject to tax by the State in which its home office is located in the same way and to the same extent as other corporations organized under the laws of that State doing a similar character of business. The shares of stock in such corporation shall also be subject to tax as the personal property of the owners or holders thereof in the same manner and to the same extent as shares of stock in similar State corporations. Have you a provision similar to that in this bill? If so, where is it?

Mr. DYER. The gentleman is referring to corporations having their home office in a certain State?

Mr. WINGO. The first part I read referred to that.

Mr. DYER. Of course, there is no home office here except in China.

Mr. WINGO. The last sentence of the paragraph I read was the one I had particular interest in. The illustration is this: Suppose I own $10,000 face value of stock in one of these corporations that is to be organized under this act, and I render my return to the tax assessor in my county in Arkansas. Am I liable to the State of Arkansas for my personal rendition of that $10,000 of stock, and if so, where is there such a provision in this bill? We have been careful in other charters that have been granted to preserve that right. Is it in this bill?

Mr. DYER. It is not directly in the bill.

Mr. WINGO. Only by special provision can we authorize the State to tax that stock as they tax the stock of other corporations when it is returned, not with the corporation's assets but when the individual makes his personal return, just as in the case of bank stock which an individual owns. He has to pay a personal tax on it.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. MILLS. May I ask the gentleman in what States they tax stock in a commercial organization as personal property?

Mr. WINGO. I only know that stockholders in banks have been trying at every session of Congress in recent years to get Congress to grant them double exemptions.

Mr. MILLS. The gentleman is correct as to banks, but I am talking about the stock of industrial and commercial corporations.

Mr. WINGO. Can the gentleman name the States that do not tax such stocks?

Mr. MILLS. Yes. Even when we tax personal property in the State of New York we never tax such stock as personal property.

Mr. WINGO. That is true. I understand that in the State of New York a man can dodge taxation by putting everything he has into certain kinds of stocks and bonds that are exempt from taxation. The gentleman's statement is somewhat like a statement that was made in the Committee on Banking and Currency, which surprised me very much. If I had a million dollars and were to invest it in the stock of a commercial corporation I in some States would not have to pay tax on that piece of personal property. The Supreme Court has held it to be personal property, and you can not plead, therefore, that every man who owns stock in it is entitled to exemption. It is true the Supreme Court has made that decision as to those who desire to dodge such taxation. What other State can the gentleman name?

Mr. MILLS. The State of Massachusetts.

Mr. WINGO. Why?

Mr. MILLS. Stock is only taxed as personal property. It may be true that some of the Southern States do not so consider it, but I beg to suggest to the gentleman that outside of the Southern States there is hardly a State in the Union that taxes stock. I am not talking about bonds.

Mr. WINGO. Oh, if the gentleman wants to tell how the tax dodgers get off by running a bluff, all right. There are some States where owners of stock in a bank get away without paying

tax on it, even though the law of their State requires it. Is not ownership of stock in such a concern personal property?

Mr. MILLS. Not according to my understanding of it or the laws of a majority of the States of the Union.

Mr. WINGO. What is it—real property?

Mr. MILLS. No.

Mr. WINGO. If it is not real or personal, what is it?

Mr. MILLS. For taxable purposes it has not been treated as personal property.

Mr. WINGO. I am not talking about taxable purposes. What kind of property is it?

Mr. MILLS. It represents an undivided interest in property held by that entity known as a corporation.

Mr. WINGO. Yes; it is corporate property.

Mr. MILLS. And it does not entitle the holder thereof to receive any property until the dissolution of that corporation. It does not even entitle him to dividends unless those dividends be declared by that corporation.

Mr. WINGO. If the gentleman will pardon me, I will not yield any further. I should like to do so, and I do not want to be discourteous, but I have heard that same argument at least once a year ever since I have been in Congress, and I know what the gentleman's conclusions are, and there is a good deal in the argument. It is a very seductive argument. But now let us see.

Mr. MILLS. Will the gentleman yield for a moment?

Mr. WINGO. No; I promised to yield a good deal more time than I have, and I am sorry I can not yield. If the gentleman has any trouble later on, I will try to get him five minutes. It is a seductive argument, but if you will look over the Supreme Court decisions you will find that the Supreme Court has held that stock of this kind is subject to taxation in the State as personal property. I challenge any lawyer to contradict that assertion. Now, it may be said that the States have not done it. If there is one State in the Union that wants to assert its inherent right to tax the stock of a corporation owned by one of its citizens, even though that corporation be in China, and he is getting his dividends from it, while his next-door neighbor or a member of his family may have his money invested in the stock of a domestic corporation and that member of his family has to pay taxes under the personal-tax laws of the State, why should you grant to one person exemption by an act of Congress and tie the hands of the State taxing authorities? It is not fair. It is not right.

Gentlemen say they can take care of it. But you are granting a Federal charter, and unless you place the same kind of a provision in here that we put into the Edge Corporation Act, I fear the States can not tax the shares of stock. I am not going to take the time to go into the other question of exemption——

Mr. HARDY of Texas. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman from Texas.

The CHAIRMAN. The gentleman from Arkansas has used 10 minutes.

Mr. WINGO. I will yield to myself another five minutes.

Mr. HARDY of Texas. Was that same question raised in the consideration of the Edge Corporation Act?

Mr. WINGO. Yes; that question was raised.

Mr. HARDY of Texas. As I understand it, the stocks of corporations organized under that act are taxable in the State where the owner of the stock lives.

Mr. WINGO. Yes; I read the provision a while ago. It provides that shares of stock of any such corporation shall also be subject to taxation as personal property of the owner or holder thereof in the same manner as shares of stock in similar State corporations. In other words, if similar State corporations in New York are not taxable, then they would not be taxable under this. The point is to leave it to each State, and not let the Federal Government by congressional action coerce the State by saying, "You can not impose a similar burden on one citizen because he has one kind of stock, while on another citizen who happens to own another kind of stock we will make him pay taxes." In other words, leave that matter to the States. The gentleman from New York [Mr. MILLS] can not complain of that kind of a provision, because if his contention is true, no citizen of New York, with that kind of a provision written into this bill, would have to pay taxes on this stock provided the State of New York sees fit to exempt that kind of stock from taxation. But, gentlemen, here is what you are doing. I am a great believer in fostering the trade of the United States. I believe the future prosperity of this country depends upon our finding steady profitable markets for the surplus products of our farms and mills and factories, and I believe in that; but I am not so foolish as to think that in order to do that you have got to give anyone a special privilege. If you grant to these stockholders this exemption from taxation, both Federal and State, to which I have referred, if you grant that to these China corporations, what are you going to say to the great banking corporations organized under the Edge Act when they come in and say, "Give us the same exemption from taxation which you gave to the dealer in Chinese commodities. We are handling the financial end of it." This act, I notice, is very careful to contain just the opposite provision to what is in the Edge Corporation Act.

In the Edge Corporation Act we limit them to handling bills of exchange, the financial paper that handles the export trade. In this act we limit them to handling commodities, and say that they shall not deal in the financial paper of the Edge Act. Now, it is proper to segregate the two, but if you give the commodity exemption from taxation what defense can you offer when the Finance Corporation comes in and asks the same exemption? You can not refuse, you will have to give them.

How many corporations are already organized under the Edge Act? How many? I hope there will be a sufficient number organized so that we can meet the changed conditions, so that the surplus cotton and the surplus wheat can be sent to every port on earth. Now, I want trade developed in China, but it is not necessary to give them this special privilege that is given them under this bill.

On yesterday we were considering a great supply bill by which we are to spend millions of dollars to maintain a Navy to back up these corporations and protect their rights in the Far East. Will you tax the overburdened taxpayers of the country to maintain your expensive commercial agents and your expensive Navy for the purpose of protecting these men and then say "You shall be exempted from paying your part of the burden of taxation to maintain the Navy which will maintain your trade and your business in the Orient"? It is not sound, it is not right.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM of Pennsylvania. Mr. Chairman, I probably will not require five minutes to address myself to the question of taxation. I think the gentleman from Arkansas has taken a wrong view of that subject, with all due respect to his opinion. There is no provision in this bill that exempts stock of this corporation from State taxation, not a word. You may assume, therefore, that the State has the right to tax unless it is restricted or taken away in the act of Congress. If that be true, when you make the return, if you were doing it in our State, you would be obliged to report money invested in stocks in other countries and other places. They would tax the money thus invested as a part of your possessions. The question is not whether you shall put something in this bill to preserve the inherent and imperial right of a State to tax, but whether or not you have put something in to take it away. There is nothing in the bill taking away or limiting the State's right to tax.

Now, I wish to say a word generally in regard to the bill itself. Is America going to take its place among the nations of the world? Will we give encouragement to our foreign trade? What is the proposition that will help put us in our proper place? The taxing features have been carefully safeguarded, and the concessions that are made are not those that would rob this country of revenue, but are those which would encourage American citizens to engage in the export trade with this foreign country.

With reference to the question asked a while ago: If a man were president of one of these companies and got $100,000 salary a year, would he be exempt from taxation? Why, clearly, any tyro in the law would answer at once that in his personal income he would have to report that salary, and upon it the internal-revenue taxation fixed by Congress would be assessed.

Mr. DYER. Will the gentleman yield?

Mr. GRAHAM of Pennsylvania. I will.

Mr. DYER. What does the gentleman say as to the matter mentioned by the gentleman from Arkansas in regard to the Edge Act? Are they not dissimilar?

Mr. GRAHAM of Pennsylvania. The Edge Act is applicable to a totally different class of corporations which do business in this country. This act is intended to create a class of corporations which do business exclusively in China.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of

the following titles, in which the concurrence of the House of Representatives was requested:

S. 535. An act to prevent the unauthorized landing of submarine cables in the United States; and

S. 1084. An act to provide a national budget system and an independent audit of Government accounts, and for other purposes.

COMPANIES TO PROMOTE TRADE IN CHINA.

The committee resumed its session.

Mr. WINGO. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I realize that this is a very important item of legislation. In so far as this country is concerned, it is an experiment. It has a number of definite subobjectives. I am going to try in the 15 minutes assigned to me, if possible, to help clarify some of the points about which there seems to be some confusion. In the first place, this legislation is intended fo meet a definite situation. In the Orient, as we all know, there is a considerable territory over which outside nations exercise a qualified sovereignty. Most of the leading commercial nations in the world have in China, domiciled in that territory, corporations organized by authority of those nations, and doing business in China as aids to commerce and business with the countries of their creation. The boards of control of these corporations are composed of the nationals of the nations which are their respective creators. But other than American concerns doing business in China are able to use a great deal of the native capital, because the capital invested by the natives is not subjected to double taxation. That capital is exempt from taxation by the foreign Government granting the charter. That is the situation. There is no such exemption in favor of the native investing in the stock of American corporations. The disadvantage in the competition for native capital and native affiliation is obvious. The native will not put his money in with the American if it subjects him to taxation by a foreign country as well as his own, when he can invest with an English competitor and have to pay taxes only to his own country.

There has been no effort in the bill to exempt the nationals of this country from the same tax he would pay if he was doing business in America. If there is any such exemption, it has not been intended, and I am sure the committee has every disposition to remove it. In order for us to get native capital, we are compelled to offer the native the same inducements that English corporations offer him.

This is not a theory; it is a fact that the English corporations now afford to the natives an opportunity to own shares of stock in English corporations and to pay no taxes to the English Government. This presents a plain, practical proposition. We must either "cut in" at equal advantage or cut out of the China trade. We have no chance to get the use of Chinese capital in American corporations unless we exempt the Chinamen from the necessity of paying taxes to the American Government after having been taxed by the Chinese Government. That is common sense. This is important right now, when business relationships of the world are being refashioned. If we are going to be able to compete in China, in that great territory to which all of the nations of the earth are looking, then we must give American citizens who go to that country the possibility of offering just as attractive a proposition as the English citizen can give to the Chinaman. That is all there is to this bill.

What are we going to do about it? This is the best bill, I think, that can be drawn; at least, it is the best that the Judiciary Committee has been able to draw. I do not mean that it is perfect. We are either going to pass this bill and give the American who will go into that country as a pioneer for American industry and productivity on this side a chance to go to the Chinaman and say, "I want to tie up with you; I want to use your capital; I want to affiliate with you under as advantageous conditions as the Englishman can offer"; or we are going to leave American trade with China at a disadvantage.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. JOHNSON of Mississippi. I wish to call attention to the statement of the chairman of the committee a while ago that no one in an English corporation could hold stock unless he be an Englishman.

Mr. SUMNERS of Texas. No; he could not mean that, because that does not happen to be true. I know that he did not mean to state what is not true. I think he said the board of control has to be English; at least, that is what he ought to have said.

Mr. JOHNSON of Mississippi. I know that he said the other because I was watching it very carefully, and I have watched this matter for two months.

Mr. SUMNERS of Texas. Well, that is not the situation. It is only the board of control which is English.

Mr. Chairman, I assume that it is agreed among the Members of the House that it is advantageous to have the corporations which are in China and which represent the productive energy of this country and in a definite sense fashion our reputation there under Federal control for two reasons. The first is that only the Federal Government has the machinery for control. The second is that while it may be great ignorance upon his part yet the native Chinaman probably does not know where the State of Texas is, for instance, and when a man presents to him a proposition to invest in or do business with a corporation incorporated under the laws of the State of Texas he does not feel the degree of assurance that he would feel if the corporation was incorporated under the laws of the United States, which he knows much about. Besides, the United States has its foreign representatives abroad, its diplomatic corps, and the United States in its capacity as a National Government represents all of the States in their foreign affairs. That is one of its businesses. It is perfectly apparent, therefore, that from the standpoint of confidence inspired, from the standpoint of economy in supervision and control, and in possibility of proper control it is advantageous to have federally created corporations.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. RAKER. Suppose three American citizens from Texas went to China and formed a corporation under this act. Suppose they had native Chinamen with them. The natives from Texas invested, say, $100,000, and made $10,000. Would they have to pay any income or excess-profits tax?

Mr. SUMNERS of Texas. The Texas citizen operating under this law would pay exactly the tax which the national residing in the United States in Texas pays.

Mr. RAKER. So that, as a matter of fact, all of the money they invest as American citizens in the corporation would have to pay the same tax as though the money were invested in the United States.

Mr. SUMNERS of Texas. Yes.

Mr. RAKER. It simply exempts the Chinese who invest their money from paying tax on their part of the money earned by the corporation.

Mr. SUMNERS of Texas. You do three or four definite things. First, you provide for a charter granted by the Federal Government, and the reasons for doing that, I assume, are perfectly apparent to all. You provide Federal supervision and control. Then, of course, you exempt the Chinaman, the non-American national, from the necessity of paying taxes to a Government other than his own.

Mr. RAKER. But you do not exempt the American citizen.

Mr. SUMNERS of Texas. You do not exempt the American citizen. All sorts of wildcat corporations will be prevented from operation in that country if this bill becomes a law. There are many of them now there, bringing discredit to the American Government and the American people and American business, because the natives there do not discriminate. The purpose and object of this bill is to standardize corporations that represent the American people doing business in China and subject them to Federal control.

Mr. RAKER. Taking the situation as the gentleman has so clearly presented it, would an American citizen going to China and entering into a corporation of that kind be at any advantage over his neighbor in Texas who entered into a business in Texas, by virtue of going abroad and accumulating money and sending his products back to this country for sale? Would he obtain a benefit by doing his business in China and then sending his product back to this country to compete with that of his neighbor?

Mr. SUMNERS of Texas. He would not have an advantage from the standpoint of his obligations to the Treasury of his country.

Mr. RAKER. That is the thing that I am getting at.

Mr. SUMNERS of Texas. He would have a definite advantage in having the headquarters of his business in China, in being in direct contact with Chinese and in having Chinese money invested in his corporation and Chinese interests affiliated with his business. Of course the gentleman knows, as everyone knows who has ever undertaken to establish a new business, the advantage there is in having the important people of a community financially interested in the success of the business.

Mr. RAKER. Can he by investing his money in China produce his articles so cheaply that he can return them to the

United States and sell them in a high-price market and thereby, by virtue of his association with Chinamen, get an advantage over an American citizen who does his business in the United States?

Mr. SUMNERS of Texas. Of course, the gentleman's question is a little difficult to answer with a yes-and-no answer. These corporations are intended primarily to facilitate sale in China of American products, not producing corporations, not manufacturing, not importing to American corporations, not industrial corporations primarily. They are intended to facilitate commerce between the United States and China. Now, of course, being in China if a man hires a bookkeeper cheaper than he can in America whatever incidental benefit he could get by reason of the local labor condition, of course, he would get that. I assume the gentleman and everybody else would understand that. But as I understand it, and from the testimony before the committee, the chief reason why this law is desired is if some American has an attractive proposition and a native Chinaman in the next block——

Mr. RAKER. Irrespective of a concrete case, suppose this corporation manufactures, say, a dozen silk handkerchiefs in China, and he can do it for 20 cents apiece, but it costs the American manufacturer in the United States 50 cents apiece. Why do you give this man who goes to China and does the work an advantage over the man who produces this same article in the United States?

Mr. SUMNERS of Texas. The gentleman will have to read the revenue laws to determine what advantage, if any, he may hold. But I will say this: That while this bill does not contemplate such activity, as a matter of fact, it would not change the situation. If there is somebody in China producing handkerchiefs at 20 cents apiece to be imported into this country, it would be just as well to have part of the profit go to the American business, which in turn might, through connections in that country and in this country, open up a market in China for something which we have to sell and which otherwise might not be bought from us.

Mr. RAKER. I knew the gentleman was familiar with the situation, and I thank him very much.

Mr. HARDY of Texas. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. HARDY of Texas. I want to inquire about the question between the gentleman from Illinois [Mr. GRAHAM] and the gentleman from Arkansas [Mr. WINGO]. I would like to know if the gentleman has studied that question, and whether, in his judgment, this law not prohibiting a tax, a tax might be levied by the State upon the stock of this company, held by our nationals, and if it might why was the provision authorizing the States to tax stock placed in the Edge bill?

Mr. SUMNERS of Texas. This has nothing to do with the Edge bill, I assume; in the absence of a provision in this bill exempting property from taxation such stock would come under the general taxation provision which governs in this country; but I have not examined the law on that point.

Mr. WYANT. Will the gentleman yield?

Mr. SUMNERS of Texas. In just a minute. In other words, without having opportunity to investigate the legal question, I would be disposed to conclude that in order for these shares of stock to be exempted from taxation under the State laws, if the national is a citizen, there would have to be some specific provision of exemption, but if there is any question as to the shares of stock owned by any national being subject to State taxation, I would be perfectly willing to accept an amendment removing the doubt.

Mr. WYANT. If this corporation should earn 50 per cent on the investment of the capital, would they have any revenues to pay to the Federal Government? Would they be exempted and a similar corporation earning 50 per cent in this country be taxed and have to make the usual return?

Mr. SUMNERS of Texas. I will have to restate what I have said a couple of times before.

Mr. WYANT. I have not had time to read the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. May I have two minutes more?

Mr. GARRETT of Tennessee. On behalf of the gentleman from Arkansas I yield the gentleman five additional minutes.

Mr. SUMNERS of Texas. In regard to that question I will restate what I said a moment ago. The corporation as an entity is subject to no taxation.

Mr. WYANT. Is it exempted from paying any tax?

Mr. SUMNERS of Texas. I have stated that three times. The corporation as an entity is subject to no tax.

Mr. WYANT. That answers the question.

Mr. SUMNERS of Texas. The American national owning shares of stock or deriving profits from the profits of the corporation pays the same tax that he would pay if he were a resident in the United States and got his profits from a corporation operating exclusively in the United States.

Mr. WYANT. Suppose a man had a certain amount of money invested in a particular line of business; that three men control the corporation; would it not have a tendency on their part to invest capital in China, where it would be exempted from taxation, rather than in this country, where they are subject to high taxation?

Mr. SUMNERS of Texas. The gentleman, of course, will excuse me from passing upon the workings of the mind of an individual seeking to escape taxation.

Mr. STEVENSON. Will the gentleman yield upon the question of taxation?

Mr. SUMNERS of Texas. I will.

Mr. STEVENSON. In the matter of the national banks, was not the principle established that where the Federal Government established an instrumentality of business it was protected from taxation by the State unless the Federal Government creating it made provision for it? Did not it regulate that in the national bank, and was not that the reason we followed it in the Edge Act?

Mr. SUMNERS of Texas. If the gentleman states that——

Mr. STEVENSON. That is my recollection.

Mr. SUMNERS of Texas. If the gentleman states that as a fact, I, of course, recognize it as a fact.

Mr. STEVENSON. That is the reason why that was placed in the Edge Act. Now, one other question: What will prevent a man who has two Chinese partners, and have $100,000 of his stock, from having the stock of this corporation issued in the name of one of his Chinese partners, and he merely signs in blank and gives it to the American to lock it up in his safe, and, while he is apparently not a stockholder, he is getting the benefit and not paying taxes?

Mr. SUMNERS of Texas. Nothing could keep him from doing it if he was willing to take a chance on getting caught. I do not know of any way on earth that we can legislate to keep a rascal from being a rascal, but we can punish him when caught. Now, if there are no other questions on the bill, I will yield back the remainder of my time.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Chairman, I happened to be a member of the subcommittee which framed this bill in the last Congress, and I am very much interested in it, because I think it is very important to American business interests in China. The taxation provisions which the gentleman from Texas [Mr. GARNER] and the gentleman from Arkansas [Mr. WINGO] objected to were framed by the Ways and Means Committee, and not by the Committee on the Judiciary. It has been stated that if that provision was not incorporated in the bill the Judiciary Committee would not have reported it. That is not true. The Judiciary Committee intended to report the bill without that provision in it, and leave it up to the Ways and Means Committee to frame an amendment to the revenue act.

I think it will throw some light upon this legislation if we review briefly the facts that made it necessary. The British control about 30 per cent of the business in China. America controls about 10 per cent. The Chinese are very favorable to Americans. They want to do business with America, but they want to do business on favorable terms. They do not want to make any financial sacrifice in order to do business with us. In the old days Americans did business largely under British charters, because those charters permitted Americans to control the management, and under the British policy those charters were absolutely exempt from British income taxation. But a comparatively short time ago, I think in the spring of 1920, the British, realizing that the Americans were working into this Chinese business, and fearing our competition, adopted orders in council that in the future the management of every one of these British corporations should be in British hands. And consequently there was no longer any interest for American business men doing business in China to put their money in these corporations, and there was no interest from the standpoint of America to have them do so, because as soon as the management passed into the hands of the British, American money was used to buy British goods and ship British goods into China.

Now, while we may feel that exemption from taxation is undesirable, that it is generally undesirable to discriminate, we are face to face with a condition. If our people are to do business in China, they have got to do business on equal terms with everybody else, and they can not succeed there if these corporations are taxed when British corporations are not. And yet those tax exemptions have been carefully safeguarded.

These American corporations are not exempt under the very terms of this act unless they declare 33⅓ of their net income in dividends. If they declare 33⅓ per cent of their net income in dividends, then 33⅓ of it, if owned by Americans, is taxed in the United States. It does not exempt the salaries of any of the officials of these corporations from taxation.

And then there is another provision to the effect that they are not exempt from taxation at all if more than 5 per cent of the net income of the corporation comes from sources outside of China. The purpose of this act is to enable corporations to do business in China, to extend American business interests in China, to enable our American business men to go into that field, which is the richest undeveloped field in the world, which is the greatest prospective outlet for American goods, to build up their business, to do business there on equal terms with others, and to enhance the prestige and the wealth of the United States. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, the subject matter that I desire to present is in violation of the House rules affecting Calendar Wednesday. I recognize that fact. It is not germane to the bill under consideration. Unless I can get unanimous consent to incorporate in the RECORD a short explanation of a bill I have introduced I will yield back the time. I make this request.

The CHAIRMAN. Will the gentleman state it again?

Mr. BANKHEAD. The bill H. R. 3726 is a bill introduced by me a few days ago to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served in the military and naval forces of the United States. It is practically the same bill introduced by Mr. SMITH of Idaho in the last session, with some enlargement, making it a national measure instead of a bill applying only to the West. I ask unanimous consent that a brief explanation and synopsis of the bill which I have introduced may be incorporated in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD by including a synopsis of the bill to which he has referred. Is there objection? [After a pause.] The Chair hears none.

The following is the synopsis and explanation referred to:

APRIL 18, 1921.

COOPERATIVE RECLAMATION ACT.

The following is an outline of the proposed cooperative reclamation act (H. R. 3726) introduced by Mr. BANKHEAD:

The provisions of this bill apply alike to all parts of the country, providing for the reclamation by irrigation of the arid or semiarid lands of the West, and for the reclamation of the swamp lands of the South and of other parts of the country, by drainage or by protection against overflow.

Since the principal problem involved in the reclamation and utilization of lands of this character relates to finance, the financial plan which this bill contains is its most important feature. The financial problem incidental to land reclamation exists because of the rather long period of nonproduction which must elapse while the construction of reclamation works is in progress and while the settler is improving his land and preparing it for crops. Such period will vary from 4 to 10 years, depending upon the magnitude of the project and the financial plan adopted. Since no legitimate profit is possible until the land has been developed to a condition of practically normal production, most reclamation projects that are privately conducted fail, and because of the many failures that have occurred private capital has practically retired from this field of endeavor.

The reclamation of waste land by means of irrigation or drainage has for many years been one of the settled policies of most of the civilized Governments of the world. The reclamation of land by means of irrigation has been a settled policy of our Government for nearly 20 years. It is now proposed to add the reclamation of land by other means.

To-day the surplus lands of the country that possess any great agricultural value are the lands that require reclamation by some means or other. While it is agreed that the reclamation and settlement of most of such land can be successfully accomplished only through the cooperation of the Federal Government, it is quite obvious that such work should be done in pursuance of a system which once inaugurated will be self-continuing.

Such work can only be initiated through the use of funds appropriated by Congress. However, since valuable assets will be created through the wise expenditure of such appropriations, these assets can in turn be made the basis of further financing, thus obviating the need of any further advances by Congress. In fact, all amounts thus appropriated should, and can, be repaid with interest. These results can readily be accomplished under the plan contained in the bill and, in addition, the settlers will receive all the advantages of long-term repayments.

The basis for the organization of the reclamation project is a drainage or irrigation district, as the case may be, with full taxing powers and the right to incur indebtedness. This district shall be empowered by State law to enter into a contract with the United States for the reclamation of lands within its limits, and shall vote bonds for an amount covering the cost of such reclamation, such cost also including interest during the period of construction. When a district has issued its bonds, and has deposited them with the Federal Farm Loan Board, the Secretary of the Interior may proceed with the construction of the project. The cost of constructing the first series of projects will be paid for out of the appropriation provided in the bill.

When the property of any district subject to assessment for the payment of its bonds is found by the Federal Farm Loan Board to have a value equal to twice the value of such bonds, the Federal Farm Loan Board shall sell such bonds to the investing public, and the money received from such sale shall be placed in the cooperative reclamation fund, to be available for the construction of what would be a second series of projects, this process being continued series after series without requiring any further appropriation by Congress.

The bill authorizes an appropriation of $500,000,000, to be available at the rate of $30,000,000 for each of the first and second years, $40,000,000 the third year, and $50,000,000 each year for the next eight years.

It is provided that the repayment of this appropriation shall begin the twentieth year, or in 1942, at the rate of $50,000,000 each year, which shall include accrued interest at 4 per cent. The amount which will be available for this repayment will be derived from the sale of district bonds and from the payment annually into the fund of 1 per cent of the cost of each project, beginning one year after such project is completed. The amount that can be derived from these two sources will depend upon the time required for constructing the works of a project and for establishing a property value so the district bonds may be sold.

Assuming that the average time for constructing the works of a project is four years, and that the accruing interest during such construction period will amount to 10 per cent of the amount actually expended, bonds would then be issued amounting to 110 per cent of such actual expenditure. The sale at par value of ten-elevenths of such bond issues would return the amount that had actually been expended to the fund. This would immediately become available for the development of other lands. The remaining 10 per cent of the bond issue would be deposited in the fund, the interest and principal payments on the same being available for reinvestment, the accruing amounts finally to be applied on the repayment of the appropriation made for the initiation of such work. By this means the fund available for construction would never be depleted.

The surplus which would be created, consisting of bonds with accruing interest, would on the basis assumed amount to more than $500,000,000 by 1954. On the same basis about the same amount would be derived from the payment annually into the fund of 1 per cent of the cost of each project. More than $1,000,000,000 would by such means be provided, which would more than repay the $500,000,000 appropriation with interest. Assuming that the construction fund provided by appropriation can be turned over every sixth year, reclamation works costing nearly $3,000,000,000 could be completed by 1954.

The bill provides that the district bonds shall draw 5 per cent interest, and be payable under an amortization plan during a period not exceeding 40 years. The payment of 1 per cent on the principal each year would retire the bonds within this period. Thus, while the entire cost of the project can under the plan be repaid into the fund for the reclamation of other lands by the end of about the sixth year after construction is initiated, the settler will receive all the benefits of long-term payments.

The payments to be made annually by the settler will be about as follows:

Interest on the bonds during the period of construction is to accrue and be added to the cost of reclamation, so no payment will have to be made during such period. Interest at the rate of 5 per cent per annum will be payable each year following the completion of the reclamation works. Payment on the bonds will be made at the rate of 1 per cent per annum to begin one year from the construction of the works. For the repayment of the appropriation 1 per cent each year shall be paid beginning one year after construction. The total annual payment will then amount to 7 per cent of the cost of the work, to be paid over a period of less than 40 years.

Provision is made for improving lands belonging to the public in any district and for disposing of such land to a qualified purchaser on easy terms of payment.

The Secretary of the Interior shall establish the maximum area of a farm unit or holding in any district, which shall not exceed 160 acres and, unless 80 per cent of all excess holdings within a district shall be reduced to the maximum area thus established, the Secretary shall not approve such project. The United States will control the price and terms for the settlement of all excess holdings, and the owners of such excess holdings shall confer upon the Secretary an irrevocable power of attorney to sell such holdings to actual settlers, according to the terms of a contract to be entered into by such owners and the Secretary before the project is approved.

For a period of not less than six months, former service men and women and the widows of men who have served in the Army, Navy, or Marine Corps of the United States in the war with Germany, or in any other war, or during the Mexican border trouble, and who have been honorably discharged therefrom (if otherwise eligible) shall have a preference right of entry and purchase of all open public lands and excess areas in a district.

The Secretary of the Interior shall be authorized to complete projects already begun under the provisions of the existing reclamation act from the fund created by this act. But all reclamation projects or units thereof, upon which actual construction work shall be commenced after the passage of this act, shall be organized in the manner described and shall repay the cost of such work into the fund with interest.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. BANKHEAD. Yes.

Mr. BLANTON. The gentleman, I believe, was present and heard the statement made by my colleague from Texas [Mr. GARNER] with respect to this bill, to the effect that it is just the beginning of other exemptions from taxation that are to be claimed later on with respect to manipulations in other countries. What does the gentleman think about that statement? Is he in accord with that?

Mr. BANKHEAD. I am not in accord with the principle of making any exemptions, generally, through legislation.

Mr. BLANTON. Then he is in accord with my colleague [Mr. GARNER] and against this bill?

Mr. BANKHEAD. He has given this much more mature consideration than I have. I must acknowledge that my knowledge of the bill is very superficial, but I agree in the general principle expressed by the gentleman from Texas [Mr. GARNER].

Mr. GARRETT of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY of Texas. Mr. Chairman, I do not think I will take 10 minutes, as it seems definitely and well understood by all the Members of Congress, I think, that in order to do business in the Orient our industrial organizations there must be put upon an equal footing with those of England and other countries competing with us in the field, for the Chinese business especially. The reasons have been so well stated that I will not discuss them, except to say that those of us who visited China last summer had the matter presented to us by American representatives of business over there in such a way that we saw if we did not pass a bill similar to this we had just as well retire from the field of business in China, because we could not compete with the English, who gave the Chinese an opportunity to participate in their business without the burden of certain taxes, which under our law is imposed on American corporations doing business in China. By this exemption the British corporations doing business in China were able to secure local Chinese influence and capital, and thus secure Chinese cooperation and favor which our corporations could not. Under these conditions even American capital preferred to take stock in British, rather than American, corporations doing business over there.

But I want to discuss to some extent the issue raised between the gentleman from Arkansas [Mr. WINGO] and the gentleman from Pennsylvania [Mr. GRAHAM], and I think the gentleman from Pennsylvania himself almost did away with his own argument when he said that a citizen of Texas could be taxed by the State of Texas on the money that he had invested in stock in a United States corporation, even though there was no permission in the act creating the corporation to tax the stock. That does not seem a rational proposition to me, because no State ever taxes the money invested in property, but it taxes the property. You buy a thousand dollars worth of horses; the State does not tax the money invested in the horses; it taxes the horses. If you invest a thousand dollars in railroad stocks the State does not tax the money you have got invested in those stocks; it either taxes the stock or it does not. You may put a thousand dollars in property that is not worth a hundred dollars. The State would tax your property and not the money you paid for it. I am of the opinion that the Edge Act was passed with the idea that a State was not permitted to levy a tax on the stock owned by its citizens in a corporation authorized by Federal charter, and the very fact that in the Edge Act permission is given to tax the stock indicates that without the permission the State would not have the right to tax it.

Mr. MOORE of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. MOORE of Virginia. Is it not perhaps analogous to the matter of the national banks, where the Supreme Court has held that without express provision to that effect a State would have no right to tax the stock of a national bank?

Mr. HARDY of Texas. I thank the gentleman, and I spoke to him a moment ago of this matter, knowing that if there were a law or a decision on the subject he would likely be familiar with it.

Mr. MOORE of Virginia. May I just state this further to the gentleman, as a reason that would apply in this particular case, perhaps, when we are doing something under the interstate commerce clause of the Constitution, leading to the conclusion that unless there is express permission given to tax, any State would be precluded from taxing? That the power to tax is the power to destroy, and if a State is permitted to tax the stock of a Federal corporation, the State, if it elects to do so, could destroy the corporation.

Mr. HARDY of Texas. Yes; tax it out of existence. But I take it that there is another and more potent reason for an express provision authorizing the States to tax.

If the gentleman from Pennsylvania is right, that the States have the right to tax unless prohibited by the law, then as there is no prohibition in this law it can do no harm to give the permission affirmatively, while if there is a legal question or doubt as to the right of the State to tax this stock, had not we better remove that doubt? The gentleman from Arkansas [Mr. WINGO] and the gentleman from Virginia [Mr. MOORE] say that they can not tax it unless it is permitted by the terms of the bill. Had we not better pursue the safe policy?

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. DYER. I will say to the gentleman that it was not the intention, I am sure, of the committee to exempt from taxation stock of this kind in the hands of individuals in the States.

Mr. HARDY of Texas. If there is doubt about it, would not the safest way be to——

Mr. DYER. If the gentleman from Texas himself is in doubt, I am willing to accept an amendment.

Mr. HARDY of Texas. I not only have such doubt, but I also have great respect for the opinion of the gentleman from Virginia [Mr. MOORE] and the gentleman from Arkansas, who agree with me in that idea.

Mr. DYER. There would be no objection to such an amendment if the gentleman thinks it well to submit it. It would do no harm.

Mr. HARDY of Texas. I would be glad to see such an amendment put in the bill, and will submit it if no one else does.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. SUMNERS of Texas. If there is any serious doubt—and it has developed that there is a serious doubt—I would be glad to see such a provision incorporated in the bill.

Mr. HARDY of Texas. I appreciate that expression, and I feel that would be the sentiment and the feeling of the entire committee that framed the bill.

Mr. TILLMAN. Mr. Chairman, will the gentleman yield?

Mr. HARDY of Texas. Yes.

Mr. TILLMAN. The gentleman from California [Mr. RAKER] seemed to be disturbed for fear that some of these corporations in China might manufacture certain products and ship them into America, to come in competition with our own manufactured products. He would not be disturbed if the gentleman from Texas made it clear that under the provisions of this bill the corporation can not do that, because on page 3, subdivision (b), there is this provision:

> Such corporation may engage in any business or enterprise conducted wholly within China and carried on with persons in China.

Then, if they should be engaged in the business of manufacturing furniture, for instance, they could not ship that furniture into America and sell it in competition with the furniture manufactured here.

Mr. HARDY of Texas. I do not know whether I would agree with the gentleman on that proposition or not. They might make the furniture in China, but somebody might buy it from them and ship it out.

Mr. DYER. Of course, if they did that, they would have to pay tariff taxes on it. The import taxes would have to be paid here, the same as on other goods coming from abroad.

Mr. HARDY of Texas. Yes. I can not see why they could not manufacture goods there on a parity with any other organization, and then pay such a duty in this country as the native Chinese organization would have to pay or as a British organization would pay. I can not see any objection to that.

But, gentlemen, I just want to express my hearty and cordial approval of the purposes of this bill, and for one I want to open up the avenues of trade by which the products of America can go to the Far East and have an equal opportunity there with the products of any other nation. I think that on the Pacific lies the future of our commerce to a large extent, and we must get in on the ground floor and put our industry on an equality with the industry of every other nation. Our enterprising business men must be permitted to do business over there, and this bill will do that very thing. Therefore I am very much in favor of it. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. OSBORNE].

The CHAIRMAN. The gentleman from California is recognized for five minutes.

Mr. OSBORNE. Mr. Chairman and gentlemen of the committee, reference has been made by several of my predecessors to the fact that a number of Members of this House and of the Senate were in China last summer.

I had the honor and pleasure of being a member of that party. I think all those who did visit China and who were witnesses in person to conditions in that great country are in favor of this bill and its purposes. The gentleman from New York [Mr. HUSTED] expressed very clearly the broad objects of the bill.

In China the British have the main control of commerce. Next to the British are the Japanese. Americans come third or fourth. I think France is ahead of America. Now, one

of the conditions acting to improve the status of British trade in China is this very matter of the incorporation of companies to do business there. In the past, up to two or three years ago, business was done there under what are known as the Hongkong ordinances, which are British ordinances. About a couple of years ago, or possibly a little longer, under orders in council, the Hongkong ordinances were so changed that no corporation could be managed by other than British subjects. At that time that cut out a great many Americans who were managing companies that had been incorporated under these Hongkong ordinances.

It is very important to nationals of foreign countries in China that they be enabled to enlist Chinese capital in their enterprises. As conditions now are it is impossible for Americans to do that, because British companies and Japanese companies can offer better inducements than American companies can, due to the fact that they can incorporate under their own laws and manage their own companies.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. JOHNSON of Mississippi. Does not the gentleman think we ought to put a provision in this bill that will permit the States to tax this capital, a provision something like this: "*Provided, however*, That nothing in this act contained shall be construed to prohibit the States from taxing capital"?

Mr. OSBORNE. I think there ought to be no inhibition on the right of the States. I am not a lawyer, but if competent lawyers believe that some such provision as that is necessary, certainly I would not object to it. My ideas upon the subject are based on the broad general necessity for legislation of this kind.

Conditions for trade in China are extremely favorable to America. The popular feeling in that country is strongly in favor of the United States. It is hard to describe the feeling there. It is hard for us here to understand. When we go there it is exactly like going into another world. You feel as though you had dropped off the planet entirely and were in some other sphere, everything is so different and so vast there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OSBORNE. Will the gentleman from Minnesota [Mr. VOLSTEAD] give me a couple of minutes more?

Mr. VOLSTEAD. I am sorry that I have no more time to yield.

Mr. GARRETT of Tennessee. How much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. GARRETT of Tennessee. I yield two minutes to the gentleman from California.

Mr. OSBORNE. I thank the gentleman from Tennessee. I used to have the idea that the business of China was small and unimportant. Perhaps we have been brought up to look at it in that way in my State; but the fact is that the business in China is enormous, it is inconceivable; and in the nature of things it must become increasingly great, because the Chinese are, although slowly, gradually becoming to some degree westernized and accustomed to use our machinery and products. They know and need the things that we produce where formerly they did not have them or know the need for them. Their needs in the future are going to be marvelous. In my opinion, the greatest avenue in the world to-day for the trade of the United States is China, a vast and wonderful country. The Chinese are much like ourselves. You meet the Chinese and there is a candor and frankness about them that constitutes the best basis for successful trade and which is most engaging. They are a wonderful people, capable of immense advancement, and everything that it is possible for us here in America to do to increase our trade and our friendly relations with China is in the right direction. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman and gentlemen, the question was raised as to why the provision was put in the Edge Act expressly providing for taxation by the States of the shares in those corporations. When we were discussing it I thought that it was based on the decisions as to the national banks. Some question was raised as to that, and for that reason I quote the syllabus of the decisive case in order that you may see exactly what the law is as to taxing these corporations without the consent of Congress:

A State is wholly without power to levy any tax, either direct or indirect, upon national banks, their property, assets, or franchises, except when permitted so to do by the legislation of Congress.

Section 5219 of the Revised Statutes is the measure of the power of States to tax national banks, their property, or their franchises, that power being confined to a taxation of the shares of stock in the names of the shareholders, and to an assessment of the real estate of the bank.

That is the syllabus in Owensboro National Bank *v.* Owensboro (173 U. S., 664).

Mr. MONTAGUE. Will the gentleman yield?

Mr. STEVENSON. I yield to the gentleman from Virginia.

Mr. MONTAGUE. Not controverting the gentleman's argument, may I ask was not the reasoning in that decision primarily based upon the ground that the national bank was a governmental agency and not a private corporation, and therefore that such tax is or might be destructive of such governmental agency?

Mr. STEVENSON. No; I do not think that it is that. It is because it is a governmental institution and a governmental corporation and the Congress set forth the limitations under which it should be taxed, and it could not be taxed under any other, and it could not be taxed unless it did so.

Mr. MONTAGUE. I do not desire to controvert the gentleman's argument. I think it is safer legislation to protect the right of the State to impose taxation.

Mr. STEVENSON. There is another reason why it was placed in the Edge Act. A long controversy arose immediately as to the national bank stock, as to where the stock should be taxed—whether it should be taxed in the home of the owner or in the home of the corporation. A stockholder living in New Jersey owned stock in a prosperous bank in New York City. New York undertook to tax him on the value of the shares in that city and the New Jersey people undertook to tax him on the value of the shares there. That controversy was settled by a statute which was put in the national bank act, and then we put that same form of statute in the Edge Act, so that we settled two things: First, that the stock should be taxable just as other stock in the same State was taxed and should be taxable in the place where the corporation had its place of business.

Mr. SUMNERS of Texas. I want to suggest that while the gentleman was absent there have been enough expressions by the members of the committee to indicate that the committee would be very glad to accept an amendment to the bill which would subject to taxation in a State the shares of stock owned by citizens. If that is the case, it might eliminate a good deal of the discussion. In view of such an agreement, what sort of an amendment would the gentleman suggest?

Mr. STEVENSON. I would adopt something similar to the language of the national bank act, which as amended says that the proper place of taxation is at the place where the corporation has its principal place of business. But the point I wanted to answer was the inquiry why the committee had done a work of supererogation in the Edge Act. It was founded on a decision of the Supreme Court of the United States.

Mr. GARRETT of Tennessee. Mr. Chairman, it has been my impression, as suggested by others, that the taxation provided for in the banking act giving express permission to the State to tax the stock of these banks in the hands of the shareholders was predicated on the proposition that the banks constituted a governmental agency and that that reasoning would not apply to industrial corporations. The Edge Act provided for the creation of institutions largely of a banking character, but as a matter of precaution, as suggested my many gentlemen, this ought to go in, and I have prepared an amendment, which I ask may be read in my time for information. It will be offered at the proper time.

The CHAIRMAN. Without objection, the Clerk will report the amendment for information.

The Clerk read as follows:

Insert the following as a new section on page 20:

"SEC. 23a. Shares of stock in any corporation organized under the provisions of this act shall be subject to tax as personal property of the owner or holder thereof in the same manner and to the same extent as the shares of stock in State corporations."

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Mr. Chairman and gentlemen of the committee, I think I shall not consume five minutes, but I want to raise a question or two for the purpose of information for myself. I do not believe there is a man here who would oppose doing anything within reason to assist in developing trade in China or any other foreign country. If I can understand this bill correctly, the intent and purpose of it is to remit the normal corporation tax assessed against a corporation for doing business. But it seems to me that the language by implication creates the condition whereby the dividends of the corporation paid to the individual are not subject to the national taxes. If the amendment which has been offered, and which has been practically admitted, is adopted, that will take care of the State situation. I direct attention of the committee to the language in section 23, which adds a provision to the revenue act of 1918 and provides that a corporation organized under the China trade act of 1920, if certain conditions are complied

with, shall be exempted, one of those conditions being if they declare a dividend of 33⅓ per cent of their net income that then they shall be liable to taxation; but if they declare a dividend of 32½ per cent they shall be exempt from taxation. I call attention to the language on the top of page 19, which provides that the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make regulations and rules governing the liability of the stockholders for taxation on this dividend. If there be no condition whereby they are not liable, why the necessity for regulations and rules making them liable? It seems to me that language is not clear, to say the least, even if the intent is as it has been described to us. If I can make an analysis from that—not from the lawyer's standpoint but from the layman's standpoint—and if I were called upon to render a decision, I would interpret it that if they declare a dividend of 32½ per cent, less than 5 per cent of that being earned in the United States, they would be exempt from a dividend tax as individuals, not as a corporation. I may be entirely wrong, but I think if gentlemen will read that language carefully they will see that there is at least a possibility of a decision of that kind being rendered.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. BEGG. Yes.

Mr. MADDEN. The tax levied against the profit before the corporation declares the dividend is levied against the corporation.

Mr. BEGG. Clearly so.

Mr. MADDEN. And the stockholder is presumed to have paid the tax, hence there is no tax against this dividend except as it turns out to be income, as a personal income tax.

Mr. BEGG. That is correct.

Mr. MADDEN. The language the gentleman refers to covers exactly that case, I think. I call the gentleman's attention to this provision: We are remitting the corporation tax; there is to be no corporation tax; there ought not to be.

Mr. BEGG. Absolutely; I have no quarrel with the gentleman on that. Then why the language which provides that the internal-revenue officers, with the approval of the Treasury, shall determine the liability of shareholders when the earnings are over 5 per cent? Where is the liability, if you are a stockholder?

Mr. MADDEN. It is under the income tax.

Mr. BEGG. I am liable, anyway, if that language is not put in the law. If I am an honest returner, I am liable anyway.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I yield the gentleman two minutes more.

Mr. BEGG. If I earn $10,000 as an income from stock, unless that stock can be exempted from an income tax, I am morally liable to pay the tax unless I am dishonest, and, as the gentleman from Texas said a moment ago, we are not trying to legislate to make a dishonest man honest, because that is impossible. We are exempting this institution that has an earning power for me as a private citizen from the regular tax levied against it as a corporation, under certain conditions, and one of those conditions is that if less than 5 per cent of the earnings are earned in the United States, and by implication you say you exempt the individuals' earnings from the normal tax in the United States. Else why the regulations? It needs no regulations to get my earnings on the income tax, because they are already provided for in the internal revenue law of 1918. We are making an exception to that, and then in this exception we say if over 5 per cent of it is earned in the United States then the internal-revenue collector, with the permission of the Secretary of the Treasury, will make regulations governing the individual liability for dividends. If there is less than 5 per cent in the United States, by implication I have no liability.

I believe every man here is in favor of encouraging the development of trade in foreign countries, but we are not in favor of making a loophole through which a private investor may escape his honest obligations to his Government to pay for the protection he enjoys under the flag.

Mr. VOLSTEAD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. LINEBERGER].

Mr. LINEBERGER. Mr. Chairman and gentlemen of the committee, as a Member representing one of those great far-flung western districts, a district located in and around the great cities of Los Angeles and Long Beach and the respective ports thereof, I have an intense interest in the passage of this bill. We on the Pacific coast believe that we are heralding what might be called the "era of the Pacific," realizing that beyond this great ocean there lies a population of some five or six hundred million people, who are just emerging, after thousands of years of lethargy, into a state of industrial and commercial prosperity and consequent social advancement. The peculiar conditions which exist in China are unquestionably very favorable to American interests. As one who has lived 10 years of his life in foreign countries, I am deeply appreciative of the fact that most foreign corporations, other than those of the United States, enjoy immunities granted by their Governments which the citizens of this country do not enjoy at the hands of our Government. This they are entitled to when operating in foreign lands and under foreign conditions of competition with the great industrial nations of Europe and Asia.

The desirability of this particular market in China and the character of the relationship which may be developed by a closer commercial association can not be overlooked. It will undoubtedly increase our friendship and mutual understanding with that great people who at this time, as we well know, have a particularly kindly and friendly feeling for the United States. The provisions of the act permits the organization of these companies, and in turn enables them to interest additional Chinese capital, thereby further increasing that close relationship and friendship which already exists. As a Representative of a west coast district I am most vitally interested in the passage of this bill, and I trust that you will give it your most favorable consideration and vote for it. [Applause.]

The CHAIRMAN. Does the gentleman from California yield back the remainder of his time?

Mr. LINEBERGER. I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Minnesota has two minutes remaining and the gentleman from Tennessee two minutes. Nobody desiring to yield time, the Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "China trade act, 1921."

It is the purpose of this act (1) to promote trade and commerce with China and create and develop markets in China for articles of commerce exported from the United States; (2) to provide a means whereby citizens of the United States may form corporations therefor; (3) so to regulate such corporations as to keep them at all times in control of individuals who are citizens of the United States; and (4) to provide for the proper conduct of such corporations.

Mr. SANDERS of Indiana. Mr. Chairman, I move to strike out, commencing, page 1, line 4, with the word "it," the remainder of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. SANDERS of Indiana: Page 1, beginning line 4 with the word "it," strike out the remainder of the paragraph.

Mr. SANDERS of Indiana. Mr. Chairman, I do not think that we ought to follow a legislative policy of starting out and telling the purpose of an act. It is not proper legislation to do so. That is for the courts to construe, and I think it is a very bad policy indeed.

Mr. GARRETT of Tennessee. Mr. Chairman, by all means that amendment should prevail. I do not recall many pieces of legislation with which I am familiar in which there has been an attempt to state what the act was for. The act, of course, is supposed to show for itself what it is for, and I very much hope the amendment of the gentleman from Indiana will prevail.

Mr. VOLSTEAD. Mr. Chairman, I do not believe that language should be stricken out. It declares the purpose of this bill; a declaration of that kind aids in the interpretation of an act. The courts very often investigate the reports made by committees to Congress to get at the purpose of any legislation; a declaration of this kind in the act would be considered by the court for the same purpose. It can do no harm and is not uncommon in legislative acts.

The CHAIRMAN. The question is upon the amendment offered by the gentleman from Indiana.

Mr. MONTAGUE. Mr. Chairman, I ask unanimous consent that the amendment may be again reported. Some of us could not hear it.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported.

The question was taken, and the Chair announced the ayes seemed to have it.

Upon a division (demanded by Mr. VOLSTEAD) there were—ayes 51, noes 37.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 3. The Secretary of Commerce shall exercise all powers and perform all duties imposed on him by this act, but in China only through such officers or agents as he, by agreement with the Secretary of State, shall designate and authorize so to act, and for this purpose the Secretary of Commerce and the Secretary of State may utilize such existing or create such new offices or agencies as they deem necessary. For the purposes of this act the action of any officer or agent so designated and authorized shall be made in the name and held to be the act

of the Secretary of Commerce: *Provided*, That upon appeal to the Secretary of Commerce any such action may be affirmed, modified, or set aside by him, as he deems advisable.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I think we ought to do everything possible to develop trade with China, but while we are doing that I think we ought not to throw the doors wide open for the creation of as many offices as some person here in one of these departments may think proper to create and pay any compensation he may think proper to pay. Here we are, in section 3 of this bill before us, authorizing the Secretary of Commerce and the Secretary of State to create any new offices or any new agencies that they may think necessary. Now, that is pretty broad. That power placed in the hands of any individual may be very badly abused. It seems to me that we ought, in the first instance, to make this law clear as to what obligations we are about to assume; that we ought to designate just what offices may be created and the number and the compensation beyond which the person who makes the appointment shall not go.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. SANDERS of Indiana. Does not the gentleman think that if there were an amendment made to the section saying that only existing agencies and officers could be used that it would be sufficient to carry out the terms of this act?

Mr. MADDEN. I am inclined to think it would.

Mr. SANDERS of Indiana. I think we have sufficient agencies and officers at this time to carry it out.

Mr. MADDEN. I think so, but at the same time I want to emphasize my protest against placing unlimited power in the hands of any Cabinet officer—I do not care who he is or by whom he may be appointed—to create offices and pay those who occupy them anything he pleases. The time has come when we must be definite. We must limit the obligations that these people may impose upon the taxpayers.

Mr. VOLSTEAD. But may I suggest to the gentleman that whether or not we strike out the last clause it effects no change because it is existing law. The power to appoint necessary personnel to carry out the duties of the Department of Commerce and the Department of State is broad enough to give that power anyway. The only way of keeping check is by limiting the appropriation for personnel.

Mr. MADDEN. And that is not placed in the hands of any committee or the House itself to limit the number of persons that can be employed or the compensation that can be paid?

Mr. VOLSTEAD. We never can do that; we can not tell how many they may need.

Mr. MADDEN. Then why not say it.

Mr. VOLSTEAD. Probably all they need are the people already there. In my judgment that cuts no figure at all, because authority already exists in the departments to employ the persons to perform any duties imposed on them.

Mr. MADDEN. I suggest that the gentleman move to strike it out then.

Mr. DYER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. DYER. I will say to the gentleman that the revenue that will come into the department from fees for the incorporation of these companies will more than pay any expense that will be caused by the selection of anybody.

Mr. MADDEN. In the conduct of any ordinary business it is always assumed if income is derived from a given activity that a part of that income, at least, will be saved, but no such consideration is given to any question here. We assume if income is derived that therefore we ought to create the places to consume the income. I am not in favor of that. I am in favor of economy, and if we can derive revenue from some source that will aid us in lightening the burden of taxation I am in favor of that. I am not in favor of spending it all simply because we get it.

Mr. SISSON. I move to strike out the last word, Mr. Chairman.

I agree with the gentleman from Illinois [Mr. MADDEN]. I do not agree with the chairman of the committee when he says that under the organic act the Secretary of Commerce can create as many offices as he pleases. That may be done by an appropriation committee if he makes an estimate for it, but under the organic act no such power is given as is given here. Now, the Secretary of Commerce, together with the Secretary of State, it says, in line 17, shall designate and authorize so to act, and for this purpose the Secretary of Commerce and Secretary of State may use such existing or create such new offices or agencies as they deem necessary. Now, that is a provision of law which in my judgment warrants them to create deficiencies in the creation of offices for that specific authority. And there is no such authority in any of the acts creating the departments of the Government. They are only authorized to come before Congress, and there may be an order on appropriation bills, under the organic act, granting the right of the Appropriations Committee and Congress to appropriate for the offices necessary, but this language is so broad that they could appoint these men and charge the Treasury with it without coming to Congress and asking permission to make the appropriation. Therefore I think the gentleman from Illinois [Mr. MADDEN] is eminently correct in the conclusion he reaches, that you can create offices almost ad infinitum. Therefore, I think this law should be permitted. If what the gentleman says is true—and it is—Congress then can create at any time under the organic act all the offices necessary, but the right under this act to create agencies without the consent of Congress and to appoint officers and employees without the consent of Congress is bad and vicious legislation.

Mr. MADDEN. Mr. Chairman, I move to amend, on page 2, line 20, by striking out the words "or create such new," and then strike out the word "or" and insert the word "and."

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MADDEN: Page 2, line 20, strike out the words "or create such new," and strike out the word "or" where it occurs the second time, and insert in lieu thereof the word "and."

Mr. VOLSTEAD. There is no objection to that. It does not change anything.

Mr. SANDERS of Indiana. Will the gentleman from Illinois yield?

Mr. MADDEN. Yes; I yield.

Mr. SANDERS of Indiana. Should not the word "such," on line 19, be stricken out?

Mr. MADDEN. Yes; I think so. Strike out the word "such," on line 19, after the word "utilize."

The CHAIRMAN. The Clerk will report the additional amendment.

Mr. MADDEN. Mr. Chairman, I withdraw that.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. MADDEN].

Mr. BANKHEAD. Mr. Chairman, let us have the section read as it would read if amended.

The Clerk read as follows:

SEC. 3. The Secretary of Commerce shall exercise all powers and perform all duties imposed on him by this act, but in China only through such officers or agents as he, by agreement with the Secretary of State, shall designate and authorize so to act, and for this purpose the Secretary of Commerce and the Secretary of State may utilize such existing offices and agencies as they deem necessary. For the purposes of this act, the action of any officer or agent so designated and authorized shall be made in the name and held to be the act of the Secretary of Commerce.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois [Mr. MADDEN].

The question was taken, and the amendment was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, may I call attention to one fact? I do not know whether it is a typographical error or not, but the word in line 20 is "offices" and not "officers."

Mr. MADDEN. Offices.

Mr. GARRETT of Tennessee. And you want it to read "officers"?

Mr. MADDEN. No; "offices."

Mr. GARRETT of Tennessee. That may mean a building there, might it not? You have in line 16 "officers or agents." What you are seeking to prevent is the creation of any new officers.

Mr. MADDEN. Officers.

Mr. MONTAGUE. Mr. Chairman, permit me to say that if you do that you want to use the word "agents" instead of "agencies." The word "offices" conforms to the word "agencies." You can not create new offices and you can not create new agencies. If you use the word "officers" you must use the word "agents."

Mr. TOWNER. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. TOWNER. I suggest in connection with the word "utilize" the words "offices and agencies" are proper. You are using the agencies and offices, whatever they may be, either individual or collective, for that purpose. I do not think it would be proper to change those words to "officers and agents." You utilize such offices and such agencies as they may designate.

The CHAIRMAN. The "ayes" have it, and the amendment is agreed to.

Mr. SANDERS of Indiana. Mr. Chairman, commencing with the word "for" in line 21, I move to strike out all the language down to and including the word "advisable," in line 2, page 3.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANDERS of Indiana: Page 2, line 21, after the word "necessary," strike out the remainder of the paragraph.

Mr. SANDERS of Indiana. Mr. Chairman, I do not want to be understood as being opposed to this bill simply because I am offering an amendment to it. I am very much in favor of the bill. But it occurs to me that this part of section 3 is very unwise legislation. In the section amended by the amendment proposed by the gentleman from Illinois [Mr. MADDEN] we have the Secretary of Commerce and the Secretary of State, with their usual officers over there at their disposal in the ordinary and usual manner, in carrying out the terms of this act; and it struck me that that is really all that is needed; and when you go beyond that and add the provision which I seek to strike out it is a very dangerous thing.

In the first place, it takes it entirely out of the hands of the Secretary of State. His agents are acting there as the agents of the Secretary of Commerce. The bill provides that—

For the purposes of this act, the action of any officer or agent so designated and authorized shall be made in the name and held to be the act of the Secretary of Commerce.

That is, when some one in the employ of the State Department acts, it is to be held as the act of the Secretary of Commerce.

Now, notice this provision:

That upon appeal to the Secretary of Commerce any such action may be affirmed, modified, or set aside by him, as he deems advisable.

You see, this would give each one of those subordinate officers full and absolute authority to act by and in the name of the Secretary of Commerce and only give the Secretary of Commerce power to review his action and set it aside, and until reviewed it would be in full force and effect.

I think that the language of the section which gives to the Secretary of Commerce and the Secretary of State the power to use their agencies in order to carry out this act is entirely sufficient, and I think it would be a very dangerous innovation to go beyond that.

Mr. VOLSTEAD. What is the amendment?

Mr. SANDERS of Indiana. To strike out the language beginning:

For the purpose of this act, the action of any officer or agent so designated and authorized shall be made in the name and held to be the act of the Secretary of Commerce: *Provided*, That upon appeal to the Secretary of Commerce any such action may be affirmed, modified, or set aside by him as he deems advisable.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes; I yield.

Mr. REAVIS. If the act of the Secretary of Commerce is completed through his agents or agencies, would it not be the act of the Secretary of Commerce whether it was declared by this law to be so or not?

Mr. SANDERS of Indiana. I think so.

Mr. REAVIS. Now, then, if the Secretary of Commerce has the transaction completed through the agent of the Secretary of State, we would have the Secretary of Commerce standing responsible for an agency for which he was not responsible. The idea of the gentleman would be to strike out that portion of the paragraph, but not with the idea of relieving the Secretary of Commerce of any responsibility for the act of his own agents?

Mr. SANDERS of Indiana. Not at all.

Mr. REAVIS. But to relieve him of the responsibility for the act of the agent of somebody else?

Mr. SANDERS of Indiana. Yes. He has no authority over those agents and nothing to do with their appointment. Under this act they would have the right to bind him.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. HARDY of Texas. Does not the gentleman think that without this right given here to supervise and correct the acts of these agents placed in the hands of the Secretary of Commerce he would be theoretically liable for actions over which he has no control? In other words, that section would clothe the Secretary of Commerce with power to correct any errors that might be made by his agents?

Mr. SANDERS of Indiana. Yes. It seems to me it is a very awkward way to give the Department of Commerce and the Department of State charge over these matters.

Mr. HARDY of Texas. But the Department of Commerce is given control of it by this very act. I think that is very important.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. TOWNER. Let me suggest that after all it is the act of the Secretary of Commerce. He is intrusted with the execution of this law. It is only the consent of the Secretary of State that is granted, and that is for this reason: The Secretary of State appoints the diplomatic and consular agents, and it is perfectly proper and to be expected that they shall be utilized, for economic and other reasons. Now, while I think the gentleman's point is well taken in one sense, it occurs to me that there could not be any danger regarding the matter. I want to call this to the attention of the gentleman, if I may be allowed to do so, and also to the attention of the committee: The gentleman must understand that we are not dealing here with our own people or in our own country. This business is done in a foreign country. The business is affected by our foreign relations.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. TOWNER. I ask unanimous consent, Mr. Chairman, that the gentleman from Indiana may have an extension of time for three minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. TOWNER. These things mean very much to them. The fact that this is the personal representative of the Secretary of State, or indorsed and approved by the Secretary of State, means a great deal to them. It is very influential in the transaction. It carries a great deal of weight and influence, and for that reason these officers are placed in this form and these apparently unnecessary things are put in the bill.

I agree that the gentleman's position is well taken in regard to the absolute effect of this language. Under ordinary circumstances in the United States it might be even dangerous. But I would hardly think it would be wise to withhold and cut out this provision, because I think we must trust something to the representatives of our Government in foreign countries.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield for an inquiry?

Mr. SANDERS of Indiana. I yield.

Mr. MONTAGUE. If you do not retain all this language, who is responsible—both the Secretary of State and the Secretary of Commerce?

Mr. SANDERS of Indiana. Well, if we do not retain this portion that I seek to strike out, the Secretary of State and the Secretary of Commerce will deal with their agencies in accordance with the agreement in the ordinary way and in compliance with the agreement they make.

Mr. MONTAGUE. But here is the agency appointed by both of these authorities, and it would be a clumsy sort of administration if both of these authorities had to agree in every instance, whereas the Secretary of State only intervenes for certain particular reasons. But the intervention is not intended to impose upon him a responsibility. It seems to me the purpose of this act is to impose that responsibility upon the Secretary of Commerce. Therefore, I think the language as it now stands will perhaps meet the purposes of the situation better than to strike it out. I submit that with diffidence.

Mr. WALSH. Will the gentleman yield?

Mr. SANDERS of Indiana. I yield to the gentleman from Massachusetts.

Mr. WALSH. I think the purpose of this language was that if they utilize an official of the State Department, when he acts he is acting in the name of the Secretary of Commerce, and the Secretary of Commerce can set aside his act if he sees fit, and so preclude him from going to the Secretary of State to have his act modified, and therefore give rise to a conflict of authority. The first sentence in the section tells who is responsible for the operation of this act, and the intention is that if a representative of the State Department is chosen, he shall be chosen as the agent of the Secretary of Commerce, and that the Secretary of Commerce shall have full authority to review his action if he so desires.

Mr. REAVIS. Mr. Chairman, I desire to make an observation in this connection. In the first part of section 3 it is provided that while the agent may be the representative of the Secretary of State, under the language of the section he becomes by designation the agent of the Secretary of Commerce, for it says:

Only through such officers or agents as he, by agreement with the Secretary of State, shall designate and authorize so to act.

Thus the officer or agent becomes the authorized agent of the Secretary of Commerce by such designation. If the Secretary of Commerce can utilize the agents of the Secretary of State and thereby prevent the employment of additional men, the representative of the State Department so designated becomes the agent of the Secretary of Commerce; and if that is done, I can see no reason why the Secretary of Commerce should not stand responsible for the man whom he has designated to act as his agent.

Mr. SANDERS of Indiana. Mr. Chairman, if the gentlemen on the Judiciary Committee who have carefully studied this subject think this provision is so necessary, I will ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to withdraw his amendment. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, I move to strike out the last word. I do not know that I should have taken the floor if my friend from Indiana had not offered his amendment which he has withdrawn; but I do want to call the attention of the committee to an important matter in connection with the authority with which the Secretary of Commerce is vested here. This deals alone with officers and agents in China. All of our diplomacy is under the control of the Secretary of State. Therefore in the appointment of these men to perform certain duties for this corporation and its business in China it is highly important that the personnel, as well as the character of the business that is going to be performed, be scrutinized by the Secretary of State, in order to avoid any international complications. But in view of the fact that after they are appointed their actions and transactions of all kinds will be purely in reference to commercial matters, it is highly important that the Department of State be not mixed up in our commerce; because when you get your diplomacy mixed up with your business you are more likely to have international complications. So I believe whoever drew this section drew it with a good deal of care.

Mr. TEMPLE. Does the gentleman mean to say that the diplomatic officers of the United States should refrain from negotiating commercial treaties?

Mr. SISSON. Oh, no. I do not say they should refrain from negotiating commercial treaties at all.

Mr. TEMPLE. Or that the consular officers should refrain from performing all their commercial functions? They are exclusively commercial functions.

Mr. SISSON. There is a line of distinction that we ought always to make. By the way, that question has been under debate, and I do not want to go into it, because it would take too long to thrash out that question. Personally I do not believe that, aside from the negotiation of treaties, the State Department should engage in commercial transactions. I think that every employee of the State Department who has to deal with purely commercial matters ought to be transferred to the Department of Commerce.

Mr. TEMPLE. Including the consular officers?

Mr. SISSON. Yes; and let him become a commercial attaché.

Mr. TEMPLE. I think 95 per cent of the work of our consuls is commercial.

Mr. SISSON. I do not think they ought to be commercial. On the contrary, I have a great contempt for dollar diplomacy. I believe nine-tenths of our troubles grow out of commercial rivalry, and nearly all of the wars in the last century have been purely commercial.

Mr. HERRICK. Will the gentleman yield?

Mr. SISSON. I yield to the gentleman from Oklahoma.

Mr. HERRICK. Is it not a fact that that was the foundation of the great European war?

Mr. SISSON. I think so, my friend. I think that is true.

Now, I do not want to get into a discussion of dollar diplomacy. My purpose in rising at all was to give a very good reason why the Secretary of State should be consulted in this matter, and why, after the business is transacted, it should be turned over to the Department of Commerce.

The Clerk read as follows:

SEC. 4. (a) Three or more individuals (hereinafter in this act referred to as the "incorporators"), a majority of whom are citizens of the United States, may in accordance with the provisions of this act form a corporation.

(b) Such corporation may engage in any business or enterprise conducted wholly within China and carried on with persons in China; except that the corporation—

(1) Shall not engage in any business or enterprise unlawful in the territory in which it is carried on; and

(2) Shall not engage in the business of discounting bills, notes, or other evidences of debt, of receiving deposits, of buying and selling bills of exchange, or of issuing bills, notes, or other evidences of debt for circulation as money, nor engage in any form of banking business.

(c) The corporation shall not engage in any business or enterprise other than that authorized by subdivision (b), except that it—

(1) May purchase in the United States for transportation to China goods, wares, or merchandise necessary to the establishment and conduct of a business or enterprise in which it is authorized to engage;

(2) May do in the United States and elsewhere any act which is incidental to the organization of the corporation or to the issue, sale, transfer, or redemption of its stocks, bonds, or other evidences of indebtedness; and

(3) May do in the United States and elsewhere any act which is approved by the Secretary of Commerce as necessary to the establishment and conduct of any business or enterprise in which it is authorized to engage.

Mr. CLOUSE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CLOUSE: After the word "corporation," in line 6, on page 3, add the following: "*Provided*, That a majority of the stock shall be owned and issued only to American citizens: *Provided further*, That the transfer of the controlling stock to other than American citizens shall be and operate as a forfeiture of the charter."

Mr. CLOUSE. Mr. Chairman, I do not desire to discuss this. I merely want to call it to the attention of the committee and make a brief observation.

It is obvious from the language used in this bill that it would be possible for any two or more American citizens to make application for a charter, acquire the charter, and form a corporation purely in the interest of citizens of other countries. I believe that in legislating on this important measure we should make it plain and specific and let it be understood that no one other than an American citizen can take advantage of this act. I want to inform the members of the committee that I favor this proposed act. I am going to vote for it, but I want to vote for an intelligent measure and one that will fix, limit, and prevent fraud being practiced on this Government in procuring a charter to do business in China.

Mr. VOLSTEAD. Mr. Chairman, if I understand this amendment, it provides that a majority of the stock must be owned by citizens of the United States. I do not think it is desirable to put any such limitation as that into this bill. It is sought to retain control of these corporations in American citizens. Stock may be provided that does not have the voting privilege; that seems to be a custom over there. We want to get Chinese capital into these corporations and have them managed by American citizens, so that they will be used in our interest in the purchase of our goods. We can not afford to put limitations in the act that are absolutely unnecessary. This amendment would largely defeat the purpose of this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. CLOUSE].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California [Mr. LINEBERGER].

The Clerk read as follows:

Page 3, line 11, after the word "unlawful," insert "under the laws of the United States or," so that the paragraph will read:

"(1) Shall not engage in any business or enterprise unlawful under the laws of the United States or in the territory in which it is carried on; and."

Mr. LINEBERGER. Mr. Chairman, my object in offering this amendment is simply to place these corporations operating in China under this bill under the same laws as that of the nation from which they receive the protection and the concessions outlined in the bill. I do not think it is necessary to argue this to any extent, because the equity and desirability of this provision will be acknowledged by every Member of the House. I therefore hope that the gentleman [Mr. VOLSTEAD] who has the bill in charge will agree to its adoption.

Mr. VOLSTEAD. Mr. Chairman, I doubt very much whether a provision of that kind ought to be adopted. It seems to me that we should not prescribe a code of laws for people in China. We can control these corporations to some extent, it is true, but I think when we say they shall not violate the laws of the country in which they operate we are going far enough. Further on in the bill we have a section that takes care of two particular statutes, which I think practically everyone will agree may properly apply to these corporations—one is the prohibition act and the other is the narcotic act. I think it has been the policy of this country for many years to discourage the opium trade in China, and since the liquor business is illegal in this country it would hardly look well for us to organize corporations to do that business in China.

Mr. LINEBERGER. Will the gentleman yield?

Mr. VOLSTEAD. Certainly.

Mr. LINEBERGER. Does not the gentleman include the territory in which the business is carried on? I understood the gentleman to say that they did not presume to say whether or not the corporation should obey the laws of China.

Mr. VOLSTEAD. Oh, yes; they are required to obey the laws of China, but I do not think we ought to try to apply our laws to China so as to make the corporation subject to American laws over there. China has laws of her own and our laws might conflict with theirs. When we undertake to pass laws for foreign countries we better go pretty slow.

Mr. LINEBERGER. Does not the gentleman provide, on page 17, line 19, that the national prohibition act of October 20, 1919, shall apply to these corporations?

Mr. VOLSTEAD. Yes; we want to prevent them from engaging in that business and compel them to comply with the requirements of the act. They may dispense many alcoholic preparations, however, and we want them to come under our regulations. They ought not to go over there to establish breweries or distilleries.

Mr. LINEBERGER. I am heartily in favor of that, but I wish to ask the gentleman whether or not the bill that he introduced in the House yesterday amending the Volstead Act would also apply to these corporations—whether they would be subject to it? I refer to the bill the gentleman has introduced strengthening the Volstead Act.

Mr. VOLSTEAD. They would not be covered by that act.

Mr. LINEBERGER. That is the reason for accepting my amendment. If my amendment is accepted they would be subject to that act.

Mr. STEVENSON. I want to ask if without the amendment offered by the gentleman from California these corporations would be limited by our antitrust laws?

Mr. VOLSTEAD. It is not intended that they should be.

Mr. STEVENSON. Then it is the desire that they shall operate trusts in China. [Laughter.]

Mr. VOLSTEAD. We provide that the Clayton Antitrust Act shall apply.

Mr. STEVENSON. Is it in the bill?

Mr. VOLSTEAD. I think so.

Mr. STEVENSON. If it is not in there the amendment of the gentleman from California would be pertinent.

Mr. WALSH. Mr. Chairman, I want to ask the gentleman from Minnesota [Mr. VOLSTEAD] a question. Suppose a corporation is formed for the purpose of developing a certain section of the country over there, to build a railroad. If the amendment of the gentleman from California [Mr. LINEBERGER] be adopted it would preclude that corporation from owning any stock in or operating a steamboat line, would it not?

Mr. VOLSTEAD. I presume it would.

Mr. WALSH. Or in a mining district for the transportation and disposal of coal. Might it not be that some section of the country there might need a corporation to handle all of that activity? This bill should not be hampered by such a provision.

Mr. VOLSTEAD. I do not think we should hamper these corporations with any unnecessary restrictions, but should allow China to make her own laws, just as other countries do.

Mr. GARRETT of Texas. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. GARRETT of Texas. What business does the gentleman anticipate these corporations would do in China that would be unlawful to do in the United States?

Mr. VOLSTEAD. I do not know.

Mr. GARRETT of Texas. Then what harm can come of an amendment limiting a corporation that is doing a foreign business and providing that it shall obey the laws of its own country?

Mr. VOLSTEAD. We have a great many statutes covering business activities and we do not know how they would operate in China. Why should we undertake to pass a law of that kind?

Mr. GARRETT of Texas. May I remind the chairman of the committee that this bill is not seeking to legislate for China. This bill is seeking to legislate for Americans, for it is proposed that Amercans shall control these corporations. By opposing this amendment the gentleman by inference says that a corporation organized in America to do business in China may go to China and in the transaction of its business do those things which it would not be permitted to do by the laws of our own country.

Mr. VOLSTEAD. It may not be illegal over there to do some of the things forbidden by our laws, and if it is not illegal there, why not let China make her own laws? We do not propose to legislate for Chinese business.

Mr. GARRETT of Texas. The gentleman does not propose to legislate for China by his amendment, but he proposes to say to these corporations that undertake to develop an old country into a new one that the laws that have been passed in America to regulate them and provide that they shall not do certain things shall apply to their conduct in China. That is not legislating for China. China may have whatever law she pleases, but we are here proposing to turn a corporation loose to go to China and prey on the people of China in such manner as it sees fit, when we will not permit the corporation to do such things in our own country.

Mr. DYER. The gentleman evidently has not read the bill.

Mr. GARRETT of Texas. I have not studied the bill carefully, but I think I do understand the amendment offered by the gentleman from California [Mr. LINEBERGER].

Mr. DYER. If a corporation is organized under this act and attempts to do things which they are not permitted to do under the provisions of the charter, the charter can be canceled.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. HUSTED. Is not one of the main purposes of this bill to so safeguard it that the business shall be conducted in such a way as to reflect credit upon the United States? That is the reason why those provisions were placed in the bill. I do not believe that a piece of legislation has ever been framed which more carefully safeguarded the business reputation of the country than this particular piece of legislation.

Mr. DYER. Mr. Chairman, what the gentleman from New York [Mr. HUSTED] says is correct. The Judiciary Committee of the House, as I stated previously, not only of this Congress but of the last Congress, spent weeks in going over this bill and every provision of it. That committee wanted to draft a law that would do what is intended shall be done, namely, help American commerce, and we wanted to be sure that there would be no opportunity for fleecing or taking advantage of the Chinese. In other words, we want to continue the splendid reputation we now have with the people of China.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. SUMNERS of Texas. I am not advised, but I am under the impression that in the extraterritorial jurisdiction which we exercise in China—and we do exercise extraterritorial jurisdiction where American citizens are involved—the general penal statutes and other Federal laws of this country which apply to its citizens here apply to nationals there. I may be entirely in error, but has the gentleman information about that?

Mr. DYER. The gentleman is correct, practically. We have our own court there for the trial of Americans violating the laws or for the settlement of matters with reference to property rights.

Mr. CONNALLY of Texas. Mr. Chairman, I suggest to the gentleman from Missouri that the Alaskan code is in effect in China, so far as statutory offenses are concerned.

Mr. DYER. I think the gentleman is mistaken about that. Some hold to that opinion, but I do not think it is so.

Mr. CONNALLY of Texas. The judge of the court which enforces the laws testified to that before our committee, and I think he ought to have some knowledge about it.

Mr. DYER. I know that the judge of the United States Court in China holds to that opinion.

Mr. CONNALLY of Texas. If he holds to it, and he is running the court, it ought to have some effect.

Mr. DYER. I am satisfied that if his opinion in regard to that were taken to the court of appeals it would not stand.

Mr. SUMNERS of Texas. If we have a general code, wherever it comes from, or whatever code it is, by which the conduct of American nationals is controlled, then the amendment offered by the gentleman from California would not be at all necessary.

Mr. DYER. I think the gentleman from Texas is correct about that.

Mr. LINEBERGER. Mr. Chairman, the gentleman from Minnesota [Mr. VOLSTEAD] has practically admitted every query directed to him, as I understand it, justifying this amendment which I have offered. He has admitted that these gentlemen in China are to receive the protection of this Government, that they are to operate under a preferred act, exempting them from corporation taxes, and I ask if there is any reason why they should not abide by American laws, inasmuch as they are receiving preferential treatment, such as has never been extended before?

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. LINEBERGER. Yes.

Mr. BARKLEY. We have a law in this country providing for the inspection of beef which is shipped from one place to another in the United States, making it unlawful to ship that beef without such inspection. Would this law, if the gentleman's amendment be adopted, follow such a transaction with China?

Mr. LINEBERGER. It would make these gentlemen in China amenable to any law that is a Federal law in this country.

Mr. BARKLEY. And although they have no beef inspection law in China, still that would have to be done?

Mr. LINEBERGER. This entire bill, as I understand it, is framed with the idea of encouraging American enterprises in China, but incidentally we desire to safeguard the Chinese people against any abuses by these corporations, and my amendment is particularly directed against the manufacture of intoxicating liquors, and thereby protect the Chinese for all time from at least this one abuse at the hands of American citizens operating under the protection of our flag and our laws.

Mr. BARKLEY. Well, I understand the object of the bill is to enable the Americans to do business in China on terms of equality with other nations, and later on in the bill are three measures specifically provided for as being in force in respect to business done by these corporations.

Mr. LINEBERGER. The gentleman is correct. The bill is conceived with the idea of stimulating trade in China, but it also further provides that that trade shall be stimulated along proper and correct lines, and the particular reason for offering the amendment at this time is that I am aware of the fact that the gentleman from Minnesota [Mr. VOLSTEAD] has recently introduced a bill, which I hope will pass this House, supplementing and substantially strengthening the present Volstead Act, and it is my desire that the new bill shall apply, when enacted, to these corporations in China the same as the provisions on page 17, lines 19 and 20, this bill, with regard to the national prohibition act of October 28, 1919, commonly known to the American people as the Volstead Act.

Mr. BARKLEY. If the gentleman will yield further. If the new bill referred to is offered as an amendment to the national prohibition act——

Mr. LINEBERGER. It will not be offered as an amendment but as a supplemental act, designed to strengthen the present law.

Mr. WINGO. Will the gentleman yield?

Mr. LINEBERGER. I will.

Mr. WINGO. I understood the gentleman to say the object of this bill is to protect the Chinese against any vicious acts of these corporations?

Mr. LINEBERGER. I say that such protection is provided as an incident to the bill. There are certain provisions placed in the bill which incidentally do protect Chinese against certain abuses of American corporations. It is my understanding that the gentleman who framed the bill intended that this protection should be provided.

Mr. WINGO. Is the gentleman in favor of giving a perpetual Federal charter to a concern of this kind?

Mr. LINEBERGER. I do not care to discuss that question in detail at this time, and it is irrelevant to the amendment offered and now under discussion.

Mr. WINGO. The gentleman is for the bill?

Mr. LINEBERGER. I am for the bill.

Mr. WINGO. The bill does that.

Mr. LINEBERGER. I do not care to debate this phase of the question, but will say that section 24 provides that Congress reserves the right to amend, alter, or repeal the provisions of the act and any charter granted thereunder, and I think this answers the gentleman's query regarding perpetual charters.

Mr. UPSHAW. Will the gentleman yield?

Mr. LINEBERGER. I will.

Mr. UPSHAW. If this bill is intended to affect the conduct of corporations or individuals in China, then I fail to see where this amendment that is offered can do any harm whatever.

Mr. LINEBERGER. It can not.

Mr. UPSHAW. It only means to amplify and safeguard the general provisions of the bill?

Mr. LINEBERGER. That is exactly the intention, particularly with regard to any future supplemental legislation strengthening the national prohibition act of October 28, 1919.

Mr. UPSHAW. And it is absolutely safe to vote for it, and it might be unsafe not to support it.

Mr. DYER. Mr. Chairman, I say that, in my judgment, to attach that provision to the bill would have the effect of making it impossible of working, because those who would incorporate under this would not know what they could do or could not do without consulting all the statutes that may have been passed or may be passed in the future.

Mr. REAVIS rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from Nebraska?

Mr. REAVIS. I desire to be recognized to oppose the amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. REAVIS. Mr. Chairman, it seems to me the adoption of this amendment would defeat in large measure the purposes of this bill. One of the great difficulties America has always encountered in its foreign trade relations has been its demand that foreign countries should trade with us upon our basis of understanding and in accordance with our customs. The gentleman will remember a number of years ago when the South American countries went to the metric system that Germany immediately followed that system in all of her trade relations with South America while the United States still continued to demand that South American countries do business with us according to our practices and not according to theirs. The rules of conduct that govern organized society are the production of conditions and the relationship of men with each other under given conditions, and while they may apply in the environments of their creation they might be vitally out of harmony with the conditions that exist elsewhere. One of the purposes of this bill is to meet the requirements and the peculiar psychology of the Chinese people so as to permit American corporations and American business interests to do business in China in the same way that England and the other great commercial nations of Europe have been doing business with them for a number of years. Now, you want to load up a bill designed for such a purpose with amendments that will require the Chinese people, not to do business with us according to their own ideas of business, but to do business with us according to certain rules and regulations that of themselves fit conditions with us but do not fit conditions in China. The adoption of this amendment will in large measure defeat the very purposes which the bill is designed to accomplish, and I think it should be defeated. [Applause.]

Mr. CHALMERS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. CHALMERS. I ask unanimous consent that the Clerk again report the amendment.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

On a division (demanded by Mr. LINEBERGER) there were—ayes 31, noes 85.

So the amendment was rejected.

Mr. LONDON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LONDON. Mr. Chairman, I move to strike out the last word. I want to ask a question. Section 4 reads:

(c) The corporation shall not engage in any business or enterprise other than that authorized by subdivision (b).

Now, subdivision (b) does not specify any particular business or enterprise. Subdivision (b) relates to the place where the business is to be done, and the point I am making is that subdivision (c) does not clearly describe the kind of business that is permitted or prohibited.

Mr. VOLSTEAD. It is not intended to prohibit anything except what is enumerated in subdivisions (1) and (2) of (b).

Mr. LONDON. But (b) does not classify or specify any particular class of commodity.

Mr. VOLSTEAD. Subdivisions (1) and (2) provide that they shall not engage in the business of discounting bills, notes, or things of that kind. Now, the object is to make it a general corporation; that is, give a general power to incorporate for any legitimate business.

Mr. LONDON. Any business whatever?

Mr. VOLSTEAD. Yes.

Mr. LONDON. And the gentleman believes subdivision (c) taken in conjunction with subdivision (b) makes this specific?

Mr. VOLSTEAD. I think so.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. BANKHEAD. Mr. Chairman, I move to strike out subsection (3), page 4, of the bill.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BANKHEAD: Page 4, line 3, strike out all of lines 3, 4, 5, and 6.

Mr. BANKHEAD. Mr. Chairman, I do this merely for the purpose of inquiring of the chairman of the committee what was the purpose of giving such broad, blanket powers to the Secretary of Commerce as provided in this section?

Mr. VOLSTEAD. Well, the prior section practically confines all the business to China. Now, there are some things that may have to be done outside.

Mr. BANKHEAD. What sort of things?

Mr. VOLSTEAD. These corporations may to some extent have to deal with people in this country. Some authority ought to be given somewhere so that that may be done. They may want to get material here, for instance, and may want to make some contracts. Suppose they build a railroad, they would want to make contracts for the material, cars, locomotives, and things of that kind.

Mr. BANKHEAD. But it says that the Secretary of the Interior may approve any act done in other countries.

Mr. VOLSTEAD. It may be necessary to do some business in other countries. But the idea is to confine these corporations to business in China, so as to practically make them domestic corporations of that country. But to the extent that it may be necessary to operate outside, that may be done under regulations that may be prescribed by the Secretary of Commerce.

Mr. BANKHEAD. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

Mr. ROSENBLOOM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. ROSENBLOOM moves to amend, page 4, line 5, after the word "necessary," strike out the words "to the establishment and conduct of any business or enterprise in which it is authorized to engage" and insert in lieu thereof the words "for the sale and the transportation to China of goods, wares, merchandise, and commodities of all kinds."

Mr. ROSENBLOOM. Mr. Chairman and gentlemen of the committee, I ask for about five minutes.

The title of the bill on the first page, section 1, designates as the purpose and the only justification for granting the particular exemption to any corporations that this bill undertakes to grant, is to permit trade and commerce with China and create and develop markets in China for articles of commerce exported from the United States. Now, with that purpose I am in full accord, and I am satisfied that the large majority of the Members of this House are in full accord with it. But shall we allow this to become the vehicle by which we shall permit American citizens to organize a corporation, with the exemptions granted by this bill, and engage in business in China with the main purpose of shipping commodities from China into the United States, as, on page 4, may be approved by the Secretary of Commerce as necessary to the establishment and conduct of any business or enterprise in which it is authorized to engage. My amendment seeks to limit that to the business of exporting from the United States to China our wares and merchandise.

The particular situation I have in mind in that connection is this: It may be that in the exploitation of the natural resources of China, such as the production of oil or the production of iron ore, citizens of the United States may incorporate under this bill and engage in the business of production of these natural resources of China, and ship them into the United States under the regulations prescribed by the Secretary of Commerce, and the profit made in that business be exempt from taxation, besides having other privileges. In order to carry that fully to your consideration, I will say that on page 18, line 19, the particular exemption from the income tax that is allowed is found in subdivision (c), in which it states, if—

It derives less than 5 per cent of its gross income from sources within the United States.

Mr. BARKLEY. Does the gentleman construe this bill to mean that this incorporation could buy goods in China to be shipped to the United States and sold?

Mr. ROSENBLOOM. No, sir; but it could engage in the business of exploiting the natural resources. For instance, it could produce oil or mine iron ore and ship such products to the United States.

Mr. BARKLEY. How could it do so under this bill?

Mr. ROSENBLOOM. Simply by the right to engage in business, as provided in paragraph (3) on page 4.

Mr. BARKLEY. But if you will observe paragraph (b), on page 3, you will see that such a corporation may engage in any business or enterprise conducted wholly within China and carried on with persons in China, except it may do these other things that are incidental and necessary to carry on that business wholly in China.

Mr. ROSENBLOOM. This provision, as the law is presented, says, "may do in the United States and elsewhere." It says, on page 4:

May do in the United States and elsewhere any act which is approved by the Secretary of Commerce as necessary to the establishment and conduct of any business or enterprise in which it is authorized to engage.

Mr. BARKLEY. But that enterprise in which it is authorized to engage is limited by the subsection on the previous page.

Mr. ROSENBLOOM. I can not agree with the gentleman. I think that section is so broad as to permit the Secretary of Commerce to interpret the privileges of the charter to permit them, if they wish to do so, to send this crude material to the United States.

Mr. BARKLEY. The Secretary of Commerce can only give his permission based on the act itself, and it confines that corporation to the transaction of business done wholly with the Chinese, subject to the limitation that it may do elsewhere anything necessary to enable them to carry on this business in China with persons in China.

Mr. ROSENBLOOM. Section (b) says:

Such corporation may engage in any business or enterprise conducted wholly within China and carried on with persons in China, except that the corporation—

Except what?

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. ROSENBLOOM. Mr. Chairman, I ask unanimous consent for an extension of three minutes, on account of the colloquy we have had here.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ROSENBLOOM. Now, then, "in China or with persons in China," except in section 3 of paragraph 3, which is one of the exceptions provided for to paragraph (b) of section 4, and one of these exceptions is 3. Then we go into section (c). "The corporation shall not engage in any business or enterprise other than that authorized by subdivision (b)." Now we go back to subdivision (b) and 3, coming under (c), which applies to the exception in (b) in section 4, which allows the Secretary of Commerce to permit anything that is necessary in his opinion for the establishment and conduct of any business or enterprise in which it is authorized to engage.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ROSENBLOOM. Yes; in just about two minutes I will yield.

I call attention to the provision on page 18, line 19, where we find that the primary objects of this bill, as it is contended by its supporters, are to provide for the exemption of the income from taxation where less than 5 per cent of the income is derived from sources within the United States. That provision, I say, provides that it derives less than 5 per cent of its income from sources within the United States. It is true that if they were mining oil or ore we, of course, could levy a tariff to collect income from that, but what will the courts hold to be meant by the use by Congress of the words "from sources"? Is that to be applied to the sources of the commodity from which the income is made, or from the source of the income itself? There is such ambiguous language there that I am of opinion that a court could just as clearly hold that the income of those holdings, say an oil company, the source of it, was their income in China and therefore their other earnings would not be subject to this income tax. I think it would be much clearer if we should strike out, in line 20, page 18, the words "from sources," out of section (c), and leave it read, "it derives less than 5 per cent of its gross income within the United States."

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. VOLSTEAD. Mr. Chairman, I think the gentleman misconceives this act.

Mr. ROSENBLOOM. I hope so.

Mr. VOLSTEAD. It is sought by the provisions of this bill to prevent these corporations from doing an import and export business. It is limited in its exports to the needs of establishing its business. It is not intended to allow these corporations to engage in competition with American corporations generally. If it did, we should naturally have the strongest sort of opposition to it, and properly so, because we never ought to give them an exemption from taxation that we do not give to other corporations.

Mr. BARKLEY. In other words, the intent is that the activities carried on by these corporations shall be in one direction; that is, from the United States toward China and not from China back to the United States.

Mr. ROSENBLOOM. Then my amendment would cover that.

Mr. VOLSTEAD. And the activity, so far as the United States is concerned, is not to act as a transportation agency in

China, but they are to create in China a market for goods that they would buy there and not act as a transportation agency company between the two countries at all.

Mr. ROSENBLOOM. I ask unanimous consent, Mr. Chairman, that the Clerk may report my amendment again.

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Page 4, line 5, after the word "necessary," strike out the words "to the establishment and conduct of any business or enterprise in which it is authorized to engage" and insert "for the sale and the transportation to China of goods, wares, merchandise, and commodities of all kinds."

Mr. WINGO. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Arkansas moves to strike out the last word.

Mr. WINGO. Mr. Chairman, I am somewhat confused by the last statement of the gentleman from Minnesota [Mr. VOLSTEAD]. He says it is not the object of the bill to permit them to engage in such business as any other person or corporation in the United States engages in. Suppose a corporation is organized in China to do a general merchandise business, both wholesale and jobbing. That is authorized, is it not? And they are authorized to become very large exporters, and they may monopolize the entire export trade of the United States to China except for such competition as may exist between the corporations themselves that are organized under this act. Is not that true? On page 3, lines 20 to 23, they may purchase in the United States, for transportation to China, goods, wares, merchandise necessary to the establishment and conduct of the business or enterprise in which they are authorized to engage.

Now, if it can handle farm implements, and cotton, and wool, and manufactured cotton goods, and manufactured and fabricated steel; in other words, if it can engage in a general importing business in China, then they may import from the United States, and they may establish an agent and a place of business in the United States for the purpose of purchasing in the United States for shipment to China any kind of goods, wares, or merchandise. Is not that true? If that is not the object of the bill, what is it?

I do not see any sense in passing the bill if it is not to give a Federal charter to gentlemen who are going to undertake to compete in the Chinese market with the Japanese and English. Is not that the object of the bill?

Mr. VOLSTEAD. The chief object aimed at is to build up institutions in China, such as building electric-light plants, and building railroads, for instance—developing that country by doing those things. A large amount of American goods will have to be purchased, and it is with a view to giving them the authority to secure those goods in the United States that this language is necessary.

Mr. WINGO. Now, in that way I get the answer that I otherwise could not get. You do not propose that they shall engage strictly in the merchandise business. Your purpose is to give a Federal charter to a group of men, to a corporation, to go and gobble up the public utilities of China, according to the general statement on page 6.

Mr. VOLSTEAD. It says "necessary to the establishment and conduct of the business or enterprise there," supplying the necessary needs of a wholesale house. If they want to import for that purpose, of course they can do that; but they are not to engage in the general business of transporting——

Mr. WINGO. By the language of the act itself they can do any kind of business under the sun in China.

Mr. VOLSTEAD. Yes; in China.

Mr. WINGO. Now, if they undertake to gobble up all the public utilities of China, that is where the billions are to be made in the next few years, in their water power, in their public utilities, in their public improvements, in their oil development——

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. ROSENBLOOM. Mr. Chairman, I ask unanimous consent that the gentleman may have three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WINGO. Oh, just getting down, in the elegant language of the eloquent gentleman from Ohio the other day, "to the guts of it," it is a fight for the oil, for the iron, for the resources, for the financial development of China. There are great fortunes to be made. Let us not engage in any subterfuge. The proposition is that the men who are going to put their financial resources into the East, by which billions are to be made, are to get a Federal charter and special privileges.

If you are going to do that, why not throw around it such restrictions as will prevent them from monopolizing the exportation of merchandise from the United States. It is bad enough to give them exemption from taxation, but do not give them everything else. They are specially protected. Let them get concessions in China, and with their hands upon the throat of the local government they can get the exclusive privilege of importing shoes, for instance, or merchandise of any kind. If you are going to do that, do it in the open. I decline to support this monstrosity even though put forward under the claim that it will promote our trade.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from West Virginia.

The question being taken, the amendment was rejected.

The Clerk read as follows:

SEC. 5. That the incorporators shall make application for a charter and file it with the Secretary of Commerce in such manner and in such form as shall be by regulation prescribed. The application shall state—

(a) The name of the proposed corporation, which shall end with the legend, "Federal Inc. U. S. A.";

(b) The location of its principal office, which shall be in China;

(c) The purpose for which it is formed and the character of the business in which it is to engage;

(d) The amount of capital stock, the designation of each class of stock and the terms upon which it is to be issued, and the number and par value of the shares of each class of stock;

(e) The duration of the corporation, which may be permanent or for a limited time;

(f) The names, addresses, and designations of the directors and of the president, treasurer, and secretary, or corresponding officers, who are hereby authorized to manage the affairs of the corporation until their successors are elected by the stockholders in accordance with the by-laws of the corporation. A majority of the directors and a majority of such officers shall be citizens of the United States;

(g) The fact that an amount equal to 25 per cent of the amount of capital stock has been in good faith subscribed and actually paid in cash, personal property, tangible or intangible, or real property, and is in the custody of the individuals specified in subdivision (f); and the name and address of each such subscriber. If any part of such payment is made in property other than cash, no charter shall be issued unless the Secretary of Commerce finds that the property is described and its value stated in the same manner as provided in section 9, and that such value is the fair market value, and is at least equal to the difference between 25 per cent of the capital stock and the amount of cash, if any, so paid in; and

(h) The time and place of the first stockholders' meeting, which shall be not later than one year after the issuance of this charter.

Mr. BOWLING. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BOWLING: Page 4, line 21, strike out the words "which may be permanent or for a limited time" and insert in lieu thereof the words "incorporated for a period of not more than 25 years."

Mr. BOWLING. Mr. Chairman, it seems to me that with the very broad and enormous powers that are given to these corporations to engage in all kinds of business, the bridle should not be taken off indefinitely, and it seems to me it would be a very vicious thing to establish a precedent here to-day to give an unlimited charter in perpetuity to any kind of an organization.

The CHAIRMAN. The question is on the amendment of the gentleman from Alabama.

The question being taken, on a division (demanded by Mr. BANKHEAD) there were—ayes 44, noes 48.

Accordingly the amendment was rejected.

Mr. SISSON. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to one or two of the chief objections to this bill. The bill is one which can not be fully discussed and all its bad features discussed under the five-minute rule.

This is a very radical departure on the part of the Federal Government. This is the first attempt on the part of Congress to create a Federal charter for the transaction of business. That of itself is revolutionary.

Second, this bill, if the chairman of the committee [Mr. VOLSTEAD] has correctly stated its purposes and objects, is for the purpose of furnishing to a few individuals who may take advantage of it an opportunity to invest their money in a corporation organized under this law to do business in a foreign country, and there exploit that country for the benefit of the few individuals engaged in the business.

But that is not the chief evil in this bill. This is the first step taken on the part of the big business of this country to avoid State control and also to avoid State taxation. It is the beginning of a new era in this Republic, and if you shall pursue this policy far it will be only a few years until the States can be absolutely deprived of all control of any corporation doing business in a foreign country not only so far as the conduct of its business is concerned but so far as taxation of the money produced in this country and taken out of the country to develop the resources in the foreign country not for the benefit of

the people here but for the benefit of the few specially privileged rich gentlemen who may take stock in the corporations granted this Federal charter. In other words, it deprives the people of America of the rapid development of any undeveloped resources here in order that the energies of the American people or their money may be expended in developing, perhaps, more inviting or cheaper enterprises abroad.

In this instance China is selected, with the unlimited quantity of raw material which she has undeveloped. Why is that? Is it because in China you have the cheapest labor in the world? Is Congress engaged solemly at this hour in endeavoring, by the consumption of this day and perhaps another Calendar Wednesday, to create a system of legislation whereby men of means, instead of using their money to develop the resources here, shall take that money to China, where they can employ pauper labor to develop the oil and the iron and all the resources of that country? What are you doing? Ah, you say to them, "You shall not sell any of that stuff back here." We shall get no benefit in the trade unless those poor, benighted people take our electrical machinery and what we offer to sell them. We say to them, "You miserable Chinese shall not sell any of that stuff back here," an admission on the part of the chairman——

Mr. DYER. Will the gentleman yield?

Mr. SISSON. I will if you will give me an extension of time.

Mr. DYER. In the interest of expediting the bill I can not do that.

Mr. SISSON. It is an admission on the part of the gentleman who has charge of this bill that the Chinese, through these corporations, shall sell nothing back to us. We can not buy a gallon of oil, we can not buy anything from them even though American capital develops it, without the payment of the tariff. So who then is to get the benefit of this expenditure? This is a radical departure in American history.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. DYER. I regret exceedingly to object, but I think we should proceed with the bill. The gentleman is not discussing the section.

Mr. SISSON. I am discussing the section.

Mr. DYER. The gentleman is not, and if he will wait and offer his amendment when we reach the part of the bill to which he refers, then he can discuss it some more.

Mr. SISSON. I want to call the attention of the committee to one or two sections in reference to this charter.

Mr. DYER. I hope the gentleman will wait till we reach those.

Mr. SISSON. We are considering that section now.

Mr. DYER. The gentleman is not speaking to the section under consideration.

The CHAIRMAN. Is there objection?

Mr. DYER. I shall have to object.

The CHAIRMAN. The gentleman from Missouri objects.

Mr. SISSON. The gentleman can object, but I can assure him that he is going to save no time by this sort of procedure.

Mr. WINGO. Mr. Chairman, I move to strike out the last word. I was very much interested in the suggestion that the gentleman is making, but I do not know that I exactly caught his contention. What is it about this proposed taxation?

Mr. SISSON. In answer to the gentleman, I want to say that I am making the contention that this is a most radical departure on the part of the Federal Government in creating for the first time in the history of the country a Federal charter for a few people who may take advantage of that Federal charter to develop resources in other countries. Now, I want to call attention to another thing, with the permission of the gentleman. A moment ago you Republicans voted down a provision to limit the life of these charters. Therefore, it is the implied intention, if they desire to do so, to grant to these people a perpetual charter to transact business. There is one saving clause, and that is the clause that gives to Congress the right to repeal the charter. But you know that will never be done.

Mr. HUSTED. Oh, there is another saving clause, the bill provides for a revocation.

Mr. SISSON. My dear friend, that is what I said; the gentleman did not hear it. It only provides in the last clause for a revocation.

Mr. WINGO. I hope the gentleman will confine himself to my query.

Mr. SISSON. My objections are to so many clauses in this section that I am sure——

Mr. WINGO. I want to call the gentleman's attention to what the purpose of the bill is in the light of the statement of the chairman of the committee a while ago, under this language in the report:

> The great majority of these companies are small firms who represent manufacturers in the United States, and they are pushing the sale of American products, such as machinery, hardware, cotton and cotton manufactures, food products, motor cars, typewriters and office supplies, wearing apparel, such as shoes, underwear, hosiery, shirts and collars and clothing materials, paint and varnish, building equipment, such as lumber and nails, electrical equipment, locomotives and freight cars, general railroad equipment, such as rails, bridge materials, and timber, dyes, and chemicals, kerosene, tobacco products, and products of our mines, such as iron and steel which are used for construction purposes.

Does the gentleman understand that it is the intention to give these corporations a charter for the purpose of engaging in all this business?

Mr. SISSON. Unquestionably, if you get the approval of the two Secretaries, that can be done. I would call the gentleman's attention also to the fact that this report states specifically that the purpose, aim, and object of this is to avoid a tax which the present corporations as now constituted would have to pay in this country like other citizens to do business in China. It is in the report. They propose to avoid taxation here, not only giving them the special privilege of doing business but the special privilege of avoiding taxation. That is so stated in the report.

This bill is to enable the great corporations of the United States to get these Federal charters, thus avoiding State control and avoiding all State taxation. The great fortunes in America have been made by avoiding taxation. Now, taxes are so high in the States and in the Nation that big business is beginning to avoid this burden, and this Republican House and Republican administration are taking this, the first step, to bring about a system of law that will place the burden of our Federal and State taxes upon the backs of the masses of the people.

Mr. WINGO. Mr. Chairman, I yield back the balance of my time.

Mr. BARKLEY. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

> Page 4, line 22, strike out all of line 22, page 4, and insert the words "for a period of not to exceed 50 years."

Mr. BARKLEY. Mr. Chairman, I voted against the amendment offered by the gentleman from Alabama [Mr. BOWLING] to fix a limitation at 25 years, because I felt that that was too short a period to limit the charter of these corporations. But I am unable to see any wisdom in Congress granting a perpetual charter to organizations of this sort. We do not do that in the United States, as a rule, in granting a charter to corporations.

Mr. DYER. Will the gentleman yield?

Mr. BARKLEY. Certainly.

Mr. DYER. Does the gentleman think his amendment is necessary in view of the fact that the Secretary of Commerce is given authority to cancel the charter under certain circumstances as well as Congress having the right of repeal?

Mr. BARKLEY. I think there ought to be a limitation of 50 years no matter who has the right to cancel in the meantime. I realize that the bill provides that Congress may at any time repeal the law and any charter granted under it. But let us assume that the corporation runs on for 50 or 75 years and that there is some reason why the charter should be repealed. Congress would have to inaugurate an investigation. It would have, perhaps, to send a committee to China to find out whether the corporation was conducting its business lawfully. When we passed the water power bill a few months ago providing for harnessing the great water power of the United States, we limited the life of the franchise to 50 years. Then at the end of 50 years the corporation may come back and ask Congress to renew the charter, and Congress would have the opportunity, and it would be its duty, to investigate whether the charter ought to be renewed. If a corporation has been doing business in China in such a way that it ought to have its charter renewed at the end of 50 years, of course the duty of Congress would be to renew it. On the contrary, it ought not to be necessary for Congress at some indefinite period in the future to inaugurate an investigation of its own in order to determine affirmatively whether the charter ought to be renewed.

Mr. HUSTED. Will the gentleman yield?

Mr. BARKLEY. Certainly.

Mr. HUSTED. I can see the propriety of limiting the charter in the case of corporations that exercise a public franchise. But these corporations do not exercise a public franchise; they are going into the manufacturing and merchandise business.

Mr. BARKLEY. They may exercise a public franchise, because they may own street car systems or electric light plants.

Mr. HUSTED. Oh, that is not the idea, the idea is that they may furnish material to install a plant; they are to help build up China.

Mr. GARNER. They can own such plants under the charter.

Mr. BARKLEY. There is nothing in this law that prevents them from holding those facilities after they are constructed.

Mr. HUSTED. The gentleman realizes that if this business is not properly conducted the Secretary of Commerce has power under the act to revoke the charter at any time. That is another test. Then Congress reserves the right to repeal the law.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BARKLEY. Admitting that the Secretary of Commerce may revoke the charter, that is quite a wide power to be placed in the hands of any one man, but I have no objection to its being placed there. The other restriction is that Congress may repeal the charter if it sees fit to do so. However, regardless of those safeguards, and I think they should be thrown around the charter even if the limit is placed at 50 years, I think that every 50 years these corporations ought to be compelled to come back to the Government and ask for a renewal of their charter, just as ordinary corporations are compelled to do.

Mr. HUSTED. Is there any good reason, in the gentleman's opinion, why the charter should be limited if the business is going to be carried on?

Mr. BARKLEY. Yes; I think as a matter of public policy it is not wise to grant perpetual charters to corporations of this kind.

Mr. DYER. Mr. Chairman, if the gentleman will yield, I want to state that, so far as I know, there is no objection on the part of the committee to agreeing to the amendment.

Mr. SUMNERS of Texas. I do not agree to it.

Mr. SISSON. Mr. Chairman, I rise to support the amendment.

Mr. DYER. I just stated that, as far as I am concerned, the committee will agree to it.

Mr. WINGO. Mr. Chairman, I offer to strike out the figures "50" and amend by inserting the figures "30" in the amendment offered by the gentleman from Kentucky.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO to the amendment offered by Mr. BARKLEY: Strike out the figures "50" and insert in lieu thereof the figures "30."

Mr. WINGO. Mr. Chairman, unless I am very badly mistaken, and gentlemen can correct me if I am wrong, practically all of the States have undertaken to cut down the franchise term from what it has been heretofore. In the good old days of franchise grabbing the favorite term used to be 99 years. Lately it has been cut down to 50 years, and most of the States are limiting it now from 20 years to 30 years. The gentleman from Kentucky [Mr. BARKLEY] offers in support of a long term franchise the suggestion that the Secretary of Commerce may, if he sees fit, revoke the charter. Of course, he can not. He may bring suit. It is rather a tortuous process, and under the provisions of the bill I think the Secretary of Commerce will be able to have the charter revoked just about as easily as the Ladies' Aid Society at Podunk Center would be able to control the advice and recommendations of the League of Nations, because the Secretary of Commerce would have to go to China. He would have to bring suit in China. He might suspend the operation of the charter for 10 days, but then he would have to file suit in China to revoke the charter, and he would have to make his proof there. The Secretary of Commerce would have something else to do than to act as umpire in these franchise and oil grabbing games in China, and I suggest to the gentleman from Kentucky that the bone will be picked clean before 50 years have gone by, and why not limit it to 30 years? There is a provision in the bill to which I shall refer later on, whereby these corporations are practically beyond the jurisdiction and control of any court in the United States. Oh, I know that you provide in there that the district courts of the United States shall under certain conditions have jurisdiction, but that condition will never arise, because you provide for service by registered letter. Of course, a little more up-to-date way would be to provide for service by wireless, but you will not permit them to establish a branch office in the United States. You say they shall not do that, so when it comes down to the Secretary of Commerce exercising this power of revocation, I am inclined to term that as merely a "French gesture." They will be running loose in China, and Herbert Hoover will be so busy here——

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Yes.

Mr. MADDEN. The gentleman suggests a limitation on the period of the life of a corporation, which I think proper, but with it there ought to be coupled the right of renewal.

Mr. WINGO. I think that goes with the other provision.

Mr. DYER. There is no provision for renewal.

Mr. BARKLEY. Of course, if this amendment be adopted, the committee can offer an amendment that can be in harmony with that.

Mr. WINGO. I would not object to that. The object would be to hold them down to a reasonable franchise period, with the right of renewal if the granting power saw fit to do it. I would not object to that.

Mr. SUMNERS of Texas. Mr. Chairman, I am not very much concerned about this amendment; but it seems to me, looking at this proposition from a practical standpoint, that there is no magic in the year 1971, if that be the 50-year period determined upon when these corporations ought to quit business or get a new lease on life. They ought to be compelled to quit business at the time when they begin to abuse the powers conferred upon them, whether that be to-morrow, the next day, or 50 years from now. Under the provisions of this bill these corporations exist by sufferance, by the will of Congress, and by the will of the department of this Government mentioned in the bill. If this amendment be adopted, and nothing else is done, at the expiration of the period mentioned we will have to go over the whole show again and reenact this bill. I can not see why Members of Congress, sitting in their places to-day, should conclude that 50 years from now the chances are that these corporations ought to quit business, or that 50 years from now they ought to come in and make a showing as to why they ought not to quit business, and thus take up the legislative time reenacting a bill giving them the right to continue in business, with the uncertainty always in the transaction of their business, whether or not Congress when the time comes for it to act will take the time to give to them the privilege to live long enough to execute contracts into which they may have entered in good faith. It seems to me that the corporation ought to understand that its tenure of existence depends upon its good behavior and upon the will of Congress, which at any time may be exercised for their dissolution in the event of any act which to Congress may seem contrary to the public interest.

Mr. MONTAGUE. Will the gentleman from Texas yield?

Mr. SUMNERS of Texas. I will.

Mr. MONTAGUE. Does the gentleman from Texas think it would be advisable for America to restrict the duration of its corporations while the other nations do not impose a similar restriction upon their corporations?

Mr. SUMNERS of Texas. I would suggest to the gentleman from Virginia that, just looking at the matter from a practical standpoint, I can not see any reason on earth why we should put ourselves in the situation where the Congress of the United States must thrash this whole thing out again at the expiration of a certain period of time, whether there be any public reason or not. No gentleman can, it seems to me, present any argument to show that we should not pass on this in 10 years if Congress ought to pass on it within 30 years. What magic is there in the 30 or the 50 year period?

Mr. BOWLING. Will the gentleman yield?

Mr. SUMNERS of Texas. I do.

Mr. BOWLING. I think an answer to a part of the gentleman's argument is found in the experience of Congress and the President of the United States back in Andrew Jackson's time with the United States bank.

Mr. SUMNERS of Texas. As stated, I do not regard this as highly important; but the amendment seems to me unnecessary and to rest on no basis of probable future utility.

Mr. GARRETT of Tennessee. Mr. Chairman, I am somewhat inclined to prefer the amendment of the gentleman from Arkansas to that of the gentleman from Kentucky, but certainly I regard it as important that there should be some limitation placed. This is an entirely new venture which this Government is about to enter upon. There are objectionable features to it; there are also very strong arguments in its favor, but let me remind gentlemen of the fact that here in this country where the Federal Government has granted charters to institutions which were to engage in governmental business—and that is all

the kind I favor granting charters to that are to operate in this country—limitations of time have always been placed. The gentleman from Alabama very aptly calls attention to the fact that in the case of the national bank a limitation was placed upon the time which its charter should run, and it was necessary that there be a renewal of the charter, and one of the great political contests of this country was fought over that question, and that was a case in which the institution was to perform governmental service. That was a case in which it was to perform it under the very eyes of the Government. Here we have a new departure. We are to provide for the creation of corporations that are to operate 10,000 miles away, not under the immediate eyes of Government officials. True, it is not to perform governmental service. True, it is to engage in private business, but the very fact that provision is made in another part of the bill for the revocation of the charter, the very fact that the right to repeal or amend is reserved to the Government, indicates that all understand that there is a strong possibility, at least a possibility, of abuses arising which will render it necessary to have a cessation of the operations of this institution in this foreign country, and I respectfully submit that sound policy dictates that in making this new departure we ought at least to have a limitation.

Mr. HUSTED. Will the gentleman yield?

Mr. GARRETT of Tennessee. I do.

Mr. HUSTED. I have very great respect for the opinion of the gentleman, but I respectfully submit that if one of these corporations were guilty of iniquitous practices the effect of limiting the charter to 30 years would not be very efficacious. It would be necessary in all probability to have action within that time, and the possibility that it might be necessary to do so is the very reason why we placed in the bill the provision in section 16, which is very broad. If the gentleman will address his attention to it, the gentleman will see that it is very broad. It places in the Secretary of Commerce very broad powers, and if these corporations which are doing business at long range were doing business in such a way as to bring upon them the just censure of the people of the country, or in such a way as unfairly to take advantage of the Chinese people, then I submit that the fact that the charter is limited to 30 or 50 years confers no adequate remedy. We would have to take action within that time in all probability.

Mr. GARRETT of Tennessee. Mr. Chairman, in reference to my friend's suggestion, I wish to say I do not think the inertia should be with the corporation and the initiative here. I think that the inertia should be here and the initiative there. In other words, I think that the Congress should provide a limitation and that the corporations should be required to take the initiative to secure a renewal of their lives.

Mr. BLANTON. Mr. Chairman, I desire to offer an amendment to the Barkley amendment.

Mr. BARKLEY. Mr. Chairman, I desire to oppose the amendment of the gentleman from Arkansas to my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky to oppose the amendment of the gentleman from Arkansas.

Mr. BARKLEY. Mr. Chairman, any limitation which we fix is, of course, an arbitrary limitation. There may be good reasons why it ought to be 30 years instead of 50 years. I have no doubt that gentlemen could offer good reasons why it ought to be 75 years instead of 50, but any limitation we fix must be more or less arbitrary. Now, I anticipate that these enterprises which will spring up under this law will be of considerable size. They will involve many millions of dollars perhaps. I can foresee in China there will grow up great American commercial enterprises, great mercantile enterprises of various kinds such as England has scattered all over the world. Now, if we limit the charter to 30 years it might operate to deter some men who would otherwise go into these enterprises and create these corporations from doing so. I have no desire to place a limitation upon the organization of these corporations that will prevent American business capital going into it——

Mr. STEVENSON. Will the gentleman yield?

Mr. BARKLEY. In just a moment—and at the same time I feel that we ought to restrict them so that they will always have in view the fact that they must some day come back to the American Congress for permission to continue their business.

Mr. STEVENSON. I wanted to ask if the same reasons did not apply to the national-bank act? We limit them to 20 years, I believe.

Mr. BARKLEY. Yes; that is true.

Mr. STEVENSON. And we have added great lengths to their ramifications all over the country now?

Mr. BARKLEY. That is true, but the national bank is an essential governmental function, and deals directly with the finances of the people, and I think we have more justification for fixing a charter limit of 20 years on them than on an organization of this kind.

Mr. WOODS of Virginia. If the gentleman will permit, is it not contemplated that this corporation will engage in business and enter into contracts the life of which may extend beyond the period of 30 years?

Mr. BARKLEY. That is likely to happen, and they ought to have 50 years in which to get a vision of the future, so that they may develop their enterprises, whatever they may be. Therefore I am compelled to oppose the 30-year limit.

Mr. WOODS of Virginia. If the gentleman will permit further, would it not handicap these corporations in the sale of their stock in China if they had only a short limitation?

Mr. BARKLEY. They would have to regulate their securities by the life of the corporation.

Mr. BLANTON. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The gentleman from Texas offers a substitute, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. BLANTON: Page 4, strike out line 22 and insert in lieu thereof the words "for one month."

Mr. VOLSTEAD. Mr. Chairman, I move that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Minnesota moves that all debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. SISSON. I hope the gentleman will make it 10 minutes.

Mr. VOLSTEAD. I will make it 10 minutes.

The CHAIRMAN. The gentleman moves to make it 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Chairman, the success of the enterprises involved in this bill depends absolutely upon shipping facilities. Without adequate shipping facilities the success of any corporation to which a charter under this bill may be granted or to any other corporation in the United States is absolutely doomed without any chance of making a profit. Therefore, since shipping facilities apparently may be counted upon for a period of not longer than one month just now, either in Great Britain, France, or the United States, it would be futile and idle to make the life of the charter longer than the possible life of actual shipping facilities. While we are here now trying to create successful corporations to do business in China, the afternoon paper tells us that the shipping facilities of the United States Government are about to be tied up by 110,000 seamen, forced by the voice and mandate of some walking delegate to strike and go out of their jobs, to stop the commerce of the sea, to let this Nation be absolutely without the benefit of its great American marine, because, forsooth, this representative of these men says, "You shall not reduce the amount that we work for one single penny." Admiral Benson says it is absolutely necessary to reduce those war wages at least 15 per cent, and that they should be reduced 25 per cent. With a reduction of 25 per cent those men would still get higher wages than the seamen in any other nation of the world, and yet they stand out and say, "We will tie up the shipping of this country unless we continue to get the war-time prices."

The time has come when everyone in this Nation must adjust himself to the present conditions, to the reconstruction period, and if the war-time wage can not be paid they must accept what can be paid and go to work. There is a distinguished employee of this House who received all during the war $5,000 a year, yet because conditions changed he is now forced to work for this House of Representatives, and is working for it, at $1,800 a year, and he is performing just as faithful and just as loyal services to the House of Representatives at $1,800 a year as he performed all during the war for $5,000.

Mr. ROSENBLOOM. They have changed the majority, have they not?

Mr. BLANTON. That was a little circumstance that was incidental to the matter.

Mr. Chairman, I offered the substitute as a pro forma amendment in order to get the floor, and I ask unanimous consent to withdraw it.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to withdraw his substitute. Is there objection?

Mr. WALSH. I object.

Mr. SISSON. Mr. Chairman, in reference to the limitation placed upon this bill, I want to say to the gentlemen of the committee that I do believe that all the States in the Union, nearly, have seen fit and proper to place limitations upon the

life of the charters, but as argued by my friend from Texas [Mr. SUMNERS], a 30-year limitation or a 50-year limitation would not need any act of Congress. What I want to call especial attention to under section 5 is this, that in all the States that have passed a general law in reference to the creation of corporations the governor and the attorney general must approve, as a rule, the corporation. There may be some States that do not, such as New Jersey, for instance, a State that grants the most unconscionable charters that are granted by any State in the Union, because that is where the Standard Oil Co. and all the wicked businesses go, and because they have granted so many charters the whole State is enabled to pay almost its entire expense out of the charter fees for New Jersey charters, but I want to call attention to the ease with which charters are granted by this bill. By application to the Secretary of Commerce a charter may be granted, and unless he sees fit and proper to consult with the legal department of the Government it requires no sanction but his.

Mr. WYANT. Will the gentleman yield?

Mr. SISSON. I will.

Mr. WYANT. In the event a limitation should be placed upon these charters would you favor a provision that provides for the renewal of a charter upon the same terms?

Mr. SISSON. I think that goes without saying. I think the only thing necessary when you give the life of the charter, and this law remains unamended, is to make application for renewal for a charter. And I think, in view of the ease with which they get it——

Mr. VOLSTEAD. If you had to reincorporate entirely without any provision for a new one, there would be absolutely a new corporation, of course, which could break contracts.

Mr. SISSON. It does not have that effect; it does not affect the continuity of the business, because prior to the expiration of the charter the charter is renewed by the same authority that gave it life. It is true that if you permitted a hiatus to come between the renewal of the charter and the death of the charter you might have an awkward situation; but no corporations ever do that. In my own State, for example, they have charters limited under the constitution, but there is no trouble, because the renewal is asked for before the expiration of the term.

Mr. WYANT. Mr. Chairman, will the gentleman yield?

Mr. SISSON. Yes.

Mr. WYANT. Certain provisions of this act provide that these corporations as such are exempt from taxation. Now, unless a corporation has some assurance that the same exemption would apply to the renewal, might it not deter capital from seeking an outlet there?

Mr. SISSON. I think not. If in the event that we should seek to amend this law I do not think the corporation should be permitted to escape if we saw fit and proper to change the taxation features of the law. But if this law remained the same you would not add to the burdens at all. I am not so much concerned about these gentlemen being able to take care of themselves and about the deterring of capital as I am about putting bad legislation on the statute books of the Nation.

Mr. BARKLEY. I am inclined to agree with the gentleman as to the construction of the law, but I think there should be a limitation on the fixing of the renewal.

The CHAIRMAN. The gentleman from Texas [Mr. BLANTON] asks unanimous consent to withdraw his amendment. Is there objection?

Mr. WALSH. I object.

The CHAIRMAN. Objection is made. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the amendment offered by the gentleman from Arkansas [Mr. WINGO] to the amendment offered by the gentleman from Kentucky [Mr. BARKLEY].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on agreeing to the Barkley amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. VOLSTEAD. Mr. Chairman, I move to amend by adding at the end of the amendment just adopted the following words:

But the charter thereof may be renewed on the same conditions as a charter may be originally granted.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VOLSTEAD: At the end of the Barkley amendment insert "but the charter thereof may be renewed upon the same conditions as a charter may be originally granted."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 6. That no corporation shall have or use a corporate name which, in the opinion of the Secretary of Commerce, is likely to mislead the public. No corporation shall maintain any office, including its principal, and home and branch offices, if any, at any place other than in China.

Mr. WINGO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WINGO: Page 5, line 23, after the word "public," strike out "No corporation shall maintain any office, including its principal, and home and branch offices, if any, at any place other than in China" and insert in lieu thereof the following: "Each corporation shall maintain a designated agent in the District of Columbia, upon whom service of all processes may be had."

Mr. WINGO. Mr. Chairman, the proposition that I move to strike out is the proposition at the bottom of page 5, which absolutely precludes them from having any office at any place in the United States.

I would like to ask some member of the committee to tell me what public good can be served by prohibiting these corporations from having any domicile, either branch or main, in the United States?

Mr. VOLSTEAD. Well, it was thought that there was no necessity for it. As we explained, these corporations are not expected to do any business here.

Mr. WINGO. Is there any public injury that can follow from their having an agent in the United States?

Mr. VOLSTEAD. I do not think they ought to be subject to suits by anyone or anybody in the United States.

Mr. WINGO. I beg the gentleman's pardon. While that is a remarkable statement, it does not answer my question. Is there any public interest that would be injured by having a branch office in the United States and an agent upon whom service of legal process may be had?

Mr. VOLSTEAD. I do not know what the gentleman means by a "public interest." I think these corporations should be protected from being sued outside of China. If they carry on business here they could be sued here. I do not think a man simply by going over to China and engaging in some business there should be subjected to having suits brought against him in the United States.

Mr. WINGO. What is the gentleman's answer? He can not say that any public interest would be hurt, but he says the corporation might be hurt. If you do not require them to have a home office or a branch office or an agent here you could not get service on them and sue them. Does the gentleman mean that he does not want them to be sued in the courts of the United States?

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. WINGO. If the gentleman does not object to my getting an extension of time, I will.

Mr. DYER. I will ask the gentleman what public good can be done by having a branch office here?

Mr. WINGO. I will get to that; that is a very pertinent inquiry.

Here you are giving a franchise to a great corporation. You provide that it shall have a life of 50 years. You say that the charter may be revoked by the Secretary of Commerce. That is an erroneous idea. He can not do it. He has no authority. Nothing but a court could grant it, and if you gave the Secretary of Commerce the right arbitrarily to revoke a charter it would not be worth the paper it was written on. The courts alone can revoke the charter, and that only for cause, and the cause must be, of course, a violation of the act, or an act inhibited by the laws of the United States.

Mr. VOLSTEAD. Is it not true that we have a court in China? The idea is to administer this thing, not in the United States, but in China.

Mr. WINGO. That is true. It is true that they have a court in China. It is true that this bill undertakes to exclude everything here, even the right to sue them in this country, and requiring you to go to China.

That is the object of it; and notwithstanding the provision on page 15, if you will take the language which I move to strike out, if you keep it in the bill and keep in the other language of the bill, I challenge any lawyer in this House, if he

has a client who desires to sue this corporation, to figure out in what district court of the United States he will bring his suit. They must go to China, and the gentleman from Minnesota [Mr. VOLSTEAD] says he thinks they ought to go to China. He says these corporations should not be "pestered" by law suits. You give them a Federal charter; you exempt them from taxation, and finally you seek to exempt them from legal process in this country, and frankly admit your intentions to shield them from being compelled to come into an American court to answer a just claim of an American citizen. Such special privilege was never before granted a corporation.

Mr. CLOUSE. Calling the gentleman's attention to section 19, it expressly provides that the district court of the United States, in which the cause of action arose, may take jurisdiction of the case.

Mr. WINGO. All right. I am glad the gentleman called my attention to that. I will read the language of the bill. I am not captious about this. I want to provide that if anyone in the United States has a legitimate cause of action against these people growing out of a transaction in the United States, he shall not be compelled to go to the courts of China to sue.

Mr. LAYTON. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman from Delaware.

Mr. LAYTON. I merely want to call the gentleman's attention to the language——

Mr. WINGO. I will read the language the gentleman refers to, and if he has any ground at all it is under that:

> Suit against the corporation may be brought in the United States Court for China, or in the district in which the cause of action arose or in which the corporation has an agent and is engaged in doing business.

Has an agent and is engaged in doing business. The object of my amendment is to compel them to have at least one designated agent in the United States, for without it the provision I read is worthless. Why, there is not a single State in the United States that does not require a foreign corporation doing business in the State to have an office in the State or else a designated agent upon whom legal process may be served.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. BANKHEAD. Will the gentleman allow me?

Mr. WINGO. I will ask my friend to let me finish this statement. The provision I offer is that they be required to have a designated agent upon whom process may be served. In some States it is provided that the Secretary of State shall be the designated agent upon whom process may be served. What do you do here? You lawyers examine it. Suppose they are doing business and you keep this provision in here that they shall not have any place of business in the United States; that they shall not have a domicile or a branch here. Why, they will order their stuff by mail. That is all right so far as the legal status is concerned.

But suppose you undertake to bring suit in Pittsburgh on a shipment of fabricated steel that goes out to China. They refuse to pay or a dispute arises. How are you going to get service? The district court may have service by registered mail. Why, Congress has absolutely provided that in the future you shall not require a receipt for special-delivery mail, and now it is being advocated that you shall not require a receipt for registered mail. But it is a long distance to China. The registered mail may fail. Why are they so afraid that jurisdiction may be had by the court? Can they not trust the courts of the District of Columbia or the courts of the district in which they do business, and are they not willing to designate a man in the city of Washington, known of all men, upon whom you can get service if you want to sue them? What is wrong with it? If the gentleman is right, that you can bring suit in the district court, then he should not object to a provision which will make certain that they will have an agent upon whom you can have service of process. Think of the proposition to found a serious action in a court of law upon service by registered mail sent to China. But the truth of the matter is, service by mail is the rule in China and that is the only place the proponents of this bill intend a suit shall be brought, and the provision that suits may be brought in the district in which the cause of action arose or in which the corporation has an agent and is doing business is worthless, because under the other provisions of the bill you legally fix all causes of action as arising in China, and you do not require an agent here, and prohibit them from having an office in this country.

Mr. STEVENSON. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman from South Carolina.

Mr. STEVENSON. Has it not been decided time after time by the United States Supreme Court that mere service by mail, not bringing the party within the jurisdiction, can not effect anything except the res which the court has attached, and that a judgment based upon such service by mail is absolutely null and void except on such res as the court had taken possession of?

Mr. WINGO. Certainly. In other words, you have given them a Federal charter, but you say to them "Not only will we deprive the public of the right to have a man upon whom they can get service of process but you shall not be permitted to have a branch office in the United States." Did you ever hear of such a proposition? Do you mean to say that they can not protect themselves in the courts of the United States? Do you mean to say it is unfair to have them designate a man of their own choice at the seat of government upon whom service of process will be binding, service upon whom will be binding upon them? Can they not be trusted to name their own agents? Is it not customary for a foreign corporation coming into a State to do business to have an agent upon whom process may be served?

Mr. BARKLEY. Will the gentleman yield?

Mr. WINGO. I will.

Mr. BARKLEY. The gentleman's amendment strikes out the last three lines on page 5 and offers a substitute. Would it not be better to leave those lines in, so that they would not have an office in the United States, and then say that they shall have an agent in the District of Columbia?

Mr. WINGO. You permit them to do business in the United States, and by this language here you say that that shall not be a legal domicile in the United States. It destroys the legal effect of the service that is provided for over there, and you specifically provide that service by mail is the only way. The language that I move to strike out and the language that I want to put in provides the legal status of the person upon whom service can be had. It can not hurt them. If they want an office in the United States why say that they shall not have it? Why not say have all the offices you want? But in the District of Columbia, where is the Secretary of Commerce, they shall have an agent upon whom you can serve process. It can not hurt them and it will give citizens of this country dealing with these corporations in this country a right to go into the courts of this country, which right the chairman of the committee frankly admits he would deny them, and which is denied them by the bill as reported, instead of being compelled to go to China.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas.

Mr. VOLSTEAD. Mr. Chairman, I think there is a reason why there ought not to be service of this kind. These corporations will act as foreign corporations. Just stop and think for a moment. Do you suppose any corporation in England would want to create an office in this country or an agent upon whom service could be made here? Do you think a German corporation would want an office here or an agent upon whom service could be made? If somebody wants to trump up a claim against one of these corporations, it could be dragged clear over here from China to defend it. We are trying to confine these corporations to operations in China. We say, however, that if they do business here and a cause of action originates here, suit may be brought against them and service made upon them. But it seems to me that as long as these corporations are to do business there and practically function there as foreign corporations we ought not to subject them to the necessity of coming here to defend themselves against claims arising out of business originating in China.

Mr. BANKHEAD. Will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BANKHEAD. Let me put a concrete hypothetical question. Suppose a cotton dealer sells 1,000 bales to one of these corporations.

Mr. VOLSTEAD. Yes; suppose it was to a foreign corporation in any other country. What difference would it make; why should you compel these corporations to have an agent in this country when you do not compel other foreign corporations to have an agent here? You would be in no different position.

Mr. BANKHEAD. If they had an agent in this country upon whom legal process could be served——

Mr. VOLSTEAD. You have no such provision in regard to foreign corporations of any other country, and if you compel these corporations to have agents here it would endanger them and make it possible for anybody to frame up a claim and bring them across the seas 6,000 to 10,000 miles to defend it.

It would be impossible for them to defend against many of these claims.

Mr. BANKHEAD. I did not finish my question. Suppose this cotton broker sells this cotton to one of these corporations and the account becomes due and the creditor is ready to sue—you confer jurisdiction here and say that he may bring suit in the district court of the United States, but under the process provided here you have to write a letter and send it by registered mail to China before the Alabama creditor can have his day in court.

Mr. VOLSTEAD. Suppose it was a German corporation operating over there, you would be in the same position.

Mr. WYANT. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. WYANT. In the event that it should be necessary for an individual to bring a suit against a corporation having its assets in China, what advantage would it be to secure a judgment in this country? How could it be enforced? Therefore what would be the use of adopting such a provision?

Mr. BARKLEY. Mr. Chairman, I offer a substitute for the amendment offered by the gentleman from Arkansas.

The Clerk read as follows:

Page 5, line 25, after the word "China," insert: "*Provided, however,* That every such corporation shall designate an agent in the District of Columbia upon whom service of legal process may be had."

Mr. BARKLEY. Mr. Chairman, that leaves the language in the bill as reported by the committee. Then you have a provision that they shall maintain in the District of Columbia an agent upon whom legal process can be had. I think the law ought not to compel a corporation to have offices scattered over the United States—they ought to be limited to China—but it does seem that there ought to be some provision by which a creditor in the United States can obtain legal service on a corporation if the corporation is transacting business with it, if it has purchased supplies which have been shipped to China. In case there is any dispute and they are compelled to bring suit to recover the price they certainly ought not to be compelled to go to China. They ought to be able to bring suit in the United States and get service.

Mr. VOLSTEAD. In that case do you not think the cause of action ought to originate in the United States and not in China?

Mr. BARKLEY. It would have to originate in the United States, because if the transaction occurred in China the jurisdiction of the district court which is maintained in China would apply to it.

Mr. VOLSTEAD. That would be general.

Mr. BARKLEY. It would be limited to the transaction of that district.

Mr. WINGO. My amendment designates the agent upon whom the process can be had. It does not affect the jurisdiction; that court would still have jurisdiction, but my amendment would bring the corporation into court.

Mr. BARKLEY. Mr. Chairman, I ask unanimous consent to modify my amendment by adding at the end of it the words:

In suit on causes of action arising in the United States.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to add to his amendment the language referred to. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the substitute amendment as modified.

The Clerk read as follows:

Substitute offered by Mr. BARKLEY to the amendment offered by Mr. WINGO: Page 5, line 25, after the word "China," insert: "*Provided, however,* That every such corporation shall designate an agent in the District of Columbia upon whom service of legal process may be had in suits on causes of action arising in the United States."

The CHAIRMAN. The question is on the adoption of substitute for the amendment offered by the gentleman from Arkansas.

The substitute was agreed to.

The CHAIRMAN. The question now is on the amendment as amended by the substitute.

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. (a) The by-laws may provide—

(1) The time, place, manner of calling, giving notice, and conduct of, and determination of a quorum for, the meetings, annual or special, of the stockholders or directors.

(2) The number, qualifications, designations, and manner of choosing and fixing the tenure of office and compensation, of all directors, officers, and employees: *Provided*, That the number of directors shall be not less than five, and a majority of the directors and a majority of the officers holding the office of president, treasurer, or secretary, or a corresponding office, shall be citizens of the United States resident in China.

(3) The designation of each class of stock and the terms upon which it is issued, the number and par value of the shares of each class of stock, the manner of calling for and collecting payments upon stock subscribed for, the penalties and forfeitures for nonpayment, the preparation of certificates of stock, and the manner of recording the sale or transfer of stock and its representation at stockholders' meeting.

(b) The by-laws of the corporation may be amended by the stockholders at a stockholders' meeting. No by-law or amendment thereto shall be in effect until (1) the corporation files a copy thereof in such manner and form and pays such fees in respect thereto as shall be by regulation prescribed, and (2) such by-law or amendment is found and certified by the Secretary of Commerce to conform to the requirements of this act.

Mr. STAFFORD. Mr. Chairman, I move to amend by striking out, in line 12, page 8, the word "five" and inserting in lieu thereof the word "three."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 8, line 12, strike out the word "five" and insert in lieu thereof the word "three."

Mr. STAFFORD. Mr. Chairman, the bill as drawn makes it mandatory in all of these corporations formed, as it is supposed, with the aid of American capital to have a board of directors composed of not less than five members. In the very paragraph containing this provision there is included a provision that there shall be at least two officers who shall be American citizens, holding the offices of "president, secretary, or treasurer." I can conceive where it will be a hardship to require a board to be composed of five members. Many of the companies that will organize under the provisions of this act with the aid of American capital will be close corporations, the Americans furnishing the majority of the capital, having perhaps only two resident officers, who under the terms of this bill as now drawn would be members of the board of directors. The men who furnish the majority of the capital will not wish to put out of their control the management of the corporation. They will still want to have control. Yet in such case they might be compelled to have on the board of directors a third person, whereby they might lose control of the corporation. I wish to inquire of the gentleman from Minnesota whether it is not better, considering the run of corporations and of boards of directors, to have the minimum requirement three rather than five?

Mr. VOLSTEAD. Mr. Chairman, I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the following questions shall be determined only by the stockholders at a stockholders' meeting: (a) Amendments to the articles of incorporation or by-laws; (b) authorization of the sale of the entire business of the corporation or of an independent branch of such business; (c) authorization of the voluntary dissolution of the corporation. The adoption of any such amendment or authorization shall require a vote cast by at least a majority of the voting shares and the approval of at least three-fourths of such votes cast. No such amendment or authorization shall take effect until (1) the corporation files a statement of the action in such manner and form and pays such fees in respect thereto as shall be by regulation prescribed, and (2) such amendment or authorization is found and certified by the Secretary of Commerce to conform to the requirements of this act.

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman in charge of the bill what is meant by the language:

The adoption of any such amendment or authorization shall require a vote cast by at least a majority of the voting shares and the approval of at least three-fourths of such votes cast.

Mr. VOLSTEAD. It means that there must be at least more than one-half of the shares voting, and that it shall take three-fourths of a majority to carry.

Mr. WOOD of Indiana. It provides that the adoption of any such amendment or authorization shall require a vote cast by at least a majority of the voting shares. That would adopt it if that were so.

Mr. VOLSTEAD. No; that is merely the vote. The vote must be cast by at least a majority of the shares voting; but some may vote for and some against, and approval must be had by at least three-fourths—that is, three-fourths of a quorum.

Mr. WOOD of Indiana. Then it would be three-fourths of a majority?

Mr. VOLSTEAD. Yes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 13. That every dividend declared by the corporation shall be derived wholly from the surplus profits of its business, to be determined in such maner as shall be by regulation prescribed.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last word. What is the purpose of this section, what is the meaning of it, and what actuated its incorporation in the bill?

Mr. VOLSTEAD. This is a provision that is contained in a great many corporation laws. Its object is to prevent the

capital of these corporations from being impaired by paying it out to the stockholders as profits. The payment of such capital as profits is one of the means by which fraud is constantly practiced. It gives the appearance of a prosperous business, when, in fact, it may not be prosperous at all, and to prevent that sort of fraud we insist that dividends shall be paid out of actual profits instead of out of the capital of the corporation.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 14. That the Secretary of Commerce and the Secretary of State are authorized jointly to prescribe and promulgate such regulations, not in conflict with the provisions of the act, as they deem necessary to carry into effect the provisions and purposes of this act, including the manner and form in which the corporation shall keep its records and accounts and the amounts of any fees authorized to be prescribed by regulation. The Secretary of Commerce is authorized to issue such orders, not in conflict with the provisions of this act, as he deems necessary to carry into effect the provisions and purposes of the act. All fees paid under this act shall be covered into the Treasury of the United States as miscellaneous receipts.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee what was the idea of the committee in joining the Secretary of State with the Secretary of Commerce in giving authority to prescribe and promulgate regulations? The latter part of the section provides that the Secretary of Commerce alone shall issue such orders.

Mr. VOLSTEAD. The Secretary of Commerce issues the orders, but the Secretary of State and the Secretary of Commerce make the regulations. The object of that is to give the Secretary of State an opportunity to give consent in the management of his own force, because his own appointees may largely have management and control of this matter, and in determining the general regulations it was thought that these men appointed ought to have something to say about what the regulations might be.

Mr. STAFFORD. The gentleman will recognize that the Secretary of State is a very busy person, whereas the work that will naturally develop under this law will be pertinent to the Department of Commerce.

Mr. VOLSTEAD. I presume these regulations will be prescribed as they usually are; that somebody prepares them in the Department of Commerce and they will then be submitted to the Department of State and that that department will investigate and determine whether it will interfere with the general management of State functions, and if they find it is all right the Secretary of State will approve it.

Mr. DYER. If the gentleman will permit, I will say to the gentleman this was put in at the request of the Secretary of State.

Mr. STAFFORD. Of course, if it has the approval of the Secretary of State I shall interpose no objection. I withdraw the pro forma amendment.

Mr. SANDERS of Indiana. Mr. Chairman, I object to the withdrawal of the pro forma amendment because I would like to make a speech on the other side. I want to inquire of the chairman or the author of the bill [Mr. DYER] whether he has investigated the constitutional right on the part of the Congress to delegate the power to the Secretary of Commerce to fix all these fees without giving any basis whatever for his determination?

Mr. VOLSTEAD. I do not think there is much doubt about that; he will prescribe what, in his judgment, will be reasonable fees for the service rendered.

Mr. SANDERS of Indiana. But it does not say that.

Mr. VOLSTEAD. I think that will be implied.

Mr. SANDERS of Indiana. Now, in three or four places in this bill, for instance, on page 6, it says "upon the payment of such fee as shall be by regulation prescribed, issue a charter," and so forth. The Secretary of Commerce has absolute authority without any basis or any restriction to fix the fee.

Mr. DYER. The Secretary of State.

Mr. SANDERS of Indiana. This says Secretary of Commerce.

Mr. DYER. They shall fix the regulations.

Mr. SANDERS of Indiana. If they are fixed by both, that makes it that much worse; but this basis for fixing the fee——

Mr. VOLSTEAD. Fixing reasonable compensation.

Mr. SANDERS of Indiana. It does not say that. It does not give any basis whatever upon which these executive officers determine the amount. I do not believe we have the power to delegate that legislative function. We would have the power to fix a general basis upon which it should be determined and delegate to an executive officer the function of determining what that amount should be, but to give to an executive officer the arbitrary power to fix the amount of the fee that a corporation shall pay I believe is beyond our constitutional power. You say that on page 6.

You also say, on page 9, that the corporation in submitting the action in such manner and form shall pay such fees "in respect thereto as shall be by regulation prescribed." Then, on page 10, you say, "All fees paid under this act shall be covered into the Treasury of the United States as miscellaneous receipts." On page 11 you say, "The cost of the examination shall be paid by the corporation upon the demand of the Secretary of Commerce" without fixing the amount of it. The point I am making, if the Chairman pleases, is that you are delegating legislative power.

Mr. VOLSTEAD. I am fully aware of that rule. I do not believe it will ever disturb anybody. They will make the fees reasonable, and that will be the end of it. It will not interfere with the operation of the bill in any way. The fees will be small.

Mr. DYER. There is no necessity for large fees.

Mr. VOLSTEAD. I think they ought to pay something so as to pay some of the expenses.

Mr. SANDERS of Indiana. I have no objection to fixing the fees, but what I am objecting to is the Congress of the United States delegating to an executive branch of the Government power to fix fees without at the same time fixing some basis upon which the determination is to be reached. Now, if the gentleman has studied this question and thinks that we have that constitutional power, I will abide by his decision in the matter.

The Clerk read as follows:

SEC. 15. That the Secretary of Commerce may examine the business and affairs of the corporation whenever he has reason to believe that such business and affairs are being conducted in a manner (1) contrary to the provisions of this act or any other law or treaty of the United States, or of the articles of incorporation or by-laws of the corporation, or (2) detrimental to the business interests and good will of the United States. The cost of the examination shall be paid by the corporation upon the demand of the Secretary of Commerce. If the corporation fails to pay such costs upon such demand, the Secretary of Commerce may collect the amount of the costs in a civil suit against the corporation brought in the name of the United States.

Mr. BLANTON. Mr. Chairman, at this juncture I make the point that we have no quorum present.

The CHAIRMAN. The gentleman from Texas makes the point that there is no quorum present. The Chair will count.

The CHAIRMAN proceeded to count.

Mr. BLANTON. Mr. Chairman, I withdraw the point.

The CHAIRMAN. The Clerk will read.

Mr. BOWLING. Mr. Chairman, I have an amendment that I wish to offer. Page 11, line 5, after the word "or," strike out the remainder of that sentence.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BOWLING: Page 11, line 5, after the word "corporation," strike out "or (2) detrimental to the business interests and good will of the United States."

Mr. BOWLING. Mr. Chairman, it seems to me that this is an enormous power that is given to the Secretary of Commerce. Now, if it were specifically stated, it might not be too great a power or responsibility, but the mere reading of it will show that it is as indefinite and uncertain and general as words could possibly make it. Under the operation of that provision, the Secretary of Commerce could allow one company to do business and another not to do business, relying, necessarily, of course, upon the reports from subordinates. I submit that, without any limitation except the bare discretion of one officer, there should be no such authority vested in any Secretary of Commerce.

Mr. VOLSTEAD. It does seem to me that we ought to insist on leaving that power somewhere, and it seems to me, too, there is not the slightest danger of anything of the kind that the gentleman mentions.

Mr. HARDY of Texas. Will the gentleman yield for a question?

Mr. VOLSTEAD. I will.

Mr. HARDY of Texas. Have we given any such arbitrary power for the dissolution of a corporation in the United States?

Mr. VOLSTEAD. You must remember we are licensing these corporations to operate in China, where they have but few laws. We have to put the power somewhere. I do not believe we ought to give these powers to act without a restraining influence of some kind. But this is one thing I insisted on, and a number of the members of the committee insisted on, because we felt if we gave the corporation a license to do anything we should, instead of helping trade, hurt it.

Mr. HARDY of Texas. Does not that put the life and destiny of these corporations in the will of a single individual?

Mr. VOLSTEAD. No; I do not think so.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Alabama.

Mr. LONDON. Will the gentleman from Minnesota yield?

Mr. VOLSTEAD. I will.

Mr. LONDON. Now, as to the expression "good will," does that mean good repute? Is it not out of place? Or does the expression "good will of the United States"——

Mr. VOLSTEAD. That is the usual language. I am not an expert on English.

Mr. LONDON. Would you have it "good repute" or "good will"?

Mr. VOLSTEAD. We want to maintain the kindly feeling that China has toward us.

Mr. LONDON. Then it should be "good will for the United States."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BOWLING].

The amendment was rejected.

The Clerk read as follows:

SEC. 19. That the Federal district courts shall have exclusive original jurisdiction of all suits (except as provided by the act entitled "An act creating a United States Court for China and prescribing the jurisdiction thereof," approved June 30, 1906, as amended) against a corporation, or a stockholder, director, or officer thereof in his capacity as such. Suit against the corporation may be brought in the United States Court for China, or in the district in which the cause of action arose or in which the corporation has an agent and is engaged in doing business. A Federal district court having jurisdiction of such suit is authorized to direct service of process by registered mail upon the corporation. Any judgment, order, or decree rendered by the court in any such suit shall, upon the presentation of a certified copy thereof to any other Federal district court, be enforced by such other court, as the judgment, order, or decree may require.

Mr. WOOD of Indiana and Mr. SANDERS of Indiana and Mr. BARKLEY rose.

The CHAIRMAN. The Chair will recognize the gentleman from Indiana [Mr. WOOD].

Mr. WOOD of Indiana. Mr. Chairman, I offer the following amendment. I move to strike out, commencing after the word "business," in line 21, page 15, the following language:

A Federal district court having jurisdiction of such suit is authorized to direct service of process by registered mail upon the corporation.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. WOOD of Indiana: Page 15, line 21, after the word "business," strike out the words "A Federal district court having jurisdiction of such suit is authorized to direct service of process by registered mail upon the corporation."

Mr. WOOD of Indiana. The amendment that was offered by the gentleman from Arkansas [Mr. WINGO], to which a substitute was offered by the gentleman from Kentucky [Mr. BARKLEY] provides there shall be an agent established in the city of Washington, upon whom service shall be had. If that is correct, there is no reason why the same sort of service should not be had that is had in an ordinary suit and in the way now provided.

Mr. BARKLEY. I have sent an amendment to the desk providing that in suits brought in the United States, service shall be had on the agent in the District of Columbia.

Mr. VOLSTEAD. It should be broad enough to cover any suit brought in the United States or where service is attempted from China to the United States or from the United States to China. It is the custom in China to serve notice in this fashion, and if you would amend it so that it would provide that service might be on persons in China by registered mail as directed by the judge it would carry out the idea. Service might be made upon persons in China by registered mail as directed by the judge. It would carry out the idea. I notice by reading it now that it is broad. That would be the object. The custom over there is to serve notices of this class by registered mail, instead of personally, as we do in the United States, so that if the gentleman from Indiana would modify his amendment in that respect it would meet the situation.

Mr. WOOD of Indiana. If the language is stricken out, of course there could not be any modification.

Mr. VOLSTEAD. My idea was that the language should not be stricken out, but that it should be confined to service in China.

Mr. WOOD of Indiana. Well, will the gentleman offer his amendment if I withdraw mine?

Mr. VOLSTEAD. Yes.

Mr. WOOD of Indiana. Mr. Chairman, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. BARKLEY. Mr. Chairman, I have an amendment which, I think, would clear the situation. I send it to the Clerk's desk.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BARKLEY: Page 15, line 23, after the word "corporation," insert the following: "except that where suits are filed in the United States upon causes of action arising therein process shall be served upon the agent designated in the District of Columbia, whose designation shall be made in writing by the corporation and filed with the Secretary of Commerce."

Mr. WALSH. Mr. Chairman, this will probably provoke some discussion, and I therefore make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] Fifty-nine gentlemen are present—not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Frear	Kleczka	Reed, W. Va.
Anderson	Free	Kline, N. Y.	Riordan
Ansorge	Freeman	Knight	Rodenberg
Anthony	Frothingham	Kreider	Rossdale
Appleby	Fuller	Langley	Rouse
Blakeney	Funk	Larsen, Ga.	Rucker
Bland, Ind.	Gahn	Larson, Minn.	Schall
Britten	Gallivan	Lee, N. Y.	Siegel
Browne, Wis.	Garrett, Tex.	Linthicum	Sinclair
Burke	Gensman	Logan	Slemp
Butler	Glynn	Longworth	Snyder
Campbell, Kans.	Good	McCormick	Speaks
Campbell, Pa.	Goodykoontz	McKenzie	Steenerson
Cannon	Gorman	Mann	Stiness
Carew	Gould	Mansfield	Strong, Pa.
Chandler, N. Y.	Graham, Pa.	Mead	Sullivan
Chandler, Okla.	Griffin	Merritt	Taylor, N. J.
Clarke, N. Y.	Hadley	Michaelson	Thomas
Codd	Hawley	Mills	Timberlake
Colton	Hicks	Montague	Towner
Copley	Hogan	Morin	Treadway
Cramton	Houghton	Mott	Vestal
Crisp	Hutchinson	Newton, Minn.	Volk
Cullen	Ireland	Nolan	Ward, N. Y.
Dempsey	Jacoway	O'Brien	Ward, N. C.
Doughton	James, Va.	Overstreet	Watson
Drewry	Johnson, Miss.	Padgett	Weaver
Dupré	Johnson, S. Dak.	Parks, Ark.	Winslow
Fairchild	Johnson, Wash.	Patterson, N. J.	Wise
Fairfield	Jones, Pa.	Perkins	Woodyard
Fenn	Kahn	Perlman	Yates
Fess	Kelley, Mich.	Peters	Young
Fields	Kendall	Porter	Zihlman
Fitzgerald	Kincheloe	Pou	
Focht	Kindred	Pringey	
Fordney	Kitchin	Rainey, Ala.	

The committee rose; and the Speaker having resumed the chair, Mr. MCARTHUR, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration H. R. 4810, found itself without a quorum, whereupon the Chairman caused the roll to be called, when 287 Members, a quorum, answered to their names.

The SPEAKER. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session with Mr. MCARTHUR in the chair.

Mr. GARRETT of Tennessee. Mr. Chairman, may I have the attention of the gentleman from Minnesota [Mr. VOLSTEAD] for a moment? If I understand correctly, the parliamentary situation will be this: If the consideration of this bill in Committee of the Whole is concluded and it be reported to the House and the previous question ordered, then the bill will be the unfinished business to-morrow, and a vote will be in order immediately after the reading of the Journal, or as the unfinished business. I will say to the gentleman that I have been informed that there will be a motion to recommit this bill, upon which in all probability the yeas and nays will be requested. I was wondering if we could have an understanding that if the consideration of the bill be concluded in Committee of the Whole this evening and it be reported to the House and the previous question ordered, the gentleman would then move to adjourn without asking for a roll call to-night?

Mr. VOLSTEAD. If we can reach that stage, it will be entirely satisfactory, and then I will move that the House adjourn.

Mr. BARKLEY. Mr. Chairman, I had offered an amendment which I believe was pending at the time the point of no quorum was made.

The CHAIRMAN. The committee found itself without a quorum pending the amendment of the gentleman. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BARKLEY: Page 15, line 23, after the word "corporation" insert the following:

"Except that where suits are filed in the United States upon causes of action arising therein, process shall be served upon the agent designated in the District of Columbia, whose designation shall be made in writing by the corporation and filed with the Secretary of Commerce."

Mr. VOLSTEAD. That amendment is satisfactory.

Mr. BARKLEY. I understand the gentleman from Minnesota accepts the amendment.

The CHAIRMAN. Without objection the amendment will be agreed to.

Mr. WALSH. Let us have a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. BARKLEY].

The question being taken, the amendment was agreed to.

The Clerk read as follows:

SEC. 22. That the following acts, including administrative and penal provisions thereof, shall extend to the acts, failures, and omissions of a corporation or the stockholders, directors, officers, employees, and agents thereof, in their capacity as such, even though such acts, failures, or omissions occur without the territorial jurisdiction of the United States:

(a) The act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914;

(b) The national prohibition act of October 28, 1919; and

(c) The act entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as amended.

Mr. LINEBERGER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LINEBERGER offers the following amendment: Page 17, line 20, after the figures "1919," iasert "or any act supplementary or amendatory thereof."

The CHAIRMAN. The question is on the amendment of the gentleman from California.

The question being taken, on a division (demanded by Mr. LINEBERGER) there were—ayes 66, noes 10.

Accordingly the amendment was agreed to.

Mr. SANDERS of Indiana. Mr. Chairman, I move to amend on page 17, line 11, by striking out the word "a" and inserting in lieu thereof the word "such."

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. SANDERS of Indiana offers the following amendment: Page 17, line 11, strike out "a" where it occurs after the word "of" and insert in lieu thereof the word "such."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. STEVENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. STEVENSON offers the following amendment: Page 18, after line 2, insert a paragraph as follows:

"(d) Also the act known as the Clayton Antitrust Act."

Mr. VOLSTEAD. We have no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I believe I will offer the amendment I have referred to at this point.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 18, after line 2, insert a new section as follows:

"The shares of stock in any corporation organized under the provisions of this act shall be subject to tax as the personal property of the owner or holder thereof in the same manner and to the same extent as the shares of stock in State corporations."

Mr. WALSH. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. WALSH. What does the gentleman mean by State corporations?

Mr. GARRETT of Tennessee. I am using exactly the language of the Edge Act. It means stock in State corporations.

Mr. WALSH. The gentleman means the Edge Act that refers to foreign banking?

Mr. GARRETT of Tennessee. Yes.

Mr. WALSH. That term as used in the Edge Act only applies to State corporations doing a banking business.

Mr. GARRETT of Tennessee. It said similar corporations, but I did not use that expression, because there are no similar corporations to those incorporated under the laws of any State. My thought is that it would render it like stock in any other industrial corporation of a State.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken, and the amendment was agreed to.

Mr. MOORES of Indiana. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. MOORES of Indiana: Page 17, line 9, strike out section 22 and insert in lieu thereof:

"SEC. 22. Every such corporation shall make such reports to the Federal Trade Commission and submit to such examinations as are required by law of corporations organized under the laws of the several States.

"No such corporation shall engage in the manufacture or sale of intoxicating liquors, nor shall it manufacture or deal in opium or cocoa leaves, or any product or derivative thereof."

Mr. GARRETT of Tennessee. Mr. Chairman, I reserve a point of order against the amendment on the ground that it is too late, that that section has been passed and a new section has been adopted. However, I do not care to press the point of order unless the chairman——

Mr. VOLSTEAD. I will make the point of order at this time.

The CHAIRMAN. The gentleman from Minnesota makes the point of order.

Mr. MOORES of Indiana. I concede that the point is well taken if the gentleman wants to make it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

SEC. 23. (a) That section 231 of the revenue act of 1918 is amended by striking out the period at the end thereof, inserting in lieu thereof a semicolon, and adding a new subdivision to read as follows:

"(15) A corporation organized under the China trade act, 1921, but only if and with respect to any taxable year for which (a) it files a return at the time and place provided in section 241, made in the manner provided in section 239, and containing such information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulation prescribe; (b) it declares dividends during the taxable year in an amount equal to one-third of its net income the payment of which not later than 60 days after the close of such taxable year is assured in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require; (c) it derives less than 5 per cent of its gross income from sources within the United States; and (d) the Secretary of Commerce certifies to the Commissioner of Internal Revenue that during the taxable year the corporation in all respects has complied with the provisions of the China trade act, 1921, and regulations made thereunder. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all regulations necessary for the determination of such exemption and of the liability of shareholders or members to taxation in respect to dividends paid by such corporation."

(b) Section 1 of the revenue act of 1918 is amended by adding at the end thereof a new paragraph to read as follows:

"A corporation organized under the China trade act, 1921, shall for the purposes of this act be considered a domestic corporation."

(c) Sections 232, 233, and 234 of the revenue act of 1918 are amended by inserting in each of such sections, after the words "corporation subject to the tax imposed by section 230," the words "or organized under the China trade act, 1921."

(d) Section 240 of the revenue act of 1918 is amended by adding at the end thereof a new subdivision to read as follows:

"(d) A corporation organized under the China trade act, 1921, shall not be deemed to be affiliated with any other corporation within the meaning of this section."

(e) Section 254 of the revenue act of 1918 is amended to read as follows:

"SEC. 254. That every corporation subject to the tax imposed by this title, every personal service corporation, and every corporation organized under the China trade act, 1921, shall, when required by the commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him."

Mr. CABLE. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 18, line 3, strike out section 23.

Mr. CABLE. Mr. Chairman, I desire to call the attention of the committee to the fact that the purpose of this bill is to give needed urgent relief to American merchants engaged in developing the American foreign trade with the Republic of China. The object of the bill is to grant this aid by exempting such corporations from excess profits and other taxes. An examination of the bill shows that it does not exempt any such corporation from the excess-profits tax, but it does exempt them from the ordinary tax in case the corporation derives less than 5 per cent of its gross income from sources within the United States and declares dividends during the taxable year in an amount equal to one-third of its net income the payment of which is assured not later than 60 days after the close of a taxable year. Section 23 of this proposed bill amends section 231 of the revenue act of 1918, so said section 231 applies to corporations organized under the act in question. Section 231 exempts

corporations "from taxation under this title." "This title" refers to ordinary corporation income tax and not to any other tax. This bill does not exempt a corporation from excess-profits tax, as such exemption is derived from title 3 of the revenue act of 1918, and neither does it exempt the corporation from the excise tax under title 9 of the act, nor the special tax on domestic and foreign corporations under title 10 of the act or the stamp tax under title 11 of the act. Therefore the bill fails in the very purpose for which it is being enacted, namely, it fails to exempt such proposed corporations from the taxes its foreign competing corporations do not pay to their respective governments. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 19, at the end of line 4, after the word "corporation," strike out the period and insert "but all dividends paid by such corporations to shareholders or members who are citizens of the United States shall be subject to all taxes that are assessable against dividends of similar corporations deriving their total incomes from business transactions wholly within the United States."

Mr. BEGG. Mr. Chairman, the only thing that I care to say on this is that I wish to safeguard what I think is a weakness in the bill. Early in the session to-day I called attention to the fact that there seems to be an ambiguity of language in lines 3 and 4. I took up my amendment with the chairman of the committee and he said that he could see no objection to it. If this amendment be adopted, I know that the man who derives an income from an investment in a corporation operating in China will be liable for the same amount of taxes as if his income is from a corporation anywhere within the confines of the United States. By exempting his income you are in no way contributing to the success of the corporation. It is all right to exempt the corporation, but not the individual's income from income tax. Even if the bill does not do what I suspect it will do, no damage will be done by agreeing to this amendment, because it is but a recital of the fact that dividends derived from such an institution as this shall be liable for the same taxes assessable against dividends derived from a corporation doing business wholly within the territory of the United States.

Mr. VOLSTEAD. Mr. Chairman, I have no objection to adopting a principle of that kind, but my understanding is that the amendment offered by the gentleman from Tennessee [Mr. GARRETT] already covers the same subject.

Mr. BEGG. If I understand the amendment of the gentleman from Tennessee, it is to permit the State to levy a tax on a corporation if it wants to.

Mr. GARRETT of Tennessee. It is to permit the State to levy a tax on the shares owned by individuals.

Mr. BEGG. That is what I mean. What I am trying to do is to preclude any possibility of a man getting exemption from the income tax.

Mr. VOLSTEAD. Then I care nothing about it.

Mr. GREEN of Iowa. But this whole bill refers to the corporation and not to individuals.

Mr. BEGG. On page 19 it refers to the liability of individuals.

Mr. VOLSTEAD. There is no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. ROSENBLOOM. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROSENBLOOM: Page 18, line 20, after the word "income," strike out the words "from sources" and insert in lieu thereof the words "from business conducted."

Mr. ROSENBLOOM. Mr. Chairman, the purpose of this amendment is to modify the language used in this subsection, which, in my opinion, is the most important subsection of the entire bill, and to properly designate what class of business shall be encouraged by the exemption that is given from general taxation. The language as used in the bill is very ambiguous, to say the least. When you come to interpret—

Five per cent of the gross income from sources within the United States—

would that not be construed that it meant the source of the income which might happen to be in China, in the development of an oil property or an iron-ore property, and that the source of the income is the earnings made by American citizens on their holdings in companies operated in China and shipping their crude materials back into the United States, and that that would be exempt under this bill?

Now, my idea of the purpose of this act is that it is to encourage our export business. It is primarily designed to encourage our exports to go to China, and, of course, to increase our manufactures here to the extent of supplying the demands of China and to give them an opportunity to compete with other manufacturers of different countries with whom they come in competition, but by the way in which the bill is drawn with the power that is vested in the Secretary of Commerce corporations operating under this act with one of these charters can just as readily ship back into the United States these crude materials under their charter and receive the same exemption. If the appellate power, or the Commissioner of Internal Revenue, or the Secretary of Commerce, would hold that other sources as used in the paragraph meant the sources from which the income was derived and not the sources of the income from the place of business in which the business was conducted, I merely present the amendment for the purpose of clarifying that section, and saying to the authorities that will finally construe that language that it was the intention of this body only to exempt such manufactures or products as had been sent abroad and which are taxed on the profits derived from the exports from China.

Mr. VOLSTEAD. Mr. Chairman, I am clearly of the opinion that this amendment ought not to be adopted. There are many sources of income. For instance, corporations may have a lot of claims on which they draw interest or they may own property from which they get rents. We ought to count every source of income in figuring the 5 per cent. I feel we ought not to adopt this amendment.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk resumed and concluded the reading of the bill.

Mr. VOLSTEAD. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed.

Accordingly the committee rose, and the Speaker resumed the chair.

Mr. McARTHUR. Mr. Speaker——

Mr. HERRICK. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Oklahoma moves that the House do now adjourn.

The question was taken, and the motion was rejected.

Mr. McARTHUR. Mr. Speaker, the Committee of the Whole House, having had under consideration the bill H. R. 4810, directs me to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

ENROLLED BILL SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 2185. An act providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 535. An act to prevent the unauthorized landing of submarine cables in the United States; to the Committee on Interstate and Foreign Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ALMON, for the day, on account of illness.

To Mr. HICKS, for a day, on account of important business.

EXTENSION OF REMARKS.

Mr. McFADDEN. Mr. Speaker, I ask leave to extend my remarks in the RECORD on a bill I have introduced affecting the gold reserve.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to extend his remarks on a bill he has introduced affecting the gold reserve.

Mr. GARRETT of Tennessee. Mr. Speaker, is that the matter to which the gentleman from Oklahoma objected yesterday afternoon?

Mr. McFADDEN. It is.

Mr. GARRETT of Tennessee. Has the gentleman spoken to the gentleman from Oklahoma?

Mr. McFADDEN. I have.

Mr. GARRETT of Tennessee. Is it agreeable to him?

Mr. McFADDEN. Well, he said that if I brought it up at some time when he was not here it was perfectly satisfactory.

Mr. GARRETT of Tennessee. Mr. Speaker, I shall have to object.

ADJOURNMENT.

Mr. VOLSTEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 6 minutes p. m.) the House adjourned until to-morrow, Thursday, April 28, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

81. A letter from the Secretary of the Treasury, transmitting supplemental estimates of appropriations, in the sum of $151,000, required by the Department of the Interior for printing and binding, fiscal year 1921 (H. Doc. No. 53); to the Committee on Appropriations, and ordered to be printed.

82. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of $10,000, required by the Department of the Interior for furniture and filing cases for the Patent Office, fiscal year 1922 (H. Doc. No. 54); to the Committee on Appropriations, and ordered to be printed.

83. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of $10,156, required by the Department of the Interior for the protection of the so-called Oregon & California Railroad lands and Coos Bay wagon road lands, General Land Office, fiscal year 1921 (H. Doc. No. 55); to the Committee on Appropriations, and ordered to be printed.

84. A letter from the Doorkeeper of the House of Representatives, transmitting list of property in his charge in the Capitol and House Office Building.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HICKEY, from the Committee on the Judiciary, to which was referred the bill (H. R. 3205) to amend an act entitled "An act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921, reported the same without amendment, accompanied by a report (No. 25), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KINKAID, from the Committee on Irrigation of Arid Lands, to which was referred the joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914, reported the same without amendment, accompanied by a report (No. 26), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 5338) authorizing the issuing of a 2½-cent coin to be known as the Roosevelt coin, and providing for the coinage of the same; to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 5339) authorizing the erection of a Federal building at Red Bank, Monmouth County, N. J., for the accommodation of the United States post office; to the Committee on Public Buildings and Grounds.

By Mr. LINEBERGER: A bill (H. R. 5340) to permit the purchase of subsistence stores; to the Committee on Military Affairs.

By Mr. SNYDER: A bill (H. R. 5341) for the relief and jurisdiction of the Pueblo Indians of New Mexico; to the Committee on Indian Affairs.

Also, a bill (H. R. 5342) transferring all jurisdiction or control heretofore vested or exercised by the Federal Government over the Indians of the State of New York to that State with the exception of certain annuities; to the Committee on Indian Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 5343) for the regulation of persons, firms, or corporations engaged in the transmission of intelligence between and among the different States and Territories of the United States; to the Committee on the Judiciary.

By Mr. WHITE of Kansas: A bill (H. R. 5344) to provide for the erection of a Federal building at Hays, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5345) to provide for the erection of a Federal building at Norton, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Washington: A bill (H. R. 5346) to reorganize and change the title of the Bureau of Naturalization of the Department of Labor and to create in its stead a bureau authorized to provide for the guidance, protection, and better economic distribution and adjustment of our alien population, such bureau to be known as the bureau of citizenship, and to amend the act entitled "An act to establish the Bureau of Immigration and Naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. CLARK of Florida: A bill (H. R. 5347) to prohibit the intermarriage of persons of the white and Negro races within the District of Columbia; to declare such contracts of marriage null and void; to prescribe punishments for violations and attempts to violate its provisions; to the Committee on the District of Columbia.

By Mr. EDMONDS: A bill (H. R. 5348) to amend sections 17 and 19 of the merchant marine act, 1920; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 5349) to amend the act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels; to the Committee on Claims.

By Mr. FOCHT: A bill (H. R. 5350) to authorize the Commissioners of the District of Columbia to close streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening of other streets, roads, or highways, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLS: A bill (H. R. 5351) to amend section 24 and section 256 of the Judicial Code; to the Committee on the Judiciary.

Also, a bill (H. R. 5352) to provide compensation for seamen injured and the dependents of seamen killed in the course of employment, to create a Federal seamen's insurance fund, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. BEGG: A bill (H. R. 5353) for the relief of retired commissioned and warrant officers of the United States Navy and Marine Corps; to the Committee on Naval Affairs.

By Mr. WILSON: A bill (H. R. 5354) to provide soldiers, sailors, and marines with capital for agricultural development, and for other purposes; to the Committee on Ways and Means.

By Mr. EDMONDS: A bill (H. R. 5355) amending the prohibition act; to the Committee on the Merchant Marine and Fisheries.

By Mr. GENSMAN: A bill (H. R. 5356) for the relief of the Cheyenne and Arapahoe Tribes of Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. PORTER: A bill (H. R. 5357) providing for an appropriation for the purpose of making examinations, investigations, and surveys, and preparing plans and estimates of cost for regulating the stream flow and controlling the flood waters of the Allegheny and Monongahela Rivers and their tributaries; to the Committee on Flood Control.

By Mr. TINKHAM: A bill (H. R. 5358) to provide allowances for mothers with children under 16 dependent upon them for support in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GARRETT of Tennessee: A bill (H. R. 5359) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; to the Committee on the Judiciary.

Also, a bill (H. R. 5360) to regulate dealing in leaf tobacco; to the Committee on Ways and Means.

By Mr. McFADDEN: A bill (H. R. 5361) to amend sections 404, 406, and 407 of Title IV of the revenue act of 1918; to the Committee on Ways and Means.

By Mr. FLOOD: A bill (H. R. 5362) authorizing and directing the Interstate Commerce Commission to issue mileage books of not less than 1,000 miles and at a reduction of 33⅓ per cent from the established rate; to the Committee on Interstate and Foreign Commerce.

By Mr. CHALMERS: A bill (H. R. 5363) authorizing the Secretary of War to loan tents; to the Committee on Military Affairs.

By Mr. RADCLIFFE: A bill (H. R. 5364) fixing the compensation of certain officials of the Customs Service; to the Committee on Ways and Means.

By Mr. WEBSTER: A bill (H. R. 5418) to authorize the payment of certain taxes to Stevens and Ferry Counties, in the State of Washington, and for other purposes; to the Committee on Indian Affairs.

By Mr. KAHN: Joint resolution (H. J. Res. 87) authorizing transportation for dependents of Army field clerks and field clerks, Quartermaster Corps; to the Committee on Military Affairs.

By Mr. PARKS of Arkansas: Joint resolution (H. J. Res. 88) for the relief of the destitute sufferers from storm in the State of Arkansas and other States; to the Committee on Appropriations.

By Mr. RYAN: Joint resolution (H. J. Res. 89) for the recognition of the republic of Ireland by the Government of the United States; to the Committee on Foreign Affairs.

By Mr. FISH: Concurrent resolution (H. Con. Res. 14) regarding withdrawal from Europe of American troops stationed in the occupied area of Germany; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BANKHEAD: A bill (H. R. 5365) granting a pension to Malinda A. Robinson; to the Committee on Invalid Pensions.

By Mr. BRINSON: A bill (H. R. 5366) granting a pension to Jacob J. King; to the Committee on Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 5367) for the relief of Drum Major John Sullivan, retired; to the Committee on Military Affairs.

By Mr. CAREW: A bill (H. R. 5368) to compensate the owners of the American steamship *Vindal* for damages and expenses in repairing the said steamship, and to make an appropriation therefor; to the Committee on War Claims.

Also, a bill (H. R. 5339) to compensate the owners of the steamship *Brynhild* for damages and expenses in repairing the said steamship, and to make an appropriation therefor; to the Committee on War Claims.

By Mr. CHALMERS: A bill (H. R. 5370) granting an increase of pension to Lizzette Hichborn; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 5371) granting an increase of pension to Isac Butler; to the Committee on Pensions.

By Mr. DUNBAR: A bill (H. R. 5372) for the relief of Lillian Munz; to the Committee on Claims.

By Mr. FISH: A bill (H. R. 5373) authorizing the Secretary of War to donate to the city of Middletown, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5374) authorizing the Secretary of War to donate to the city of Port Jervis, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5375) authorizing the Secretary of War to donate to State Museum, Washington's headquarters, Newburgh, Orange County, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5376) authorizing the Secretary of War to donate to the city of Poughkeepsie, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5377) authorizing the Secretary of War to donate to the town of Carmel, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5378) authorizing the Secretary of War to donate to the town of Goshen, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5379) authorizing the Secretary of War to donate to the city of Beacon, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FROTHINGHAM: A bill (H. R. 5380) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co.; to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 5381) granting an increase of pension to Lizzie M. Worster; to the Committee on Pensions.

By Mr. HILL: A bill (H. R. 5382) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.; to the Committee on Claims.

By Mr. HUDDLESTON: A bill (H. R. 5383) to reimburse Hugh T. Caffey, postmaster at Leeds, Ala., for money and stamps stolen from said post office at Leeds, Ala., and repaid by him to the Post Office Department; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 5384) authorizing the Secretary of War to donate to the town of Horse Cave, State of Kentucky, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 5385) for the relief of Henry T. Hill; to the Committee on Military Affairs.

By Mr. KINKAID: A bill (H. R. 5386) granting a pension to Ellen Maniax; to the Committee on Invalid Pensions.

By Mr. McARTHUR: A bill (H. R. 5387) to restore Herbert S. Ward to the rank of master engineer, junior grade; to the Committee on Military Affairs.

By Mr. MacGREGOR: A bill (H. R. 5388) for the relief of Nathan D. Wilbur; to the Committee on Military Affairs.

Also, a bill (H. R. 5389) granting a pension to Anna Belle Stevens; to the Committee on Pensions.

By Mr. MAPES: A bill (H. R. 5390) granting a pension to Nancy A. Southwell; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 5391) authorizing the Secretary of War to donate to the city of Eden, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5392) authorizing the Secretary of War to donate to the city of Gowanda, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MERRITT: A bill (H. R. 5393) for the relief of George Rutherford; to the Committee on Military Affairs.

By Mr. NEWTON of Missouri: A bill (H. R. 5394) for the relief of Philip Osburg; to the Committee on Claims.

Also, a bill (H. R. 5395) for the relief of Lena Schmieder; to the Committee on Claims.

Also, a bill (H. R. 5396) for the relief of Walter E. Holden; to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 5397) authorizing the Secretary of War to donate to the city of Mountain View, State of Arkansas, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 5398) granting an increase of pension to Wade Bledsoe; to the Committee on Pensions.

By Mr. PAIGE: A bill (H. R. 5399) granting a pension to William O. Taylor; to the Committee on Pensions.

By Mr. PARKS of Arkansas: A bill (H. R. 5400) granting a pension to John R. Wright; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 5401) to pay John E. Bolden for services rendered the United States Army from April 4, 1865, to and including July 15, 1865; to the Committee on War Claims.

By Mr. REAVIS: A bill (H. R. 5402) granting a pension to John R. Ward; to the Committee on Pensions.

Also, a bill (H. R. 5403) for the relief of George P. Sterling; to the Committee on Military Affairs.

By Mr. RHODES: A bill (H. R. 5404) for the relief of G. C. Vandover; to the Committee on Claims.

By Mr. STEENERSON: A bill (H. R. 5405) authorizing the Secretary of War to donate to the village of Fisher, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5406) authorizing the Secretary of War to donate to the village of Roosevelt, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEPHENS: A bill (H. R. 5407) granting a pension to Christine Siehl; to the Committee on Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 5408) granting a pension to Robert D. Wilson; to the Committee on Invalid Pensions.

By Mr. SMITH: A bill (H. R. 5409) granting an increase of pension to Fred Stanley; to the Committee on Pensions.

By Mr. TEMPLE: A bill (H. R. 5410) granting a pension to Lina A. Breckenridge; to the Committee on Invalid Pensions.

By Mr. TEN EYCK: A bill (H. R. 5411) authorizing the Secretary of War to donate to State Armory at Troy, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5412) for the relief of John J. Dooley; to the Committee on Military Affairs.

Also, a bill (H. R. 5413) for the relief of Martin W. Joralemon, alias Martin Whitbeck; to the Committee on Military Affairs.

Also, a bill (H. R. 5414) for the relief of James Birney, alias James Brady; to the Committee on Military Affairs.

Also, a bill (H. R. 5415) for the relief of Henry C. Romaine; to the Committee on Military Affairs.

By Mr. TINKHAM: A bill (H. R. 5416) granting an increase of pension to William J. Barrett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5417) granting a pension to John Burke; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

334. By Mr. APPLEBY: Petition of citizens of towns of New Jersey, praying for the repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

335. By Mr. CAREW: Petition of Jacob Ruppert, president, and the Peter Doelger Brewing Co., of New York, urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

336. By Mr. GALLIVAN: Petitions of John T. Connor Co., Jays (Inc.), and F. C. Henderson Co., all of Boston, Mass., relative to the sales tax; also, petitions of the Perry Buxton Doane Co., Lockwood, Brackett & Co., and Schmitz & Guild (Inc.), all of Boston, Mass., relative to proposed duty on certain commodities; to the Committee on Ways and Means.

337. By Mr. KISSELL: Petition of Obermayer & Liebman, New York, urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

338. By Mr. KLECZKA: Petition of 38 citizens of South Milwaukee, urging amendment of prohibition enforcement law to permit the manufacture and sale of beer and light wines; to the Committee on the Judiciary.

339. By Mr. MACGREGOR: Petition of Local No. 76, National Brotherhood of Operative Potters, urging the adoption of a protective tariff on pottery; to the Committee on Ways and Means.

340. Also, petition of the East Buffalo New York Brewing Co., Buffalo, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

341. By Mr. MAGEE: Petitions of the George Zett Brewery and Bartels Brewery Co., of Syracuse, N. Y., in favor of repeal of internal-revenue tax on cereal beverages; to the Committee on Ways and Means.

342. By Mr. MEAD: Petition of the American Association of Mexico, New York City, relative to the Mexican situation; to the Committee on Foreign Affairs.

343. By Mr. RAKER: Resolution of the Claremont Chapter, Claremont, Los Angeles County, Calif., Daughters of the American Revolution, urging support of a bill known as the Daughters of the American Revolution old trails act; to the Committee on Roads.

344. Also, petition of Mrs. Bertha Seimears, of Glendora, Calif., protesting against the Fess-Capper educational bill and all other physical education bills; to the Committee on Education.

345. Also, letter from the Music Trades Association of Southern California, urging the repeal of the excise tax on the major part of the products used in the music trade; also, letter from the Hudson Bay Fur Co., of San Francisco, Calif., urging the repeal of the excise tax of 10 per cent imposed upon all articles manufactured by fur companies; also, letter from C. Richard Knapp, of Grass Valley, Calif., protesting against the present stamp tax on proprietary drugs and toilet preparations; also, resolution adopted by the Motor Car Dealers' Division of the Alameda County Automobile Trade Association, of Oakland, Calif., urging legislation to protect the automobile industry from the dumping of salvaged war equipment in this country; to the Committee on Ways and Means.

345½. Also, petition of Tuolumne Tribe, No. 247, Independent Order of Red Men, indorsing legislation for the enlargement of Federal arsenal at Benicia, Calif.; to the Committee on Appropriations.

346. Also, petition of George S. Tappan and others, of Pleasant Valley, via Placerville, Calif., urging that Congress grant amnesty with restored rights to all political prisoners; to the Committee on the Judiciary.

346½. Also, nine resolutions adopted by the third annual international mining convention, assembled at Portland, Oreg., and by special convention of the United States delegates to such convention, relative to measures for the benefit of the mining industry; to the Committee on Mines and Mining.

347. By Mr. RYAN: Petition of citizens of the thirteenth district, New York, praying for the recognition of the Irish republic, etc.; to the Committee on Foreign Affairs.

348. Also, petition of citizens of New York City, urging Congress to stop crime in Ireland and for the recognition of the Irish republic; to the Committee on Foreign Affairs.

349. By Mr. SANDERS of New York: Petition of the Ruling Masters' Association of 1921, the Masonic lodges of Rochester, N. Y., indorsing and urging the introduction and passage of such measures as will remedy the present conditions in the care of our disabled soldiers; to the Committee on Interstate and Foreign Commerce.

350. By Mr. SNYDER: Petition of the Eagle Brewing Co., Utica, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

351. By Mr. SPEAKS: Papers to accompany House bill 5318 for the relief of George W. Allison; to the Committee on Claims.

352. By Mr. TEMPLE: Petition of A. M. Eckstein, manager, Forbes, 1115 Chestnut Street, Philadelphia, Pa., protesting against excise tax on the fur industry under title 9, subdivision 19, revenue law 1918, and supporting the adoption of a gross sales or turnover tax; to the Committee on Ways and Means.

353. Also, petition of First Lieut. Francis H. Smith, Reserve Corps, Pittsburgh, Pa., favoring an increase in the appropriations allowing a reserve officer four months or longer active duty upon his request in lieu of 14 days; to the Committee on Military Affairs.

354. Also, petition of the New Castle Reading Circle, New Castle, Pa., protesting against the enactment of the Walsh bill having in view the damming of the Yellowstone Lake; to the Committee on the Public Lands.

355. By Mr. YATES: Petition of Austin North End Woman's Club, by Mrs. Ida E. Morey, Chicago, Ill., opposing House bill 345.

SENATE.

THURSDAY, *April 28, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we thank Thee for the revelation of Thyself in nature. So do the Heavens declare Thy glory and the firmament showeth Thy handiwork. But we thank Thee for the nearer and more precious revelation in the person of Thy Son and His work, and pray that our hearts may be always conscious of His infinite nearness, His helpfulness, His sufficiency in all our needs, our perplexities and responsibilities. We humbly ask in His Name. Amen.

The Vice President being absent, the President pro tempore took the chair.

The reading clerk proceeded to read the Journal of yesterday's proceedings when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CORRECTION—TREATMENT OF EX-SERVICE MEN.

Mr. POMERENE. Mr. President, I desire to make a correction.

On yesterday, in the course of a very interesting discussion by the distinguished junior Senator from Massachusetts [Mr. WALSH] of the serious conditions existing in some of the public hospitals, I used this language:

I agree with him—

The Senator from Massachusetts [Mr. WALSH]—

that there ought to be this investigation, but we have connected with the Army an inspection service as well as the Public Health Service, and it would seem to me that there has been serious neglect not only on the part of the Health Service but on the part of the inspection service.

I have been informed by Maj. Gen. John L. Chamberlain, who is the Inspector General of the Army, that they have no connection whatever with the Public Health Service, and therefore would have no jurisdiction. My statement necessarily involved that department somewhat, and I am sorry that the mistake was made. I think this correction is due to the Inspector General's service.

PRODUCTION, MILLING, AND MARKETING OF RICE.

Mr. ROBINSON. Mr. President, some days ago I introduced a resolution (S. Res. 56) providing for an investigation of conditions, surrounding the production and marketing of agricultural products, particularly rice. This morning I have

received a telegram from a national bank in eastern Arkansas which makes an astonishing statement in connection with the subject matter of that resolution. The telegram is as follows:

(Telegram.)

COTTON PLANT, ARK., *April 28, 1921—9 a. m.*

Senator JOE T. ROBINSON,
United States Senate, Washington, D. C.:

Rice growers of this county (Hunt district), and our customers, report that Wheatley rice mill has sold all of farmers' rice in storage for storage and milling charges without previous notice, and request investigation.

THE FIRST NATIONAL BANK.

I have no knowledge except the telegram itself respecting the facts stated in the telegram. It confirms the statement that I made in the Senate on last Monday when I introduced the resolution referred to.

According to the telegram the entire crop of rice owned by the farmers who have stored the rice in this mill has been sold without notice to the farmers for the payment of storage and milling charges. If this is true—and I again say that I have no knowledge as to its truthfulness except the statement in the telegram, and I believe it to be true—if this is true the crop of the farmers has been, in effect, confiscated without notice to them. The telegram shows the urgent necessity for the investigation which I am seeking to procure through the resolution which I submitted.

I ask that the telegram be referred to the Committee on Agriculture and Forestry to accompany the resolution to which it relates.

The PRESIDENT pro tempore. Without objection, the telegram will be so referred.

Mr. NORRIS. The particular resolution which the Senator from Arkansas has mentioned has been referred to the Committee on Agriculture and Forestry?

Mr. ROBINSON. It has.

Mr. NORRIS. I shall be very glad to see the Senator from Arkansas and try to arrange for hearings at a very early date, if he desires to have such a course taken.

Mr. ROBINSON. I thank the Senator. I shall be very glad to have a hearing at the earliest date possible, and to have favorable action taken in respect to the resolution if the committee thinks that may be done.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 4810) to authorize the incorporation of companies to promote trade in China, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 2185) providing for a "Pageant of Progress Exposition" cancellation stamp, to be used by the Chicago post office, and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. WILLIS. I present a memorial recently adopted by the General Assembly of the State of Ohio, which I ask to have read and referred to the Committee on Interstate Commerce.

The memorial was read and referred to the Committee on Interstate Commerce, as follows:

Senate joint resolution 24.

Joint resolution memorializing Congress to eliminate dual telephone service.

Whereas the public interest demands the elimination of dual telephone service and the unification of the service of competing telephone companies; and

Whereas such unification of telephone service, in justice to the stockholders of the existing telephone companies, can only be secured by a consolidation of said competing companies or a purchase by one company of the property of the other; and

Whereas such consolidation is now authorized by the laws of the State of Ohio, but there seems to be a doubt whether such consolidation or purchase is permissible under Federal law: Therefore be it

Resolved by the General Assembly of the State of Ohio, That the Congress of the United States be, and it is hereby, requested to enact such laws or amendments to existing law as will permit competing telephone companies doing either intrastate or interstate telephone business to unify the service rendered by such companies either by a purchase and sale of the property of one company by the other or by a consolidation or merger of said companies, when the same is authorized by the laws of the State in which such properties are situated; and be it further

Resolved, That copies of this joint resolution be transmitted by the clerk of the senate to the United States Senators and Members of Congress representing the State of Ohio.

I hereby certify that the above is a true and correct copy of senate joint resolution No 24, Mr. De Weese, as adopted by the Senate and House of Representatives of the Eighty-fourth General Assembly of the State of Ohio.

S. E. HALLEY,
Clerk of Senate.

Mr. LODGE presented a telegram in the nature of a resolution of the Foreign Policy Association, of Boston, Mass., favoring a reduction of armaments, the convening of a naval conference with Great Britain and Japan for a discussion of the limitation of naval armaments, the abandonment of the 1916 program for increasing the Navy by 156 ships, cooperation of the United States with the armament commission of the League of Nations, so as to effect a general limitation of armaments, and to take part in any general international conference which may be summoned for the purpose of reducing or limiting armaments, which was referred to the Committee on Military Affairs.

Mr. KEYES presented a memorial of Concord Lodge, No. 537, Brotherhood of Railway Trainmen, of Concord, N. H., remonstrating against the enactment of legislation repealing the excess-profits tax and the substitution of a sales or turnover tax, which was referred to the Committee on Finance.

Mr. CAPPER presented a memorial of the Woman's Christian Temperance Union, of Bird City, Kans., remonstrating against the repeal of the Volstead Prohibition Act, which was referred to the Committee on the Judiciary.

He also presented a memorial of Elbow Local, No. 1786, Farmers' Union, of Manhattan, Kans., remonstrating against the repeal of the excess profits tax law and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

CHANGE OF REFERENCE.

Mr. WARREN. I move that the Committee on Appropriations be discharged from the further consideration of the bill (S. 934) to amend an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1922, and for other purposes," approved March 4, 1921, and that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

BUREAU OF AERONAUTICS IN THE NAVY.

Mr. KEYES, from the Committee on Naval Affairs, to which was referred the bill (S. 656) to create a bureau of aeronautics in the Department of the Navy, reported it without amendment and submitted a report (No. 6) thereon.

BRIDGE AT PEMBINA, N. DAK.

Mr. CALDER. I report back favorably with an amendment, from the Committee on Commerce the bill (S. 82) granting the consent of Congress to the counties of Pembina, N. Dak., and Kittson, Minn., to construct a bridge across the Red River of the North at or near the city of Pembina, N. Dak., and I submit a report (No. 4) thereon. It is the regular bridge bill, granting the consent of Congress for the building of a bridge, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment was to strike out section 1 of the bill and to insert in lieu thereof:

That the times for commencing and completing the construction of a bridge and approaches thereto authorized by the act of Congress approved June 5, 1920, to be constructed by the counties of Pembina, N. Dak., and Kittson, Minn., across the Red River of the North at a point suitable to the interests of navigation at or near the city of Pembina, N. Dak., are hereby extended one and three years, respectively, from the date of approval hereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak."

CONTINGENT FUND RESOLUTION.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably five resolutions. The first one is the regular resolution authorizing the Committee on the District of Columbia to hold hearings and employ a reporter. The second one authorizes the Committee on Privileges and Elections to hold hearings and employ a reporter. The third is to authorize the Committee on Finance to do likewise. The resolution is reported with an amendment permitting the Committee on Commerce to employ a temporary clerk, and another one permits the Committee on Military Affairs to employ a clerk during the present session of Congress. I ask unanimous consent for the consideration of the resolutions.

The PRESIDENT pro tempore. The Senator from New York asks unanimous consent for the consideration of each of the resolutions separately. Is there objection?

Mr. UNDERWOOD. I do not think I have an objection, but I should like to have the resolutions read and the question taken on each resolution as it is proposed.

Mr. CALDER. Very well.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 54, submitted by Mr. BALL on the 20th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on the District of Columbia, or subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost of not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate.

HEARINGS BEFORE COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 55, submitted by Mr. DILLINGHAM on the 25th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Privileges and Elections, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1.25 per printed page, to report such hearings as may be had in connection with any subject which may be before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during sessions or recesses of the Senate.

ASSISTANT CLERK OF COMMITTEE ON COMMERCE.

Mr. CALDER. I report back favorably with an amendment from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate resolution 39, submitted by the Senator from Washington [Mr. JONES] on the 13th instant, and I ask for its present consideration.

The Senate by unanimous consent proceeded to consider the resolution.

The amendment was, in line 2, to strike out "$2,000" and in lieu to substitute "$1,800," so as to make the resolution read:

Resolved, That the Committee on Commerce be, and it is hereby, authorized to employ an assistant clerk at the rate of $1,800 per annum, to be paid out of the contingent fund of the Senate, during the present session of the Sixty-seventh Congress.

Mr. UNDERWOOD. Is that for a new clerk for the committee, in addition to what it has had heretofore?

Mr. CALDER. It is.

Mr. UNDERWOOD. I should like to have the chairman of the committee give some explanation as to why it is necessary to have an additional clerk.

Mr. JONES of Washington. Mr. President, I will state that at the last session of Congress the committee got along by having detailed for a short time one of the departmental clerks, on the special request of the committee. We found that the work of the committee simply could not be carried on with the help we had. It was almost an interminable job to answer the calls by telephone and the inquiries with reference to shipping and commercial matters, lighthouses, and all that sort of thing, and it took practically all the time of the clerk that we had available for the actual service of the committee. At my request the Department of Commerce detailed one of their employees for a while, but they could not let us have him all the time.

The committee is now confronted with quite a number of very important measures; hearings will have to be held; and it does not seem to be possible to keep up the work with the help we have had heretofore. I have refrained from asking for additional help because I wanted to keep expenses down as low as possible, but the condition confronting us is that the work which has to be carried on is of such importance that it ought to be carried on promptly, and we really need the additional clerk.

Mr. UNDERWOOD. The Senator will allow me to ask him, was the proposition submitted to the committee in session, and did it meet the approval of the minority members?

Mr. CALDER. The minority members of the Committee to Audit and Control the Contingent Expenses of the Senate were not present, but I spoke to the junior Senator from Tennessee [Mr. MCKELLAR] about it, and tried to find the senior Senator from New Mexico [Mr. JONES], but could not locate him. The junior Senator from Tennessee directed me to report that he favored the adoption of the resolution, giving the salary reported.

Mr. UNDERWOOD. I recognize the fact that it is poor economy for the committees of the Senate not to have a sufficient clerical force to attend to their business, and I have no desire to stand in the way of their having a sufficient clerical force if it is really necessary. But about two years ago we overhauled all the committee assignments and assignments to Senators and worked out a program which seemed to be satisfactory and which worked well during the last two years. I do not think that ought to be disturbed unless there is very good reason.

There are members of the Commerce Committee on my side of the Chamber here on the floor, and they know more about it than I do. If the Senator thinks it is absolutely necessary, I shall not object, but I hope in the future the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, if he has to report such a proposition, will have a full meeting of his committee, because it helps the floor leader on this side when he knows that the viewpoint of his own side has been reflected in the resolution.

Mr. CALDER. I know that is true, and I should like to have had the approval of the senior Senator from New Mexico [Mr. JONES]. I did have the approval of the Senator from Tennessee [Mr. MCKELLAR], but I could not get into communication with the Senator from New Mexico. I advised him of the meeting, but for some reason he could not attend.

Mr. JONES of Washington. I think the Senator from Alabama meant to inquire whether the resolution had been submitted to the minority members of the Committee on Commerce.

Mr. CALDER. I did submit it to the Senator from Tennessee.

Mr. JONES of Washington. I will say to the Senator from Alabama that it was I who introduced the resolution before the Committee on Commerce had held a regular meeting. It did not occur to me to submit the resolution to the committee, because I knew it had to go to the Committee to Audit and Control the Contingent Expenses of the Senate in order to be passed upon by that committee. If any member of the minority of the Committee on Commerce would like to have the matter wait until their wishes may be known, I should be very glad to have that done.

Mr. UNDERWOOD. The Senator from North Carolina [Mr. SIMMONS], who is an old member of the Committee on Commerce, knows far more about it than I do. I see he is on the floor, and I should like to have his judgment upon the matter.

Mr. SIMMONS. Mr. President, I did not hear the proposition of the Senator from Washington.

Mr. JONES of Washington. The proposition is to provide the Committee on Commerce with an additional clerk during the session.

Mr. SIMMONS. Has that matter been before the Committee on Commerce at all?

Mr. JONES of Washington. It has been before the Committee to Audit and Control the Contingent Expenses of the Senate, but it has not been taken up by the Committee on Commerce. I will say to the Senator that possibly I should have presented the matter to the latter committee, but I did not think of doing so, as I knew the resolution would have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. SIMMONS. I thought possibly it had been before the Committee on Commerce at the meeting held this morning, which I was not able to attend, because the Finance Committee was holding an executive session in connection with the tariff bill.

Mr. JONES of Washington. It has not been taken up in the Committee on Commerce, but if the Senator thinks it should be considered by that committee, I will be very glad to ask that the resolution go over until the Committee on Commerce may consider it. I assumed that the condition in the committee had probably been brought to the attention of the chairman of the committee more particularly than to any other member of the committee. As I said a moment ago, I have withheld presenting the resolution, as I withheld it at the last session. At that time I was able to have an assistant detailed from the Commerce Department, but I do not think that an advisable thing to do.

Mr. SIMMONS. I have such confidence in the chairman of the committee that I myself would be content to accept his statement that he needs additional clerical help.

Mr. JONES of Washington. That is very kind of the Senator. I wish to say to the Senator from Alabama that I think I was one of those who aided in the rearrangement of the clerks of various Senate committees and of Senators when we provided for the permanent establishment, but it was recognized at that time that contingencies might arise where one committee or another would have special work that would require additional help, and I think it was stated in debate that such contingencies could be taken care of when the showing was made that additional help was necessary. As I have said, I have withheld

asking for this additional assistance and have asked the regular clerks to work early and late in order to avoid calling for additional help, but the work has become so heavy that it is impossible to carry it on without some additional help during the session.

Mr. FLETCHER. Mr. President, this is rather a new proposition, because it was not presented to the committee, as the chairman of the committee has stated. I was not aware that the resolution was coming up. Of course, I know quite a good deal about the work of the Commerce Committee. When I was its chairman I felt that it ought to have had an assistant clerk. At that time we were investigating the Shipping Board operations and the committee was in almost continual session. We managed to get along, however, without additional assistance then, but now we have come to the point where we have to deal with a good many measures that have been referred to the committee which are very important, and the work of the committee is stupendous. I realize that, and I think there is real need for an additional assistant. As I understand, there is now one clerk, an assistant clerk, and a messenger for the committee. Is not that the situation?

Mr. JONES of Washington. The chairman of the committee has four clerks for his own work and the work of the committee. Three of these clerks are employed early and late in the office in the Senate Office Building. There is one who has been trying to take care of the actual committee-room work. The purpose of this resolution is to furnish aid there, for only one man really has been doing the actual committee-room work.

Mr. FLETCHER. At one time I had to bring over a clerk from my other office to assist with the work in the committee room, and I realize that there is real need for assistance in that room. I myself hesitate to advocate these additions, because just that much more expense is thereby entailed; but, realizing the importance of the work before the Committee on Commerce, I am disposed to join with the chairman of the committee in the request.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The resolution as amended was agreed to.

ADDITIONAL CLERK FOR COMMITTEE ON MILITARY AFFAIRS.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment the resolution (S. Res. 53). I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 53) submitted by Mr. WADSWORTH on the 19th instant, as follows:

Resolved, That the Committee on Military Affairs be, and it is hereby, authorized to employ an additional clerk at the rate of $1,600 per annum, to be paid out of the miscellaneous items of the contingent fund of the Senate, during the first session of the Sixty-seventh Congress.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. UNDERWOOD. I think we should have an explanation of the matter.

Mr. CALDER. Mr. President, my colleague, who is chairman of the Committee on Military Affairs, is not present, being out of the city temporarily, but he asked me to request that the resolution be considered.

Mr. WARREN. Mr. President, I will say to the Senator from Alabama that the resolution makes the same provision for an extra clerk that was made heretofore for the Committee on Military Affairs. As the Senator knows, the work of that committee has largely increased. While there used to be hundreds of nominations before that committee there are now thousands and thousands, and there are also numerous bills of all kinds in connection with the old Military Establishment and organizing it on the new basis, which are now referred to the committee. That, added to the fact that a Senator from the imperial State of New York has a great deal to do in connection with his personal matters, makes it is impossible for the Senator from New York to get along with the number of clerks he now has without this extra man. I think therefore the additional assistance should be granted.

Mr. UNDERWOOD. As I understand the Senator, there has been an extra clerk provided for that committee in the past?

Mr. WARREN. That is true.

Mr. CALDER. I may add that the additional clerk is for the session of Congress only.

Mr. WARREN. I should object to the provision being made if it were for any longer than the session.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

HEARINGS BEFORE THE COMMITTEE ON FINANCE.

Mr. CALDER. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably with an amendment the resolution (S. Res. 22) submitted by the Senator from Pennsylvania [Mr. PENROSE] on the 12th instant, to provide for hearings before the Committee on Finance. I ask unanimous consent for the present consideration of the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was to strike out all after the resolving clause and to insert:

That the Committee on Finance or any subcommittees thereof be, and hereby is, authorized to sit during the sessions or recesses of the Sixty-seventh Congress at such times and places as they may deem advisable; to make investigations into internal revenue, customs, currency, and coinage matters, and other matters within its jurisdiction, and to compile and prepare statistics and documents relating thereto as directed from time to time by the Senate and as may be necessary; and to report from time to time to the Senate the result thereof; to send for persons, books, and papers, to administer oaths, and to employ such expert, stenographic, clerical, and other assistance as may be necessary; and all of the expenses of such committee shall be paid from the contingent fund of the Senate; and the committee is authorized to order such printing and binding as may be necessary for its use.

The amendment was agreed to.

The resolution as amended was agreed to.

MAHONING RIVER BRIDGE, OHIO.

Mr. CALDER. From the Committee on Commerce I report back favorably without amendment the bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio, and I submit a report (No. 5) thereon. The bill was introduced by the Senator from Ohio [Mr. POMERENE], and he is very anxious to have it passed to-day, if possible. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Trumbull Steel Co. and its successors and assigns, to construct, maintain, and operate, at a point suitable to the interests of navigation, a bridge and approaches thereto across the Mahoning River, near the city of Warren, in the county of Trumbull, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. KING. May I inquire of the Senator from New York whether the bill is in the usual form?

Mr. CALDER. It is in the usual form, and its passage is recommended by the War Department.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 1296) to amend the act approved February 7, 1916, entitled "An act to provide for the maintenance of the United States Section of the International High Commission"; to the Committee on Foreign Relations.

A bill (S. 1297) for the relief of George Van Derburgh Brown; and

A bill (S. 1298) to carry out the findings of the Court of Claims in the case of the Fore River Shipbuilding Co. (with accompanying paper); to the Committee on Claims.

By Mr. ROBINSON:

A bill (S. 1299) preventing increases in rates, fares, charges, and classifications until approved by the Interstate Commerce Commission; to the Committee on Interstate Commerce.

A bill (S. 1300) for the relief of the heirs of Agnes Ingels, deceased; to the Committee on Claims.

A bill (S. 1301) to increase the cost of the public building at Prescott, Ark.; to the Committee on Public Buildings and Grounds.

A bill (S. 1302) releasing the claim of the United States Government to the block or square of land in the city of Fort Smith, in the State of Arkansas, upon which is situated the old Federal jail, to the city of Fort Smith as a site for a convention hall, community building, and other public purposes; to the Committee on Public Lands and Surveys.

A bill (S. 1303) for the relief of James Shook;

A bill (S. 1304) for the relief of Walter I. Whitty;

A bill (S. 1305) authorizing the Secretary of War to donate to the town of Pine Bluff, Ark., two German cannons or field-pieces; and

A bill (S. 1306) for increasing the efficiency of Army bands; to the Committee on Military Affairs.

By Mr. BURSUM:

A bill (S. 1307) granting homesteads to soldiers, sailors, and marines, upon proof of 90 days' residence; and

A bill (S. 1308) granting to the State of New Mexico the even numbered sections of land in townships wherein odd numbered sections have heretofore been granted to the Atlantic & Pacific Railroad Co., in the counties of San Juan, Sandoval, McKinley, Bernalillo, Valencia, and Socorro; to the Committee on Public Lands and Surveys.

A bill (S. 1309) to provide for the acquisition of a site and the erection thereon of a public building at Gallup, N. Mex.;

A bill (S. 1310) to provide for the acquisition of a site and the erection thereon of a public building at Socorro, N. Mex.; and

A bill (S. 1311) to provide for the acquisition of a site and the erection thereon of a public building at Clayton, N. Mex.; to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington:

A bill (S. 1312) to amend the charter of the Potomac Insurance Co. of the District of Columbia; to the Committee on the District of Columbia.

By Mr. WILLIS:

A bill (S. 1313) to amend section 407 of the transportation act of 1920; to the Committee on Interstate Commerce.

By Mr. FERNALD:

A bill (S. 1314) to carry out the findings of the Court of Claims in the case of Gen. George L. Beal; and

A bill (S. 1315) to carry out the findings of the Court of Claims in the case of William L. Ross (with an accompanying paper); to the Committee on Claims.

By Mr. ELKINS:

A bill (S. 1316) granting an increase of pension to William Carpenter; to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 1317) to consolidate the offices of register and receiver at the land office at Alliance, Nebr.; to the Committee on Public Lands and Surveys.

By Mr. SPENCER:

A bill (S. 1318) authorizing and directing the Interstate Commerce Commission to issue interchangeable mileage books of not less than 1,000 nor more than 5,000 miles, and at a reduction of 33⅓ per cent from the established rate; to the Committee on Interstate Commerce.

By Mr. FRELINGHUYSEN:

A bill (S. 1319) for the relief of Henry Jones Ford; to the Committee on Appropriations.

A bill (S. 1320) to amend section 13 of the river and harbor act of March 3, 1899; to the Committee on Commerce.

A bill (S. 1321) granting an increase of pension to Sarah Hendrick; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 1322) to establish an additional fish-cultural station in the State of Tennessee; to the Committee on Commerce.

A bill (S. 1323) authorizing the Secretary of War to donate to Crockett County, State of Tennessee, one German cannon, with carriage; to the Committee on Military Affairs.

A bill (S. 1324) to provide for the purchase of a site and the erection of a public building at South Pittsburg, Tenn.; to the Committee on Public Buildings and Grounds.

A bill (S. 1325) granting a pension to Robert J. Carter;

A bill (S. 1326) granting a pension to Alvin Rainbolt;

A bill (S. 1327) granting a pension to John Gentry;

A bill (S. 1328) granting an increase of pension to Erastus A. Kelly;

A bill (S. 1329) granting a pension to John Collins;

A bill (S. 1330) granting a pension to Alvin W. Smith;

A bill (S. 1331) granting a pension to W. D. Davis;

A bill (S. 1332) granting a pension to Edward B. Earl;

A bill (S. 1333) granting a pension to Joseph H. Hopper;

A bill (S. 1334) granting a pension to Louisa Brown;

A bill (S. 1335) granting an increase of pension to Hugh Wright;

A bill (S. 1336) granting a pension to William R. Phillips;

A bill (S. 1337) granting an increase of pension to Ruth S. Gleaves;

A bill (S. 1338) granting an increase of pension to William Harris;

A bill (S. 1339) granting a pension to Zack Amis; and

A bill (S. 1340) granting a pension to John K. Miller; to the Committee on Pensions.

By Mr. NEW:

A bill (S. 1341) to carry out the findings of the Court of Claims in the case of Frank T. Foster; and

A bill (S. 1342) to carry out the findings of the Court of Claims in the case of Omer H. Porter, George F. Porter, Annie Porter Mason, Edward B. Porter, and Albert B. Porter, heirs at law of Albert G. Porter, deceased, the Union Trust Co. of Indianapolis, executor of Benjamin Harrison, deceased, and Mary L. Fishback, sole legatee of William P. Fishback, deceased (with an accompanying paper); to the Committee on Claims.

A bill (S. 1343) granting relief to persons who served in the Military Telegraph Corps of the Army during the Civil War; to the Committee on Military Affairs.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. LODGE submitted an amendment authorizing the appointment of Capt. William R. Rush a rear admiral on the active list of the United States Navy, to take rank immediately after Rear Admiral Albert Gleaves, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

AMENDMENT TO MATERNITY AND INFANCY BILL.

Mr. MOSES submitted an amendment intended to be proposed by him to the bill (S. 1039) for the public protection of maternity and infancy and providing a method of cooperation between the Government of the United States and the several States, which was referred to the Committee on Education and Labor and ordered to be printed.

ROWENA S. BUMPHREY.

Mr. TOWNSEND submitted the following resolution (S. Res. 58), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Rowena S. Bumphrey, widow of Marvin H. Bumphrey, late a messenger in the employ of the Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

TREATMENT OF EX-SERVICE MEN.

Mr. WALSH of Massachusetts. I send to the desk a resolution, which I ask to have read. As it involves expense, I suppose it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate. I should like to request that that committee act on the resolution as speedily as possible, as I believe it is very important.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The resolution (S. Res. 59) was read, as follows:

Resolved, That a select committee of five Senators, three from the majority party and two from the minority party, be appointed by the President of the Senate to investigate all bureaus and agencies of the Government dealing with the care, treatment, insuring, compensating, rehabilitating, and hospitalizing of the veterans of the World War.

That said committee shall investigate specifically the manner, methods, and scope of the activities of the Bureau of War Risk Insurance, the United States Public Health Service, and the Federal Board for Vocational Education.

That said committee so appointed shall be authorized to select its own chairman, to send for persons and papers, to visit such places and institutions as it may deem necessary, to administer oaths, and to employ a stenographer or stenographers to report such hearings as may be held in connection with such investigation at a cost not exceeding $1.25 per printed page.

That said committee may sit during the sessions and recesses of the Senate, and it shall report its findings and make recommendations for such amendments and changes in existing laws as it may deem necessary for the welfare of ex-service men and their dependents to the Senate at the earliest possible date.

All expenses in connection herewith to be paid out of the contingent fund of the Senate.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

THE MEN'S CLOTHING INDUSTRY.

Mr. MOSES. I submit a resolution, which I ask to have read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 60) was read, as follows:

Whereas it is a matter of public knowledge that during the past five months the manufacture of men's clothing in the cities of New York, Boston, Philadelphia, Baltimore, and other cities has been seriously hampered and curtailed by strikes; and

Whereas the said men's clothing industry in the United States produces annually a product to the value of over $500,000,000, the value of the product of the New York market alone being over $200,000,000; and

Whereas it appears as the result of these industrial disturbances that the production has been limited to about 25 per cent of normal in these markets; and

Whereas these conditions constitute a vital factor in maintaining the high cost of clothing to the people of the United States: Now, therefore, be it

Resolved, That the Committee on Education and Labor is hereby authorized and directed, through the full committee or through any subcommittee thereof, to investigate as speedily as possible the conditions in the clothing industry of the United States; the working conditions therein; the causes of industrial unrest in these industries, and its bearing upon the cost of clothing to the public; the purposes, objects, methods, and tactics of the Amalgamated Clothing Workers of America, and its relations, if any, with other political organizations and quasi-political groups, and to make a report to the Senate of such findings.

The said committee is hereby authorized to sit and act at such time and place as it may deem necessary, to require by subpœna or otherwise the attendance of witnesses, the production of books, papers, and documents; to employ counsel, and stenographers at a cost not exceeding $1.25 per printed page. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee, or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer questions pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by the subcommittee, signed by the chairman thereof, and approved by the Committee on Contingent Expenses.

Mr. SMOOT. Mr. President, I suggest to the members of the Committee to Audit and Control the Contingent Expenses of the Senate that if they really want to know where the greatest expense is in the distribution of men's clothing, they had better investigate the retailers. I am quite sure that that is where the greatest profit is made.

Mr. MOSES. Mr. President, this is not with a view of determining profiteering. This is with a view of determining production.

Mr. SMOOT. That would have a bearing upon the cost of goods, however.

Mr. MOSES. I have no objection to the Committee to Audit and Control the Contingent Expenses of the Senate broadening the scope of the investigation if they desire.

Mr. SMOOT. Yes; that is what I was going to suggest. I have not a doubt but that the profits that are made by the retailers of clothing sold in the United States are something that has been unheard of for years and years past.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 4810) to authorize the incorporation of companies to promote trade in China was read twice by its title and referred to the Committee on the Judiciary.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The PRESIDENT pro tempore. The morning business is closed. The calendar under Rule VIII is in order.

Mr. LODGE. I move that the Senate proceed to the consideration of the joint resolution in regard to peace with Germany.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. NELSON. Mr. President, the civilized world no longer doubts that Germany initiated the great World War, that she had no valid ground for such war, and that her ultimate purpose was to crush France, to absorb the most of Belgium, and to become lord paramount on land and sea throughout the world. For more than 20 years she had been preparing for such a war. She carried on the war on both land and sea in a cruel and most barbarous manner. Her submarine warfare excelled in cruelty piracy in its palmiest days; and on land she did not limit her destructiveness to the usual and necessary incidents of war but aimed to make northern France a permanent, uninhabitable desert waste.

The war lasted over four years, and twice during that period, in 1914 and 1918, the issue trembled in the balance; but finally, through the powerful intervention of our country and of our forces, the Great War was brought to a successful end.

While all the Allies had suffered much during the war, France was by far the greatest sufferer, both in life and in property. Our victory in the field will be incomplete unless followed by ample reparation, especially to stricken and devastated France, and by complete disarmament.

More than two years ago Germany entered into a final treaty of peace with all her enemies except our own country, and by this treaty she agreed to make complete reparation and to disarm herself. But she has failed to comply with these vital covenants and has evaded and procrastinated, and continues to evade and procrastinate, indicating some hope that relief may come to her from the failure of the United States to take any action on the treaty. The technical legal relation of our country to Germany is that existing under the armistice of November, 1918. Such armistices are usually followed and supplemented by a final treaty of peace terminating the war and prescribing all the conditions of a lasting, permanent peace, for while the issue of war is still pending the victor is in a position to impose all the necessary conditions for a permanent peace. After a peace has been established and declared, aside from the conditions imposed in the declaration of peace, the victor and vanquished will negotiate on a footing of equality, for the pressure arising from a war condition no longer exists to impel the vanquished to yield.

The course pursued in establishing final peace by the Knox resolution, as is now proposed, is unusual, halting, equivocating, and only a partial and piecemeal work, omitting some of the most important essentials for a just, permanent, and lasting peace. The resolution establishes peace on the following conditions and reservations: First. All property of the German Government or of German nationals seized, held, and controlled by our Government since April 6, 1917, shall be retained until disposed of by Congress and until the German Government has by treaty made provision for the satisfaction of all claims of our own people for losses suffered by them through the war since its inception in 1914. Second. Granting to our people the most favored nation treatment as to their lives, their property, and their business. Third. Confirming to the United States all fines, penalties, forfeitures, and seizures imposed or made by our Government during the war, and a waiver of all claims of the German Government and its nationals against the United States. And, fourth, a reservation of all benefits conferred upon the United States by the treaty of Versailles, but totally oblivious as to whether the Allies secure any benefits whatsoever under the treaty.

The first three clauses which I have mentioned may well be grouped under the general head of reparation to the United States, so that the only peace condition imposed upon Germany by this resolution is such reparation as is prescribed in the clauses named and the benefits conferred upon the United States by the treaty of Versailles.

When Germany has complied with these conditions she has acquitted herself of all obligations under this resolution, and no further claims can be made upon her for obtaining the peace; and as to the United States, she can breathe freely and be at her ease, for she is no longer under war pressure but merely subject to moral suasion in further negotiations.

Two of the most important and vital matters pertaining to a just and permanent world peace, to wit, disarmament and reparation, are entirely omitted in this resolution. It places our country in an attitude of total indifference in regard to these vital subjects. Germany has heretofore been most reluctant to comply with the reparation and disarmament provisions of the Versailles treaty. Will not the passage of this resolution tend to increase and fortify such reluctance?

By this resolution we insist upon full reparation for ourselves, but are wholly oblivious as to whether our allies, by whose side and aid we vanquished the common enemy, secure any reparation at all. We are also by this resolution wholly oblivious as to the disarmament of Germany—a matter most vital to the future peace of the world. One of the lessons impressed upon the civilized world is that Germany, armed and equipped as she was in July, 1914, would be a constant and continuing menace to her neighbors and to a world peace. It seems to me that our country is vitally interested in removing this menace. Under this peace resolution we have no ground for insisting on the removal of this menace.

To my mind, it is of vital interest to our country and to the entire civilized world that the integrity of the French Republic, its people and country, should be preserved and left untrammeled to work out its own salvation without the menace of war constantly hanging over its head. It would be a blow to the civilized world to suffer France to be obliterated or crushed. While it is of great concern to the entire world, our own country included, that the peace of the world be maintained by the disarmament of Germany, it is of far greater concern to France, the most exposed to the German menace. Poor France, her fairest and best provinces laid waste and reduced to well-nigh a desert by the barbarism of the German war, her people bled white, and suffering as no people within a war zone have suffered since the days of the Thirty Years' War, for her, though almost alone she checked the German advance at the Marne in September, 1914, we seem to indicate by this resolution that we have no concern. As long as we get reparation for ourselves, as long as we get our pound of flesh, we have no concern for devastated and bleeding France, our ally and helpmeet in the Great War. Such is the tenor and spirit of the Knox resolution. I am not a diplomat, and have no gifts of diplomacy, and it is

perhaps on that account that I am unable to concur in this resolution, the passage of which will encourage Germany to continue with her reluctance to comply with the treaty of Versailles as to disarmament and reparation.

The amended resolution contains similar provisions and is on the same lines as to the Austro-Hungarian Empire as in regard to Germany, but the conditions are entirely different. By the treaties of Versailles, St. Germain, and Trianon the Austro-Hungarian Empire as it existed prior to the Great War has been largely disintegrated. Part of the empire has been assigned to the new State of Poland, part to the Kingdom of Rumania, a part has been assigned to Italy, a part constitutes the so-called State of Czechoslovakia, and a part constitutes the Jugo-Slav State. Hungary is left by itself as a separate state, and of the empire there remains only what was known as German Austria and the Tyrol, and not even all of these parts. It is evident that after such disintegration the question of reparation and disarmament does not cut the figure that it does in the case of Germany. Disintegration has effected disarmament, and the release from the yoke of the Austro-Hungarian Empire of so many states and parts of states has to a large extent solved the matter of reparation. Reparation has to a large extent been effected by their securing independence from the yoke of the old empire. If this part of the joint resolution relating to the Austro-Hungarian Empire was by itself, I could vote for it, but not while it is tied to the parts relating to the German Empire.

I ask that a copy of the joint resolution as proposed to be amended by the Committee on Foreign Relations be attached to my remarks.

There being no objection, the joint resolution as reported from the committee was ordered to be printed in the RECORD, as follows:

Senate joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Resolved, etc., That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

That all property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in or has since that date come into the possession or under control of the Government of the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by Congress, until such time as the German Government has, by treaty with the United States of America, ratification whereof is to be made by and with the advice and consent of the Senate, made suitable provisions for the satisfaction of all claims against the German Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of German Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also provisions granting to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and confirming to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the German Government or German nationals, and waiving any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Germany to the contrary notwithstanding.

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit, or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

That the joint resolution of Congress approved December 7, 1917, declaring that "a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States of America and making provisions to prosecute the same," be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

That all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all nationals of the Austrian Empire or the Kingdom of Hungary which was, on April 6, 1917, in or has since that date come into the possession or under the control of the Government of the United States of America or of any of its officers, agents, or employees from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by Congress, until such time as the Austrian Government has by treaty with the United States of America, ratification whereof is to be made by and with the advice and consent of the Senate, made suitable provisions for the satisfaction of all claims against the Austrian Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America, and who have suffered through the acts of the Austrian Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in Austrian, American, or other corporations, or in consequence of hostilities or of any operations of war or otherwise, and also provisions granting to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and confirming to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Austrian Government or nationals of the Austrian Empire, and waiving any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Austria to the contrary notwithstanding.

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of St. Germain or the treaty of Trianon, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of St. Germain or the treaty of Trianon have been stipulated for its benefits or for the benefit of its nationals with the same force and effect as if said treaty of St. Germain and the treaty of Trianon had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

Amend the title so as to read: "Joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes."

Mr. UNDERWOOD. Mr. President, I feel that I should not let the pending joint resolution come to a vote without expressing in the RECORD, in brief, the reasons why I am opposed to it. It is a measure of too grave importance for the future, if not for the present, to allow it to go through without having the RECORD contain the statements of those who are opposed to it and having the joint resolution receive reasonable consideration.

Of course, if the joint resolution becomes a law it is the final scene of a great tragedy. So far as we are concerned, it is the ending of the Great War. There may be other treaties in reference to commerce, there may be other arrangements in reference to minor matters, but if the joint resolution becomes the law, as far as we are concerned the World War is ended and we have washed our hands of the transaction.

Mr. President, in passing this resolution I think we should bear in mind that we did not declare war on the German Government. We never have declared war on the German Government. If there ever was a nation in the history of the world that went into war with clean hands it was the Government of the United States and the people of the United States when they became involved in the war with Germany. We were patient to the last degree. We allowed our patience to continue until it brought down upon our heads the criticism of the other great nations of the world and the rebuke of some of our own people.

But I am glad that we were patient. I am glad that we did not sooner take the final act, sending our soldiers to the battle fields and sacrificing millions of property and piling a debt that amounts to billions upon the backs of children yet unborn. It is at least a satisfaction that we went to war because there was no other course left for us.

But when we did engage in the Great War it was not an act of hostility on our part. The German Imperial Government had closed the seas of the world to our ships and had notified us that we must follow a lane through the Atlantic Ocean for our ships of commerce, and that only such ships as she was willing to consent to follow the lines of commerce could go safely across the sea. She had notified us that we must take the place of a second-rate nation in the world and bow to her imperial military power. Then, when we declined to do so, she sank one of our ships, the *City of Memphis*, returning without cargo to its home port, on the high seas away beyond the line of conflict or the battle line raging in Europe. She fired upon our flag, imperiled the lives of our citizens, and destroyed our property. It was then that the Congress of the United States passed a resolution on the 6th day of April, 1917, declaring that a state of war existed.

Of course, I recognize the fact that my party made a proposal for peace. We were unable to accomplish the ratification of the treaty of peace along the lines that we proposed. A political revolution has taken place in the United States. The Republican Party has come into power commanding a majority of 22 votes in the Senate and a majority of 165 votes in the House of Representatives, and it is in absolute control of the executive branch of the Government. I recognize the fact that

the responsibility for making peace now rests upon the great party in power, but I can not understand why the party in power, in attempting to accomplish what we all believe in, the making of a treaty of peace and the wiping out of war conditions, seeks to accomplish it in this way.

The important part of the joint resolution, or the most important part of it from the standpoint of making peace, is contained in the first six lines of the amended resolution, which reads:

That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

I can not understand why the majority party desires to repeal the resolution passed by Congress under date of April 6, 1917, declaring that a state of war existed between our Government and the Imperial Government of Germany. We do not wipe out existing facts by repealing legislation. We can destroy some laws and the effect of some laws by repealing the enactment of the laws. If we pass a bill providing for the punishment of crime we can repeal the law and possibly can allow the criminal to go free who has not already been convicted under the law. But there are some laws which can not have that retroactive effect. If we pass a law authorizing the building of a bridge across a great river and the bridge is built, we can not tear down the bridge by repealing the law that authorized its construction; we can not affect the status of the bridge by repealing the law that authorized it.

The same is true with reference to the pending resolution.

We did not declare war against Germany. It puts us in a false position to assume that we did. We recognized the fact that the German Imperial Government had declared war on us, not by paper enactment, not by official declaration, but by force of arms. By the destruction of our property, the murder of our citizens, the dishonor of our flag, the German Government declared war against us. We recognized the fact that war existed by a resolution of Congress, by the resolution which is sought to be repealed.

Why do you want to repeal it? Do you want the pages of history to reflect the idea that we made a mistake on the 6th day of April, 1917, when we declared that a state of war existed between the Imperial German Government and the people of the United States, and that as we made the mistake you want to retract it? Is that the purpose of the resolution?

It is not necessary to retract what we did on the 6th day of April, 1917, in order to accomplish peace or to make the peace of the world. Or if you do not wish to retract it and do not think we made a mistake in declaring that a state of war existed by reason of the acts of the German Government, then do you intend to withdraw your declaration of the fact of the existence of a state of war in order that it may affect conditions that have arisen since that declaration, conditions which affect property and the rights of our citizens and the safety of the Nation? If that is not your purpose, why do you proceed to declare peace in this unusual way?

Of course, the last sentence that I read proceeds to say:

And said state of war is hereby declared at an end.

I think if you said that you merely wanted to make a marker as to your determination when war ceased and you concluded to do it in this unusual way, you might accomplish that result by saying the war between the Government of the United States and the Imperial German Government is at an end. But you are not satisfied with that. You desire to abandon the declaration that you made on the 6th day of April, 1917.

I know not the reason now for your action in the matter; time may disclose it; but I think it is an unusual and an unnecessary way to proceed. So far as I am concerned, I am not willing to retract one statement or one act or one position that the Government of the United States took on the 6th day of April, 1917, in declaring that a state of war existed.

Mr. President, of course we are only talking about a technical state of war. The actual condition of war terminated more than two years ago. We were one of the signatory powers to an armistice agreed upon between the German Government and ourselves and our allies. But in addition to that the Chief Executive of this Government then withdrew from the battle line in Europe more than 2,000,000 men. We brought them home. We mustered them out of the Army. We returned them to their homes. We relieved ourselves of all opportunity to continue the war with Germany, and when we did that war ceased so far as actual war conditions are concerned. All that has been left for us to do since that time was to determine on what conditions we would allow the German Government to make peace with us and what terms we would impose upon her as a condition of peace.

Now, so far as my own position is concerned, the record of the last two Congresses reflects it. I believe when the President of the United States entered into an agreement with those with whom we conducted the war, our allies, as to the terms of peace, that we should have upheld his hand. So far as I am concerned personally, I believe that we made a great mistake not only for ourselves but for the world when we did not agree to the unconditional ratification of the treaty of Versailles. That, however, is only my opinion. I am only one Senator. I recognize that that issue was considered and failed of determination. No affirmative action was taken by the Senate, and finally the party that is now in control of the Government rejected the treaty of Versailles by returning it to the President. As to whether they are right or whether we are right, is not a question that we need now discuss. It is a question that has been fully discussed in the past, and as to which finally, when we have passed away, history will record the verdict.

We know that the party in power in the Senate and in the executive branch of the Government will not take the viewpoint of the last administration in the settlement of the war conditions. Of course, there are still two ways to make technical peace with Germany. One is for the President of the United States to return the treaty of Versailles to the Senate and for the Senate to ratify it, either unconditionally or to ratify it with reservations or amendments. It is evident that that will not be done. There is no power in the Senate to act along that line unless the President initiates the act. The present Executive has been in office for nearly two months, and the treaty of Versailles lies on his desk. If he desired the Senate further to consider the ratification of that treaty, I have no doubt he would have laid it before the Senate with his views. Not having done so, I assume that he is opposed to making peace in that way.

More than that, when the leaders of his party propose a declaration of peace by congressional enactment and not through treaty, I assume that it is a fact beyond dispute, and that the President of the United States does not intend to continue any further the negotiations looking to the ratification of the treaty of Versailles and the making of peace in conjunction with our allies.

There is, however, yet another way for the President to make peace. If he desires to abandon those together with whom we conducted the war, he can enter into negotiations with the German Government looking to making a treaty of peace with them and reaching a final determination of the war in that way.

The party in power have the right to initiate such proposals; they have a right, if they choose to take the responsibility, to abandon the treaty of Versailles; but I think if they do the responsibility still rests on them to make a peace that will be honorable to the people of the United States and will protect the legitimate rights of the people of this country in reaching a peace determination. I contend that the pending resolution does not accomplish either result. We fought the war together with France and England and Italy and some of the smaller nations, who, at our invitation, entered into a treaty of peace with Germany, abandoning some of the rights of the victors over the vanquished, believing under that contract that their future peace and happiness would be protected; that under that agreement lasting peace could be preserved by the world, instead of by holding natural boundaries and erecting artificial defenses. We have proceeded, however, to reject the terms of our own agreement and to abandon our allies before the final conclusions of peace have been reached with them.

We have been most generous to the fallen foe in exacting no reparations from him except that we may hold certain property that fell into our hands during the war to guarantee the legitimate claims of our own citizens; but can we say that it is just to our allies that the fallen foe shall not pay to them, as reparation, some of the damage which has been inflicted in the Great War?

Mr. EDGE. Mr. President, will the Senator from Alabama yield for a question?

The PRESIDING OFFICER (Mr. NEW in the chair). Does the Senator from Alabama yield to the Senator from New Jersey?

Mr. UNDERWOOD. I yield.

Mr. EDGE. Unfortunately I was called out of the Chamber while the Senator from Alabama was discussing a certain feature of the resolution, and near the latter end of his remarks on that subject I return. Does the Senator from Alabama consider that the passage of the resolution now under consideration would be the final word, so far as the present administration has given Congress its views, as to how we should proceed? Does the Senator feel that that would necessarily be the final word in negotiating peace? To continue the question, does not

the Senator think that it would be very natural and proper to consider the Versailles treaty with probable changes, certain of its features being expunged, in order that we might take up the very features that I think the Senator was discussing or proceeding to discuss as I left the Chamber, relating to American rights, the protection of America's interest, reparations, and so forth? Why would the adoption of the so-called Knox resolution prevent Congress from taking up the Versailles treaty and making such changes as we might deem wise and necessary?

Mr. UNDERWOOD. I am rather surprised that my good friend from New Jersey, whose ability I admire, should ask me that question, because I think the resolution presented by his own side of the Chamber answers the question for him. The last line of the first paragraph of that resolution reads:

Said state of war is hereby declared at an end.

I am talking about matters that grew out of war—protection to our citizens on emerging from a war status; aid to our allies or ourselves by way of reparations consequent upon a war status. The resolution of the Senator's party declares that the war is ended; that is a final declaration; there can be no other. If it is desired to go, hat in hand, to the German Government and say, "Now the war is ended, but you have misbehaved so far as our allies are concerned, and we would humbly crave that you proceed to pay them the reparation that you agreed to pay when the armistice was signed on the 11th day of November, 1918." Of course, that could be done, but in that event we would only go as a suppliant and not by right of conquest in war, because the joint resolution expressly declares that the war is at an end.

So, if we mean it; if we are honest in our declaration, the war is ended, and there will be no further war status, and we must treat Germany in making any further contract with her as we would treat Belgium or Spain or some South American country.

Mr. EDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from New Jersey?

Mr. UNDERWOOD. I yield.

Mr. EDGE. The great ability of the Senator from Alabama as a lawyer, versed in international law, we do not question. I am proceding to ask him a question from what I would consider purely a business standpoint. Does the Senator from Alabama think for one moment that the declaration on the part of the Senate that a state of war is at an end would in any may make it—I will not say impossible, but improper or unusual, though it may be an unusual method—for the Senate to reconsider the Versailles treaty, which has not been disposed of, but which is still in the hands of the President of the United States, as I understand, and which could be sent here deleted as the administration thought would meet the views of the American people as expressed at the last election? Would there be anything unusual or remarkable or evasive for the Senate of the United States, even with a declaration that the state of war is at an end, considering America's interest, our allies' interest, and the interest of the world so far as becoming a signatory to the only existing treaty is concerned? Would that in any way, shape, form, or manner necessitate the Government of the United States appealing to or even considering Germany?

Mr. UNDERWOOD. I will say to the Senator that there are some things that he can do but once. The Senator can be born only once and he can die only once. A government in a particular instance can declare war only once and it can declare peace only once, so far as a particular transaction is concerned. This declaration that you are proceeding to put through the Congress in this unusual way either means something or it means nothing. Of course if you do not mean it, if you think it is not a valid joint resolution, that it is merely a puff of wind to satisfy somebody, that is different; but if it means what you say—that the war is at an end—then there are no further peace negotiations in reference to the Great War that we can enter into.

Mr. EDGE. Mr. President, does it not mean simply an expression of an existing fact, that there is no longer any war, and we are simply stating that in an official and legal manner? Why that should in any way prevent the second stage of considering those business details is beyond my ability to understand.

Mr. UNDERWOOD. If that is all you mean by it, why do you propose to repeal the joint resolution of April 6, 1917, declaring that a state of war existed? If you are simply saying to the world that we recognize that we have withdrawn our armies from the battle lines; that we are no longer holding our cannons' mouths in the faces of the Germans; that we are not any longer mobilizing our men, if that is all you mean by it, why do you want in this declaration to repeal the declaration we made on the 6th day of April, 1917, that Germany had declared war against us?

Mr. EDGE. Mr. President, so far as that technical point that the Senator has so well made is concerned, I frankly admit that I see no particular reason for stating the matter in that way; but that is entirely a legal question and one into which I shall not attempt to enter.

Mr. UNDERWOOD. It is a legal question that will haunt us in the future.

Mr. EDGE. I repeat, however, that I see no possible objection to carrying out our responsibility in stages, as it were. We can attach the so-called Knox resolution to a consideration of the Versailles treaty, so far as my judgment is concerned; but to do it in this way seems to me entirely orderly and entirely proper. We state a fact—that peace now exists. We then consider the next stage—America's and her allies' interests. Then, if we want to go still further on the question the Senator referred to in the early part of his remarks—that of disarmament—there is nothing in the world to prevent us from considering that as a third stage of the procedure.

It seems to me the matter is presented to us in a very orderly and regular manner.

Mr. UNDERWOOD. Mr. President, I can only say that, while I have very great respect for the Senator from New Jersey, I think his way of approaching the peace question is a very unusual one; and I am very much afraid that if he pursues it he is going to be disappointed in what he evidently desires to accomplish, and perhaps some others will carry out what they really desire to accomplish.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. UNDERWOOD. I yield.

Mr. JONES of New Mexico. I should like to inquire, after this joint resolution is passed, whether it would be possible under any kind of legal construction to call any treaty which might thereafter be entered into between this Government and Germany a peace treaty?

Mr. UNDERWOOD. It seems to me it is clear that we could not call it a peace treaty. We might renew our peace understanding but we would have passed the stage where we could make a treaty of peace, because we make treaties of peace only when a status of war exists. If anybody ever heard of a nation making a treaty of peace when at least a technical status of war did not exist—before it was suggested in this joint resolution—I have never heard of it. It is new to me.

I am afraid that this joint resolution is going to command the votes of Senators in this Chamber who occupy the attitude toward it that has been expressed by the Senator from New Jersey, who really believe that we should not abandon our allies before the work is finished; that we should not take our hands from the plow before the sun is set; yet for some reason they are willing to go ahead, drive this joint resolution to a conclusion—a conclusion that can not be recalled after it has been enacted—and then let the Nation take the responsibility of their acts.

Mr. President, it is not merely the fact that the German Empire is refusing now to recognize the armistice of the 11th day of November, 1918, and is refusing to recognize its obligations under the treaty of Versailles; it is not merely the fact that we are abandoning those with whom our sons fought; but it is the fact that we are compromising our own people and our own honor in making a peace in this way that makes me feel that this joint resolution should be rejected.

I am not criticizing your party if you refuse to enter into the treaty of Versailles. I think we should enter into it; but you have been returned to power, and it is for your President, our President, the President selected by those who voted your party ticket, to initiate the terms on which we shall make peace with Germany. He can make a separate treaty of peace with Germany, and he can make it more effectively, in my judgment, if an actual technical state of war exists than he can do after you have declared that the war is at an end, and we are only negotiating a contract between two peaceful nations to renew our commerce, to recognize the rights of our citizens in the other countries, and even, if certain property rights are reserved under this joint resolution, to recognize those property rights. I think that if you intend to make a treaty of peace with Germany, you should have it understood with her as a prerequisite to our signing the treaty that Germany in good faith shall carry out the contract she made at Versailles with our allies. If we do not do that, we abandon the position that our sons took on the battle fields of France.

Mr. President, I am not going to occupy the time of the Senate in going into any details as to why I think this joint resolution is ill-advised.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. UNDERWOOD. I yield.

Mr. McKELLAR. I have been out of the Chamber for a little while. Has the Senator discussed the question as to what effect it would have just now if we were to pass this joint resolution, and our Army, such as we have in Germany, should be withdrawn just at this critical stage of the affairs between Great Britain and France on the one side and Germany on the other?

Mr. UNDERWOOD. No; I have not.

Mr. McKELLAR. I should like to hear the Senator's views on that subject.

Mr. UNDERWOOD. I do not regard that as the main issue, but I regard that as a very pertinent issue involved in this case. It is one that addresses itself to the immediate present. Of course the minute this joint resolution is passed, if it means what it says, it means that a state of war no longer exists between this country and Germany, there is no reason in the world for keeping an American soldier in Germany one hour longer.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. UNDERWOOD. I do.

Mr. WILLIAMS. Furthermore, is there any right, even, to do it?

Mr. UNDERWOOD. No.

Mr. WILLIAMS. The only right that France and England have to keep soldiers there now is under the terms of the treaty, and the only right that we have is under the terms of the armistice, recognizing a state of war as still continuing; so that if the state of war ceases, and we are not a party to any treaty with Germany, we have no right at all to maintain a single soldier in Germany.

Mr. UNDERWOOD. The Senator is absolutely right in the position he takes, that not only should the soldiers be brought home, but we have no right whatever to maintain them there for an hour.

Mr. KING. It would be an act of war if we kept them there.

Mr. UNDERWOOD. It would be an act of war to continue them in Germany longer than the length of time that through peaceful methods it takes to remove them from that country in good faith.

Mr. McKELLAR. Mr. President, if the Germans do not fulfill their treaty obligations with the Allies, and we should pass this joint resolution and withdraw our troops just at this time, and the Allies should invade Germany to force a compliance with the terms of the treaty, would it not be inevitable that we would thereby ally ourselves with Germany and against our former allies, in substance and effect?

Mr. UNDERWOOD. I can not say that I would go as far as the Senator states the matter, that we would ally ourselves with Germany; but I agree with him thoroughly in the proposition he states, that this is a most inopportune time for a great Nation like ours to lay down a battle line. The critical hour has struck in Europe as to whether peace is going to continue in Europe or whether Europe is going back to war again. If it is recognized that the strength of our powerful influence in world affairs still stands with the men with whom we fought as our allies in the Great War, if that influence still stands to enable them to see that the German Government pays the price of the war it brought upon the world, this critical hour may pass without further bloodshed. But let our restraining hand be removed in this fateful hour, do we know the German Government may not make alliances with other nations, and other people may not give her a man power greater than that possessed by both France and England? Do we know that Germany will not have the opportunity to get her foodstuffs and her raw materials in greater abundance than our allies can get them, if we abandon the field? In this critical hour, after we have accomplished all for the world, after we have sacrificed a hundred thousand men on the battle fields of France and paid untold millions to reclaim the world against the monster of war, after we have heard it repeated in this Chamber on every side, time and time again, that the great World War would be fought in vain if the result of it was not the ultimate peace of the world, the maintenance of the world's peace for all the future, shall we abandon the fight and withdraw from the field?

Mr. WATSON of Georgia. Mr. President——

Mr. UNDERWOOD. I yield.

Mr. WATSON of Georgia. Will the Senator from Alabama explain in what practical way it would benefit our people as a whole if we let the condition remain as it is and has been since the armistice was declared in 1918, allowing it to remain indefinite and uncertain, as it now is?

Mr. UNDERWOOD. I do not favor that. I do not favor its being left uncertain. More than a year ago I was very anxious to have a status of peace declared. Of course, I was for the ratification of the treaty of Versailles, as many of my colleagues were, but that failed. I am not favoring the continuation of the present status at all. I have just said that I think there is another way. We may not have the right to expect of the party in power that they shall ratify the treaty of Versailles; but we have a right to expect of them that they shall make peace along lines that not only will protect us and our rights but that shall not be an abandonment of the men we fought with, a distinct abandonment of them.

Mr. WATSON of Georgia. As the Senator from Alabama knows, after a private conference with me, I have a very grave doubt myself about whether we on this side should vote for the pending joint resolution as it now stands. But the Senator is aware of the fact, as the whole world is, that France has not considered us in the arrangements she has gone forward and made in Syria and in other parts of the world; in South Africa, that Great Britain has not considered us at all; that Italy has not considered us at all. Should not the question be how the joint resolution affects us? Is it not time we were attending to our own business and our own people and getting some practical way of benefiting our own people by putting an end to the uncertainty which exists in international law as to our relations with Germany?

Mr. UNDERWOOD. Of course, I think the Senator's question is very pertinent to the issue, and I am free to say that our first and greatest responsibility, in my judgment, always rests in taking care of our own people when it can be done with honor. But we will never take care of our people unless we keep within those standards that nations should live up to, as a man never takes care of himself properly unless he remains within the standards that a man should live up to.

Mr. WILLIAMS. Like charity, honor begins at home; but it does not end there.

Mr. UNDERWOOD. Surely. What I mean by that is this: I agree thoroughly with the Senator from Georgia that we ought to urge an early conclusion of technical war, but I think we should know definitely what we are doing and what is accomplished. We declare in this paper which I hold in my hand that a state of war is ended. There is no declaration on the part of Germany. I am sure the Senator from Georgia agrees with me that any agreement between two nations is like a private contract, on which the minds of the two nations must meet at the same time in order to make it binding, to make it effective, to mean anything for the benefit of the people of either country. We have no indication whatever that the German Government will accept anything that is said in this resolution. We have no indication whatever that she will regard it or be bound by it. In other words, if we pass the resolution, we do not accomplish, in my judgment, what the Senator from Georgia desires, that a fixed status of peace shall be arrived at.

But there is a way to accomplish that, and that is by the President of the United States entering into conversations with the representatives of the German Government, if he does not desire to make peace along with the Allies, and let those conversations reach a point where our representatives or ambassadors can meet their representatives or ambassadors and agree on the terms of a peace treaty, and that treaty can be put in black and white, and then we can sign it and ratify it and know what is being done. That is the way the founders of this Government contemplated we should make all treaties and all peace.

Mr. McKELLAR. Mr. President, I wish to ask the Senator if it is not true that this is the first time in all our history when a peace has ever been sought to be made by a resolution of the Congress; and when the two Houses and the executive department of the Government are in complete control of one party, is there any reason why we can not follow the usual and constitutional methods of making peace with Germany, namely, by treaty initiated by the President and ratified by the Senate? Why is it at this time, in the peculiar situation which exists between us and the other countries, both our allies and our former enemies, that we should abandon the usual and constitutional methods of effecting peace and do it by a resolution of Congress, which is revolutionary in so far as our practices of government are concerned?

Mr. UNDERWOOD. I can not answer the Senator's question as to whether a treaty of peace has ever been made in this way before or not. I know of none myself.

Mr. McKELLAR. So far as I know it never has been done in the history of our Republic, although we have engaged in a number of wars.

Mr. BORAH. I think the Senator is correct in his statement that it never has been done; but it is a mighty good precedent to establish.

Mr. WILLIAMS. Mr. President, does not the Senator from Alabama think that he has gone a little too far if he meant to say that we ought to put an an end to the state of technical war between us and Germany, even by a treaty between us and Germany, unless he further adds that there ought to be an understanding with our late war associates as to the terms of that treaty?

Mr. UNDERWOOD. I am sure the Senator overlooked the statement I made a moment ago that I thought it ought to be done within our honor as a Nation, which, of course, will not mean the abandonment of our allies.

Mr. WILLIAMS. I was afraid the Senator's after remark might lead some one to believe that he thought that within our honor we could still effect a treaty of peace with Germany without any consultation at all with our late associates. I do not believe that.

Mr. UNDERWOOD. I do not, either. But I want to answer the statement of the Senator from Georgia [Mr. WATSON] as to the fact that our allies have gone ahead in settling the territorial questions of the world without consulting us. When the treaty of Versailles was made, so far as the Executive could make us a part of it, we were a party to it. It was contemplated then by those who signed it that we would be a party to it, and the disposition of German territory, German islands, and property the title to which was left in a doubtful condition by reason of the war, was left to the determination of a war commission and action under the treaty of Versailles and the League of Nations.

When the treaty came to the United States Senate, where it failed of ratification, of course, pending the question of ratification, there was a halt on the part of the Executive of our Government, waiting to see what the Senate would do. During that halt naturally we had no representatives in these councils. The world had to march on. The world could not stop in its progress. The great questions involved in the World War had to be settled by the people involved in it, although, as we were one of the victors in the great struggle, as we paid the price of the war as well as our allies, I thought we were entitled to a voice, and a full voice, in the settlement of the world's affairs, such a voice as we desired to exercise, and I think so now. We may not want to go to the full extent to which those who are next-door neighbors to the issues want to go, but if we want to have a voice in it we should have it. But I am not prepared to criticize those who marched on when we had stopped by the wayside and were not following the column.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Georgia?

Mr. UNDERWOOD. I am delighted to yield to the Senator.

Mr. WATSON of Georgia. Assuming that the pending joint resolution is defeated, we must bear in mind that the preceding administration and the present administration have placed themselves in the position of claiming a part of the spoils of the war. They contend that the victory was partly won by ourselves, and that we should have a voice in the distribution of conquered territory. If we should make any sort of a separate treaty, of course other than the treaty of Versailles, which the Senate refused to ratify, could not our late allies claim, with as much show of reason as they could if we passed this resolution, that we had deserted them and adopted a course of our own?

Mr. UNDERWOOD. If we are going to make a separate treaty at all, I think the position the Senator takes is the only one which can be maintained, because, mark you, this resolution is making peace. I am sure the Senator from Georgia does not occupy the position taken by the Senator from New Jersey [Mr. EDGE] that by the resolution if it passes we have not reached a peace status, and that we can still deal with the enemy in terms of war. If the resolution passes unconditionally, we have reached a status of peace and unconditionally we have abandoned our allies and anything we might claim as our rights under the treaty of Versailles. But it might be possible, if we made a separate treaty of peace with Germany where the terms are set out, within those terms we might reserve our rights in such a way that we could do so without abandoning our allies as to war conditions of the past and protect them, and yet have a voice left to us in the world affairs, which we are proposing absolutely and unconditionally to abandon by the declaration that the state of war has ceased to exist, and to abandon any rights we may have, not only as to Germany but as to participating in the ending of the war, and the questions growing out of the ending of the war by virtue of being one of the nations that accomplished that result. Of course we can, with reference to these islands, if we pass the resolution, go as an independent nation, as Peru or Mexico might go, and present any claims as to the island of Yap or some other territory, or we might voice as a great nation our viewpoint as to what England and France and the other controlling nations of Europe are doing; but we would only do it as an outsider, and we would no longer be in the position of one of the nations that had a right to demand that its position be recognized. We would have abandoned our rights because in the passage of the pending joint resolution we abandon our allies.

Mr. WILLIAMS. That is, the Senator from Alabama means all of our rights as a war associate.

Mr. UNDERWOOD. Certainly.

Mr. WILLIAMS. And not our independent national rights.

Mr. UNDERWOOD. No; I mean our rights as a war associate.

Mr. McKELLAR. The joint resolution provides:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

The question I desire to ask the Senator from Alabama is whether, in the view of the Senator, not having signed the treaty and not being a party to the contract, it is possible for the United States to reserve rights in a contract to which it has refused to become a party? I should like to have the opinion of the Senator on that subject.

Mr. UNDERWOOD. I do not think it can unless the contract, so far as the German rights are concerned, is recognized by Germany. The resolution does not propose that this action shall await the acceptance of it by the German Government. It declares it now and without any acceptance by the German Government. It proposes to reserve rights that we have against the German Government. I think that is absurd.

Mr. WILLIAMS. I am a little afraid that the Senator from Tennessee may be misunderstood. Of course, the resolution does not mean that we reserve any rights under the treaty. It says merely that we reserve certain rights under the armistice.

Mr. McKELLAR. And under the treaty, too.

Mr. WILLIAMS. No; it does not. If the Senator will read it more carefully, he will see that it says rights under the terms of the armistice. Now, this is the point which occurs to me: The armistice has been terminated by the consent of all the parties to it. There can not be a continuing right under an instrument which itself no longer continues. So if we have any rights at all to be reserved as a party to an international understanding they ought to have been rights under the treaty. We could not reserve them, because we are not parties to the treaty. We are in the same position as a neutral, with those rights which any sovereign nation on earth has with regard to its own interests, but not having come into our rights as a result of the new status of affairs.

Mr. McKELLAR. I agree with the Senator entirely in what he has said as to the meaning of it, except that I still think, after having read the provision again, that the Senator is mistaken in saying that it does not attempt to reserve such rights as we may have under the treaty of Versailles, or rather such rights under the treaty of Versailles as have been stipulated for our benefit. That is the wording of the joint resolution. I take the position that it is impossible by a resolution to reserve rights which may have been stipulated for the benefit of the United States in a treaty which the United States has declined to sign.

Mr. WILLIAMS. I think if the Senator will read it more carefully he will see that it provides—

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has—

It means to say "they have"—

not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled,

together with the right to enforce the same under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof—

Mr. McKELLAR. Read on.

Mr. WILLIAMS. I am going to read on.

Or otherwise—

Mr. McKELLAR. Read on just a little further.

Mr. WILLIAMS (reading):

Or which under the treaty of Versailles have been stipulated for its benefit or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America.

The Senator from Tennessee is right. I had not myself read the provision carefully. It is much more absurd than I thought it possibly could be. The idea of claiming rights under a provision of a treaty which we have affirmatively refused to enter into is one of the most absurd things you could possibly imagine. I thought it referred merely to the armistice and subsequent modifications and changes in the terms of the armistice, and not, of course, under the treaty, to which we are not parties. That language might have been used when the Senator from Pennsylvania [Mr. KNOX] originally introduced the resolution, while the question of the treaty was still pending, but evidently he must have overlooked the changed conditions that occurred afterwards. It can not have any sense in it now that we have affirmatively refused to have anything to do with the treaty of Versailles.

Mr. LODGE. Mr. President, I do not know whether there is any other Senator who desires to speak this afternoon. I am very anxious to secure a vote on the joint resolution as soon as possible. I have talked with the Senator from Alabama [Mr. UNDERWOOD], and I hope we shall be able to reach a vote on Saturday. If there is no one who desires to speak further now, I shall move an executive session.

Mr. UNDERWOOD. I will state that, of course, I did not have an opportunity to consult all the gentlemen on this side of the Chamber, but the other day when we were not prepared to go ahead with the resolution, and I did not wish to delay it by any unusual tactics, I stated to the Senator from Massachusetts that if he would let it go over I would endeavor to secure a final vote on Saturday. I hope that Senators on this side of the Chamber will be agreeable to that proposal and help to carry it out. In the meantime we can let the resolution run over until Saturday, with information to absentees that on Saturday we shall vote, if that course is agreeable.

Mr. LODGE. We can send out notice to that effect. Of course I shall call up the resolution whenever Senators desire to debate it.

Mr. UNDERWOOD. That will be satisfactory. I think probably several Senators will wish to debate it to-morrow, and we might gain a little more time by taking a recess.

Mr. LODGE. To take a recess until 11 o'clock to-morrow?

Mr. UNDERWOOD. Twelve o'clock I think will be better.

Mr. LODGE. Very well. In the meantime, if no one desires to speak further——

Mr. HITCHCOCK. It is the intention to take a recess until 12 o'clock to-morrow with the joint resolution pending?

Mr. LODGE. Of course, it will be kept pending.

Mr. HITCHCOCK. I will state to the Senator that I am not prepared to speak to-day, but I will speak to-morrow.

Mr. LODGE. I wish to give all the time Senators may desire. We have a meeting of the Committee on Foreign Relations to-morrow, with a hearing regarding the Chinese treaty, but that will not interfere in any way if we meet at 12.

Mr. HITCHCOCK. I understand that it will be agreeable to meet at 12.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until noon to-morrow.

The motion was agreed to; and (at 2 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Friday, April 29, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 28, 1921.

COLLECTORS OF INTERNAL REVENUE.

DISTRICT OF COLORADO.

Frank W. Howbert.

DISTRICT OF WEST VIRGINIA.

Albert B. White.

MEMBER OF FEDERAL RESERVE BOARD.

John R. Mitchell, of St. Paul, Minn., to be a member of the Federal Reserve Board for a term of 10 years.

SURVEYOR OF CUSTOMS.

Thomas W. Whittle, of New York, N. Y., to be surveyor of customs in customs collection district No. 10.

APPRAISER OF MERCHANDISE.

Frederick J. H. Kracke, of Brooklyn, N. Y., to be appraiser of merchandise in customs collection district No. 10.

PUBLIC HEALTH SERVICE.

Surgeon to be senior surgeon.

George B. Young, March 12, 1920.

Passed assistant surgeons to be surgeons from August 29, 1920.

Paul Preble.	Carlisle P. Knight.
Randolph M. Grimm.	Warren F. Draper.
Joseph R. Ridlon.	George Parcher.
Charles M. Fauntleroy.	Louis Schwartz.
Hermon E. Hasseltine.	Robert H. Heterick.
James P. Leake.	Charles L. Williams.
Lawrence Kolb.	Grover A. Kempf.
David C. Turnipseed.	Louis R. Thompson.

Assistant surgeons to be passed assistant surgeons.

Clifford R. Eskey, August 19, 1920.
William D. Heaton, July 15, 1920.
Robert R. Ivey, July 20, 1920.
John D. Reichard, May 12, 1920.
James F. Worley, September 25, 1918.
Edwin O. Woods, September 6, 1920.
Walter T. Harrison, October 26, 1920.
Charles Armstrong, October 27, 1920.
Rolla E. Dyer, October 31, 1920.
Justin K. Fuller, October 27, 1920.
Robert W. Hart, January 30, 1921.

Doctors to be assistant surgeons.

Lynn A. Fullerton, October 4, 1920.
Marion R. King, October 4, 1920.
Lester C. Scully, October 4, 1920.
Floyd C. Turner, September 30, 1920.
Fortunat A. Troie, from date of oath.
Ralph D. Lille, from date of oath.
Thomas S. Love, from date of oath.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 28, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, we come to Thy mercy, we look to Thy love, we call upon Thy compassion; therefore we are not consumed.

May the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. KINDRED. Mr. Speaker, in view of the widespread public interest in providing immediately better hospital facilities and care for the ex-service men who are suffering with insanity and nervous disorders, I, as a medical expert in these diseases, ask unanimous consent to extend my remarks in the RECORD on the subject.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

CHANGE OF REFERENCE OF H. R. 3116.

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to have the bill (H. R. 3116) validating the homestead entry of Mike Campbell for certain public land in Alaska transferred from the Committee on the Territories to the Committee on the Public Lands. I have conferred with the chairman of the Committee on the Territories, and it is agreeable to him.

The SPEAKER. The gentleman from Oregon asks unanimous consent for the change of reference indicated. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, may I ask the gentleman if it is agreed that it properly belongs to his committee?

Mr. SINNOTT. Yes. It was before the Committee on the Public Lands last session.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. DYER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 4810, which we had under consideration yesterday, the China trade bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD on the bill which was under consideration yesterday. Is there objection?

Mr. GARNER. Are they to be the gentleman's own original remarks?

Mr. DYER. Yes.

The SPEAKER. The Chair hears no objection.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. Cravens, one of its clerks, announced that the Senate had passed joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 34. Joint resolution creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru; and

S. J. Res. 7. Joint resolution authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States.

SENATE JOINT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, Senate joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 34. Joint resolution creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru; to the Committee on Foreign Affairs.

S. J. Res. 7. Joint resolution authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States; to the Committee on Banking and Currency.

COMPANIES TO PROMOTE TRADE IN CHINA.

The SPEAKER. When the House adjourned on yesterday the previous question had been ordered on the bill H. R. 4810, which was reported to the House with amendments. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The question is on the passage of the bill.

Mr. GARNER. Mr. Speaker, I desire to make a motion to recommit.

The SPEAKER. The gentleman will state it.

Mr. GARNER. I move that the bill be recommitted to the Committee on the Judiciary with instructions to report it forthwith with an amendment striking out section 23, which section I will ask the Clerk to report. It is the section with reference to the taxing feature of the bill. I understand it is now section 24.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GARNER moves to recommit the bill (H. R. 4810) to the Committee on the Judiciary, with instructions to report the same back forthwith with an amendment striking out, on page 18, line 3 of the bill, all of section 23 (now section 24), which reads as follows:

"SEC. 23. (a) That section 231 of the revenue act of 1918 is amended by striking out the period at the end thereof, inserting in lieu thereof a semicolon, and adding a new subdivision to read as follows:

"'(15) A corporation organized under the China trade act, 1921, but only if and with respect to any taxable year for which (a) it files a return at the time and place provided in section 241, made in the manner provided in section 239, and containing such information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may by regulation prescribe; (b) it declares dividends during the taxable year in an amount equal to one-third of its net income the payment of which not later than 60 days after the close of such taxable year is assured in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may require; (c) it derives less than 5 per cent of its gross income from sources within the United States; and (d) the Secretary of Commerce certifies to the Commissioner of Internal Revenue that during the taxable year the corporation in all respects has complied with the provisions of the China trade act, 1921, and regulations made thereunder. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall make all regulations necessary for the determination of such exemption and of the liability of shareholders or members to taxation in respect to dividends paid by such corporation.'

"(b) Section 1 of the revenue act of 1918 is amended by adding at the end thereof a new paragraph to read as follows:

"'A corporation organized under the China trade act, 1921, shall for the purposes of this act be considered a domestic corporation.'

"(c) Sections 232, 233, and 234 of the revenue act of 1918 are amended by inserting in each of such sections, after the words 'corporation subject to the tax imposed by section 230,' the words 'or organized under the China trade act, 1921,'

"(d) Section 240 of the revenue act of 1918 is amended by adding at the end thereof a new subdivision to read as follows:

"'(d) A corporation organized under the China trade act, 1921, shall not be deemed to be affiliated with any other corporation within the meaning of this section.'

"(e) Section 254 of the revenue act of 1918 is amended to read as follows:

"'SEC. 254. That every corporation subject to the tax imposed by this title, every personal service corporation, and every corporation organized under the China trade act, 1921, shall, when required by the commissioner, render a correct return, duly verified under oath, of its payments of dividends, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him.'"

Mr. VOLSTEAD. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Texas to recommit the bill.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARNER. Mr. Speaker, in order to get a record vote, I make the point of no quorum.

The SPEAKER. It is clear that no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members. As many as are in favor of the motion to recommit will, as their names are called, answer "yea," and those opposed with answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 71, nays 265, answered "present" 4, not voting 89, as follows:

YEAS—71.

Aswell	Favrot	Lankford	Rankin
Bankhead	Fulmer	Larsen, Ga.	Rucker
Black	Garner	Lazaro	Sanders, Tex.
Blanton	Garrett, Tex.	Lea, Calif.	Sandlin
Bowling	Gilbert	London	Sears
Box	Goldsborough	Lyon	Sisson
Briggs	Hammer	McClintic	Smithwick
Brinson	Herrick	McDuffie	Steagall
Bulwinkle	Huddleston	Maloney	Stedman
Cantrill	James, Mich.	Mansfield	Stevenson
Clark, Fla.	James, Va.	Martin	Stoll
Collins	Johnson, Ky.	Moore, Va.	Swank
Connally, Tex.	Johnson, Miss.	O'Connor	Taylor, Colo.
Deal	Jones, Tex.	Oldfield	Tyson
Dominick	Kincheloe	Oliver	Weaver
Drane	Kindred	Parks, Ark.	Wilson
Driver	King	Quin	Wingo
Dupré	Lanham	Raker	

NAYS—265.

Ackerman	Christopherson	Frothingham	Kissel
Anderson	Clague	Funk	Kline, N. Y.
Andrews	Clarke, N. Y.	Garrett, Tenn.	Kline, Pa.
Anthony	Classon	Gensman	Knight
Appleby	Clouse	Gernerd	Kopp
Arentz	Cole	Glynn	Kraus
Atkeson	Connell	Gorman	Kunz
Bacharach	Connolly, Pa.	Graham, Ill.	Lawrence
Barbour	Cooper, Ohio	Green, Iowa	Layton
Barkley	Copley	Greene, Mass.	Leatherwood
Beck	Coughlin	Greene, Vt.	Lee, N. Y.
Beedy	Cramton	Griest	Lehlbach
Begg	Crisp	Griffin	Linthicum
Bell	Curry	Hadley	Logan
Benham	Dale	Hardy, Colo.	Longworth
Bird	Dallinger	Hardy, Tex.	Lowrey
Bixler	Darrow	Harrison	Luce
Blakeney	Davis, Tenn.	Hawes	Luhring
Bland, Ind.	Denison	Hawley	McArthur
Bland, Va.	Dickinson	Hayden	McCormick
Boies	Dunbar	Hays	McFadden
Bond	Dunn	Hersey	McLaughlin, Mich.
Bowers	Dyer	Hickey	McLaughlin, Nebr.
Brand	Echols	Hill	McPherson
Brennan	Edmonds	Himes	MacGregor
Brooks, Ill.	Elliott	Hoch	Madden
Brooks, Pa.	Ellis	Hudspeth	Magee
Brown, Tenn.	Elston	Hull	Mapes
Buchanan	Evans	Humphreys	Merritt
Burdick	Fairchild	Husted	Michaelson
Burroughs	Fairfield	Jefferis	Michener
Burtness	Faust	Johnson, S. Dak.	Miller
Burton	Fenn	Johnson, Wash.	Mills
Butler	Fess	Kahn	Millspaugh
Byrnes, S. C.	Fish	Kearns	Mondell
Byrns, Tenn.	Fisher	Keller	Montague
Cable	Fitzgerald	Kelley, Mich.	Montoya
Campbell, Kans.	Flood	Kelly, Pa.	Moore, Ill.
Cannon	Fordney	Kennedy	Moore, Ohio
Carter	Foster	Ketcham	Moores, Ind.
Chalmers	Freeman	Kinkaid	Morgan
Chindblom	French	Kirkpatrick	Mott

Mudd	Ramseyer	Speaks	Vinson
Murphy	Ransley	Sproul	Voigt
Nelson, A. P.	Rayburn	Stafford	Volstead
Nelson, J. M.	Reavis	Stephens	Walsh
Newton, Minn.	Reece	Stiness	Walters
Newton, Mo.	Reed, N. Y.	Strong, Kans.	Wason
Nolan	Rhodes	Summers, Wash.	Webster
Norton	Ricketts	Sumners, Tex.	Wheeler
Ogden	Riddick	Sweet	White, Kans.
Olpp	Riordan	Swing	White, Me.
Overstreet	Roach	Tague	Williams
Padgett	Robertson	Taylor, Tenn.	Williamson
Paige	Robsion	Temple	Winslow
Park, Ga.	Rose	Ten Eyck	Wood, Ind.
Parker, N. J.	Sabath	Thompson	Woodruff
Parker, N. Y.	Sanders, Ind.	Tillman	Woods, Va.
Parrish	Sanders, N. Y.	Tilson	Wright
Patterson, Mo.	Scott, Mich.	Timberlake	Wurzbach
Patterson, N. J.	Scott, Tenn.	Tincher	Wyant
Perkins	Shaw	Tinkham	Yates
Peters	Shelton	Towner	Young
Petersen	Shreve	Underhill	Zihlman
Pou	Sinclair	Upshaw	
Purnell	Sinnott	Vare	
Radcliffe	Smith	Vestal	

ANSWERED "PRESENT"—4.

Cockran	Collier	Cooper, Wis.	Mead

NOT VOTING—89.

Almon	Gahn	Larson, Minn.	Rouse
Ansorge	Gallivan	Lee, Ga.	Ryan
Britten	Good	Lineberger	Schall
Browne, Wis.	Goodykoontz	Little	Siegel
Burke	Gould	Lufkin	Slemp
Campbell, Pa.	Graham, Pa.	McKenzie	Snell
Carew	Haugen	McLaughlin, Pa.	Snyder
Chandler, N. Y.	Hicks	McSwain	Steenerson
Chandler, Okla.	Hogan	Mann	Strong, Pa.
Codd	Houghton	Mason	Sullivan
Colton	Hukriede	Morin	Taylor, N. J.
Crowther	Hutchinson	O'Brien	Thomas
Cullen	Ireland	Osborne	Treadway
Davis, Minn.	Jacoway	Perlman	Vaile
Dempsey	Jones, Pa.	Porter	Volk
Doughton	Kendall	Pringey	Ward, N. C.
Dowell	Kiess	Rainey, Ala.	Ward, N. Y.
Drewry	Kitchin	Reber	Watson
Fields	Kleczka	Reed, W. Va.	Wise
Focht	Knutson	Rodenberg	Woodyard
Frear	Kreider	Rogers	
Free	Lampert	Rosenbloom	
Fuller	Langley	Rossdale	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. COLLIER (for) with Mr. TREADWAY (against).

Until further notice:

Mr. KNUTSON with Mr. LEE of Georgia.

Mr. GRAHAM of Pennsylvania with Mr. GALLIVAN.

Mr. OSBORNE with Mr. SULLIVAN.

Mr. HUTCHINSON with Mr. CAREW.

Mr. PORTER with Mr. JACOWAY.

Mr. REBER with Mr. CAMPBELL of Pennsylvania.

Mr. HUKRIEDE with Mr. ALMON.

Mr. MANN with Mr. KITCHIN.

Mr. DAVIS of Minnesota with Mr. FIELDS.

Mr. BROWNE of Wisconsin with Mr. WISE.

Mr. REED of West Virginia with Mr. O'BRIEN.

Mr. VOLK with Mr. MCSWAIN.

Mr. IRELAND with Mr. DOUGHTON.

Mr. KIESS with Mr. WARD of North Carolina.

Mr. DOWELL with Mr. CULLEN.

Mr. SNYDER with Mr. RAINEY of Alabama.

Mr. SNELL with Mr. DREWRY.

Mr. LAMPERT with Mr. THOMAS.

Mr. COLLIER. Mr. Speaker, has the gentleman from Massachusetts, Mr. TREADWAY, voted?

The SPEAKER. He is not recorded. He is paired.

Mr. COLLIER. I voted "yea." I am paired with the gentleman from Massachusetts, and I wish to withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division on that vote.

The SPEAKER. As many as are in favor of the passage of the bill will rise.

Mr. DYER. Mr. Speaker, I ask for the yeas and nays. No; I will withdraw that.

Mr. GARRETT of Tennessee. Mr. Speaker, I rise to demand the yeas and nays.

The SPEAKER. The gentleman from Tennessee demands the yeas and nays. As many as are in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Not a sufficient number have risen. The question is on the passage of the bill.

The question was taken; and on a division there were—ayes 247, noes 39.

So the bill was passed.

On motion of Mr. DYER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

HON. WILLIAM S. GREENE.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. MONDELL. I am reminded, Mr. Speaker, that this is an important anniversary. Our genial and kindly young friend, "Uncle Billy" GREENE, Hon. WILLIAM S. GREENE, of Massachusetts, has this day reached his eightieth milestone. [Applause, the Members rising.] Noting his cheerful smile, I know he finds the landscape at this milestone of his useful and eventful life pleasing and the outlook inspiring. May he live long and remain with us, an honor to the House and to the splendid constituency that has for so long sent him here. [Applause.]

NAVAL APPROPRIATION BILL.

Mr. KELLEY of Michigan. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for further consideration of the bill H. R. 4803, the naval appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] will assume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4803, the naval appropriation bill, with Mr. WALSH in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] is recognized.

Mr. KELLEY of Michigan. If the gentleman from Texas will withhold for just a moment, I was wondering if we might not be able to agree upon the amount of time.

Mr. BLACK. Will the gentleman wait until I have concluded?

Mr. KELLEY of Michigan. I thought it might be done now without interfering with the gentleman.

Mr. BLACK. I would rather proceed.

The CHAIRMAN. The gentleman declines to yield.

Mr. KELLEY of Michigan. I think it would probably expedite the matter. Otherwise we might get into a considerable tangle.

Mr. BLACK. Well, I will yield to the gentleman if he wishes to do that now.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. BLACK. Yes.

Mr. TOWNER. Some of the Members present are unacquainted with the amendment introduced by the gentleman from Texas [Mr. CONNALLY]. I suggest, Mr. Chairman, the reading of the amendment, not taking it out of the gentleman's time.

Mr. BLACK. That will be agreeable to me.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 43, line 17, after the figures "$33,000,000," insert:

"*Provided*, That no part of this sum shall be expended until the President of the United States shall have invited the Governments of all nations to send accredited delegates to an international convention to be held in the United States to consider ways and means of bringing about joint disarmament."

Mr. BLACK. Mr. Chairman, on Tuesday afternoon just before adjournment I had been recognized by the Chair, and it was my intention to make a few remarks in reply to the speech of the distinguished gentleman from Illinois [Mr. MADDEN] wherein he denounced in impassioned eloquence the amendment of my colleague from Texas [Mr. CONNALLY] upon the ground that to pass it would embarrass the President. As adjournment prevented me from doing it then, I will venture a few words along that line now.

Mr. Chairman, it seems to me that we are making progress when gentlemen on that side of the House exhaust the inspiration of their fiery eloquence in an appeal to refrain from doing

anything or saying anything which will embarrass the President. [Applause on the Democratic side.] As I listened to the resounding eloquence of the gentleman from Illinois I recalled without difficulty that when Woodrow Wilson, acting as President of the United States and as our accredited representative to the peace conference, was negotiating the Versailles peace treaty, which was his duty and responsibility under the Constitution, I recalled without difficulty that 37 Members of the United States Senate, and all belonging to the political party of the gentleman from Illinois, joined in signing a round robin seeking to tell the President what kind of a treaty he should or should not negotiate, and one of the signers of that round robin was Hon. Warren G. Harding, then a Senator from the State of Ohio and now the President of the United States. [Applause on the Republican side.]

Mr. MADDEN. Mr. Chairman, will the gentleman yield there for just a question?

Mr. BLACK. In just a moment; then I will yield. Far from having any intention to embarrass the President of the United States by offering an amendment of this kind, I believe that it would be a distinct favor to him for this House to make a clear and definite expression as to the calling of a disarmament conference. I believe that he would sincerely appreciate it because of the great difficulty that he has thus far had in making up his mind on this vital and important question. [Applause on the Republican side.]

Without the least desire to be disrespectful to the President of the United States, I think I can say that a great many of the American people are in doubt as to what kind of a program he has for bringing about disarmament, or whether indeed he has any program at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK. May I have five minutes more, Mr. Chairman?

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. Will the gentleman yield?

Mr. BLACK. I yield to the gentleman from Illinois.

Mr. MADDEN. Calling attention to the signatures of 37 Members of another body to a round robin telling President Wilson the kind of a treaty he could negotiate, the gentleman forgot to say that the Members of that other body are jointly responsible with the President for any treaty that may be negotiated.

Mr. BLACK. Oh, no; it is not their function to negotiate treaties. The Constitution says that the President shall negotiate treaties.

Mr. KETCHAM. By and with the advice and consent of the Senate.

Mr. BLACK. By and with the advice and consent of the Senate; but can the gentleman recall any instance in all of the more than 100 years of our history where the Senate of the United States has sought to direct the President by a round robin as to how he should negotiate a treaty?

Mr. CARTER. Will the gentleman from Texas yield?

Mr. BLACK. Yes.

Mr. CARTER. If the gentleman will permit the statement, the authority of the President to negotiate treaties without consulting the Senate is too well established to admit of any misunderstanding, and the precedent was set up by the Senate itself against the predilection of the Chief Executive. I had occasion to look up that very question some time ago. I found that for several years after the adoption of the Constitution there was some difference of opinion as to the proper procedure in making treaties. Some few held to the view that the provision of Article II giving the President power to make treaties "by and with the advice and consent of the Senate" gave to the Senate equal power in negotiation with the President. This theory, however, seems to have been completely dissipated by the action of the Senate itself during the consideration of one of the first treaties, which happened to be a treaty with the Creek Indians. During the month of August, 1789, President Washington, in company with Gen. Knox, went before the Senate and presented data for this Creek treaty. He told the Senate he was calling on them for "advice and consent" in formulating this document, but after a sharp debate the Senate refused to join the President in these negotiations. The situation became very much strained. After a short pause ensued the President felt that there was nothing left for him to do but withdraw his presence from the Senate, and he absented himself in an impatient and discontented mood, never again to present a treaty to the Senate except for ratification after he had completed negotiations.

Thus, by its own act, the Senate abdicated all right to take part in the negotiation of treaties and established the precedent for the conduct of such negotiations by the Executive alone and the presenting of the treaty to the Senate for ratification after final negotiation and the signatories had been affixed, which precedent, I understand, has been strictly adhered to down to the present day.

Mr. BLACK. I thank the gentleman. I think that it is generally understood by everybody that it is the constitutional function of the President to negotiate treaties and of the Senate to ratify or reject them.

Mr. BARKLEY. Will the gentleman from Texas yield?

Mr. BLACK. If the gentleman will permit, I regret I can not do so just now. I want to call attention to another matter, and my time is short. The gentleman from Michigan [Mr. KELLEY] also in very eloquent language assailed the amendment of my colleague, and among other things he said:

> Every great nation knows that the President is desirous of securing a reduction or limitation of armaments. He has told us so over and over again.

I will admit the correctness of one of the gentleman's statements, and that is that the President has told us so over and over again, but the trouble about it is that we have got no further than the telling, and the time has come when the American people want something done on this important question. It is their backs that are bending beneath the intolerable load, and it is they who demand some relief. Oh, yes; the President has told us time and time again. He has been very versatile in his several positions on the League of Nations and the association of nations' question.

It might be interesting at this time to notice what some of his different attitudes have been. When President Wilson brought back the treaty from France and submitted it to the Senate for ratification or rejection, Mr. Harding, then a Senator from Ohio, was numbered with the mild reservationists and voted with them. He next joined forces with the Lodge reservationists, and wound up by supporting the Knox resolution providing for a separate peace with Germany. And then, after he was nominated as President upon the Republican ticket, in his speech of acceptance he again proposed a separate peace with Germany and the forming of some new world relationship, in which he would lead the way. Then, on August 28, he proposted an entirely new plan, and said, "We will resurrect The Hague Tribunal and we will put teeth in that." Then we all remember that memorable speech at Des Moines, Iowa, on October 7, in which he said:

> I don't want to clarify these obligations. I want to turn my back on them. It is not interpretations I want, but rejection.

That is what he said then. Now, that was clear enough for anybody, so far as announcing a negative policy was concerned, but it did not give us anything affirmative. It pointed out no way by which we could travel the road of peaceful cooperation to a real, sure-enough disarmament. It is action now that we want. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BLACK. Mr. Chairman, there are other evidences of the vagueness and indefiniteness of the President's policy on this important question which I had intended to point out, but I will not ask for any further extension of time, and thank the committee for its attention.

Mr. KELLEY of Michigan. Mr. Chairman, I should like to see if we can reach an agreement for limiting the debate on this.

Mr. BYRNES of South Carolina. What time does the gentleman suggest?

Mr. KELLEY of Michigan. Suppose we have half an hour on a side.

Mr. BYRNES of South Carolina. I think that will be satisfactory.

SEVERAL MEMBERS. Oh, no!

Mr. FISH. Reserving the right to object——

Mr. BYRNES of South Carolina. If the gentleman from Michigan will allow me, my statement of my willingness to assent to half an hour has provoked so many objections from those around me that I know we would like to have more than half an hour on this side, and I suggest to the gentleman, therefore, that I think we have nothing else we can take up to-day.

Mr. MADDEN. Oh, yes; the Army bill.

Mr. BYRNES of South Carolina. Unless we can take up the Army bill. This is a very important question. The debate on this subject will finish the discussion upon the naval appropriation bill, and we can conclude its consideration in 15 minutes after we pass this section. I will ask the gentleman if

he does not think we ought to give a little more time to the discussion of it?

Mr. UPSHAW. An hour on a side.

Mr. KELLEY of Michigan. What does the gentleman from South Carolina suggest?

Mr. BYRNES of South Carolina. Will the gentleman agree to an hour on a side?

Mr. SANDERS of Indiana. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SANDERS of Indiana. I should like to know how much time remains on this matter under the rules.

The CHAIRMAN. The Chair will state that all time upon the amendment has been exhausted.

Mr. KELLEY of Michigan. Mr. Chairman, I did state, as I think the House will recall, that I would be generous when we reached this item, and I am inclined to think that half an hour on a side would comply with that statement; but in view of what the gentleman from South Carolina says, perhaps 45 minutes on a side may be sufficient, and I ask unanimous consent that the debate be limited to 45 minutes on a side.

Mr. BYRNES of South Carolina. Will not the gentleman give us an hour on this side? I remember distinctly the statement of the chairman in general debate that he would be very liberal when it came to this section of the bill, and as a matter of fact the consideration of the bill has not consumed a great deal of the time of the House.

Mr. KELLEY of Michigan. In view of the gentleman's request I ask unanimous consent that all debate on this paragraph and all amendments thereto conclude in two hours, one-half of the time to be controlled by myself and one-half by the gentleman from South Carolina [Mr. BYRNES].

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the pending paragraph and all amendments thereto conclude in two hours, one-half to be controlled by himself and one-half by the gentleman from South Carolina [Mr. BYRNES]. Is there objection?

Mr. MOORE of Virginia. Reserving the right to object in order to make an inquiry, may I ask whether it would be in order, should consent be given, to offer an amendment to be voted on without debate?

The CHAIRMAN. The Chair would state that amendments would be in order to the pending amendment at the close of debate.

Mr. MOORE of Virginia. This is the point that I have in mind: There may be gentlemen who desire to offer additional amendments to the paragraph under consideration, and when will those amendments be in order?

The CHAIRMAN. There is one amendment pending, and there can be another amendment offered, and a substitute. Additional amendments may be offered and voted on at the end of debate but may not be debated.

Mr. MOORE of Virginia. May I ask the gentleman if we can not agree in the event that this arrangement is made, that at the expiration of the time further amendments may be offered and passed on without debate?

Mr. KELLEY of Michigan. Yes.

Mr. SANDERS of Indiana. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SANDERS of Indiana. If unanimous consent is given and the time is divided between the two gentlemen, will the debate be under the five-minute rule, or can either gentleman yield more than five minutes?

The CHAIRMAN. The Chair understands that gentlemen can yield the time as they see fit.

Mr. KELLEY of Michigan. I will say to the gentleman from Indiana that in all probability the five-minute rule on this side will be observed. That would be the reasonable course to pursue.

Mr. WINGO. Mr. Chairman, so that there may be a clear understanding in reference to amendments, after the pending amendment is voted up or down, after the pending amendment is disposed of, additional amendments under the rule are in order, and it would be in order for any gentleman to offer an amendment, but he would not have a chance to debate it.

The CHAIRMAN. The gentleman from Arkansas is correct. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, will not the chairman increase the time on this side to an hour and five minutes?

Mr. KELLEY of Michigan. For what reason?

Mr. McCLINTIC. I have been elected member of the Committee on Naval Affairs, and I have not been able to get five minutes.

Mr. SANDERS of Indiana. Mr. Chairman, the regular order.

The CHAIRMAN. The regular order is called for. Is there objection?

Mr. McCLINTIC. I object.

The CHAIRMAN. The gentleman from Oklahoma objects. The question is on the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. McCLINTIC. Mr. Chairman, I withdraw my objection.

Mr. SANDERS of Indiana. I make the point, Mr. Chairman, that it is too late.

The CHAIRMAN. The amendment has been rejected, and it is too late to withdraw the objection.

Mr. MOORE of Virginia. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment by Mr. MOORE of Virginia: Page 43, line 21, after the period, insert the following: "*Provided further*, That the sum of $50,000 of this appropriation may be used, in the discretion of the President, to defray the expenses of any conference that may be called under authority vested in him by existing law with a view to bringing about an agreement for the abatement of the naval programs and the curtailment of naval construction by the Governments of the United States, Great Britain, and Japan."

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. KELLEY of Michigan. It is legislation providing for using a part of this appropriation for another purpose.

Mr. MOORE of Virginia. Mr. Chairman, I would like an opportunity to state to the House that there is no purpose in this amendment or in the amendment I offered day before yesterday——

Mr. KELLEY of Michigan. Mr. Chairman, I want to say further that the appropriation which the gentleman seeks to amend is for construction, and he seeks to divert a part of that fund for a different purpose.

The CHAIRMAN. The gentleman from Virginia is addressing himself to the point of order.

Mr. MOORE of Virginia. I was about to say that the simple purpose of the amendment is to secure an expression from the House indicating its approval of an effort to bring about disarmament by having a conference called in which the nations that are able to adopt an effective disarmament policy will participate. Gentlemen on the other side, as well as gentlemen on this side, will understand that I had no thought on Tuesday when I offered another similar amendment, and have no thought now of embarrassing the President. The President is assumed to be in favor of accomplishing disarmament if it can be done. That is likewise the sentiment of the country, as we believe. It is probably also the fact that the House is of the same mind. Now, my desire is that if we can do it, if a parliamentary method of doing it can be found, is to have the House, which is more strictly representative of the people than the other branch of the legislative department of the Government, proclaim to the country its deep and practical interest in the matter. That surely can not in any manner embarrass the President.

Now, so far as the point of order is concerned, I have only this to say: Here is an appropriation submitted covering several items aggregating $90,000,000. There is already one proviso touching the use of the appropriation. My amendment suggests an additional proviso authorizing the President, in his discretion, to expend $50,000 of the $90,000,000 for the purpose specified. It is a purpose contemplated by existing law. The President now has the power to call an international conference, and so the amendment rests on existing law. On the question of germaneness I do not see how there can be any doubt. The appropriation relates to the matter of naval construction, and that is the very subject to which the amendment relates.

Mr. MONDELL. Mr. Chairman, the amendment offered by the gentleman from Virginia [Mr. MOORE] is clearly not a limitation. It proposes an appropriation for a purpose entirely different and distinct from that provided for by the paragraph. The amendment is, therefore, not germane.

In this connection, Mr. Chairman, if I may be permitted to wander for a moment from the point of order, as did my genial friend from Virginia, may I say that we all know there is a general sentiment in the country in favor of a reduction of armaments. There is a general, I may say a practically unanimous, sentiment in this House favorable to the consideration by an international conference of the questions relating to and looking toward the reduction of the burdens of war and of armaments. For many reasons it is entirely proper and fitting that the United States should inaugurate, propose, and suggest

at the proper time a gathering of the nations for the consideration of these questions. I am hopeful that in the near future, I trust during this session of Congress, those who are directly charged with responsibility in the matter of our foreign relations will find that the time is ripe and opportune for the successful accomplishment of the purposes of those who desire a lightening of military burdens, and that at that time the Congress may take appropriate action proposing and providing for the calling of an international conference on the reduction of armaments. That should be done, and I have no doubt that it will be done when the conditions of our foreign relationships is such that we can do it without any misunderstanding of our motives and with the greatest probability and assurance of a successful outcome. But we do not get an expression of the views of the House on this subject by these various amendments even if they are not subject to a point of order, because none of them reaches the proposition of disarmament in a practical way. I take the same position in regard to these matters I did in the last Congress.

When the time arrives, when the situation touching our foreign affairs is such as to make it opportune and proper, and the state of affairs in the world are such as will be likely to make our efforts successful, we then should act, and I have no doubt action will, in that event, be taken by this House.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. BYRNES of South Carolina. Is the gentleman aware that in 1913 we enacted a statute which provided that hereafter the Executive shall not extend or accept any invitation to participate in any international conference, congress, or like event without first having specific authority of law to do so, and that the only authority is that contained in the Hensley resolution, which is limited to the conclusion of the war in Europe?

Mr. MONDELL. Mr. Chairman, if the gentleman had listened with a little more care to what I have just said, I think he would not have fallen into the error of supposing that I had in mind initial action on the part of the Executive in this matter.

Mr. BYRNES of South Carolina. I understood the gentleman to say that the President had authority under the law to do it.

Mr. MONDELL. The gentleman from New York the other day asked me if I believed that the President did not have a right to call such a conference, except or under the Hensley resolution, and having in mind the legislation which the gentleman has just referred to, I expressed some doubt with regard to it. What I have just said was this, that I hope in the near future, I trust during this session of Congress, it may be apparent to us and to those who are most directly charged with responsibility in the matter of foreign affairs that the time is ripe for the Congress to take action suggesting and proposing a conference on disarmament. At such a time I think the Congress should act, and I have no doubt Congress in due and proper time will act. This is hardly the time, I think gentlemen on both sides will admit, to take further action in that direction, in view of the authority the President now has. In any event under a proper construction of the rules one can not place upon a naval appropriation bill, if the proposition is contested, any amendment that would be practically helpful in bringing about a settlement of this question.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman further yield?

Mr. MONDELL. Yes.

Mr. BYRNES of South Carolina. I agree to that, that it would be subject to the point of order, but the gentleman says that some time during the present session of Congress——

Mr. MONDELL. I hope so.

Mr. BYRNES of South Carolina. That is a very indefinite statement. The session, as we all believe, will continue until fall. What I want to know is, can the gentleman tell us whether or not he is going to allow consideration of the Rogers resolution on this floor when it is reported?

Mr. LONGWORTH. Mr. Chairman, this is no doubt an interesting discussion, but it does not affect the point of order.

Mr. BYRNES of South Carolina. I think the House would like to know whether it is going to have an opportunity to consider this question.

Mr. LONGWORTH. I make the point of order.

The CHAIRMAN. The gentleman is not discussing the point of order. The Chair has had his attention directed to the fact that the gentleman from Virginia [Mr. MOORE] has offered an amendment to follow line 21. The Clerk advised the Chair that the paragraph beginning in line 18 and ending on line 21 has not yet been read. For that reason the amendment is not now in order.

Mr. MOORE of Virginia. Mr. Chairman, when we reach that point I shall renew the offer of the amendment.

The CHAIRMAN. The Chair sustains the point of order upon the ground that the paragraph has not been read.

Mr. FISH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. FISH: Page 43, after the paragraph ending at line 11, insert the following sentence: "But the President is instructed to suspend wholly or partially the expenditure of the sums aggregating $90,000,000, specified in this and the two next succeeding paragraphs, when under his direction an agreement approved by him has been reached for the curtailment of naval construction by the Governments of the United States, Great Britain, and Japan, provided that nothing in the agreement entered into shall interfere with the right of the United States to maintain a Navy at least equal to that of any other power."

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair would state that the paragraph to which the amendment has been offered has been passed and the amendment is not in order. The Chair sustains the point of order.

Mr. FISH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 43, after the paragraph ending at line 11, insert the following——

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order before it is read that the paragraph ending on line 11 has been passed.

The CHAIRMAN. The Chair would state that the paragraph ending on line 11 has been passed, and it is not in order to offer an amendment to it at this time.

Mr. CARTER. Mr. Chairman, let the gentleman offer it at the proper place.

Mr. FISH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, after the paragraph ending at line 21 and after the word "for"——

The CHAIRMAN. The Chair would state that the paragraph has not yet been read. [Laughter.] The Clerk will read.

Mr. KINDRED. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. KINDRED. I move to strike out the last word, and offer the following amendment without debate.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 43, line 17, after the words "thirty-three millions of dollars," insert the words "provided that $15,000,000 of this sum shall be expended on armor and armament in the Brooklyn, N. Y., Navy Yard.

[Laughter.]

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Total increase of the Navy heretofore authorized, $90,000,000: *Provided*, That no part of this appropriation can be expended except on vessels now being constructed or heretofore contracted for.

Mr. MOORE of Virginia. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MOORE of Virginia: Page 43, line 21, after the period, insert the following: "*Provided further*, That the sum of $50,000 of this appropriation may be used, in the discretion of the President, to defray the expenses of any conference that may be called under authority vested in him by existing law with a view to bringing about an agreement for the abatement of the naval programs and the curtailment of naval construction by the Governments of the United States, Great Britain, and Japan."

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order it is not germane; that it is legislation unauthorized by law.

Mr. WINGO. Mr. Chairman, on that I desire to be heard. In order to determine the question of germaneness, you have to take lines 15 to 21, inclusive, because it covers the vessels which have been authorized heretofore. I think the gentleman from Michigan will agree to that—that that is the substantive proposition covered by this particular paragraph, vessels which have been authorized heretofore. Now, the gentleman seeks to allocate a portion of this fund for the expense of a provision that was included in an act which authorized this program for which we are making appropriation. In other words, he wants to pay the expense of a conference that was authorized in the same act and in the same paragraph that authorized this new construction. Now, I submit that it is germane. The gentleman from Wyoming suggested a moment ago that it was not a limitation. It does not have to be a limitation, because there is no question of its being authorized by law. If it was not authorized by law, in order for it to come in and be in order, it would have

to be a limitation or a decrease of expenditures, but in this instance it simply allocates a portion of a fund for the purpose of defraying the expenses of an authorization contained in the original authorization for this construction work.

Mr. MONDELL. Mr. Chairman, if I may suggest, the mere fact that the Hensley amendment was part of the bill providing for certain naval construction certainly does not make this amendment in order. Furthermore, coming back to that much-discussed Hensley amendment, this amendment, if it were germane, does not provide for such a meeting or conference as the Hensley amendment contemplated. It proposes a conference of certain nations of the world rather than of all the nations of the world as provided for in the Hensley amendment, so any effort to bring it under the Hensley amendment is futile.

Mr. MOORE of Virginia. May I interrupt the gentleman?

Mr. MONDELL. And, furthermore, it is an attempt to divert a fund proposed to be appropriated for one purpose to an entirely different use and purpose, and it is not germane as an amendment.

Mr. MOORE of Virginia. May I interrupt the gentleman from Wyoming?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. I do.

Mr. MOORE of Virginia. I can hardly think that the gentleman from Wyoming contends, whatever legislation has been or may be enacted, that it is possible to prevent the President of the United States from exercising his constitutional power in dealing with international affairs to convene a conference. Congress could not conceivably interfere with the authority of the President in that respect.

Mr. MONDELL. The gentleman from South Carolina read a statute a moment ago which he apparently thought was purposed to prevent the calling of conferences without a specific authorization and appropriation by the Congress. Whatever the effect of that statute may be, it is true that whether or not the President has power and authority to call conferences, either under the Hensley resolution or without the Hensley resolution, when the Congress calls upon and directs the President to do a certain thing the Congress in so doing is legislating. When it does that the Congress legislates. It may be legislating without necessity or real practical purpose; notwithstanding, it is legislating, or attempting to do so, and legislation on an appropriation bill is repugnant to the rule unless it reduces expenditure.

Mr. MOORE of Virginia. The gentleman in his concluding remarks is not discussing the question that I tried to propound. He is discussing the other question, and the only question I think that is for the Chair to decide is whether this amendment is a legislative provision that is inadmissible. Of course that is the question at issue on which the Chair has to pass. I can never subscribe to the doctrine that we could tie the hands of the President of the United States by any legislation so as to prevent his calling an international conference.

Mr. MONDELL. Without passing on that question——

The CHAIRMAN. The Chair is ready to rule. The gentleman from Virginia [Mr. MOORE] offers an amendment to the paragraph, lines 18 to 21, which provides:

That the sum of $50,000 of this appropriation may be used in the discretion of the President, to defray the expenses of any conference that may be called under authority vested in him by existing law with a view to bringing about an agreement for the abatement of the naval program, and the curtailment of naval construction, by the Governments of the United States, Great Britain, and Japan.

The gentleman from Michigan makes the point of order that the amendment is not germane and therefore not in order upon this bill. It is true, as has appeared previously during the discussion of points of order upon this and other parts of the bill, that the Hensley amendment, so-called, did authorize the President to call a conference of all the great nations and appoint nine commissioners to represent the United States, and carried an appropriation of $200,000 for the salaries and expenses of such conference, the conference to consider the question of setting up an international tribunal, and also to report recommendations with reference to the reduction of armament. This amendment seeks to make available an appropriation made for the increase of the Navy, in the discretion of the President, for other purposes. The amendment proposed, which is to make available $50,000 of the total appropriations of ninety million for increase in the Navy for the expenses of a conference or negotiations between the nations named, namely, the United States, Great Britain, and Japan, in the opinion of the Chair is a matter not germane to a naval appropriation, notwithstanding the fact that the subject of the conference may have to do with and might affect the naval program of the countries concerned. That is a matter that might be germane in another appropriation bill, but is not germane to a paragraph making appropriations for the increase of the Navy in a naval appropriation bill.

The Chair, therefore, sustains the point of order.

Mr. FISH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. FISH: Page 43, after the paragraph ending at line 21, after the word "for" add the following: "That the President is authorized to suspend or curtail at his discretion wholly or partially the expenditures aggregating $90,000,000 specified in this and the two preceding paragraphs."

Mr. KELLEY of Michigan. My recollection is that the Chair has already passed on one before that is exactly like that.

The CHAIRMAN. The Chair will state that he has not passed on any amendment reading as this amendment reads.

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order that it is legislation, and is no limitation.

The CHAIRMAN. The gentleman makes the point of order against the amendment of the gentleman from New York that it is new legislation. The Chair sustains the point of order.

Does the gentleman from New York [Mr. FISH] desire to be heard?

Mr. FISH. "The gentleman from New York" relies with confidence on the decision of the Chair.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to strike out the last word. I do that in order that I may repeat some of the remarks I made just now on the law on this subject, because there has been misunderstanding about it.

In 1913 there was inserted in the deficiency bill when it was in the Senate an amendment, which was agreed to in conference and which is now the law. It provides that:

Hereafter—

I ask you to note that, so that it can not be argued, as it has been to me quite recently, that it was for the life only of the appropriation bill. The language is:

Hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event, without first having specific authority of law to do so.

Now, in the Hensley resolution, which was a part of the Navy bill for the fiscal year 1916, and was therefore enacted some time prior to 1916, it is provided:

In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world, to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal.

So, the language of the Hensley resolution provides that the authority of the President shall continue only until such time as there shall be a close of the war in Europe. Manifestly we did not have in contemplation the formal declaration of peace between the United States and Germany, because we were not then at war with Germany. It was in 1915. It referred only——

Mr. BUTLER. Will the gentleman pardon me?

Mr. BYRNES of South Carolina. I yield to the gentleman.

Mr. BUTLER. I think it is August 16.

Mr. BYRNES of South Carolina. Well, it was an amendment to the appropriation bill for the fiscal year 1916, and therefore must have been in 1915. But, accepting the statement of the gentleman that it was 1916, it would make no difference, as we did not enter the war until 1917. So, manifestly the only war we had in mind at that time was the war in Europe between the belligerents then engaged. Therefore, so far as the statutory authority is concerned, the President of the United States to-day has no authority. The only authority he could have would be the authority he would have through the treaty-making provisions of the Constitution. If that be the case, when we talk of the President calling a conference we ought to realize that the President may well say, "Under the statutes as they stand to-day I have not the power to call a conference of this kind. Before I call a conference, in view of this statute, I want specific authority. I want Congress to give me that authority." I am satisfied he will do so. Then, why hesitate about giving him the authority?

I do not say you should give it upon this appropriation bill, because I realize, if points of order are made, under the rules of the House it is almost impossible to grant authority that will enable him to carry out our wishes. But here is the Rogers resolution which takes into consideration the very statute I have referred to. It provides:

That the authority of Congress required by the act approved in March, 1914, is hereby granted for the purpose aforesaid, namely, the calling of the congress.

Passing this resolution now can not embarrass the President in the conduct of our foreign affairs, because it does not direct him to call the conference immediately but simply authorizes

him to do it at an appropriate time, and leaves to him the decision of not only the time but also whether he shall invite only Great Britain, France, and Japan or also other nations of the world. Why not bring this resolution in now and pass it and give this authority to the President, so that if the psychological moment arrives in the next few days or the next few weeks when he thinks with his knowledge of foreign affairs he can successfully accomplish it with a convening of a congress for the purpose, he can call it, instead of having to come to Congress and ask for a resolution which may be sent over separately and be delayed in the Senate?

The time to do it is now. You have got the resolution, and I hope the majority party in this House, charged with the responsibility, will give the Executive this power, so that he can exercise it and thus carry out the will of the American people. [Applause.]

Mr. SANDERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. I yield to the gentleman.

Mr. SANDERS of Indiana. Does the gentleman think there is any way in which a valid agreement can be made between the United States and any other nation with reference to disarmament except by treaty?

Mr. BYRNES of South Carolina. I am frank to say to the gentleman that I have doubt as to why this legislation was passed. I have looked into the RECORD to see if there was a debate——

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNES of South Carolina. I have looked into the RECORD to see if there was any debate in the Senate when this amendment was offered in explanation, and find there was none. But that statute being in effect, my own opinion is that your President is going to say, in the face of it, that he is not going to call that conference; and that being so, why not be specific and give him the authority now?

Mr. SANDERS of Indiana. Is there any doubt now in the gentleman's mind that this Government of ours can only make an agreement by treaty?

Mr. BYRNES of South Carolina. I think not. I looked for the debate in the Senate to see what justification they had for the adoption of the amendment.

Mr. SANDERS of Indiana. If that is true, that we can only make an agreement by a treaty, is it possible that any statute that we might enact would prohibit the President from taking any further steps necessary to bring about such an agreement, which would be a treaty?

Mr. BYRNES of South Carolina. Only this, that I know that the President would have to come to Congress to ask Congress for the money, for instance, to enable this congress to meet here. That was evidently the purpose of the Congress when it put that amendment into the deficiency bill, to provide against continued invitations to all manner of conferences to be held here at the expense of the people. It was to put restrictions on that practice which had grown up and which still exists, and I think the gentleman will agree with me, inasmuch as that statute still continues in force, that the President is not going to call a conference without specific authority. I think that is the opinion of the majority leader. He has expressed his desire to cooperate with the legislative branch of the Government and will not, in my opinion, call a conference without specific authority in view of this expressed view of the Congress that he should not do so.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. MONDELL. Mr. Chairman, just one moment to repeat what I have already said. I do not think there is any doubt about the sentiment of the American people or the sentiment of this Congress on this subject.

Personally, I am willing to leave this matter to the good judgment of the Committee on Foreign Affairs, confident that they will keep in touch with the foreign situation as it affects the United States and in constant communication with those who are most directly charged with the responsibility relative to our foreign relations, and at a time which seems opportune, with the full understanding thus secured and obtained, I have no manner of doubt what action will be taken.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. The trouble is that you gentlemen want, apparently, to have the credit of being a little more anxious than the rest of us to do something just at this time, whether it is sound or otherwise, whether or not it is sane or sensible. You say, "Let us do something," to stir up things.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. FLOOD. The gentleman refers to what the Committee on Foreign Affairs would do. That committee was called in session last Monday for the purpose of considering this very proposition. That meeting was called off and indefinitely postponed. Can the gentleman tell me why that meeting was so indefinitely postponed?

Mr. MONDELL. Well, not being a member of the committee, having had nothing to do with its postponement, of course I am not in a position to inform the gentleman otherwise than to say that I am very confident that it was postponed for some very good and sufficient reason. [Laughter.]

Mr. FLOOD. Does not the gentleman think that gives us very slight hope of getting action by the Foreign Affairs Committee in the near future?

Mr. MONDELL. No, Mr. Chairman. I am very much surprised, in view of the apparent impetuosity and anxiety of some of the gentlemen on the other side in regard to this matter, that they did not get after it—perhaps I should not use that term—that they did not importune the former President, during the long period in which he had authority, to call this conference, a conference on disarmament; that they did not insist on his doing it. I dare say none of them ever approached the "throne of administration" to make that suggestion during all the months that elapsed from the enactment of the Hensley provision down to the 4th of March last.

Mr. FLOOD. Mr. Chairman, will the gentleman yield again?

Mr. MONDELL. Yes.

Mr. FLOOD. The war was on at that time. We were in the war soon after that. It was not wise or possible to hold a conference on disarmament until after the war ended.

Mr. MONDELL. I am not blaming the gentleman for not moving in it. I do not think it would have been wise for the President to have called such a conference during any part of that period, and therefore when the gentlemen restrained themselves they were exercising most excellent judgment, and if they will continue to exercise good judgment and further restrain themselves until the posture and condition of our foreign affairs make it fitting and proper to do this thing, it will be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last two words.

Mr. FLOOD. Mr. Chairman, I think the gentleman is entirely right about the President not acting under the Hensley resolution, because the condition of affairs in the world would not have justified it. But during the last session of Congress the gentleman from Wyoming was the majority leader of the House. A member of the majority party, the gentleman from Illinois [Mr. BROOKS], introduced a resolution requesting the President to call just such a conference as this, a conference on disarmament. The Committee on Foreign Affairs, which, as the gentleman from Wyoming said, is charged with our foreign relations, reported that resolution. It came here and was on the calendar of the House. In the wisdom of the Committee on Foreign Affairs of this House the time when this Government should move in this great question of disarmament had arrived. The gentleman was the leader of his party. His party was in power. It controlled this House and determined what bills should be taken up and enacted into legislation. No effort was made by the gentleman or by any member of the Committee on Foreign Affairs, or any member of his party, to get that resolution before the House and make the request of the President to call a conference of the nations of the world on disarmament. That resolution was killed by the majority, as the pending resolution is being killed to-day.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. MONDELL. The gentleman understands my attitude on that matter. I did not think the proposition was wise at the time. The same reasons that control me now controlled me then. I did not think the time was opportune. The resolution was voted down by a very decided majority. The House exercised very good and excellent judgment about the matter.

Mr. FLOOD. The gentleman had stated that he was willing to trust the decision of this question to the Foreign Affairs Committee of the House. That committee, after protracted hearings upon the Brooks resolution, reported that resolution to the House. I am not speaking of the disarmament amendment

offered to the naval bill but of the Brooks resolution, a clear-cut disarmament resolution, requesting the President to call a conference of all the important nations of the earth to consider this mighty question. It represented the best judgment on this subject of the Foreign Affairs Committee.

The gentleman's party then, after they had gotten the advice of the Foreign Affairs Committee, did not think it wise to request this conference. They did not permit the chairman of the Foreign Affairs Committee, or any member of that committee, to call up that resolution and get it passed by the House, giving this authority to the President. They knew that if the President had been so requested that such a conference would be called, and they would not permit the resolution to become law. You knew that this country was demanding that some step be taken toward disarmament. You knew that the world was demanding it. Yet you sat here and, through your steering committee and your leadership of this House, refused to give the President authority to call a conference to consider this great question. You are doing the same thing to-day. You are postponing it. You are leaving it to the Foreign Affairs Committee, and if the judgment of that committee accords with your wishes you will leave it with the committee to die there, but if its judgment is that this conference ought to be called and a disarmament resolution is brought in here you will throttle it and let it die on the calendar. You will not let it come up here for a vote. The people of the country will hold you responsible for the defeat of this resolution and the delay of this proposition. [Applause on the Democratic side.]

Mr. BUTLER. Will the Chair please state what is before the committee? I demand the regular order.

The CHAIRMAN. The regular order is the motion to strike out the last two words.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent for three minutes.

Mr. KELLEY of Michigan. I dislike to move to close debate, but there is other business scheduled to follow this bill immediately.

Mr. LINTHICUM. I ask unanimous consent for three minutes.

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. KELLEY of Michigan. I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes, and that the gentleman from Maryland [Mr. LINTHICUM] may have three minutes and the gentleman from Texas [Mr. JONES] the other two minutes.

Mr. JONES of Texas. I have an amendment which I desire to explain.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that all debate on the paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, I do not know the intention of the majority party as to passing the Rogers resolution and calling this conference, but there seems to have been a very sudden change of heart on Monday last. I received notice last week to attend a hearing before the Foreign Affairs Committee on Monday. That hearing was to be held at 10.30, and the committee was to hear persons upon the question of the resolution of the gentleman from Massachusetts [Mr. ROGERS]. I attended, and no one was present. I said to the clerk of the committee, "I thought we were to have hearings this morning." He replied, "Yes; I did, too, but they have been postponed." I said, "It seems to me I was entitled to some notice that they had been postponed, because I go home on Saturdays, and I would not have so hurried and left other work except for this committee meeting." He said, "I received notice of the postponement only awhile ago myself, and I called up the different members of the committee." Evidently somebody had a very quick change of heart as to the amendment. As I was leaving, one of the reporters met me and said, "Are you not to have hearings on the Rogers amendment this morning?" I said, "No." He said, "When are you to have them?" I said, "I am not of the majority party; that is a foolish question."

That reminds me of the little girl who asked her mother where the light goes when it goes out. Her mother said, "My dear, that is a very foolish question. You might just as well ask me where your papa goes when he goes out." [Laughter.]

I sincerely hope that Congress will soon adopt the Rogers resolution or some other resolution providing a conference of the nations for the purpose of disarmament. I am in favor, however, until such an agreement can be obtained, of providing an adequate Army and Navy for the protection and defense, if necessary, of America. It would be criminal, indeed, to allow the country again to become unprepared. For that reason I do hope and pray that a way will soon be found for disarmament and lifting of the burden from the backs of the American people. The tax burden is now intolerable; it bears upon the people of our country and of the world until they are all but crushed with the tremendous weight.

A vast part of the world is to-day totally bankrupt. The money of European countries has so depreciated in value that it buys a very little of the necessaries of life. When I was in Europe last year I received in German marks 33 for $1, whereas before the war one received about 4. In Austria I received 180 crowns, whereas before the war only 5 were received for $1. Poland was worse than Germany, and the Russian money has become worthless. The American people look to this Congress for relief, and the world for us to lead them into some path which will relieve their burdens.

It is not my desire to in any way hamper the President in his actions, but I do hope that the situation of our country and of the world may speed progress in disarmament and thereby lessen the absolute demands for preparedness. The American people are with the President in this movement, and the world looks to America. Our appropriations for the fiscal year of 1920 amounted to $5,686,005,706; 1 per cent for public welfare, 3 per cent for public works, 3.2 per cent for administration of the Government, and 92.8 per cent for war and the expense of past wars—present armaments 25 per cent, past wars, 67.8 per cent. The taxation for the Federal Government for the fiscal year averaged $50 per person, of which 50 cents per person was spent for research education and development. When one realizes this tremendous burden, it can well be understood from whence and why cometh this great call for some agreement for disarmament or partial disarmament and the relief of the peoples of the world from all this unnecessary and unwholesome taxation. [Applause.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. JONES of Texas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 43, line 20, after the word "constructed," strike out the word "or" and all of line 21.

Mr. JONES of Texas. Mr. Chairman, at present the proviso with reference to this $90,000,000 appropriation reads as follows:

No part of this appropriation can be expended except on vessels now being constructed or which have heretofore been contracted for.

The effect of this amendment is to strike out the language "heretofore been contracted for," so that the proviso would read:

No part of this appropriation can be expended except on vessels now being constructed.

The argument that has been made all along is that the vessels under construction would be a greater loss to the Government if it stopped the construction than it would to go on and finish the construction. But it seems to me that if they have merely been contracted for they can well afford to wait until the determination of whether or not we are going to have an international agreement for disarmament. At any rate, the argument can not be made that it would cost the Government more to stop now than it would to finish the work, unless they are making an enormous profit on some of these ships. If you adopt my amendment, it would permit the finishing of the construction of any ships of any kind or character the construction of which has already begun.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. JONES of Texas. Certainly.

Mr. KELLEY of Michigan. There is no money carried in this bill contemplated to be spent on any ship on which construction has not begun.

Mr. JONES of Texas. Then, what is the objection to this amendment?

Mr. KELLEY of Michigan. I do not know that there is any objection, but I see no particular purpose in it.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That no part of any sum appropriated by this act shall be used for any expense of the Navy Department at Washington, D. C., unless specific authority is given by law for such expenditure.

Mr. McCLINTIC. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. McCLINTIC: Page 43, line 25, after the word "expenditure," insert a new paragraph, as follows:

"That the Secretary of the Navy shall ascertain from the Secretary of War information concerning surplus supplies of ordnance, food sup-

plies, or other materials available for sale, and he is hereby directed to give preference to the War Department in making purchases when suitable supplies can be obtained."

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order against the amendment.

Mr. McCLINTIC. Will the gentleman reserve his point of order?

Mr. KELLEY of Michigan. I will reserve it.

Mr. McCLINTIC. Mr. Chairman, there is to be found at a great many military posts large stores of surplus material. There is likewise to be found in many of the stores in every city throughout the country supplies of surplus foodstuffs that have been sold by the War Department at a very low price. Much of this could have been purchased by the Navy Department at a great saving of money. I find on page 16 of this bill that the sum of $2,000,000 is appropriated for the purpose of manufacturing smokeless powder. The Members of Congress who have kept up with the activity of the Surplus Supply Division of the War Department and who have read the bulletins issued from time to time for the sale of these supplies will remember that nearly everything under the sun has been offered for sale at a very low price.

Mr. KING. Mr. Chairman, a point of order; the gentleman is not speaking to the point of order.

The CHAIRMAN. The gentleman is not discussing the point of order; the point of order is reserved.

Mr. KING. If the gentleman wants to make a speech, let him extend his remarks.

Mr. McCLINTIC. Mr. Chairman, it is unfortunate that some Members of the House are not competent to interpret an amendment of this kind. The gentleman was either asleep or ignorant of what is going on.

Mr. KING. I am probably as good an authority on that matter as is the gentleman on the purity of the RECORD.

The CHAIRMAN. The gentleman from Illinois made the point of order that the gentleman from Oklahoma was not discussing the point of order. The point of order was simply reserved by the gentleman from Michigan, and the gentleman from Oklahoma was recognized to speak on his amendment.

Mr. KING. Then, Mr. Chairman, I make the point of order.

Mr. McCLINTIC. I did not yield for that purpose, Mr. Chairman. I had the floor.

The CHAIRMAN. The gentleman is not obliged to discuss the point of order now. The gentleman will proceed

Mr. McCLINTIC. Mr. Chairman, I was discussing the amendment which I offered in good faith. The gentleman belongs to the party that has promised the country economy. The amendment I have offered calls the attention of the Secretary of the Navy to the fact that it is possible to purchase surplus supplies from the War Department at a much lower price than can be purchased at other places. In other words, I am trying to cut out much duplication in buying and at the same time reduce the expenditures authorized in this bill. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The amendment is clearly legislation, authorizing the various officers to perform certain duties, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

That no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that, at the time of the proposed acquirement, can be manufactured or produced in each or any of the Government navy yards of the United States, when time and facilities permit, for a sum less than it can be purchased or acquired otherwise.

Mr. HULL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. HULL: Page 44, line 20, insert: "and that all orders or contracts for the manufacture of material pertaining to approved projects heretofore or hereafter placed with Government-owned establishments shall be considered as obligations in the same manner as provided for similar orders placed with commercial manufacturers, and the appropriations shall remain available for the payment of the obligations so created as in the case of contracts or orders with commercial manufacturers."

Mr. KELLEY of Michigan. Mr. Chairman, I make the point of order against the amendment. I have not had time to look into it at all or study the full meaning of it.

The CHAIRMAN. The gentleman from Michigan makes the point of order against the amendment. Does the gentleman from Iowa wish to be heard upon the amendment?

Mr. HULL. Mr. Chairman, will the gentleman reserve the point of order?

Mr. KELLEY of Michigan. Mr. Chairman, I reserve the point of order.

Mr. HULL. Mr. Chairman, I call the attention of the committee to this fact: The other day I asked the chairman of the Naval Affairs Committee in regard to how much money carried in this bill was to be expended by private corporations. The gentleman was unable to say. Since that time I have been trying to find out how much of the money that we spend for national defense goes to corporations to foster industry to make war on other people. No one is able to answer the question. I have taken the matter up in the Military Affairs Committee and we tried to stop the practice, as far as possible, in the Army. This same amendment has been held in order on Army bills, and it is in the present Army appropriation bill, word for word, as I offer it. It is also in the Army reorganization bill as permanent legislation in such a way as I think to cover the entire subject, as that was a national defense measure. However, they offer as an excuse the fact that the appropriation was not available, owing to the fact that we have not put that amendment on the naval appropriation bill. I offer the amendment to reduce the expenses of this Government and to have, as far as possible, the money that we appropriate used in the navy yards and not used by private corporations which foster the industry of making war. I have a letter from the Navy Department in regard to a contract that was let a few days ago by the Navy Department, which I will read:

NAVY DEPARTMENT,
BUREAU OF ORDNANCE,
Washington, D. C., April 21, 1921.

MY DEAR MR. DARROW: Your letter of April 20 requesting information concerning the award of contract for 14-inch and 16-inch proof shot has been received.

While the navy yard was the low bidder on 14-inch proof shot only, the time of delivery, 13 months, rendered it impossible to give even that part of the order to the yard, because it would have necessitated using next year's money, which is going to be very scarce. Money is available from this year's current appropriation, "Ordnance and ordnance stores," and can only be used after July 1 if obligated by contract prior to that date. Placing an order with a navy yard is not "obligating" it under law, though such is the case with Army appropriations.

I think that the employees of the navy yard who called on you have already been informed regarding this matter, and am sorry that they took up your time unnecessarily. I am always glad to furnish information and hope you will not hesitate to call upon me. As a former commandant, I am greatly interested in the employees of the Washington Navy Yard, who form a very efficient body.

Very sincerely, yours,

CHAS. B. MCVAY, JR.,
Rear Admiral, United States Navy,
Chief of the Bureau of Ordnance.

Hon. G. P. DARROW, M. C.,
Committee on Naval Affairs,
House of Representatives, Washington, D. C.

It is very clear that if this amendment be adopted it will reduce expenses, and it is clearly in order under the Holman rule. There ought not to be any objection to the amendment on the part of this committee.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HULL. Yes.

Mr. JOHNSON of Mississippi. Is that the law now regarding the military appropriations?

Mr. HULL. Certainly. It is permanent law, and it should be on the naval appropriation bill. It is a reflection on the Naval Committee and on the naval administration that they have not had it put on their bill long ago.

Mr. KELLEY of Michigan. Mr. Chairman, I desire to say in connection with this amendment that it may be all right. I do not know. But it is a matter of considerable importance, rather far-reaching in its effect, and, representing the Committee on Appropriations, the gentleman from Iowa can readily see that I can not permit a matter of so much importance, which is clearly subject to the point of order, to go into the bill. In view of the fact that the Committee on Appropriations has given the matter no consideration whatever, nor have I myself, that the Secretary of the Navy has not been consulted, and that we have had no communication whatever from the Navy Department with reference to it, I reluctantly am obliged to object. Personally, I do not think the navy yards are suffering at all for want of work. I make the point of order.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HULL. For only a few minutes. The Chairman understands the Holman rule, and any legislation which will reduce expenses is clearly in order. This is reducing expenses, according to the department's own statement. What is wanted any clearer than that?

The CHAIRMAN. The Chair would state that an amendment must show on its face that it reduces expenses, and the

Chair would ask the gentleman from Iowa in what way the amendment reduces expenses and what particular language explains the result in the reduction.

Mr. HULL. Take it in connection with the preceding section. If they can manufacture for less than they can purchase, they can use the appropriation. That is what it means. It has been held in order on the Army bill, and how does it differ in that respect when it is offered on a Navy bill?

Mr. KELLEY of Michigan. Mr. Chairman, I would further suggest that it is not germane to the paragraph to which it is offered. The paragraph to which it is offered deals with quite another matter.

Mr. TAGUE. Mr. Chairman, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. TAGUE. Mr. Chairman, I do not think there is any question but that the adoption of this amendment is a saving on the appropriation bill for the Navy Department. I think no one can question that to-day in the Navy Department there is a great opportunity for the saving of money in the repairing and the building of ships for the Navy. There is not a navy yard in the country to-day where there is not already established some branch for the manufacture of supplies and machinery for the Navy Department. Yet almost invariably you find officers in charge going outside and purchasing supplies at a much higher price than the Navy Department can manufacture them for in their own yards. I will give you one example to show where the saving would come right under this amendment. For years the Navy Department has been making at the navy yard in my district the chain used on the battleships and the cruisers. There has never been an objection to that chain as it has been manufactured, and it has been supposed until recently to be the best chain that could be procured. But suddenly, at the instigation of some officer, they have decided to use a different make of chain, and that chain is to be purchased from a private corporation, at an expense far in excess of that for which the navy yards can make the same chain, even though the expense necessary to change their patterns and machinery is added to the cost. A delegation from the Boston Navy Yard came here and laid the case before the Navy Department and guaranteed to make a better chain than is now being purchased by the Navy Department at from 6 to 14 cents a pound less than the Navy Department has agreed to pay for it at the present time.

Mr. Chairman, I contend that this is a saving under the Holman rule, not only in this line of supplies, but will also apply to many others. It would be a saving to the Government of many thousands and hundreds of thousands of dollars in appropriations each year. I have given this matter some study because I come in contact with the matter almost every day. I have heard men on this floor get up and complain of the efficiency of the workmen in the navy yards. Nothing could be more false than that. The Government, during the war, constructed a great many ships for the United States Shipping Board, and great efficiency was claimed for that work, which went on all over the country, but the fact remains that a great many of those ships have had to be put back into the navy yards of the United States and in private yards to be repaired because of the lack of efficiency and poor workmanship in their construction. They have been sent back to the Government navy yards because there is efficiency there and also first-class workmanship.

Now, Mr. Chairman, we can manufacture supplies for the Navy in the navy yards and save money for the Government, and the adoption of this amendment would compel the use of some of these departments now lying idle. I hope the gentleman in charge of the bill will withdraw his objection to this amendment in the interest of economy that he speaks of in this bill. I believe, Mr. Chairman, its adoption would be a great saving for the Government, and the Navy Department will do the things that Congress intended should be done when we spent the millions of dollars of the Government's money in building up these institutions in the several yards.

Mr. TOWNER. Mr. Chairman, the point of order, I understand, has not been passed upon by the Chair.

The CHAIRMAN. It has not.

Mr. TOWNER. Mr. Chairman, I desire to make this suggestion to the Chair: If the Chair will notice in the paragraph which was just read immediately preceding the amendment offered by my colleague from Iowa [Mr. HULL], he will notice that it provides that where the navy yards can be made available they shall be made available. Now, this additional paragraph has only this effect: It declares that these appropriations that have already been made in certain instances for this purpose shall be continued to be available for the purposes specified in the act. Now, that is made necessary, as was explained by my colleague from Iowa, for the reason that when it had been called to the attention of some officers of the Navy that this appropriation might be used for such purposes that they said they were not authorized. Very well. Then this would give them the necessary authorization to use the funds already appropriated. Now, Mr. Chairman, if the fund already appropriated for like purposes can be used without contracting for the same purposes with private corporations, without necessitating further expenditures and further appropriations, it seems to me that the conclusion is inevitable, Mr. Chairman, that the work necessarily effects a reduction in expenditures. It seems to me that the point of order is not well taken.

Mr. HUSTED. Mr. Chairman, it is perfectly clear that this amendment provides for new legislation, and it does not come within the exceptions carried in the Holman rule because it does not appear upon the face of the amendment it will necessarily retrench expenditures.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Iowa [Mr. HULL] offers an amendment to the paragraph of the bill which provides—

> That all orders or contracts for the manufacture of material pertaining to approved projects heretofore or hereafter placed with Government-owned establishments shall be considered as obligations in the same manner as provided for similar orders placed with commercial manufacturers, and the appropriation shall remain available for the payment of the obligations so created as in the case of contracts or orders with commercial manufacturers.

Well, in the opinion of the Chair, that might result in a saving or it might result in a loss; there is nothing upon the face of the amendment itself to make it clear that it will result and must finally result in a retrenchment of expenditures. Furthermore, of course, it is permanent legislation and authority to the paragraph of the bill where it is offered. The Chair has carefully read the language which precedes it in conjunction with the amendment and can not hold that the amendment on its face will result in a retrenchment of expenditures, and therefore sustains the point of order.

Mr. BLANTON. Mr. Chairman, I desire to offer an amendment to perfect this amendment.

Mr. KELLEY of Michigan. Mr. Chairman, I ask that we return to——

Mr. BLANTON. But I have an amendment to perfect this paragraph if possible.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 44, line 5, after the word "watch," strike out the words "or other time-measuring device"; and, in line 8, strike out "or of the movements of any such employees while engaged upon such work."

Mr. BLANTON. Mr. Chairman, the committee informs us that we have employed by the United States Government in our navy yards between 60,000 and 70,000 men, and yet we are attempting by the passage of this paragraph in this bill to provide that no Government manager or superintendent of any of those yards, or of any of the work of those yards, can in any way exercise surveillance over these 60,000 or 70,000 employees to bring about efficiency. I know how the House feels on that question, because I have seen Members vote before, but I can not sit still as one Member of the House feeling as I do about it without raising my voice again in protest against any such law. Is there a business man in this House to-day who would employ personally in his private business 60,000 or 70,000 employees and not have some kind of reasonable surveillance to enforce efficient service? Are you going to do with the public money of the people in the Public Treasury something that you would not do with your own money? That is the question for you to answer. Oh, my friends, whenever this question is raised some one will jump up and say, "Are you going to hold a stop watch over somebody?" Well, I have not in this amendment raised any opposition to the stop watch; I have left that in. My amendment does not affect the stop watch, but it does affect language where you say the Government shall not exercise any kind of surveillance over its employees; that you can not overlook them at all; but that these 60,000 or 70,000 employees may do as they please. Most of them might be loyal, patriotic, deserving, efficient workmen, and yet of that whole bunch you might have at least a small number who were slackers on their work. In every job requiring the service of 60,000 or 70,000 men you will find some fellows who are not as alert as others; you will find some fellows hanging back instead of pushing forward. I think we should have some kind of surveillance. Franklin D. Roosevelt, former Assistant Secretary of the Navy, testified before one of the committees that since this very provision went into effect that he was not able to get more than about 65 per cent of efficiency in the navy yards. That is in a printed document of one of your hearings, and

yet because the organizations of these men come here and demand that we pass this law, and have their representatives watch us from the gallery and watch the RECORD the next day from their offices in the city of Washington to see how we vote, we must, forsooth, comply with their demands. Why, they hold a stop watch over you, but they do not want you to hold a stop watch over them. [Laughter.] They give you a card when election time comes saying you have given 100 per cent of service or you have given 5 per cent of service. I know you are not going to pass my amendment, but I am going to raise a protest just the same.

Mr. KELLEY of Michigan. This provision carried in the bill is a provision which has been carried for a long time. Sometimes the Committee on Naval Affairs reporting this bill heretofore has reported this provision, and sometimes it has not. When it has not it has been invariably inserted on the floor. So it seemed rather the settled policy of the House that this legislation should continue, and that is why the paragraph is carried in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLANTON].

The question was taken, and the amendment was rejected.

Mr. KELLEY of Michigan. Mr. Chairman, I ask to return to page 17 for the consideration of an amendment which was offered, and to which a reservation of the point of order was made by the gentleman from Ohio [Mr. BEGG].

The CHAIRMAN. The gentleman asks to return to page 17, according to previous agreement.

Mr. STEPHENS. Mr. Chairman——

The CHAIRMAN. The Clerk will report the pending amendment.

Mr. STEPHENS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. STEPHENS. I ask unanimous consent to withdraw the amendment and offer another one.

The CHAIRMAN. The gentleman from Ohio [Mr. STEPHENS] asks unanimous consent to withdraw the amendment offered by him when the paragraph on page 17 was reached during the reading of the bill, and to offer one in lieu thereof. Is there objection?

Mr. BANKHEAD. Reserving the right to object, let us have the proposed substitute read, Mr. Chairman, in order to see what it is.

The CHAIRMAN. The Clerk will read for the information of the committee the amendment proposed to be offered in lieu of the one that has been withdrawn.

The Clerk read as follows:

Amendment offered by Mr. STEPHENS: Page 17, after line 2, insert a new paragraph, as follows:

"That no part of the appropriations heretofore, herein, or hereafter made for 'increase of the Navy' under the Bureau of Ordnance, and no part of allotments of appropriations heretofore or hereafter made to said bureau shall be available for the payment for services or materials used in the construction of any shop, building, living quarters, or other structures, or for additions and betterments to any existing shore station facilities unless the appropriation shall in terms specifically authorize such construction or additions and betterments: *Provided*, That hereafter ordnance materials procured under the various ordnance appropriations shall not be available for issue, to meet the general needs of the naval service: *Provided further*, That nothing herein shall be construed as preventing the allocation of guns and ammunition to ships according to the requirements of the naval service."

The CHAIRMAN. Is there objection?

Mr. MADDEN. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The amendment has been read only for information. Is there objection to the gentleman withdrawing the former amendment and offering the one that has just been read? The gentleman from Ohio offered an amendment, and there was no objection to its being reported.

Mr. BEGG. Reserving the right to object——

The CHAIRMAN. The Chair will state that permission has been given.

Mr. BEGG. Mr. Chairman, I reserve the point of order, and shall not make it. That is practically the same amendment that I made the point of order to the other day, and my reason for not making the point of order to-day is not that I have changed my mind in the least regarding the appropriateness of legislating on these appropriation bills. But my distinguished colleague from Ohio [Mr. STEPHENS] has worked hard and dug up what seems to be a very serious abuse in the department in that they appropriate materials for any old subject or purpose which they desire, without giving a rendering or accounting to the department from which they take it. And rather than to permit that to continue until the chairman of the Naval Affairs Committee may possibly, perchance, some time have the opportunity and right of way on the calendar to rectify it, I think it is wiser to submit to the legislation on the appropriation bill rather than to make a point of order against it. I therefore withdraw my reservation.

The CHAIRMAN. The gentleman from Ohio [Mr. BEGG] withdraws his reservation of the point of order.

Mr. CURRY. I make the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CURRY. That it changes existing law on an appropriation bill. While the legislation may be proper, and probably we ought to have it, it should come from the Committee on Naval Affairs, of which the gentleman from Ohio is a member, and time be given to consider it. It interferes absolutely at the present time with the system that has been in vogue in the navy yards, and without proper legislation and without telling the department what they shall or shall not do, except so far as this resolution is concerned, changes the law.

Mr. STEPHENS. Will the gentleman reserve his point of order?

Mr. CURRY. Yes; I will reserve it.

Mr. BANKHEAD. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The gentleman from California makes the point of order against the pending amendment.

Mr. CURRY. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The question is on the amendment of the gentleman from Ohio.

Mr. STEPHENS. Mr. Chairman, I want to call attention to the effect of this proposed amendment. It will require that funds appropriated shall be applied as intended; will prevent augmenting appropriations by transferring surplus money from other heads; will prevent using appropriations for armor and armament and ammunition for new ships for making betterments and additions at shore stations; will prevent the use of any unexpended balances of war appropriations, of which it is understood the bureau has a large unexpended balance to its credit of an allotment made during the war; will not interfere with the transfer of surplus material acquired during the war to other bureaus, such as machine tools; and will not interfere with the assignment of guns intended for a particular ship, in an emergency, to another ship. These are the reasons, and I think the amendment ought to carry.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KELLEY of Michigan. Mr. Chairman, I move that the committee do now rise and report back to the House the bill with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. WALSH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. KELLEY of Michigan. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put the amendments in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BLANTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Texas moves to recommit. The Clerk will report the motion.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Appropriations Committee with instructions to report the same back to the House forthwith, with the following amendments, to wit: On page 43, line 11, strike out "$53,000,000" and insert in lieu thereof "$3,000,000"; and in line 17 strike out "$33,000,000" and insert in lieu thereof "$3,000,000"; and in line 19 strike out "$90,000,000" and insert in lieu thereof "$10,000,000."

Mr. KELLEY of Michigan. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The gentleman from Michigan moves the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Texas [Mr. BLANTON] to recommit the bill.

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays, and, pending that, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and twenty-four Members are present. A quorum is present. The gentleman from Texas demands the yeas and nays. As many as favor taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Not a sufficient number have risen. The yeas and nays are refused, and the motion to recommit is lost. The question is on the passage of the bill.

The question was taken; the Speaker announced that the ayes appeared to have it.

Mr. KELLEY of Michigan and Mr. BLANTON called for a division.

The SPEAKER. The gentleman from Michigan and the gentleman from Texas ask for a division.

The House divided; and there were—ayes 212, noes 15.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. As many as favor taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Four gentlemen have risen in the affirmative, not a sufficient number. The yeas and nays are refused. The ayes are 212 and the noes are 15.

So the bill was passed.

On motion of Mr. KELLEY of Michigan, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; and, pending that, I would like to ask the gentleman from Mississippi [Mr. SISSON] about how much time he requires for general debate.

Mr. SISSON. I have requests for 1 hour and 45 minutes.

Mr. ANTHONY. Would it suit the gentleman's convenience if we would confine the general debate to three hours, one hour and a half to each side?

Mr. SISSON. I have pared down the time on all gentlemen who have asked for time to 5 or 10 minutes, and after doing that I find it would take an hour and forty-five minutes.

Mr. ANTHONY. Well, make it three hours and a half.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the general debate be limited to three hours and a half, one half the time to be controlled by the gentleman from Mississippi [Mr. SISSON] and the other half by himself. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Kansas that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Army appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5010, the Army appropriation bill, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5010, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. ANTHONY. Mr. Chairman, the bill that is now presented to the House for the support of the Army for the next fiscal year has been based upon the bill which was passed by both the House and Senate at the last session of Congress and which failed to meet the approval of the President.

There are very few changes of legislation in this bill as compared with the bill that failed. There have been increases made in the appropriation for various items, principally for pay and subsistence of enlisted men, of $6,500,000. There have been decreases in various items for the support and maintenance of the Army of $22,000,000, making a net reduction under the bill which failed to receive approval from the President of over $15,000,000.

We took it that the reason that the bill which this House and the Senate agreed upon failed to receive presidential approval was because of the fact that we had not appropriated a sufficiently large sum of money to maintain an Army of the size which was desired by the War Department at that time, when the department asked for a force of 280,000 men and appropriations amounting to $690,000,000. If that was the cause of its failure to receive presidential approval, of course the bill that is now presented to you would likewise probably fail to receive such approval, because, as I say, we have further reduced the amount carried in the old bill by $15,000,000, although we do make an authorization for the maintenance of 10,000 more enlisted men for the Regular Army than the last bill carried. The bill which failed provided for an Army of 158,000 enlisted men and, in addition thereto, the Philippine Scouts of 6,900 and 1,200 flying cadets. This bill which now comes to the House carries an appropriation for the pay of the Army which will provide 168,000 enlisted men in the regular service and also the 6,900 Philippine Scouts and the 1,200 flying cadets, and in addition thereto we provide pay for 14,000 commissioned officers, the same as the last bill carried. There are now in the Army 12,900 commissioned officers, but, due to the liberal promotions which were caused by the act of reorganization, there are now no second lieutenants in the Army, and when part of those vacancies are filled it will absorb the entire number provided for. This bill will pay for 14,000 officers.

The first legislative change in the bill provides that surplus foodstuffs in the Army may be sold abroad. When we gave the authority in previous legislation we explicitly exempted foodstuffs from among those articles which could be sold abroad; but it has been found that there are certain articles of food that do not find ready sale in this country for which the only market is in foreign countries, and we felt that the War Department should have that authority. Only the other day the department sold 119,000,000 pounds of canned meat at the ridiculously low price of 5½ cents a pound. If they had had authority to sell those canned meats abroad, we could have received a larger sum of money for them; but the sale has been made, the canned meats are largely disposed of, but we have several million dollars' worth of what are called dehydrated vegetables, that are put up in large-sized tins, that are finding no sale in our markets for consumption among our own people, and if we are going to convert those surplus supplies into money they must be sold abroad, and this change must be made in the legislation.

There are two other new legislative provisions, one authorizing enlistment of flying cadets and another authorizing one officer of the Medical Reserve Corps to be detailed for duty beyond the 15-day training period.

Mr. MILLER. Will the gentleman yield for a question?

Mr. ANTHONY. I yield to the gentleman.

Mr. MILLER. Can the gentleman tell us how many men there will be in the Army after the 30th day of June next?

Mr. ANTHONY. That will be entirely dependent upon the policy adopted by the Secretary of War.

Mr. MILLER. With reference to the 168,000 that the bill makes provision for, exclusive of the Philippine Scouts, it will be more than that, will it not?

Mr. ANTHONY. There will not be more than that if the Secretary puts in operation the provisions that are carried in this bill. I will call the attention of the gentleman now, as I intended to call the attention of the House, to the fact that the bill as it now comes before the House carries the Borah amendment, which was placed in the last bill by the Senate and agreed to by the House before in conference, which provides that not a single man more shall be carried in the Army than the money provided in this bill will pay for. That of itself will hold the Army down to 168,000 men next year.

Mr. MILLER. What will become of the excess number of soldiers? How will they be gotten rid of when they are in the Army by regular enlistment?

Mr. ANTHONY. There are now 235,000 men in the Army. While we were debating on this question during the last Congress the War Department was busily at work recruiting all

over this country, and they piled up an additional 35,000 men in the Army while Congress was trying to get the legislation through here to prevent that, and this Secretary of War has a harder problem to get rid of those men than was the case a few months ago, because we now have 235,000 men in the Army. But I will say to the gentleman that I see no obstacle in the way of discharging a sufficient number of men to get down to the number which Congress may fix.

Mr. MILLER. I am in perfect harmony with the gentleman and with the number provided in this bill, but the question with me is how are you going to get rid of these men when they are in the Army under regular enlistment authorized by law?

Mr. ANTHONY. The Secretary of War believes we should adhere to the policy of reducing the Army by the normal expiration of enlistments. If that policy is adhered to we will not be able to cut the Army down to the size that this bill provides. They will have to use some more drastic action. They will have to discharge a certain number of men, which we contend they have ample authority to do under the terms of the contract of enlistment, which provides in a perfectly plain contract that a man enlists for one or three years, as the case may be, "unless sooner discharged by the President or the Secretary of War or the commander of his Army corps." Any of those three men has authority under the terms of the enlistment contract to discharge a man, so under that contract I say the Army can be reduced as rapidly as Congress desires. Then there is another fact in that connection. There is no question but what more than 25 per cent of the enlisted men now in the service would be glad to get out of the Army if permission were given them. They would voluntarily take advantage of discharges if it was the policy of the War Department to grant them.

Before the war they used to be granted on demand and by purchase. The Secretary of War contends that he has not that authority, and this bill gives him that authority if it becomes a law.

Mr. MILLER. The gentleman says that the way to reduce the Army is to reduce by voluntary act of the men in the service themselves.

Mr. ANTHONY. And through arbitrary discharges.

Mr. KEARNS. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. KEARNS. I did not catch the last statement. Does the gentleman say there is no authority for the Secretary of War to discharge a man on his own application.

Mr. ANTHONY. Both the last Secretary of War and the present Secretary contend that they have not that authority.

Mr. KEARNS. They have been doing that for the last 15 years, have they not?

Mr. ANTHONY. Unquestionably.

Mr. KEARNS. When did they arrive at the conclusion that the law did not justify an act of that character?

Mr. ANTHONY. I suppose it was when they found that they desired to maintain a larger army than Congress thought was necessary.

Mr. KEARNS. The present Secretary of War claims that he wants to obey the mandate of Congress.

Mr. ANTHONY. I think he does, and I think that he will carry out faithfully the provisions which Congress puts its approval upon.

Mr. KEARNS. If he believes that, why does he not grant applications for discharge from the Army?

Mr. ANTHONY. I can not answer that.

Mr. KEARNS. Would not the gentleman conclude that the present Secretary of War is not in sympathy with the acts of Congress?

Mr. ANTHONY. I will be frank with the gentleman. While we have had a change in the office of the Secretary of War there has been apparently no change in the military policy of the War Department. The gentleman from Ohio and I have seen many Secretaries of War come and go, but the General Staff goes on forever. [Laughter.]

Mr. KEARNS. The Secretary of War is functioning, is he not?

Mr. ANTHONY. I am sure he is, and very ably, too.

Mr. KEARNS. He does not have to follow the advice of the General Staff; everything is done in the name of the Secretary of War.

Mr. ANTHONY. I think that the present Secretary of War will carry out the wishes of this Congress.

Mr. KEARNS. The Secretary of War is not following out the plan stated by the gentleman, because he is not discharging boys from the service.

Mr. ANTHONY. That is true; and I think I ought to say for the information of the House that the Secretary of War has asked for a larger number of men than we authorize in this bill. He believes that the Army should only be reduced through the normal process of the expiration of enlistment. To do that will necessitate carrying a much larger appropriation for the pay of the Army. He wanted the appropriation for pay of enlisted men and for subsistence increased over that of the last bill by $22,000,000. He made the committee a proposition in connection with the proposed increase which is printed in our report. In substance, he said if we would make the increase of $22,000,000 for pay and subsistence of the Army he could economize by reductions in other items for maintenance and supply of the Army of an equal amount of $22,000,000. What the committee did was to partially grant his wish by increasing the amount for pay and subsistence about $6,500,000 and then made the reduction which the Secretary of War thought could be made in the items for the supply of the Army. The increase thus permits the mainteneance of 10,000 more men than the last bill provided.

Mr. BRIGGS. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. What number of enlisted men would that provide for?

Mr. ANTHONY. The War Department wanted an average of 183,000 men during the year. Our bill will pay for 168,000.

Mr. BRIGGS. In this connection, has it not been the gentleman's experience that the War Department has refused to discharge men from the service unless they could show urgent dependency within the provisions of Congress which authorize that without general legislation?

Mr. ANTHONY. I think the gentleman is correct. The Secretary of War cited an instance the other day, in which he said there was a man from Texas who came to him who had two boys in the Army. He said that he needed the labor of the boys on his ranch very badly. The Secretary contended that under the law he had no authority to grant a discharge. I disagreed with him on this.

Mr. BRIGGS. I would like to say that the most rigid requirements are imposed as to dependents. The department will not accept the general statement from parents or friends, but they want to have an investigation through the Red Cross officers, to see whether or not there is such an urgent dependency, that the parents are helpless without the assistance of the son whose discharge is sought.

Mr. ANTHONY. It is the present policy of the War Department to hang onto every man. They think there is a necessity for having an Army of the size they have got, and they are not going to let any man go unless we force them to cut down.

Mr. BRIGGS. Does not the gentleman think there should be legislation to accomplish the discharge of these men?

Mr. ANTHONY. Under the provisions of this bill there is no alternative but to discharge until the Army is down to 168,000.

Mr. STEVENSON. Will the gentleman yield?

Mr. ANTHONY. I will.

Mr. STEVENSON. I want to say that I have had a new ruling made on me. A boy was taken in under 17 and was in the Army eight months and his parents asked for his discharge. They not only declined to discharge him but said that the parents had waived their right to have him discharged because they had waited eight months.

Mr. ANTHONY. We have legislation in this bill that will take care of that.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. ANTHONY. I will yield to the gentleman.

Mr. WILLIAMSON. I am not certain but what the gentleman has answered this question: Is there any provision in this bill which will compel the Secretary of War to reduce the Army to the number designated?

Mr. ANTHONY. There is.

Mr. WILLIAMSON. How are the troops at the present time distributed?

Mr. ANTHONY. I have not the official information at hand, but I can tell the gentleman roughly. The troops are distributed about according to these figures: There are now 15,000 troops in Hawaii. That is 10,000 more than the normal number that we have had there, and 10,000 more than I consider to be necessary. We have 8,000 in the Canal Zone, or 5,000 more than is normally carried or necessary. We have 15,000 in the Army of occupation in Germany, and every man of them should be brought home. We have about 14,000 in the Philippine Islands and 1,200 in China.

We have 1,000 in Alaska, and about 170,000 doing garrison duty in this country. It makes a total of 232,000 men.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. JOHNSON of Mississippi. I was not present in the Chamber when the gentleman began his remarks, but does the bill provide for the discharge of soldiers under the age of 18 upon the application of their parents or anyone who stands in loco parentis?

Mr. ANTHONY. We carry exactly the same provision that was agreed to in conference between the House and the Senate a few months ago.

Mr. WILLIAMSON. Mr. Chairman, I would like to ask the gentleman another question. I assume that the President or the officers in charge of the Army can place the Army wherever they see fit.

Mr. ANTHONY. They can.

Mr. WILLIAMSON. There is no legislation to prevent their distributing the Army wherever they desire?

Mr. ANTHONY. There is not.

Mr. HERRICK. Mr. Chairman, will the gentleman yield for two questions?

Mr. ANTHONY. Certainly.

Mr. HERRICK. The first question I want to ask is this: In the event the Secretary of War does not discharge a sufficient force to bring the Army down to 168,000 men, and carries a much larger force, will not the Secretary of War, or some one in his behalf, come to the next session of Congress with a deficiency bill for us to make up the difference?

Mr. ANTHONY. That was heretofore the case in nearly every session of Congress.

Mr. HERRICK. And it is liable to be the case again?

Mr. ANTHONY. I apprehend that under the language of this bill he will not be able to do that, at least as regards pay of the Army.

Mr. HERRICK. I am very glad to hear that.

Mr. ANTHONY. Because the Borah amendment is so explicit that I do not see how the War Department can come to Congress for a single additional dollar for pay; and this controls the number of men.

Mr. HERRICK. Let me ask the other question: Is there any provision in this bill to suspend the recruiting until the Army has been reduced to the stipulated 168,000?

Mr. ANTHONY. Recruiting has already been suspended, in accordance with the resolution adopted by Congress recently. The Borah amendment is at the top of page 22. It provides that the Army shall be reduced by the Secretary so that the sum appropriated shall defray the entire cost of the pay of officers and enlisted men during the fiscal year ending June 30, 1922.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HUDSPETH. As I understand it, a considerable reduction has been made in this bill from the bill we passed in the last Congress.

Mr. ANTHONY. About $15,000,000.

Mr. HUDSPETH. Is any provision made in this bill for the purchase of land adjacent to Army posts throughout the country?

Mr. ANTHONY. None that I know of. The committee felt that, while it was not able to meet the demands of the War Department for the size of an Army that they would like to maintain, nor able to meet their estimates as to the amount of money that will be required, yet that we are making ample provision here for an Army fully large enough to meet every military requirement that may confront this country I have not the slightest doubt. We feel that we have made provision for an Army amply large for the purpose of maintaining peace and order, for defense, and for training, and to garrison our outlying possessions.

And especially with this large body of commissioned officers that Congress has authorized, and we now have a body of over 12,000 of the most efficient and best trained officers the world has ever seen, we feel that we are building for preparedness for the future which amply insures our Military Establishment from ever going below the high standard that it has now reached. This country to-day from the standpoint of its tremendous stores of reserve artillery and ammunition and matériel for carrying on war, from the standpoint of the number of trained men, from the standpoint of our ability to quickly put an armed force in the field if necessary, in my opinion excels any other nation in the world. And all of this preparedness will make for future peace.

We can be, if we wish, the greatest military power. We have the facilities, we have the equipment. I hope the time will never come when we may need to use them, but we have arranged in this legislation to take ample care of such a situation, so that if it ever comes an adequate Army and this large number of highly trained officers will be ready and available.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BRIGGS. For how many officers does this bill provide?

Mr. ANTHONY Fourteen thousand.

Mr. BRIGGS. The same number carried in the previous bill?

Mr. ANTHONY. Yes. I reserve the remainder of my time.

Mr. SISSON. Mr. Chairman and gentlemen of the committee, I think the chairman of the subcommittee is to be congratulated on the bill which he has presented to this House. I know that great pressure has been brought to bear upon the chairman of the committee to make many changes in the bill, but we feel that the committee and the House did its duty in the last bill, and that the changes that have been agreed to really result in saving to the Treasury some money. Personally I do not believe the Secretary of War will be able to make good the figures that he has presented to us here, but the committee did not feel that they ought to repudiate his figures. If he says he can save money we should give him a chance. A certain amount of cheeseparing has been done on many items other than the pay of the Army. Without taking the time to give the exact figures in detail, the reductions amount in round numbers by this cheeseparing to about $20,000,000. Something like $6,000,000 has been added for the pay of the Army, so that there is a net reduction of something like fourteen or fifteen million dollars. This cheeseparing is to start in many quarters so that the Army can be kept at at least 168,000 men.

The proposition is that we get an average of about 168,000 men. The House in the last bill, as was the committee, was thoroughly committed to the figure of 150,000 men as the number to which the Army should be reduced. That seemed to be not only the unanimous opinion of the subcommittee which considered the bill, but the opinion of the whole committee and the opinion of an overwhelming majority of this House irrespective of which side of the House they sit upon. Personally I do not like to increase the Army by 18,000 men over that figure. I do not think such an Army is needed. The contention of the Army officers is that it would take quite a while to reduce the Army from its status of from between 230,000 and 235,000 men down to that figure. I have never shared the tenderness of heart along the line that others have, because it never seemed to me that there would be very much trouble in discharging a man from the Army, though he might be somewhat disappointed because the terms of his enlistment state specifically that he may be discharged at any time. Certainly when a man's term of enlistment expires the Secretary has the right not to reenlist him.

We all know that the difference between 168,000 men and the present number in the Army would represent a considerable number of men to take out of the Army within a few days or a few weeks, but with the Borah amendment in this bill, unless my calculations are erroneous, the Secretary of War will have to act with some expedition. If not, then before the end of the fiscal year the Army will be down very much below the 168,000. In other words, if he does not discharge men within a few weeks, and begin now, the Army will go to 150,000 men, but I presume in order to avoid that the discharges will be made as rapidly as possible, so that under the amount of money granted in the bill the Army will be 168,000 men at the end of the year.

Your subcommittee, or at least a majority of it, agrees with me in the statement that this House is not committing itself to the proposition that the Army should be more than 150,000 men.

You know precedent is always a dangerous thing in government. Therefore, yielding to the complaint of the Army officers, shared in by the Secretary of War, as to the difficulty of discharging so many men because they would disorganize the Army, the committee has yielded, with the strict understanding that this is no precedent; that we are not fixing the size of the Army at 168,000 men. If I could have had my way about it, the bill would have been written so as to compel them to reduce to 150,000 men, or even below that, but the Secretary of War is surrounded by the General Staff, men of ability, men who claim technical knowledge of what we need in this country, men who talk from the standpoint of experts assuming to know exactly what we need, and talking to you about a certain number of complete units, talking to you in technical phrases of the Army, and, like most professional men, they use terms that do not always mean anything to the layman. [Laughter.]

But it has this psychological effect, that if the doctor comes to you and tells you plainly what is your malady, you are not much impressed; but if he flings in a little technical language and leaves you in a mystified mental condition on a sick bed and tells you that he is going to prescribe for that, the psychology is such that we think he is a doctor who seems to know exactly what he is doing, because he is talking to you in

learned language that you do not understand. It is like the old lady who went to hear Moody preach. When he got through she went up to congratulate Mr. Moody, and she said, "Mr. Moody, when I came to hear you preach I thought I was going to hear a big preacher, but we have got a bigger preacher who preaches to us every day, because almost every minute when he is preaching he uses some big word I do not understand, but I understood every word you said; so our preacher is a heap smarter than you are." Now, there is a great deal in that—trying to keep people mystified. Still I do not believe any good, intelligent, fair and square, forehanded Congressman is going to be fooled in that way. There can be no arbitrary number essential and necessary to an army. There is nothing expert about it, and I am getting a little tired of Congress not assuming the position of saying, "We are the bosses, we are to control the purse strings, and we are going to determine how many men we shall have in the Army, and instead of the dictation coming from a staff of Army officers the dictation shall come from the Congress, the representatives of the people, the law-making body of those people, who are responsible to the Treasury."

Mr. BRIGGS. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BRIGGS. What was the number of men provided in the Army bill which passed the House and Senate at the last session?

Mr. SISSON. We figured that even if the reduction were made in the first part of the year and the reduction did commence as soon as that bill passed and before the 1st of July that we could keep perhaps 155,000 men. If, however, they should wait later to reduce the number of men and let the number remain in the Army after the 1st of July, why, it would go below 155,000, below 150,000, and if we kept the men in six months before making the reduction it would go to 125,000. There is no telling how far it would go down, because under the Borah amendment they can not expend more money for pay of the Army than is provided for in this bill.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SISSON. I do.

Mr. HUDSPETH. Under the appropriations made in the other bill, how many men would that have paid for?

Mr. SISSON. If we take the average on the 1st of July, it would pay about 155,000 men. We left a leeway of something like 5,000 men, so at the end of the year if they acted expeditiously they would have 150,000 at least.

Mr. BRIGGS. Does the gentleman think that fixing the number at 168,000 will lead another body to feel that they can increase that number, perhaps?

Mr. SISSON. I do not know just what the other body may do, nobody knows, but they do know the exact position of the House, and know also the position of the subcommittee in the matter in passing practically the bill that was agreed upon in conference. That might facilitate the passage of the bill through the other body.

Mr. HULL. Will the gentleman yield?

Mr. SISSON. I will.

Mr. HULL. Does the gentleman think the Government would be justified in discharging a man before his enlisted period had expired providing he wanted to stay in the Army?

Mr. SISSON. Well, I must confess that personally I do not object to their discharging them at any time. There is a contention, however, that there is a contract between the soldier and the Government——

Mr. HULL. Certainly there is a contract.

Mr. SISSON. And I never believed in breaching any contract I make myself, and therefore I do not believe the Government ought to do it. But every enlistment contract with every soldier specifically provides that the Government may discharge him at any time. Under the expiration of their enlistment and those who are anxious to get out, added to them, will enable the War Department, in my judgment, to get down far below 168,000, but——

Mr. HULL. That is all well and good provided the gentleman's hypothesis were right, but he does not know, and no member of the committee knows, how many men want to get out, but with the amendment proposed in the bill this is true, that if you do not get down to 168,000 they would have arbitrarily to discharge the men.

Mr. SISSON. I think that is true.

Mr. HULL. Then you have done just what you say you do not believe in doing.

Mr. SISSON. No; I do not think that will result in doing anyone any injustice. Nor do I think any soldier has any right to complain if he is discharged, for it is so stated in the contract.

Mr. CRAMTON. If the gentleman will permit, I will say to the gentleman he will recall the War Department figures; that if the War Department should not resort to any arbitrary discharges, if they should even refuse to discharge on the soldier's own application before the expiration of his enlistment, having the normal decrease and accepting no new enlistments, they would be at the end of the next fiscal year down to 126,516 men, including Philippine Scouts and flying cadets, or an average for the year of 174,180. Deducting from that the Philippine Scouts and flying cadets it leaves an average approximating that covered by the appropriation in the bill.

Mr. SISSON. I think, if the gentleman will pardon me, that the gentleman from Michigan [Mr. CRAMTON], my colleague on the committee, has stated what will be conceded by the War Department to be the exact result of the natural expiration of enlistments and natural wastage in the Army. Therefore I say to my friend from Iowa that I think, for that reason, he is just setting up a straw man in order to knock him down.

Mr. HULL. That would be all very well if we did not have a little memory. When you had this bill up here before that same question was proposed to you, and you said that the Army would go down at the rate of 15,000 men a month. The gentleman from Michigan [Mr. CRAMTON], I think, made that statement, just as he makes it now, to the effect that the normal decrease is going to bring the Army down.

Mr. SISSON. I decline to yield further. I will state this to my friend, that I hope the Borah amendment will cause our Army officers to do what they have not been heretofore doing. They have been enlisting men as rapidly as they could and have kept the recruiting offices open all the time. What I think we ought to do is to provide in so many words that the Army on the 1st of July should not have more than 150,000 men and provide a penalty for a violation of that law. You all know that our Army officers will violate this law if they can and that you have to choke a man out of the Army.

Mr. HULL. Will the gentleman yield?

Mr. SISSON. For a question.

Mr. HULL. I will tell you why your Army is not going down. It is because the Appropriations Committee, when they had the bill up before, would not let me put an amendment on striking out the bonus

Mr. SISSON. I wanted to strike out the bonus as much as the gentleman.

The CHAIRMAN. The gentleman from Mississippi has consumed 15 minutes of time.

Mr. SISSON. I will take two or three minutes more.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SISSON. I will.

Mr. BANKHEAD. Will the gentleman be kind enough to explain the Borah amendment?

Mr. SISSON. In brief, it is just this: That the Army officers can not create a deficiency and can not keep in the Army more men than the amount of money carried in the bill will pay for.

Mr. BANKHEAD. Is that included in this bill?

Mr. SISSON. Yes, sir; it is in this bill.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. SISSON. I will yield to the gentleman from Texas.

Mr. GARRETT of Texas. If the gentleman desires to hold the Army down to a certain number of men, might I ask him if there is a provision in this bill which makes it mandatory upon the War Department to discharge a soldier upon his application, without anything else?

Mr. SISSON. Yes. That amendment was agreed upon in conference in so far as it affects men under age and is satisfactory to all the Members of the House on both sides who are desirous that it should go in the bill.

Mr. GARRETT of Texas. I will say to the gentleman that there have been a number of men in the Army at times that have had applications pending—and I think they frequent the gentleman's office as much as they do mine—for discharges.

Mr. SISSON. Yes.

Mr. GARRETT of Texas. If a man wants to go out of the Army, and you want to hold the Army at a fixed number, well and good; but if you want to take so many out of the Army and a soldier wants his discharge, why not say it is mandatory upon his superior officer to grant the discharge and let him get out of the Army, without having to resort to a whole lot of red tape to do so?

Mr. SISSON. We have tried to avoid as much as possible any legislation on this bill.

Mr. GARRETT of Texas. You can put it on now if nobody makes a point of order on it.

Mr. SISSON. But the instant we put legislation on the bill we get abused for doing it. What we have been trying to do is to control the situation by limitation of appropriations. We have done the best we could under the circumstances, except I do not think we have gone as low as we might have gone.

Mr. KEARNS. Will the gentleman point out where it is made mandatory in this bill for the Secretary of War to discharge from the service, either upon application or without application, anyone except boys under 18 years of age?

Mr. SISSON. The gentleman is right about that.

Mr. KEARNS. The gentleman said it was mandatory.

Mr. SISSON. If I did, I was in error, because I had my mind directed entirely to that provision that was intended to care for the boys who enlisted under age. That is mandatory. Now, I think it is within the discretion of the Secretary of War to discharge a man who makes his application, and we have endeavored to assist him in making up his mind on the side of the discharge, by putting in the Borah amendment, which says to him, "If you keep more men than the money will pay, you have violated the law."

Mr. BRIGGS. You have also a provision in here that the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the existing law relative to discharges. Under existing law it is not mandatory?

Mr. SISSON. It is not mandatory. We might be, in other words, without an Army.

Mr. GARRETT of Texas. My question did not go that far, but to the discharges until the number of men reached the number the gentleman wishes to reach.

Mr. SISSON. I think the provisions are sufficiently strong to compel that to be done just as successfully as if it embodied the idea of the gentleman from Texas.

Now, gentlemen, if there are no other questions, I want to say that, taking this bill as a whole, I feel that it is a good one, and that the chairman of the committee and his colleagues are to be congratulated in bringing it here. Of course, it does not suit the wishes of the militarists of the country; it does not suit the majority of the Army officers, or of the General Staff, but it will meet, in my judgment, the approval of the country, certainly to a very much greater extent than if you had burdened them further with a larger Army. It does not suit me because it is too big and costs too much, but it is better than that demanded by the War Department by far. [Applause.]

The CHAIRMAN. The gentleman has consumed five additional minutes.

Mr. ANTHONY. Mr. Chairman, I yield 20 minutes to the gentleman from New Jersey [Mr. PARKER].

The CHAIRMAN. The gentleman from New Jersey is recognized for 20 minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I had hoped to have more time than 20 minutes, because I am not going to discuss little points about a few thousand men more or less in the Regular Army, nor shall I discuss the seeming slurs cast upon the conduct of patriotic gentlemen, officers in that Army, or the contempt that has been attached to their view that more men are needed. We may discuss this bill in a much broader way than would be suggested by anything that appears in its terms.

It is the duty of Congress under the Constitution to provide for the common defense, and for land defense the power of Congress is to raise and support armies as well as to provide for organizing, arming, and disciplining the militia—that is or should be the Nation. The militia in those days meant every able-bodied man between the ages of 18 and 45. Under that duty, this is the only bill that will come before this House to provide for the common defense, so far as the land is concerned.

Now, I need only point out to the House what is within your own knowledge of the last few years as to what the common defense means. It meant that we had to raise 4,000,000 of men. It meant that war came upon us out of a clear sky, when everybody would have sworn that the peace of the world was more secure than ever it was before. Would that we could say that now. It meant that we had discovered, just as Washington's Congress had provided, that Congress should arm the whole Nation. The other nations were armed, and the war was a war of nations, and not of little standing armies. The 250,000, "the contemptible little army" that England sent into Flanders, was wiped out, horse, foot, and dragoons, officers and men, and conscription sent the manhood of Britain, Canada, New Zealand, Australia, and South Africa into the field to fight as men had never done before. Then we were drawn in and had to raise our men and send them forth.

What we needed was not a large standing army. The United States can not drill the whole Nation in time of peace. Even Germany only drilled about half of its men during the first three years of manhood. France had a few more, because she was wanting in population; and we were one of the countries which did nothing of the sort, but when we were called into war we needed two things—brains and tools, officers and arms.

In the year 1915 I had seen that England was in the same position. It was a year after the war had been declared, and in 1915 England had over 2,000,000 men drilling in her camps in England, without a rifle there, except on the rifle range, and no rifles seen except on men going to the front.

We were in the same position. We were able, so far as arms were concerned, to get our men to France in numbers in the spring of 1918, a year after the war was declared. For the first few months after war was declared in 1917 our men had no uniforms in camp. They got rifles slowly and with difficulty, as they were manufactured, but when we got over there in 1918 we had no artillery, and we never used anything but French artillery and French shells through the whole summer of 1918 and down to the armistice. And we had, as we all know, no aviation.

Worse than that, we started without officers, and I remember going down to the officers' training camp at Fort Myer and seeing how much the young men were prized who had had any military drill in a little cavalry troop at home, because most of the men knew nothing. But we took those men and the students in the colleges and made officers of them, and the response of American skill and energy was such that in a year we had an army really organized.

I want to say only one thing. Shall we get into that situation again? We did not then go to war with Germany or some other country landing on our shores. We then had time to get arms and equipment, and to educate officers who could train men to obey, and with time to organize alongside of armies already abroad. We shall not have that time in any future war. We must be ready with trained officers and equipment for armies now, and a certain amount of drill on the part of the men.

A word more about the Constitution. It is held to be an out-of-date instrument, as some people think, but it recognized the fact that we were to organize, arm, and discipline the Nation. The new fact that has been brought home to us in the Great War is that the whole Nation must be ready to take the field. Standing armies came to be relied on in the nineteenth century. Standing armies are now as out of date as when our forefathers went into the wilderness to fight Indians, each man with his own musket. Do not say that I am in favor of the European system of universal military training, for I am not. I do not believe in taking men away from their homes for years and putting them in camps. I do not believe that American sentiment will stand for it, but I do believe that American sentiment will stand for having enough arms to put into our boys hands when our country calls them to arms. I believe that American sentiment will say that it is an outrage that there should not be adequate stores of rifles and cannon, so that if you call men to arms you can put arms into their hands. I believe that American sentiment will deem it is an outrage that there should not be in storage a reserve supply of uniforms and tent equipment. The storage costs little.

I want to call the attention of this Congress to the singular disposition that exists to sell our military equipment at any sacrifice. Among the last circulars is one about brass cartridge cases, saying that the War Department have sold the whole remaining stock of 14,000,000 pounds of brass cartridge cases. I suppose that means for small arms and light artillery.

These cartridges would not spoil by keeping. We are not told what they cost or what they were sold for. The report of the total sales is enough to make a man ask questions. On April 18, 1921, the War Department authorized publication of the statement that the sales of surplus property consummated by the several selling branches of the War Department up to and including March 31, 1921, expressed in cost price to the Government, amounted to $1,445,675,027.02—a billion and a half on the cost of stores. What did they get for them? The selling price is not stated. They say they are surplus. If we are going to train our schools, if we are going to demand of every man between the ages of 18 and 21 that he do his tour of service in the militia, in the National Guard, or whatever it may be, so as to get some training; if we are going to have a reserve, remember that there will be 3,000,000 men each year who will be given some sort of training and who will need arms.

We ought to know what the War Department considers a surplus. In 1917, when we were urging that there should be more cannon, and the Chief of Ordnance reported to us that he thought he was having enough cannon, because in the course of seven years he would have enough to arm a first line of 500,000 men, I asked him to his face what he meant by a first line and where were the cannon for the second line to come from. He said they would wait until we needed them.

One difference between the War Department and the Congress is that the War Department has one essential fault, that the officers being paid and depending for their rank upon the number of soldiers, they sometimes care more about the number of soldiers in the Regular Army—and they are more likely to provide for a good-sized Regular Army—than to look at the question whether there are arms, ammunition, and officers ready to equip and take care of the Nation in time of war.

This bill involves bigger questions than whether this Regular Army shall be of 150,000 or 175,000 men. We ought to know whether the arms, equipment, and camping places, with drainage and access by railroad, which were ready for use in case of difficulty, have been scrapped. When I was last in Congress my last speech was headed, "Do not scrap preparedness." I appeal to the Congress to consider this bill in more important matters than the mere question of the number of men in the Regular Army. Is the United States ready to call our people to arms? Preparedness is not a costly thing. Readiness in equipment and reserve officers cost less than keeping men under arms. I think we are wasting money in paying men for joining the militia and serving in the National Guard at $2 a day, or something of the sort. If there is any duty that a man ought to perform before he comes to vote, whether he comes from abroad or whether he was born here, it is to serve his three years in the home guard, the militia, or National Guard, or whatever it may be. It costs nothing to give that service once a week. It ought to cost nothing. If there is any one thing that schoolboys would enjoy it is having arms furnished and officers detailed to take care of their school training, and it costs nothing except the arms, of which I believe we have plenty now. If there is anything that would give us officers, it would be to introduce the same training into the colleges. The Constitution lets the States train the militia. I am not sure whether schools are better run from a central authority than run by the locality. We have not always seen good results in running schools from Washington, whether among the Indians or in the Territories of the United States. Centralized government does not always create enthusiasm. No such energy was ever shown by a disciplined force as is shown by football teams in the colleges under the spur of emulation. It may not be impossible to offer prizes and have competitive inspections between the militia of the different States, so as to find out which are the best and to get at the earnestness of America in favor of learning without pay; but to do this we must have the arms and we must have the officers.

The military training of officers is not so very difficult. The question has been met in various colleges. They could send their graduates to West Point to stand the same examination with the West Point cadets; not to become officers of the Regular Army, but to receive a reserve officer's certificate after competitive examination. If that be done we shall find out what the colleges of this country can do in that regard. If we want to enlarge West Point, it does not need buildings. When I first knew West Point it had few buildings compared to what it has now. It had a beautiful site, and then cost as little for each cadet as a regiment costs per man, or nearly so. It is not impossible to take a brigade of 4,000 men and start a new West Point in the camps without putting up a building. It is not impossible to take a division of 25,000 men and do the same thing, enlisting boys at 18 for four years with the understanding that only the best should stay in the Army after those four years spent in that regiment, and that the rest must go into civil life. Officers of that sort in civil life with a military training—think what that would do for your militia. People say that they do not get good officers in the militia because the election of the officers is left to the militia. They do not get good officers because they can not find them. The militia are ready to take trained men whenever they can get them. The more severe the drill the more they like the officers who give it to them if those officers only show intelligence and teach them their business.

Now, Mr. Chairman, I have about finished what I had to say. My time is nearly gone.

In considering this military bill Congress ought to look beyond the mere size of the Army—a question that interests Army officers all too much. Congress wants to know what reserves we have, the officers and arms, brains and tools, and how thoroughly the Nation is organized, so that it can turn out and obey the call to arms in case of need. Congress should look beyond the mere details of the bill whether it relates to ordnance or whatever it may be. Congress, if it does its duty, will find out whether we are doing our duty in providing for the common defense of our country, remembering that the storm cloud may break at any moment. In the most peaceful days let us determine that we will keep prepared. [Applause.]

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Colorado, Col. VAILE.

Mr. VAILE. Mr. Chairman, I do not know where I got the title of "colonel" which my friend from Kansas [Mr. ANTHONY] so generously confers upon me. I never earned it, I am sorry to say. I did earn the lesser titles of corporal, sergeant, and second lieutenant, though not in the present war. I think the splendid address just given by the gentleman from New Jersey [Mr. PARKER] certainly ought to bear some fruit. We have had discussion here for two days on the question of disarmament. The gentleman from Alabama [Mr. HUDDLESTON] gets up and announces with pride that he has voted against every appropriation bill for the Army and the Navy since the armistice. The gentleman from Texas [Mr. CONNALLY] regrets that while the echo of the oratory, as he calls it, in favor of disarmament is still ringing in our ears we are not disarming fast enough.

Mr. CONNALLY of Texas. Will the gentleman yield? I voted for the bill.

Mr. VAILE. I know the gentleman did, and I am glad he did so. If my friend who rose to make that interjection had kept his ears open, he would have heard the echo of something else besides oratory; he would have heard the still resounding echo of British guns defending our soldiers on their way across the seas in the battle for humanity; he would have heard the echo of the guns of our allies holding the lines in France and Belgium for 14 months before we got a single soldier on the battle line after we entered the war. And at a moment when we are not yet through, when we have not actually concluded the greatest war in all history, it seems to me it is the wrong time to obliterate all the lessons of history in talk about general disarmament. We ought to go mighty slow on that proposition. Does human nature change in a generation? Let me read a few facts of American history that ought to be remembered. I have here a table in my hand showing that we have had one year of war out of every six years in our whole national history. You can figure it out yourselves. I will ask unanimous consent to put this in the RECORD.

The table referred to is as follows:

Wars of the United States.

	Years.	Days.
Revolution: From the Declaration of Independence, July 4, 1776, to the withdrawal of the British troops from New York, Nov. 25, 1783	7	144
War of 1812: From the declaration of war by United States, June 18, 1812, to the Battle of New Orleans, Jan. 5, 1815	2	204
War with the Barbary pirates: Declared by Algiers in 1812. Excluding time concurrent with War of 1812, and calculating from conclusion of that war, Jan. 5, 1815, to final treaty with the Dey of Algiers, concluded on flagship of American Navy, July 6, 1818	3	182
Mexican War: From the declaration of war by United States, Apr. 24, 1846, to signing of the treaty of Guadalupe Hidalgo, Feb. 2, 1848	1	284
Civil War: From attack on Fort Sumter, Apr. 12, 1861, to surrender by Gen. Kirby Smith of last Confederate force in the field, May 26, 1865	4	44
Spanish War: From date declared by Congress as date of commencement of state of war, Apr. 21, 1898, to signing of treaty of Paris, Dec. 10, 1898		211
Philippine insurrection: Feb. 1, 1899, to restoration of civil government, July 4, 1901	2	153
World War: From declaration of war by United States, Apr. 6, 1917, to armistice, Nov. 11, 1918	1	219
Total duration of American wars	23	346
Total duration of the United States to this date, Apr. 28, 1921	144	298
Percentage of United States history in which United States has been actually engaged in war, 16.5.		

Note on the foregoing table: Where "signing" of the treaty of peace is given as the date of the conclusion of a war, that date has been considerably in advance of the official termination effectuated by the ratification of the treaty. In the case of the war with the Barbary States, a peace treaty was signed June 30, 1815, but Algiers immediately resumed hostilities. The date of the final treaty is therefore used. It will be observed that in the foregoing table no calculation has been made of time spent in the Revolutionary War prior to the Declaration of Independence, Indian wars, the Boxer expedi-

tion, or the World War after the armistice, although that war is not yet officially concluded and American troops have been occupying foreign soil for more than two years.

Now, Mr. Chairman, the world is undoubtedly sick of war. It is our duty to use every possible means consistent with our obligations to our country to prevent war. But I respectfully submit that humanity has not yet worked out a way to prevent it. Certainly our own history of one year of war to every five years of peace is not a very good guaranty that we are through with wars, and we are not a quarrelsome Nation, either. And the wars referred to in my table are not all old wars by any means. Does human nature change in a single generation? One man who sits before me at this moment—our dear friend "Uncle" JOE CANNON, of Illinois—can himself remember five of the eight wars of the United States, if we count the Philippine insurrection as a war. Men were killed in it for nearly two years and a half. There are a number of men in this House who can remember four of these wars. Men of my age—and I am not old enough to be a colonel—have fought in three of them.

Has human nature so changed that we shall not guard the heritage left by our fathers by being prepared for war? Are we going to throw preparedness on the scrap heap? You men are the representatives of the American people. Have not you a trust of the American people to protect the institutions handed down by our ancestors? How were they handed down? Did George Washington win the liberty of this country by negotiation and argument? He did not; he won it by the sword. Did Abraham Lincoln keep the country united by argument? That wise man, great conciliator as he was, was not able to accomplish that feat. He kept this country together because he was the Commander in Chief of the Army and the Navy of the United States and used their force.

I hope disarmament may come, but it will not prevent war. It must come after war has been prevented by other means. No nation ever yet prevented attack by being unprepared to meet it. Will reasonable armament of our country induce it to attack other nations? I have too much confidence in the American people to believe anything of the sort. Will reasonable armament of our country induce other nations to attack us? To ask that question is to answer it in the negative.

Oh, my friends, as American legislators, guardians of a sacred trust which has had to be defended righteously with the sword before this day, let us not hurry disarmament before we are fairly out of the last war we have been in—a war that nearly wrecked the whole of the world. I thank you. [Applause.]

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. BOWLING].

Mr. BOWLING. Mr. Chairman and gentlemen, I have listened with a great deal of interest to this debate that has been had for the last few days on the question of Army and Navy appropriations. It has been very interesting and informative to me, not knowing about the question heretofore except what I have read in the newspapers and what I have heard talked at crossroads where most of the national questions are finally settled, as we all know.

One of the remarkable things in connection with the whole debate to me is this: It seems that a reduction of armament, of universal disarmament, is universally desirable and that it is unanimously supported in the House of Representatives. But at the same time we can not get it. That seems to be a thing that is illogical; that which we all want we can not get. It was announced by the majority leader this morning that the feeling is unanimous in the House of Representatives to do this very thing. But for some reason we can not have this universally desirable thing. What is the matter? I do not know, but I apprehend that down at the bottom a great deal of it is due to our natural love for the fighting men. We all instinctively love a fighter, whether he is an individual fighter or a national fighter. I think sometimes that is a part of our inheritance from the days of the cave man when the individual went out with a club to get his dinner, or whatever else he wanted, when the only law was the law of the club, and it has come to us all the way down from the days when the fighting sentiment was a part of the possession of our ancestors. So we love to hear the clank of arms and see the march of armies. The pomp and circumstance of glorious war appeal to all of us and we do not love to turn our Army loose. The gentleman who preceded me had something to say about the great armies in the late war.

Twenty-six billion dollars was the cost of that experiment. We gained much by that, beyond doubt—some that we do not comprehend now, much that we will see in the future—of good. But where did we get the $26,000,000,000 to spend if not through years of peace and peaceful activities which preceded our warlike period of 1917 and 1918?

Wars have existed largely in the world's history heretofore because diplomacy was silent, because for a long time in the history of men the only way that men knew how to get anything they wanted was to fight for it. In time of war the laws are silent, we hear. Men did not negotiate or they did not know how to negotiate, but they proposed to decide everything that came up by the law of force.

I want to call the attention of the committee to one thing, that while it is a great thing to be a great military nation it is a greater thing to be a peaceful nation. We would not have had to cross the seas if it had not been for the militaristic spirit that had existed there for years and years. A parallel has been drawn here to-day between what was suggested as our state of unpreparedness and the military conditions in Europe. Let us not forget that while that is true this peace-loving Nation is yet a solvent nation, carrying on her industries, while the militaristic nations of Europe are flat on their backs and are asking for help from America. [Applause.] After all it is the peace-loving nation and not the militaristic nation that is to-day blessing the world. At this time, whether we disarm or not, whether it is possible for us to disarm or not, I would have us at least think for a little while about the declaration of the great old John Milton, that "peace hath her victories no less renowned than war." That was true 250 years ago when he said it, and it is true now; but the nations have never lived up to it.

Have you ever stopped to think that all of our choicest honors and our most desirable rewards have been reserved by the peoples of all nations for their military heroes? The United States is dotted from Maine to California with monuments to men, most of whom were soldiers. They pierce every sky. Every State, nearly every community, has remembered some fighting man. It is no trouble to find a monument to Grant and to Lee, to Jackson and to Sherman; but where do you find a monument to the inventor of the sewing machine; where do you find a monument to the inventor of the reaper? Those men have been forgotten when the honors have been parceled out. If peace hath her victories no less renowned than war, then she should have her honors and rewards for the men who have made this Nation the most glorious of all in art, invention, and discovery; and while we are considering these millions of dollars that are being appropriated here for the Army and the Navy, let us recall the glory of the discoverers and the inventors, the workers of America, and try to do something for them. [Applause.]

Let me read you a figure or two. For two years—that is, last year and the current year—the appropriations for the Army, including those proposed in this bill, amount to $780,000,000, and for the Navy for the same length of time $882,000,000—a total of $1,662,000,000 for the Army and the Navy for two years, an amount that is beyond the comprehension of the human mind, given over finally to destruction. We say that it is necessary to be done in order to protect ourselves. Is it not a reflection upon the human race when we, the most peaceful Nation in the world, have to expend $1,662,000,000 in one biennial period for the Army and the Navy?

A battleship costs $37,000,000 we were told the other day, and it is obsolete in 10 years. It goes to the scrap heap or is blown up by a bomb from a fighting airplane. Thirty-seven million dollars would endow a university equal in rank and opportunity to Princeton, for instance, and instead of being obsolete in 10 years, that university would live to bless the world for a thousand years. Which would you rather have? And yet they say we must have these things, and I reckon that we must, and I suppose we will all vote for this bill, just as we did for the naval bill, which passed just a few minutes ago without a roll call. How are we going to get this thing, which everyone says we want, and that we all say we ought to have?

Mr. VAILE. Mr. Chairman, will the gentleman yield?

Mr. BOWLING. Yes.

Mr. VAILE. Does the gentleman remember the case of the great university in Belgium which was destroyed by war? How are we going to protect these universities the gentleman is talking about unless we are prepared to defend them?

Mr. BOWLING. I remember all about that, but the mere fact that it was destroyed furnishes no reason in the world why they should not be built, and the basic reason for building them is greater and better and more appealing to humanity than the militaristic spirit that would put the money in war. Belgium was like a child at home whose peace and safety had been guaranteed by its own father and mother. Those who

guaranteed that peace turned their back upon her and destroyed this flower of Belgian civilization.

Mr. VAILE. Who is to guarantee our peace and safety, if not ourselves?

Mr. BOWLING. We guarantee it ourselves, and we always have guaranteed it.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BOWLING. Mr. Chairman, I will ask the gentleman from Mississippi to yield me one minute more.

Mr. SISSON. Mr. Chairman, I yield one minute more.

Mr. BOWLING. Mr. Chairman, these things that we have built up here must be protected. I do not want us to strip ourselves of our Army and walk away, but I want us to think on these noble and glorious things rather than to put into effect, as was suggested a moment ago, a system of universal training, which will teach boys of this land a love for war and tend to make of us a military nation.

Mr. VAILE. Mr. Chairman, I ask unanimous consent to insert in the RECORD a short table of figures, which I referred to a few moments ago.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, I yield 15 minutes to the gentleman from Iowa [Mr. HULL].

Mr. HULL. Mr. Chairman and gentlemen of the House, in my opinion if we had a constructive policy in regard to our Army we could prepare this country for all eventualities much better with $200,000,000 than we are doing under this bill. I do not say that with any reflection upon the committee. I understand the handicap that it is facing. The trouble with our Army program in this country is that we do not go at it with any degree of knowledge of the facts. If I am right, if you are going to have a definite military policy in this country, you will have to ignore the General Staff largely in defining what you are to do.

Let me call your attention to this: An efficient Army is composed of three branches, which I will name in the order of their importance. First, trained officers in abundance; second, a supply system; third, enlisted men. The first two can not be obtained in less than five years. The third you can get plenty of, the very best fighters, in six months to a year; and yet the General Staff and all Army men pay all their attention to the third and very little to the first two. Now, with $20,000,000 you can have from 100,000 to 200,000 trained officers in your reserves. There is no question about it. With your Reserve Officers' Training Corps functioning, with $15,000,000 or $20,000,000 to stimulate enlistments, you can have from 100,000 to 200,000 trained officers in this country all the time, and that is the first great step in preparedness. The next step is a supply system that will function; and I want to call the attention of your committee to the fact that the General Staff of the American Army, to its everlasting disgrace, never studied a supply system before this war. The only system that it studied was how not to have supplies, so that when the war came it would have an opportunity to go out and purchase the supplies of the corporations of this country.

Consequently when we went into this war we did not have a blue print of a modern piece of artillery in the Ordnance Department of the American Army. We had to send to France to get a blue print of a piece of artillery, and we paid billions of dollars out and never shot one piece of American artillery over our boys in France with the exception of five naval pieces on railroad cars near Metz that were made in a navy yard. Now, my contention is this, and if I am wrong I want some one to show me where I am wrong. If you want a supply system you ought to expend your money in your Government-owned factories and your navy yards. Then you will have something. Every dollar that you spend outside in privately owned corporations is money wasted. They produce something to-day and to-morrow they produce something else, and all your jigs, tools, and so forth, are lost and you have nothing, whereas if you spend the money in your Government-owned factories you are not encouraging war industry, but you are preparing your country for war.

Mr. BANKHEAD. Will the gentleman yield for a brief question?

Mr. HULL. Certainly.

Mr. BANKHEAD. The gentleman has been on the Committee on Military Affairs for a number of years and has given this subject a good deal of study. What is the gentleman's idea about the size of the standing Army of enlisted men at this time?

Mr. HULL. Well, that has many angles. I contend that right now if you had trained officers you could reduce your Army to 100,000 or 150,000 safely, because all that the enlisted personnel of the American Army amounts to in an offensive or a defensive war outside of the country is negative. A foreign war would demand an Army of three or four million men. You can not keep up this enlisted strength. All you want in the enlisted personnel is simply to preserve order in this country and for our outside possessions. I believe that gradually we can reduce to 100,000 men safely, but I say that you must keep up the trained officers and you must keep up a supply system, and you must get a General Staff that will do it. We do not have one now.

Mr. ROSE. Will the gentleman yield?

Mr. HULL. Certainly.

Mr. ROSE. I would like to have the gentleman say from the knowledge he has from the study of this subject whether at this particular time he would advocate a standing Army of less than 150,000 men under existing conditions?

Mr. HULL. No, I would not, I will say very frankly to the gentleman. If you could reduce your Army to 175,000 right now, I would say you were making splendid progress, and I will tell you why. The reason for that is this, because of the divided way of appropriating in this House you have an Army of 50,000 to 60,000 too large to-day, and the first thing is to get that Army down to 175,000, in my opinion. It is unthinkable to me for this Government to do as the Appropriations Committee has asked them to do in this very bill, discharge a man arbitrarily. This country has not reached the point that it ought to break faith with the man who has enlisted to defend the country. You voted a billion dollars to keep faith when you did not have written contracts with the contractors of this country. Are you going to break faith with the enlisted man? Yet that is what this bill does.

Mr. LAYTON. Will the gentleman yield?

Mr. HULL. I will.

Mr. LAYTON. Can the gentleman tell the Committee of the Whole why we could not get along, what the real reason is—I do not care anything about verbiage, but the specific fact—that we can not get along with a less Army to-day than we could 15 years ago?

Mr. HULL. Well, I have already said I believe we can safely get down to an Army of 100,000; but you can not do it, because this is the trouble: You have 235,000 men in the Army to-day, and from 180,000 to 190,000 of those men are enlisted for three years. You should not discharge them arbitrarily. If you do, it puts our Government in the attitude of breaking their own contract with enlisted men. This, as I understand it, is base ingratitude, and an unthinkable thing for any government to do.

Mr. SWING. Will the gentleman yield?

Mr. HULL. I will.

Mr. SWING. Referring to the breaking of faith with the enlisted man, does not the gentleman think that at least 50,000 men in the Army to-day would gladly accept an honorable discharge to-morrow if the opportunity were afforded them to get out honorably?

Mr. HULL. I do not think that that is true. I do believe that what we ought to do in this bill is to limit the authority to pay every man like that and make them discharge him. I would favor that in an amendment. I believe we ought to have an opportunity to put it in the bill, but I am not in favor of the Borah amendment that is in this bill, which practically says to the War Department, "You must discharge the men whether they want to go out or not." That is breaking faith with the enlisted personnel.

Mr. LAYTON. How many men are considered by the committee to be absolutely necessary for our island possessions?

Mr. HULL. I do not think you would find any agreement on that.

Mr. LAYTON. Certainly not.

Mr. HULL. For instance, some say you have got to have a division down at Panama. I do not agree with that theory. I do not think we need it.

Mr. LAYTON. How many in the Philippines?

Mr. HULL. Some want a division or two divisions out there, and another division at Honolulu.

Mr. LAYTON. As a matter of fact, if you have three divisions out there, or even four divisions, and the only nation on earth that wants the Philippines should try to take them, they would not amount to anything?

Mr. HULL. The gentleman is absolutely right. The enlisted personnel of the American Army hardly amounts to anything as far as the outside possessions are concerned.

Mr. LAYTON. I agree with the gentleman thoroughly in his statement and the order in which he places the necessity for the Army.

Mr. HULL. I thank the gentleman.

Mr. LAYTON. I compliment him and not myself. My idea is to have a large number of competent officers and, as the gentleman says, supplies; for, after all, we know if you had half a million men on the pay roll of the United States it would hardly amount to anything in the face of a big war, because then you would have to have millions of men.

Mr. HULL. It amounts to nothing, practically. What you have got to do, I say, is to prepare the country with trained officers and *with* supplies, and there is our trouble to-day.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. HULL. Yes, sir; I will yield to the gentleman.

Mr. WILLIAMSON. I would like to know if the gentleman from Iowa or any other member of the Military Committee can give me the information as to why the War Department has 7,000,000 rounds of ammunition on hand of all calibers?

Mr. HULL. I would have to take many times 20 minutes if I would try to explain to you many things the War Department does. I can not do it. Nobody can. I have been on the committee a little over six years, and I am amazed at the way the high command of the American Army will smoke-screen Congress, camouflage themselves, and fool all the people. [Applause and laughter.] They are the hardest combination to handle that I ever had anything to do with.

Now, I do not want you to think that I am unfriendly to the Army, for I am not. We have got to have an Army, and we should have a good Army and an efficient one, and that is what I am advocating. But I am trying to perfect a supply system. I believe that is almost as important as trained officers. And I believe that with some 20 great Government-owned factories in this country manufacturing munitions of war, we ought to manufacture practically everything that we need in those factories. That is the best thought of the world and of this country.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. HULL. Yes.

Mr. JOHNSON of Mississippi. Will that not be impossible under this administration, for the reason that your distinguished President said that the Government must go out of business and that the business men must run this thing?

Mr. HULL. I will say to my Democratic friend from Mississippi that I do not believe he interprets the President correctly on the question of munitions of war. And I will say further that I, as a Republican, if they mean to do that, will not defend the Republican administration, like your party defended the Democratic administration when it went wrong.

Mr. JOHNSON of Mississippi. I would like to say to the gentleman, because I am a great admirer of him, that I have voted with him, as he will see if he will examine the RECORD. And I want to indorse his speech.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. ANTHONY. Mr. Chairman, how much time remains to this side?

The CHAIRMAN. Forty-three minutes, and 54 minutes to the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LANHAM. Mr. Chairman, the things for which we provide in the Army and Navy appropriation bills are but outward evidences of our real national strength and defense. In the days of old the Israelites sought to obey the scriptural injunction that they should not put their faith in horses and in chariots, which in those times were implements of war. A proper preparation in the materials of warfare is a very important matter, and the remarks of the gentleman from New Jersey [Mr. PARKER] along that line were specially forceful, but we should not be deceived by these appropriation measures as to what constitutes our real national strength and in what, fundamentally and primarily, our faith should be placed.

You recall the beautiful poem of Robert Burns, "The Cotter's Saturday Night," in which he pictures at eventide, after the work of the week is over, the tired, toilworn cotter at his fireside blessed with all the humble joys and commonplace virtues that naturally grace such a family meeting, and in which he says: "From scenes like these old Scotia's grandeur springs." In that same spirit, gentlemen, the American home has always been the basis of American welfare and prosperity. [Applause.] It is there that the formation of character begins. It is there that the first lessons in citizenship are taught. It is there that the Nation's defense is planned. What truths have been more abiding in our lives than those our mothers taught us in the days of our childhood? The stability of the American home must be maintained in order that from it may continue to come the real strength of American arms—a strength of head and heart which gives purpose and power to the strength of might.

We have to-day made provision—and, under the existing conditions, perhaps necessarily so—for rather an extensive naval program. Our position at sea is somewhat different from that on land. As long as we maintain our present attitude of isolation, as long as we remain outside the pale of the countries that seek to get together and deliberate about disarmament, as long as we permit international jealousy and distrust to determine absolutely the course of nations, as long, in fact, as we remain at sea as to what our program is to be in our intercourse with the peoples of the world, so long, I think, at sea we should have sufficient equipment to defend ourselves.

Our situation with reference to the Army is quite different. It seems that we now have an Army of about 225,000 men. A recently reported statement from the Secretary of War sets forth that he desires an Army of 183,000 men. This bill, we are told, provides for an Army of 168,000. I think the committee is to be commended that it has not yielded to overtures for an increase of that number, but I wish we might go still further and adopt what was evidently the desire of the Sixty-sixth Congress when, in voting upon this matter, it declared its purpose that our Army should not exceed the maximum of 150,000 men.

We do not need and we do not wish in this country a gigantic Military Establishment. I, for one, do not believe that we could follow the same road which Germany traveled without reaching the same destination. In this land of ours a love for civil liberty will always prompt a proper and patriotic demonstration of our military prowess whenever the occasion requires. That prowess springs from the strength of the American home, where the heads and hearts of liberty-loving men are taught to guide their arms.

We have in this country to-day millions of trained young men who are ready to bear the brunt of the battle if strife and tumult should come. We have no fear of any immediate danger in that regard. We know that in times of stress and necessity our Army will be fully and efficiently manned. The reduction in our armed forces which this great reserve renders possible makes for substantial economy, for which there is properly a great popular cry in these trying times, and brings also the opportunity for the conservation of our national strength by permitting men in times of peace to follow the pursuits of peace and seek employment in the fields of production profitably, both for themselves and for the country they serve.

The history of the Americas, gentlemen, refutes any contention that we should have large military establishments in this country. Do you not remember that at Lexington and Concord, "where first the embattled farmers stood and fired the shot heard around the world," they were vastly outnumbered? But they were not outfought. Do you not remember that in South America the struggling band of patriots who followed the liberator, Simon Bolivar, the man of the south and father of five countries, were but few in comparison with those who battled against them? And yet they were not outfought. In my own native State, in the early days of its most glorious history, the men who at the Alamo and Goliad and San Jacinto struggled so valiantly for Texas' independence were overwhelmingly outnumbered, but they were not outfought. Victory has eventually come to each and every Army which we have had in the Western Hemisphere battling for freedom and the priceless principles of liberty. [Applause.] And a similar victory will come whenever such conflict is thrust upon us as long as the similar graces and similar virtues which our old-fashioned fathers and mothers used to teach us live and thrive in American homes. [Applause.]

While the American home retains its sanctity and its honor and its hallowed teachings, while American parents instruct their children in the lessons which American patriots should learn, while the Nation that we love cherishes the principles which so lately led our boys to battle and to victory, the real Army of this country will be numbered by its millions who work in times of peace and fight in times of war. The real strength of the Nation is in this reserve. Let us not deceive ourselves

into believing that, on the contrary, it is manifested by the size of the uniformed force for which we now provide. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANTHONY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. CRAMTON].

The CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes.

Mr. CRAMTON. Mr. Chairman, a matter of particular interest in this bill that we are considering now is that of pay of the Army affecting as it does the size of the Army. It is the item in which there is the greatest difference between the bill that is now reported and the bill that formerly passed the House. In connection with that subject we should give particular attention to the provisions in the bill affecting the size of the Army other than the item of pay of the Army.

I would direct your attention to the paragraph immediately following the item for pay of the Army at the bottom of page 15 and the first part of page 16, with reference to discharges. Lines 23 to 25 of page 15 and lines 1 to 10 of page 16 have reference to the discharge of boys under 18 years of age, and it is not expected that that will affect a great number. But lines 10, 11, 12 and 13 on page 16 read as follows:

The Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges.

The gentleman from Iowa [Mr. HULL] is concerned about the possibility of breaking contracts under that provision. I do not want to take time to contest with him about it, except to make this one statement, that when any man enlists his enlistment contract provides that it may be terminated at any time at the will of the Government.

But in any event in lines 10 to 13 we give the Secretary of War ample authority to reduce the size of the Army by allowing the discharge on application of the soldier, and if there is not a sufficient number of those to meet the occasion to discharge arbitrarily without application.

The other provision of great importance is at the top of page 22, lines 1 to 5, the proviso known as the Borah amendment, because it was first introduced in the other body in connection with the former bill by the Senator from Idaho. That proviso is:

Provided further, That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the officers and enlisted men of the line and staff during the fiscal year ending June 30, 1922.

We make it clear there that there is to be no deficiency appropriation with respect to the pay of the Army. The amount we put in the bill is to pay the Army for the next year. It is true we do not provide a penalty here if the Secretary fails to follow it. We do not provide for hanging or anything of that kind, but we feel confident and we know that the Secretary will respect the decision of Congress, will accept that direction, and that whatever amount is appropriated for pay of the Army will pay the Army, and that he will make the reductions necessary to bring it within that amount.

The former bill, as I stated in the House on the 3d of March in connection with the conference report upon it, carrying approximately $78,000,000 for pay of the Army, would have provided for an average force of 156,653 men for the fiscal year 1922. In order to secure that amount, there being on the 3d of March about 239,000 men in the Army, the War Department could have come within that figure of an average of 156,000 men by a wastage estimated then at 6,000 to 7,000 men a month because of the expiration of enlistments, and an additional discharge, either on application or arbitrarily, of 7,000 or 8,000 men a month. The discharge of 7,000 or 8,000 men a month prior to the expiration of their enlistments would have brought the Army then between the 3d of March and the 1st of July down to 180,000 men, and then continuing the reduction proportionately between the 1st of July and the 1st of January following it would have been down to 150,000 on the 1st of January next, and that continued to the end of the year would have given an average of 156,000 plus. That was not drastic. It could have been done. But the bill failed to become a law. The Secretary of War still contends that under existing law he can not discharge before the expiration of enlistments, and so we have come now to the end of April with a bill before us that is not likely to become law before the 1st of June, if not even later than that, with an Army of 230,000 men. It is expected that on the 30th of April we will have 227,831 men, and that on the 30th of June, with the natural wastage because of expirations, there will still be in the Army not 180,000 men but 215,385. That includes the Philippine Scouts, approximately 7,000, which would leave the Army exclusive of the Philippine Scouts about 208,000 men.

To reduce the Army to the figure we give in this bill—which contemplates an average not of 156,000 plus, as in the former bill, but of 168,000—to reduce between the 1st of June, when this bill is likely to become a law, and the 1st of July, in the period of one month, instead of having arbitrary discharges amounting to only 7,000 or 8,000 men a month, as we contemplated in the former bill, the Secretary of War will have to discharge in that one month 40,000 men in order to keep his Army up to the figure of 168,000 during the year. Of course, in connection with the Borah amendment, it becomes apparent that the sooner the War Department comes to the average figure of 168,000 the nearer the Army will remain at that figure at the end of the year. If on the 1st of July they have not made a reduction below 215,000, or, exclusive of the Philippine Scouts, 208,000, at the end of the year they will be far below 168,000.

Mr. KETCHAM. Will the gentleman yield for a question at that point?

Mr. CRAMTON. I will yield for a brief question. I want to complete this idea.

Mr. KETCHAM. Will the gentleman please state whether any previous bills have carried a provision similar to the Borah amendment?

Mr. CRAMTON. No; and because of that fact—that previous bills have not contained any such provision—the War Department this year, under Secretary Baker, in the face of the feeling of the country and the views of Congress, continued recruiting thousands of men every month when Congress wanted a reduction. That is the cause of our trouble, the fact that nothing like that appeared in the previous bills and the War Department would come in and get a deficiency appropriation for the pay of the Army.

The CHAIRMAN (Mr. CROWTHER). The time of the gentleman from Michigan has expired.

Mr. CRAMTON. I will yield to myself five minutes more.

The CHAIRMAN. The gentleman is recognized for five minutes additional.

Mr. CRAMTON. Now, if the War Department prefers not to discharge anyone arbitrarily, they can get an average of 168,000 for the year without discharging a single man arbitrarily. If my good friend, the gentleman from Iowa [Mr. HULL], were Secretary of War, entertaining the views that he does, in which I share very generally, he could simply permit the natural wastage to come, and if I have permission I am going to put the figures in the RECORD showing by that natural wastage, without taking any new enlistment, without discharging a single man before his time expires, they could, by the 30th of June, 1922, the end of the next fiscal year, reduce the Army to 126,516 men, with an average for the year of 174,180. From this you subtract 7,000 men of the Philippine Scouts and you have an average of about 167,000 to 168,000 men, just what the bill provides. So that under this bill we give them enough money to carry an army for the year without discharging any man arbitrarily.

But the War Department is very anxious that the Army shall never get down to 126,000, and hence they will discharge the men in the early part of the year and keep the average up. That responsibility will be with the War Department. Mr. Chairman, I ask unanimous consent to put these figures in the RECORD. I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. CRAMTON. Now, Mr. Chairman, I want to make a further observation. I agree with the gentleman from Mississippi [Mr. SISSON] that this bill does not represent the views of the House as to the ultimate size of the Army. I believe that for our present need a police force of 125,000 men is ample for the country as a standing army. But I agree with others that we should, as a matter of preparedness against war, provide amply for the training of officers and for scientific investigations, as in the field of ordnance, the field of aviation, and realm of chemical warfare. But as a police force a regular standing army of 125,000 is sufficient.

But as a member of the committee I feel a responsibility that in reducing the size of the Army we ought not to absolutely ruin it even as a police force. Under the bill we offer you, if they take the action we expect they will and cut the Army to 168,000 the 1st of July, one man out of every five in the Army has got to be taken out in a month, and that is about speed

enough. We think we have kept in view the wishes of the House, kept in view our own wishes, and still tried to do that which is practicable and reasonable.

Mr. HULL. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. HULL. Does the gentleman think he is justified in providing for the discharge of these men arbitrarily?

Mr. CRAMTON. I believe that we are justified in discharging the enlisted men under the terms of their contracts.

Mr. HULL. But you are breaking faith with the men.

Mr. CRAMTON. I do not say that we are justified in discharging them under the terms of the contract, to say nothing of many men in the Army that want to get out.

Mr. HULL. You break faith with them on an implied contract?

Mr. CRAMTON. No; we do not do anything of the kind. The Secretary of War can comply with the provision we are making and not discharge a man before his term expires, whether it would be a breach or not.

Mr. SWING. Will the gentleman yield?

Mr. CRAMTON. I will yield to the gentleman.

Mr. SWING. Is it not possible for Congress to control the War Department instead of the War Department controlling Congress with reference to the method of reducing the Army, so that the method which you advocate and with which I agree shall be carried out?

Mr. CRAMTON. That would properly come from the Committee on Military Affairs, of which the gentleman from Iowa [Mr. HULL] is a member. The Committee on Appropriations can only appropriate the money.

Mr. KETCHAM. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. KETCHAM. Referring to the matter of contract, is it not a fact that other Government contracts are made of a similar character, leaving the cancellation at the discretion and desire of the Government—as contracts for post-office buildings, and so forth?

Mr. CRAMTON. That is very often done. Under my leave to extend I submit the following from the Chief of Finance of the Army, Gen. Lord:

Statement showing estimated average enlisted strength of the Army during the fiscal year 1921, based upon losses by expiration of term of service and other normal causes and no original enlistments.

Date.	Strength.	Enlistments, apprehensions, and surrenders.	Separations.	Net gain.	Net loss.	Months.	Minus.	Plus.
1920.								
June 30	184,904					12.0		2,218,848
July 31	182,609	15,481	17,776		2,295	11.5	26,393	
Aug. 31	186,789	17,446	13,266	4,180		10.5		43,890
Sept. 30	189,471	14,672	11,990	2,682		9.5		25,479
Oct. 31	193,467	16,668	12,672	3,996		8.5		33,965
Nov. 30	204,952	21,312	9,827	11,485		7.5		86,138
Dec. 31	219,990	25,400	10,362	15,038		6.5		97,747
1921.								
Jan. 31	239,847	26,259	6,402	19,857		5.5		109,214
Feb. 7	242,477	3,600	970	2,630		4.9		12,887
Feb. 28	239,495	204	3,186		2,982	4.4	13,121	
Mar. 31	233,520	781	6,756		5,975	3.5	20,913	
Apr. 30	227,831	227	6,016		5,689	2.5	14,223	
May 31	221,779	391	6,443		6,052	1.5	9,078	
June 30	215,385	446	6,840		6,394	.5	3,197	
Total							86,925	2,628,169
								86,925
								12)2,541,244
Average (monthly)								211,770

Statement showing estimated average enlisted strength of the Army during the fiscal year 1922, based upon losses by expiration of term of service and other normal causes and no original enlistments.

Date.	Strength.	Decrease.	Months.	Minus.	Plus.
1921.					
July 1	215,385		12.0		2,584,620
July 31	308,100	7,283	11.5	83,755	
Aug. 31	200,830	7,270	10.5	76,335	
Sept. 30	195,031	5,799	9.5	55,091	
Oct. 31	189,240	5,791	8.5	49,224	
Nov. 30	182,050	7,190	7.5	53,925	
Dec. 31	174,252	7,798	6.5	50,687	
1922.					
Jan. 31	166,469	7,783	5.5	42,806	
Feb. 28	161,837	4,632	4.5	20,844	
Mar. 31	158,227	3,610	3.5	12,635	
Apr. 30	147,202	11,025	2.5	27,562	
May 31	135,946	11,257	1.5	16,885	
June 30	126,516	9,429	.5	4,714	
Total				494,463	2,584,620
					494,463
					12)2,090,157
Average (monthly)					174,180

OFFICE CHIEF OF FINANCE,
Apr. 15, 1921.

The above figures include Philippine Scouts and Flying Cadets.

Mr. UPSHAW. Mr. Chairman, I ask unanimous consent to extend and revise my remarks on the naval bill.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks on the naval bill. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BOX].

Mr. BOX. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BOX. Mr. Chairman and gentlemen, this discussion has disclosed to me several facts. The first is that practically every Member of this House realizes that the country wants relief from the war burden that it is bearing.

The gentleman from Ohio, Hon. THEODORE BURTON, long a Member of this House and distinguished for his great service as chairman of its Rivers and Harbors Committee, and elsewhere, a seasoned, prudent leader, in his speech on the naval bill, said:

> I am making these statements to show how futile it is to attempt any pruning without a radical change of the policies of our country in regard to war and peace. An estimate has been made that by a partial reorganization of the departments 20,000 employees can be discharged. What does that mean? A saving about equal to the cost of a single battleship. Large expenses will continue as an aftermath of war. In the year that ended June 30, 1920, appropriations aggregated nearly $5,900,000,000, of which barely $400,000,000 was for the civil expenses of the Government. Thus 93 per cent was associated with war and 7 per cent for peace.

Hon. BURKE COCHRAN, of New York, whose prominence, experience, and extended service entitle his words to consideration, in discussing the naval bill, said:

> I address myself to that because I believe it goes to the very crux of the gravest problem which the world confronts to-day—and that is the problem of how the world is to disarm. I am one of those who believe that disarmament is not a matter about which the world has any power of election. The question which the nations of the world must decide now is not whether they will maintain huge armaments or abolish them; it is whether they will disarm now while they have something left with which the world can reorganize and reconstruct its industrial life, or delay disarmament until the weapons of war are forced out of their hands by collapse of the whole industrial structure.

Practically every man who has spoken has declared that he favors such relief. I submit that the drift of this discussion shows that the country has no prospect of getting anything of the kind. First, there is no prospect, because no plan has been presented by the administration or any of its spokesmen here. Next, because the attitude of the party administering the Government—the majority party—shows little or no disposition in that direction. Again, the discussion by the gentleman from Michigan [Mr. KELLEY], who presented the naval appropriation bill and had charge of it here, a man of recognized ability, very properly and ably filling the place which he does, plainly shows that such a plan is not in contemplation by those who framed that measure or other branches of the Government expected to join in its enactment. The gentleman represented his party here, so far as that measure was concerned. He stated that it will be highly improper to invite the Allies or certain nations to a conference while we are building battleships and carrying out the program provided for in this bill. You will find that statement on page 639 of the RECORD. I read it:

> No more embarrassing situation could be dreamed of than to issue to the nations of the world an invitation to consider the question of disarmament and thereupon immediately proceed to expend the sum of $90,000,000 in warship construction.

He said also that in order to get into a position to negotiate we ought to complete this program and have a Navy equal to the best in the world. He also stated that this program extends over four years. (Page 566, CONGRESSIONAL RECORD, Apr. 25.) We can not negotiate while this program is being carried out, first, because it would be "embarrassing"; second, because we would not be ready, in that we would not have a Navy equal to the biggest; and that, you must keep in mind, will require four years for its completion, and that, in turn, extends beyond the period for which the present Chief Executive has been elected.

Another reason why the country can get no encouragement from this discussion is the fact that it is argued here that the best way to disarm is to arm heavily. That is the course the world has pursued during all time, and has resulted in all of the woes that we have seen and read of. We are trying a medicine that has been long tried and has always failed. Its failure has filled humanity with woe and the world with ruin.

That is another reason why the country can not get any consolation out of the discussion. Then the gentleman who presented the naval bill said that the program—that is, the agreement to be entered into—according to our contentions or intentions, would be on a percentage reduction, and therefore that we must make our armament so big that after the proportionate reduction is made we would still have a big navy. In other words, we would build so heavily that after we had disarmed we would still be mightily armed. That is like the man in a feud whose friends went to him and asked him to put away his six-shooters. He said, "Let me get six good new ones, and I will put some of my arms away." That is not all. The gentleman said that this disarmament would begin by the abandonment of old ships, by which he meant that we are going to build plenty of good new ships and abandon those that are so old and worthless and expensive that they are of no value anyhow. The feudist agrees to put away some of his guns, but will put away only the old ones that will not shoot anyhow. That is great notice to the nations of the world as to the program outlined and contemplated by the United States as its Government is now being administered; we tell them that we are going to disarm. Yes; we are going to disarm some time, some way, somehow, but first we are going to build the biggest possible navy and armament and are going to build on such proportions that when we make an agreement we will still have supremacy. Next, we are going to make our reduction by abandoning that which is useless. That shows a great conception of international affairs. That is a wonderfully sage, statesmanlike attitude. It shows so much sincerity and wisdom and gives such wonderful promise of success.

Mr. Chairman, the American people usually get what they want. When their Government does not give them that to which they are entitled it is failing, whether my party or yours is responsible. It is a disappointment, it is an injustice to the people of this Nation to see their Government at Washington helpless, impotent, moving along with the tide, moved by folly and characterized by helplessness.

Even the great National Government can not resist the movement, foolish and ruinous as it is. Men representing the Committees on Appropriations and Military Affairs, while presenting these bills to the House, have said that the committees do not do what their judgment dictates; that there is a smoke screen, a mingling and an intermingling of affairs by those at military headquarters, a will and power to have its own way in the General Staff, that deprives the Congress of its constitutional power in such matters. Well may the people become uneasy when the men they have sent here to take care of interests which are very dear to the people confess to Congress, in the presence of the country, openly, that they are no longer free, but that a military spirit already has the National Congress more or less intimidated, under control or in some way deprived of its right and power to protect the people in the control of the Army and the appropriations for it.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BOX. Yes.

Mr. McKENZIE. Does not the gentleman from Texas think that there is a great deal of uncertainty in the minds of Members of Congress as to whether or not the American people are really in favor of disarmament; and if the American people are as sincere and earnest in their desire for disarmament as they were for the Volstead Act does not the gentleman believe that they could bring about disarmament?

Mr. BOX. I will agree that as interpreted by the majority there is a great deal of uncertainty somewhere. I will agree that the majority party shows great uncertainty. [Applause on the Democratic side.] I think that can be admitted.

My genial and delightful friend from Colorado [Mr. VAILE] said we should go very slow in disarmament proceedings. He said it twice, "We ought to go slow." Now, you can whisper it all over the country that it is going mighty slow during the next four years, unless your program changes, for here is a building program that must be carried out in order to get us in a position to confer with other nations. And then we expect to make such agreement only as will leave us heavily armed and deprive us only of ships we would throw away anyhow.

Mr. KETCHAM. If the gentleman will yield, when was that program blocked out, and by whom?

Mr. BOX. It was blocked out when the United States was preparing to enter the great conflict to win the war against the man who would have been the tyrant of the world; that is when it was blocked out. Not when we were asking our people to pay honor to the memory of the dead; not when we were looking back sadly and yet proudly to the glorious pages of history written over there; not when our hearts were turned again to peace and industry, but when we were arming for a struggle the result of which was to determine the fate of freedom and the fate of humanity. [Applause.]

It is well for you to follow plans made by wise men, but you should not be so much lacking in judgment and initiative that you stumble blindly on trying to copy in peace times policies made for war times. The supreme folly of this race in the building of armaments and bankrupting the people is sickening and alarming. I quote from a recent news item:

> BRITAIN AND JAPAN RENEW NAVAL RACE.
>
> * * * * * * * * *
>
> Great Britain has resumed the construction of capital ships and purposes to lay the keels of four this year.
>
> * * * * * * * * *
>
> Her naval budget calls for an expenditure of some $400,000,000. The new ships will be of the type of the *Hood*, one of the most formidable fighting craft afloat.
>
> * * * * * * * * *
>
> Japan is engaged in the greatest naval building program ever undertaken by any nation in time of peace and by 1927 will have a fleet almost equal in strength to America's.
>
> * * * * * * * * *
>
> Japan's slogan is, "Eight and eight, and no ships more than eight years old." This, according to American information, means that by 1927 her fleet will be virtually the equal of America's, although this country will have superiority in certain directions.

These reports may or may not be true. They or others like them are usually sent back and forth from country to country to act and react in the production of big appropriations, big contracts to gunmakers, armor-plate manufacturers, warship builders, and others who grow fat while the burdens of tax and war equipment are made heavy. If they are true, I do not know whether we are pursuing a suicidally foolish course because England and Japan are, or whether they are doing insane things because we are. It is entirely possible that since the armistice they have watched the course of the party now in charge of our Government closely, and enough and with sufficient discernment to see the situation in America as this debate reveals it. America talking peace and increasing its armament, talking the reduction of armaments via the increase of armaments, expecting only such reduction as will involve the abandonment of ships which would be abandoned anyhow; only such as will not reduce her effective armament at all. Even the abandonment of out-of-date old ships is not to be considered until we have many more newer and better ones, which will require several years and cost several hundreds of millions. War equip-

ments mean war and war means not only taxes many times multiplied; it means economic distress, draft laws, mangled men, soldiers' graves, ruined countries.

If we are making no progress toward arranging for world disarmament why is it? The people want it done. Are we failing because we are not equal to the task? Have we not courage to try? We must not admit that we have been insincere in our many avowals of a purpose to accomplish it. But if we fail it will be either because we will not or because we lack the capacity to meet the great requirement. To have to admit either will convict us before our people and posterity.

Mr. SISSON. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Chairman, I ask unanimous consent to extend my remarks in connection with the naval appropriation bill.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 5010, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ALMON, for the day, on account of illness.

To Mr. LYON, for five days, on account of illness in his family.

To Mr. HUKRIEDE, for seven days, on account of illness in his family.

ADJOURNMENT.

Mr. ANTHONY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 58 minutes p. m.) the House adjourned until to-morrow, Friday, April 29, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

85. A letter from the Secretary of the Treasury, transmitting a list of useless papers from the customs offices in the Buffalo district; to the Committee on Disposition of Useless Executive Papers.

86. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $47,000 required by the Department of the Interior for mineral-mining investigation under the Bureau of Mines, fiscal year 1922 (H. Doc. No. 56); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 2173) authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg., reported the same with amendments, accompanied by a report (No. 27), which said bill and report were referred to the House Calendar.

Mr. JONES of Pennsylvania, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 2218) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River, reported the same without amendment, accompanied by a report (No. 28), which said bill and report were referred to the House Calendar.

Mr. COOPER of Ohio, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky., reported the same without amendment, accompanied by a report (No. 29), which said bill and report were referred to the House Calendar.

Mr. REAVIS, from the Committee on the Judiciary, to which was referred the joint resolution of the Senate (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, reported the same with an amendment, accompanied by a report (No. 30), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HERSEY, from the Committee on the Judiciary, to which was referred the joint resolution of the House (H. J. Res. 82) ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware, reported the same without amendment, accompanied by a report (No. 31), which said bill and report were referred to the House Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. KAHN, from the Committee on Military Affairs, to which was referred the resolution of the House (H. Res. 63) directing the Secretary of War to furnish the House certain information, reported the same adversely, accompanied by a report (No. 32), which said bill and report were laid on the table.

He also, from the same committee, to which was referred the resolution of the House (H. Res. 67) directing the Secretary of War to furnish certain information to the House of Representatives, reported the same adversely, accompanied by a report (No. 33), which said bill and report were laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 3116) validating homestead entry of Mike Campbell for certain public land in Alaska; Committee on the Territories discharged, and referred to the Committee on the Public Lands.

A bill (H. R. 3390) granting a pension to Henry A. Rowley; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FORDNEY: A bill (H. R. 5419) to amend section 4a of the act of Congress approved June 4, 1920; to the Committee on Military Affairs.

By Mr. ARENTZ: A bill (H. R. 5420) making appropriation for a hospital building and equipment for the Paiute Indians at Yerington, Nev.; to the Committee on Appropriations.

By Mr. DRANE: A bill (H. R. 5421) to enlarge and extend the post-office building at Tampa, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of South Dakota: A bill (H. R. 5422) awarding a gold star to the mothers of all men and women who gave their lives in line of duty in the late war with Germany; to the Committee on Military Affairs.

Also, a bill (H. R. 5423) regulating the pay of Reserve and National Guard officers when called to active duty; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 5424) increasing the pay of bookbinders and bookbinder machine operators employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. FISH: A bill (H. R. 5425) granting the franking privilege to former Presidents and their widows, respectively; to the Committee on the Post Office and Post Roads.

By Mr. HUDSPETH: A bill (H. R. 5426) to amend section 5200 of the Revised Statutes of the United States as amended by acts of June 22, 1906, September 24, 1918, and October 22, 1919; and to amend section 14 of the act of Congress approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. LANGLEY: A bill (H. R. 5427) to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military or naval service of the United States; to the Committee on Invalid Pensions.

By Mr. BROWNE of Wisconsin: A bill (H. R. 5428) for the purchase of a site and the erection of a public building at Waupaca, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5429) for the purchase of a site and the erection of a public building at Wisconsin Rapids, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5430) for the purchase of a site and the erection of a public building at Marshfield, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5431) for the purchase of a site and the erection of a public building at Clintonville, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5432) for the purchase of a site and the erection of a public building at Shawano, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5433) authorizing the Secretary of the Treasury to build an extension to the present United States post-office building at Wausau, Wis.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5434) for the purchase of a site and the erection of a public building at New London, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: a bill (H. R. 5435) to limit rate of interest chargeable to Federal reserve banks to 5 per cent per annum; to the Committee on Banking and Currency.

By Mr. EDMONDS: Joint resolution (H. J. Res. 90) giving to the President authority to suspend all or part of the operation of the act of March 4, 1915, known as the La Follette Seamen's Act; to the Committee on the Merchant Marine and Fisheries.

By Mr. RAKER: Joint resolution (H. J. Res. 91) to suspend the requirements of annual assessment work on mining claims during the year 1921; to the Committee on Mines and Mining.

By Mr. COCKRAN: Joint resolution (H. J. Res. 92) declaring the policy of the United States with respect to disarmament; to the Committee on Foreign Affairs.

By Mr. REAVIS: Resolution (H. Res. 73) for the consideration of Senate joint resolution 30; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of the State of Minnesota, urging Congress to remedy the conditions existing with respect to the rehabilitation of disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

By Mr. NEWTON of Minnesota: Memorial by the Minnesota State Legislature that the Congress take such measures as may be necessary to provide adequate care and hospitalization for disabled service men, consolidate three agencies now dealing with disabled ex-service men, and to decentralize the administration of the agencies dealing with the disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 5436) authorizing the Secretary of War to donate to the town of West Millgrove, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROWNE of Wisconsin: A bill (H. R. 5437) authorizing the Secretary of War to donate to the city of Wausau, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5438) authorizing the Secretary of War to donate to the city of Wisconsin Rapids, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5439) authorizing the Secretary of War to donate to the city of Marshfield, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5440) authorizing the Secretary of War to donate to the city of Shawano, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5441) authorizing the Secretary of War to donate to the city of Weyauwega, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5442) authorizing the Secretary of War to donate to the city of Wautoma, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5443) authorizing the Secretary of War to donate to the city of Waupaca, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5444) authorizing the Secretary of War to donate to the city of Iola, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5445) authorizing the Secretary of War to donate to the city of Wittenberg, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5446) authorizing the Secretary of War to donate to the city of Clintonville, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5447) authorizing the Secretary of War to donate to the city of New London, State of Wisconsin; one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5448) authorizing the Secretary of War to donate to the city of Mosinee, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5449) authorizing the Secretary of War to donate to the city of Redgranite, State of Wisconsin, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5450) granting a pension to Rose M. Tucker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5451) granting a pension to Nora Hazzard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5452) granting a pension to Sarah Jane Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5453) granting a pension to Carrie C. Fry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5454) granting a pension to Marion D. Sweet; to the Committee on Invalid Pensions.

By Mr. BURROUGHS: A bill (H. R. 5455) granting an increase of pension to Helen I. Tilton; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 5456) authorizing the Secretary of War to donate to the borough of Marcus Hook, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 5457) granting an increase of pension to Lewis Corey; to the Committee on Pensions.

By Mr. CLOUSE: A bill (H. R. 5458) authorizing the Secretary of War to donate to the city of Jamestown, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5459) authorizing the Secretary of War to donate to the city of Gainesboro, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5460) authorizing the Secretary of War to donate to the town of Carthage, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5461) authorizing the Secretary of War to donate to the town of Celina, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5462) authorizing the Secretary of War to donate to the town of Algood, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5463) authorizing the Secretary of War to donate to the town of Hartsville, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5464) authorizing the Secretary of War to donate to the town of Wartburg, State of Tennessee, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. COLLIER: A bill (H. R. 5465) authorizing the Secretary of War to donate to the city of Vicksburg, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5466) authorizing the Secretary of War to donate to the city of Yazoo City, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5467) authorizing the Secretary of War to donate to the city of Jackson, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5468) authorizing the Secretary of War to donate to the town of Brandon, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5469) authorizing the Secretary of War to donate to the city of Canton, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5470) authorizing the Secretary of War to donate to the town of Raymond, State of Mississippi, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 5471) granting a pension to Hattie Jeffers; to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 5472) authorizing the Secretary of War to donate to the village of Farmington, State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DARROW: A bill (H. R. 5473) for the relief of Morris Busch; to the Committee on Claims.

By Mr. EDMONDS: A bill (H. R. 5474) for the relief of Benjamin F. Richardson; to the Committee on Military Affairs.

By Mr. ELSTON: A bill (H. R. 5475) for the relief of the Standard American Dredging Co.; to the Committee on Claims.

Also, a bill (H. R. 5476) for the relief of the North American Dredging Co.; to the Committee on Claims.

By Mr. FESS: A bill (H. R. 5477) for the relief of the Lebanon National Bank, of Lebanon, Ohio; to the Committee on Claims.

By Mr. FIELDS: A bill (H. R. 5478) granting an increase of pension to Ella G. Hamrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5479) granting an increase of pension to Joseph H. Hamrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5480) granting a pension to Charles W. Willis; to the Committee on Pensions.

By Mr. FULMER: A bill (H. R. 5481) authorizing the Secretary of War to donate to the town of Lexington, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5482) authorizing the Secretary of War to donate to the town of St. Mathews, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5483) authorizing the Secretary of War to donate to the town of Bishopville, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5484) authorizing the Secretary of War to donate to the town of Sumter, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5485) authorizing the Secretary of War to donate to the town of Orangeburg, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5486) authorizing the Secretary of War to donate to the town of Columbia, State of South Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GREENE of Vermont: A bill (H. R. 5487) granting an increase of pension to Mary M. Strong; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 5488) granting an increase of pension to Benjamin F. Schriver; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 5489) granting an increase of pension to William S. Richey; to the Committee on Pensions.

By Mr. HUSTED: A bill (H. R. 5490) for the relief of Berwind White Coal Co.; to the Committee on Claims.

Also, a bill (H. R. 5491) for the relief of the Brooklyn & Manhattan Ferry Co.; to the Committee on Claims.

Also, a bill (H. R. 5492) for the relief of the Brooklyn Eastern District Terminal; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 5493) granting a pension to Jennie Upton; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 5494) granting an increase of pension to Mary Crosson At-Lee; to the Committee on Invalid Pensions.

By Mr. LUFKIN: A bill (H. R. 5495) to remit the duty on a carillon of bells to be imported for the Church of Our Lady of Good Voyage, Gloucester, Mass.; to the Committee on Ways and Means.

By Mr. MEAD: A bill (H. R. 5496) granting a pension to Katherine Timlin; to the Committee on Pensions.

Also, a bill (H. R. 5497) authorizing the Secretary of War to donate to the village of Springville, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5498) authorizing the Secretary of War to donate to the village of East Aurora, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5499) granting an increase of pension to Edward von Lichtenstein; to the Committee on Invalid Pensions.

By Mr. MOORE of Illinois: A bill (H. R. 5500) to amend the military record of Robert Zink; to the Committee on Military Affairs.

Also, a bill (H. R. 5501) authorizing the Secretary of War to donate to the town of Farmer City, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MOORE of Ohio: A bill (H. R. 5502) granting a pension to Mary J. Martin; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 5503) granting a pension to Mary A. Jones; to the Committee on Invalid Pensions.

By Mr. OGDEN: A bill (H. R. 5504) to carry out the findings of the Court of Claims in the case of Posey Buckley; to the Committee on Claims.

Also, a bill (H. R. 5505) to carry out the findings of the Court of Claims in the case of Ion B. Nall; to the Committee on Claims.

Also, a bill (H. R. 5506) to carry out the findings of the Court of Claims in the case of William H. Meglemry; to the Committee on Claims.

Also, a bill (H. R. 5507) to carry out the findings of the Court of Claims in the case of Charles Obst; to the Committee on Claims.

By Mr. PARRISH: A bill (H. R. 5508) granting a pension to Nancy I. Wainscott; to the Committee on Pensions.

By Mr. RUCKER: A bill (H. R. 5509) granting an increase of pension to Mary E. Webb; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 5510) granting a pension to Emma P. Coffey; to the Committee on Pensions.

By Mr. SINNOTT: A bill (H. R. 5511) for the relief of John Cestnik, jr.; to the Committee on the Public Lands.

By Mr. SLEMP: A bill (H. R. 5512) authorizing the President to appoint James G. C. Salyers to the position and rank of first lieutenant of Coast Artillery Corps in the United States Army; to the Committee on Military Affairs.

MOTIONS TO DISCHARGE COMMITTEES.

Under clause 4 of Rule XXVII, motions to discharge committees were filed as follows:

By Mr. HAYDEN: Motion to discharge the Committee on Interstate and Foreign Commerce from the further consideration of the bill (H. R. 263) to amend section 4 of the act to regulate commerce, approved February 4, 1887, as amended.

Also, motion to discharge the Committee on the Judiciary from the further consideration of the bill (H. R. 264) providing for an additional judge for the district of Arizona.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

356. By Mr. PORTER: Petition of James P. Dawson and numerous other citizens of New York, favoring recognition of Ireland; to the Committee on Foreign Affairs.

357. By Mr. COOPER of Wisconsin: Petition of Finke-Uhen Brewing Co., for revision of tax on cereal beverages, and E. A. Marshall and others for removal of 10 per cent tax on yachts; to the Committee on Ways and Means.

358. By Mr. WINSLOW: Petition of Worcester Products Co., of Worcester, Mass., relating to repeal of tax on cereal beverages; to the Committee on Ways and Means.

359. By Mr. STINESS: Petition of board of directors of the Providence (R. I.) Chamber of Commerce, protesting against the proposed removal of the Naval War College from Newport to Washington; to the Committee on Naval Affairs.

360. By Mr. GALLIVAN: Petitions of Mason & Hamlin Co.; V. D. Ziminsky, per E. T. Slattery Co.; L. C. Pazolt Co. (Inc.); and Ivers & Pond Piano Co., all of Boston, Mass., relative to taxation matters; to the Committee on Ways and Means.

361. By Mr. TEMPLE: Petition of the Acme Brewing Co., Bentleyville, Pa., for the repeal of the 15 per cent tax now levied upon cereal beverages; Committee on Ways and Means.

362. By Mr. MORIN: Petition of Michael J. Joyce and 60 other citizens of Pittsburgh, Pa., in favor of light wine and beer and opposing Sunday blue laws; to the Committee on the Judiciary.

363. By Mr. LINTHICUM: Petitions of A. Burdwise, of Baltimore, Md., protesting against change of duty on imported goods; also, George Updergraff & Son, of Hagerstown, Md., repeal of 10 per cent tax on furs; also, the Brehm Beverage Co., of Baltimore, Md., protesting against discriminatory tax on cereal beverages; also, Kronenberg X-Ray & Supply Co., of Baltimore, Md., repeal of 5 per cent tax on photographic films and plates, X-ray plates, etc.; to the Committee on Ways and Means.

364. Also, petition of Instructive Visiting Nurse Association and H. F. Hildebrand, all of Baltimore, Md., protesting against Ackerman daylight bill; to the Committee on Interstate and Foreign Commerce.

365. Also, petition of Frank M. Dyer, of Baltimore, Md., favoring passage of House bill 172; to the Committee on Military Affairs.

366. Also, petition of Henry B. Gilpin Co., of Baltimore, Md., protesting against House bill 2888; to the Committee on Agriculture.

367. Also, petition of George L. Piquett, of Baltimore, Md., advancing certain recommendations for consideration of reclassification of United States employees; to the Committee on Reform in the Civil Service.

368. By Mr. HERSEY: Petition of C. Meleen, of Jemtland, Me., and 83 other residents of Maine, protesting against Sunday legislation; to the Committee on the Judiciary.

369. By Mr. KISSEL: Petition of Otto Huber Brewery, of Brooklyn, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

370. By Mr. MEAD: Petition of the Hamburg (N. Y.) Women's Club, urging the passage of the Rogers-Capper bill; to the Committee on Immigration and Naturalization.

371. Also, petition of the South Dakota Press Association, opposed to the repeal of the postal zone rate law; to the Committee on Post Offices and Post Roads.

372. By Mr. YOUNG: Telegram in the nature of a petition of the Northwestern Division of the North Dakota Educational Association, at a meeting held at Minot, N. Dak., praying for the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

373. Also, resolutions of Garrison Lodge No. 90, Ancient Free and Accepted Masons, of Garrison, and of Mott Lodge No. 96, Ancient Free and Accepted Masons, of Mott, both in the State of North Dakota, favoring the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

374. Also, petition of Hope Lodge No. 29, Ancient Free and Accepted Masons, of Oakes, N. Dak., favoring the passage of the so-called Smith-Turner bill, to establish a department of education, etc.; to the Committee on Education.

375. By Mr. DALLINGER: Resolution of Foreign Policy Association of Massachusetts calls upon Congress to adopt limit on size of United States Army, etc.; to the Committee on Appropriations.

376. By Mr. SINCLAIR: Petition of Dunseith Lodge No. 99, Ancient Free and Accepted Masons, of Dunseith, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

377. By Mr. TAGUE: Resolutions adopted by Foreign Policy Association of Massachusetts; to the Committee on Foreign Affairs.

378. By the SPEAKER: Petition of the Foreign Policy Association of Massachusetts, urging Congress to reduce the Army to 150,000 men, etc.; to the Committee on Military Affairs.

379. By Mr. YATES: Petition of Scatterday (Inc.), of Pontiac, and Murphysboro Bottling Co., of Murphysboro, both in the State of Illinois, protesting against the 10 per cent tax on bottled soft drinks; to the Committee on Ways and Means.

380. Also, petition of H. R. Bron and M. J. Kennedy, both of Chicago, Ill., protesting against the 5 per cent excise tax on musical instruments; to the Committee on Ways and Means.

381. By Mr. DYER: Petition of Griesedieck Bros. Brewery Co., requesting a repeal of the internal-revenue tax now levied on cereal beverage manufacturers of the country; to the Committee on Ways and Means.

382. By Mr. NEWTON of Missouri: Petition of 70 citizens of St. Louis, Mo., urging the passage of the bill introduced by Mr. MACGREGOR providing for $5 tax on every imported canary bird; to the Committee on Ways and Means.

383. By Mr. PAIGE: Papers in support of House bill 5399, granting an increase of pension to William O. Taylor; to the Committee on Invalid Pensions.

384. By Mr. MACGREGOR: Petition of citizens of Buffalo, N. Y., urging the passage of the Hill bill to amend the Volstead Act; to the Committee on the Judiciary.

385. By Mr. STEPHENS: Petitions of Cereal Beverage Association of Cincinnati, Ohio, Covington and Newport, Ky.; the Hudepohl Brewing Co.; and the Jung Brewing Co.; to the Committee on Ways and Means.

SENATE.

FRIDAY, *April 29, 1921.*

(Legislative day of Thursday, April 28, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed a bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, in which it requested the concurrence of the Senate.

CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	France	McCumber	Shields
Borah	Gerry	McKellar	Shortridge
Broussard	Glass	McKinley	Simmons
Bursum	Hale	McNary	Smoot
Calder	Harreld	Myers	Spencer
Cameron	Harris	Nelson	Stanfield
Capper	Harrison	New	Stanley
Caraway	Heflin	Nicholson	Sterling
Colt	Hitchcock	Norbeck	Sutherland
Culberson	Jones, N. Mex.	Norris	Townsend
Cummins	Jones, Wash.	Oddie	Trammell
Curtis	Kellogg	Overman	Underwood
Dial	Kendrick	Phipps	Wadsworth
Dillingham	Kenyon	Poindexter	Walsh, Mass.
Edge	Keyes	Pomerene	Warren
Elkins	King	Ransdell	Watson, Ga.
Ernst	Ladd	Reed	Willis
Fernald	Lodge	Robinson	
Fletcher	McCormick	Sheppard	

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. PHIPPS presented a concurrent resolution of the Legislature of Colorado, which was referred to the Committee on Commerce, as follows:

STATE OF COLORADO,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Colorado, ss:

Certificate.

I, Carl S. Milliken, secretary of state of the State of Colorado, do hereby certify that the annexed is a full, true, and complete transcript of senate concurrent resolution No. 7, which was filed in this office on the 24th day of March, A. D. 1921, at 3.35 o'clock p. m.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Colorado at the city of Denver this 24th day of March, A. D. 1921.

[SEAL.]

CARL S. MILLIKEN,
Secretary of State.
By CHAS. M. ARMSTRONG,
Deputy.

Senate concurrent resolution 7.

GREAT LAKES-ST. LAWRENCE TIDEWATER ASSOCIATION.

Whereas it is proposed to make such improvements in the St. Lawrence as to make the Great Lakes accessible to ocean-going commerce; and

As this improvement will, in effect, bring the State of Colorado hundreds of miles nearer the world's markets; and

As there are within the State great resources that lie wholly undeveloped while the production of all things is diminished or retarded by distance from markets; and

Because our producers and the consuming public have alike suffered enormous losses in the last year by transportation shortage and failure; and

Because by reason of these conditions and the transportation situation constitutes an emergent need; and

As a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement:

Resolved, That the State of Colorado is properly associated in the above-named organization with its neighboring commonwealths in pressing to advance this undertaking, and that the action of the governor in so declaring is hereby approved and confirmed, and the participation of this State by the governor and those who represent him in the council of these States is approved.

Resolved, That the representatives of this State in the Congress of the United States be requested to facilitate and expedite in every possible way the prosecution of this undertaking for the economic freedom of a landlocked continent.

EARL COOLEY,
President of the Senate.
ROY A. DAVIS,
Speaker of the House of Representatives.

Approved March 24, 1921, 2 p. m.

OLIVER H. SHOUP,
Governor of the State of Colorado.

Filed in the office of the secretary of state of the State of Colorado on the 24th day of March, A. D. 1921, at 3.35 o'clock p. m.

CARL S. MILLIKEN,
Secretary of State.
By CHAS. M. ARMSTRONG,
Deputy.

ALEXANDER FEES,
Filing Clerk.

Mr. CAPPER presented telegrams in the nature of petitions of the American Association for Recognition of the Irish Republic, of Ogdenburg, and sundry citizens of Riley County; Commodore Barry Council, Knights of Columbus (1,000 members, representing 2,500 people), of Pittsburg; and Robert Emmett Council, American Association for Recognition of the Irish Republic, of Pittsburg, all in the State of Kansas, praying that the republic of Ireland be recognized by this Government, which were referred to the Committee on Foreign Relations.

Mr. TOWNSEND presented a petition of the Women's University Club, of Grand Rapids, Mich., praying for the enactment of legislation for the protection of maternity and infancy, and also to create a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Midland, Mich., praying for the enactment of the so-called Nolan Patent Office bill, which was referred to the Committee on Patents.

He also presented resolutions of the Chamber of Commerce of Flint; the Board of Commerce of Bay City; the Chamber of Commerce of Adrian; the Rotary Club of Marquette; and Grand Rapids Lion Club, of Grand Rapids, all in the State of Michigan, praying for the enactment of legislation providing relief for ex-service men, which were referred to the Committee on Finance.

Mr. WILLIS presented a resolution adopted by the council of the city of Cleveland, Ohio, favoring such legislation as will permit competing telephone companies doing either a city, intrastate, or interstate telephone business to unify the service rendered by such companies either by purchase and sale of the property of one company by the other or by a consolidation or merger of said companies when the same is authorized by the laws of the State in which such properties are situated, which was referred to the Committee on Interstate Commerce.

Mr. FLETCHER presented a resolution of the Kiwanis Club, of Jacksonville, Fla., favoring the enactment of legislation providing adequate relief for ex-service men, which was referred to the Committee on Finance.

He also presented a telegram in the nature of a memorial signed by Manuel Gonzalez, secretary of the Joint Advisory Board, of Tampa, Fla., in the name of 15,000 tobacco workers, remonstrating against the enactment of House bill 6, increasing the duty on wrapper tobacco, etc., which was referred to the Committee on Finance.

He also presented a petition of the Florida Tobacco Commission Co., of Quincy, Fla., praying that an appropriation of $25,000 be made for the investigation of plant diseases, especially a new and peculiar disease that has appeared in the tobacco-seed beds in that district similar to the Australian blue mold, which was referred to the Committee on Agriculture and Forestry.

FREIGHT CHARGES ON FLORIDA CITRUS FRUIT.

Mr. FLETCHER presented a communication from Chase & Co., of Jacksonville, Fla., in relation to increase in freight charges paid railroads during the past four seasons on Florida citrus fruit, based on the haul from Orlando, Fla., to New York City, which was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

JACKSONVILLE, FLA., *April 21, 1921.*

Hon. D. U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR: You will be interested in the attached statement showing increase in freight charges paid railroads during the past four seasons on Florida citrus fruit, based on the haul from Orlando, Fla., to New York City.

While all of the fruit does not go to New York City, we believe that the average freight charge from all of the citrus-producing points in Florida to all of the markets in the country will average approximately the New York freight rate, and the statement will serve to illustrate the point we wish to make, which is that the transportation companies operating out of Florida are now collecting from the Florida growers on the present crop and at the present rate 304 per cent more freight charges than was paid during the season 1917–18. Other products from Florida have increased proportionately, and also the charges, so that you can realize what an enormous amount of money is paid out to the transportation companies on Florida perishable products alone.

If you would look into the traffic now moving you would find that the railroads serving Florida and California are in more prosperous condition and have fewer idle cars than roads operating in any other territory.

There is one thing sure: We must have lower freight rates on Florida grapefruit into the Pacific coast markets. The present rate is so high that it has practically excluded Florida grapefruit from many of the markets where we placed a great many cars under the prewar rate. California citrus fruit moves to the Atlantic coast markets at a rate of approximately $1.50 per box. If this is a satisfactory rate to the railroads, why is it that the charge on a box of Florida citrus fruit is almost double from a Florida producing point to a Pacific coast market? A person can travel east and west at the same rate per mile, and we believe that similar products should not be discriminated against.

Yours, very truly, CHASE & CO.,
J. C. CHASE, *President.*

Statement showing increase in freight charges paid railroads during past four seasons on citrus fruit, based on haul from Orlando, Fla., to New York, N. Y.

Season.	Number boxes shipped.	Freight rate charged.	Increase in rate.	Freight charges paid railroads.	Increase in freight charges paid over season 1917–18.	Increase in freight charges over season 1917–18.
			Per cent.			*Per cent.*
1917–18	5,581,309	$0.61	.....	$3,404,598.49	.....	.....
1918–19	8,946,204	.76½	25	6,843,846.06	$3,439,247.57	101
1919–20	12,495,925	.76½	25	9,559,382.63	6,154,784.14	181
1920–21	13,500,000	1.02	67	13,770,000.00	10,365,401.51	304

REPORTS OF COMMITTEE ON THE JUDICIARY.

Mr. ERNST, from the Committee on the Judiciary, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota (Rept. No. 7); and

A bill (S. 694) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia (Rept. No. 8).

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 1344) for the relief of John Cestnik, jr.; to the Committee on Public Lands and Surveys.

By Mr. SMOOT (for Mr. CUMMINS):

A bill (S. 1345) to amend an act entitled "Interstate commerce act," approved February 28, 1920; and

A bill (S. 1346) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, including the safety-appliance acts and the act providing for the valuation of the several classes of property of carriers subject to the Interstate Commerce Commission, approved March 1, 1913; to the Committee on Interstate Commerce.

By Mr. FERNALD:

A bill (S. 1347) granting a pension to Perlie A. Haskell (with accompanying papers); to the Committee on Pensions.

By Mr. EDGE:

A bill (S. 1348) to save daylight in the first zone so as to encourage the establishment of home gardening, and for other purposes; to the Committee on Interstate Commerce.

By Mr. PHIPPS:

A bill (S. 1349) providing for the resurvey of certain townships in the State of Colorado; and

A bill (S. 1350) making an appropriation for the investigation of underground currents, particularly shallow underground waters, and artesian wells in eastern Colorado; to the Committee on Public Lands and Surveys.

By Mr. ODDIE:

A bill (S. 1351) for the relief of Thurman A. Poe;

A bill (S. 1352) for the relief of Benjamin F. Spates; and

A bill (S. 1353) to pay the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the Civil War; to the Committee on Claims.

A bill (S. 1354) granting a pension to Ensign O. Lane; to the Committee on Pensions.

By Mr. TOWNSEND:

A bill (S. 1355) to provide for the establishment, construction, and maintenance of a post road and interstate highway system, to create a Federal highway commission, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. FLETCHER:

A bill (S. 1356) to encourage the development of the agricultural resources of the United States through Federal and State cooperation, giving preference in the matter of employment and the establishment of rural homes to those who have served with the military and naval forces of the United States; to the Committee on Irrigation and Reclamation.

By Mr. CURTIS:

A bill (S. 1357) to provide allowances for mothers with children under 16 years of age dependent upon them for support in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WADSWORTH:

A bill (S. 1358) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes; to the Committee on Military Affairs.

By Mr. SPENCER:

A bill (S. 1359) granting a pension to Amos E. Miller; to the Committee on Pensions.

A bill (S. 1360) authorizing the award of the distinguished service cross or distinguished service medal provided for in the act of July 9, 1918, to Army officers brevetted for gallantry during the War with Spain, Philippine insurrection, or China relief expedition (with accompanying papers); to the Committee on Military Affairs.

By Mr. SUTHERLAND:

A bill (S. 1361) granting an increase of pension to Allen T. Landress; to the Committee on Pensions.

By Mr. HARRIS:

A joint resolution (S. J. Res. 42) authorizing the Secretary of War to loan to the city of Albany, Ga., tents and cots for use

of Confederate veterans in their State convention, May 11 and 12, 1921; to the Committee on Military Affairs.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment in the nature of a substitute reported by the Committee on Foreign Relations.

Mr. HITCHCOCK. Mr. President, in opposing the pending joint resolution offered by the Senator from Pennsylvania [Mr. KNOX] and reported from the Committee on Foreign Relations I shall present views differing somewhat from some that have been uttered by colleagues of mine. In my opinion the resolution if adopted will have little if any effect in the United States and none at all abroad.

The first paragraph of the resolution purports to repeal the declaration which we adopted in April, 1917, declaring the existence of a state of war with Germany. In my opinion such a repeal is impossible. This Congress can no more repeal that resolution than it can repeal the act by which Congress directed the President of the United States to build the Panama Canal. When the President of the United States had built the Panama Canal that legislation was exhausted, and when under the resolution declaring war existing between the United States and Germany the President had under its instructions used the naval and military forces of the United States to fight the war to a successful conclusion, that resolution had served its purpose and was no longer subject to repeal.

That resolution declared that a state of war existed between the United States and Germany. That was a fact, and Congress has no power to expunge that declaration or repeal it. That resolution instructed the President of the United States to do a certain thing, and he did it; he did it to a finish; he concluded it. The resolution served its purpose and is executed; it is no longer subject to repeal by the Congress of the United States.

Then the pending resolution proceeds to declare that the Government of the United States shall retain German property within our control until Germany enters into a treaty with us giving us all the rights, privileges, powers, indemnities, reparations, and benefits of the Versailles treaty. We do not need a resolution of that sort to continue to hold the German property. Such a resolution binds no one. We are already holding the German property under an act of Congress, and as far as we are concerned we shall continue to hold it. The resolution does not bind Germany. In its second provision it is just as ineffective as in its first provision. It declares that we will do a thing that we have already by act of Congress done and which we are continuing to do. Of what use is it for us to say to Germany, "We will hold this property until you enter into a treaty giving us the benefit of a treaty that we rejected"? It has no benefit and no force until Germany accepts it.

Germany is not bound by our declaration, and that is not the purpose of the declaration. The purpose of the declaration in the resolution of what the terms of a separate treaty of peace with Germany shall be is to bind the President of the United States. It can not bind Germany, but it may embarrass the President. It is an attempt to interfere with the constitutional powers of the President of the United States to negotiate a treaty of peace with Germany. He is confronted by two alternatives, and nobody yet knows whether he has decided which of those alternatives to take. Either he must devise some plan under which the United States, with amendments or reservations, shall become a party to the treaty of Versailles or he must enter into negotiations for a new and a separate treaty with Germany.

Mr. President, it is his right and his privilege, given to him exclusively by the Constitution of the United States, to decide that question. If he decides that it will be for the best to enter into a new and a separate treaty with Germany, the Constitution gives him the exclusive right, either in person or by his own representative, to negotiate such a treaty; and yet this resolution, by a Congress without jurisdiction, proposes to dictate to the President of the United States what terms shall be incorporated in a possible separate treaty of peace with Germany.

Mr. President, strangely enough, this attempt is made to dictate to and to control the President of the United States and to interfere with his constitutional prerogatives, in the very face of his request to the Congress of the United States not to do that thing. It is only a short time since President Harding appeared before the Congress, in a joint session of the two Houses, on April 12 of the present year, and toward the conclusion of the address which he delivered at that time he referred directly and specifically to the question of foreign affairs and to the foreign policy yet to be adopted. Let me quote one paragraph of the language used by the President of the United States. He said:

> It would be unwise to undertake to make a statement of future policy with respect to European affairs in such a declaration of a state of peace. In correcting the failure of the Executive, in negotiating the most important treaty in the history of the Nation, to recognize the constitutional powers of the Senate we would go to the other extreme, equally objectionable, if Congress or the Senate should assume the function of the Executive. Our highest duty is the preservation of the constituted powers of each and the promotion of the spirit of cooperation so essential to our common welfare.

Evidently President Harding sought to impress upon the Congress at that time that he wished to be free to use his constitutional powers, either in the negotiation of a separate treaty or, possibly, in the entrance into some form of amended treaty, such as was adopted at Versailles. President Harding did not stop with that language, but he went further. He said:

> It would be idle to declare for separate treaties of peace with the Central Powers on the assumption that these alone would be adequate, because the situation is so involved that our peace engagements can not ignore the Old World relationship and the settlements already effected, nor is it desirable to do so in preserving our own rights and contracting our future relationships.

This resolution does ignore the settlements already made. As the Senator from Minnesota [Mr. NELSON] stated on yesterday here, there is nothing in the resolution which is any recognition of settlements already made, except the declaration that the United States shall get from Germany the uttermost "pound of flesh" provided, in the shape of benefits, reparations, and indemnities in the treaty which we have rejected.

Then President Harding continues:

> The wiser course would seem to be the acceptance of the confirmation of our rights and interests as already provided and to engage under the existing treaty—
>
> "To engage under the existing treaty"—
>
> assuming, of course, that this can be satisfactorily accomplished by such explicit reservations and modifications as will secure our absolute freedom from inadvisable commitments and safeguard all our essential interests.

The President there directly refers to the possibility of some arrangement under the existing treaty, with necessary modifications and reservations. Yet the Congress proposes by this resolution to commit the country and to commit the President in his foreign policy to a separate and independent treaty without regard to the existing treaty.

Mr. President, I do not know whether there is a deliberate purpose on the part of the responsible leaders of the majority in the Senate of the United States to flout the very first recommendation made by the President of the United States; I do not know that it is the intention of the responsible leaders on the Republican side of the Senate to dictate to him what his foreign policy shall be, when he has specifically requested that he be left alone to exercise his constitutional power; but there is not another thing in the resolution that is effective except the inevitable embarrassment that it is going to bring to the President of the United States in deciding what foreign policy he shall adopt.

We know how anxious he is to maintain his relationship with the dominant leaders on the dominant side of the Senate, and he may yield; but here in this address he has protested against any attempt to interfere with the formation of his policy. He is in a position better than any other authority to outline the policies of the United States. He is at the present time in diplomatic touch with all the nations of the world, even our former enemies in the late war. He is the man who ought to decide what shall be the future policy of the United States in foreign affairs, and not the Senate of the United States or the Congress of the United States.

But, Mr. President, it is argued here that this resolution is necessary in order to end the technical state of war, as it is called. Not a speech has been made, however, and not a speech can be made to justify that assertion. In the first place, as we all know, wars are not always ended by official declarations. They come to an end by lapse of time and lack of action. We have now, as a matter of fact, been at peace with Germany for nearly three years. We have called home our soldiers; we have reduced our Army to a peace basis; we have resumed, almost without exception, peace-time legislation, making only a few temporary exceptions for the present. And that is not all, for when the President of the United States in November, 1918, called the House and Senate into joint session and read to us the terms of the armistice that had been agreed to between Germany and the allied and associated powers he made the official declaration:

> Thus the war comes to an end.

But that is not all, for, as if to make assurance double sure, the Congress of the United States has declared the war at an end, and even fixed the date of its termination. Have we forgotten it? Have we forgotten that on the 3d of March of the present year the President of the United States signed an act of Congress which declared the war to have ended upon the enactment of that measure? House joint resolution 382, signed by the President of the United States on the 3d of March, contained this language:

The date when this resolution becomes effective shall be construed and treated as the date of the termination of the war or of the present existing emergency, notwithstanding any provision in any act of Congress or joint resolution providing any other mode of determining the date of such termination.

Mr. KELLOGG. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. That was for the purpose of determining when certain powers conferred in certain statutes ceased, was it not?

Mr. HITCHCOCK. It was.

Mr. KELLOGG. And that is all?

Mr. HITCHCOCK. It was for that purpose; but there the language fixes the termination of the war. I am going on the theory that even that was not necessary, but that whatever Congress could do to fix the termination of the war was done in that joint resolution, No. 382. Senators may not have known what they voted for, but they voted for a distinct declaration by the Congress of the United States that the war ended when the President signed that joint resolution.

Mr. KELLOGG. The Senator from Nebraska has not answered the question. Did not the joint resolution that contained that language name the particular statutes the powers of which were to cease?

Mr. HITCHCOCK. That is correct.

Mr. KELLOGG. And no other statutes were provided for in that joint resolution.

Mr. HITCHCOCK. That is correct; but that does not alter the fact that if a technical state of war existed still, after nearly three years of peace—and it was only technical—it was ended by that declaration, regardless of what the purpose was when Congress made it. I go to the extent of saying that it was not necessary.

But Senators may argue that we need some resolution declaring the state of war at an end in order that business may be resumed. The answer to that is found in the official statistics of trade with Germany. At the present time our exports to Germany amount to something over a million dollars a day. No nation of Europe, with the exception of Great Britain and the possible exception of France, is doing as much business with the United States as Germany is doing to-day; and there is no restriction on our trade with Germany at the present time except what is provided by her inability to pay, by our tariffs, and by the remnant of the War Trade Board which prohibits the trade in dyes. Germany to-day is our great customer for cotton, next to Great Britain; our great customer for wheat; our great customer for copper; and she would be to a much greater extent if she had the ability to pay.

This consideration wipes out utterly the suggestion that there is any business reason for the passage of this joint resolution, and it brings us back to the proposition that the only reason for passing this joint resolution is an attempt to arrogate to a few Senate leaders the power which the Constitution vests in the President of the United States to outline our foreign policies and negotiate our treaties. I see the Senator from Idaho [Mr. BORAH], the great guardian of the Constitution of the United States, who stood here by the hour objecting to the treaty of Versailles on constitutional grounds; yet we heard him declare here yeseterday that he believed that the precedent should be set and that the Congress should take into its hands the power which the Constitution vests in the President of the United States. It seems to make a great deal of difference what issue is pending at the time as to whether our constitutional champions are willing to stand by the Constitution.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I do.

Mr. BORAH. In what respect is the position which the Senator from Idaho may have taken with reference to the now deceased league in conflict with this position?

Mr. HITCHCOCK. Possibly the Senator was not here during the early course of my remarks, where I sought to show that the sole purpose of this joint resolution is to take out of the hands of the President of the United States the decision whether he will adopt one alternative or another in international affairs. Possibly the Senator was not here when I read from the speech of the President of the United States delivered to the Congress on the 12th of April, in which he urged Congress not to interfere with his executive prerogative to decide as between these treaties. Possibly the Senator was not here when I showed, or attempted to show, that this joint resolution is an attempt on the part of Congress to dictate to the President of the United States what the terms of the treaty of peace with Germany shall be.

Mr. BORAH. I do not so understand this joint resolution. There is a difference of opinion between the able Senator and myself as to what the joint resolution does. I may discuss it a little later, but I do not agree with the Senator as to the legal effect which he puts upon the joint resolution. That is the difference.

Mr. HITCHCOCK. The Senator possibly did not have the benefit of my argument or he might hold a different view.

Mr. BORAH. I shall avail myself of the opportunity of reading it. I am sorry I was not here, but I was detained on a committee.

Mr. HITCHCOCK. Mr. President, I have shown that this is an attempted usurpation on the part of the Congress of the exclusive power which the Constitution vests in the President of the United States to fix the foreign policies of the country. I have shown that it is in direct conflict with his address to Congress this month, in which he asks Congress not to interfere with the executive prerogative. I have shown that this is an attempt to force his hand, and may succeed.

Mr. REED. Mr. President——

Mr. HITCHCOCK. I have shown that there is no business reason why this joint resolution should pass. I have shown that it has absolutely no binding force whatever on Germany.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Missouri.

Mr. REED. The Senator from Idaho was in a colloquy with the Senator from Nebraska, and perhaps he wants to finish it.

Mr. BORAH. The Senator says he has shown these things. I have no doubt the Senator entertains that view, but I do not think he can show these things. It is not an infringement upon the President's prerogative at all. It is not an infringement upon any constitutional power which is given him by the Constitution of the United States; neither is it exercisng any power which belongs to the President of the United States, and there is where the Senator and I differ.

Mr. HITCHCOCK. I understand the Senator's position. I now yield to the Senator from Missouri.

Mr. REED. Mr. President, the Senator has just said that this is an attempt to force the President's hand, and to take from the President some of his prerogatives, notwithstanding the protest made in his message against such action by the Senate. Does not the Senator overlook these words in the message of the President? I read from the bottom of page 16 of the printed address:

To establish the state of technical peace without further delay, I should approve a declaratory resolution by Congress to that effect, with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves, and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

With a direct invitation to us by the President, and an assurance in advance that he will approve such action by the Congress, and with the statement that such action would be the simplest keeping of faith with ourselves, how can the Senator say that we are robbing the President of his prerogatives, or going contrary to his suggestions?

Mr. BORAH. Mr. President, may I also suggest in that connection, so that the Senator may answer both propositions, that if I recall correctly the President said in his acceptance speech that a state of peace should be established with Germany just as soon as a declaratory resolution could be passed by Congress and he could sign it. That was early in the campaign.

Mr. HITCHCOCK. Mr. President, I am not raising any objection to such a declaration. I say it is idle. I say it is unnecessary. It is of no effect on business, because we have the trade with Germany. It is of no effect in any way. Congress has already, since the speech of President Harding in his campaign, declared the war at an end in the act of March 3 of this year, and named the date when it ended.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Missouri?

Mr. HITCHCOCK. I do.

Mr. REED. If we have already ravished the President of his powers, how will he suffer if we do this thing which the

Senator now says is utterly ineffective because we have already done it?

Mr. HITCHCOCK. We have not done it. All we have done is to declare the war at an end, and there is no objection to that. I say it is ineffective, but there is no objection on that account. What I object to in this joint resolution, and what I suppose the President of the United States would object to if he were willing to enter into a conflict with the dominant element on the Republican side of this Chamber, are the terms of this joint resolution, which dictate what shall be put into the proposed treaty of peace with Germany. That is the issue. The issue is not on the declaration of the existence of peace. The issue is the dictating in this joint resolution of the items which shall be put into the treaty of peace with Germany.

Mr. REED. Mr. President, I do not want to interrupt the Senator if it will disturb the course of his remarks.

Mr. HITCHCOCK. I have about concluded. It will not disturb them.

Mr. REED. The Senator takes the position that we have already declared the war to be at an end. I do not agree to that proposition. We declared it was at an end for the purpose of construing certain statutes that had been theretofore passed. Those statutes contained a clause that they should terminate in their effect within a given time, or upon the happening of certain events after the termination of the war. We dragged along here for two years and three months under a technical state of war, as far as the paper condition existed, and in order to get rid of those statutes, and in order to fix a period when they would terminate, we adopted the language which declared that for the purposes of those acts the war should be deemed to have terminated. It was only the legal means of fixing a date with reference to termination.

Now the Senator says we have already declared the war at an end, and that the objection is that we are trying to force the President to put certain things into treaties, and that the wrongfulness of our act will consist in trying to tie the hands of the President with reference to future treaties. I assert that it is my humble judgment the language of this joint resolution does nothing of the kind. The language of the joint resolution does nothing but impound the German property until such time as a treaty shall have been negotiated, and that is what I call the Senator's attention to.

Mr. HITCHCOCK. Mr. President, the answer to that is that the German property is already impounded. It is impounded by the order of the Congress of the United States, and reiterating that order can give it no force. It is like passing the same bill twice. Nothing we can do will bind Germany.

Mr. REED. Mr. President, the Senator must concede that the moment peace is declared, then, ipso facto, that property is governed by the laws which exist between nations which are at peace and can no longer be held by the United States rightfully, unless we take the necessary action to hold it.

Mr. HITCHCOCK. Mr. President, I will ask the Senator not to interrupt at such great length. We have already taken that action. In the act of March 3 we took it. We declared that that act should still remain in effect, in order that we could still continue to hold the German property. As far as the United States is concerned, we have reached the definite conclusion to hold that property, and there is nothing to be gained by reiterating our determination to hold it. When it comes to making a treaty of peace with Germany there is nothing we can do here that will bind Germany. Any treaty of peace we make with Germany will have to be entered into with Germany's consent.

There is only one qualification to Germany's consent, and that is to be found in the treaty of Versailles. Germany is practically in the hands of a receivership at the present time. There are certain things Germany can not promise to do in a treaty. The treaty of Versailles limits the sovereign powers of Germany. The treaty of Versailles has placed in the keeping of the commission of reparations the economic resources of the great German Empire. That reparations commission controls those resources, and by rejecting the treaty of Versailles we lost our place and lost our voice and lost our influence upon that commission. We are an outsider, and if we go to Germany, as we probably shall, to secure a separate treaty, we have to go to Germany knowing that Germany's powers are limited and that there are certain things she can not promise to do for us. She may not be able to give us the benefits we will ask in such a treaty, because she will be restrained by the powerful hand of the Versailles treaty.

Mr. COLT. Mr. President, does the Senator believe that the Congress of the United States can limit in any way the treaty-making power conferred upon the President under the Constitution of the United States?

Mr. HITCHCOCK. I do not.

Mr. COLT. Then the effect of this resolution is simply to repeal a statute passed by Congress declaring that we were in a state of war. The Congress has the power to repeal any statute, has it not?

Mr. HITCHCOCK. Mr. President, I presume the Senator was not in the Chamber when I made my statement. I said the declaration of war, like the act under which we instructed the President to build the Panama Canal, has passed beyond the jurisdiction of the Congress, because it is executed. It can not be repealed any more than we can repeal effectively the act by which we instructed the President to build the Panama Canal. So that so far as the repeal of that resolution is concerned, an attempt is made to do an idle thing.

Mr. COLT. My view is that Congress can in no way limit the treaty-making power, which is absolutely distinct from the legislative power.

Mr. HITCHCOCK. The Senator is entirely correct, of course.

Mr. COLT. Since this resolution can in no way limit the power of the President to negotiate a treaty, anything that might be recited therein can in no way impair the constitutional power of the President of the United States to make a treaty, by and with the consent of the Senate. It might be a declaration of policy on the part of the United States to put certain terms in this resolution; but, if Congress can limit the treaty-making power of the President, there is in effect no such power.

Mr. HITCHCOCK. The Senator is absolutely correct, of course, and as a judge he holds an opinion which is entitled to the highest respect. I believe he was not in the Chamber when I began my statement. My statement is that this is done for the purpose of forcing the President's hand. This resolution is to be sent to him, and he has either to sign this resolution or come into conflict with the dominant leaders on the Republican side of the Senate. It is an attempt by them to dictate to him a policy he ought to be left free to adopt for himself.

Mr. COLT. I understood the Senator to say, in his opening sentence, that the passage of this resolution would have no effect upon this country, and little or no effect abroad.

Mr. HITCHCOCK. None at all, outside of the 3-mile limit.

Mr. COLT. Therefore, if it is harmless, how can it do any harm to pass it?

Mr. HITCHCOCK. The Senator may look at it that way.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. As I understand the Senator's position, then, his interest in the discussion is not because of the possible effect of the resolution, but his interest in it, rather, arises out of the fact that he thinks it will embarrass the President?

Mr. HITCHCOCK. I am endeavoring to set forth what I believe to be true, that this resolution is being put through for the purpose of carrying out the threat, formally made, that the foreign affairs of the United States were to be in the hands of the dominant managers of the dominant party in the Senate, and I am endeavoring to show that you are flouting our President, refusing the request and defying the protest which he made only a few weeks ago, at the joint session of the House and the Senate, when he asked that he be not embarrassed by any preliminary action of the Congress of the United States, or of the Senate, in adopting such a foreign policy as the circumstances might point out to be wise. The Senator can put any construction on it he pleases. I have stood here at all times advocating the constitutional power of the President of the United States, whether Democrat or Republican, to negotiate treaties. I have maintained, and the Senator knows that it is correct, that the Constitution vests in the President the sole power to negotiate treaties. It gives to the Senate of the United States only the power to advise and consent to those treaties when negotiated.

Mr. BORAH. To all of which I agree.

Mr. HITCHCOCK. Yet the Senator here is advocating a resolution, I suppose, although he has not spoken for it yet, which purports to set forth what the President shall incorporate in the proposed treaty of peace with Germany when it is made.

Mr. BORAH. Mr. President, in that regard we hold entirely different views. The resolution does not purport to do anything of the kind, it seems to me, and later perhaps I shall undertake

to show why I think so. Of course, if the resolution undertook to restrain the President in his power to negotiate a treaty, in the first place, it would be perfectly futile; it would not amount to anything; it would not effect anything. But I do not think it undertakes to do that.

Mr. HITCHCOCK. Mr. President, let me interrupt the Senator there. When this joint resolution, adopted by the Republican Congress, as I suppose it will be adopted, is presented to the President of the United States he must decide then and there whether he will exercise his executive powers as the Constitution gives them to him, or whether he will permit the dominant Republican leaders in the Senate to dictate to him and outline to him what he shall do. He has to reach that decision then.

Mr. BORAH. Suppose it should transpire that he has already reached it, and that this resolution is the result of a consultation between the dominant leaders of the Republican majority and the President of the United States?

Mr. HITCHCOCK. That will be for time to develop.

Mr. BORAH. I am sure the Senator would feel relieved if he knew that the President had already passed upon that.

Mr. HITCHCOCK. Mr. President, the Senator from Nebraska is not worrying over this situation. I can look toward the situation, as far as I am individually concerned, and I feel that a majority on this side of the Chamber will look at the situation, with comparative equanimity. We have fought our fight and lost it; we know that. We stand here now waiting to see what you propose to do with the situation. You are confronted with a very grave situation, and you have brought it about; you are responsible for it. The evil times that have come upon Europe and come upon the United States are the result of your action. You threw the monkey wrench into the machinery. It was you who put a stop to the rehabilitation of the world and the organization of the world for peace. It was you who made it impossible for the world to resume the ways of peace, and it is you who have made confusion worse confounded in Europe, and the troubles from which the United States suffers to-day are not due to domestic causes; they are due to international causes, which you have provoked.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. I would be very glad if I were entitled to all the credit, as the Senator, by his pointing toward me, indicates; but the Senator will recall that when the hour came to finally reject the league and the treaty the Senator from Nebraska and I voted together.

Mr. HITCHCOCK. We did, but from entirely different motives. Such things sometimes happen.

Mr. President, I have said that the existing trouble is international and not domestic, and the cure international and not domestic. The South to-day is practically prostrate and almost in collapse, because her great crop of cotton remains unsold, eight or nine million bales of cotton not sold, because Europe, her great customer, can not buy it. The copper mines of the West are idle, because Europe can not buy our copper. Wheat has dropped to half—yea, a third—of its former value, and finds only a limited market, because Europe can not buy. So it is with corn, and so it is with a thousand million dollars' worth of manufactured goods, which Europe longs for, as she does for our raw materials.

Our railroads have grown into a condition almost of desperation, in spite of legislation by Congress. Do Senators think that they can sit here and legislate means by which we can swap jackknives with each other in this country and cure the evil when the evil is international? The evil we suffer from in the United States is because we can not sell our surplus products to the world, and we can not sell them to the world because the world is in confusion worse confounded, brought about very largely because we refused to cooperate in the rehabilitation of the world.

Mr. President, I have talked longer than I expected to.

Mr. KING. Mr. President, before the Senator concludes, I desire to ask him a question.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KING. I do not like to be in disagreement with my able friend, and I may not be, unless I have misinterpreted the position which he has assumed, and for that reason I challenge the Senator's attention to an observation he made a moment ago. As I understand the Senator's position it is this: That certain legislation which was recently passed, which declared that certain statutes passed during the war had ceased to function, had come to an end, was equivalent to a declaration of peace, not only a declaration declaring peace de facto but a declaration declaring peace de jure. If the Senator takes that position I can not agree with him; I think he is entirely wrong; and I sincerely hope the Senator has not taken the position that the legislation which had the effect of repealing certain war legislation, in effect, declared a state of peace, not only de facto but de jure, so that we would not longer be technically at war with Germany.

Mr. HITCHCOCK. Mr. President, I feel that I have covered that. I do not believe that technicalities are the great factors we should consider in this case. As I look upon the situation, we have been at peace with Germany, as a matter of fact, for all practical purposes, for a year or two at least, and there is no practical reason why we need pass this resolution for the purpose of establishing that peace. We have it for all material or beneficial purposes already, and if we make a treaty with Germany we have to make such a treaty as Germany is willing to give.

Before I sit down I wish to recite briefly some of the genesis——

Mr. COLT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield further to the Senator from Rhode Island?

Mr. HITCHCOCK. I yield.

Mr. COLT. I am so much interested in the Senator's discussion with regard to the constitutional power of the President to make treaties and the power of the Congress that I wish to ask him a question, because he is so familiar with the subject.

The first paragraph of the resolution provides:

> That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed.

Has the Senator any doubt that the Congress has the power to repeal a statute which it passed declaring war? Would the Senator regard any such action by Congress as encroaching upon the treaty-making power of the President, if Congress saw fit in its discretion to repeal such statute?

Mr. HITCHCOCK. Not at all. The Senator has misconceived my argument if he draws such an inference from anything I have said.

Mr. COLT. Again, Congress in repealing the statute does not actually make peace, because actual peace must be brought about by the affirmative act of both the United States and Germany, but the act of repeal does put the United States itself, as one party to the war, in a state of peace. I was wondering if the Senator would not agree with that proposition.

Mr. McKELLAR. Mr. President, will the Senator from Nebraska yield to me to ask the Senator from Rhode Island a question?

Mr. HITCHCOCK. I yield to the Senator from Tennessee.

Mr. McKELLAR. I just wish to ask my distinguished friend from Rhode Island if the Constitution does not specifically give the Congress the right to declare war, but if it does not fail to give the Congress any power to conclude peace? Does it not also specifically give the President and two-thirds of the Senate the right to conclude peace, and, therefore, is not that proof of the power of Congress to declare peace?

Mr. COLT. The Senator is using the word "peace" in a general sense, when it may mean in a narrow sense one thing and in a broad sense another thing. In a broad sense, Congress can not make peace, but Congress can make peace so far as the United States is concerned by the repeal of that statute. It can declare that the United States is in a state of peace, but, of course, we can not make peace in a broad sense without we have the consent of the other side.

Mr. McKELLAR. There I agree with the Senator's argument.

Mr. COLT. Any statute which Congress has the power to pass Congress can repeal. Congress can, in violation of treaties, take the United States out of any treaty, provided the statute of repeal comes within the specific powers conferred upon Congress under the Constitution of the United States.

Mr. HITCHCOCK. Mr. President, this discussion is far afield and involves matters which I think are somewhat overestimated in their importance. Undoubtedly, as the Senator from Rhode Island states, Congress can go through the act of repealing that resolution just as Congress can to-day repeal some acts of Congress that were passed 100 years ago and that have been obsolete and dead for the last 75 years; but it is ineffective, it is an idle act. It is not worthy the dignity and the consideration of the Senate, and it has no effect at all.

I had intended to go through the genesis of the resolution for peace. I had intended to recite the terms of the first resolu-

tion which the Senator from Pennsylvania [Mr. KNOX] presented in June, 1919; the second resolution which he presented in December, 1919; the concurrent resolution by the Senator from Massachusetts [Mr. LODGE] in November, 1919; the resolution again by the Senator from Pennsylvania in December, 1919; the resolution of May 17, 1920, which was passed by Congress and vetoed by the President of the United States, and so come down to the present resolution. All of them are efforts to do an unnatural thing and to do a thing not provided for in the Constitution. All of them would result, as this one will result, in further confusing a condition already seriously confounded. But I shall not go into that now.

I wish in concluding to direct to the attention of the Senate the remarkable fact that the pending resolution involves a great national policy of the United States, arrogating to the Congress powers which the Constitution has given to the President. A resolution pointing out the policy of the United States is brought into the Senate apparently in the midst of a conspiracy of silence among those who propose to vote for it. The Senator who introduced it makes no speech. The Senator who reported it has made no speech. No Senator advocating the resolution has made a speech. It is treated very much as we see treated in the city councils of municipalities, sometimes, a gas franchise or a great contract. When they have the votes to pass it, they pass it in silence because they have no excuse to give the public for it. That is why this great resolution is placed before this great deliberative body of the United States without a speech in advocacy of it.

I have made a rather hurried attempt to make some criticisms of the resolution. I trust some advocate of it will rise in his place and tell the Senate and the people of the United States why it is proposed. Is it for business? Is it to improve international conditions? Is it to dictate to the President of the United States? Is it to arrogate to the Congress the outlining of a treaty? What is the purpose of it? What is the excuse for it? Have we not our trade with Germany already to the extent that Germany is able to buy? What, then, is the reason for bringing this resolution in here to declare a state of peace which has existed for the last two or three years, and to outline what a special treaty of peace with Germany shall contain when that is the duty of the President to prescribe? I hope we shall hear some elaboration and some excuse which moves Senators to vote for this extraordinary resolution.

Mr. REED and Mr. JONES of New Mexico addressed the Chair.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. REED. I understand the Senator from New Mexico wishes to ask the Senator from Nebraska a question?

Mr. JONES of New Mexico. If the Senator from Missouri will yield for that purpose.

Mr. REED. With pleasure.

Mr. JONES of New Mexico. I should like to ask the Senator from Nebraska his view in regard to a certain phase of the situation in the event the resolution shall be passed. I understand it to be the position of the Senator from Nebraska that if the resolution be passed, the provisions of the resolution which would seem to imply that this Government intended to avail itself of all the benefits of the Versailles treaty would be ineffective, that it would constitute only a declaration on the part of the United States, that it could not bind Germany, that it would not constitute any kind of an arrangement as between this country and Germany. With that part of the argument of the Senator from Nebraska I agree.

If that be true, then I should like to inquire under what title or by what right would the United States retain possession of the property of German citizens which it took during the war? By what authority could we retain possession of the goods or property which we took over from German citizens during the war, or by what right would we retain the cash into which that property has been converted?

Mr. HITCHCOCK. The answer to that question is obvious. There is nothing but the Army and the Navy of the United States which would enable us to hold the property of Germany and of Germans in the United States unless we entered the Versailles treaty or unless we make a new treaty with Germany providing to that effect.

Mr. JONES of New Mexico. In other words——

Mr. HITCHCOCK. The right of might.

Mr. JONES of New Mexico. That is, we would be placed in the position of being the wrongful possessors of property belonging to German nationals.

Mr. HITCHCOCK. I do not know that we are the wrongful possessors. I would not say that. We have taken that property and we propose to keep it only for the purpose of seeing that Americans are reimbursed in their claims against Germany. Of course, the President of the United States, when he undertakes under his constitutional powers to negotiate a treaty with Germany, can be trusted at least to see that he gets the best possible terms out of Germany in a separate treaty. Meanwhile, however, we will hold that property. Germany is practically disarmed and prostrate before the world. Germany is in the hands of a receiver, and we, the greatest Nation in the world, are continuing to hold that property until the proper disposition is made of it.

Mr. JONES of New Mexico. I understand we will continue to hold it and I think we should regardless of our right in the matter, but what I am seeking to develop is the source of that right and by what power will we hold it? Will it not simply be because we have the Navy and the Army and other resources?

Mr. HITCHCOCK. Undoubtedly.

Mr. JONES of New Mexico. And that we would not be justified in holding it under any rule of international law; that we would simply be holding it by force of the circumstances of the case, and wrongfully holding it as against the country with which we are at peace if we declare a technical peace.

Mr. HITCHCOCK. I would not like to try the legal proposition here. Germany has seized our property and the property of our nationals in Germany and that is a matter which would have to be adjudicated in some way.

I wish to call attention to the fact, however, now that it has been brought up, that the proposed resolution indicates a very marked change in the opinion of the Senator who introduced it from that which he held in 1919. It recites:

> That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America.

And yet the author and introducer of that resolution in the Senate of the United States on August 29, 1919, made this declaration:

> I think—

Said the Senator from Pennsylvania [Mr. KNOX]—

> I think we should renounce in favor of Germany any and all claims for indemnity because of the war and see that she gets credit for what we renounce, as indeed she should for the value of all she gives up as against a fixed and ample indemnity.

But here the Senator insists that when the treaty of peace is made with Germany she shall accord to the United States all of the indemnities, all of the reparations and the rights and the privileges which Germany can give to the United States and which were named in the treaty of peace. It is a strange change which has come over the opinion formerly held by the Senator from Pennsylvania in that regard.

Mr. REED. Mr. President, the Senator from Nebraska [Mr. HITCHCOCK] who has just taken his seat, complains of "a conspiracy of silence." The Senator has demonstrated that he can annihilate any conspiracy of silence in the Senate. So long as he is here every wrong will be exposed, every mistake uncovered, and the floodlight will be shed into all the dark places of the earth. [Laughter.] It is the first time that I have heard the complaint that in the Senate there is a dearth of speech making. Many complaints there have been that there are too many speeches. Having myself so frequently been an offender I have sometimes thought my colleagues meant to be a little personal when they criticized the number of speeches delivered here. [Laughter.]

The Senator from Nebraska next complains that we are infringing the powers and prerogatives of the President; that, contrary to his expressed desire in his first message to Congress, we are trying to control his conduct in the negotiation of future treaties with Germany. I had hardly expected to find the Senator from Nebraska appearing as the champion defending the present President. I am glad, however, to know that he recognizes the fact that there are three independent branches of the Government. It has seemed to me for a number of years that there were some gentlemen in the Senate of the United States who were inclined to doubt that there was such a thing as a division of power. They seemed to think that all power had been conferred upon the Executive. It is refreshing to know, even though the Senator from Nebraska appears here to-day as the champion of the Executive, that he does recognize the fact that Congress possesses some power, and he is now merely excited lest Congress shall abuse that power.

I wonder why the Senator from Nebraska should have read excerpts from the President's message and sought to leave the

impression that the President had protested against being deprived of his prerogatives by the passage of this resolution; yet that is exactly what the Senator sought to prove.

The Senator agreed that Congress was now about to do a very harsh, a very cruel, and a very unconstitutional thing, and that the President was vehemently opposed to such action, namely, the passage of this resolution.

Mr. President, there is no use in this body in reading a part of a document and leaving out another part that qualifies it or entirely changes its meaning and import. One may do that in the last speech to a jury and he may do it in a newspaper editorial where nobody has any chance to answer him, but with all the faults of the United States Senate, there is one that can not be laid at its door. It can be generally said if a Senator reads part of a document here and draws an unwarranted construction from that part, that some other Senator may read the remainder of the document before he gets farther than the cloakroom, where some Senators have the habit of going as soon as they have concluded their remarks. [Laughter.]

Now let us see whether we are wronging President Harding. Are we putting something on him against his will? Are we tearing the mantle of his authority from his shoulders and laying the hands of violence upon his high prerogratives against his will and his desire? Here is the Republican campaign textbook which contains President Harding's speech of acceptance. This is what he had to say:

> In the call of the conscience of America is peace, peace that closes the gaping wound of world war and silences the impassioned voices of international envy and distrust. Heeding this call and knowing as I do the disposition of the Congress, I promise you formal and effective peace so quickly as a Republican Congress can pass its declaration for a Republican Executive to sign.

That is the language of the man who, according to the Senator from Nebraska, is being outraged and ravished by this resolution. Mr. Harding added, in direct context with what I have read:

> Then we may turn to our readjustment at home and proceed deliberately and reflectively to that hoped for world relationship which shall satisfy both conscience and aspirations and still hold us free from menacing involvement.

That was said before the campaign, and therefore some of my friends may see fit to say that it does not bind. Now, I come to the very document from which the Senator from Nebraska read in his effort to prove that the President had protested in a formal message against being shorn of his power by the passage of this—the Knox—resolution. The Senator read and drew his deductions from some mere generalizations, which, like "the flowers that bloom in the spring," have nothing to do with this particular case. Why did the Senator not read this language:

> To establish the state of technical peace without further delay, I should approve a declaratory resolution by Congress to that effect, with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves, and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

With the President standing, his hands outstretched, telling Congress in advance that this particular resolution ought to be passed, and that if passed he will sign it, there is no mind except that of the Senator from Nebraska capable of finding in the passage of the resolution a usurpation of Executive authority. Let us therefore compose our minds with the consoling thought that, at least, the soul of President Harding will not be harrowed up, his honor tarnished, or his office ravished if Congress does exactly what he specifically and directly pledged the American people he wanted Congress to do, and specifically and directly pledged the American people he would approve after it had been done.

I now invite your consideration to another proposition. It is asserted that we are abandoning our allies by declaring the state of war to have ceased. It is said that, like cowards, we turn our backs upon our brothers who fought with us upon the ghastly fields of war and are leaving them to contend alone with the common enemy, and so forth.

A grosser misstatement of fact has never been made to the American people, if we exclude the misrepresentations made regarding the virtues of the League of Nations. I must always exclude that topic, because I believe that if it be true that the Recording Angel sets down misstatements of facts he must have had a larger force setting down the misrepresentations made regarding the League of Nations than he ever had at work at any one time since Adam was a boy. [Laughter.]

The statement so often made that we are abandoning our allies has probably misled many people who are probably unfamiliar with the facts. Such statements made from a high place will naturally mislead the American people for a time. But the people have a way of finding out the truth. False arguments based on false statements of facts ought never to be made on the floor of the Senate.

I propose to state cold, unadulterated facts. Before I get to that, however, let me illustrate a situation.

I agree absolutely to the proposition that when the United States entered this war, although we had no treaty arrangements with France, Italy, or England, although we did not even call them our allies but "our associates," as soon as we had entered the war a condition of fact arose which made it incumbent upon us to stay with them until the termination of the conflict. This I say because we had not been in that war a day until they were helping us and we in turn were helping them; accordingly, if we had withdrawn from the conflict and left our associates to continue it alone, we would have been guilty of an act of perfidy. We were bound to stay until Germany was whipped. But when Germany was whipped, and when our allies or associates had demanded the terms which they wanted to impose on Germany, when we stood by their side with our sword pressed against the heart of Germany just as their swords were until they had made a peace that exactly suited them, and that peace had been signed and put into effect by them between themselves and Germany, we discharged to the letter every obligation due them.

Let me illustrate: If six men are engaged in a conflict, three on a side, and a fourth man, having been injured, enters the conflict, fighting beside three of the men, they have the right to expect him to stay until the enemy is conquered. But when each of the enemy is upon his back, when he has surrendered, when the three gentlemen first in the conflict have said: "We want your watch, and have taken it; we want your clothing, and have taken it; we want a mortgage upon your future earnings, and have taken it; we want a bond that you will keep the peace, and have taken the bond"; and the party who last entered stands by and says: "Are you now satisfied? Have you taken all you want?" And they answer, "Yes," surely the associate of the three men is discharged of further obligations. Especially is this true if the three conquerors shake hands with the enemy and sign with them an agreement of amity and peace. Surely when they have done this, when they have received the last ounce of flesh, they can not be heard to complain if the fourth man shall say "So far as I am concerned, the fight is over. I am going to quit fighting. There is no longer a fight."

The claim that by so doing the fourth party is abandoning his associates is not only unsound but it is absurd, ridiculous, imbecile. The illustration exactly pictures our attitude in the German war, our relations to our allies, and what it is now proposed that we shall do by the passage of the Knox resolution.

The fact is that if anybody was abandoned in this great world contest, it was the United States.

If any nation has a right to complain of abandonment, it is the United States; and why?

A treaty of peace was negotiated between Germany and the Allies. Our President helped negotiate the treaty. But everybody in the world knew that the treaty could have no binding effect upon the United States until the Senate had advised and consented to it. America was in no manner bound until the Senate, representing the people of the United States, under the Constitution charged with the high duty of passing upon that document, had set their approval to it. The representatives of England and France and Italy knew that very likely the Senate never would approve it; yet, with that knowledge, they wrote into the treaty this provision:

> A first procès-verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany on the one hand and by three of the principal allied and associated powers on the other hand.
>
> From the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

The treaty was signed on June 28, 1919, by the plenipotentiaries of Germany and the allied powers. It was ratified by the German National Assembly July 10, 1919; by the British Parliament July 25, 1919; by the King of Great Britain July 31, 1919; by the King of Italy October 7, 1919; by France October 13, 1919; by Japan October 27, 1919. The procès-verbal was promulgated, as I have the date, on the 10th day of December, 1919. On that date the peace between England and Germany became complete, but we had not yet reached a state of legal peace. The treaty between France and Germany became complete, but we were still out in the cold. The treaty between Italy and Germany became effective, but we were still left out in the cold. The treaty between Japan and Germany

became effective, but we were still left out in the cold. We might well have said to these Governments: "We desire to make a different treaty. The Senate of the United States has rejected this treaty, and you ought not to declare peace with Germany until we have made terms satisfactory to us." We might well have said: "You have abandoned us by declaring a state of peace between yourselves and Germany before we have had the chance to make a treaty with Germany that satisfies us." If we had had great demands to make upon Germany—our allies had great demands—we would have found ourselves left to contend with Germany alone. We had no option by which we could protect our rights except by accepting the treaty they had made, however unsatisfactory it might be to the American Government, or to make a separate treaty without their assistance. Such a treaty we must negotiate with an enemy after they had made peace with that enemy.

Now, I make no complaint at all because they abandoned us; but if we had been a weak power, if we had wanted to demand much, ever so strong as we are, we would have loudly complained that our allies had no right to make peace until we had made our treaty and until Germany had accepted that treaty.

I do not want my language to be offensive or to seem harsh, but I repeat that the pretense that the United States is abandoning these countries by declaring ourselves to be in a state of peace, just as they for over a year have been in a state of peace, is utterly contemptible.

But it is asserted by some that we should not now make peace, because Germany has not, according to the opinion of these gentlemen, done everything she agreed to do in the treaties which were made and signed between Germany and France and England and Italy. That is to say, we should keep ourselves in a technical state of war as a sort of threat against Germany while they, our former allies, have made their peace and are at peace, and that we should do this in order to help our former allies collect the indemnities they say they are entitled to under the agreement they made and put into effect without our being a party to it. Well, let us see just where that will lead us.

Some of the provisions of this treaty with Germany will not be carried out, under its terms, for 15 or 20 years. The logic of these gentlemen, then, is this, that England, France, and Italy, having solemnly made peace between themselves and Germany and thereby withdrawn the threat of war, are to continue to enjoy that condition of peace while for 15 or 20 years the United States is to continue to remain in a state of war, not for its own benefit but for the benefit of these countries which have already made their peace. In the name of common sense, how can that sort of position be maintained? How can anybody advance that kind of an argument in a forum of reason?

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I yield.

Mr. KING. I do not know whether I fully comprehend the position of the Senator, but if I do understand his position, I confess this is the first time I have ever heard the suggestion that we should maintain a position of technical war, or rather that we should remain technically at war, in order to help the Allies. The principal position I have heard taken by those who are opposed to this resolution is that we ought not to declare peace until we have negotiated a peace which would be satisfactory to the Allies. I am interested in ascertaining whether persons have made that argument, because, if they have, I agree with the Senator it is not one which commands my support, and I can not quite understand how it could command the support of anybody.

Mr. REED. I can read from the distinguished Senator from Minnesota [Mr. NELSON] as late as yesterday. I have heard the argument here, and heard it on the hustings, and I think I have read it in a certain platform adopted at a convention where they did not have the benefit of my advice and consent. I read from the remarks of the Senator from Minnesota [Mr. NELSON], made on yesterday. I dislike to take the time, but since the Senator has raised the question I shall read from his speech. He said:

> The course pursued in establishing final peace by the Knox resolution, as is now proposed, is unusual, halting, equivocating, and only a partial and piecemeal work, omitting some of the most important essentials for a just, permanent, and lasting peace. The resolution establishes peace on the following conditions and reservations: First. All property of the German Government or of German nationals seized, held, and controlled by our Government since April 6, 1917, shall be retained until disposed of by Congress and until the German Government has by treaty made provision for the satisfaction of all claims of our own people for losses suffered by them through the war since its inception in 1914. Second. Granting to our people the most favored nation treatment as to their lives, their property, and their business. Third. Confirming to the United States all fines, penalties, forfeitures, and seizures imposed or made by our Government during the war, and a waiver of all claims of the German Government and its nationals against the United States. And, fourth, a reservation of all benefits conferred upon the United States by the treaty of Versailles, but totally oblivious as to whether the Allies secure any benefits whatsoever under the treaty.
>
> The first three classes which I have mentioned may well be grouped under the general head of reparation to the United States, so that the only peace condition imposed upon Germany by this resolution is such reparation as is prescribed in the classes named and the benefits conferred upon the United States by the treaty of Versailles.
>
> When Germany has complied with these conditions she has acquitted herself of all obligations under this resolution, and no further claims can be made upon her for obtaining the peace; and as to the United States, she can breathe freeely and be at her ease, for she is no longer under war pressure but merely subject to moral suasion in further negotiations.
>
> Two of the most important and vital matters pertaining to a just and permanent world peace, to wit, disarmament and reparation, are entirely omitted in this resolution. It places our country in an attitude of total indifference in regard to these vital subjects. Germany has heretofore been most reluctant to comply with the reparation and disarmament provisions of the Versailles treaty. Will not the passage of this resolution tend to increase and fortify such reluctance?
>
> By this resolution we insist upon full reparation for ourselves, but are wholly oblivious as to whether our allies, by whose side and aid we vanquished the common enemy, secure any reparation at all.

It is the whole argument of the speech. Now I read from a speech made by the Senator from Nebraska [Mr. HITCHCOCK] on May 12, 1920. Of course, that is a good while ago, and a man has a right to change his mind several times in such an interval. He said:

> Mr. President, we entered into the war and associated ourselves with certain nations. We were practically under a pledge to remain with those nations until a peace was concluded and we were a party to it. Now it is proposed to desert, now it is proposed by these various peace and end-the-war resolutions to make a separate deal with Germany, to compel Germany to make a separate deal with us. How does that comport with the utterances and the pledges of Senators so few months ago?

Mr. President, if I wanted to take the time, I could go through the CONGRESSIONAL RECORD and read statements similar to that which have been made upon the floor of the Senate, and I would be reading to-morrow morning when the cock might crow.

So let us be done once and forever with the proposition that we are abandoning anybody. If there was any waif tucked in a basket and left on the doorstep of fortune in this war and abandoned, it was the infant Uncle Sam. Luckily he is a right lusty fellow and perfectly able to take care of himself.

Mr. President, I have heard it argued here, not to-day, during this "conspiracy of silence," but when substantially the same resolution was before the Congress, that the Congress was powerless to pass this sort of a resolution; that it amounted to treaty making, and therefore that it was violative of the Constitution of the United States.

If it is violative of the Constitution of the United States I am not going to vote for it. I have never knowingly voted to violate the Constitution of the United States. I have voted against a good many laws which since have been declared unconstitutional.

I think it is more important to preserve the Constitution of the United States than it is to make peace with Germany. It is more important to preserve the Constitution of the United States than it is to regulate rents in the city of Washington or in New York City. It is more important to preserve the Constitution of the United States, to keep it sacred, except as it may be changed by the people in the manner and form prescribed in the Constitution itself, than to do any other one thing in this world.

But let us see if we are violating the Constitution of the United States. I grant you that the President has the power to negotiate treaties, but those treaties have no force or effect whatsoever until the Senate has advised and consented to them. Up to that point they are a contract not yet signed. They do not bind either party any more than a deed to a piece of real estate binds the seller until the seller has put his name to the instrument. It is a dead thing, and the first spark of life that enters it is given to it by the act of this body. The people have so written in the Constitution.

Mr. President, I would not interfere with the right of the President to negotiate an agreement which is merely tentative and which comes back here for submission. But are we doing that or interfering in that way by this resolution? An examination of the Constitution will show that, after all, the office of President is one of extremely limited powers. The President has no power to declare war. That is a power vested in the Congress of the United States alone. Every war power, so far as the declaration and making of war are concerned, is vested in the Congress.

The Constitution provides that—

The Congress shall have Power * * *
To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;
To raise and support Armies, but no Appropriation of Money to that use shall be for a longer Term than two Years;
To provide and maintain a Navy;
To make Rules for the Government and Regulation of the land and naval Forces;
To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;
To provide for organizing, arming, and disciplining the Militia, and for governing such Part of them as may be employed in the Service of the United States.

The war power is in Congress. The President has not a single war power on earth. When I say that I mean with relation to the raising of armies, declaring war, and putting the military forces in condition to act. But when the war has been declared by Congress, when we have created the condition that warrants the moving of the troops, then the President acts as commander in chief of the armies that Congress has raised and equipped and set in motion by the declaration of war.

Mr. COLT. Since the executive power under our Constitution is absolutely separate from the legislative power, and the President having control over our foreign relations, except in the ratification of treaties, does not the Senator think that in the practical operation of the Constitution the President can lead us into a condition where war becomes almost inevitable?

Mr. REED. Oh, yes; I grant that; and so I might say that anyone of our responsible officers engaged in the foreign business of the country might any day do an act that would result in plunging this country into war. Why, the commander of one of our vessels could to-morrow, if he wanted to do a thing that was so utterly disregardful of his duty, fire upon a friendly British vessel. Probably by that act he could bring on a war. However, I am not talking about what the President could do by an abuse of his powers, that he may be able to create a condition that will so exasperate other nations that they will declare war upon us. I am speaking about his power, the power that he gets from the Constitution.

I take exception to my very learned friend's statement that the President has complete control of our foreign relations.

Mr. COLT. Having control of our foreign relations so far as negotiations are concerned, may I not ask the Senator if in the conduct of those negotiations it is not within the power of the President to lead to conditions which almost force upon Congress a declaration of war? I should like to ask the Senator whether he has not considered that the power which the President of the United States has under our Constitution is an unusual power?

Where they have a ministerial form of government, there is this essential difference between the working of our Constitution and that form of government. Under a ministerial form of government the Executive is subordinate to the legislative power, and he can not do any act which is not supported by a majority of the legislative body. In other words, the executive power is subordinate to the legislative power; while, under our Constitution, the President is elected for four years, and possesses all the great powers conferred upon him by the Constitution, independent of any action of Congress; and in the field of foreign relations the President of the United States has a power which no king possesses under any modern monarchical form of government.

Mr. REED. The Senator asked me several questions, made a very interesting speech, and answered his own questions, I take it, to his complete satisfaction.

I make this distinction. I understand that the President with his great powers—that is, the power to negotiate treaties and the other powers that go with his office—may so conduct that office as to get us into a great many difficulties. But that does not mean that he is conducting them within the just limits of the Constitution or that he is conducting them with proper wisdom. I do not care for the present to enter into a discussion of the advantages of ministerial government over our form of government, for with all the weaknesses that may have been developed in the American form of government I think it is so much better than any others yet devised by the wit of men that they are not entitled to be mentioned in the same day with it. Nevertheless, it may be necessary some day to put some limitations of an express character upon the Executive, but I do not care to discuss that or even to commit myself upon it.

Now, coming back to the theme I was trying to discuss, the plainest purpose of the Constitution was to leave with the Congress the right to declare war and to provide every soldier and every dollar to conduct the war. The simple power of the President is to command the forces which Congress has provided. Congress can dissolve that army in a moment by simply refusing supplies. It can take away from the President every soldier and every ship he may have under his command simply by passing a law to that effect. Therefore, the power to make war and wage war is vested in the Congress, and to say that the power that initiates the war and wages the war can not end the war is to say something that, it seems to me, does not warrant very much discussion.

If the President refused to take command of the army which Congress had raised, and to fight a war which Congress had declared, he would violate his oath of office and he would be subject to impeachment. But if Congress refuses to provide an army, it is within its power. It can provide an army of 1,000 men or 10,000,000, the President, of course, having the right to sign the bills or refuse to sign the bills creating the army, but Congress having the power to pass the bills, his veto notwithstanding.

So that the power to declare war, the power to raise the armies, the power to carry on the war, is all congressional power. No man will dispute the fact that if the President refused to defend the country, he could be instantly impeached and a man put in his place who would perform his duties properly, and that power of impeachment and removal rests in the Congress.

I wish to get it finally understood that the heart of the American Government, under the Constitution of the United States, is in the representatives of the people assembled in the two wings of this Capitol. I say that with all respect to any President; but powers of his office are extremely limited, and can be reduced to a cipher whenever Congress sees fit to take the necessary action. Why, the control of the supply bills alone is sufficient, as was found by one President of not entirely sacred memory.

This is not and I hope no one will construe it as a criticism of the President or of that office, for I would give to that office all of the just prerogatives going with it, and I would not interfere with any one of them.

The question we are discussing, however, becomes all the more simple when we take the very case in hand. Here let me say that there seem to be some Senators who can not distinguish between a treaty of trade and commerce or peaceful proceedings between different countries under an agreement and a state of war. They seem to think that the only way that we can be at peace with a nation is to have a treaty with it, and that if we ever had a war we can not end the war unless we sit down at a table and sign a treaty that both sides agree to end the war.

Why, fellow Senators, a condition of peace or a condition of war has absolutely nothing to do with treaties. War is a state of fact. It is not a state of agreement or lack of agreement. War is a fight, and as long as the contestants are fighting they are fighting, and when they quit fighting they are not fighting. When two nations are on the battle field fronting each other and attacking and repelling attack they are at war, and when they disband their armies, fold their war flags, haul their cannon to the rear, and stop fighting, there is no war. War is a state of fact and not a paper state at all.

Let me demonstrate. On the 11th day of November, 1918, the last shot was fired on the Argonne front. That did not absolutely end the war at that moment, because we may say, construing this practically, that there was a period when it was uncertain whether the armistice would become permanent and whether war would actually cease, or whether the fighting might not immediately begin again. But in the course of a few days' time it became absolutely apparent that there was no intention on the part of any one of those nations to once more begin firing. The armies were taken home, they were demobilized, Germany surrendered, and to call it by any other name is absurd. She surrendered her arms to such an extent, as the President said, she could not again renew the war. She made herself helpless. We began loading our troops into vessels until the sea was churned into foam by the great argosies that were bringing back our boys from the front. The English Channel was thick with returning transports bringing back the English soldiers. The war was over. The President declared, "Thus has the war come to an end." And, Mr. President, if there never was a treaty written between the United States and Germany this German war is at an end. It is a state of fact and not a paper state.

Very well. We might live in this way forever; we might renew our trade relations with Germany; we might allow German citizens to come over here to our country, just as they came in the past; we might take up every line of communication that we had before the fateful day in August, 1914, and the still more fateful day in April, 1917, and we would be at peace with Germany; the war would be ended.

Mr. President, we have been at peace for years and years with countries with which we had no treaty. When this country was organized it was some time before we made treaties with all the countries of the world, but we were at peace with them; we were not at war with them simply because we did not have a treaty with them. Peace and war have nothing to do with treaties; they are states of fact.

However, in the ordinary disposition and orderly procedure of business we do have treaties with nations, in which we pledge mutual amity and good will and in which we set down upon a piece of paper certain rights that each of the Governments will accord to the respective nationals of the other. That is merely a matter of arrangement, in an orderly way, of an agreement to the end that each party will fully understand the rights of the other; but so far as the fact of a state of war or peace is concerned is wholly unnecessary. War is a question of fact, I repeat, and not a question of paper.

Now it may be asked, "Then, why is it necessary to pass this joint resolution? What good will come from its passage?" The Senator from Nebraska says that the resolution is wholly unnecessary because we have already passed a joint resolution which declares a state of peace. Mr. President, if the Senator is correct, then the passage of this resolution will do neither harm nor good, because it will not change anything. We have already passed the necessary act to create an absolute condition of peace and to terminate the war legally, and therefore, says the Senator, this is unnecessary. If it is unnecessary, if it will do nothing, if it will affect nothing, why spend any time resisting it? If you have already deeded away your property and have done it voluntarily and the deed is valid in law and equity, why should you fret or worry at all if some lawyer presented you with another deed and said he thought it was in a little better form? The Senator from Nebraska argues himself out of court. The minute he states that the thing has already been done he is taking away from himself the sole reason for resisting it.

Mr. President, the thing has not already been done. We have not already formally declared peace; and having argued, as I have, that peace and war are questions of fact, the inquiry will at once be made, Why is it necessary to do anything? I answer that since Congress declared a state of war to exist and passed various acts which were to remain in effect during the continuance of the war; since also the claim has been repeatedly made and repeatedly sustained that we are still technically at war, it is the judgment of courts and of lawyers that in order to reach the status of peace Congress must declare that status. The courts do not go back of the acts of Congress.

It has been the decision of many courts that, although the war has ceased as a fact, it still exists technically as a matter of law. Men have been tried and sent to the penitentiary under war legislation since the shooting on the battle fields ceased, and numerous acts of legislation have been predicated upon the doctrine that the country is still technically at war and will be technically at war until Congress shall determine the state of war to have ended.

It is true that in the joint resolution to which the Senator from Nebraska referred, which we passed a few months ago, we did repeal certain war-time legislation, and we did say that, for the purpose of the construction of those particular acts, the war should be deemed to have ended at a certain time; but that was an act, as everybody knows who was concerned in its passage, which was intended merely to change and fix the running of the period of limitation which had been written into and was a part of the phraseology of certain war acts. It was not sufficiently general in its terms to make it certain that the state of war had ceased. If we allow a technical state of war to continue to exist, then this Congress might pass laws and call them war legislation, and they might be sustained as war legislation by the courts, when the courts would not sustain the legislation at all as constitutional if peace had been formally declared. That is the reason this joint resolution ought to be passed. It is a perfectly sound reason; and yet Senators stand here and tell us we have already passed the necessary act to terminate the war, refuse to pass an act that is clear, unequivocal, and unmistakable, and say that we are taking away powers from the President which, in their opinion, we have already taken away.

Just one word further. Can it be claimed by any reasonable person, when we apply this joint resolution to the facts with which we are dealing, and even though we give to the powers of Congress the most limited construction, that Congress is exceeding its power in any way?

What are the facts? The facts are that we never declared war on Germany. Germany had fired on our flag; Germany had sunk vessel after vessel; Germany had sent to the bottom of the ocean hundreds of American citizens who were sailing under the protection of the Stars and Stripes. Every ship she fired upon was fired upon in direct violation of our rights on the seas. Every shot fired was a hostile shot. Every one of these acts was an act of war against the United States.

In the aggregate they amounted to a concerted and deliberate attempt to destroy the commerce of this Nation upon the high seas, and finally they impudently warned us from the ocean. Every one of these acts was an act of war.

What did Congress say? It said that the German Government was making war on us, and hence we officially declared that a state of war existed—not a war that we made, not a war we were then creating, not something that would come into being by virtue of our act—but we declared that a thing had happened and was happening, and we declared that to be war upon us. The thing that was happening stopped about the 11th day of November, 1918. No longer did Germany sink our ships or fire upon our flag; no longer did she murder American men and women sailing the ocean, or, if you do not like the term "murder," brought them to their death in the prosecution of her war upon us. No longer did she attack us. The condition of fact which we declared to exist no longer existed; and can we not say that it no longer exists? Can we not officially declare the fact that no longer is our flag fired on; no longer is Germany committing any warlike acts against us; no longer are her navies ravishing our commerce, and therefore no longer does the state of war which she created continue? To state it puts it beyond dispute. We undoubtedly have the right to make this declaration.

It has been argued, however, that when we pass this joint resolution we have limited the President's right so that he has not a free hand in negotiating future treaties with Germany.

Mr. President, a reading of this joint resolution candidly and fairly, it seems to me, will dispel that argument. Ordinarily, war having ceased, and it being officially declared that war has ceased, certain things follow. Being at peace with Germany, citizens of Germany could claim their rights and claim restoration of their property. The German Government could send over its agents and claim the ships of that Government. That would be a condition which would follow a declaration of peace if nothing were done to prevent the condition.

We declare the state of peace, but at the same time we provide as a matter of law that the German property now in the possession of the United States and its agents shall be impounded and held and not turned over to Germany until such time as Germany shall make reparation to us. Have we not the right to do that? But we do not go quite so far as that. We simply provide that this property shall be impounded and held by us—

until such time as the German Government has, by treaty with the United States of America, * * * made suitable provisions for the satisfaction of all claims against the German Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States.

"Made suitable provisions!" Why, the language in its last analysis means nothing more than this—that this property shall remain impounded until Germany has made a treaty that is satisfactory to us; and the moment a treaty is brought here that is satisfactory to us, it will be the "suitable provisions" referred to in this act. When that treaty is negotiated the President can insist in the negotiations on full reparation, or he can qualify it, notwithstanding any language that may be here used; and when the treaty comes back if it does not suit the Senate, the Senate can amend it and put in the qualifications it desires to put in. So that all this language means, in the last analysis, is that this Government will hold this property until Germany makes a treaty that is satisfactory to us. That is all there is to it.

My very good friend from Nebraska, whom I very much admire, has told us that the trouble in this country to-day is our international relations; that cotton is cheap; that if we had the proper international relations cotton would bring a better price; and I suppose that argument could be justly extended, for the same idea would control, to all American farm products and to the products of many of our factories and looms. Let me examine it for a moment. Let me assume that it is correct—a thing that I can not concede at all in the broad way he has stated it.

If it be true that the price of cotton can be settled by bringing about peaceful conditions in Europe, then the first step to take is for the United States also to declare peace and thus restore trade relations to a normal condition between this country and Germany; and yet the Senator stands here protesting against the first step to open the German markets. "Oh," he says, "they are open." Now, we all know that they are open only in a qualified sense. Goods are licensed that are sent there, and until there is a formal declaration of peace in this

country there will be more or less of an embargo on business between the United States and Germany. Every man who is interested in marketing in Germany cotton or wheat or beef or anything else that we produce ought to be advocating the declaration of a state of peace and not waiting the long months that will intervene in the negotiation of any treaty, because the negotiation of a treaty with Germany to-day will probably require a considerable lapse of time—how much no one can determine in advance.

There are but two ways open. One is to pass this joint resolution and then negotiate the treaty, in the meantime having restored trade and commerce and peaceful relations. The other is to defer the restoration of peaceful relations and defer the renewal of business to await the ultimate negotiation of a treaty which may require months of time; and in the meantime your cotton farmer, over whose sad case the Senator from Nebraska, where they do not raise any cotton, is shedding tears, is to continue to try to market his cotton in a country with which we are still in a technical state of war.

There is another possible road, and that is for this country to go in and sign up this League of Nations. Well, what is the use in discussing that? I do not want to discuss it again. I had a dog once that I loved very intensely, but he had one habit that was utterly abominable, and I do not propose to imitate it. He found somewhere the decaying carcass of some beast, and he used to go out and roll in it every day. I am not going to dig up the corpse of the League of Nations and indulge myself in the dog's habits.

No matter what you think of it as a practical remedy for the conditions of to-day, if you want to help your cotton farmer, and I blame no man for wanting to do it; if you want to help your cattle raiser, and I blame no man for wanting to help do it; or your wheat grower, and I blame no man who does what he can to help the wheat grower—I should like to help all of them—can we be foolish enough to defer a declaration of peace which will do much good in order to have an agreement ratified, when I know that the President of the United States has declared that that proposition is as dead as Julius Cæsar? You know that it never will be laid before the Senate while Warren G. Harding is President of the United States, and he is in pretty sound health.

So that as you turn to this question your League of Nations road, no matter how dear it may be to you, is absolutely blocked by the presence of one Warren G. Harding, President of the United States. It is likewise blocked by a host of Republicans in the Senate and in the House, that greatly outnumber the friends of the league, sustaining the President in his stand; and then back of them stands an election where 8,000,000 more American voters voted against this thing than voted by any kind of stretch of the imagination for it. Therefore you have no possible hope of relief from that source. We may stand here and say we would have had 40-cent cotton if we had the League of Nations, or we would have had $20 pigs if we had the League of Nations; we can say it until we are black in the face, but we have not got the League of Nations, and we are not going to get it in the next four years.

Why not meet this question in a practical way? Why should not we Democrats join in passing this joint resolution, and take the first step for the conclusion of a formal, legal peace, the opening of this market, and the acquisition of whatever benefits will flow from an open market with a peaceful nation?

Moreover, it will help Germany. I hope we have gotten far enough from the war now so that a man can talk about these questions in a practical way without being denounced as pro-German. If we intended to continue a state of war with Germany, then the armistice should never have been signed; our troops should have marched on to Berlin, spending whatever blood was necessary, ravishing German towns, and teaching the Germans at the point of the bayonet the awful results of war. But we did not take that course. We declared an armistice. An armistice is the preliminary to peace, and peace is a preliminary to trade relations.

Now, we have come to a time in the history of the United States when we need foreign markets, and German money for American-made goods will help American boys and men and women and girls who work in our factories and on our farms to find a market for what they produce. It will help them to support themselves and their families.

England has been trading with Germany for two years under a condition of declared peace. France, Italy, and Japan have been doing the same thing. We alone have been proceeding under the restrictions of a governmental regulation. Why should we not, in order to help ourselves, do what the Senator from Nebraska undoubtedly had in mind when he made the remark to which I have been adverting? Why should we not enable them to restore their industries, so that they will have something with which to buy from the United States and to pay the United States? If we are not going to do that, then, in the name of our country and of common sense, let us declare we are going to stay in a state of perpetual war, that we will have nothing to do with them. Some people advocated that during the war. But our erstwhile allies are not advocating it now. They are trading every day.

Mr. McCORMICK. If the Senator will permit an interruption, let me suggest at that point that the British are in copartnership with the Germans in many enterprises.

Mr. REED. Undoubtedly.

Now, Mr. President, while it is a little aside from the question, but because it is related to the particular topic to which I am now addressing myself, let me say a word about Russia.

There are 180,000,000 people in Russia. They never did a warlike act against the people of the United States. Some four to six million of their sons went to their deaths in the early days of the European war, and if they had not stretched their bones upon the plains and in the swamps and died the death, Germany would have overwhelmed France and England and Italy. They were under the most tyrannical and most inexcusable government existing in all the world, an absolute autocracy, under which 1 per cent of the people owned substantially all of the property and lands.

Until a few years ago 70,000,000 of them were serfs, attached to the soil, and passed with the land, as the cattle and the houses and the fences passed. That was their state until the decree of Alexander released the serfs. But when they were released it was under such conditions as to make it impossible for them to acquire property in any considerable amounts, except through the long course of the toilsome years. What have you to say of that government which, in the gentle sunlight of modern civilization, still chained white men to the soil and drove men, women, children, and babies, without trial and in herds, into exile in Siberia; who enforced decrees with the knout laid on the naked backs until the flesh dropped from the bones? At the beginning of this war and in this our twentieth century 90 per cent of the people of this autocratic government could not read or write, were practically without any education, reared in ignorance, driven as beasts, lashed like cattle, destroyed without mercy, ridden down by the iron-shod hoofs of the aristocrats, and brought to that condition of intellectual servitude and ignorance and bestiality by their oppressors.

Although this story was known to all the world and to our Government, we not only traded with Russia but we made treaties of amity with her, and we sent congratulatory telegrams on the birthdays of her Czars, and we treated her as a brother in the family of nations.

What mattered it to us if they denied all constitutional rights? What mattered it to us if the rule was the rule of the bayonet? What mattered it to us if children were born to creep and crawl through this life in the lowest strata of existence, where there was not a single flicker from the lamp of intelligence permitted to reach them? We traded with them. We trafficked with them. We made treaties with them.

That ignorant people at last rose against their masters and they set up the kind of government which you might expect ignorant men to set up. It was not ideal. It outraged many principles of finance and economics. But it is a government at least that has established tens of thousands of schools. For the first time in the history of Russia there is such a thing as a public school. For the first time in the history of Russia the common man is permitted to hold aloft the torch of learning. For the first time into the night of ignorance and superstition and fear there comes the faint glimmer of the dawn of a better day.

Now, because they have not set up just the kind of government we would set up, our Secretary of State declares that we will not trade with 200,000,000 people.

Two reasons are assigned: One is that they have nothing to trade with and the other is that we do not like their form of government. As for the first, which I believe emanated from that high and almost sacred authority, Mr. Hoover, that they have nothing to trade with, I denounce it as so ridiculous and puerile that it is a disgrace to a white man to stand here to refute it. To say that 200,000,000 people, occupying a territory nearly four times as great as the United States, rich in every resource of the earth except the fruits of the forest, with mighty herds of cattle and horses, with vast wheat fields, with the richest furs there are in the world, with mineral wealth, have nothing to trade with is an absurdity which could only have come from the lips of a Hoover.

I have a friend, a man of great intelligence, who spent 10 months in Russia, attached to the American forces as an in-

telligence officer, and who was on the commission permitted to go back of the Russian lines to examine the condition of American prisoners. He said that he saw bales and bales and bales of the costliest furs of the Arctic and of the Russian northland lying there awaiting shipment, and that there was a clamor for tools, instruments of industry and husbandry.

Let me tell you another awful story. This will stir your blood; it will make every red corpuscle stand up ready to fight; it will outrage your souls when you hear about the treatment of these American prisoners. This friend of mine said they were quartered in the homes of the people; that they had as good beds as anybody else; that they got 25 per cent more rations than the citizens—the same amount as the soldiers of the Russian army; that they were permitted to go about town wherever they pleased—to the theaters and moving-picture shows—and all they had to do was to report at a certain hour at night. This treatment they received from those brutal men who have been pictured to us in such black words.

Now we are told we must not trade with them. Russian gold has been brought here, and they have asked to be permitted to purchase. We have been told that somewhere, sometime, somehow, some Russians got some gold which belonged to somebody else, and that we can not trade with them until that gold is paid back. In other words, we are to constitute ourselves, among other things, the collecting agency for other countries of Europe and get an abstract of title to every bit of gold that is offered here.

I am not speaking on behalf of the Russians, nor should I want to say I care nothing for the Russians, for I hope I care a little for all of God's creatures, however humble and however ignorant. I am considering this question from the standpoint of the interests of the United States. With 4,000,000 laborers, we are told, out of employment to-day, and with Russians here wanting to buy American products, with cotton at prices that bring tears to the eyes of my southern friends—and I do not blame them for weeping—why should we deny ourselves a market where there are 200,000,000 men wanting that cotton? Why should it be denied by the arbitrary decree of a Secretary of State plus a Secretary of Commerce? Why should we not sell to these people plows with which to turn over their soil? Why should we not sell them thrashing machines and reapers and binders with which to harvest and prepare their crops? Why should we not send them cotton goods? Why should we not send them machinery for their mills?

Is it because they have no money? Then we do not have to trade until they produce the money and pay it in hard coin on the soil of the United States.

You will not trade with them because you do not like their morals or their form of government? Let me answer that; bad as is their government to-day, and I abominate many of its principles, it is the best government Russia has ever had and the most humane. I care not if they have confiscated the property. They did no worse than the aristocrats who took all the land. I care not if they divide among 85 per cent of the people the property that formerly belonged to 1 per cent. That is better than to have it held by the 1 per cent who never had any other title except the title of the sword and never had any other right except the right of brute force. Of course, I do not believe in confiscation, but this kind of confiscation is better than the condition that preceded it.

When in the past have we refused to trade with people whose morals or religion or government did not suit us? Why, the first thing the Pilgrim Fathers did after they landed here and read a chapter in the Bible and thanked God for protection was to take out a string of beads and try to swap it to an Indian for about 100,000 acres of land. This Indian was a barbarian. He held his property in common. He did not live at all according to our rules, but we continued trading with him. We sold him knives with which he scalped us afterwards, and we asked no questions.

We have traded with the unspeakable Turk. It did not make any difference to us when we sold him a garment whether it was going to adorn the shoulders of a victim of the harem or whether it was to be a vestment of one who knelt toward Mecca and poured out his prayers to Allah. When we sent him steel we did not inquire into the state of his morals and we did not ask whether his government was constitutional or otherwise.

We trade with the Zulu, who comes to us stark naked with his bows and arrows and like barbaric weapons and who offers us something that we find to our advantage to take. We trade with the Patagonians, and, as has just been suggested by my friend the Senator from Georgia [Mr. WATSON], who always sees a thing in its best form, we manufacture idols for idolators, and, I might add, wooden nutmegs for the unwary. When did it come to pass in this country that a Secretary of State plus a Secretary of Commerce could assume the power to cut off trade relations with 200,000,000 people?

Now, behold, I show you another mystery. We were led into invading this country, which had not done us any harm, but we followed the armies of France and the armies of England and some of our boys sleep there in graves of eternal ice. But when at last these other countries were through we withdrew, and now the countries that led us into Russia, whose fortunes we followed there, who claimed to have the casus belli which we did not have, are trading with Russia.

Moreover, four or five days before Mr. Hoover issued his protest against trading with Russia, England had made a trade treaty with Russia. Of course it is to the advantage of England, where Mr. Hoover lived so long, that they should trade with Russia and we should not trade with Russia. Of course there is no greater service can be rendered to Great Britain, anxious for trade, anxious that her people should be employed, than to permit her to occupy the Russian field alone and to have Cabinet officers who will keep the United States out that England can get the whole loaf. Of course it is only natural for a gentleman who spent all his adult life in Great Britain, whose every interest is in Great Britain, who is a director in something like a dozen great syndicates in Great Britain that are officered by British, and, of course, he is rendering a splendid service to that country. He can permit them to invade Russia and keep the Yankee from going in to sell goods and get part of the trade.

Mr. President, I am going to print as part of my remarks an article appearing in the Chicago Tribune of Wednesday, April 27, 1921, showing the volume of Russian trade with England, Germany, and Sweden. It will be noted that this article alone accounts for an expenditure by Russia in England of over $800,000,000. It does not, therefore, seem that Russia's trade is so insignificant.

The article referred to is as follows:

[Chicago Daily Tribune, Wednesday, April 27, 1921.]

EUROPE POURS VAST SUPPLIES INTO RED RUSSIA—ENGLISH, FRENCH, GERMANS AFTER MOSCOW GOLD.

REVAL, *April 26.*

A great growing stream of trade is flowing through this port into Russia.

An English mission just has passed through here to Moscow to negotiate for large timber and mineral concessions in the Ural Mountains. A large number of railway locomotives and cars have arrived from Germany, and on the boxes which clutter the docks and warehouses appear even many French inscriptions.

The first thing that attracts your attention when arriving in Reval is the railway cars, loaded with the parts of a giant railway crane. The first car bears the name "Orenstein & Koppel, Berlin." The marks on the second car show that it is bound for Petrograd. There is a column of locomotives. All this German railway material is on its way to Russia.

Other loaded cars contain agricultural machines from Germany and Sweden, paper from Esthonia, dry goods from England, and crated goods from France.

Reval is the only gateway for the trade of Russia, and Hotel Petrograd, rented by the Russian trade mission, is the center of the whole administration for the vast imports.

An automobile is before the hotel—a splendid, most elegant German Mercedes, which attracts everybody's attention, since it is bright red. This is Trotski's new car, which arrived a short time ago. Now Litvinoff is using it until the Russian Government finds an opportunity to send him a car from Petrograd.

An immense red flag hangs from the balcony. A sailor stands in the hall, and he asks every visitor the reasons why he wishes to see the Russian mission. They seem very distrustful.

In the corridors you meet young men and women secretaries, all very well dressed and visibly happy to be able to serve their bolshevist motherland in Reval and not in Petrograd or Moscow. The most beautiful furs are hanging in the cloakroom.

Direct trains again are running between Reval and Petrograd since the railroad convention with the Esthonian Government has been signed. The connections between Pskov and Isborsk will be taken up in the next few days; the Pskover Railroad bridge, which had been blown up, is repaired now.

Six hundred locomotives have been ordered by the soviet government in Germany and in Sweden. The first 10,000,000 gold rubles have already been paid in Reval on March 15. The second part of the purchasing sum—26,000,000 gold rubles—will also be paid in Reval. Two hundred of these locomotives have already been delivered. Besides a thousand Russian locomotives are being sent to foreign countries to be repaired. Nineteen locomotives already have arrived in Reval and are being repaired in the "Dwigatelworks."

The Reval factory Volta has received a great order for turbines; the Baltic Weaving Co. and the Kraehnholm Co. are working on big orders for thread and goods. These are all Esthonian companies. Big orders are to be placed with German chemical plants and textile factories.

The goods bought by the Russian Government in England amount to 225,000,000 English pounds, about $800,000,000. These goods were all used for the red army. Further orders will be given to English manufacturers now that peace is signed.

All these orders go through Reval. A stream of gold comes from the Hotel Petrograd. Litvinoff has already paid 600,000,000 gold rubles to those who sold goods to Russia.

Mr. REED. If you desire to restore conditions in this country to the normal, it seems to me, while we may dispute about some things, we ought not to dispute about the proposition that no shrewd Yankee will ever sell his goods anywhere unless he gets a

price he thinks is beneficial to him, and that therefore if you will open the doors of the trade of the world to him and turn him loose he will take care of himself and he will bring back the money in the long run. But here we are with Senators protesting against declaring a formal state of peace with Germany, while France and England, particularly the latter, are trading with Germany and financing Germany. Then we find down at the other end of the Avenue the doors of the greatest country in point of natural resources and population in the world are closed to the products of American farms, American factories, American looms, and American genius.

Why? They are bolsheviks, it is said. What about bolshevism? Bolshevism is an idea. You can not stop an idea with bullets. You can not stop it with a tariff wall. You can not stop it with a club. You can give respectability to a false idea by attempting such methods. You can make martyrs of its advocates. The only thing that stops an idea is another idea. On the intellectual battle fields the only arms are ideas. You can only destroy ideas with ideas. If these people have a doctrine that is false, as I believe it to be false, if they have a doctrine that is wicked because it will not work out justly, as I believe it in that sense to be wicked, the way to meet that doctrine is not by running from it or trying to shoot it out of existence but to meet it with calm logic, and let it go, as many ideas went through the French Revolution, the way through trial to disaster and to ultimate destruction.

What we ought to do, Senators, is to insist on getting down to some plain, common-sense methods. If a man comes here from Russia with money and he wants to buy a thousand thrashing machines, let us put them on the cars, send them to the coast, take them off and put them on boats, and start them over to him. Let us take the money and build some more machines and furnish some labor for some more American citizens. If he wants to come here and buy cattle or sheep or anything else we have, let us pursue the same method. Let us do the same thing with Germany. Let us see to it that all the restrictions of commerce are relieved.

Why can we not go back to the proposition that if we are to have good times in this country we must keep our factories running, and hence we must have markets; we must keep our farms running, and hence we must have foreign markets? Why not make peace with every nation of the world, and as they resume the arts of peace the wounds of this war will gradually be healed, but as we do all of these things let us have regard for the fact that it is high time America began thinking a little bit of herself, of the sacrifices made to other nations, that have already rankled until they have become almost past healing. That condition must cease in this country. Let us spend a little time taking care of the United States of America.

Mr. McCUMBER. Mr. President, I ask unanimous consent to call up a little judgeship bill which will take only a moment. It is a bill which it is quite necessary to pass as early as possible. It was reported to-day and provides for a judgeship in North Dakota.

Mr. McCORMICK. Does it propose to create an additional judicial district?

Mr. McCUMBER. No; it is a case where a judge is unable to perform the duties.

The VICE PRESIDENT. The bill is not at the desk. It has been sent for and will be here in a moment.

Mr. POMERENE. Mr. President, while waiting for the bill will the Senator from North Dakota yield to me?

Mr. McCUMBER. Certainly.

Mr. POMERENE. I present the views of the minority members of the Committee on Foreign Relations on the pending joint resolution. I ask that they may be printed in the usual form and also that they may be incorporated in the RECORD, in order that Senators may have an opportunity to read them.

Mr. NORRIS. May I ask the Senator if he has presented the views of the minority on the pending joint resolution?

Mr. POMERENE. It is the views of the minority on the pending joint resolution.

The VICE PRESIDENT. Without objection, the views of the minority will be printed in the usual form and also in the RECORD.

The views of the minority, submitted by Mr. POMERENE, are as follows:

It is with the deepest regret that we find ourselves unable to agree with the majority.

We concur whole-heartedly in the desire of the country for peace at the earliest practicable moment, and we shall be glad to join with the majority in any measure looking to that end, provided it is formed along lines which are sound both from a domestic and an international viewpoint.

Our belief is that the method provided in the pending resolution will prove a disappointment to its friends and is fraught with untold difficulties.

Broadly speaking, the resolution is composed of three parts: First, it repeals the joint resolutions declaring a state of war to exist between the United States and the Imperial German Government and the United States and the Imperial and Royal Austro-Hungarian Government; and

It recites the "said state of war is hereby declared at an end."

Second. The pending resolution provides also that all property of these enemy Governments or their successors and their nationals now in the possession or under the control of the United States, or its representatives, shall be retained by the United States, and no disposition thereof made except by special act of Congress—

(A) Until such time as these Governments by treaty with the United States duly ratified shall make suitable provision for the satisfaction of all claims of all persons owing permanent allegiance to the United States who have suffered directly or indirectly through the enemy Governments, or their agents, since the several declarations of war.

(B) And until provisions shall be made by treaty granting to all persons owing permanent allegiance to the United States most-favored-nation treatment in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights.

(C) And until they shall confirm to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America.

(D) Until they shall waive any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Germany to the contrary notwithstanding.

Third. The resolution purports to reserve to the United States and its nationals all the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it or its nationals are or may become entitled by the treaty of Versailles, although it has not been ratified by the United States, under the several armistices, or their extensions, or modifications, or which under the treaty of Versailles have been stipulated for its benefit or the benefit of its nationals with the same force and effect as if the said treaty of Versailles had been ratified by the United States.

We submit that this is an attempt by act of Congress to usurp the treaty-making power of the President and the Senate. A similar resolution was passed by the Congress and vetoed by the President during the last session of the Sixty-sixth Congress. The excuse given for its enactment at that time was the failure of the President and the Senate to agree as to the terms of the ratification of the Versailles treaty. That same excuse does not exist now. The President and the majority of the Senate are in party accord.

This is the first attempt in the history of our country to circumvent the treaty-making power.

Congress is given the power to declare war, to raise and support armies, to provide and maintain a Navy, to make rules for the government and regulation of land and naval forces, to call out the militia, and to provide for the organizing and disciplining of the militia, and to make all laws necessary and proper to carry into execution the foregoing powers.

The President is the Commander in Chief of the Army and the Navy. Under the Articles of Confederation the Congress was given "the sole and exclusive right and power of determining on peace and war." Not so under the Constitution. Nowhere does it vest the peace-making power in the Congress, and we think it was purposely omitted by the constitutional fathers. An examination of the debates in the constitutional convention shows that in the early draft of the Constitution Congress was given the power "to make war." During the discussion it was said that the power to "make war" included the power to "wage war," and it was thought unwise to place the power to wage war in a body so numerous as the Congress, and so the convention substituted the words "declare war" for the words "make war." Later one of the delegates, Mr. Butler, rose and moved to add the words "and peace" after the word "war," so that the provision would read "to declare war and peace." If the Constitution had so read then there could be no question about the power of Congress to declare peace, but strange to say this amendment was unanimously defeated and the power conferred upon the Congress was simply to "declare war."

We do not mean to say that because the words "and peace" were not added after the words "to declare war" it necessarily deprives the Congress of the power to declare peace if the Constitution either expressly or impliedly otherwise provided, but we do claim that it is strong evidence it was intended not to confer this power on the Congress.

The power is conferred upon the President "by and with the advice and consent of the Senate to make treaties, provided two-thirds of the Senators present agree." This power is all comprehensive. There are no limitations upon it or exceptions to it. It is the usual way by which peace and commerce treaties or conventions with other powers are made, and there is no sound reason why this method should not be pursued now.

In order that we may ascertain the exact legal effect of this resolution let us examine the phrasing of the German war resolution. It does not declare war against Germany. It reads: "The state of war * * * is hereby formally declared." In other words, there was war between the United States and the Imperial German Government before it was passed. Congress only decared the state of war to exist. When we repeal this resolution Congress does not thereby end the war, if war exists, it only repeals the statement or declaration that there was a state of war. And when the pending resolution recites "the state of war is hereby declared to be at an end," if the war is not at an end, the resolution does not end it. If it is at an end, then the declaration by the Congress to that effect adds nothing to the state of peace, except in a very technical legal sense.

But the repeal of these resolutions will affect our commerce. During the war commerce with Germany and Austria-Hungary was suspended.

On July 14, 1919, the War Trade Board section of the State Department issued a license permitting communication and trade with "persons residing in Germany," subject, however, to the following special limitations and exceptions, to wit:

(1) The above-mentioned general license does not authorize the importation into the United States from Germany or elsewhere of dyes, dyestuffs, potash, drugs, or chemicals which have been produced or manufactured in Germany.

(2) The above-mentioned general license does not modify or affect in any respect present restrictions against trade and communication between the United States and Hungary, or that portion of Russia under the control of the bolshevik authorities.

(3) The above-mentioned general license does not authorize trade with respect to any property which heretofore, pursuant to the provisions of the trading with the enemy act as amended, has been reported to the Alien Property Custodian, or should have been so reported to him, or any property which heretofore, pursuant to the provisions of said act, the Alien Property Custodian has seized or has acquired to be conveyed, transferred, assigned, delivered, or paid over to him.

Exports to and imports from Germany may take place under Special Export License RAC No. 77, and General Import License PBF No. 37, as announced in W. T. B. R. 803 and W. T. B. R. 804, respectively.

These restrictions have since been modified so far as they relate to the importation of potash from Germany, and so far as they relate to trading with Hungary and Russia.

EFFECT OF REPEAL OF WAR RESOLUTION.

We seized property in this country and on the high seas belonging to the German Government and her nationals, including German ships which had sought refuge in our ports from the allied fleets. Our authority to do this was by virtue of this declaration of war and subsequent legislation. The seizures were made by our military, naval, and civilian forces.

Germany likewise took possession of property of the United States and its nationals then in its territory. Its navy seized our property on the high seas. Such property as it did not destroy it still has in its possession and control. By the passage of the pending resolution we are repealing the very resolutions which were the authority for our acts and under which we took possession of this property, and we are doing it without any consideration moving to us therefor.

True, the resolutions recite that we are going to keep the property we thus seized, except such as may be released by act of Congress, until a treaty shall be ratified which shall provide for the disposition of this property and the settlement of all claims which our Government or our nationals may have against the German Government growing out of this war. And then, as if to add emphasis, the resolution declares that we reserve "all the rights, powers, claims, privileges, indemnities, reparations, or advantages provided for in the Versailles treaty, to which we would be entitled if we had ratified it."

While considering the effect of the passing of the pending resolution, let us keep in mind that our treaty of 1799 with Prussia, which was revived by the treaty of 1828, expressly provides in article 23:

"If war should arise between the two contracting parties, the merchants of either country then residing in the other shall be allowed to remain nine months to collect their debts and settle their affairs, and may depart freely, carrying off all their effects without molestation or hindrance; and all women and children, scholars of every faculty, cultivators of the earth, artisans, manufacturers, and fishermen, unarmed and inhabiting unfortified towns, villages, or places, and, in general, all others whose occupations are for the common subsistence and benefit of mankind, shall be allowed to continue their respective employments, and shall not be molested in their persons, nor shall their houses or goods be burnt or otherwise destroyed, nor their fields wasted by the armed force of the enemy, into whose power by the events of war they may happen to fall; but if anything is necessary to be taken from them for the use of such armed force, the same shall be paid for at a reasonable price."

And this last treaty significantly and formally declares it to be "equally beneficial to both countries" and "applicable in time of peace as well as in time of war."

We submit that the enactment of the pending resolution will result—

(1) In removing unconditionally all war restrictions with respect to our trade with Germany and Austro-Hungary, and will restore all commerce as heretofore. Of course, this is an end to be desired by Americans as well as Germans, but it will prove of infinitely more importance to Germany to get into our markets than it will for America to get into German markets. In our judgment, while we desire commercial relations, we should first determine the terms and conditions upon which we shall renew them before we let down the bars unconditionally. We owe this duty to the American people.

(2) In consideration for this unconditional repeal of the war resolutions we receive no compensating return. True, the resolution recites that we shall retain the property already seized by our forces, including ships in our ports, until all claims of indemnity by our Government or our nationals are settled by treaty, to the same extent that we could if we had ratified the Versailles treaty. But we assert that these reservations add nothing to our title or to our security. They do nothing more than serve notice upon the German Government as to what our position will be with respect to this property. Let it be borne in mind that the Versailles treaty is only binding upon those powers which have exchanged ratification, and unless we do ratify that treaty, Germany is not bound thereby to satisfy the claims of our Government or our nationals.

(3) The repeal of the war resolution will only serve to strengthen Germany's claim that the seizure by our forces of the property of Germany and of German nationals, including the ships in our ports, was unlawful and in violation of our treaties of 1799 and 1828 with Prussia, to which reference has been made.

(4) By the repeal of the resolution we leave Germany in possession of all the property belonging to the United States or to our nationals which was seized and confiscated by it on German territory or upon the high seas, without any obligation on its part to give compensation therefor.

(5) We can not by this legislation either persuade or compel Germany to reciprocate by similar legislation, and the only way known to the law to settle these questions between Germany and ourselves is either by treaty negotiations or by force of arms.

(6) Germany has shown no disposition to make settlement with any of our allies or with ourselves on an equitable basis for the damages it has wrought. Why, then, should we voluntarily repeal this resolution—the thing Germany desires above everything else—and leave all other matters to be hereafter adjusted according to Germany's own sweet will? Now, the United States Government has the advantage. The majority, as evidenced by their report, if this legislation is passed, will voluntarily surrender it and give it to Germany.

(7) We conclude, therefore, that if the administration is not willing to ratify the Versailles treaty with such reservations and upon such terms and conditions as will secure to the United States and its nationals all of the rights and privileges which are provided for them under the Versailles treaty, then we suggest that before this resolution is passed we request the President, through the State Department, to enter into communication with the German Government and negotiate a treaty by which it will agree to adjust all differences fairly to it, ourselves, and our associates and allies along the lines set out in the pending resolution. If Germany will not enter into a treaty along these lines while the resolution declaring a state of war is in effect, it will not do so when the resolution is repealed. If Germany does enter into such a treaty, we believe it will do so more expeditiously with this war resolution on our statute books than if it is repealed. Nothing can be lost by this course. Much may be gained. In any event we will have the advantage thereby in our negotiations.

These same observations, in substance, apply to the repeal of the resolution declaring a state of war with the Imperial and Royal Austro-Hungarian Government.

G. M. HITCHCOCK.
JOHN SHARP WILLIAMS.
CLAUDE A. SWANSON.
ATLEE POMERENE.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield.

Mr. LODGE. I inquire if any Senator desires to continue the debate on the joint resolution declaring a state of peace to exist with Germany?

Mr. McKELLAR. I desire to speak briefly.

Mr. LODGE. Is the Senator from Tennessee willing to yield to the Senator from North Dakota?

Mr. McKELLAR. I yield.

ADDITIONAL JUDGE FOR NORTH DAKOTA.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 78) authorizing the appointment of an additional judge for the district of North Dakota.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment in section 1, page 1, line 9, after the word "district," to insert "and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority," so as to make the section read:

That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the District Court of the United States for the judicial district of the State of North Dakota, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district, and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority.

Mr. KING. I should like to inquire of the Senator from North Dakota whether the bill provides for the appointment of an additional judge, or is the present judge incapacitated?

Mr. McCUMBER. The present judge has served more than 25 years and is unable, by reason of physical disability, to hold court. About three years will elapse before under the law he will be eligible for retirement, but he has served so faithfully that it is deemed proper to provide for the appointment of another judge. The bill provides, however, that after the present judge shall have reached the retiring age there shall be no other judge appointed in his place.

Mr. KING. Is the Senator from North Dakota sure that the language of the bill will not permit the appointment of a successor to the present judge after his retirement?

Mr. McCUMBER. I will state that the language of the bill, if passed, will not permit the appointment of a successor to the present judge.

Mr. UNDERWOOD. I should like to ask the Senator from North Dakota if there was a unanimous report from the Committee on the Judiciary in favor of the bill?

Mr. McCUMBER. There was.

The VICE PRESIDENT. The question is on agreeing to the amendment to the bill reported by the Committee on the Judiciary.

The amendment was agreed to.

Mr. LENROOT. Has the entire bill been read?

The VICE PRESIDENT. Only the first section has been read. The reading of the bill will be concluded.

The Assistant Secretary resumed and concluded the reading of the bill, as follows:

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the district of North Dakota, by the retirement, disqualification, or death of the judge senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TORAHACHI URATAKE.

Mr. LODGE. If the Senator from Tennessee will further yield, I desire to report from the Committee on Foreign Relations two bills and to ask for their immediate consideration.

Mr. McKELLAR. I yield to the Senator from Massachusetts for that purpose.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 1077) to authorize the payment of $5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which authorizes the payment, as a matter of grace and without reference to the question of liability therefor, to the Government of Japan, $5,000 for the benefit and consolation of the family of Torahachi Uratake, a Japanese subject, killed on November 25, 1915, at Schofield Barracks, as set forth in the letter from the Acting Secretary of War dated February 19, 1916, and printed as House Document No. 785, Sixty-fourth Congress, first session.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TATSUJI SAITO.

Mr. LODGE. From the Committee on Foreign Relations I report back favorably without amendment the bill (S. 1078) to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the payment, as a matter of grace and without reference to the question of liability therefor, to the Government of Japan, $2,000, for the benefit and consolation of the family of Tatsuji Saito, a Japanese subject, killed May 25, 1916, at Camp Geronimo, Mexico, then occupied by American soldiers, as set forth in the message of the President of the United States to the Senate dated May 20, 1918.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PEACE WITH GERMANY AND AUSTRIA-HUNGARY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. McKELLAR. Mr. President, I shall detain the Senate for only a few minutes. I can not vote for Senate joint resolution No. 16 repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany; and before the final vote is taken I desire very briefly to give my reasons for the vote I shall cast in opposition to the pending joint resolution.

I do not think the joint resolution will be effective for any needful purpose. We are not in a state of war with Germany; we are doing business with her every day, and, while the passage of the resolution may on our records show that the war is over, I do not see that it will be effective for any other purpose, and that purpose has already been effected.

The passage of that part of the resolution which simply repeals the joint resolution by which we declared a state of war to exist with Germany will not change the situation between ourselves and Germany in the least, except, perhaps, that the representatives of Germany will be permitted to come here in person in order to carry on their machinations to evade the treaty of Versailles, instead of carrying them on indirectly, as now. That will be the only real, practical effect of that part of the joint resolution which proposes to terminate the state of war.

It may also be regarded as doubtful, Mr. President, whether the Congress has the constitutional power to pass the joint resolution. Section 8 of Article I of the Constitution gives the Congress the power "to declare war." It does not give the Congress the power to conclude peace. Under well-established rules of legal construction of the Constitution, the naming of the power to declare war would be the exclusion of the power to conclude peace. Moreover, in the 132 years of our national history Congress has never undertaken to conclude peace, although we have engaged in many wars. That power has always been exercised by the President and the Senate under the following plenary provision or authority of section 2, Article II, of the Constitution:

He—

Meaning the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

That includes treaties of peace. It is perfectly evident that peace can not be concluded without a treaty. The making of peace always involves multitudinous questions, and there must necessarily be a treaty in order to conclude a peace with a country with which we have been at war, and especially is that true in the case of the war with Germany.

That is admitted practically in the pending joint resolution, because in the very resolution that declares peace instructions are given to the President of the United States as to what the peace treaty to be negotiated shall contain, as I shall point out hereafter.

Mr. President, what is the reason for the attempt to conclude peace in this revolutionary way? Why should we go counter to the plain constitutional provision on this subject? Why should we go counter to the uniform precedents on the subject? In the last session of Congress, when feeling was high, when the majority of the Senate were unable to agree with the President of the United States, when the majority of the Senate were composed of one party and the Executive was a member of the other party, when a great political campaign was on, there might have been some excuse for attempting to conclude peace by this revolutionary method; but now, when the majority in the Senate and the President are politically of the same party, when their relations are cordial, and are likely to continue to be cordial for some time—for it will take some time for the Executive to dispense all the patronage and we know the relations between the President and the majority in Congress will remain cordial until the patronage is dispensed—now, when there is no political contest, when feeling has abated, there seems to be no earthly excuse why the President and the Senate should not conclude peace in the usual, ordinary, and constitutional way.

It is difficult for me to understand why the Republican majority in the Senate desire to take this course. Is it because they are afraid of the Republican President and are apprehensive that the President will conclude a treaty of peace that they will not be willing to ratify? Is it because they have not confidence in their distinguished Secretary of State? I should think Republican Senators would have more confidence in their leaders than to undertake to deprive them of the exercise of this power and this duty. I should think they would have more confidence in their distinguished President and in their distinguished Secretary of State; I should think they would want to continue the power of the President to conclude peace now that the President is no longer a Democrat but is a Republican.

I next come to that part of the resolution beginning on line 7, page 4, which undertakes to do things other than to repeal the joint resolution declaring a state of war to exist. That provision declares: First, that all property of the Imperial German Government or its successors and the property of all German nationals which has come into the possession of the United States by reason of the war shall be retained by the United States until a treaty shall have been entered into with Germany.

Has anybody proposed to give up this property or any part of it? Is it thought for a moment that the President will give it up without a treaty? Is it thought for a moment that it can be given up without a treaty? It can not be done except by a treaty, and two-thirds of the Senate must concur in any treaty which may be negotiated. The pending joint resolution can not affect such German property, except to the extent of advising the President in regard to the provisions of any future treaty in respect thereto.

Again, the resolution goes on to recite what the proposed treaty hereafter to be made with the German Government shall contain. A resolution of this kind does give the opinion of the Congress at this time, but it has no binding force on anyone. Whenever that treaty is made the President of the United States and the German Government will agree on what it shall contain, and then two-thirds of the Senate will either approve or disapprove, whether this part of the resolution is passed by the Congress or not. This resolution can not affect it in the remotest degree, except to express the opinion of the present Senate in regard to it.

If you gentlemen on the Republican side simply desire to instruct your own President as to what you wish to go into a treaty, that is another thing; but why put it in this resolution? It can not have any binding force. It is a mere expression of opinion. It can not bind Germany; it can not bind your President; it can not even bind the future action of this Senate. Surely, it is not proposed that we can bind Germany, who does not have to accept this resolution, who is not consulted about this resolution, who has not agreed to this resolution.

The most remarkable clause, however, in this resolution is that beginning on line 16, page 5 of the bill, which I quote:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of Versailles have been stipulated for its benefits or for the benefit of its nationals, with the same force and effect as if the said treaty of Versailles had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

Of all the legal propositions I have ever heard put forth in this body or elsewhere, this alleged legal proposition is the most remarkable. The treaty of Versailles was concluded on June 28, 1919. It was duly ratified by the German Government and all of the allied Governments except the United States. The United States not only failed to ratify, but by affirmative vote declined to ratify this treaty. Now, the proposition submitted in this resolution that the United States can by resolution reserve every right that she wants to take advantage of in said treaty and disavow every obligation therein is to my mind not a legal proposition at all, but the idlest kind of selfish sophistry, and the only possible effect of it will be an attempt to fool the American people.

Mr. KING. Mr. President, will the Senator yield?

Mr. McKELLAR. I shall be delighted to yield.

Mr. KING. Does it not appear to the Senator to be a preposterous proposition that in an ex parte declaration there could be a reservation of right growing out of a contract which we have repudiated?

Mr. McKELLAR. Why, of course. If the Senator from Utah and the Senator from Arkansas and myself proposed a contract in which the Senator from Utah and myself were to get large benefits or small benefits, and the Senator from Arkansas and the Senator from Utah signed it, but I declined to sign it, and then issued an advertisement saying that while I declined to sign that contract and was not a party to it and would not be a party to it and could not be induced to be a party to it, and it was unpatriotic even to think of being a party to it, yet I claimed all its benefits, would any lawyer on the face of the earth advise that I was entitled to the benefits of a contract that I had repudiated? I do not believe even a Hottentot lawyer would seriously stand for a proposition of that kind. I do not believe there is a lawyer in the world who has ever stated that a legal proposition of that kind could be effective, and I am sure no lawyer even in this body believes it is effective. Surely no lawyer has yet defended the proposition.

Mr. KING. Will the Senator permit another interruption?

Mr. McKELLAR. Certainly.

Mr. KING. We have heard a great deal about the acumen of Pennsylvania lawyers. The Senator should take that into account in making his criticisms.

Mr. McKELLAR. I do not mean to criticize any particular lawyer at all. For the moment I had overlooked that the bill had been introduced by the distinguished junior Senator from Pennsylvania. Senator KNOX, of course, is known as one of the great lawyers of the country. I have the highest regard and esteem for the distinguished Senator from Pennsylvania, who introduced the joint resolution. Of course, I know he does not believe that these recited rights can be reserved legally. They were not included in this resolution for the purpose of legally reserving them, nor has Senator KNOX said so.

Mr. ROBINSON. Mr. President, will the Senator yield for an inquiry?

Mr. McKELLAR. Certainly.

Mr. ROBINSON. Has the Senator discussed, or does he intend to discuss, the legal effect of an attempt to repeal a declaration of war or a declaration of the existence of a state of war after the war has ended?

Mr. McKELLAR. I have done so only by inference. Of course, the Constitution is perfectly explicit on that subject. Peace can be concluded only by a treaty.

Mr. BORAH. Where does the Constitution say that?

Mr. McKELLAR. It says it by excluding from the authority of Congress the authority to conclude peace. There is not in the powers granted to Congress a scintilla of authority to conclude peace. There is a specific power to declare war. If it had been intended by the founders of our Government to give to Congress the power and the right, by joint resolution or act or otherwise, to declare peace, it would have been the simplest thing on earth for them to have done it. But the original framers of our Constitution, knowing that business matters had to be settled when peace was to be concluded, devolved that duty upon another branch of our Government in part, and in part upon the Senate of the United States; and that is why I say that there is no constitutional authority for so much of this joint resolution as attempts to declare peace.

In order for this Congress to legislate on any subject, we have got to put our finger upon the provisions of the Constitution authorizing it. I ask the Senator from Idaho, who has interrupted me and asked my opinion about it, to lay his finger upon the provision of the Constitution that gives Congress the right to legislate on this subject.

Mr. BORAH rose.

Mr. ROBINSON. Mr. President——

Mr. McKELLAR. The Senator from Idaho rose first.

Mr. BORAH. I will wait for the Senator from Arkansas to ask his question.

Mr. McKELLAR. Very well.

Mr. ROBINSON. Mr. President, granting that Congress has the right to declare peace—that is, to recognize its existence—what is the legal effect of repealing a joint resolution declaring war after the war has ended?

Mr. McKELLAR. The only possible effect that I can think of is that it will allow the agents of the German Government to come over here without being arrested, and to carry on their negotiations and machinations to prevent the carrying out of the provisions of the treaty of Versailles. That is the only one I can think of just now.

I now yield to the Senator from Idaho.

Mr. BORAH. Then, if the Senator is correct that it has that effect, the Senator must concede that he was in error a few minutes ago when he said that Congress had nothing to do with it, and that the resolution would be wholly ineffective.

Mr. McKELLAR. It would have this effect only: I made one exception to the statement, and the only exception that could probably be made, when I said that the German ambassador probably would not be arrested. The matter would have to go before the courts. If somebody were to sue out a warrant against the new German ambassador who comes over here, on the ground that he was an enemy of this Republic, it would raise the question as to whether Congress had the right to pass this joint resolution; but I do not know whether anybody would feel inclined to do that or not. People would probably feel that he was justified in coming if the joint resolution should pass, and we would find the new German ambassador over here in a few days, too. Just the moment that this joint resolution is passed we will find the biggest German agency over here and the biggest German propaganda going on over here that we have ever known to prevent the carrying out of the peace of Versailles.

Mr. ROBINSON. Mr. President——

Mr. McKELLAR. I yield to the Senator from Arkansas.

Mr. ROBINSON. I presume, technically speaking, that Congress can repeal any act or resolution that it has passed——

Mr. McKELLAR. If the Senator will permit me, ordinarily that would be so, except that under the Constitution Congress has the specific right to declare war. It is not given the express right to conclude peace; but the President and the Senate, two-thirds of the Senate agreeing to it, are given the specific right to conclude peace, because treaties include peace treaties as well as all other treaties.

That is my position. It is perfectly clear. I may be a stickler for the Constitution, it has not many friends, but I took an oath to support it, and I feel that I ought to do so.

Mr. ROBINSON. Will the Senator yield to me further?

Mr. McKELLAR. I yield.

Mr. ROBINSON. While, as I started to say, Congress ordinarily can repeal any measure that it has passed, and while it is also true that sometimes Congress repeals a law for the reason that the necessity for the law has passed, the repeal of a statute or a resolution also sometimes implies that the passage of it was an error or wrong. It is undoubtedly a remarkable and unprecedented proceeding for the Congress, after it has declared war and sent millions of American sons into foreign battles and expended billions of dollars in the prosecution of that war, to repeal the joint resolution by which it declared the existence of a state of war, and if there is something in the situation that makes that proceeding important to the interests of the United States, the sponsors for the joint resolution, who are great lawyers, ought to give the reasons that underlie this most extraordinary proceeding, unheard of in the history of the world. Is it intended, by this declaration repealing the joint resolution declaring a state of war, to confess that we were wrong when we entered that war or recognized its existence?

What is the legal effect of repealing the act under which thousands of American soldiers went to battle and to death, and thousands more went to irreparable injury, and under

which billions of dollars were expended? What is the legal effect of repealing that act after the war has closed? What is the purpose of it?

Mr. McKELLAR. Mr. President, I largely agree with all that the distinguished Senator from Arkansas has said. I do not know what the purpose of the resolution is. Possibly it is because a man by the name of Woodrow Wilson, who happened to be President for eight years, recommended the passage of it on April 6, 1917. I know of no other reason. A good many men dislike him, and they think they ought to get it out of the way; but, in furtherance of what the Senator from Arkansas has said, I call attention to the fact that we have been in a number of wars. We were in the War of 1812. We were in the Mexican War of 1845 to 1847. We were in the Civil War, though, of course, it did not take any treaty to settle that. But we were in the Spanish-American War, and there never was a repeal of the resolution declaring war. The resolutions declaring war against those countries are still on our statute books. But the various wars were concluded by treaties of peace, under the terms of the Constitution, just as this war ought to be ended by a treaty of peace under the terms of the Constitution. To my mind, it is indefensible for one branch of the Government to invade the province of another branch of the Government, contrary to the express provisions of our Constitution, and attempt to effect peace. It is admittedly a failure on its very face, because this resolution admits that it is powerless to bring about a treaty of peace, but all it does, in substance, is to recommend that the President of the United States, when he does conclude peace, shall carry out the wishes of the Senate and the House of Representatives of the United States.

Mr. FLETCHER. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Florida?

Mr. McKELLAR. I yield to the Senator.

Mr. FLETCHER. I will interrupt the Senator only very briefly, to ask him if, in his study of this matter, he has been able to determine any way whereby the matters mentioned in this resolution can be adjusted between the nations involved other than by a treaty? Is there any other way to carry out the purposes set forth in the resolution except by a treaty?

Mr. McKELLAR. The resolution itself shows on its face that there is no way to carry out the purposes of the resolution except by treaty. It is a confession on its face that it is wholly inoperative to produce the results desired.

Mr. FLETCHER. Having reached that point, the next point which suggests itself is that the complete, the full, the exclusive power to negotiate treaties is vested in the Executive, and Congress can not direct what the Executive shall do with reference to any treaty.

Mr. McKELLAR. Of course, that is so elementary that it seems to me a wayfaring man, though he may be blind, can see it.

Mr. FLETCHER. Then, if I may suggest a further thought to the Senator, and ask his view about it, it follows that what we will do here, if this resolution is passed, will be merely to recommend to the President something with regard to the treaty or agreement which he is subsequently to make.

Mr. McKELLAR. Yes; that is all in the world there is to this resolution.

Mr. FLETCHER. But to compel the President to do anything of that sort is clearly beyond the power and authority of the Congress.

Mr. McKELLAR. Absolutely.

Mr. FLETCHER. So that to set out in this resolution matters and things which we say must be contained in a treaty hereafter to be made is exceeding any authority or power on the part of Congress and trespassing upon the exclusive jurisdiction and authority of the Executive.

Mr. McKELLAR. The only excuse for it I can see is under the general right of the American public to petition those who rule over them. I believe that privilege is given not only to the Senate of the United States but to every citizen. We have the right of petition, and this can only be considered in the light of a petition to the President to include these various things in the treaty when he comes to negotiate that treaty, and he may do it or may not do it, just as he desires, and nothing we may say can be other than persuasive to him.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I yield.

Mr. LENROOT. I would like to ask the Senator if it is his position that unless we enter into a treaty of peace with Germany, the United States must continue in a status of war with Germany forever?

Mr. McKELLAR. Not at all. We are not in a status of war now. I want to be perfectly frank with the Senator. He may have a different view about it. I think just at this time, when Germany is engaged in every machination known to the ingenuity of man to evade the provisions of the Versailles treaty, it would be very well for us to keep her legal representatives out for a short while longer. If she is able to accomplish as much as she has accomplished in these United States since the war has been over, if she is able to acquire that sympathetic hearing and interest she has been able to acquire, without diplomatic representatives, I fear what she would be able to do if she had diplomatic representatives here.

Mr. LENROOT. If we are not in a status of war with Germany, then we are at peace with Germany. Is that the Senator's position?

Mr. McKELLAR. We are in a status of peace as a matter of fact, and I do not believe that the opinion expressed in this resolution would change that legal status. In other words, I do not believe that the legal status can be changed, in effect, until there is a treaty of peace signed by the two countries under the provisions of the Constitution.

Mr. LENROOT. If we are in a state of peace now, then the Senator will admit that this resolution will do no harm.

Mr. McKELLAR. I want to address myself to that in just a few moments. The distinguished and splendid Senator from Rhode Island [Mr. COLT] made that statement while the Senator from Nebraska [Mr. HITCHCOCK] was speaking to-day—that at least this resolution can do no harm. I will reach that in just a moment and will undertake to address myself to that proposition.

All the rest of this, except the declaration repealing the war resolution, is nothing in the world but surplusage; it does not bind Germany, it does not bind any of the Allies, it does not bind any Government which signed the treaty of Versailles. It can not affect our international rights in the slightest. The most that can be said of it, if it is passed and signed, is that it is an expression of an opinion by a majority of the present Members of the Senate and the House, and of the President. It can only be justified on the ground that we desire to serve notice on all nations of the world that while we have declined to enter into the Versailles treaty, we propose to take anything we want under the terms of that treaty without signing it. In other words, this resolution is the boast of a bully, and nothing else. It is that, pure and simple.

To the plain, wayfaring man, it looks like a statement of this proposition: "No; we are not going to sign your treaty, but we propose to look it over, and whatever of the spoils of war we think the United States can get out of it, we are simply going to take by force."

That is the meaning of this resolution. If that is not what it means, then it has no meaning, because it can not bind anybody. It can not bind Germany. It can not bind England. It can not bind France. It can not bind even this country, because treaties can not be concluded, or even advised, under our Constitution, by joint resolution of the two Houses, even though they are signed by the President. The Constitution specifically states how treaties can be concluded, and unless our Republican friends have abolished the Constitution, treaties can only be made under its terms.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield.

Mr. CUMMINS. I am interested only in trying to preserve a little of the Constitution.

Mr. McKELLAR. I am glad to hear that the Senator is on that side.

Mr. CUMMINS. I am listening for information, for the purpose of making up my mind how I ought to vote on this very interesting question. The Senator from Tennessee has discussed the legal phase of it very ably, and I would like to have him answer one question, and I ask it purely for information.

Mr. McKELLAR. I do not know that I can answer it, but I will do my best. If I can not, I will frankly tell the Senator that I can not.

Mr. CUMMINS. Suppose that on the 1st of January, 1918, while the war in Europe was in progress, the Congress of the United States had passed a resolution repealing the resolution of April, 1917; that is, suppose it had passed a resolution repealing the resolution which declared that a state of war existed between the United States and Germany. Could the President thereafter have lawfully used the troops of the United States and the Navy of the United States in making war against Germany?

Mr. McKELLAR. The Senator has asked a question very difficult to answer. I do not know that I am competent to pass on it. I can say this, that as a practical matter, if that had been done in January, 1918, as I recall the condition of public sentiment in this country at that time, the Senate and the House would have probably been mobbed, and such a thing can hardly be believed as possible. It would have had the effect of producing bedlam in this country. It is unthinkable that in the midst of a great war such as we had entered upon, under the conditions existing, Congress would have ever done anything of the kind. Nothing but a lawsuit and the determination of that question by the Supreme Court of the United States would ever have settled the question proposed by the Senator, and indeed I might say to the Senator that as to the power of Congress by resolution to conclude peace, that is of the same nature as the question he put, and nothing but a decision of the Supreme Court will determine it, and that has never been passed on by our Supreme Court, so far as I have been able to find. I have examined the authorities, not with the greatest care, but with such care as I have been able to give it in the short time I have had, and I can not find where the Supreme Court has ever had that question before it. The question or questions the Senator has just submitted, of course, would only be practical in the event Congress should undertake to do a thing of that sort, and after it had done it, if there had been enough of our Government left for the question to have been raised, then it would have gone to the Supreme Court, and I do not think anyone could have told absolutely how it would have decided it.

I call the Senator's attention to the beginning of my remarks, in which I said that it was doubtful as to whether the Congress had the right to conclude peace by resolution. I did not say it was certain. In my judgment it is of such great doubt that in view of our legal history, in view of the fact that for 132 years under our Constitution the power of the Congress to conclude peace by resolution, if it has it, has never been exercised, it does seem to me that there is no excuse now, when every branch of the Government is in the hands of one political party, when there is no schism in that party, when they are all working together harmoniously, when the Executive and the Senate and the House are all working together harmoniously, for adopting such a revolutionary method of concluding peace, rather than follow the plain, beaten track of the precedents and our Constitution.

Mr. CUMMINS. Mr. President, I am not arguing the merits of the resolution, but I have been very much concerned about the position taken by Senators upon the other side with regard to the power of Congress under the Constitution, and I have been somewhat astonished to hear it asserted with so much positiveness that Congress could not lawfully repeal the resolution which was passed in April, 1917. The Senator from Tennessee knows that if Congress had failed to make the appropriations which were necessary to carry on the war, the war, so far as America was concerned, would have come to an end.

Mr. McKELLAR. Undoubtedly.

Mr. CUMMINS. I have never doubted, I did not know there was a doubt anywhere, that Congress could, by appropriate action, establish a status of peace.

Answering the question I put to the Senator from Tennessee, I have no doubt that if the resolution of April, 1917, had been repealed by Congress while the war was in actual progress, a President as Commander in Chief who continued to use the Army and the Navy of his country in prosecuting a war which did not, so far as we are concerned, exist, would have been subject to impeachment.

Mr. McKELLAR. The Senator may be entirely correct about that. I am not prepared to say. However, here is what occurs to me about a war resolution. It is a writ that the President is directed to serve. When we declared war the President was directed to take our Army and Navy and wage that war, which he did successfully. Now, when we have done that successfully, when the writ has been fully executed, to my mind it is what we lawyers used to call functus officio; that is, it has performed its office, and there is nothing more in it and it is not subject to further action on the part of the Congress. As the colored man would say, it is out of date.

Again, I can not bring myself to agree to the joint resolution, because in substance and in effect it constitutes a desertion of our allies in the late war. It is a desertion of them at a critical moment in their negotiations with the enemy. It is a desertion of them virtually while they are on the firing line. It is known in all the world that on next Sunday it is proposed by France and England that they will invade Germany in order to enforce the provisions of the Versailles treaty unless the terms of the Versailles treaty are complied with before then, and just at this moment, two days before this invasion is likely to take place, the Government of the United States is passing a resolution withdrawing our Army from German soil.

My friend the Senator from Rhode Island [Mr. COLT] and my friend the Senator from Wisconsin [Mr. LENROOT] have asked what harm will it do. I reply are we willing to put our Nation in the attitude of deserting our allies in the Great War? That is the harm that it will do. It is just at a critical moment. If Germany had been engineering this matter she could not have selected a more propitious moment for the passage of this joint resolution than to-morrow, when it is scheduled to be passed by the Republican majority. If she had been working since the armistice to arrange just when this joint resolution should be passed so as to bring her the greatest benefit, she could not have selected a more propitious day than to-morrow; and to my friends who have asked what harm the resolution will do I say it means the desertion of our allies in the crucial moment of their controversy with Germany.

What can our allies think, what can France especially think, other than that we are deserting her in her hour of supremest need? It is known by all men that Germany has been for months trying to evade the effect of the Versailles treaty. Aye, indeed, more than that, she has been using every endeavor known to the ingenuity of man to get the United States to help her evade the provisions of the Versailles treaty, and I regret to say that indirectly, at least, by the exchange of innumerable notes, this Government, since the 4th of March, has in effect given aid and comfort to the Germans in their effort to evade the provisions of the Versailles treaty.

Mr. President, it was popular among Republicans some years ago to talk about the number of notes President Wilson wrote, but President Wilson was a tyro at note writing in comparison with the writer of the innumerable notes that have recently been exchanged by this administration with the German evaders. I have great confidence in Secretary Hughes. I think he is a man of great ability. I think he is doing the best he can, but unfortunately it looks as if he is being obliged to sail his diplomatic ship in the turbulent sea between the Scylla of the Republican President on the one side and the Charybdis of the Republican Senate on the other. Or, may be, it is that he is obliged to give attention to the millions of German citizens who voted for his party last fall, while attempting at the same time to carry out a truly American policy. I greatly regret that our Republican friends are not willing to take the bridle off of Mr. Secretary Hughes and give him full power to go ahead and conclude a treaty of peace with Germany and with our allies in the truly constitutional way. I have great confidence that if this resolution was abandoned and that Mr. Hughes were given the right, either to formulate a new treaty with Germany and our allies, or if in his judgment it were better to accept the Versailles treaty with reservations, that either course would be infinitely preferable to the passage of the resolution with instructions to the Republican administration as to a future treaty with Germany.

In speaking of Mr. Secretary Hughes's notes, I do not mean in the slightest to criticize him for those notes. He is doing his whole duty as he sees it, and so far as I have been able to observe, except his dickerings with Germany, his notes have been timely and to the point. My only purpose in referring to them was to recall the foolish criticism of Mr. Wilson's splendid notes in his able conduct of our foreign affairs, so often criticized by many of our Republican friends.

Mr. President, if we pass this resolution, it will be giving to Germany the greatest moral comfort and support in her controversy with the Allies. It will make her position infinitely stronger in that controversy. It will, in substance and effect, be giving Germany the benefit of our moral support in her fight with the Allies.

Mr. President, it is time for the Allies to take stern measures with Germany. It is amazing that they should have treated with Germany in reference to these provisions of the Versailles treaty to the extent they have already done. It is safe to say that they never would have treated with Germany in this way but for the interposition of the United States. For months Germany has been attempting to heckle, bargain, postpone, and delay a settlement. In other words, Germany is undertaking at this late hour, virtually to dictate the terms of peace, and the United States is in effect aiding and abetting her in these negotiations. It is time to call a halt to this kind of proceeding. The Allies should take prompt steps on May 1 to force Germany to carry out the terms of the treaty, if she should fail to do so, whether some in the United States approve of their course or not. If the Allies want to get anything out of Germany at all, they had better not equivocate any longer. They have got the power now to go ahead. They had better exercise

that power. Germany brought this war on. She has accepted the responsibility for bringing it on in her solemn treaty of peace, and the world expects her to pay to the limit of her ability. I believe she is able to pay what she agreed to pay, and what has been imposed, and I for one American sincerely hope that our Government will not write any more notes about this matter, that our Government will not further attempt to meddle or mediate in the matter, but that she will permit our allies to go ahead and require a payment of the reparations that Germany agreed to make. I again express the hope that if that part of the reparations due on May 1 is not paid that France and England will promptly send their armies into Germany for the purpose of forcing the payment. I greatly regret that the attitude of our Government is such that the 15,000 American boys now in Germany may not be permitted to take part in forcing the payment. I can not but feel that it is a betrayal of our agreement with the Allies not to see them through in this matter. I can not but feel that it is a base betrayal of American interests for us not to see that Germany meets the requirements of the Versailles treaty.

Mr. President, Germany's proposal to the Allies, submitted to the United States, that she, under certain conditions, would assume the Allies' obligations to the United States is an impudent but shrewd attempt at diplomacy. It ought not to deceive any one. It does not deceive any one. Surely no American would for a moment consider substituting Germany as a creditor for the allied creditors we now have. Germany is not sincere in this proposal. She could not carry it out if it was agreed to. She would not attempt to carry it out.

I do not believe there is a Senator in this body who would vote to substitute one for the other. It would not be three weeks before she would be conspiring just as she is now to evade that obligation.

It is indeed surprising that our Government would even pass such a proposal to the Allies. I regret exceedingly that it has seen fit to do so. It is time to call a halt to these Machiavellian proposals. Of course, I know this proposition finds no favor with our present Government, which seems to lean toward Germany in all these negotiations—though I hope it does not—which negotiations ought never to have taken place, but I sincerely hope that even if we do desert our allies by passing this resolution, that the Allies themselves will promptly take Germany in hand next week and require her to pay all that she agreed to pay.

Mr. President, I shall not vote for the joint resolution. Having these views it would violate my conscience; it would violate every semblance of feeling that I have as to fair and square dealing. It would violate every duty that we owe those with whom we allied ourselves in the war voluntarily, and I for one am not ashamed of what we did. I for one would not give our enemy in the war, I would not give that country, whose soldiers destroyed over 100,000 American lives and millions of American property, one scintilla of comfort or aid such as is proposed by the joint resolution.

Mr. McCORMICK. Will the Senator from Tennessee answer one question?

Mr. McKELLAR. If I can. I do not know that I can answer it. The Senator may be like the distinguished Senator from Iowa [Mr. CUMMINS] a while ago. He might ask me such a "stumper" that I could not answer it.

Mr. McCORMICK. Will the Senator say what he thinks is the sum that Germany can and ought to pay?

Mr. McKELLAR. I have not the slightest doubt but that has been examined into by the reparations commission that was instituted for that purpose. They have gone into all the facts and they have made their report. I think they know more about it than I do or any other Senator in this body, and I am willing to take their report.

It is not our fight. It is something we ought not to meddle with. You gentleman talked all last year about our making alliances with Europe. If we continue this meddling, we will make alliances a thousand times worse than the League of Nations or any other alliance that has ever been proposed. We are now meddling every day with European affairs. If we are going to quit meddling, let us quit meddling all along. If we are going to quit meddling with my good friend JIM REED'S League of Nations, against which he so often speaks, then let us quit meddling with all the rest of these alliances and fights in Europe. Surely, do not let us meddle on the side of Germany.

Mr. McCORMICK. It was not because I urged that our Government meddle in Europe, but because the Senator regretted that our troops could not go into the Ruhr that I asked if he had in mind the sum they ought to go there to collect.

Mr. JONES of New Mexico. Mr. President——

Mr. McKELLAR. Just a moment. I take pleasure in answering that question. The amount which Germany was to pay has been fixed by the reparations commission, to which commission Germany agreed in the treaty. She agreed to it beforehand. She is bound by it in honor, just as France is bound by it in honor, and I regret that we are not honorably bound in the same way. I would be delighted to see our soldiers go in and see that the provisions of that treaty are carried out, in protection of France and our other allies, and in punishment of Germany for the losses of life and property inflicted upon us.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Tennessee yield to the Senator from Massachusetts?

Mr. McKELLAR. I yield.

Mr. LODGE. The Senator, I know, is very minutely familiar with the Versailles treaty, but where was the amount of reparations fixed?

Mr. McKELLAR. It was fixed by the commission that was formed in compliance with the terms of that treaty.

Mr. LODGE. Was it fixed by the commission?

Mr. McKELLAR. As I understood, it was.

Mr. LODGE. The Senator means since the Versailles treaty?

Mr. McKELLAR. Since the Versailles treaty.

Mr. LODGE. That it was fixed by the reparations commission?

Mr. McKELLAR. That is my understanding.

Mr. LODGE. I infer from what is going on now that it was fixed by Mr. Lloyd-George and Mr. Briand.

Mr. McKELLAR. Of course, I have no private information. My information is the same public information that every man who reads the newspapers has. If the Senator from Massachusetts, having superior——

Mr. LODGE. I am quoting the newspaper reports. I have not any other information.

Mr. McKELLAR. I did not know but the Senator from Massachusetts, being the chairman of the Foreign Relations Committee, might have inside information.

Mr. LODGE. I have none at all.

Mr. McCORMICK. I had not quite finished my colloquy with the Senator from Tennessee. I wonder if the Senator believes that the sum proposed by the prime ministers, let us say, should be accepted by Germany as its liability in advance of the determination of the Silesian question, and thinks our troops ought to go in there and enforce the collection.

Mr. McKELLAR. Did not Germany agree to accept the report of the reparations commission?

Mr. McCORMICK. No; but that is neither here nor there. The sum suggested is proposed by the prime ministers and not by the reparations commission.

Mr. McKELLAR. But the German Government which then existed signed the treaty which authorized the reparations commission to go into the matter and to fix the reparations. Germany is absolutely bound by that agreement. If the Senator from Illinois and I have a dispute and we leave it to the Senator from New Mexico [Mr. JONES] to fix the amount that I should pay the Senator or that the Senator should pay me, and the Senator from New Mexico fixes the amount at $5,000, under the existing circumstances of the case, as the amount that I should pay him, and if I undertook to "welch" on that agreement which we submitted to the Senator from New Mexico and to say that the award was too much after having agreed to accept it, I should have done what I consider an immoral thing. I know the Senator from Illinois looks at it exactly that way in personal affairs. I would not for a moment think of going back on an agreement after having consented to refer a dispute to an arbiter; which is what Germany did. Germany ought not to be permitted to go back on her agreement. I regret that any person under the American flag, having been associated with the Allies, should take the position that Germany had a right to go back on it.

Mr. JONES of New Mexico. Mr. President, I was a little fearful that the Senator from Tennessee might take his seat before he——

Mr. McKELLAR. Will the Senator permit me to continue?

Mr. JONES of New Mexico. Certainly.

Mr. McKELLAR. I rose to speak merely for 10 minutes, and it would not have taken me 10 minutes to say what I wanted to say if I had not so often been interrupted. I apologize to the Senate for having taken so much time, but it is really not my fault.

Mr. JONES of New Mexico. To the contrary, I am not complaining about the Senator from Tennessee having occupied the floor unduly. I was simply remarking that I was afraid the Senator was going to take his seat at this particular junc-

ture and perhaps deprive the Senate of a good deal of valuable information.

The Senator from Illinois [Mr. McCORMICK] has propounded an interrogatory to the Senator from Tennessee [Mr. McKELLAR] as to whether he knew the amount of indemnity which Germany should pay. I have not any doubt that the Senator from Illinois has a definite notion on that subject, and I should like to suggest that the Senator from Tennessee elicit that information from the Senator from Illinois.

Mr. McKELLAR. I yield to the Senator from New Mexico, in order that he may ask the question.

Mr. JONES of New Mexico. If there is any definite information upon that subject, I think the Senate ought to have the benefit of it.

Mr. McKELLAR. I entirely agree with the Senator from New Mexico. The Senator from Illinois has had the unusual advantage of traveling over Europe comparatively recently and has had the most intimate personal relations with the leaders of various European Governments. I think I noticed that, as a member of the Foreign Relations Committee, he was entertained by the ministers of practically all of the various Governments in Europe. It was further stated—and I know it is true—that he studied this question most carefully and painstakingly while he was abroad and has given it much thought and consideration. I, for one, am glad the Senator from New Mexico has raised the question, and I should like very much indeed to have the opinion of the distinguished Senator from Illinois as to what he thinks Germany ought to pay. The reparations commission, I believe, require the payment of about 132,000,000,000 gold marks. If that is not correct, I should like to have the opinion of the Senator from Illinois as to the matter.

Mr. McCORMICK. Mr. President, it is precisely because the Senator from Illinois does not believe that American troops should go into the Rhine region that he, for one, has not undertaken to sustain either the justice or the injustice of the payment by Germany of the sum proposed at the Paris conference; but, beyond that, I venture to say that until the Silesian question can be settled, and until the German Government can know whether or not Silesia is to be German or Polish, whether the taxes derived from industries and exports therefrom are to be credited to Polish or German account, the capital sum of the reparations can not finally be fixed.

Mr. McKELLAR. The Senator from Illinois has not answered the question of the distinguished Senator from New Mexico.

Mr. McCORMICK. Yes; he has. The Senator from Illinois has stated that he does not know. I will add, furthermore, that the members of the reparations commission and of the supreme council can not honestly fix the maximum sum of reparations until the issue of the Silesian plebiscite has been determined.

Mr. JONES of New Mexico. I may add, Mr. President, that I was induced to make the observation which I did in order to try to elicit the desired information, largely from the fact that the Committee on Foreign Relations has filed no report along with this joint resolution. We do not know just why the committee think that the resolution should be adopted at this time; and it occurred to me that that might be one of the reasons that they were of the opinion that our allies were asking too much from Germany. Apparently, however, that is not the reason, and we are still left in the air upon the subject. We do not as yet know the reason why the resolution is presented here and why we are expected to adopt it, or what good will be accomplished by it. We have heard nothing from the other side of the Chamber on the subject; and I should like to inquire if the Senator from Tennessee has heard anybody in respect to the resolution give any reason for its adoption or any good purpose to be served by it.

Mr. McKELLAR. The best reason I have heard—and I may say that I have not heard all of the arguments; I did not hear my friend the Senator from Missouri [Mr. REED], except in part, and that part had reference to Russia and other countries and not to the question now under consideration—was when the Senator from Rhode Island [Mr. COLT] said he thought that the resolution ought to be passed because, as I understood him, it would not do any harm.

Mr. JONES of New Mexico. Mr. President——

Mr. McKELLAR. If the Senator from New Mexico will excuse me for a moment, his suggestion recalls to my mind an inquiry which I should like to make of the Senator from Illinois. He is a member of the Committee on Foreign Relations, and I have no doubt knows concerning the matter about which I desire to ask him. He brought up this question: He says that the righteousness of the demand on the part of the Allies that Germany should pay about 54,000,000,000 gold marks, as fixed by the reparations commission, depends upon whether or not Germany is given Silesia. Do I understand the Senator from Illinois to take the position that he is opposed to the Allies carrying out the provisions of the treaty with regard to reparations and the report of the reparations commission until the Silesian question is determined; and is that a reason for this resolution?

Mr. McCORMICK. Mr. President, the resolution is, of course, before the Senate because a treaty negotiated by a President who, parenthetically, stated that he wanted to have no lawyers to have anything to do with it, was rejected——

Mr. McKELLAR. I am glad to have that confirmation of my idea of its purpose. I thought it was because President Wilson advised a different course.

Mr. McCORMICK. Because the people of the United States are determined to resume normal relations, commercial and diplomatic, with the former enemy States which now are in diplomatic and commercial relations with the other allied States; because the negotiation of treaties with the former enemy States must needs take weeks and possibly months. That is the reason why the resolution is before the Senate.

Mr. McKELLAR. Does the question whether Silesia is allotted to Germany or to Poland influence the Senator in voting in favor of this resolution?

Mr. McCORMICK. The Senator has not voted on the floor.

Mr. McKELLAR. I am referring to the action of the committee. The Senator is a member of the committee which reported the resolution.

Mr. McCORMICK. The Senator from Illinois voted for a resolution similar to the pending one at the last session, and would blithely have voted for it at the last session long before he did.

Mr. McKELLAR. I am sure the Senator must have voted blindly, but I did not know he would say so.

Mr. McCORMICK. I said "blithely." Is the word unknown in Tennessee?

Mr. McKELLAR. Oh, no. I beg the Senator's pardon. I thought he said "blindly," and I was prepared to admit it.

Mr. KING. Mr. President, will the Senator yield to me for a suggestion?

Mr. McKELLAR. I yield to the Senator.

Mr. KING. I desire to suggest to the Senator from Tennessee that the reasons assigned by Germany for her failure to meet the demands of the reparations commission and the controversy now existing between the allied nations and Germany do not revolve around the question of the ownership of Silesia, by plebiscite or otherwise. Germany has indicated that she is willing to pay about five or six billion dollars less than the amount fixed by the allied Governments under and in pursuance of the treaty, but she has stated that, in addition to that, she desires the abrogation of all of the sanctions and conditions in the treaty which would compel a performance by her of the terms of the treaty. Moreover, she has indicated that there should be no time fixed within which the payment shall be made. The question of Silesia and its ultimate ownership, whether it shall go to Poland or to Germany, has not been urged by Germany as an excuse or pretext for failing to live up to the terms of the reparations. If the Senator from Illinois, in anything which he has said, meant to imply that the Silesian question was the cause of the present acute controversy, I beg leave to state that the Senator is in error.

Mr. McKELLAR. I am greatly indebted to the Senator from Utah for his contribution to the discussion. I have the same view exactly that he has about the matter. I have never noticed in the public prints that the question of Silesia or the retention of Silesia or Germany's failure to retain it affected the question of reparations, but knowing that the Senator from Illinois is a member of the Foreign Relations Committee, and feeling that, perhaps, he has unusual sources of information, I did not know but what that with other reasons might have been urged before the committee as a reason why the pending joint resolution should be adopted. If it had been, I think it would have been important for the Senate to know it. The Foreign Relations Committee seems to be a little wary about submitting any facts in connection with the joint resolution. Their report merely says that they recommend a change in the language and that it is "as follows." Then they set out the change, but they do not even italicize, showing what language has been changed and what has not. So it takes a rather careful examination of the joint resolution to see wherein it has been changed, and no Senator on the other side has seen fit to give us any reason for any change or any reason for the passage of the joint resolution.

The only reason that has been suggested is that it might not do any harm. The Senator from Arkansas [Mr. ROBINSON] pointed out that it might do very great harm. For the life of me, I can not understand how a man would want to vote in favor of this remarkably remarkable resolution.

Mr. JONES of New Mexico. Mr. President, a few moments ago——

Mr. McKELLAR. Mr. President, I desire to yield the floor, if I may.

Mr. JONES of New Mexico. I should like to make just one remark in connection with the Senator's speech.

A few moments ago I inquired of the Senator if he had heard anyone who was responsible for this joint resolution give any reason for its passage. The Senator from Tennessee then referred to some remarks made by the Senator from Missouri [Mr. REED]. May I inquire if the Senator from Tennessee believes that the majority in this body are following the lead of the Senator from Missouri in this matter and that he is their spokesman in this matter?

Mr. McKELLAR. I would not want to pass on that. I think he is the only Senator who has made a speech on that side of the question. I do not know just what the arrangement is. I think the Senator from Missouri is very heartily in favor of it, and I judge from the rather negative report of the Committee on Foreign Relations that that committee is in favor of it also.

[Mr. FRANCE addressed the Senate. See Appendix.]

Mr. LODGE. Mr. President——

Mr. ASHURST. Will the Senator from Massachusetts yield to me to make a request?

Mr. LODGE. Certainly.

SENATOR WILLIAM S. KENYON.

Mr. ASHURST. Mr. President, I ask unanimous consent to include in the RECORD a short editorial from the Searchlight commendatory of our colleague, the junior Senator from Iowa [Mr. KENYON], chairman of the Committee on Education and Labor.

The VICE PRESIDENT. Without objection, it will be so ordered.

The matter referred to is as follows:

[From the Searchlight, Washington, D. C., March, 1921.]

"Senator KENYON was a busy man during the Sixty-sixth Congress, particularly in the last session. Moreover, his work was unusually courageous and constructive. He was chairman of the Committee on Education and Labor, out of which came several important measures for which he fought with persistent ability, notably the bill for vocational rehabilitation of ex-soldiers.

"He bore the brunt of the long investigation into the campaign expenditures of presidential candidates.

"He participated prominently in the coal inquiry.

"The interests of agriculture were always emphasized in his legislative work.

"It was only typical of his characteristic attitude when he opposed the free-seeds graft after all others had given up the struggle.

"But standing out above all else is his battle with the packers, in which he unselfishly yielded to others the chief credit for legislation on that subject.

"KENYON becomes more independent, uncompromising, and active the longer he remains in the Senate."

ADDRESS BY SENATOR RANSDELL.

Mr. BROUSSARD. Mr. President, my colleague [Mr. RANSDELL] delivered an address before the constitutional convention of the State of Louisiana, in session at Baton Rouge, April 7, 1921. I should like to have it inserted in the RECORD by unanimous consent.

The VICE PRESIDENT. Without objection, it will be inserted in the RECORD.

The address is as follows:

RELATIONS OF THE STATE TO THE NATION.

[Address of United States Senator JOSEPH E. RANSDELL before the constitutional convention of Louisiana in session at Baton Rouge, La., April 7, 1921.]

Senator RANSDELL said:

"The relationship that the State should bear to the Nation, the proper sphere in which each of these two entities should move, how they should dovetail, and what systems of checks and balances should apply between them lies at the basis of our whole scheme of government. In a form of polity such as ours, with our traditional sense of the advantages of human freedom and individual liberty, and our intolerance of anything that smacks of autocracy and absolute centralized power, the part that the American State plays in our political make-up is all important under a Government dedicated primarily to the happiness and welfare of a great people.

"The Nation as represented by Congress, the lawmaking branch of the Government, has certain powers, which are clearly defined and limited in the Constitution, whereas the States have all powers not denied to them by the Constitution or granted by it to Congress. The people were so afraid Congress might attempt to usurp some of the rights of the sovereign States that 10 amendments to the Constitution were adopted shortly after its ratification which are known as the American Bill of Rights. One of these amendments provides that 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.'

"In studying the rights, obligations, and relations of the Federal and State Governments to each other this tenth amendment should be borne in mind, and with the principle therein enunciated clearly before us there should be no serious trouble to understand the apparently complex situation. Congress can do only what the Constitution says it can, but what is meant by some of its provisions and just how far they can be stretched to meet real or fancied emergencies has been the subject of much controversy, and the Supreme Court has often been obliged to decide the disputes.

"I shall not attempt to enumerate the various powers of Congress, but for the purpose of this discussion will merely refer to the authority granted it to lay and collect taxes, including a tax on incomes, in order to provide for the general welfare, to coin money, to establish post offices and post roads, and to regulate commerce among the several States.

"The Supreme Court has declared again and again—

"That the maintenance of the State governments is as much within the design and care of the Constitution as the preservation of the Union and the maintenance of the National Government. The Constitution in all its provisions looks to an indestructible union of indestructible States. (Texas *v.* White, 7 Wall., 725.)

"In a speech in New York in 1907 Justice Harlan said:

"Let us then move in the old paths, where is the good way marked out by the fathers. Let us not give our approval to any interpretation of the Constitution that will either cripple the Nation's authority or prostrate the Nation at the feet of the States, or that will deprive the States of their just powers. Let us hold fast to the broad and liberal and yet safe rules of constitutional construction approved by the fathers and established by judicial decisions. In so doing we will sustain our dual system, under which the Government of the Union is forbidden to exercise any power not granted to it expressly or by necessary implication, while the States will not be hindered or fettered in the exercise of powers that have not been surrendered by them to the Union and are not inconsistent with the Constitution.

"In the child labor law case recently held to be unconstitutional (247 U. S., 251) the court said:

"The maintenance of the authority of the States over matters purely local is as essential to the preservation of our institutions as is the conservation of the supremacy of the Federal powers in all matters intrusted to the Nation by the Federal Constitution.

"In interpreting the Constitution it must never be forgotten that the Nation is made up of States to which are intrusted the powers of local government. And to them and to the people the powers not expressly delegated to the National Government are reserved. (Lane County *v.* Oregon, 7 Wall., 71.)

"The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government.

"The late decision of the Supreme Court upholding the constitutionality of the eighteenth (prohibition) amendment to the Constitution (253 U. S., 350) indicates that the court is disposed to follow the lead of the people and to sustain the validity of any change in our national organic law regularly made in manner and form provided by the Constitution. In this respect I believe the court is right; but this fact should warn all patriotic Americans who believe in a Federal system composed of an 'indestructible union of indestructible States' not to look to the Supreme Court for the protection of their rights as States but to rely upon their own vigilence to secure the defeat of any proposed law or constitutional amendment which infringes on these rights. The authority to make unlimited amendments to the Constitution clearly exists, and the comparative ease and rapidity with which the last four amendments were adopted show how necessary it is for the people, who are the fountainhead of all authority, to scan with jealous eyes and suspicious minds any encroachments on their personal liberties either by statutory law or further amendment. These last four amendments provided (a) for a tax on incomes, (b) for direct election of Senators by the people, (c) for prohibition of alcoholic liquors as a beverage, and (d) for woman's suffrage.

"The most serious aspect of the situation is that the doctrine of the rule of the majority no longer necessarily controls upon the question of the amendment of the Federal Constitution. States representing a minority of the citizenship of the Nation can amend the Constitution in any respect they see fit, and no matter how oppressive or how prejudicial may be any such amendment in its operation or enforcement, a very small minority can prevent its repeal, although the best interest of

the country at large may then demand such repeal. We have created so many new States that now, under the figures disclosed by the recent census, a group of 36 States could be combined which would represent only 45 per cent of the population, whilst 13 States would together have a total population of only 5 per cent of the whole. Stated in other words, the Constitution of the United States can now be amended by the votes of State legislatures representing a minority of the people of the United States, and State legislatures representing only 5 per cent of the people can prevent any repeal or change.

"It is of paramount importance that the American people should clearly realize the fact that there is, perhaps, no State function that can not be taken over by the Federal Government under the power to amend the Federal Constitution, and that the only protection lies in patriotic and vigilant public opinion. If these questions involving the perpetuity of local self-government and the right of each State to regulate affairs within its own borders be submitted to the people with adequate explanation and full discussion of the merits, the verdict will probably be a wise and just one. (Guthrie.)

"In this connection, gentlemen of the convention, and with the utmost respect for your superior wisdom, permit me to suggest that in framing a new constitution for our beloved State, you safeguard in every possible way the sacred rights and liberties of our people, and that all really important questions be referred for decision directly to the electorate whenever same is practical. I fear there has been too great a tendency on the part of the voters in recent years to shift responsibility, or, in current slang, to pass the buck to their legislators and public servants. This is not proper, and does not lead to good citizenship. The right of suffrage is one of the highest privileges and most sacred duties of the citizen, and should be exercised on all occasions in person and not by proxy.

"No Government, municipal, State, or National, should, as a general proposition, do anything which the private citizen—the individual—can do just as well. All Governments are composed of their citizens, and it is their duty to aid the citizen in every possible way—not to usurp his functions or interfere with his efforts. Where the business directly and intimately affects the public, such as that of common carriers, railroads, steamboats, ships, express companies, telegraphs, telephones, etc., it is wise to regulate them to a certain extent by law, but not best for the Government to own or to operate them, though possibly an exception should be made in the case of such general utilities as water and light, which in many of the smaller cities and towns are owned and operated by the municipality. We had a sad illustration in the recent Government operation of the Nation's railways, and I fear it will be years before these great necessities of modern civilization are restored to their former condition of prosperity and usefulness.

"Government can properly assist in developing public utilities, as was done for the railroads in the early days, by means of land grants, tax exemptions, bonuses, etc., and as the National Government is doing now with highways, for which hundreds of millions are being contributed to aid the States in road construction. This is being done with the view of perfecting national highway systems connecting every locality of each State with every other section thereof, and each State with all the others, thereby bringing all the people into closer relationship with one another, and promoting interstate commerce and post roads in the most efficient manner.

"Transportation by road, rail, water, and air seems manifestly a national rather than a State problem, for all these agencies are bound as a practical question to ignore State lines to a very great extent. As the regulation of commerce between the several States is specifically delegated to Congress, and as it is almost impossible to regulate interstate commerce without some control over that which is intrastate, owing to the intimate connection between the two, and the fact that the earnings of common carriers are based on their total business, Congress is assuming more and more control over all transportation. The Interstate Commerce Commission only a short while ago decided to fix rates on the intrastate business of railroads on the theory that as Congress had guaranteed certain earnings to these roads it was necessary to regulate all their rates and not merely those on interstate transactions.

"All of us come into daily and intimate touch with the National Government through the post offices, and many of us have close contact with it occasionally through internal-revenue collectors and the Federal courts. Our national banking system, which supplies financial facilities to about one-half our citizens, the other being furnished by State and private bankers, is under continuous supervision and frequent inspection from Washington.

"The Department of Agriculture furnishes many illustrations of national cooperation with the States. Most of you are so familiar with the splendid work of this great department and its friendly assistance to local communities in a hundred ways, notably through the Bureau of Farm Demonstration, that I shall mention only two to show how it has worked in some matters beyond the effective reach of individual States. Some years ago, when the farms of North Dakota were being rapidly impoverished for lack of a fertilizer, like clover and cowpeas, which are used so advantageously in more southern regions, Secretary Wilson succeeded in finding in far-off Siberia a variety of clover which saved the situation. At another time his agents located in the semiarid regions of the Old World the durum wheat, requiring very little moisture, and introduced it with marked success in our dry Western States, thereby greatly extending the Nation's wheat area.

"In quarantine matters the Government can operate far more effectively than the State. After the great yellow fever epidemic of 1905 a big convention of southerners was held in Chattanooga to urge the passage of a national quarantine law, and the sentiment in favor thereof was unanimous. Formerly Louisiana maintained a strict quarantine at the mouth of the Mississippi, but had no control over Gulfport, Mobile, and Pensacola on the east, and Port Arthur and Galveston on the west, all of which ports were in just as close connection with the yellow fever ports of the Tropics as New Orleans. A traveler infected with yellow fever germs could go from his ship at any of these ports directly to a railroad and be in Louisiana within a few hours, no matter how strict the quarantine was at the mouth of the Mississippi. The same was true as to Asiatic cholera, bubonic plague, and other diseases of plant and animal life which may enter the Nation's seaports at any moment and spread rapidly through many States. It is practically impossible for the States alone to maintain effective quarantine against the introduction and spread of disease to plant, vegetable, animal, and human life not only from foreign countries but among themselves. How could individual States without cooperation from their sisters successfully fight such diseases as the boll weevil and the cane borer in plants, Texas fever, hog cholera, the foot-and-mouth disease, and so forth, in animals, the yellow fever and bubonic plague in human beings? As a matter of simple necessity the National Government must control quarantine not only with foreign countries but also between the various States.

"Government control of the flood waters of the Mississippi is of intense interest to all valley States, especially Louisiana, which has within its borders about one-half of the 28,000 square miles of land subject to overflow from our great river. For many years the Nation has contributed largely toward flood protection, and the flood control act of 1917 definitely commits it to pay two-thirds the cost of levees, with the understanding that all bank revetment work, much of which is essential to the maintenance of the levees as well as to channel improvement, is to be paid for by the Nation. This is entirely proper, and the Government, without violating the Constitution in the slightest degree, could take entire charge of the levees at its own expense, as advocated in the Weber resolution to that effect recently adopted by you.

"In this connection a very live question before our people to-day is the flood situation on the Black, the lower Red, and the Atchafalaya Rivers. I shall not attempt to discuss it, as time does not permit, but beg to urge your very careful study of this knotty problem. I believe all of you will agree that the Nation should contribute very largely toward the immediate closing of the 7-mile gap in the Mississippi levee system from Point Breeze, in Concordia Parish, to the mouth of Red River. The whole question is now being reexamined by the Mississippi River Commission, with a view to advising Congress further in regard to it.

"Under the Federal forest reserve act 192,000,000 acres of public lands have been withdrawn from settlement in recent years. States like Colorado, Oregon, and Washington consider this withdrawal a gross injustice and serious infringement on their right to use these lands for the benefit of their citizens. In Colorado 15,000,000 acres are reserved for forest and 10,000,000 acres of coal lands. In Oregon 16,000,000 and in Washington more than 10,000,000 have been withdrawn. In old States like Louisiana timber and mineral lands belong to private citizens, and are not used by the Federal Government to raise revenue by lease, sale of timber, or otherwise, whereas in the Western States these vast areas of reserved lands are a source of profit to the Nation. The shoe would pinch hard in Louisiana if our timber and mineral lands, which have been highly developed and yield such a large revenue to the State, had been withdrawn from settlement by the Nation and used for its own profit. This

is a matter which does not affect our people, and I mention it merely to show some of the problems of our sister States.

"Some recent instances broadening the Federal authority by legislation are as follows:

"(a) The so-called white slave act to suppress traffic in women for immoral purposes. This comes under the commerce clause, and interstate traffic in women is treated as commerce the same as lottery tickets, and it is prohibited, because it 'shocks the moral sense of the Nation.'

"(b) Migratory and insectivorous birds which do not remain permanently in any State or territory for 12 months are under the control of the Federal Government. I imagine some of the sportsmen of Louisiana have found this law to be in conflict with State laws on the same subject and, of course, the Federal law is supreme. Doubtless migratory fish in interstate waters like the Mississippi will some day be placed under national control. It could be done just as logically and reasonably as to control birds.

"(c) The child labor law preventing interstate shipment of the product of a quarry or mine in which a child under 16 had labored, or the product of any factory or establishment where children under 14 had labored, was a big step toward Federalism. The Supreme Court declared the act unconstitutional by a close vote of 5 to 4; but many persons think it will be so amended as to overcome the court's objections; and the reasons which have induced Congress to enact many beneficent and humane laws certainly obtain with special force in the matter of child labor.

"(d) Another law heartily favored by all southern Congressmen and Democrats, including President Wilson, is the Federal farm loan act, providing for loans to farmers on land mortgages—a truly great piece of legislation and most beneficial to agriculture, but certainly very paternalistic. If the Federal Government lends money to farmers to assist in buying and improving homes in the country, why not to city dwellers to build and improve their homes; and, going a step further, if loans are made on real estate security, why not on personal property, stocks, bonds, etc.? But if a halt be not called, we shall soon see the National Government engaged in every kind of business. Moreover, in regard to the farm loan act, which I approve strongly, we must not forget that its loans are exempted from taxation and its securities thereby rendered far more attractive than those of private loan companies organized under State laws.

"(e) The act establishing an 8-hour workday for employees on all railroads except those less than 100 miles long, or street or urban roads operated by electricity, was a vast extension of Federal power, and no one can tell where it will lead. I doubt if this act would have passed but for the combination of the Great War in Europe at that time—September, 1916—then affecting this country so seriously, the threatened strike of 2,000,000 railroad employees unless their demand for an 8-hour day were granted, and a presidential election only 60 days distant. This law certainly steps on the toes of the States pretty hard and in many ways.

"(f) The Federal reserve act, which gives practical control of the currency system of the Nation—its finances—to a reserve board of seven men appointed by the President, practically removable by him, and more or less under his influence, places colossal power in the Federal Government, a power which is intended for good and doubtless will be so used in the main, but nevertheless a power which in the hands of an ambitious autocrat or corrupt board can be used to work great evil. Democrats are very proud of this law enacted by them under the Wilson régime and often refer to it as the greatest piece of constructive legislation of the last half century. Some economists believe that the policy of quick deflation adopted and brought about by this Federal Reserve Board during the last 16 months and the high interest rates charged by it on loans to member banks is largely responsible for the enormous drop in values of the Nation's assets, amounting to over $20,000,000,000. Others assert that but for this reserve bank system and its wise administration of finances we would now be passing through the most disastrous financial panic in our history. It is difficult to decide between these two schools of thought, because we have no lamp of history to guide us, and never has the business world been confronted with graver problems than since the close of the war, two years and five months ago.

"Many other relations between State and Nation might be mentioned, but these suffice to show that the Nation is rapidly growing in power and importance as compared with the States. Amendments to the Constitution increasing Federal power have been frequent, but who ever heard of one in the interest of the States? I have never believed in the extreme doctrine of State rights taught by many Democrats of the old school. My leaning has been toward a relatively strong central government, without giving up what I deem essential to the States, but the pace of Federal encroachment which we have been traveling for 20 years has been too fast for me. I wish to see it slowed up, and a movement backward rather than forward if further amendment to the Constitution be proposed or further legislation similar to some of that I have just described. In this connection I wish to read an excerpt from Holcombe on 'State government in the United States,' 1916:

"Notwithstanding the recent invasions of State sovereignty by the Federal Government, the American State is still a powerful and extensive instrument of government. It has the power to establish and maintain its own form of government within its own borders, except that the form chosen must be republican; it regulates suffrage, subject to the condition that no citizen may be denied the right to vote on account of race, color, or previous condition of servitude; it has power to levy and collect taxes, except upon interstate and foreign commerce, and upon instrumentalities of the Federal Government; its police power is practically unlimited, and includes the whole field of legislation to preserve peace within the State, to protect the public health and morals, and to promote the common welfare when threatened by the unrestrained activity of persons within the borders of the respective States, subject to the condition that no person be deprived of life, liberty, or property without due process of law, nor be denied the equal protection of the laws; it has extensive power to deal with the vast subjects of religion, education, and the supply of public utilities, with the exception of a few public services, such as the post office, delegated to the Federal Government; power to create corporations and trusts; to deal with the whole subject of private law, including the power to regulate the vital institutions of modern civilization, such as the family and the institution of private property. The bare enumeration of these vast powers shows the transcendent importance in the American Federal system of the government of the State.

"Citizens of the Republic, with just pride in its wonderful position as the richest and most powerful country on earth, should not forget allegiance to their own States and look to the National Father at Washington for everything, as many seem disposed to do. They should stand firm in their own shoes, self-reliant, depending on their own resources wherever possible, and not relying solely on their locality, their State, or their Nation, but upon their individual efforts.

"Louisiana has always borne her full part in the Nation's struggles of war and peace, and will continue to do so. It is your proud privilege, gentlemen of the convention, to prepare a new charter for our State during the coming years, and her citizens believe your great task will be performed with patriotic wisdom. God grant that complete success may reward your efforts."

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. LODGE. Mr. President, I do not take the floor for the purpose of making a speech, as it is now very late, but to-morrow when we assemble after the recess I shall ask the indulgence of the Senate to address it very briefly on the pending joint resolution.

HOUSE BILL REFERRED.

The bill (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock a. m. to-morrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Saturday, April 30, 1921, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate April 29 (legislative day of April 28), 1921.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Montgomery Schuyler, of New York, to be envoy extraordinary and minister plenipotentiary of the United States of America to Salvador.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES.

GENERAL OFFICERS.

To be brigadier generals with rank from April 27, 1921.

Col. William Ruthven Smith, Coast Artillery Corps.
Col. Dwight Edward Aultman, Field Artillery.
Col. Johnson Hagood, Coast Artillery Corps.
Col. Dennis Edward Nolan, Infantry.
Col. William Durward Connor, Corps of Engineers.
Col. Fox Conner, Field Artillery.

To be brigadier generals with rank from April 28, 1921.

Col. Preston Brown, Infantry.
Col. Malin Craig, Cavalry.

To be brigadier generals with rank from April 29, 1921.

Col. Henry Davis Todd, jr., Coast Artillery Corps.
Col. Albert Jesse Bowley, Field Artillery.

To be brigadier generals with rank from April 30, 1921.

Col. William Hartshorne Johnston, Infantry.
Col. Robert Alexander, Infantry.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES.

To be first lieutenant.

Second Lieut. Everett Roscoe Stevens, Quartermaster Corps, with rank from July 1, 1920.

MEDICAL CORPS.

To be captains.

First Lieut. Charles Fremont Snell, Medical Corps, from April 18, 1921.

First Lieut. Jaime Julian Figueras, Medical Corps, from April 20, 1921.

REAPPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES.

COAST ARTILLERY CORPS.

John Lawrence Hanley, late first lieutenant, Coast Artillery Corps, to be first lieutenant with rank from April 23, 1921.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES.

QUARTERMASTER CORPS.

Capt. George Anthony Horkan, Infantry, with rank from July 1, 1920.

ORDNANCE DEPARTMENT.

Capt. Edward Elliott MacMorland, Coast Artillery Corps, with rank from October 12, 1917.

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

To be major general.

William Gray Price, jr., late brigadier general, United States Army, from April 7, 1921.

To be brigadier general.

Avery Delano Andrews, late brigadier general, United States Army, from April 7, 1921.

UNITED STATES NAVY.

MARINE CORPS.

To be first lieutenant, from June 4, 1920.

Thomas E. Kendrick.

To be second lieutenants, from June 4, 1920.

Karl F. Umlor.
Thomas McK. Schuler.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 29 (legislative day of April 28), 1921.

MEMBER OF FEDERAL RESERVE BOARD.

John R. Mitchell, of St. Paul, Minn., to be member of the Federal Reserve Board for a term of 10 years.

SURVEYORS OF CUSTOMS.

Thomas W. Whittle, of New York, N. Y., to be surveyor of customs in customs collection district No. 10.

APPRAISER OF MERCHANDISE.

Frederick J. H. Kracke, of Brooklyn, N. Y., to be appraiser of merchandise in customs collection district No. 10.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April 29, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed heavenly Father, come to us through the gateway of our daily need, making our weakness strength and our ignorance wisdom. Look upon all of our dwelling places and make them homes in which every room is lighted up with love that pledges for evermore the sanctity of our firesides. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPOINTMENT TO BOARD OF VISITORS TO ANNAPOLIS.

The SPEAKER. Mr. SCOTT of Michigan has resigned from the Board of Visitors to Annapolis, and the Chair appoints Mr. NEWTON of Minnesota in his place.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; and

S. 407. An act granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bill:

H. R. 2185. An act providing for a "Pageant of Progress Exposition" cancellation stamp to be used by the Chicago post office.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 82. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.; to the Committee on Interstate and Foreign Commerce.

ARMY APPROPRIATIONS.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5010, with Mr. TILSON in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. When the committee rose on yesterday the gentleman from Kansas [Mr. ANTHONY] had 27 minutes remaining and the gentleman from Mississippi [Mr. SISSON] 54 minutes.

Mr. SISSON. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. COCKRAN]. [Applause.]

Mr. BLANTON. Mr. Chairman, I think we should have a quorum. At least, I think those in the corridor should be called in. So I make the point of no quorum.

The CHAIRMAN. The gentleman from Texas makes the point of no quorum. The Chair will count.

The Chair proceeded to count.

Mr. BLANTON. I withdraw the demand for a count.

Mr. COCKRAN. Mr. Chairman, I think I can not begin better than by promising the committee that after this appearance the House can count on a brilliant flash of silence from me. I do not intend to burden it frequently hereafter with my views. But the matter of disarmament is of such tremendous importance, and so many misapprehensions appear to prevail about some things which I said about it myself, that I

deem it important to set the matter, as we on this side understand it, clearly before the committee.

Now, I do hope that I will not be misunderstood in saying this. I am exceedingly anxious, and my anxiety in this respect is shared, I believe, by all my political friends, that all discussion on this question of transcendent importance will proceed on nonpartisan lines; that whatever we do in this House with respect to it will be done with unanimity—not by a majority, however large. So much was said here yesterday and the day before—principally by the gentleman from Michigan [Mr. KELLEY] and by the leader of the House [Mr. MONDELL]—in favor of disarmament that I do not think an expression of hope for unanimous action can be dismissed as an iridescent dream. We yesterday passed a measure that establishes our Navy as the greatest in the world—not immediately, but within a very few years. I myself regret that this unequivocal declaration of our purpose to establish the greatest Navy in the world was not accompanied by an equally strong declaration of our readiness to abandon all armaments by land and sea just as soon as other countries were willing to discharge their military establishments. But the House having decided to pass that bill without any declaration of our eagerness to disarm, and this measure now before us being of a kindred character, though presenting not the same opportunity for such a declaration, I think it well to urge the pressing capital importance of making our purpose clear to all the world before the close of this session.

Yesterday we were in a position to say that by establishing the greatest Navy in the world we were doing it with the hope of abolishing all naval and all military establishments. The Army projected by this measure will not be the greatest Army in the world, and therefore a declaration of readiness on our part to disband it will not have the same weight. And yet the importance of such a declaration is so pressing that I venture to place some suggestions looking in that direction before the committee in the hope that some way or other the majority will exercise its power and perform its duty of giving formal expression to the eager desire for disarmament which, judging by all the speeches here on this floor, is absolutely unanimous, or practically so, in this body and in the country.

My own idea of the form which that expression should assume has been put in a joint resolution introduced a few days ago. I will read it to the committee, because what I have to say now will be merely in explanation and in support of its declarations. It reads:

House joint resolution 84.

Declaring the policy of the United States with respect to disarmament.

Whereas the appalling conditions now afflicting one-half the population of Europe, unless speedily ended in the countries they are ravaging, must soon overtake and overwhelm all countries, including our own; and

Whereas these calamities originally produced by the World War instead of diminishing have grown steadily worse since actual conflict has ended, deaths caused by famine and pestilence since the armistice exceeding fivefold the number of men who fell in battle, while populations of great cities have shrunk to small fractions of their former numbers, the survivors being plunged in varied miseries so abject that they can not be conceived, because the human mind can not bear to contemplate them; and

Whereas men and women everywhere throughout the world, believing they see the twin specters of starvation and disease approaching inexorably, are moved to unrest, by reason of which the whole industrial fabric from London to Tokyo is rocking on its foundations and in imminent peril of entire collapse; and

Whereas these dreadful conditions can be remedied only by immediate and active employment of all human hands and of all capital available in the world in productive industry, none diverted to war or preparations for war; and

Whereas, although it is now clear that the world must disarm, and disarm immediately, or the world must perish inevitably, that neither partial disarmament nor future disarmament can suffice to avert disaster, yet all great nations are still maintaining huge military establishments, much larger armaments are projected, and these preparations for war are proving wasteful and oppressive as war itself, delaying, if not absolutely preventing, restoration of normal, economic conditions; and

Whereas the whole course of events preceding the late war shows conclusively that when any country establishes great armaments no other country can remain safely unarmed; and

Whereas it has pleased Almighty God for the first time in the history of mankind so to order events that the nation capable of maintaining the greatest armaments abhors armaments and desires only that all nations join it in driving armaments of every description from the face of the earth; and

Whereas the recent experience of the world shows conclusively that in a world where nations are armed to the teeth peace never can be secure: Now, therefore, be it

Resolved, etc., That while military establishments are maintained by any other countries this country will outarm any of them and all of them.

SEC. 2. That the President of the United States is hereby authorized to reduce the Army and Navy as rapidly as other countries reduce their military establishments and to continue the reduction until no greater armed forces remain in the world than what may be necessary for maintenance of domestic peace in each country.

SEC. 3. That this Nation, by every means in its power, will gladly aid countries devastated or injured by war to restore their economic efficiency so long as these countries employ all their own industrial resources in production.

SEC. 4. That this country will refuse to extend aid to every country that diverts any of its own treasure to war or preparations for war, but will require from it payment of all debts due.

SEC. 5. That though, so long as great military forces are established anywhere, we will meet them resolutely by greater forces on land or sea, we will join gladly in disbanding all military establishments; we will be first in disarmament if other nations let us; first in armament if they make us.

Now, Mr. Chairman, I have no hope that this particular form of declaration will be adopted, though I do think it expresses the sentiment which has dominated every speech delivered on this floor, with perhaps a single exception.

Some gentlemen here have probably read extensive newspaper comments to the effect that we are occupying a rather illogical position in voting for the largest armament and at the same time declaring in favor of disarmament. Now, I should state here—in the way of confession rather than of criticism—that many persons who strongly opposed any armament a few years ago have had their eyes opened by recent events. Many times on this floor in former years I opposed attempts to establish either a large Army or a large Navy, believing, as I did then, that war was impossible, unthinkable, in this age of ours.

I have been a student to some extent of Spencer and the other mid-Victorian philosophers, and in their philosophy it is taught that there is one purpose which always governs man, no matter what his condition, race, or creed, whether he be civilized or savage, white or black, and that is improvement of his own condition. I think it was Spencer who said that the savage pursuing a wild beast in order to secure his flesh for food and his hide for covering was obeying exactly the same impulse as a civilized man guiding a plow through a cultivated field or a merchant from his counting house directing the production and distribution of commodities. Each was seeking to improve his own condition. They differed only in the ways by which they sought to effect it.

Mr. MADDEN. Will the gentleman tell us something about Einstein?

Mr. COCKRAN. I will not undertake to say anything about relativity to the gentleman, because perhaps he might let it govern him some time. [Applause.] I would not undertake to spoil his picturesqueness by making him reasonable. [Laughter.]

Mr. Chairman, it was felt by men like myself who accepted the Spencerian philosophy that, experience having shown war to be unprofitable—to the victors as well as the vanquished—it would never again be waged in this world.

Perhaps my friend from Illinois will remember that I frequently opposed proposals to increase the Naval Establishment on that ground. But I have lived to see that at a time when peace was more necessary to human prosperity and even to preservation of human existence than at any other period in the history of the world, when great populations centered in big cities depended for subsistence upon commodities which could be supplied only in conditions of peace, all the great nations of the Old World sprang at each other's throats. Property which men had spent their days in producing and their nights in planning was scattered to the winds and destroyed—three-fifths of it—in a mad fury of hate and violence.

Now, the lesson which this teaches is that man's sense of his own interest is not sufficient to govern his conduct. It is now clear that men will scatter their possessions and die in the face of their dearest interests when their passions are aroused. The world that we must deal with now is the world which actual experience has disclosed to us, not the world which philosophers have conceived and attempted to describe.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. COCKRAN. Yes.

Mr. MILLS. If this resolution were adopted, and the United States brought economic pressure and military threats to bear on other nations to compel their disarmament under immediate present conditions, how, if the disarmament of France, for instance, were compelled, could she to-day enforce the terms of the existing treaty of peace?

Mr. COCKRAN. Mr. Chairman, I am not speaking of immediate disarmament. I am speaking of ultimate disarmament and disarmament as soon as it can be accomplished. The attitude which this country should assume toward the measures adopted by France to enforce the terms of peace is a matter resting with the Executive, who in dealing with it will undoubtedly be governed by a sense of the American conscience behind him.

I am speaking now of a policy to govern the permanent condition of the world, not any temporary condition that might require exceptional treatment.

I should regard disarmament of the world as a necessary step to save France from dissolution. I know no stronger argument for disarmament than the present disturbed conditions abroad. There is no more chance of France drawing money from Germany by force than of my drawing it by magic from this floor. That is a consequence of the change wrought in the extent and nature of property by recent economic developments. The day is gone by when wealth consisted mainly of if not entirely of jewels, furniture, and ornaments. It has now assumed a form which is practically intangible and therefore impossible to seize.

Suppose a great army should to-day succeed in capturing the city of New York, the richest city in the world, and suppose its commander attempted to seize everything of value within its limits. How much do you suppose he would get? How much do you suppose the strongest power conceivable exercised on the richest city in the world could exact and carry away? Just the furniture in the houses. That is all.

Discussing this possibility with the president of one of the largest banks in this country, a bank that has assets of something like $350,000,000, I asked him how much of that wealth was in such form that an enemy could seize it if he could get possession of that bank and set about plundering it. He said the bank had about a million dollars of gold, and he thought he could answer for the ingenuity and vigor of his assistants to see that not much of that fund would be within reach of an enemy by the time he had gained access to the city and reached the corner of Nassau and Pine Streets.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. COCKRAN. Certainly.

Mr. HILL. Was the banker taking into account the conditions that prevailed in 1916 and 1917?

Mr. COCKRAN. No; I am not concerned with his mental operation at that time. I am speaking now of what this banker said in 1918 about the possible consequences to his institution in the capture of the city by an invading foe. The gentleman, if he will wait a moment, will see that his question is anticipated. The rest of that $350,000,000, outside the $1,000,000 in gold, would be found to consist of little pieces of paper, attesting the interest which the bank had in our industrial enterprises, stocks and bonds of railways, notes of manufacturers and merchants, and various corporations. The moment the enemy seized those pieces of paper their value would be destroyed. The peculiar feature of property under modern economic conditions is that it can very easily be destroyed but can not be seized by force.

Mr. MADDEN. Suppose the enemy should descend on the city of New York and compel the people of New York and of the surrounding country to work for the enemy. Would they not be able to get enough to make more than a million dollars?

Mr. COCKRAN. If the gentleman could show me how they could be made to work he would be contributing something very valuable to this discussion. [Laughter.]

Mr. Chairman, when my friend interrupted me a few moments ago I was referring to the idea widely prevalent before the war that war being unprofitable it would never recur in the world on any extensive scale.

I ventured that remark for the purpose of showing why so many of us formerly believed the way to effect disarmament was by the example of this country prospering beyond all others without armaments of any kind. But it is shown clear that we can not any longer trust the sense of prudence or self-interest existing in men to restrain them from war and preparation for war. It remains for me to show why I believe other nations will never disarm if we remain unarmed.

Mr. FESS. Mr. Chairman, will the gentleman yield for just one question?

Mr. COCKRAN. Yes.

Mr. FESS. Are we to conclude that in case an agreement is not reached between Germany and the allied powers and the French Army moves into the Ruhr Valley, that will be entirely futile?

Mr. COCKRAN. Personally I think so; absolutely. I think it is one of the misfortunes of this situation that money reparations on a large scale can not be enforced by arms; but do not let us get off on that. It is another and a most delicate subject. Just how the French are going to treat those complications is a very delicate matter, about which I should not attempt or be allowed to express an opinion on this floor.

The declaration for disarmament which I hope to see adopted here is essentially a matter of domestic policy, although it will have a far-reaching international effect. I take it that everybody here will agree on the advisability, if not the necessity, of disarmament, except possibly the gentleman from New York [Mr. MILLS], whose question seems to indicate some doubt about it. The overwhelming sentiment of this body being in favor of disarmament, the only remaining question now proposed to be discussed by me at this time is, first, whether universal disarmament will be promoted through establishment by this country of the strongest armament in the world; and, second, the advisability of embodying in the legislation establishing such preponderance of armament a declaration of our readiness to disarm. Both, I think, are absolutely essential. If we disarm now, we invite other countries to maintain armaments. The very purpose for which armaments are maintained will then spur every nation to enter the competition for first place in an armed world.

I endeavored to point out the other day that no country wants the second largest armament; that the second largest armament among nations is like the second best hand at poker—the source of the greatest disasters that can occur. [Laughter.]

But every country will go on arming if it thinks it can establish the greatest armament, just as every poker player will stay in the game, hoping to get the best hand. Such a declaration on our part as I suggest will proclaim to all other nations that the only place open to the strongest of them in an armed world is second place, we ourselves having elected to take first place, and no one doubts that we have the power to make the declaration effective. No country would risk bankruptcy—nay, would render bankruptcy practically inevitable—merely to establish the second strongest armament. Establishment of the greatest armament by this country, coupled with a declaration of our eager anxiety to abolish all military establishments, would be the most potent agency for disarmament that I can conceive.

Now, if in addition to that declaration this Congress should take the ground suggested by the gentleman from Michigan [Mr. KELLEY] in his speech the day before yesterday, disarmament would come just as soon as this country declared that it was necessary and advisable for it to take place. It was pointed out by the gentleman from Michigan that these nations can not possibly settle their debts to us.

I do not believe they can maintain those armaments under any conditions. But it is certain that if they discharge their obligations to us they can not maintain any such military establishments. Now, I would be in favor of every concession to them, provided that concession was utilized not to maintain armies but to stimulate industry, not to profit us but their own people, their women and children, whose conditions are embittered and whose prospects are beclouded by these ever-growing dangers of war springing from increasing armaments. [Applause.] Thank God we will never go before the world with a threat or a purpose which can work injury to anybody. But the time has come when we must do more than refrain from injury. I do hope that as a result of this war America that won it will kindle a light of hope for all the children of men, that they may escape from these crushing burdens of taxation which are making Governments engines of oppression, which are vindicating the arguments of the anarchist that Governments themselves are perpetrating on a stupendous scale the very crimes which government is organized to prevent.

To-day Governments everywhere are taking of the bread, the food, the commodities produced by the labor of men—to the enjoyment of which they are entitled—some three-fourths by taxation for the support of armaments or for the settlement of debts that have been incurred by former military enterprises. And we have here by the providence of God, for the first time in all history, a nation with the disposition and the power to establish overwhelming armaments, not to continue this mad diversion of capital from wholesome enterprises of production to desolating enterprises of destruction but to end it, not for the injury of anybody but for the benefit of all who inhabit the earth. [Applause.]

Mr. Chairman, the question remains, Why should a resolution of this kind be adopted now? Some gentleman raised the objection that disarmament must be accomplished by treaty. I do not think such a treaty would be worth the snap of one's finger. No nation which maintains a great armament will allow the size of it to be determined or affected by other nations which it must fight if war is to occur at all. Agreements and understandings would be worth a great deal. The distinguished gentleman from Wyoming [Mr. MONDELL], the leader of the House, said that treaties were still restraining influences among nations. Well, I must say his reading of history has led him to conclusions in this respect different from mine. I know of but one country that ever was restrained by a treaty, and that is this country. This country has always observed treaties with scrupulous honor. But one does not have to go back very far in the experiences of men to see one treaty after another violated and torn up. The treaty of London did not keep the

Boer republics from invasion. The treaties of Presburg and Tilsit did not keep the signers loyal to the French Empire one day after Napoleon was no longer in a condition to force observance of them. I look through all the history of the world and fail to see a single instance where a nation was prevented from pursuing what it conceived to be its own interest or welfare by the restraining obligations of a treaty except this country, and, thank God, this country never yet has violated a pledge that it has made to another nation. [Applause.]

But while a treaty to disarm would have very little value, a resolution of this character would have a tremendous effect. If disarmament is ever to bless the world, it will only be effected in the way I have endeavored to describe; by the influence of this country, by full exercise of its economic and its military power. The gentleman from Wyoming [Mr. MONDELL], I think, in the course of his address, spoke also of our potential power as a decisive influence in the council of nations. He said all the world knows that we have the means to establish the greatest armament. But the dreadful experience of the last few years has shown that potential military power is negligible. It is not the potential power lying out in the agricultural fields that are being cultivated; in factories, where men are working; in mines and in quarries, where human hands are wielding pickaxes, that other nations would consider as military strength. It is actual power in the form of guns and fortresses and ships of war and men trained to arms organized in regiments. That is the only power that counts in this modern world of ours. Why, Mr. Chairman, we declared war early in April, 1917, and I do not think we struck a blow in actual conflict until the spring of 1918. We were not in a condition to do it. Suppose, instead of our having declared war at the time when all these combatants were exhausted by years of desperate struggle, we had declared it when they were in full possession of all their resources. Would we have been allowed a year's grace to get ready? The enemy would have made it impossible for us to get ready, by the destruction he could have worked, before organization of an effective defensive army would have been possible. We must have armies organized. We must have actual military forces available for war before any other country will weigh them as really significant in international relations. When we have established such military forces, then the necessity for this resolution, I think, becomes urgent. It becomes imperative. Treaties, for the reasons already given, would not bind anybody. And no treaty is needed. Let the United States take the position declared in this joint resolution and the rest will take care of itself.

But the United States can not take this position through its President. The President of the United States can not meet these various countries and assure them he will disarm. They would naturally ask, Did he create the armament which he offers to disband? And when he replies, as he must, that the armament was created by Congress, but that Congress will ratify his promise, they will point to a very recent experience where the accredited representatives of the rest of the world assumed that the President of the United States spoke for the Nation and had a rude awakening from that impression within the last few months. [Laughter.]

But if we here declare our domestic policy to be the maintenance of the greatest army and navy in the world so long as other nations remain armed, but at the same time specifically authorize the President to reduce the Military Establishment down to the point where it will be a mere police force, just as soon as other countries are ready to take similar action with respect to their armaments, then the President in conference can speak for this country. He will be in a position to promise exercise of an authority about which there can be no dispute. But without some such resolution I do not believe the President will be in a position to exercise the full power and authority of this country on a matter so momentous.

Now, from my experience here in the last few days I am afraid that if I offer the resolution at this time it will be ruled out of order. The rules of this Committee of the Whole are a mysterious labyrinth. An excellent resolution proposed by the gentleman from Virginia, Judge MOORE, was ruled out of order, and another one to which there were objections of various kinds was ruled in perfect order. I should not undertake to affront the difficulties, delicacies, and perils of parliamentary law by offering this resolution now. More than that, I believe that it is the privilege and the duty of the majority to give expression to a sentiment which is practically unanimous. [Applause.] I myself do not want to do a single thing that would embarrass in the slightest degree the disposition of the majority to do that which practically all its Members clearly indicate to be their purpose, and to do it in such a way that the whole world will understand it. I am sure that the gentleman from Wyoming [Mr. MONDELL], judged by his address, is in sympathy with what I say here. I am certain the great majority of Members on the Republican side are in sympathy with it, as I know all on this side are.

It is my most fervent hope that out of this discussion will come an extinction of all party differences, and that when he comes to deal with a matter so momentous as this the President will go before the world with the unanimous support of the American people expressed through a unanimous Congress, attesting again their readiness to make any sacrifice for peace and justice; to arm if necessary so that universal disarmament may be effected, and hoping fervently that the hour may soon come when all the energies of men everywhere and every dollar of capital remaining in the world will be employed in reestablishing the economic life of all nations; none of it diverted to war or preparation for war. And the disarmament key once effected, these United States will not refuse new contributions to the industrial restoration of nations sorely ravaged by the greatest war ever waged on this earth.

The gentleman from Michigan described with great force the disposition of this country to deal generously with every country willing to employ all its own resources in bringing food and shelter within reach of its people. And at the same time he voiced the opinion, shared, I think, by the great majority here—certainly shared by me—that we would show neither generosity nor forbearance to a country that diverted its own treasure from production to military preparation. I would go further than the gentleman from Michigan, I would be perfectly willing to remit altogether the debts to us by foreign nations if the result would be to effect disarmament. And it would be the best investment of money ever made on this earth. I am not sure but that it would be rather a magnificent gesture than an act of munificence. I have grave doubts whether we could collect these debts anyway. I know these countries are trying to pay what they owe. I know also that demands by us for payment and attempts on their part to comply are likely to create conditions which will seriously retard the restoration of prosperity throughout the world, and it is not open to dispute that our prosperity depends on the prosperity of the whole world. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANTHONY. Mr. Chairman, I yield 20 minutes to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, the very interesting speech on universal disarmament to which we have just listened probably finds an echo in the heart of every Member of the House. But after all we are dealing with practical things and not with theoretical ones. In the way of military disarmament, this country of ours has shown the world that we are ready to disarm. We have reduced our military force to a total of 175,000 enlisted men. That is a smaller army in proportion to population than the army of any other country in the world, with the exception of Colombia and Paraguay. There is not a country in Europe to-day that has reduced its army since the World War to the small number of men, in proportion to population, that we have in the Army of the United States. In Asia both Japan and China have enormously larger armies in proportion to population than we have in proportion to our population. In South America all the countries, except the two I have named, in proportion to population have larger armies than we have. And yet none of us has heard of a single effort being made in any of the other countries of the world to reduce the armies of those countries to the low number of men that we have thought necessary for maintaining peace.

Now, it is a very beautiful theory that the world wants to disarm. I am inclined to believe that there are many nations that want to disarm, but I doubt whether every nation wants to disarm. And unless every nation does disarm—every leading nation—the attempt on our part to disarm would, in my opinion, be exceedingly dangerous and probably disastrous.

War is an expensive proposition. The gentleman from New York [Mr. COCKRAN] called attention to the fact that no nation ever accomplishes any great thing for her benefit by war. With few exceptions, that has been true in the history of the world. Our own people tried to keep out of the World War and did keep out for nearly three years. Finally we were forced to enter the war. We were unprepared. The gentleman spoke of the fact that it took us a year to get ready while the Allies were holding the lines. If we had not had such a condition as that, we probably would have met with disaster rather than success.

But what was the cost of the war to this country? In 19 months of war we expended $24,000,000,000, a staggering amount. Our taxpayers will have to bear the burden for a century to

come. Twenty-four billion dollars for 19 months of war! Why, if this country were to appropriate every year the enormous sum of $50,000,000 for preparedness it would take 480 years to expend what the 19 months of war cost us. If we expended $25,000,000 a year for reasonable preparation and national defense it would take 960 years to expend what the 19 months of war cost the American people. Therefore it has always been my belief that the teachings of Washington, our very first President, are as useful to-day as they always have been: "In time of peace prepare for war." [Applause.]

I shall at the proper time when we reach this bill offer a number of amendments to make the minimum strength of the Army for this coming fiscal year 175,000 men. I believe world affairs are such that this Nation ought to have at least 175,000 men for the next fiscal year. Possibly after that it will be advisable—nay, more, desirable—to reduce the number of men to possibly 150,000. We passed an Army reorganization bill in the last Congress that provided for a total enlisted force of 280,000 men in time of peace. Nobody believed that the War Department would attempt during the days of actual peace to recruit the Army to its full strength. It was the hope of the Military Affairs Committee in reporting that bill to get along with 175,000 men; in fact, it was the custom of previous administrations never to recruit up to the full number of enlisted men authorized by law. Congress repeatedly fixed the number by its appropriation. The executive department recognized the will of Congress by meeting its wishes in keeping down the recruiting so that the Army would not exceed the number provided for by the appropriation of Congress.

However, during the last year of the former administration the Secretary of War, Mr. Baker, stated that in his opinion the law made it mandatory for him to recruit up to the full number of 280,000 men. And he proceeded to do that until Congress passed a resolution instructing him no longer to continue recruitment, but to get down the force as speedily as possible to 175,000 men. But in the process of intensive enlistment which the War Department inaugurated at that time they got such a force that to-day we have approximately 232,000 men in the enlisted personnel of the Army.

Mr. SMITH. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. SMITH. The gentleman stated that, so far as he is advised, none of the civilized nations of the earth are reducing their armament. Could the gentleman advise us what some of the nations are doing—Japan, for instance—toward increasing their armament, and in the case of Japan especially her air service?

Mr. KAHN. Mr. Chairman, the best information that I have been able to get in that particular is this: Japan is to-day completing a cruiser for carrying airplanes. Our country as yet has not undertaken to construct such a cruiser. The *Hosho*, which is the Japanese cruiser, can carry 32 bombing and pursuit airplanes. Japan also has increased her air divisions from 6 to 19. She has to-day 19 air divisions, whereas she had only 6 in the war. I am reliably informed that she is purchasing the latest things in airplanes, and has officers of the air service in practically every European country purchasing the latest models and undergoing additional training.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GRIFFIN. Will the gentleman be able to inform us as to how many divisions we have?

Mr. KAHN. I am not quite sure of the number that we have to-day. Under the Army reorganization bill, as I recall, and possibly some of the older members of the committee can inform me whether I am correct or not, the total number of divisions was not specified. I believe we have 27 squadrons at present, but they are of about one-half their proper strength.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. McKENZIE. I have heard it said that the Japanese people are not apt at flying; that is, that they have not made a success of operating aircraft. Can the gentleman give us any information about that?

Mr. KAHN. Yes. I have heard it said by people in whom I have a great deal of confidence, men who have lived in Japan, who are familiar with the conditions there, that in that particular branch of the army the Japanese are somewhat deficient; that they do not manipulate the flying planes as well as we do or as well as the European flyers do. But at the same time she has indicated to the world that she realizes the significance of that branch of the service. She has largely increased her number of divisions and she is now training men, as I am informed, in practically all of the leading countries of the world.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. KAHN. For a brief question.

Mr. HICKS. It has been stated over and over again on this floor that Great Britain has practically stopped her building program for big ships. Is the gentleman aware of the fact that in the last two weeks the British Parliament has authorized a new building of four great capital ships, four dreadnaughts, and two battle cruisers?

Mr. KAHN. I have read those things, and, of course, there is no substantial effort being made in any part of the world, except here in the United States, to materially reduce the armies of the various countries by those other countries.

Mr. HARDY of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. KAHN. Just for a question.

Mr. HARDY of Texas. Is it not perfectly natural that the Japanese, seeing our program of 1916 undertaken, under present conditions should attempt to develop the navy and the air service?

Mr. KAHN. Oh, as a matter of fact, Japan developed a navy program just as quickly as we did. They undertook to build eight dreadnaughts and eight battle cruisers, each of which is to be over 44,000 tons burden, larger, I am told, than any of the ships we are building. The program of 1927 of Japan contemplates an enormous increase in her navy. The world is unsettled. No one is able to foretell what is going to happen. It is cheaper for us in time of peace to prepare ourselves measurably for anything that might happen than to wait, as we did in 1916, until we were drawn into the war itself early in 1917, absolutely and entirely unprepared. That is what cost the lives of our men. When we speak of the cost, we never mention human life; it is always dollars and cents—the least thing, after all, that ought to be considered in the equation. How can you ever pay for the hundred thousand young Americans who gave their lives on the battle fields and in the hospitals for their country during the war—those who gave their blood and their limbs and their health? You can not estimate those things on a dollar-and-cent basis.

Oh, some Members will say that it is absolutely necessary to reduce the Army so as to save the taxpayers from unnecessary burdens. There is no Member of this House who realizes more than I the necessity for cutting down expenses. I believe, however, the present Secretary of War is a man that can be trusted absolutely to cut expenses wherever cutting may be possible without injury to our Military Establishment. I feel that he should be given every opportunity at the beginning of his administration to work out a plan that will enable the War Department to save millions of dollars, but I do not believe it fair to him to cripple him in his efforts at the very outset of his administration in the war office.

It seems to me the facts are so palpable that no one at this time ought to want to cripple our Military Establishment. We have grave international questions which our State Department is trying to solve. We hope they will be solved with honor and credit to our Government.

We are the only altruistic nation in the world to-day. We do not demand territory nor indemnity for our participation in the World War. What we are asking from the various chancelleries of the world we feel to be absolutely right. But during the pendency of these matters and in their solution no individual can foretell what is going to happen. I for one believe we can afford to be prepared for any possible emergency. I think that the American people generally will approve the stand of this Congress if the Congress sets the minimum limit of the Army of the United States at this time at 175,000 enlisted men. [Applause.]

The CHAIRMAN (Mr. GREENE of Vermont). The time of the gentleman from California has expired.

Mr. SISSON. Mr. Chairman, I yield 14 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I intended to take up another question, but in view of the soul-stirring address of the gentleman from New York [Mr. COCKRAN] I shall talk on disarmament.

The curse of modern civilization is hypocrisy. We have a Sunday code and a week-day code. On Sundays we listen to the Sermon on the Mount; on week days we perpetrate every crime on the calendar. This is certainly true of nations. When Napoleon I started out to imitate Alexander of Macedonia he announced that his object was not to dominate the world but to bring about a higher state of civilization and to liberate all oppressed peoples. The Holy Alliance, formed to perpetuate monarchical institutions, announced as its holy purpose the maintenance of eternal peace and of good will among nations. When Napolean the Little, Napolean III, in order to prevent in the interest of France the unification of linguistic and racial groups, tried to separate and to keep apart the various peoples that now constitute Italy and Germany, he spoke in the name

of national independence, and proclaimed the sacred principle of nationality and of self-determination, which was made one of the slogans of the last war.

When we promise to the world disarmament and then proceed to increase our armaments, nobody will believe a word we say. The history of the United States can be safely divided into two periods, as far as armaments are concerned. The first period, up to 1898, when the Army of the United States was not larger than the police force in our cities. The next period is after 1898. In 1898 we entered unwillingly and unknowingly upon a policy of colonial acquisition. There were very few people in 1898 in this country who knew of the existence of the Philippine Islands. Suddenly they found themselves in possession of territory thousands of miles away—the weakest and most vulnerable spot in the armor of the United States.

And it is to the credit of President Wilson that he made valiant efforts to emancipate and release the Philippine Islands so that we should not have thousands of miles away a people whom we are under obligation to defend as long as they are a part of the United States. It is the colonial policies of European countries that brought about the World War. When England wanted to construct a railroad across the African continent from north to south she found that she could not construct it without the consent of the German Empire. The Bagdad scheme of Germany was nothing more than an attempt to construct by land a route which would compete with the sea route of England. It was all the time a question of securing some economic advantage by the acquisition of colonies or markets or territory, or of extending spheres of influence, or building railroads, or acquiring access to new sources of raw material. The question that presents itself to the world to-day is not how we can bring about a nobler civilization but how to bring about a more intelligent relationship between man and man. I deny that we have any nobler men than existed thousands of years ago. I deny that a single ethical conception has been added to the ethical code of the world for the last three or four thousand years or that the individual intellect to-day is greater than the individual intellect of thousands of years ago. What is the difference between the present and the past? The only difference lies in the much larger number of those who are intelligent, of those who have access to knowledge. It is all a question of knowledge; and just as it is true that physical warfare has been eliminated between individual and individual in civilized society, just so can war be eliminated between nation and nation if a knowledge of the causes of national conflicts will be the common heritage of the people—if there will be democracy in international relations; if nations will stop lying about each other. Can you pick out a history which tells the truth about its own nation? Every nation has won the most important battles, and has the greatest heroes, and has never lost a fight, and can wipe the floor with everybody else. So say its historians; so teach its schools. I wish we could establish an international commission of scientists to revise the national histories of the world [applause] and get some scientific fact.

A few days ago we had in the House the Chinese incorporation act sandwiched in between two days' discussion of the naval bill. They appeared to have no relation, but they are closely interrelated. If you want foreign markets, if you want a market in China and desire to protect the American merchant in China, you must be ready, with every sewing machine of American manufacture, every locomotive that goes there, to send your Army and Navy to support the trade of the exporter. The old method of invading a country by marching an army and taking possession of its lands has been replaced by economic penetration, and by the army and navy serving as the guards of commerce. It amused me when I heard the expression that the United States wanted a place in the sun, repeated a number of times during the last few days on this floor. Men instinctively, under the hypnotism of war psychology, repeat a phrase which was very offensive a few years ago, and was supposed to have had its origin in Prussia.

The United States wants a place in the sun, as if it has not a mighty big place in the sun to-day! Well, then the problem that presents itself so far as disarmament is concerned is this: Are we going to use the Army and the Navy to promote foreign trade; are we going to fight for the extension of American commerce in the Orient although it may involve a violent conflict? I personally do not believe that Governments will ever disarm. The only way disarmament will be accomplished will be when the men who are called upon to die at the behest of statesmen will go to jail for opposing war and will refuse to manufacture munitions of war. Statesmen will continue to preach international love, will continue invoking the name of the Almighty, and will be preparing armaments. What does the resolution of the gentleman from New York [Mr. COCKRAN] say? We are ready to disarm as soon as the other fellows are. The other fellows say they are ready to disarm as soon as we disarm. It is a travesty upon logic. It is primarily, gentlemen, a question of what the policy of the United States is to be in its foreign relations. So far we have had no definite international policy.

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. LONDON. If you please.

Mr. MOORE of Virginia. I would like to ask the gentleman's opinion with reference to a matter he mentioned a moment ago. Has the gentleman any view as to what is the argument, the central argument, in favor of the retention of the Philippines or the influence that is exerting itself in support of the policy of this Government in retaining the Philippine Islands?

Mr. LONDON. I wish I had the time to take up the question. For the present I would say that although there are many things I can not forgive President Wilson, I retain a great deal of admiration for him, and principally because of his genuine democratic stand on the Philippine question. I think if not for the retention of the Philippine Islands we would never have become involved in the European war. We can never defend the Philippine Islands unless we have there a fleet twice as strong as that of Japan. The retention of the Philippine Islands is a misfortune to the United States. [Applause.]

Mr. SMITH. The gentleman will admit, though, that it is of great benefit to the Philippine people.

Mr. LONDON. It is, undoubtedly, and the United States may take just pride in the real progress made in the Philippines. There is not any doubt of that. But this is what every nation proclaims. Have you ever heard Great Britain admit that England had taken possession of any country except for the purpose of civilizing, elevating, and ennobling that country?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman and gentlemen of the committee, we have heard a great deal here of late about the race in armaments, and the impression has gone abroad that the principal naval powers of the world are feverishly building up their fleets to secure supremacy of the sea. In my judgment the race exists with this country only, and I know of no fact or circumstance tending to show that any other nation is at this time making any effort along those lines.

Certainly Germany and Russia are no longer menaces. Practically the entire Russian fleet was destroyed in the war with Japan, and the terms of the armistice in November, 1918, completely eliminated Germany from the list of naval powers. France and Italy no longer make any pretensions; hence the supposed race is limited to three great powers, the United States, England, and Japan, whose present naval strength, according to the best information I can obtain, is in the order named.

So far as I know, it will not be contended by any big Navy advocates that England is taking any steps to increase her naval strength. Anyone who may have that impression is, as I verily believe, not informed as to the facts. A recent issue of the Scientific American is authority for the statement that since the signing of the armistice England has done practically no naval construction whatever, except to finish one battle cruiser, the *Hood*, which was from 65 to 70 per cent completed on November 11, 1918. She had three other battle cruisers under construction at that time, but less advanced, all of which were broken up and the materials sold as junk.

According to the same authority, which I assume no one will dispute, not only has England stopped all further navy building but has actually retired, or passed to the second line to be used for training and practice purposes, approximately 150 vessels of various types, including quite a number of her supposed first-class battleships. In 1924, the end of the building program upon which we are now engaged, England's capital ships, with the exception of the *Hood*, will all be over 7 years of age, and such vessels are considered obsolescent at 10. This being the case, then who will say that England is contending with us in a race of naval construction?

We have in this country many people who believe that the United States should have a fleet equal to that possessed by any other country. We have a few who believe that the United States should have a navy of far greater strength than that possessed by any other nation. We have some people among us who would have us build a navy superior to the naval

strength of all other countries combined. There is no question in my mind as to our present naval strength being not only equal but superior to that of any other country.

England's losses during the war were far greater than the average person has any conception of. A pamphlet recently issued by our Office of Naval Intelligence, entitled "Information concerning the United States Navy and other navies," gives a list of the losses suffered by the British Navy during the war from shell fire, submarines, mines, and other causes. The list shows that her actual loss was 219 naval vessels, including 3 battle cruisers, 1 of which was the superbattle cruiser *Queen Mary*. She also lost 13 battleships, including the dreadnaughts *Audacious* and *Vanguard*. Her further losses consisted of 10 armored cruisers, 9 light cruisers, 6 monitors, 67 destroyers, 52 submarines, 22 sloops, and 37 auxiliaries, the total tonnage of which was approximately 750,000 tons displacement, or more than double the tonnage of the entire capital fleet of the present Japanese Navy.

With Germany, Russia, France, and Italy entirely out of the contest, which I assume no Member of this body will dispute; and with England not only having stopped all construction but having retired many of the vessels heretofore in her fleets, then the race is narrowed to the United States and Japan.

From the time the Philippine Islands were purchased by this Government Japan has been held up before us as a scarecrow. Everything that we do in the way of naval construction or of building fortifications in distant Pacific island possessions is magnified in Japan. Everything that Japan does is likewise magnified in this country. Apparently a studied effort has been put forth to have each nation pitted against the other. Not only has that been the case, but great steel industries in this country have in the past actually sold armor plate to Japan at less than half the price they were at the same time selling it to the United States Government. All this, of course, was for the purpose of aiding Japan to keep up an appearance in order to spur the United States to increased appropriations.

As a matter of fact, the present strength of the United States Navy is considerably more than double that of the Japanese Navy, and while we have 10 more dreadnaughts booked for completion by 1924, thus increasing our dreadnaught fleet from 17 to 27, Japan has authorized but 2, which will increase her total from 7 to 9. In fact, there is but one branch in which Japan's strength is equal to ours, and that is in battle cruisers. We at present have none, but by completion of the program in 1924 we will have 6. Japan now has 4 and is building 4 more, which will give her a total of 8.

I desire in this connection to give some figures as to the relative strength of the capital ships of the United States, England, and Japan as they are to-day and as they will be in 1924. I also obtained these figures from the Scientific American of February 12 of this year. Our capital fleet now consists of 17 battleships and no battle cruisers. By completion of the present program, in 1924 we will have 33 capital ships. England now has 32 and will have no more in 1924. Japan now has 11 capital ships and in 1924 will have 17.

Our capital fleet now has a displacement of 467,250 tons; in 1924 it will be 1,117,850 tons. England's capital ships now have a tonnage of 808,200 and will be no more but possibly less in 1924. Japan's present tonnage of capital ships is 319,140 and in 1924 will be 543,140, assuming, of course, that the present program in all countries will be carried out. Our capital fleet now mounts 188 guns, and in 1924 will have 340 guns. England's capital fleet now has 284 guns, which in 1924 will be the same, or possibly less. Japan's capital fleet now has only 108 guns, and by completion of her contemplated program will have but 164 guns in 1924. The energy of our gun power is now 11,989,176 foot-tons, and in 1924 will be 28,597,176. That of England is now 19,080,000, and will doubtless be the same or even less in 1924. Japan's is now 7,480,000, and in 1924 will be 13,415,400 foot-tons.

From this data it will appear that England is perfectly willing for us to expend our money and energy in building $40,000,000 battleships and battle cruisers, while she contents herself to rest and recuperate from the effect of the war, her people, like ours, being sadly overburdened with debt and ground down under heavy burdens of taxation. Evidently she has not the faith in the efficiency of the capital ship that we have, or else she has decided that it is the better part of wisdom to retire altogether from the race for naval supremacy.

Under the circumstances, Mr. Chairman, it certainly occurs to me that in the way of naval construction we have practically all the race to ourselves, and a studied effort has been put forth to create an imaginary rival, but unsuccessfully. If we could but eliminate private profit in the matter of shipbuilding, there would not be enough sentiment in this country under existing conditions to cause this Congress to add as much as a single canoe to our present Navy.

We also hear much said about calling a conference of nations to consider the question of disarmament. I do not oppose such a plan, but at the same time put very little faith in such discussions. The interests that profit so much in the building of great armaments will sow the seeds of discord around the conference table. I have serious doubts whether anything tangible can be accomplished in that way. If we continue our present program of construction, we had just as well not enter into any such discussions. We must first convince the world that we are in earnest by stopping all construction ourselves and then request other nations to do the same. They will in all probability be glad to follow our example. But if not, let us serve notice upon them that further construction upon their part will be considered a menace to us and an act unfriendly to the United States. A similar notice was sufficient to enforce the Monroe doctrine even at a time when we had no Navy at all.

Certainly, Mr. Chairman, there is less reason now than ever before for our making such wild and extravagant appropriations for war purposes as we are doing. The whole world is prostrate. There is not a nation in the world that could make war upon us if it so desired. Anarchy prevails in one-half the world to-day on account of the last war, and it would become universal, outside of the United States, in the event of another war. Our own people are groaning under the burdens of taxation caused by the last war. If we continue to go ahead as we are now doing and place heavier burdens upon them for unnecessary armaments, then the war from which we have just emerged will have been fought in vain.

Mr. SISSON. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON. Mr. Chairman and gentlemen of the committee, I think there are several things that can be taken as conceded, and the first is that there is not a Member of this body who is not willing to appropriate every dollar that is necessary for the support of such an Army as the safety of the country requires. The only possible question that can divide the Members of this House is as to what is necessary to insure the security of the country. And the next one that I think will be conceded is that this is no time in which to spend the public money unnecessarily. The depression in all lines of industry is such that the utmost economy is demanded. Not a dollar of public money should be expended which is not essential. And the third thing that I think ought to be taken as conceded is that no huge deficiency bills will be permitted. It is the province of Congress to say what shall be the limitation on the appropriations for Army purposes, and I think it is an invasion of the rights of Congress for an executive department to use huge sums that Congress has not appropriated for the maintenance of a Military Establishment. Congress holds the purse under the Constitution, and for the Executive to maintain an Army on a great deficiency bill is a usurpation of unwarranted power. The express provision in the pending bill forbids this. The sole question that arises under the first head is not how much money can we afford to appropriate but how much money we must appropriate for the purpose of protecting the interests of this country. The security of the people is the supreme law, and what is necessary must be provided regardless of the burden it imposes. But after that has been attained not a dollar can be imposed. Never has there been such depression in all lines of industry. The agricultural interests, with which I am most familiar, are suffering a greater stagnation and loss than they have ever suffered before in my experience. Other lines of industry report great financial distress. The demand is insistent that taxes and burdens on industrial life shall be lessened. We must appropriate what is essential, and we must not appropriate what may be saved by rigid economy. The cry for reduction of tax burdens is insistent and universal.

The first question is, then, whether we have appropriated a sufficient amount to secure an Army adequate to national safety. The sum appropriated for national defense is enormous. This Congress has passed a naval bill carrying an aggregate appropriation of $396,000,000. This Army appropriation carries $330,000,000. The fortification bill was $8,000,000, a grand total in profound peace of $735,000,000. Only a few years ago the first billion-dollar Congress startled the country with its five hundred million annual appropriation for all purposes. This Congress carries $735,000,000 annual appropriation for military purposes only. Certainly the burden thus imposed on the great American army of toilers is sufficiently great to raise the belief of its ample sufficiency. There is no proposition to raise an Army such as would be required in time of war.

What difference is there so far as preparedness goes between an Army of 175,000 men, as suggested by the distinguished gen-

tleman from California [Mr. KAHN], or 165,000 men, as provided for in this bill? Why, an Army either of 175,000 enlisted men or 165,000 men in time of war would be utterly insignificant. We had 4,000,000 men in the Army when the Great War closed. There would be no more suggestion of preparedness in having an Army of 175,000 men than in an Army of 165,000. Both would for war purposes be bagatelles.

If we bear in mind that the commissioned personnel is the permanent feature of any Army and is the real Army, and that the enlisted strength need never exceed the immediate demand of the present requirements, it seems to me we have reached the point from which we can determine the present enlisted strength for the Army. The present bill makes a liberal provision for the commissioned personnel, and for what do we need the enlisted strength of the Army?

We have in the Philippine Islands about 18,000 men; we have in the Panama Canal Zone about 8,000 men; we have in Hawaii about 9,000 men; on the Mexican border we have about 11,000 men and on the Rhine about 15,000 men. So that for the purposes of the protection of the foreign territory of this country, and the Mexican border, we have about 70,000 men, and that would leave in the neighborhood of 100,000 men for the protection of the domestic interests of this country.

Mr. HARDY of Texas. If the gentleman will permit, how many did he say there were in the Philippines?

Mr. HARRISON. I said that, in round numbers, there were about 18,000. It is a little over 17,000. But there are, as I say, in the foreign territories of this country, including the Mexican border, about 70,000 men. That leaves about 100,000 men for use in the domestic territory of the United States, and for the practical purposes of peace it seems to me that that is sufficient. We can not, as I say, provide an enormous Army such as might be required by war. This gives us one man for every 1,000 of the population. It is distributed throughout the United States in such a way as is necessary for the protection of the interests of the United States, and to raise this Army from 165,000 men to 175,000 men, without showing where those extra 10,000 men are to be used seems to me to be a useless waste of public money.

It is said the difficulty about it is that we have men enlisted that it will be necessary to get rid of by discharges. As I understand it, the enlistment contract especially provides the right to the United States to discharge the enlisted man before the expiration of his time of enlistment.

Mr. FISH. Will the gentleman yield?

Mr. HARRISON. I will.

Mr. FISH. Does the gentleman say that there are 70,000 American soldiers in our foreign possessions?

Mr. HARRISON. That is the way I figure it.

Mr. FISH. I think the gentleman enumerated only about 50,000.

Mr. HARRISON. I said 18,000 in the Philippines, 8,000 in the Panama Canal Zone, 11,000 in Hawaii, 18,000 on the Mexican border, and 15,000 on the Rhine. I just made a rough estimate.

Mr. FISH. The gentleman counts the troops on the Mexican borders as though they were in a foreign land?

Mr. HARRISON. I might have been more explicit. I treat the troops on the Mexican border as in foreign service. There may be also troops in Porto Rico.

Mr. HULL. Will the gentleman yield?

Mr. HARRISON. Yes.

Mr. HULL. Did I understand the gentleman correctly that he would justify the Government in discharging an enlisted man that has a contract to serve for three years?

Mr. HARRISON. Yes; I understand that that contract expressly includes the right to the Government to discharge whenever it thinks proper.

Mr. HULL. You understand that every contract that the Government makes with anybody has that very provision in it, and yet you voted in this House to keep contracts that were not even signed with the corporations of this country.

Mr. HARRISON. We are keeping it when the contract expressly reserves the right to terminate it whenever we think proper.

Mr. HULL. Why did they not break it with the corporations even when the contracts were not written?

Mr. HARRISON. We terminated the contracts, in those contracts for supplies, under the terms of those contracts.

Mr. HULL. And they always have a claim for damages.

Mr. HARRISON. We had to pay damages because the contracts stipulated for them. In this case we are merely carrying out the provisions of the contract itself, which says we have the right to terminate the contract of enlistment.

Now, there is no possible way in the world to get this Army down to the proportions which this situation requires and which the interests of the country require other than by at once terminating these enlistment contracts and bringing the Army down to it.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. HARRISON. Yes.

Mr. ROSE. I was called out of the Hall just as the gentleman was talking about the size of the Army which he would like to see this Government maintain. I would like to know if the gentleman is opposed to an army composed of 150,000 men in time of peace?

Mr. HARRISON. I think the committee has gone over the possible uses of the Army and has reached the conclusion that for the protection of the territories and domestic service it is not safe to reduce beyond the limit we have fixed. I have been discussing whether we had an army of a sufficient enlisted strength and have not yet discussed whether the enlisted strength might not be further reduced.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks. I hope later to discuss the further reduction of the enlisted strength.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ANTHONY. Mr. Chairman, I yield the balance of the time allowed to this side to the gentleman from Wisconsin [Mr. FREAR].

The CHAIRMAN. The gentleman from Wisconsin is recognized for seven minutes.

Mr. FREAR. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, I thank the committee for the brief time given to me, although it is much too short for me to express all I have in mind in connection both on the naval bill and the Army bill, and particularly on the naval bill which passed the House yesterday.

Mr. Chairman, I desire to speak briefly of the naval bill that has just passed the House, because, in common with a number of Members who oppose reckless extravagance, I feel that a measure which carries practically three times the amount of prewar naval expenditures annually, to be expended more than three years after the war is over, is indefensible in character. Neither will it be claimed that the Army bill now before us carrying $331,000,000 for 1922 is a model for economy.

Republican Leader MONDELL yesterday made a frank, candid statement to the House and to the country that President Harding is in sympathy with the program of disarmament of nations, and that he will try to initiate that program at an early day, possibly during the time of the present session, after world conditions have become more normal. The statement is reassuring, for no Member of Congress, irrespective of politics, would willingly vote to embarrass the President on a vital question in world affairs, nor can any man fail to recognize the tremendous problems which must be solved by him alone.

Congress, however, also has large responsibilities that can not be ignored, and we are now facing a record of past and future expenditure demanded for war purposes which astound the country and may alarm the world.

In the most amazing estimates ever proposed in any country in time of peace the Navy Department last session asked for an appropriation of $680,000,000 following expenditures of $736,000,000 for naval purposes during the fiscal year 1920 and $433,000,000 in 1921. A deficiency appropriation of $53,487,355 increased the total for 1921 to $486,766,929. The bill for 1922 passed by the House last session cut the estimates to $396,000,000. A hundred million dollars were added thereafter by the Senate committee, bringing the total to $496,000,000, but it never reached a vote there, for it was killed by the courageous action of a handful of men in the Senate. The 1922 bill again has passed the House and again carries $396,000,000.

This proposed expenditure involves the uninterrupted prosecution of the great building program of 1916, which, as originally planned, was to cost the country $544,700,000. That plan has already involved an expenditure of $538,270,000, we are told, and it will cost almost another half billion to complete. Indeed, with the added yards, docks, and other facilities that it makes necessary, it is estimated the total cost will run to $1,500,000,000 apart from all other enormous current expenditures for naval purposes. Recklessly wasteful estimates for

1922 by Secretary Daniels of $680,000,000 for the Navy, and by Secretary Baker of $707,000,000 for the Army (Treasury report, p. 279), have been practically slashed to the middle, but it is little comfort for those who pay the bills to know that appropriations we are passing this week for Army and Navy purposes in 1922 are approximately three times the size of bills for the same purposes in 1915.

WHOM DO WE EXPECT TO FIGHT AND WHEN AND WHY?

Our country has a Navy, according to expert authorities, almost equal in effectiveness to that of Great Britain, with no colonies or distant dependencies to maintain or protect. We have a Navy twice as powerful and expensive as that of any other country in the world, barring alone Great Britain, our ally in the recent war. Jingoes who want war live in every land. In Japan they declare our country is an international bully looking for war, while American jingoes see red whenever Japan is mentioned. To-day mutually they would force two great nations to fly at each other's throats over the possession of an island 5,000 miles distant from our shores and less than 3 miles square.

Demands for war and for big armaments frequently come from those who profit by wars, who risk no personal injury, yet when war is over these interests generally demand repeal of any tax upon their wealth or profits and insist that enormous war-tax burdens shall be shifted to the backs of the people through a consumption tax.

Senator KING's charge that private shipbuilding interests are pressing big naval appropriations is a matter of official record in a Senate committee's report filed last session on practically the identical bill we have now passed for the second time. Another Senator of equal position, whose name for parliamentary reasons can not be referred to, said of this bill: "We can not delay construction by taking six months' recess, for six of these battleships are in private yards. Four battle cruisers are also in Government yards. To delay construction would lead to great injustice to very large shipbuilding concerns." This plea comes from the poor shipbuilder who is always with us.

I am discussing briefly these enormous expenditures, past and prospective, irrespective of disarmament. The disarmament question is international in scope and comprehends the folly of war expenditures from a moral and humanitarian standpoint. But I speak also of the wasteful, extravagant policy that seeks to continue enormous war preparations in time of peace, and of the influences that stand behind such a ruinous legislative policy.

With feverish haste we are now building warships at a cost to the Government of about $40,000,000 for each of the 17 capital ships under construction, a tax of about $2 for the average family of 5 for each of those 17 ships. This is more than twice the cost of the National Capitol Building for a single battleship or cruiser; over two-thirds of all Government appropriations in 1920 for education and science combined—spent for a single vessel. If Congress finally appropriates $496,000,000 called for by the bill as passed by the Senate committee last session, we place on each family in the land a yearly tax burden of nearly $25 for a fighting Navy in times of peace.

NINETY-TWO PER CENT OF EXPENDITURES OCCASIONED BY WAR.

It has been demonstrated that 92 per cent of all our annual Government expenditures are made for wars past, present, and future, counting charges directly occasioned by war, while only 1 per cent is spent by Congress for educational purposes. What answer can we make to this record of barbarism that rivals the worst pages of history, ancient or modern?

Our country is bending under a public debt of $24,000,000,000 due to the war, while our annual interest charge of over $1,000,000,000 is linked with railroad, Army, pensions, war risk, and similar expenditures—all legacies of the war—amounting to upward of two or three billions annually. In addition to this stupendous amount, before the naval bill passes the Senate we may be asked to spend nearly another half billion dollars for vessels that in a brief time will be of no more value than so many huge iron kettles. Long before another war is provoked by any other country the ships we are building to-day will be ready to serve as targets for airplane practice, while new inventions and new war machines will have superseded those we now build. All this is done in the name of "national war insurance."

The man who recklessly swings a loaded weapon invites trouble. Toting guns is prohibited by law, because possession of superior force provokes use of guns. For 40 years the Kaiser perfected his war machine, looking for trouble, which is always to be found when wanted. Seven short years ago Germany, Austria, and Russia had the greatest armies in the world. For many years their taxpayers carried military burdens as national insurance against war, so they were told; yet to-day the territory of those countries has been parceled out among their more peaceful neighbors as one of the results of injudicious war insurance, while England, with her greatest navy in the world, built for insurance in like manner, would have been crushed but for the United States.

INTERNATIONAL FRIENDSHIP IS WORTH MORE THAN BATTLESHIPS.

An ounce of international confidence and friendship is worth a ton of war material when it comes to insurance against war. In the past it has been considered unpatriotic to question any expenditures urged for the Army or Navy, but the country is awakening to the fact that the only tangible evidence of war now before us is found in the enormous tax budgets demanded by naval and military authorities everywhere, and in the maimed, crippled, and blind soldiers whom four years ago we pledged this country should never be forgotten. Those who advocate demands on the Treasury for enormous Army and Navy appropriations are helping to maintain the present tax rates that rest heavy on a people struggling amid the industrial and social wreckage left by the last war. Expenditures such as are contained in the naval bill and the Army bill before us encourage a policy of rivalry and aggression among the nations of the world. They invite strife and disaster for those who play the war game. Do we desire to lead in such fatal rivalry?

A committee of which I am a member is deluged with protests against taxes. Protests from corporations against excess-profits taxes, protests from dealers of all kinds against luxury taxes, protests from business men against high rate income taxes, and protests against every other kind of tax with a flood of demands from taxpayers for an exact accounting. Many of the protestants demand that all present burdens be shifted to all that the people eat, drink, and wear like the taxes imposed by Rome of old. Against this storm of protests and demands we behold champions of heavy naval appropriations now demanding for America the greatest Navy in the world which carries with our other war-tax burdens a load compared to which Germany's prewar taxes were insignificant.

Nearly four years after the armistice Congress will be asked to vote four to five hundred million dollars in a bill for naval purposes for 1922 alone. The world lies devastated and prostrate; England, mistress of the seas for centuries, refuses to continue this mad battleship-building race, yet a powerful propaganda in our country demands more ships and still more ships at $40,000,000 cost per ship, dwarfing the combined naval preparations of England and Germany eight short years ago.

WHAT WE MAY LEARN FROM MEXICO.

I quote a significant utterance voiced from poor, benighted Mexico. President Obregon on April 27 announced his disapproval of spending $50,000,000 for the Mexican Navy, and said, "I believe modern countries should demonstrate their moral strength and not attempt to build up a display of brute strength. This money will be spent for instruction and for agricultural purposes." In the highly civilized United States we reverse that order, and at a time when agriculture is struggling to survive the calamity of war we levy a tax of $400,000,000 on industry and labor, including agriculture, "to build up a display of brute strength" which this fighting general condemns for war-worn Mexico.

"Americanism," "national honor," and "patriotism" are words to inspire, and self-protection is a first principle of life whether for the individual or nation, yet it must be remembered those in the ranks who fight, suffer, or sacrifice in war are those who ever bear the greater part of war's tax burdens, while cries to arouse national pride are not always instigated by unselfish interests or for unselfish purposes. If the voice of the people back home who are paying the enormous tax legacy of the war could be heard, what think you would be their opinion of nearly a half billion dollar naval expenditure three years after war had ended and a scarcely less cost for the Army? Would they advise us to throw wide open the Treasury doors in order to lead the race in naval domination on the Atlantic and the Pacific? What would be their judgment?

President Harding is confronted with many problems that would tax the wisdom and judgment of a Solomon of old, but one of the most vital questions of the day is whether the hand of international greeting extended by Governments, one to the other, contains a token of genuine friendship or grips a weapon that may again threaten the peace of the world. That is the call for disarmament. Calls for world disarmament are voiced by the tax-burdened people of every land; it is a call in the name of humanity that has for its ultimate purpose the saving of civilization from the fatal pestilence of war.

If a policy of world domination is to be our aim, then indeed the future is obscured by dark clouds. But I can not be-

lieve that the everyday folks, the God-fearing, peace-loving people who pay the bills and who speak with the voice of ultimate authority, will indorse a program built on extravagance, a program that foreshadows strife and misery for those who must ever bear the burden. This stupendous naval program in time of peace, I believe, will provoke a protest from the people, and that protest should be heeded at both ends of the Capitol. [Applause.]

The following war statistics carry their own lesson:

National debt by wars of the United States.

Revolutionary War	$170,000,000
War of 1812	119,000,000
Mexican War	173,000,000
Civil War	3,478,000,000
Spanish War	1,902,000,000
World War	24,000,000,000

Money appropriated by the United States for military preparedness.

1909–10	$279,000,000
1920–21	828,000,000
Estimates, 1921–22	1,379,000,000

Actual expenditures for fiscal year 1919–20.

Research, education, public health	$59,000,000
Ordinary Government functions	226,000,000
Public works	85,000,000
Army and Navy	1,348,000,000
Pensions, interest, and expenditures due to past wars	2,690,000,000

The CHAIRMAN (Mr. TILSON). The time of the gentleman from Wisconsin has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

CONTINGENCIES OF THE ARMY.

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices at Washington, D. C., or in the Army at large, but impossible to be anticipated or classified; to be expended on the approval and authority of the Secretary of War, and for such purposes as he may deem proper, including the payment of a per diem allowance not to exceed $4, in lieu of subsistence, to employees of the War Department traveling on official business outside of the District of Columbia and away from their designated posts, $75,000: *Provided*, That not to exceed $40,000 of the money herein appropriated shall be expended for the payment of salaries of civilian employees connected with the sale of war supplies and the adjustment of war contracts and claims: *Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment, as, or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market: *Provided further*, That none of the funds appropriated or made available under this act shall be used for the payment of any salary in excess of $5,000 per annum to any civilian employee in the War Department.

Mr. GRIFFIN and Mr. FROTHINGHAM rose.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] rose first, and the Chair will recognize the gentleman from New York.

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the paragraph beginning with line 21 of page 2 and ending on line 2 of page 3 with the word "market," and the ground of my point of order is that this is new legislation in the category of an amendment to existing law.

Mr. KAHN. Mr. Chairman, will the gentleman reserve that point of order until an explanation can be made?

Mr. GRIFFIN. Surely.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. KAHN. Mr. Chairman, the Committee on Military Affairs received a letter from the Secretary of War respecting this very matter. There are large quantities of food which are rapidly deteriorating and which might prove a total loss. There seems to be no demand for that food in this country, and it was believed by the War Department that a sale of it could be made in foreign countries.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Yes.

Mr. GRIFFIN. Is the gentleman able to say what the nature of that food is that is on hand?

Mr. KAHN. Yes. It is dehydrated vegetables at the present time.

Mr. MACGREGOR. Is it not meat?

Mr. KAHN. No. The meat has all been sold in the domestic market. There was some canned meat which it was proposed to sell, because there did not seem to be a market for it in this country; but in recent weeks that has been sold, and the food that is now declared surplus is dehydrated vegetables, and it is desired to sell that food to foreign countries.

Mr. LAYTON. What does the gentleman mean by "dehydrated" vegetables?

Mr. KAHN. The Committee on Military Affairs had the matter before it. We had hearings on the resolution, and the committee unanimously decided to report it out of committee. The resolution is now on the calendar of the House, but probably this bill will pass before we could get action on a separate bill or resolution, and the members of the Committee on Military Affairs, as I understand it, have no objection to a provision like this. One of the members of that committee will offer a substitute for the language in this bill. I hope the gentleman from New York will withdraw his point of order.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. LAYTON. I want to ask the gentleman a question.

The CHAIRMAN. The gentleman from California [Mr. KAHN] has half a minute remaining.

Mr. LAYTON. That does not include canned goods, does it—dehydrated vegetables?

Mr. KAHN. I do not know whether they are put up in cans or not. I believe that during the war they used to be put up in gunny sacks.

Mr. ANTHONY. The dehydrated vegetables are put up in tins containing 15 pounds, which no American family would buy on account of the size.

Mr. LAYTON. The water has been taken out? It does not include canned goods?

Mr. ANTHONY. I believe not.

Mr. MACGREGOR. Dehydrated potatoes, for example. There are 10,100,000 pounds.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRIFFIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. This proceeding is entirely under unanimous consent. The Chair will recognize the gentleman for five minutes.

Mr. GRIFFIN. Mr. Chairman, I realize that it is rather a late day and hour to attempt any economy or retrenchment in the matter of the disposal of surplus war material. The damage has now practically been done. I called up the officer in the War Department who has charge of this bureau and asked him to give me the facts as to the amount of surplus material that he has, including subsistence supplies. He gives me the information in the form of a letter, signed by Quartermaster General H. L. Rogers, which I will ask unanimous consent to print as a part of my remarks.

The letter is as follows:

WAR DEPARTMENT,
OFFICE OF THE QUARTERMASTER GENERAL OF THE ARMY,
Washington, April 29, 1921.

Hon. ANTHONY J. GRIFFIN,
House of Representatives.

MY DEAR SIR: Confirming telephone conversation of yesterday afternoon, there is submitted herewith for your information list of sales and transfers of surplus property consummated since inception:

Sales and transfers.

Sales price	$472,704,281
Cost to Government	$662,442,167
Recovery per cent	71.3

The following amounts of subsistence remain on hand unsold this date in the following areas:

Area.

Boston, Mass	$57,584.00
New York, N. Y.	3,098,246.00
Atlanta, Ga	136,796.00
Chicago, Ill	102,640.00
San Antonio, Tex	5,740.00
San Francisco, Calif	92,965.00
Total	3,593,971.00

This does not include canned meats, which were all sold April 21, 1921.

Very sincerely,
H. L. ROGERS,
Quartermaster General.

The substance of his report is this, that the Government sold or transferred surplus matériel to the extent of $662,442,167 for the sum of $472,704,281, or at a loss of 29 per cent. Nearly all of the subsistence supplies in the control of this bureau have been disposed of. It has now surplus matériel at different cities in the United States amounting to a total of $3,593,971 in value. That is hardly enough to warrant changing the law by throwing it on foreign markets. The damage has been done. If anything, we should try to recoup instead of enhancing it. The other day the War Department consummated the sale of all the meat that it had on hand—119,000,000 pounds of canned meat, sold for $5,316,276, or at the rate of 4.4 cents per pound. Just think of it, selling canned meat in this day of high prices and profiteering, at less than 5 cents a pound!

Mr. MACGREGOR. Will the gentleman yield?

Mr. GRIFFIN. Pardon me until I finish this thought. Gentlemen say that the War Department could not have sold this meat to the people at large. Why? Because they made no effort to sell it to the people. The nature of their restraints upon bids and estimates was such that only men of large capital could bid, like Roberts & Co., of Philadelphia, who bid a lump

sum for this 119,000,000 pounds of meat, over $5,000,000. But I humbly submit to the judgment of this House whether I am correct or not, that if they put this meat on the market where the people could buy it they undoubtedly would buy it.

Mr. MACGREGOR. Will the gentleman yield? I do not like to have the gentleman make statements that are entirely incorrect. The gentleman knows, perhaps, that I have some knowledge with reference to the matter of surplus property.

Mr. GRIFFIN. I do know that.

Mr. MACGREGOR. And although I was very antagonistic to the administration of the gentleman's party, I must concede that every possible attempt was made to dispose of these articles of subsistence. They were offered all over the country in every possible way, by parcel post and advertisements of all kinds.

Mr. GRIFFIN. The gentleman is different from me. I do not recognize any party in matters of war or economics.

Mr. MACGREGOR. I am simply stating facts.

Mr. GRIFFIN. I think if they have been so successful in selling the meat, poor as the price was that they were able to obtain for it, they ought to be compelled to put these dehydrated vegetables on the market, so that the long-suffering people of this country might have an opportunity to buy them directly, instead of catering to wealthy speculators who have the capital and trade machinery to handle and resell them at enhanced prices.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FROTHINGHAM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. A point of order is pending.

Mr. FROTHINGHAM. I understood the gentleman reserved his point of order.

Mr. GRIFFIN. I did reserve the point of order.

The CHAIRMAN. Does the gentleman withdraw or make his point of order? No amendment is in order while the point of order is pending.

Mr. GRIFFIN. I make the point of order.

The CHAIRMAN. The point of order is sustained. It is clearly legislation. The gentleman from Massachusetts offers an amendment. The Clerk informs the Chair that the subject matter which the gentleman's amendment proposes to amend has gone out of the bill on the point of order.

Mr. ANTHONY. The gentleman from New York [Mr. HUSTED] desires to offer an amendment which he thinks will be in order, in place of the matter which just went out on a point of order. Will it be in order to return to that if the Clerk continues to read?

The CHAIRMAN. The gentleman asks unanimous consent that permission be given to return to this paragraph for the purpose of offering an amendment. Is there objection?

Mr. GRIFFIN. I object.

Mr. ANTHONY. Then we will offer it now.

The CHAIRMAN. The gentleman from New York [Mr. HUSTED] offers an amendment, which the Clerk will report.

Mr. HUSTED. My amendment is, on page 2, line 21, after the second word "claims" in that line, insert the following:

Provided further, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment as or may hereafter be found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market, and that any moneys received on account of such sales shall be applied to the pay of the enlisted men of the Army and shall to the extent of the amount thereof reduce the sum appropriated for such purpose.

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The amendment has not yet been reported. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. HUSTED: Page 2, line 21, after the word "claims," insert: "*Provided further*, That the Secretary of War is authorized, in his discretion, to sell to any State or foreign Government, upon such terms as he may deem expedient, any matériel, supplies, or equipment pertaining to the Military Establishment as or may hereafter be found to be surplus, which are not needed for military purposes, and for which there is no adequate domestic market, and that any moneys received on account of such sales shall be applied to the pay of the enlisted men of the Army and shall to the extent of the amount thereof reduce the sum appropriated for such purpose."

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] makes a point of order. Does the gentleman from New York [Mr. HUSTED] wish to be heard on the point of order?

Mr. HUSTED. Mr. Chairman, just briefly. The language stricken out was, I assume, stricken out because it did not comply with the exception to the Holman rule, it being held that the mere raising of money does not come within the rule; but this amendment now provides that the money received shall be applied to the pay of the enlisted men, and to the extent of the amount so received that it shall reduce the appropriation carried in the bill for the pay of the enlisted men; so that it does retrench expenditures, and I contend that for that reason it comes within the exception in the Holman rule.

The CHAIRMAN. The gentleman from New York [Mr. GRIFFIN] makes the point of order that the pending amendment is legislation carried on a general appropriation bill. The other gentleman from New York [Mr. HUSTED], who offers the amendment, contends that because his amendment provides that the proceeds received from the sale of these surplus goods shall be applied to the pay of the Army and that the amount carried in the appropriation bill be correspondingly reduced, it is thereby brought within the Holman rule.

It seems too clear to need elucidation that at the very best the gentleman's amendment amounts to simply taking money out of one pocket and putting it into the other. It amounts to exchanging property already belonging to the United States for cash or credit, which would also belong to the United States, and in no real sense reduces the appropriation.

Mr. HUSTED. May I say one word? It does reduce the amount carried in the bill to the extent of the amount received, and that is one of the exceptions. It is actually reducing the amount of the appropriations.

The CHAIRMAN. The property involved now belongs to the United States; therefore the amendment does not necessarily retrench expenditure in any way. The Chair sustains the point of order.

Mr. FROTHINGHAM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. FROTHINGHAM: Page 2, line 21, after the word "claims," insert "that the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace at the time of the passage of this act, upon such terms as he may deem expedient, any foodstuffs now on hand and found to be surplus which are not needed for military purposes, or which are likely to spoil, and for which there is no adequate domestic market."

Mr. GRIFFIN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MACGREGOR. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 17, strike out the figures "75,000" and insert "168,000"; also strike out the figures "40,000" and insert "118,000."

Mr. MACGREGOR. Mr. Chairman, this amendment is for the purpose of giving sufficient funds to the director of sales to proceed with the disposition of surplus property. At the present time the Assistant Secretary of War is in charge of the disposition of property. Under him is a director of sales, and under the director of sales there are several different departments which have to do with the coordination of sales by the various surplus property divisions of the several departments of the Army. In the director of sales office there are eight different divisions. There is a plant facilities section, railway and contractors equipment and builders materials section, machine tools section, administrative section, contract section, sales and general supplies section, promotion section, transfer and inventory section.

Further down the line there are the surplus property sections of the Quartermaster, Engineer, Signal Corps, Air Service, Medical Department, and Ordnance. In order to effectively carry out the proposed disposition of the immense amount of property that is on hand it is necessary to have an effective organization. The War Department has on hand property of the cost value of $3,722,000,000. This property is scattered all over the country. The Quartermaster's Department, for instance, has six zones of surplus property. The Ordnance Department has supplies scattered in 35 or 36 different places in the country. The director of sales at the present time is handling the sales of between five and six million dollars a week, and he is also handling the transfer of equipment and supplies to the various departments of the Government which are covered by these 44 different acts which we have passed directing the transfer of material to other departments of Government.

Now, this provision in this bill would only permit the expenditure of $40,000 for carrying on the work of director of sales office, and the work of adjustment of war contracts and claims, which is an entirely different department. At the present time the director of sales pay roll is $79,040, with a personnel of 54, which seems to me very reasonable.

I want the War Department to declare many millions more of surplus. I think we ought to cut down this $3,722,000,000 worth of property to a reasonable basis, and you can only do it

through an effective selling organization. We ought to give them sufficient funds to carry it on, and therefore I ask that this amendment, which is approved and asked for by the Secretary of War, with whom I talked this morning, be agreed to.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. JOHNSON of Mississippi. What salary do these men get? Do you leave it to the discretion of the Secretary of War to pay them anything they want? You would have to have a million dollars if you paid them what they want.

Mr. MACGREGOR. The director of sales has a secretary who gets $1,800. Under him is an executive officer who is a major in the Army. He has an information clerk at $1,300 and a stenographer at $1,200 and a file clerk and typist at $1,200. The two assistant directors of sales are Army officers. They have one stenographer between them at $1,200. In the plant facilities section there is a stenographer and in the railway contractor equipment there is a stenographer.

Mr. JOHNSON of Mississippi. I do not want to take up the gentleman's time, but on page 3 it provides that no civilian employee shall receive more than $5,000. Is there any intent to raise these salaries?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MACGREGOR. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MACGREGOR. This $5,000 provision covers any of the funds appropriated under this act.

Mr. JOHNSON of Mississippi. But it gives the Secretary the right to fix the salary at not more than $5,000, thereby vesting in him discretion to pay as much as he sees fit up to the amount of $5,000.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GARRETT of Tennessee. This amendment, of course, is designed to just have them tread the old pathways.

Mr. MACGREGOR. They want to carry on.

Mr. GARRETT of Tennessee. They want to carry on. It is a tribute to the administration.

Mr. MACGREGOR. To the gentleman's administration.

Mr. GARRETT of Tennessee. To our administration. It is an acknowledgment that it was entirely honest, perfectly square.

Mr. MACGREGOR. We will concede.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. GRIFFIN. Is there anything in the law or in the practical operation of the law to prevent the surplus war material bureau from using the officers and men of the United States Army—the Quartermaster Corps, for instance?

Mr. MACGREGOR. There is nothing in the law to prevent it.

Mr. GRIFFIN. Why do they not do it?

Mr. MACGREGOR. If the gentleman had studied the Army as long as I have, and he probably has, he may well ask why. Why do they have 36,000 civilian employees in the Quartermaster Corps; why do they not use some soldiers?

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. DOWELL. How many of the officers of the Regular Army are engaged in this work? I mean the work provided for in this bill.

Mr. MACGREGOR. In the office of the Director of Sales there are about eight or ten.

Mr. DOWELL. Officers?

Mr. MACGREGOR. Yes.

Mr. DOWELL. Does the gentleman mean to state that there are only eight or ten officers engaged in this work of disposing of surplus materials?

Mr. MACGREGOR. Oh, no; I did not say that. I say in the office of the Director of Sales. He is a coordinating officer as between the surplus property divisions of the various bureaus of the War Department.

Mr. DOWELL. The gentleman means in the room where he is located?

Mr. MACGREGOR. Not in the room.

Mr. DOWELL. And not the entire aggregation of officers that he has over the country?

Mr. MACGREGOR. I mean simply here in Washington.

Mr. DOWELL. In this one office?

Mr. MACGREGOR. Yes; that is the only place he has.

Mr. DOWELL. But they have a number of officers who are assisting in this work throughout the country.

Mr. MACGREGOR. In the surplus property divisions of the Quartermaster Corps, the Engineering Department, the Ordnance, Signal Corps, and Air Service.

Mr. DOWELL. And this department is able to get all of the official assistance they desire from the other departments in making these sales. Is not that correct? Has not the Quartermaster Department charge of these sales?

Mr. MACGREGOR. Oh, no; the Quartermaster Department has not general control of the sales.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. ANTHONY. I think the gentleman from Iowa [Mr. DOWELL] is largely correct in his assumption. We have paralleling activities in every one of the departments in this general sales department. The Quartermaster Department has a sales organization.

Mr. MACGREGOR. Yes.

Mr. ANTHONY. And so has the Signal Corps and others.

Mr. MACGREGOR. But they must have a coordinating officer.

Mr. ANTHONY. Yes; but we believe that with the authority given them to employ all of the Army officers they need they can get along without these high-priced civilians, and with the $40,000 that we appropriate we believe it will give them enough to employ a sufficient coordinating force.

Mr. MACGREGOR. There is no high-paid official in that office.

Mr. ANTHONY. We do not need them. We already have highly paid Army officers.

Mr. DOWELL. Mr. Chairman, the question that I asked of the gentleman from New York has been answered by the chairman of the committee, the gentleman from Kansas [Mr. ANTHONY], and it seems to me that more appropriation merely means to deprive these officers of something to do.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MCKENZIE. Mr. Chairman, I rise in opposition to this amendment, but I want to say a few things out of order, and I ask unanimous consent to proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. MCKENZIE. Mr. Chairman, I am opposed to the amendment offered by the gentleman from New York [Mr. MACGREGOR]. Instead of increasing this amount I think the proper thing to do would be to strike out the whole appropriation. I do not agree with my distinguished and able friend from Tennessee [Mr. GARRETT] that we as a party approve of the policy of the former administration in regard to this matter. I want to say to the gentleman from Tennessee that, so far as I am personally concerned, I fought the proposition to create the office of director of sales, and I have never changed my mind about it. I feel that with the great number of excellent, able, well-qualified officers that we have in the Army of the United States we could get along in the disposal and disposition of our surplus products, at least now since we have provided for an Assistant Secretary of War, through whom these men could function without the office of the director of sales. Therefore I am opposed to it.

I want to call the attention of the Members of the House to the fact that in this very item lies the crux of the whole situation, so far as the great burden of taxation on the people of this country is concerned, when it comes to the matter of maintaining a good Navy and a substantial Army. There is no man, in my judgment, in the United States who is a good American who is not in favor of a splendid Navy. We want the best battleships and the best cruisers that can be created by the genius of man to carry the flag of our country over the seas of the world and to defend not only our commerce but the liberty of the American people; but we ought to see to it that that Navy is on the seas. The great trouble with our Navy to-day is not in the expense of building and maintaining our battleships and submarines and destroyers and all of the things that go out to sea, where danger lurks in time of war, but it is in the useless expenditure and the useless waste that is carried on by the Navy on land in this country, and it ought to be cut out. The idea of having 75,000 men working in the navy yards of our country in time of peace, when many of them are unnecessary! The idea of supporting unnecessary hundreds and thousands of men here in the clerical and administrative force of the Navy on land! It ought to be curtailed, and we can then support the best Navy in the world for a reasonable sum of money.

I am in favor of a good substantial Regular Army. I stood and voted for the reorganization bill which we passed. In that law we provided for a General Staff that will be the best staff that has ever been created by the genius of man inside of 10 years, both field and General Staff. We need perhaps as a minimum, even in time of peace now, 175,000 enlisted men in the Army. That is due to the fact that times have changed. I listened to my good friend from Texas yesterday telling about the days of the Revolution and the Mexican War and the glory of San Jacinto, and all of those things, and I approve of every bit of it. There never has been a time when American citizens—and on citizens we must rely for our defense in time of war—there never has been a time when the American citizen soldier did not add luster and glory to the flag that is the emblem of our liberty, and he always will. But in time of peace now we have various activities that we did not have in those days. We did not have the aircraft then. We did not have the automotive power in those days. We did not have many things that we must now have in the military organization which requires men to handle them and carry them on, and I am in favor of having a sufficient army of enlisted men to do that. But we can have 175,000 enlisted men in the Army of the United States, and with the 17,000 officers provided for we will have the nucleus of an Army that can absorb the millions of untrained citizenry of this country in case of an emergency, but I want every man in the enlisted strength of that Army trained to the last minute. I want him to be a soldier so that in case of war every one of the 175,000 enlisted men might go out and become a drill sergeant and drill the untrained youth of this land to be soldiers. And while I stand for that, gentlemen, I am in favor of compelling the Army of the United States to perform the functions for which it was intended, and that is to be a thoroughly trained and professional Army, to compel them to guard the public property of this Government instead of hiring civilians to do it. [Applause.] Why should not the trained enlisted men of our country guard the arsenals and the navy yards and the public property of this country instead of hiring civilians? Let us cut out all this civilian expense and use our Army in time of peace and then it will be of more value and not a needless expense in time of peace.

Mr. BANKHEAD. Will the gentleman yield?

Mr. McKENZIE. In just a moment; let me proceed a little further.

Now, another thing. In time of war we run to extravagance. We become hysterical and we create needless activities that are not needed in time of peace, and I want to call attention to one. In the Military Establishment of our country to-day we have five places, depots, for the repair of automobiles and trucks, and in every one of them we have the overhead charge of commissioned personnel and enlisted personnel and then we have civilians hired to do the work. Right over here at Holabird, Md., there is a camp where they pretend to be training young men to be automobile experts, gas-engine experts, and they have got one man over there, I am advised, drawing $7,500 a year, and another one at $6,000 a year, and hundreds of civilians, mechanics, hired in the automotive shops. I want to tell you, gentlemen, that I hope the War Department will adopt a new policy and abolish every one of those plants, and if it is necessary to hire a few more mechanics at each of the military posts to repair the automobiles, let them repair them at the posts as they used to shoe horses in the old days used by the Cavalry and Artillery. [Applause.]

Mr. BANKHEAD. Will the gentleman now yield?

Mr. McKENZIE. I will.

Mr. BANKHEAD. Did the naval bill, which we passed day before yesterday, cut out any of this waste of which the gentleman speaks, or does the present Army bill correct these abuses of which he complains?

Mr. McKENZIE. Very little.

Mr. BANKHEAD. The gentleman voted for the naval bill, and I have no doubt will vote for the Army bill.

Mr. McKENZIE. I will be frank with the gentleman. I voted for the naval bill with my eyes open, and I am going to vote for this Army bill with my eyes open; but I am talking about the policy we ought to adopt from this time on, when we get the virus of war out of our veins and get back to a normal condition.

Mr. CRAMTON. If the gentleman will permit, the gentleman is aware that the pending bill will force a reduction of 40,000 in the civilian employees of the War establishment?

Mr. McKENZIE. Let us hope so; and it ought to be 40,000 more. We ought to have men enlisted in the Regular Army to do this work, and I am getting sick and tired of voting for salaries of civilians in the Army, and I want to see it cut out [applause], and I want to see the present Secretary of War take enough interest not only in the country but in the Army, because the Army can not survive with this great load bearing down upon it without the abolition of all of these unnecessary auxiliaries. Now, another thing. As I have said, I want the Army of the United States to be a fighting institution. I do not want it a musical organization or a band of men that have been taught the way to draw, or anything of that sort.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. I ask for one additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ANTHONY. Make it five.

Mr. McKENZIE. In 1916, when we adopted the national defense act, there were some very good citizens of our country—and I respect them—who said, "Let us make our Army a kindergarten institution and teach the boys vocational training." That thing has been taken hold of, and, gentlemen of this House, if it is not throttled it will bankrupt this country. There is no necessity of having an army engage in any other pursuit than that of studying the problems of war, preparing certain of our young men to fight for us if the time comes when it is necessary.

We ought to repeal the law. As long as it is in force the officers of the Army have got to do something under it. But it ought to be repealed and the expense cut off.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Mississippi [Mr. SISSON], a member of the committee, is recognized.

Mr. SISSON. Mr. Chairman, at this juncture I want to discuss this amendment, because all through the bill this question may arise. I agree with the gentleman from Illinois [Mr. McKENZIE], who has just taken his seat. I believe that in the past, and right now, there are infinitely more civilian employees than are necessary. I believe if you can keep the soldier reasonably busy in some useful employment while he is in the service, he is not only happier and more contented but he will gradually become a better soldier.

When we undertook the proposition of ascertaining the number of civilian employees now in the Army it was estimated that there were something over 100,000 of them. When we commenced this investigation we gave the then Secretary of War to understand that the Congress would not tolerate having one civilian employee to wait upon one Army officer or upon a private. Then, as best we could, we ascertained that there were something like 80,000 men that are now employed as civilians in the Army. It is now estimated, as suggested by the gentleman from Michigan [Mr. CRAMTON], that the provisions of this bill will cut out at least 40,000 of the 80,000 and odd. That is, of course, a radical cut. And we did not know, nor does any man in Congress know, or were we able to ascertain exactly, because the investigation would be quite an extensive one, how many men would be needed to take care of the property stored in various places in the United States. But this bill makes provision for the selling of a great deal of the property. There are certain stores that we ought to keep, certain essential things that we ought to have at all times; but there are many automobiles, there is a great deal of food, property of all kinds and character, that the Army is seeking to keep. The question of whether you shall get rid of all this property, of all this army of civilian employees, is absolutely with your Secretary of War. If he decides he does not want to keep the civilian employees, there is no trouble under the terms of the bill to get it down to a minimum, and if the policy suggested by the gentleman from Illinois [Mr. McKENZIE] was the policy adopted right now by the Secretary of War, the mental attitude of the people of the United States would be different toward the Army, because they now feel that the soldier, except when he is actually drilling, is a loafer; and when men have nothing to do they engage in all sorts of sports of doubtful nature. It is possible that that may be the reason for so many of the boys gambling, shooting craps, and playing cards, and doing many other things; but if you keep these men busy at some useful occupation you will not only make better men of them but better soldiers, and from our point of view, as Congressmen appropriating money, we will save millions of dollars to the Federal Treasury.

I am delighted that Congress has at last been aroused to the idea that we ought to begin to economize. It has been only within the last year or two that the question of economy seems to have had any influence in this body at all. We have heard the battle cry in the past that this is a billion dollar country. But there is, in my judgment, gentlemen of the committee, nothing that is more to be deplored than the fact that a Mem-

ber of Congress would vote one single penny out of the Federal Treasury except for a useful governmental function and for some useful governmental activity. If, as was suggested by Senator Aldrich in the Senate a few years ago, you could get eradicated from the Government useless places, and could get down to a business basis, you would cut off at least 33⅓ per cent of the annual expenditure of the peace-time budget. And I think Senator Aldrich was most conservative.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. Mr. Chairman, I ask for two additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SISSON. There is a rather peculiar thing. If this was your own business and not the Government business, if this was your own pocketbook and not the Federal Treasury, Congress would get busy and cut these useless employees from the Government pay roll. But your committee has to have not only the mere casual support but the active support of Congress.

There are a good many things the chairman of your committee would like to do, because he is not only an efficient chairman but he has the proper mental attitude with reference to the expenditure of public money. [Applause.] But we find ourselves constantly confronted with the proposition that if you pass a little legislation to cure a present defect, we are to be crucified with the idea that we are trying to absorb all the powers of the Government. I say to you without hesitation that a close study of the English system of legislation as well as our own will demonstrate that there are small items that affect appropriation bills and never get upon the statute books, except at the time you are considering a particular little evil, that are so small that the time of Congress ought not to be taken up with them.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to offer an amendment to the amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey to the amendment offered by Mr. MACGREGOR: Strike out the figures "$118,000" in the amendment, and insert in lieu thereof the figures "$30,000."

Mr. PARKER of New Jersey. Mr. Chairman, the committee will see that I agree entirely with what has just been said here. We ought to reduce the number of civilian employees, but I feel as if civilian employees in this office of the Director of Sales ought certainly and especially to be called down. They seem to care more about selling goods than they do for the good of the Army. I desire to have the Clerk read in my time a notice which I have received to-day.

The CHAIRMAN. Without objection, the Clerk will read it.

The Clerk read as follows:

APRIL 27, 1921.

Publicity Statement No. 440.

Subject: Camp Dodge, Iowa, to be sold.

The War Department authorizes publication of the following from the office of the Director of Sales:

The Director of Sales announces that Camp Dodge, located 11½ miles north of Des Moines, Iowa, is to be offered for sale, through sealed proposals to be received until 3 p. m., eastern time, May 20, 1921, by the Quartermaster General of the Army.

Included in the sale will be approximately 1,200 buildings and improvements of various kinds, together with fixtures, etc. The buildings include barracks, officers' quarters, storehouses, stables, sheds, lavatories, hospital wards, infirmaries, and miscellaneous buildings.

An inventory of the buildings, specifications for the sale, proposal blanks, and full particulars may be obtained upon application from the Quartermaster General, Munitions Building, Washington, D. C.

Mr. PARKER of New Jersey. Mr. Chairman, there is such a thing as spending the money of the United States, and there is such a thing as throwing away the property of the United States. I do not know what this camp cost. I know it will sell for but a slight percentage of what it cost. I know that the buildings are needed for hospitals now, and that hospitals provided for soldiers are not available, although we have them. I know that these buildings and these camps are the first things that will be wanted in case there is a sudden call for war, places where you can drill and train the troops.

I call your attention to the fact that there seems to be no talk about this sale or popular information about it, but the Director of Sales, in his office, acting through civilians, offers for sale a piece of Government property which, I think, is as essential to the defense of the United States as is a fort. I therefore move to reduce this amount, $118,000, and insert $30,000 instead, so as to express the opinion of this House on that matter.

Mr. QUIN. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes out of order on a subject not directly pertaining to this bill.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for 10 minutes out of order. Is there objection?

There was no objection.

Mr. QUIN. Mr. Chairman, unlike my friend from Illinois [Mr. MCKENZIE], I did not vote for the naval program of $396,000,000, and, unlike him, I am not going to vote for this Army appropriation bill.

I can not see the necessity for this large expenditure of money under the circumstances that exist, with this Republic already burdened with such enormous debts. How could it legitimately be expected of the taxpayers of this country to come across with all this money in taxes, which can not be reduced unless the Congress of the United States starts with the enactment of reductions in such measures as these? All of the howls that we heard against Secretary Baker for not curtailing enlistments in the Army have subsided, and instead of having 150,000, which both sides of this House voted for, as the proper number of enlisted men, you come here at this late hour and ask for 168,000 enlisted men, and ask us to support it. You come out with a total appropriation of three hundred and thirty-one million seventy-two thousand and some odd dollars and eighty cents. I do not know what the 80 cents is for. [Laughter.]

Where will we stop? By this Army program and this Navy program together you have over $700,000,000. The gentleman from New Jersey [Mr. PARKER] just said that we needed to retain a lot of buildings over here at some camp in Iowa, because we might need them if we soon have another war. In the name of Heaven, are we to stand up as in dread of war at all times? Are we as a peaceful people to be prepared on the high seas with the greatest Navy in the world and ask the American people to pay $400,000,000 a year to maintain it and support it? Are we as a progressive people to ask for an Army costing $331,000,000, together with $2,000,000,000 of annual interest standing out against us, which the American people must pay in taxes, while in all corners of the Republic comes the cry to reduce taxation? How can we reduce taxation if we are going to maintain such an extravagant Army and Navy as this Congress is to-day authorizing?

Only 15 of us voted against that naval bill the other day, and from the way it looks on this Army appropriation bill it would seem as if there will not be a baker's dozen voting against it. In this hour of depression Congressmen speak of hundreds of millions of dollars as though it were a light thing. But the people who must raise the money to pay the taxes want to know where this money is going. Who is it that believes the American people demand an Army here with all this drove of officers that this bill contains to-day? This bill properly carries an appropriation for the National Guard of the United States. Our people are satisfied with a small Army and a good, substantial guard in each State of this Nation to maintain peace and order.

In my judgment, 100,000 men are all that this Congress ought to authorize, and all that we ought to appropriate for, and for my part I shall not vote for any bill that carries a dollar for an army over that.

The American people know that it is useless in peace times to talk about having this great burden placed on their shoulders. The people are familiar with the fact that we have in the United States more than 4,000,000 of well-trained young men to-day. The people know that it is not the business of the United States Army to go out and do what we call "Americanizing" every foreigner in this country by enlisting him in the Army and giving him an education. The people back home are getting tired of this taxation business, and particularly of this vocational education business that you have in this bill. They think it is not appropriate. The Federal Government should not bear any part of that expenditure. You already have your high schools and your normal schools and your agricultural schools and your agricultural and mechanical colleges and universities in every State of this Union to carry on that very same work, and here you are proposing to extend throughout the Army an extravagant system of instruction, with a horde of teachers and directors to do that sort of work in the Army.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. QUIN. No; I regret I can not yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. QUIN. The expense is great, and the gentleman from Illinois is against that. Now, if he is against it, why is he in favor of this bill? No man can stand up and defend every item in this great bill that is before the House to-day, and if there is going to be a pretended reduction of expenses the Con-

gress should start in, in my judgment, at the most appropriate place, and that is the Army.

Why do we need this huge Army? Where is the danger coming from? Yonder across the sea the people are hungry. Over yonder in Germany they have no army, no navy, and no money. France is talking about invading German territory in order to make them pay the money owed. We had all supposed that their backs were broken. Instead of acting in good faith and saying to the world that we are not afraid to decrease our armaments, we are now told that we should have the greatest Navy floating in the ocean and a large standing Army, while the people of this Nation beg us to come forth with a program showing that we propose in good faith to disarm.

Shall we be well armed with pistols buckled around us and breech-loading shotguns on our shoulders, and at the same time tell the other fellow not to have even a Barlow knife? Do we propose to act in good faith and let our own disarmament proceed with that of the other fellow? Instead of having 168,000 men in the Army of the United States, and all the National Guard, in my judgment this bill should cut the Army down to 100,000 men and the requisite number of officers to officer and discipline that number of soldiers properly. If we proceed on the theory that we must keep up 168,000 soldiers in order to give jobs to all these officers that we have provided for in this measure, that may be a logical reason, but I can not conceive of any process of reasoning that would justify the American Congress in saddling on the taxpayers of America this great burden that we know will be an increasing one instead of a decreasing one. Twelve months from now instead of calling for a reduction in this number the Congress will call for more. Instead of it being 168,000 they will slip it up to 180,000, and next time they will slip it up to 200,000 in the next Congress. Then, in this very measure they have these civilian training camps, that go to every school in the United States. You pay already the salaries of these young men after they end their 12 months, giving them the pay of an enlisted man in these training camps, and if you keep on in three years from now this bill instead of being $331,000,000 will be $500,000,000 annually. We can not afford to postpone our own disarmament plan while the country is groaning under the tax burden already existing. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment to the amendment offered by the gentleman from New Jersey [Mr. PARKER].

Mr. GARRETT of Tennessee. Mr. Chairman, may we have the amendment reported?

The CHAIRMAN. The Clerk will again report the amendment, without objection.

Mr. GARRETT of Tennessee. May we have the original amendment reported and the amendment to the amendment?

The CHAIRMAN. Without objection, the Clerk will read both the amendment and the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: Page 2, line 17, strike out the figures "$75,000" and insert "$168,000." Also strike out the figures "$40,000" and insert "$118,000."

Amendment offered by Mr. PARKER of New Jersey to the amendment offered by Mr. MACGREGOR: Strike out in the amendment "$118,000" and insert in lieu thereof the figures "$30,000."

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the original amendment offered by the gentleman from New York [Mr. MACGREGOR].

The amendment was rejected.

Mr. BEGG. I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, for a number of days we have been listening to speeches on disarmament and reduction of naval programs, and now comes the same thing with reference to the Army.

There is no difference of opinion about the ultimate goal to be arrived at, I take it. The whole difference of opinion comes on the question of the right time to do the thing. Men on the Democratic side seem to be particularly solicitous that the undertaking be started right now. The gentleman from New York [Mr. COCKRAN] has made three very eloquent speeches on the subject of disarmament. It has been my good fortune to listen to all three of them, and to-day I do not know whether he is in favor of disarmament or in favor of armament. [Laughter.]

I want to call the attention of gentlemen on this side of the House that if we are sincere on the question of disarmament we will undertake to do the job when there is some likelihood of success. Does it not seem rather unreasonable to expect England, Italy, and France to agree to a proposition to undertake to disarm or reduce their naval appropriations and expenditures right during the very hour when they are trying to get Germany to agree to the reparations outlined in their treaty that they have already signed and agreed to with Germany? Until that time comes I am one man who will do nothing in this House by any action or vote of mine that will in any way undertake to slow up the possibility of a settlement in that country over the question of reparation.

The gentleman from New York [Mr. COCKRAN] made a great and eloquent plea that business conditions would be restored if we could just cut down something like $100,000,000 or $200,000,000 or $300,000,000 in the naval bill. Why, my good friends, if we saved and did not spend one dollar for the Navy, the amount of taxes that would be left off next year in our taxing program would not start one single factory in this country, and the gentleman from New York knows it and every other man knows it. The thing that is at the bottom of the financial depression in this country fundamentally is not the question of high taxes because of the Navy or Army that we are starting to build up and maintain for the future. It is the logical result of the disastrous war that has been in existence for the past five years. That condition of depression would be with us to-day even though we did not spend a dollar for the Army or the Navy. The interest on the debt that has already been piled up—whether wisely or unwisely piled up it makes no difference, for it is there and must be paid—that interest alone will not decrease until some of the principal is paid.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BEGG. I will gladly yield for a question.

Mr. BANKHEAD. From the gentleman's statement I understand his theory to be that by cutting down appropriations of enormous sums you do not thereby necessarily reduce taxation.

Mr. BEGG. That is not what the gentleman said or meant to say, and the gentleman from Alabama knows that is not what he said. The gentleman said if we were to cut out the whole appropriation for the Army and the Navy it would not be a drop in the bucket on the interest that we have to pay on the debt already piled up, and would not restore business, and the gentleman from Alabama and every other man knows that it would not.

Now, we have heard much talk that 80 or 90 cents of every dollar of public money that we have expended have been expended for the Army or the Navy, wars past and wars to come.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SANDERS of Indiana. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the time of the gentleman from Ohio be extended five minutes. Is there objection?

There was no objection.

Mr. FISH. Will the gentleman yield for a question?

Mr. BEGG. I will gladly yield to the gentleman for a brief question.

Mr. FISH. Does the gentleman mean to insinuate to this House that a saving of $700,000,000 will not help business?

Mr. BEGG. In reply to that I will say that the interest on $700,000,000 if saved would not help business to any appreciable extent when we have to pay the interest on $26,000,000,000 plus $10,000,000,000 that we are carrying for foreign countries, which amounts have been piled up on us.

Mr. FISH. In other words——

Mr. BEGG. I am sorry, I can not yield further. I started on the proposition that it has been repeatedly said that 80 or 90 cents of every dollar appropriated goes to pay for wars in the past and wars in the future. I made a mental calculation—little more than a mental calculation—as to the amount of money that has been appropriated when this bill will have been passed for war purposes in the future as well as in the past, and it is less than 12 cents on the dollar within two years after the close of the war, when nobody knows what the conditions are in Japan, when nobody knows what the conditions are in Russia, and nobody knows what the conditions may be in the whole of greater Europe inside of a period of a few months. Right in the face of impending world trouble do you want to cut down the appropriations to nothing?

Now, I want to ask the men on this side of the House and men on that side, Where does the balance, the 62 of the 80 cents go—to whom does it go? It goes to the men who made this country a United States in 1861–1865. It goes to the American soldiers, your fathers, who were the first people on the face of the globe to ever carry the flag to other countries in the defense of a downtrodden people when they were prompted by no motive whatever of self-aggrandizement and who, in addition to giving them their liberty, extended to them the benefits of education and training in self-government a few years and

then set them free; and as a part of the possessions of that country of which they came in control during the war they paid to the conquered country more than the value of the possessions and stand ready to-day to spend millions of dollars in bringing them out of the darkness into the light of civilization, stand ready to-day to turn them loose as a free and independent people whenever the time has arrived that they believe they are able to go it alone.

Ah, yes, men, a big portion of the 62½ cents of every dollar goes to the veterans of this war. And who is there, I will ask you, that will take away from the veterans of the World War that assistance? They are the defenders of progress, the givers of civilization, the blazers of the trail through the dark forests of ignorance. It was our fathers that fought for American independence, that gave to the human family the world round the benefits of the modern civilized world, even the physical benefits as well as the liberties that we are now enjoying. [Applause.]

I would ask in conclusion, where is there a man who will refuse to pay the debt we owe to those who have gone before and made it possible to have our country, that guarantees to the individual religious freedom, civil liberty, and property rights—the three things that have made the human being go from the age of wax candles and tallow dips to the electric light, who transferred us from the days of the stage coach to the Pullman car, automobile, and airplane, who changed us from the age when the manufacturing was done in the blacksmith shop, by the the spinning wheel and the hand loom, until to-day we have great, giant industries pouring forth more of those products going to make the human family happy in one hour than the whole human family could have manufactured in a hundred years? [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WINGO. Mr. Chairman, during my association in the House with the gentleman from Ohio [Mr. BEGG] I have learned to have not only a very high regard for his charming personality but also a great deal of respect for his strong intellect. However, I can not follow him on this occasion. I confess I was charmed with the beauty of his peroration, but I was astounded by his premises and shocked by his logic. [Laughter and applause.]

He stated that the reduction in the expenditure by the Federal Government to a sum equal the expenditures provided for by both the Army and the naval bills would not affect the economic and financial condition of the country. I hope my friend will avail himself of his privilege and cut that statement out of his speech before he puts it in the RECORD.

Why, Mr. Chairman, the first start in reducing the high cost of living is to reduce the high cost of government. There are certain things that are basic and fundamental in the economic life of the American people. These basic things are first of all taxation, then the price of credit; that is, the interest rate, next the cost of transportation—freight rates; next the cost—and I speak relatively of all these things—the cost of steel, coal, and other basic commodities. Now, how can the American Congress preach a reduction in these other fundamentals when the Government agencies refuse to do its part in making one of the basic reductions, and that is in the cost of government?

Now, gentlemen, we have to face this proposition or quit talking about economy and actually economize, or else we ought to stop blaming the American people, insisting that they indulge in thrift and practice economy. I do not know, and I do not claim to be an expert in expenditures for the Army and the Navy. but I do not think it takes an expert to recognize the fact that something is radically wrong with the policy of this Nation when all the rest of the world is bankrupt, when all the other great nations must come to us on bended knees begging for raw materials, for the very necessaries of life, and for the basic materials with which they must rebuild their war-devastated economic structures, that this Nation should by its annual appropriation bills burden the American people with a sum for military establishments almost equal to the entire cost of maintaining our Government a few years ago.

Mr. Chairman, you may call it an idle dream if you will, you may ridicule the logic, and say you do not understand the conclusions of the gentleman from New York [Mr. COCKRAN], but he has put his finger on the controlling factor, and that is this: No longer can the taxpayers of the earth stand the present gigantic load of taxation for the support of military and naval establishments, and unless something is done to relieve them of that load you are going to destroy stable government, destroy economic stability, and all those things that constitute the very civilization for the support of which it is contended military establishments are maintained. [Applause.]

Gentlemen may say that it is folly to dream of the day of universal peace, but that day must come. We will reach it finally, either through the exercise of common sense and the mobilization of the moral forces of the earth, or we will reach it by sailing through a sea of blood to the port of exhaustion. There are two schools of thought in this country, two schools of statesmen. One is composed of the men of faith, who say they believe that the civilization of the world has progressed to that point where the peoples of the earth through their chosen leaders can sit down and by common agreement do something to reduce the awful load of governmental expenditures that are made and laid out for the maintenance of their military establishments. These men believe that the civilization of the earth has sufficiently advanced where it is possible, at the same time maintaining the absolute independence of each nation, to send the nations of the earth to the courthouse of nations to settle their disputes, just as the citizens of a county are required to go to the courthouse of the county to settle their disputes instead of arming their sons and having them meet on the common and shoot it out.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. WINGO. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. On the other hand, you have the other school of statesmanship, which is the cynical school. That is the school which says that our civilization is nothing but an outward show, a veneer, a sham, a mockery; that the lust of battle is still strong and the controlling passion in the human breast; that there always have been wars and that there always will be wars; that the only way to maintain peace is to turn each nation into an armed camp and make preparations for the next struggle the chief concern of each nation's people; that the arbitrament of the sword is the only way to decide international disputes; that the rule of justice and fair play and accommodation between the nations of the earth is impossible; that it is a question of the survival of the fittest; and that each nation must at all times be on a war footing and ready to go down to the field of battle.

Mr. Chairman, I do not know what each and every man may say as to why we entered the last war; I do not know what conclusion impelled each Member to vote for war, but after all there was one common thought which was crystallized during the conflict, and that was that one of the prime purposes of this war was to destroy militarism.

It was with that faith, it was with that ideal that we fired our soldiers in the training camps of the country and sent them beyond the seas to fight on foreign soil; and yet sometimes I think when some of these appropriation bills for the Army and the Navy are under consideration, what a tragedy it would be, the irony of fate, if this Nation should fall a victim to the very militarism to destroy which we so freely gave of our blood and treasure. [Applause.]

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WINGO. Pardon me, but I wish to conclude. I have great faith in the ultimate judgment of the American people. Now that the political campaign is over and the partisan passions of the hour are dying away they are slowly but surely realizing that, in spite of the declamations of the demagogues and partisans to the contrary, we are a part of the world and can not escape the fact, whether we like it or not, that our peace and economic tranquillity are interwoven with that of the world, and therefore we have a selfish interest in maintaining the peace of the earth, and have the right to insist that all nations join us in putting an end to the mad, unbearable race of competitive armaments and in substituting the rule of justice for brute force. Let the demagogue rant, the partisan rave, and the cynic sneer, but civilized nations in the exercise, and not a surrender, of their sovereignty are going to establish some plan to prevent war and maintain the peace of the earth. It matters not what you call the plan—League of Nations, association of nations, or something else—the war-weary, tax-burdened peoples of the earth are going to insist on it. Daily thoughtful men and women, sick of the horror of war and staggering under the crushing load war has placed on their weary shoulders, are praying a common prayer, that in the fullness of time will be answered, and that prayer is, May the God of our fathers hasten the day foretold by the prophet of old when the spear shall be turned into the pruning fork, the sword be beaten into the plowshare, and men shall learn the art of war no more forever. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I move to strike out the enacting clause of the bill. In its present form I can not sup-

port the proposed bill. Unless in the course of these deliberations it is greatly reduced in the amount of appropriation it carries and in the number of men authorized under it for a standing Army for the next fiscal year I have no hesitation in voting against its passage. I believe that this conclusion is based upon reasons of sound public policy at this time. In this bill you are proposing a standing Army of 168,000 enlisted men and an authorized officer personnel of 17,000 men. In my judgment that authorization in the present posture of national affairs is absolutely unjustified. You are asking us to pass on to the American people in this bill an appropriation of $330,000,000 to be paid out of the toil and energy and sacrifice of the American people to sustain an Army of those tremendous proportions. I ask the gentleman in charge of this bill, I ask the proponents of this measure on this floor, what is the international or domestic situation with which America is confronted that justifies an expenditure of those proportions for the maintenance of this burden at this time upon the American people?

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. In a moment.

Mr. GREENE of Vermont. I did not know whether that is a rhetorical question or whether the gentleman wants an answer to it.

Mr. BANKHEAD. Very well. What is the reason?

Mr. GREENE of Vermont. We are not attempting by this bill to prepare a defensive Army. It is a training Army. Nobody pretends that these numbers are sufficient for national defense.

Mr. BANKHEAD. I had heretofore had the idea that a standing army was maintained by a Government primarily for defensive purposes in the event it should be attacked, and that the size of a nation's army was commensurate with the probability of aggression against it.

Mr. GREENE of Vermont. Ah——

Mr. BANKHEAD. Oh, I do not yield to the gentleman to make an argument in my time, because it is too limited. I want to address this question to the Congress of the United States: What is the international menace that confronts us which justifies this burden? I listened to the gentleman from Illinois [Mr. McKENZIE] when he said we ought to have an Army of 170,000 men, and I thought he was going to give us some reason to justify the conclusion; but his argument was that in the days of the Mexican War we had no motor vehicles and no airplanes and that now we have those things and we must furnish the men to run the motor cars and the airplanes.

If you will read the speech of the gentleman in the RECORD to-morrow, you will see that is the basis of his justification for this expenditure. Are we afraid of England, gentlemen of the House, at this time? England who has just emerged from the horrors of a great war that decimated her manhood and destroyed her productive energies, and who to-day is burdened with grievous and distressing domestic problems and perils, our brothers in blood and in commercial relations? Are we afraid of France, our traditional ally, afraid of our late ally in the war? Why the very suggestion of the probability almost has a semblance of blasphemy. Of Japan? Oh, the yellow peril that we perennially hear so much about and that we have been hearing so much about for the last 20 years; a little 60,000,000 people with restricted territory, with restricted productive energy, with limited national credit. For some imaginary reason the people of America are told that if they do not watch out some morning before breakfast we are going to be gobbled up by the hordes of Nippon. Germany, prostrated; Russia, paralyzed. There is your international situation, gentlemen. And yet by this bill you want to put upon the already overburdened people of America a debt they have got to pay out of their energies and out of their taxes, $330,000,000. In the naval bill passed day before yesterday, with only 15 Members on this side registering their protest against it, was carried $400,000,000 more—$730,000,000, gentlemen. Do you for a moment appraise what that means when passed on to the backs and homes of the productive energies of Americans? It is time that you should stop and think about it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. May I have five minutes additional?

The CHAIRMAN. Is there objection?

Mr. ANTHONY. Mr. Chairman, I do not intend to object to the granting of the time in this instance, but hereafter I think gentlemen ought to confine themselves to the rule of debate under the five-minute rule.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. Seven hundred and thirty million dollars in those two bills—not for any purpose of production, not for the stimulation of any legitimate furtherance of prosperity and peace and happiness of this country, not for the building up of our public highway system, which needs so much assistance at this time; not for the purpose of education, not for the purpose of promoting agriculture, not for the purpose of increasing the social and domestic welfare of the country, but every dollar of it absolutely to be spent for purposes that ultimately mean the destruction of life and property, or the destruction itself of the appropriation, sustaining in absolute idleness—and I do not say this in criticism—the young men of America who enlist in the Army and Navy of the United States, for they toil not and neither do they spin. Ah, the gentleman from Vermont says we are keeping them and paying this tremendous sum of money for training purposes, and that is an accurate statement, I imagine, for the modern conception of the Army of the United States; and that is all it is, because that is the tribute we are paying to the new theory of our Army in this country. You gentlemen on that side are responsible for legislation to the American people. You have promised them retrenchment in expenditures. If there is any one thing the business men of America and the laboring men of America and the people of intermediate stations of America to-day are earnestly desiring above all things it is to get the Government of the United States and these expenditures, with the resultant taxation, off of their backs and off of their productive energies. You promised to give it to them and went before the people of the United States on the promise of economy, and that is one of the planks of your platform. I want to say if your appropriations for the Army and Navy bills are samples of your retrenchment you are making a sorry start in carrying out your promises made to the American people. There is but one way to retrench. The significance of the word means to cut out. There are certain things in this country, definite and unescapeful taxes, we have got to bear, like the interest on the public debt, the taking care of our soldiers and their wives.

There are some things which we can not escape, which are fixed, determined; but there are certain others of legislation that involve congressional discretion and judgment, and this is one of them. This bill and the naval bill, as a matter of fact, are the only large fields of possibility for the exercise of any considerable economy upon the part of the American Congress, and instead of doing that and carrying out your platform you propose to pass a bill, and you will pass it, proposing, instead of 150,000 men, nearly 170,000 soldiers in the Regular Army of the United States for the next fiscal year. Is that economy?

Mr. KAHN. Will the gentleman yield?

Mr. BANKHEAD. I will yield.

Mr. KAHN. Does the gentleman recall that the last administration sent to the House an estimate for an Army of approximately $699,000,000, and this side of the House has cut it down more than one-half? [Applause on the Republican side.]

Mr. BANKHEAD. I imagined possibly some man on the other side might undertake to draw some parallel between the last administration and this, but I want to say to the gentleman that as far as I am personally concerned I shall extend every legitimate cooperation to the present administration.

Mr. GARRETT of Tennessee. Will the gentleman from Alabama yield?

Mr. BANKHEAD. Yes.

Mr. GARRETT of Tennessee. Will the gentleman yield in order that I may ask the gentleman from California if he personally favored cutting down the estimate?

Mr. BANKHEAD. Just answer that.

Mr. KAHN. If I favored——

Mr. BANKHEAD. If the gentleman personally favored cutting down the estimates?

Mr. KAHN. Oh——

Mr. BANKHEAD. Categorically, answer it yes or no.

Mr. KAHN. I do not propose to answer it the way the gentleman wants me to answer it, but I propose to answer it in my own way. In the second session of the last Congress we cut down the estimate—I was chairman of the committee—from $992,000,000 to $393,000,000. [Applause on the Republican side.]

Mr. ANTHONY. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Kansas rise?

Mr. ANTHONY. I move to strike out the last word.

The CHAIRMAN. There is an amendment already pending. The gentleman can speak in opposition to that.

Mr. ANTHONY. Mr. Chairman, this side of the House has listened to the lecture of the gentleman from Alabama [Mr.

BANKHEAD] on the necessity for economy, and I think at this juncture a few figures would be illuminating as to what this side of the House has already accomplished in the direction of practical economy in its appropriation bills.

I want to remind the gentleman from Alabama that his administration recommended to this Congress an appropriation of $690,000,000 for the present Army bill that we are considering to-day. We have reported it out at $331,000,000, proposing to save over 100 per cent alone in this one bill, as the gentleman from California [Mr. KAHN] has pointed out. We propose to save $117,000,000 in this bill over what the Army has cost us for the current year. There is more real economy and a greater saving in this bill than in any other piece of legislation Congress has so far considered.

In the naval bill the gentleman's administration asked for a total of $679,000,000 for the Navy for the next fiscal year. This House yesterday appropriated $396,000,000 for that purpose, a saving to the people of nearly $300,000,000. The gentleman's administration a few months ago asked for $35,000,000 for fortifications in this country. This side of the House gave $8,000,000 for that purpose, a saving to the country of nearly $28,000,000. And out of a total of $1,413,000,000 which the gentleman's administration asked for for military and naval purposes, this Congress has voted, or will vote, not to exceed $735,000,000 for the next fiscal year, a saving of the stupendous sum of nearly $700,000,000 for military activities alone over the immense sums asked for this purpose by the previous administration.

Mr. KAHN. Is it not a fact that when the Army bill was passed by the last Congress the President refused to sign it because the amount was not big enough?

Mr. ANTHONY. That is true.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. GARRETT of Tennessee. Is it true?

Mr. ANTHONY. I have every reason to believe it is true.

Mr. GARRETT of Tennessee. Why?

Mr. ANTHONY. Because Secretary Baker and other officials representing the administration appeared before the committee and asked for more money than we gave them.

Mr. GARRETT of Tennessee. My understanding is that the only difference now is that Secretary Weeks comes down with Gen. March, whereas Mr. Baker formerly came down with him. Is that correct?

The CHAIRMAN. The gentleman's time has expired. All time has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas [Mr. ANTHONY] may be given two additional minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the time of the gentleman from Kansas may be extended two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. I would like to ask the chairman of the committee if it is not also true that the previous administration immediately at the conclusion of the late war asked for an Army of 529,000 men?

Mr. ANTHONY. Five hundred and seventy-six thousand men.

Mr. JOHNSON of South Dakota. Five hundred and seventy-six thousand men and compulsory military training in addition to that?

Mr. ANTHONY. And this bill carries 168,000 men.

Mr. JOHNSON of South Dakota. Yes.

Mr. ANTHONY. And let me say, in addition to that, the former administration vetoed the Kahn resolution, which attempted to limit the Army to 175,000 men.

Mr. GARRETT of Tennessee. With the approval of Mr. Kahn?

Mr. ANTHONY. I do not know about that.

Mr. MADDEN. And under the recommendation of the Democratic Party, just gone out of power, for an Army of 576,000 men and universal military training, there was $1,500,000,000 of expenditure to be added.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word.

There has been a rumor running about the corridors of the House that at some time during the consideration of this bill an amendment would be offered which would in effect provide that the President of the United States should withdraw the troops now in Germany. Can the gentleman from Kansas [Mr. ANTHONY] or any other gentleman on that side inform us whether such an amendment is to be offered?

Mr. ANTHONY. I have heard of no such amendment.

Mr. GARRETT of Tennessee. Of course the only purpose that could be possible for the passage of what is called the peace resolution would be the withdrawal of troops. That is all it may effect, I presume. It might be done upon this bill, might it not?

Mr. ANTHONY. I will say to the gentleman that this bill is framed upon the supposition that the Army of occupation will be withdrawn from Germany.

Mr. GARRETT of Tennessee. Well, when?

Mr. ANTHONY. At the earliest possible opportunity. I have heard nothing to the effect that it would not be.

Mr. GARRETT of Tennessee. Will it be immediately after the passage of the resolution?

Mr. ANTHONY. If the Secretary of War is to administer the Army under the amounts that are appropriated in this bill and under the terms of the restrictive amendments, he will have to pull our troops away from Germany; he will have to reduce the number of our troops that are stationed in Hawaii, the Canal Zone, and many of our outlying possessions. He will have to take the ax and chop out or chop down arbitrarily many of the items of expense that have heretofore existed.

Mr. GARRETT of Tennessee. Why particularly in regard to Germany?

Mr. ANTHONY. Because in order to bring the Army down to the size that this bill creates and provide enough men for home garrison and training purposes we will have to pull in troops that are being used outside the territorial limits of the United States.

Mr. GARRETT of Tennessee. Do I understand the gentleman—let us not have any misunderstanding at all about it—that it means, if this bill passes, that at the beginning of the fiscal year, in next July, all the troops will be withdrawn from Germany?

Mr. ANTHONY. Oh, no. We do not know positively in regard to it, but we are going on the supposition that they will be; that we are going to have peace, and that there will be no necessity for their further continuance over there.

Mr. GARRETT of Tennessee. Well, the gentleman says "no necessity for their further continuance." Why?

Mr. ANTHONY. I understand they are there now under the terms of the armistice.

Mr. GARRETT of Tennessee. Is that predicated on the supposition that the resolution declaring the war at an end is passed?

Mr. ANTHONY. I think that is a part of the program.

Mr. FISH. It would not necessarily mean that they should be withdrawn on account of the Knox resolution going through?

Is it not a fact that they have been there 30 months already, and that the war has been over for 30 months?

Mr. MADDEN. It has not been over with us. We are technically still at war.

Mr. FISH. Yes; technically, but the war has been over for 30 months.

Mr. GARRETT of Tennessee. That does not depend——

Mr. FISH. It does not depend at all on the resolution. It depends on the action of Congress.

Mr. GARRETT of Tennessee. There is no reason appealing to the gentleman from New York why the present President of the United States should not have withdrawn them on the 4th of March.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. HILL. Is it not true that the troops are on the Rhine holding territory under the terms of the armistice, to which the United States is a party; is not that true?

Mr. GARRETT of Tennessee. It is true. I congratulate the gentleman on his accuracy of recollection. [Laughter.]

Mr. FISH. And is it not true——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, may I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FISH. Is it not true also that these troops in the army of occupation are there at the expense of the American taxpayers?

Mr. GARRETT of Tennessee. I do not know about that. I understand that Germany, under the terms of the armistice, is paying the expenses of the maintenance of our troops.

Mr. FISH. I understand that Germany owes this country for the maintenance of those troops in excess of $250,000,000.

Mr. GARRETT of Tennessee. Will the gentleman please repeat his statement?

Mr. FISH. I understand that the German Government owes the taxpayers of this country—our Government—$250,000,000 for the maintenance of those troops in the army of occupation.

Mr. GARRETT of Tennessee. Well, are you going to collect it by withdrawing the troops? [Laughter on the Democratic side.]

Mr. FISH. We are not going to spend any more by keeping them there.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. JOHNSON of South Dakota. I would like to ask my friend if he is objecting to the fact that these troops are now in Germany on the Rhine?

Mr. GARRETT of Tennessee. No; I am not. Does the gentleman think they should be withdrawn?

Mr. JOHNSON of South Dakota. I am asking the gentleman, so that I can understand the reasons for his attitude in this discussion. [Laughter.] I was trying to find out whether the gentleman was objecting.

Mr. GARRETT of Tennessee. I am not objecting to the troops being there. I do not believe that it will be safe for this country to place itself in the position, until it has made terms of peace, of withdrawing those troops. [Applause on the Democratic side.] Does the gentleman think so?

Mr. JOHNSON of South Dakota. I think the gentleman and I are now getting on common ground. The gentleman has asked me the question. As a matter of fact, I think it is something that would have to be determined—the question of the removal of these troops would have to be determined—by the military situation abroad.

Mr. GARRETT of Tennessee. Oh, but, if the gentleman will permit, when we make peace, when we pass a resolution declaring peace, immediately you are bound to withdraw your troops. You can not make terms then.

Mr. JOHNSON of South Dakota. No; I do not think the gentleman is correct on that.

Mr. GARRETT of Tennessee. If you make peace, if we are not at war, how can you fix terms?

Mr. JOHNSON of South Dakota. Those terms were fixed by the armistice.

Mr. GARRETT of Tennessee. Oh, but you are wiping out the armistice if you pass the resolution.

Mr. JOHNSON of South Dakota. Oh, I can not agree with the gentleman that you can wipe out by the action of this Congress the terms of an agreement made by the Government.

Mr. GARRETT of Tennessee. If Congress can not do it, why act upon it at all?

Mr. JOHNSON of South Dakota. The President might do it, but the Congress of the United States by the passage of this resolution can not do it.

Mr. GARRETT of Tennessee. Why not leave it to the President?

Mr. JOHNSON of South Dakota. As a matter of fact, this whole argument results in nothing, unless it might be that the gentleman would state the policy of his party with reference to the withdrawal of the troops. [Laughter.]

Mr. GARRETT of Tennessee. Unfortunately our party is not in position now to make policies.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman permit a question?

Mr. GARRETT of Tennessee. I will.

Mr. GREENE of Vermont. I would like to propound this query to the gentleman: Your party is not now in position to have a policy. Did your party have a policy when your President was in a position to have one?

Mr. GARRETT of Tennessee. It certainly had.

Mr. GREENE of Vermont. What was it?

Mr. GARRETT of Tennessee. It was a policy—we might as well be frank about it—a policy which the Republican Party defeated. I would like to help the President out of the hole into which he thrust himself.

Mr. GREENE of Vermont. I wanted to relieve the gentleman of embarrassment. In as courteous a manner as possible I want to say to the gentleman that we want to relieve our colleagues on the other side from the consequences of what was once called a Democratic policy, with which they had nothing to do. [Laughter on the Republican side.]

Mr. GARRETT of Tennessee. Of course, we all know that the sole hope of the gentleman's party now, notwithstanding its great majority—we all know that its sole hope for the future is dependent upon splitting a small minority on this side.

Mr. GREENE of Vermont. Oh, no. Its sole hope, I might say, in the future is very carefully averting and carefully avoiding the errors that were committed on that side for eight years. [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Mr. Chairman, I am extremely desirous of helping the President. I would like to know now, while we are talking calmly and quietly and without any politics [laughter]—I would like to know whether it is the purpose of the President immediately upon the passage of a resolution which he will approve—of course, he will not approve the resolution that is going to pass in the Senate to-morrow—if he meant what he said in his message delivered here in the House. Is it his purpose to withdraw immediately the troops after its passage?

Mr. MADDEN. I suggest that you ought to ask him. [Laughter.]

Mr. GREENE of Vermont. Yes. We have a President now that you can go to. [Laughter and applause.]

Mr. HERRICK. Would the gentleman answer one question?

Mr. GARRETT of Tennessee. Yes.

Mr. HERRICK. I want to ask the gentleman this question.

Mr. GARRETT of Tennessee. I am delighted to yield to the greatest intellect on the Republican side.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. The question is on agreeing to the motion of the gentleman from Alabama [Mr. BANKHEAD].

The question was taken, and the motion was rejected.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word. I wish to address myself to the chairman of the committee [Mr. ANTHONY]. On page 2, line 21, it is provided further that the Secretary of War is authorized in his discretion to sell certain war supplies to any State or foreign Government upon such terms as he may deem expedient. I understand that those war supplies can not be sold in the United States?

Mr. ANTHONY. I call the attention of the gentleman to the fact that that language has gone out on a point of order and is not now in the bill.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

GENERAL STAFF COLLEGE.

For expenses of the General Staff College, being for the purchase of the necessary stationery; typewriters and exchange of same; office, toilet, and desk furniture; textbooks, books of reference, scientific and professional papers and periodicals; printing and binding; maps; police utensils; for lighting the General Staff College Building and grounds; employment of temporary technical or special services and expenses of special lectures; and for all other absolutely necessary expenses, including $25 per month additional to regular compensation to chief clerk for superintendence of the General Staff College Building; also for pay of a chief engineer at $1,400, and assistant engineer at $1,000, a carpenter at $1,000, 4 firemen at $720 each, an elevator conductor at $720; in all, $22,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. WARD of North Carolina. Mr. Chairman, I have views upon this question which I do not care to impose upon the committee at this hour, especially touching the contention made this morning by an exceedingly high authority that the proper course for this Congress to pursue is to build our armaments very high, to make our fortifications very strong, and our expenditures for these purposes very large until ascendancy over all the world has been attained, and then invite disarmament. To that question my remarks are mainly addressed. They will not greatly encumber the RECORD, and I ask unanimous consent to revise and extend them.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I have objected to extensions by other gentlemen. The gentleman already has the right to revise.

Mr. CONNALLY of Texas. Other gentlemen have obtained the right to extend their remarks this morning.

Mr. McCLINTIC. I was not present when that was done. I shall have to object.

Mr. WARD of North Carolina. Then I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for 10 mintues. Is there objection?

Mr. ANTHONY. I think the gentleman ought to be satisfied with five minutes. I shall not object to that, but we ought to proceed with the consideration of the bill.

The CHAIRMAN. A point of order is reserved, and, of course, it is only by unanimous consent that the gentleman can speak at all. The gentleman from North Carolina asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. WARD of North Carolina. Mr. Chairman, in these early days of this extra session of the Congress called by the Presi-

dent to pass emergency relief for the economic distress of the farmers, and before the thirteenth day of its legislative activities has passed we have reached the second act in the drama of war and in the task of marshaling the forces of the Nation for its next solicited and coveted battle field. The ninth and tenth days of our legislative work were spent on the ocean wave, considering and debating the Navy appropriation bill. The debate on that bill was learned and exhaustive, strong in patriotism and animated with the popular catch phrases of American primacy and superiority—phrases as lightly calculated to catch applause in stately assemblies as in the less cultured crowds of the hustings—and it is noticeable to a new Member that applause thus captured is as much solicited and prized in the councils of the great as in humbler fields of oratory.

I would have supported the report of the committee with my vote on that bill without hesitation or misgivings if I had been present. It presented vastly different conditions from those presented by this bill.

First. It presented the conditions of a great and growing merchant marine, already floating the flag in every port—save those where war, grim-visaged war, still forbids it—of the civilized world, a merchant marine which is the pride of the Nation and which it is the Nation's hope will soon carry its trade to proportions hitherto unapproached. It is not unseemly nor improper nor out of keeping with the progress of Christian civilization that the ships of such an expensive and expansive merchant fleet should sail supported and assured by the safe defenses of a Navy in keeping with the needs which a much-disturbed world condition naturally suggests.

Second. It is altogether proper that long lines of seacoasts on which stand a dozen of the great cities of the world, where mighty monuments of wealth stand in easy reach of the ocean's fearful agencies of war, and where millions sleep unprotected from the reach of the dreadnaught and the torpedo of the airplane, should have an efficient Navy to protect from consequences so fearful, however remote. These are real conditions and truth, reason, patriotism, nor any phase of statesmanship can not evade them.

Third. There are shown to be unfinished plans of large proportions embracing the construction of ships of all kinds and classes, and other appurtenances of naval development, already contracted and in course of completion, and it did not seem wise to retrace these steps already taken in times and under conditions when nobody questioned their wisdom, breach the contracts, and make waste the things already done and the millions already spent.

I contemplated these conditions and sympathized with the committee bill to the extent of being willing to vote $386,000,000 upon the taxpayers of the country, and that without assurance that a deficiency might not be created by the Navy Department after and beyond its exhaustion which a subsequent Congress would be compelled to supply.

As I did so, however, I was not out of sympathy with the gentleman from Ohio and of the gentleman from Alabama [Mr. HUDDLESTON], who for his unfailing guardianship of popular rights commands my highest admiration. With them I thought of the burdens of taxation lying with the weight of the upper millstone upon the citizenship I have left at home. I thought of the struggles out of which they have come. Fifty years have passed and still they are not entirely from under the debts, the cruel debts, of reconstruction. They have builded schoolhouses by the thousand in the last two decades. In most cases the bonds issued for that purpose are still outstanding and held by persons far away who largely escape taxation, but never escape the benefits of armies and of navies, their cherished bulwarks of government. Courthouse construction, municipal improvements, and drainage development have literally laden the world's markets with their bonds, and yet with grim determination and with a spirit that never falters they have turned to the beginning of the task of covering the State with a system of highways at $40,000 a mile—$50,000,000 the initial step—and on and on this bonding must go until millions roll into billions, and the limit is God knows where. I saw them under this burden of taxation and yet I felt constrained to stand by the guns of the Navy to the tune of $386,000,000 that there might be no question that my country was ready for war, and in obedience to the argument I do not myself believe that preparation for war prevents war.

I digress here to say that if there is not a halt speedily called in the indebtedness that popular bond issues and the cost of armament are imposing upon the world, the civilization of this age in which we live will absolutely fall beneath its burden, manifesting its collapse in repudiation, which is the first available step toward a reign of industrial terror and the setting up a sovereignty of absolute socialism. But, Mr. Chairman, the arguments made by the proponents of the Navy appropriation bill, and now by the advocates of the pending bill, call for especial attention here and perfect understanding by the American people.

Those arguments in one particular feature constitute the most unfortunate sophistry, if not duplicity, in all the annals of political controversy. Stripped of its forecast of tragedy it would stand naked to the ridicule of the simplest mind. What is that argument? Pile up your armaments, cover the ocean with your dreadnaughts, and build up your standing armies until you have overawed and overwhelmed the world and then invite the world to disarm, and, as the learned and eloquent gentleman from New York [Mr. COCKRAN] said—and not only he, but gentlemen on the other side of the House—if they accept not the invitation, then command them to disarm, and compel them as the last resort. I picture the thunder rolling and the fires flashing on Mt. Sinai and the children of Israel at the foot of the mountain crying, "Let the Lord not speak to us lest we die." Mr. Chairman, the high source from which this argument proceeds is its only claim to respectful recognition. To first assume such an attitude is naturally to put us out of the pale of invitation. It assumes the character of command which invokes resentment. It assumes that the world will cower and cringe at our feet, like a worm under our heel. I take the opposite view. The world knows our strength; let us not vaunt it and display it at the expense of countless millions added to the burdens already laid on the back of industry and labor.

There is no threat of war impending now. There is no evidence of its possibility within the contemplation of him most easily alarmed within the scope of many, many years. There is a sentiment, and no more than a sentiment, excited by the jingo and the war agitator, and by him alone, that we stand in danger of war with Japan. I do not believe it is fit to excite respectable apprehension.

But as representatives of the people and for the mere sake of slavish representation let us respect it and obey its whims. What should be done to prepare for it? Not build up and maintain a Germanic standing Army and convert the factories of the Nation into arsenals and ammunition plants, but put the Nation in the physical condition to meet such emergency with the rapid onrush of a voluntary army. The United States can depend on a volunteer army to meet any possible phase of this ghost-like apprehension. The worst thing, the only thing, and all that could possibly happen in fulfillment of this chimerical suggestion would be the landing of an invading Army on the western coast and a successful march to the passes of the Sierra Nevada and the Rocky Mountains and holding back the millions of our citizen soldiers that at least would meet them there, giving a material advantage of battle ground to the invader. Whatever the military strategist may say, this I here and now assert to be the only real, material, and important unfinished point of military strategy involved in the defense and the necessary military science of our national life. I would not fortify these passes with forts and stationary guns. I do not believe it necessary. But I would have the guns and the means for the rapid construction of the forts available, and especially I would build roads paralleling these mountain ranges sufficient to turn the countless hordes of American soldiers toward them and enable the Army to reach the pivotal point, the strategic point, with the largest possible numbers in the shortest possible time.

But this bill is not a bill of preparation, of defense, and of strategy. It is imperial. It is monarchial. It is European. It is Russian. It imposes a burden of taxation on American industrial life as have the standing armies of Europe on the industries of that war-ridden Continent for 100 years. If America should adopt this policy now, it will only mean to indorse that course on the part of Europe in the past, and it will have the same effect that those armies have had there, to wit, cause every other nation to arm stronger and stronger and the newspapers to write and the jingoes ring out the tocsin of war throughout the hours until the clash comes, as come it always has from just such course. Arm the nations of this world and keep them at peace? Never! It is like concentrating the force of a torrent and attempting to build a dam of good intentions and Christian efforts to keep it back. If anything can be asserted in the philosophy of nations it is that armies create wars. Whether the cause is economical, political, or psychological I have not time to speculate. It is nevertheless a fact. What a departure it is from our past national life!

When the nations of the world were arming and marshaling around us in the years gone by before the war we were not alarmed. Our standing Army was below 100,000, and now when the nations are lying prostrate at our feet, their soldiers buried in recent battle fields, their armaments destroyed, their money exhausted, and their homes and markets blanketed in bonds they can not pay, we rise with a new spirit of war to

defend against the crippled, the exhausted, and the dead, and multiply our standing Army and the national debt on the very brink of the grave of the supposed enemy. It has but one explanation, Mr. Chairman, and that a cruel, a vicious one. It is the demand of capital and the hungry growl of the money lust, the same hideous type of devilment and of hell that has generated the wars of the past. By this lust of Mammon the propounders of this project are being deceived. They are honest men, but they are being deceived. Deception—sly, slimy, and ingenious deception—is the devil's strategy by which he proposes to maintain and enlarge his dominions as the prince of the powers of the air.

He favors war and he makes war by deception. Let us come to the crux of the whole matter and put the curbstone of the logic of history on this big army, this military preparation business. Arm America to the teeth and other nations will arm around about you. Industries proportionately the world over will diminish, underproduction and consequent necessary unemployment will follow. High prices increase in its wake; human suffering, hunger, nakedness, famine, disease, and ignorance grow bigger and blacker to the end.

And what is the end? Universal peace and progress? No, sir; the opposite! War, bloody war; the heritage of humanity and the penalty of sin. Carry out your policy, gentlemen. Make good your martial defenses in the name of peace; build up your fortifications, multiply your arsenals, and spread out your armies, and the fiercest blasts of the great furnace are yet to be lit; struggles more fearful than recorded in all the annals of the past will yet be fought, engines of destruction more fatal than science yet dreams of will yet be constructed and used in the work of death.

Arbela, Philippi, Marathon, Carthage, Austerlitz, Waterloo, Gettysburg, Ypres, Verdun, and the Marne will be but skirmishes to the great Armageddon in which the mighty powers of Mammon and lust and racial hate will marshal their agencies in final strife. [Applause.] And when their rivalries and antagonisms engendered through a few more years shall come together in moral, mental, racial, and political strife the earth will tremble as it has never trembled before. Broader battle fields than Europe must be found, for Europe is all too small for the marshaling of the mighty phalanxes that yet must be wheeled into line. There is one way to avoid it. It was written in the proposed treaty of peace. There is one Nation can prevent it now and only one, and that Nation is the United States, if she will do it now before it is everlastingly too late. [Applause.] To support this I submit no less authority than that of Secretary Hoover, whose words of wisdom, delivered at Stanford University October 2, 1919, before he became attached to the present administration. The language is as follows:

> The treaties can not be carried out without the league. If the league falls, the treaties also fall. In that event civilization will be taken back to the Middle Ages. If we attempt to revise the treaty, we shall tread a road through European chaos. Even if we manage to keep our soldiers out of it, we will not escape fearful economic losses. * * * A peace without us means more Army and Navy for us, with the old treadmill of taxes. * * * For us to refuse to enter into a joint attempt with the well-thinking sections of a large part of the world to establish a continuing moral conscience against war is the utmost folly in our own interest.

[During the delivery of the foregoing the time of Mr. WARD of North Carolina was further extended one minute.]

The CHAIRMAN. Does the gentleman from Texas [Mr. BLANTON] insist on his point of order?

Mr. BLANTON. I will ask the chairman of the committee [Mr. ANTHONY] whether the extra $25 provided for chief clerks is with authority of law?

Mr. ANTHONY. It has been carried in the bill right straight along. Whether it was in order or not was decided when the bill was up before, if I remember correctly.

Mr. BLANTON. Surely the gentleman knows that there is no law authorizing an increase. This is a statutory position, is it not?

Mr. ANTHONY. I do not think it is statutory.

Mr. BLANTON. The position of chief clerk is statutory, is it not? The salary is fixed by law, is it not?

Mr. ANTHONY. I am informed that it is not.

Mr. BLANTON. I am sure the gentleman would not make that statement if he were not correct, and I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

The Clerk read as follows:

CONTINGENCIES, MILITARY INTELLIGENCE DIVISION.

For contingent expenses of the Military Intelligence Division, General Staff Corps, including the purchase of law books, professional books of reference; subscription to newspapers and periodicals; drafting and messenger service; and of the military attachés at the United States embassies and legations abroad; the cost of special instruction at home and abroad, and in maintenance of students and attachés; for the hire of interpreters, special agents, and guides; and for such other purposes as the Secretary of War may deem proper, including $10,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign States at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, $185,000; to be expended under the direction of the Secretary of War: *Provided*, That section 3648, Revised Statutes, shall not apply to subscription for foreign and professional newspapers and periodicals to be paid for from this appropriation.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 4, line 4, after the word "abroad," insert the words "and rental of offices for such military attachés."

Mr. CRAMTON. Mr. Chairman, heretofore under the item "Barracks and quarters" the rental of offices for military attachés abroad has been provided for. This year the committee placed in that part of the bill a prohibition against the payment of rental for that purpose. It has developed since further information has been secured by the department and placed before the committee that it is not feasible to cut out that item entirely, but it has seemed better to put it in this section of the bill with military attachés than to restore it to the other section. Hence I offer this amendment to this section authorizing the use of funds for military intelligence for the payment of office rental for military attachés.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 4, line 13, strike out "$185,000" and insert "$200,000."

Mr. CRAMTON. Mr. Chairman, in connection with that I will state that for the current year the expenditure for this purpose was almost $30,000, but the bureau has gone into it very thoroughly and can make reductions, and in view of that I am suggesting an appropriation of $15,000 for this purpose. The item carried in the bill is $185,000, and I am simply proposing to add $15,000 for this particular purpose.

Mr. KAHN. Mr. Chairman, I offer a substitute—to make the sum $300,000.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from California.

The Clerk read as follows:

Substitute amendment offered by Mr. KAHN for the amendment offered by Mr. CRAMTON: Page 4, line 13, at the beginning of the line, strike out "$185,000" and insert in lieu thereof "$300,000."

Mr. KAHN. Mr. Chairman, this country did not appreciate the importance of the intelligence work of the Army until the World War. At the time we entered the conflict we had two or three intelligence officers, all told. The duty of the intelligence officer is to keep the war establishment advised as to the activity of other nations so far as our intelligence bureau can advise our country. It requires numerous officers and employees to secure the information that is necessary to keep the country measurably prepared in its Military Establishment.

During the war we developed this intelligence service very materially. It was the military intelligence of the American Army that helped secure evidence and facts concerning the movements of the enemy that saved thousands of lives on the field of battle.

When I was in Europe shortly after the armistice I was told by a source I consider authentic that it was the intelligence work of the American officers that enabled us to learn of the intended German attack at the bend of the Marne, so that when they came down to that point by thousands we were ready. We met the German troops, defeated them, and turned the tide of war. In Switzerland we had intelligence officers who kept this country advised of the things the enemy was contemplating.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. JOHNSON of Mississippi. How many officers are engaged in that work?

Mr. KAHN. Very few. I have not the figures here, but as I recall there are 47.

Mr. JOHNSON of Mississippi. Will the gentleman state where they are located?

Mr. KAHN. All over the world at the present time, especially in the warring countries.

Mr. JOHNSON of Mississippi. The gentleman thinks that the number ought to be increased?

Mr. KAHN. I think the appropriation ought to be increased at this time, at this unsettled period of the world's history. It only means an increase of $100,000, and they can probably save

hundreds of millions of dollars by information they can give this Government.

Mr. HUSTED. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. HUSTED. Is it not of special importance at the present time, in view of the many improvements in offensive and defensive means of warfare which this country ought to be kept advised of as to what is going on in those other countries?

Mr. KAHN. Exactly; I referred to a situation this morning that in my mind requires the best effort of the intelligence officers in the American Army. The fact that every other country in the world is having its intelligence service get everything they can from us in the way of what we are doing for military improvement should demonstrate to the House and to Congress the necessity for making reasonable appropriation for this very important branch of the service.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. GARRETT of Tennessee. The gentleman does not regard the amount proposed as reasonable, nor the amount proposed by the gentleman from Michigan?

Mr. KAHN. I do not think it is enough for this very important work. I am only asking for an addition of $100,000. I think world conditions warrant an increase at this time.

Mr. GARRETT of Tennessee. Is there anything cryptic about that remark?

Mr. KAHN. No; there is not. I remember when I stood on this floor, when the national defense act was up for consideration in 1916, and said that I thought we ought to increase the Army to a total of 250,000 men. A number of gentlemen on the floor asked me who I expected we would have to fight? Was it England, Japan, or Germany? I said frankly I did not know.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that I proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KAHN. I said frankly I did not know. War comes out of the clouds, yes, from a clear sky most of the time. Within seven months of that time this country was at war. I say now I do not know how much more than $300,000 is really required for this important work, but we do know that the whole world is off its balance, that things are abnormal; and I am simply asking for an additional $100,000, believing that by appropriating that amount we will probably be able to save many million dollars.

Mr. HARRISON. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. HARRISON. Did the War Department indicate that this additional sum was necessary?

Mr. KAHN. Yes; the Secretary of War sent word to me yesterday that he would like to speak to me about this matter. He told me that in his opinion it was absolutely necessary.

Mr. GARRETT of Tennessee. Would it betray the public interest in any way if the gentleman should state whether that recommendation of the Secretary of War made to him personally was based on the thought that the resolution declaring peace would probably be passed within a few days?

Mr. KAHN. I do not know what the Secretary of War had in his mind. I do know that the officers of this Government are measurably informed of what is going on throughout the world at this time. In fact, it is necessary that they should be so informed. This additional $100,000 is needed to help secure information. I think it is a very bad time to shut down on it.

Mr. GARRETT of Tennessee. In a short time we are going to have before the House a very serious proposition, practically a resolution declaring peace. I did not know but what we might know without betraying the public interest in regard to it if this is in anticipation of that.

Mr. KAHN. I do not know, nor do I know what the administration has in view regarding the matter to which the gentleman refers. But let me call the gentleman's attention to this proposition in world affairs. They change from day to day, from week to week. A situation that to-day seems perfectly clear may in a week from now be so uncertain that all of the activities of the Government might be directed toward the ultimate solution of that one proposition. We never can tell. As I have said, Mr. Chairman, the situation in world affairs at present is very serious. This will not materially increase the total appropriation. It is most important work. I can not tell the Members of the House really how very important and serious it is, but I sincerely hope that the amendment will be adopted.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the substitute. I am against the amendment to increase the appropriation to $200,000, and, therefore, I am doubly against the substitute which would add to it yet another hundred thousand dollars. We all know exactly how our good friend from California [Mr. KAHN] feels on this subject. We know that he has been so alarmed ever since the armistice was signed that he had in his mind that it was absolutely necessary for this country to guard itself against problematical attacks that might be made upon it by every country in the world, that we should establish his pet scheme of universal military training in the United States, that we should take from every home and every fireside in time of peace in this land the young boys and put them into Army camps a certain number of months every year. To his astonishment, however, he found that even his colleagues on the Republican side of the aisle, some of whom preached great military preparedness, would not agree with him on that subject, because they began to hear from the mothers of the land who did not want their boys in military camps.

Mr. KAHN. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now.

Mr. KAHN. That is a false statement.

Mr. BLANTON. Oh, well, the gentleman is gray haired, and he may make that statement to me on the floor of the House, protected under the Constitution, but if he were my age he would not do it on the outside.

Mr. KAHN. I asked the gentleman to yield to me, for I wanted to explain the situation and tell him the truth.

Mr. BLANTON. If the gentleman had asked me in a proper way, I would have yielded, but he resorts to an improper way. Whenever you face him with the facts he gets mad.

Mr. KAHN. Oh, no.

Mr. BLANTON. I respect his age, and I yield to him if he wants to be heard. I will be more kind to him than he was to me.

Mr. KAHN. Oh, no. I wanted to tell the gentleman——

Mr. BLANTON. Oh, I yield for a short explanation; but please do not take all of my time.

Mr. KAHN. I wanted to tell the gentleman that the majority of the Committee on Military Affairs agreed with the proposition of universal training.

Mr. BLANTON. Yes; but the House did not.

Mr. KAHN. It never got before the House.

Mr. BLANTON. The gentleman can not find 100 men in this House who would subscribe to his doctrine of universal military training in peace time, because their seats are at stake, and the mothers of this land would see to it that they were left at home at the next election if they espoused any such monkey business. The gentleman was not able to get his plan of universal military training before the House. It was all right for Germany to have a military intelligence office, where they would have their secret spies in the capital of every nation in the world. Germany was a military Government and her whole future plans depended upon military domination; but we are not a military Nation. Our hopes are not founded on militarism. They are founded on peace; they are founded along peaceful lines and peaceful pursuits. Three hundred thousand dollars for intelligence officers! Here we are providing, according to the very best judgment of our splendid committee, which has investigated the matter, $185,000 for that purpose in this bill. Yet the gentleman from California [Mr. KAHN] seeks to increase it to $300,000. Where would you find men of greater judgment than the men who have already passed on this measure? Where will you find any man in this House who has better judgment than the distinguished chairman of this subcommittee [Mr. ANTHONY], who brings this bill before us? Let us defeat this substitute and support the committee.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. CROWTHER. I object.

Mr. BLANTON. Well, there will not be any more extensions, I will tell my friend from New York, if he can not let me have two minutes when I gave some of my time to the distinguished gentleman who interrupted me. I will say there will be no more extensions granted.

Mr. GREENE of Vermont. Mr. Chairman, I shall renew the objection if the gentleman from New York does not insist upon it. If this House is going to be held up by threats, then we all ought to go home.

Mr. HILL. Mr. Chairman, I rise to speak in favor of the substitute amendment offered by the chairman of the Committee on Military Affairs, the gentleman from California [Mr. KAHN]. I think if the gentleman who has just spoken had had any practical experience as to what war means, he would not be against giving to the defenses of the United States proper eyes and ears. There is involved in this bill an expenditure of $330,000,000, and the only point before the House at the present time is the allowance of $300,000 for military intelligence. I would say to the gentleman who has just spoken that at the present time in this current fiscal year Great Britain is appropriating for a similar purpose $1,790,000, France is expending $3,903,000, Japan 1,000,000 yen, which is equal to $500,000, also borrowing from the war office intelligence fund, and nobody knows the size of that fund. One hundred thousand dollars extra is not a matter of importance in the way of saving on a bill of this sort. The Secretary of War has asked for $398,000, in order to have a personnel of 45 officers and 144 civilians, who are translators, typists, and so forth, and 43 military attachés. The general staff serviee of an army consists of three things—coordination and supply, intelligence, and operation. You can not do anything with your Army, no matter how magnificent it is, unless it has proper information, and $300,000 for that purpose, in view of the amount appropriated in the bill, is a trivial sum, $98,000 less than the sum the Secretary of War has asked for. I therefore speak strongly and urge this House to adopt the amendment proposed by the chairman of the Committee on Military Affairs.

Mr. GREENE of Vermont. Mr. Chairman, I move to strike out the last word. Mr. Chairman, it seems to me that a great deal of the argument which in these days is directed against the annual military appropriation bill, couched in rhetoric that is a part of the reaction from the great World War, probably, might be likened to a state of circumstances that could be realized in many of our home towns. For years and years by taxation and the exercise of some gentle public spirit we maintain a little fire company. Nothing happens. The fire company turns out on Memorial Day and that is about all there is to it, perhaps. And then some day comes a fire—quite a big fire, maybe—and the fire company does the best it can under the circumstances. As soon as the fire is cleared up, then the village trustees get together, and after argument, just about as you hear on the floor now and have heard for the past two days, they resolve: "We have had out fire at last; therefore let us burn up the hose house and disband the hose company. We shall need them no more."

Just as the chairman of the Committee on Military Affairs has said to us, war is the most uncertain factor we have to reckon with in the policy of our public affairs from year to year, and it almost always comes out of a clear sky. Nobody knows who the next enemy is to be or when he will show himself.

Now, there is a phase of the activities of the military intelligence section which does not seem to have been touched upon in the debate so far that I would like to discuss with you if I can briefly sketch it in the two or three minutes of time which remain to me.

I think the popular mind conceives the activities of the miliary intelligence section as an agency to be employed in the field of war during the period of combat or hostilities, and that it largely consists, perhaps, of the operations of spies and other military agents who inform us upon the military strength and tactical operations of the enemy and the disposition of his war agencies and establishments and their contemplated movements, and all that sort of thing. That is the usual popular notion of the military intelligence section.

To that extent it is quite correct, but I will ask you as thoughtful men to bear in mind what you heard repeated all through the period of the great World War as a new idea in modern thought about war and the tremendous forces which were liberated in war to the destruction of civilization, and that was this, that war no longer consists in the matching of mere armies on the field of combat, but war now means that whole nations, men, women, children, and all the potential resources at home go to war with one another. And all of these tremendous and incalculable agencies that are behind the battle lines and behind the military forces are involved in supporting their own individual army in the field. And back of all that, back of these mere physical agencies, is another factor to be reckoned upon, and which, while in some great measure growing out of them and their employment and their state of condition, is nevertheless in the end a determining factor of the conflict itself. That is the popular morale behind the armies themselves. What state of mind the public that is supporting an army may be in and what may be the means of turning, disturbing, unsettling, or perhaps altogether changing the character of that public morale is a part of the study of the military intelligence bureau.

Wars are lost often because the people at home either do not support their army at the front or find themselves in a position where with the best intentions they can not do so.

Now, to ascertain whether the enemy's armies lack anything, to endeavor to discover how large their potential forces and agencies may be, what great reserves and resources may be behind those armies to keep them there, how long they are likely to last, what the temper of the people behind these forces may be, how long they may expect to hang on, what sacrifices they will make for the armies in the field, whether they are supporting them whole-heartedly or wearying of the conflict, whether the public heart, soul, and spirit are behind the military forces of the Government, whether they are prepared to go to any measure of sacrifice rather than see themselves conquered——

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Vermont. May I proceed for five minutes more?

The CHAIRMAN. The gentleman from Vermont asks unanimous consent to proceed for five minutes. Is there objection?

Mr. BLANTON. The gentleman refused to give me two minutes, but I will be kinder to him than he was to me.

The CHAIRMAN. The Chair hears no objection.

Mr. GREENE of Vermont. If I had to take time from the gentleman, I would feel that I was not representing my own constituents.

Mr. BLANTON. It is by the gentleman's agreement that the gentleman gets time, because unanimous consent was asked, and that is the means by which the gentleman gets it.

Mr. GREENE of Vermont. Very well; I am simply following the rules of the House; no objection is made.

Mr. Chairman, I only want to say this about what is being done and what for years it is expected will be done by the peacetime operation of the military intelligence section of the United States Army. When combat is over, when this great critical employment of forces in the field is done and the nations undertake to restore themselves to something like normal—and that, of course, is the great problem before the world to-day, as it is with us—the purpose of keeping an Army at all is to be in some degree rationally and sensibly prepared for an always unexpected war. Nobody knows from what corner of the winds it may blow. Nobody knows where it may develop itself, and sometimes on what very trivial pretext. We know when we think back upon it now that the world, most comfortably and luxuriously at peace, found itself precipitated into a long-prophesied war that not one solitary one of the books and treaties and essays on the probabilities of war had predicted would arise as it did. It was a set of relatively inconsequential events in the Balkans that put the whole world at war. Nobody can tell where these things may come up nor upon what pretext.

Now, then, the military intelligence section employs itself daily in making a study of world conditions, nation by nation, watching, not through the surreptitious spy systems that are represented in books of fiction, not by peeking through keyholes or hiding under beds, but by making a proper scientific and well-founded study of all the resources that may be employed in war that any nation on the face of the earth likely to go to war has actually within its borders.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. GREENE of Vermont. I will be glad to do so.

Mr. MOORE of Virginia. I would like to ask my friend whether the work he is now describing is not actually done in a very substantial way, except in special places, by the War College here in Washington?

Mr. GREENE of Vermont. No; not entirely. The War College mainly undertakes to teach the expected leaders of troops the art of tactical operations in the field.

What we are looking for from the military intelligence bureau is the solution of questions of public policy that may be expected to eventuate from world or national conditions at any stated time. For instance, I will give an example which probably might illustrate as quickly as may be expected in a sketchy way here an experience in this line with a certain country in the late war that really had no direct relation to combat operations in the field.

We all remember that this Government found itself obliged to seize and intern the merchant ships of Holland, a neutral country, and that those ships were seized and interned around and about New York Harbor. Then the question came up of strained relations with Holland. She was a neutral power, contiguous to German territory, and long suspected of having a favoring influence toward German operations. And the ques-

tion came—mind you, not a question of mere combat, but of public policy—whether if we longer detained the Dutch ships and longer incensed and irritated the people of Holland by their retention, we might not by that very fact throw Holland into the arms of Germany, so that she would not longer be neutral, but would openly and publicly espouse the cause of Germany. That was a question most solemnly and seriously debated here in this country by those who were responsible for our policy in such affairs throughout that Great War.

The military intelligence division had been at work all through, carefully charting all the activities of Holland, as well as of the rest of the countries of the earth. It had studied the daily reports of the supplies, both of food, provisions, and munitions of war, that were known to be actively in circulation or potentially possible in those countries. It had studied the activities of the people themselves, their transportation facilities, the character and tone of their newspapers and public speeches, and their manifestations of a national psychology, day by day. They knew to a remarkable degree of accuracy what supplies Holland had and what she might expect to draw upon. They knew the sources from which she might expect to get any further supplies, or the possibilities of support she would have if she engaged in war. The innumerable statistics on matters of fact—social, economic, and military—were assembled each day and studied as carefully as the fever chart of a nurse in a hospital is studied. And when that report was ready, in the final conclusion our country had some opportunity to determine whether by the seizure or retention of those ships she would precipitate Holland into the arms of Germany or not. And she came to the conclusion that she would hold them, and she did. That is one of the illustrations of the work of the military intelligence section that was a very conspicuous success.

Mr. SISSON. Mr. Chairman, I rise in opposition to the amendment.

This service is one that will multiply ad infinitum. The Navy Department has maintained a bureau of intelligence. The State Department has in connection with its offices throughout the United States a news-gathering and information-gathering bureau. The War College, that we are maintaining at considerable expense, takes the statistics and the business reports of all the nations of the world, and is continuing its study of them. Now they are at work in the War College studying the condition of affairs in one of the European countries. And your committee in providing for the expenses of these military attachés, which expenses largely consist of traveling expenditures and subscriptions to various periodicals, received a report after we had reported the bill that there were certain places throughout the world where there were no quarters for said military attachés. Now, there grew up during the war—and I am not criticizing that—out of the unlimited funds which the Army had, a great organization of this character, perhaps necessary in time of war. But your committee does not feel justified in continuing it. This is, by the way, a new growth. We had no service like this before the war. Where is it going to end? How much money can you spend in ascertaining the statistics as to the number of hogs, and cattle, and men, and the number of arms, and the amount of munitions every nation may have?

Mr. HUDSPETH. How does this appropriation compare with the one in the preceding appropriation bills?

Mr. SISSON. In the preceding bills they were lump sums, and they were interchangeable. They were unlimited, and I do not know how much was spent.

Mr. HILL. In 1918 it amounted to $193,137.43.

Mr. SISSON. That does not tell all the story, as a matter of fact, for, during the war and prior to that, nobody knows how much was expended. In other words, you can not take that appropriation as a criterion at all. I do not know but that having too many of these men brushing around in other nations and snooping into business affairs may not breed war. At any rate, if you gentlemen are serious in your protestations of economy, this is one place where you can economize, and where your committee has sought to help you do it. I do not see ghosts all the time, nor do I believe it necessary to multiply the number of ghost hunters you have throughout the world, because with the naval intelligence bureau that is being maintained, with the bureau of information in every one of the consulates, and the State Department getting continual information as to political conditions, as well as financial conditions, throughout the world, where is it going to end?

Now your committee thought that by providing enough money for the purpose of paying the expenses in those places where, under the State Department, they can not get quarters, that would be sufficient. The military intelligence bureau gets its quarters abroad from the State Department. This is largely a contingent fund, because the salaries of the officers detailed to this service are paid out of the Army appropriation bill, so that I think this $185,000, plus the other $125,000 under pay of the Army and the $15,000 for rent, is ample.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. ANTHONY. Mr. Chairman, this item shows how a comparatively insignificant amount in a former appropriation bill can grow into a really large sum of money. In the year 1916 we appropriated just $11,000 for military intelligence. Now the department asks for $400,000. The amendment of the gentleman from California would give them $300,000. In the bill which failed of presidential approval this House placed its stamp of approval on about $100,000 as being about the right amount for military intelligence.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. The gentleman says that in 1916 we appropriated $16,000?

Mr. ANTHONY. No; $11,000.

Mr. GREENE of Vermont. Well, we had just about $11,000 worth of military intelligence. That is true, because if we had had more we would have been prepared for war.

Mr. ANTHONY. I do not agree with the gentleman as to that. There was no necessity for the expenditure of a single additional dollar at that time.

I want to call attention to the fact that now 48 officers are assigned to this bureau. There are about 145 clerks working on military intelligence, and, as the gentleman from Mississippi [Mr. SISSON] says, we are not only putting into this bill $200,000, substantially, for this purpose, but under the item of pay for the Army we have already appropriated $125,000 or $150,000 more for the pay of officers engaged in that work.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. ROGERS. Does the gentleman recall what the corresponding amount in the naval bill is?

Mr. ANTHONY. I do not recall exactly, but I think it is safe to say that the Navy is spending from $150,000 to $200,000 for this purpose.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. PARKER of New Jersey. Was not the amount in the bill last year $300,000?

Mr. ANTHONY. I believe that is correct. We agreed to $175,000 in conference. That was satisfactory to both the House and Senate conferees. There is not the slightest necessity, in my opinion, for raising the amount at this time. They have need for an increase in the appropriation to cover rent of the offices of our military attachés stationed in foreign capitals, and we increased the amount $15,000, from $185,000 to $200,000. We have permitted this item to grow from $11,000 in 1916 to $200,000 for 1922.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. HUSTED. Does not the gentleman really think that the securing of adequate military intelligence is one of the very best safeguards of peace?

Mr. ANTHONY. I agree with the gentleman as to that, and I want to heartily commend the work that the military intelligence bureau is doing at the present time. They have an exceedingly able force of men at work collaborating information from all over the world there, under such fine men as Gen. Dennis E. Nolan and Col. Graham. But I believe that their present force can be cut down about 50 per cent and that they can still get the vital military information which they need with the money appropriated by this bill.

Mr. HUSTED. The gentleman commends the purpose, and the only question is whether the amount carried in the bill is sufficient to do the work properly, or whether the amount estimated by the War Department is sufficient.

Mr. ANTHONY. I may say to the gentleman that the amounts carried in this bill are not sufficient to carry on many of the activities of the War Department as they are carried on at present. Our purpose is to cut down those activities. We can not carry them on in time of peace in the same magnitude as during the war.

Mr. HUSTED. I agree with the gentleman as to that. But there is no activity that I have so much sympathy with as the

securing of military intelligence, because to be forewarned is to be forearmed.

Mr. ANTHONY. Yes. But if the gentleman had gone into the question as minutely as our committee has done he would have found that the military intelligence work of the Army was being duplicated in a measure not only by the Navy Department but by the State Department. They have their forces of officials gathering intelligence, both military and economic, all over the world, and here in this country the Department of Justice was spending a large amount of money carrying on almost identically the same work of gathering domestic intelligence that the Army bureau also attempts to do.

Mr. KAHN. That was during the war.

Mr. ANTHONY. And we found out that to-day the military intelligence bureau in the War Department proposes to detail under this appropriation military intelligence officers in every one of the eight or nine corps areas, in order to obtain intelligence regarding civil activities in this country which the Department of Justice is fully equipped to obtain. We are trying to cut out the surplusage and the duplication and at the same time in no wise cripple the good work that the military intelligence division is doing.

Mr. HILL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last two words.

Mr. HILL. I do so for the purpose merely of asking a question. The only question here is the addition of $100,000. Is it not true that the Secretary of War asked for $300,000, having originally asked for $398,000?

Mr. ANTHONY. I think the gentleman is correct.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California [Mr. KAHN].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. KAHN. A division, Mr. Chairman.

The CHAIRMAN. A division is called for.

The committee divided; and there were—ayes 25, noes 62.

So the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

Mr. LAYTON. What is the amendment, please?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (suggested by the Chair) there were—ayes 63, noes 1.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Field Artillery schools: For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, or special services, including the services of one translator at the rate of $150 per month; and for other necessary expenses of instruction, at the Field Artillery Schools at Fort Sill, Okla., Camp Knox, Ky., and Camp Bragg, N. C., $35,000.

Mr. JOHNSON of South Dakota. Mr. Chairman, I see that the gentleman from Tennessee [Mr. GARRETT] is present. This afternoon he brought up the question of taking the troops from Coblenz, and as I understood his argument when he brought the question before the House for discussion, he seemed to believe that on the passage of the so-called Knox resolution, which is Senate joint resolution 16, the troops would automatically come out of Germany, that the President would be compelled to withdraw them. I want to call the attention of the gentleman to the phraseology of that resolution. If he will look at pages 7 and 8 of that resolution he will find one specific provision referring to Austria, which I now quote:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of St. Germain or the treaty of Trianon, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of St. Germain or the treaty of Trianon have been stipulated for its benefits or for the benefit of its nationals with the same force and effect as if said treaty of St. Germain and the treaty of Trianon had been ratified by the United States of America, and to which the United States of America is or may become entitled as one of the principal allied and associated powers.

The same provision referring to Germany is on page 5.

Mr. Chairman, a reading of that so-called Knox resolution will convince the gentleman of the futility of the argument he presented to the House this morning, and should convince him that even upon the adoption of this resolution the United States will be in exactly the same position as that in which England and France find themselves after they have ratified the treaty and after they are at peace, when under the terms of the armistice they can still keep their troops on the Rhine.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. Is the gentleman reading from the joint resolution that is now pending before the Senate?

Mr. JOHNSON of South Dakota. I was reading from the joint resolution that is now pending.

Mr. GARRETT of Tennessee. Does the gentleman think that we can declare a state of peace, wiping out everything, and then keep our troops in Germany?

Mr. JOHNSON of South Dakota. The Knox resolution simply retains the provision of the agreement made at the time of the armistice, and whatever we do, as long as we reserve those rights——

Mr. GARRETT of Tennessee. Oh, but when we make peace, the terms of the armistice are settled and gone.

Mr. JOHNSON of South Dakota. I can not agree with the gentleman at all, because you can make peace and in your declaration, to which Germany is not a party, still reserve anything you desire to reserve.

Mr. GARRETT of Tennessee. Would not Germany, however, be a party in order for it to be binding?

Mr. JOHNSON of South Dakota. Not necessarily. We are making our declaration. We are not trying to declare for Germany. Germany has never declared war against the United States, as I remember it.

Mr. GARRETT of Tennessee. No; nor did we declare war against Germany. We declared that Germany had made war against us.

Mr. JOHNSON of South Dakota. We declared that there was a state of war.

Mr. GARRETT of Tennessee. We declared that Germany had committed acts of war against us. That was the substance of the declaration of war. Now may I ask the gentleman a further question?

Mr. JOHNSON of South Dakota. I yield to the gentleman from Tennessee.

Mr. GARRETT of Tennessee. I do not know that the resolution from which the gentleman has quoted will be the particular resolution that will finally pass, but does the gentleman think that this Nation can in good faith declare a state of peace and not withdraw its troops from Germany?

Mr. JOHNSON of South Dakota. It certainly can, if it reserves in its declaration the right to keep the troops there.

Mr. GARRETT of Tennessee. Ah, but Germany will not be a party to this declaration.

Mr. JOHNSON of South Dakota. Certainly not.

Mr. GARRETT of Tennessee. Germany was a party to the armistice.

Mr. JOHNSON of South Dakota. Certainly; and we are leaving that provision intact.

Mr. GARRETT of Tennessee. Germany was a party to the treaty to which we have refused to agree. If we declare a state of peace, upon what possible theory can we be justified in keeping 20,000 American soldiers, or any number of American soldiers, in Germany? I do not know what the exact number is.

Mr. FISH. Will the gentleman yield for a question?

Mr. JOHNSON of South Dakota. I want to answer the question of the gentleman from Tennessee. I would say that we would have the same right to do that as we would in the League of Nations agreement in making reservations, and when we make them the matter is settled.

Mr. GARRETT of Tennessee. But we have not agreed to any treaty of peace. We are parties to the armistice. The moment we pass a resolution declaring peace it wipes out the armistice agreement. Of course, there is no treaty. I do not know what trade treaties it will revive; but surely the gentleman will not insist that we could properly keep our soldiers in Germany after the declaration of a state of peace?

Mr. JOHNSON of South Dakota. The gentleman may argue the proposition with great logic, but there is no way he can escape the words in the Knox resolution—

together with the right to enforce the same under the terms of the armistice signed November 3.

Those words are conclusive in the matter, no matter what the gentleman may say.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. FISH. Mr. Chairman, I ask that the time of the gentleman from South Dakota be extended three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FISH. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I will yield to the gentleman from New York.

Mr. FISH. I would like to ask the gentleman from Tennessee a question, with the permission of the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. I yield.

Mr. FISH. I would like to ask the gentleman from Tennessee whether or not he disapproves of having our troops in Germany? I am a little bit at sea whether he favors their remaining there or bringing them home.

Mr. GARRETT of Tennessee. Does the gentleman from South Dakota yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. FISH. If it is an embarrassing question, let the gentleman say so.

Mr. GARRETT of Tennessee. It is not at all embarrassing. I do not believe that we should make peace except by treaty or convention. I do not believe that we should undertake to eat our cake and have it too. I do not believe that the troops should be withdrawn from Germany until we have made a contract with Germany which results in peace. It may be desirable to make a separate peace with Germany—I do not think so—but certainly I do not wish, for the honor of this Nation, for Congress to pass a resolution declaring peace and withdrawing the troops without any agreement whatever as to the result.

Mr. FISH. Does the gentleman think our troops are over there for the purpose of getting reparations? Does not the gentleman know that this country asks for no reparations, and got just what it asked for—nothing at all? Is the gentleman in favor of having our troops over there act as tax collectors or collectors of reparations?

Mr. GARRETT of Tennessee. I do know that this country asked for no reparations and got none. I also know that the Republicans in the Republican Senate refused to ratify the treaty by which they got none. What the Republicans propose to do I do not know.

Mr. FISH. And the people ratified their action by 7,000,000 votes. [Applause on the Republican side.]

Mr. GARRETT of Tennessee. Perhaps so. Does the gentleman from New York favor the withdrawal of troops immediately? If it is embarrassing, I will withdraw the question.

Mr. FISH. I favor it, and will favor it, in spite of the Knox resolution, not because of the Knox resolution.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. FESS. The gentleman from Tennessee seems to be disturbed by what he says will be an inconsistency in making peace and still maintaining troops in Germany. A treaty of peace has been agreed to between the Allies and Germany, and still the armies of the Allies are on the border. Is that any embarrassment to the gentleman? If we make peace with Germany either by resolution or otherwise, does that mean that we can not keep the army there to enforce it?

Mr. JOHNSON of South Dakota. I will say to the gentleman from Ohio that I think his point is well taken. As a matter of fact, the situation is this: We have imposed terms of peace on Germany just as Germany did on France in the Franco-Prussian War. Germany is not a contracting party to it; she is going to do what the Allies want her to. She has nothing to say about it. If we want to keep troops there and reserve the right to do it under the Knox resolution we will proceed to do it.

Mr. GARRETT of Tennessee. Mr. Chairman, I want recognition.

Mr. MONDELL rose.

Mr. GARRETT of Tennessee. Does the gentleman from Wyoming want recognition?

Mr. MONDELL. No; but I am reminded of the fact that we have been debating several hours on a matter that is not before the committee at all. It has occurred to me that we ought about this time to get back to the bill.

The CHAIRMAN. It is the right of any Member to stop it at any time.

Mr. MONDELL. I shall have to object if there is very much more discussion upon this matter.

Mr. FESS. The gentleman would not object to some one on this side who has taken no part in the discussion——

Mr. MONDELL. I understand that gentlemen on both sides have been participating in the discussion.

Mr. FESS. There are several on this side who would like to participate, but who have not.

Mr. GARRETT of Tennessee. The allied armies are in Germany or occupying the territory by reason of a treaty which they have signed. I say that in answer to the suggestion of the gentleman from Ohio. The allied armies—the armies of England and France—are occupying certain territory because of the treaty to which they are parties. Those nations with whom we became associated in the war have signed it. They are at peace by the terms of that treaty and their armies are entitled to be there for, as I remember, 15 years. If we declare a state of peace without a treaty or an agreement, how are we going to keep our armies there in any sort of good faith?

Mr. FESS. We will keep them there if it be necessary by virtue of the resolution by which we declare the state of peace.

Mr. GARRETT of Tennessee. Would not the keeping of soldiers there be an act of war itself?

Mr. FESS. Certainly not. It is in the resolution by which we propose to declare the state of peace.

Mr. GARRETT of Tennessee. Let me ask the gentleman from Ohio a question. He is a great international lawyer: What is accomplished by a declaration of peace except the withdrawal of troops?

Mr. FESS. We can immediately negotiate any sort of diplomatic, business, industrial, or otherwise relations that up to the present time can not be done because of the existence of technical war.

Mr. GARRETT of Tennessee. You can not do it now?

Mr. FESS. No.

Mr. GARRETT of Tennessee. Why?

Mr. FESS. Simply because there is a state of war technically existing, and a state of war is inconsistent with renewal of diplomatic relations. We remove that by this resolution.

Mr. GARRETT of Tennessee. Does the gentleman mean to say that while war exists technically we are not in a more advantageous position to negotiate a treaty of peace involving trade in everything than we are if we declare that the war is over and then withdraw?

Mr. FESS. We are not talking about withdrawing. That is a subject that is still retained in the resolution. The troops can remain there by force of the resolution which declares peace, until we are ready to withdraw.

Mr. GARRETT of Tennessee. I confess I can not follow the gentleman's logic as to why we would be in a better position after we have thrown up everything.

Mr. FESS. The gentleman does not hold that when anything is dictated by one Government to another with which it is at war the Government that does the dictating can not reserve the right to enforce the terms of the dictation?

Mr. GARRETT of Tennessee. Not unless that other Government is a party to the agreement.

Mr. FESS. The other Government is not necessarily a party to the agreement, since dictation is not the result of agreement, but it is on a par with the declaration of war, which recognized the existing condition of war.

Mr. GARRETT of Tennessee. Of course, it was not a party to the proposition that we make war.

Mr. FESS. Does the gentleman say that you can not end war except by treaty? More than half the wars in the known history of the world have been ended without treaties.

Mr. GARRETT of Tennessee. Yes; usually with disaster to one or the other party.

Mr. FESS. Not necessarily by destruction, but by action of the Government that so decreed it. The gentleman does not mean to advertise here that he thinks war can not be ended without a treaty? He is too familiar with history to make that statement.

Mr. GARRETT of Tennessee. You can end war by whipping the other fellow or by getting whipped.

Mr. FESS. You can end war also by a declaration of the power that declared war. The power that declared war can also repeal the declaration.

Mr. FAIRCHILD. And also by cessation of hostilities.

Mr. GARRETT of Tennessee. Surely; and so far as that is concerned they ended quite a while ago.

Mr. FESS. That is not the point in dispute. Of course, I understand you can end it by stopping it or by conquest, but that is not the point at issue raised by the gentleman from

Tennessee. More than half the wars between the nations of the world have been ended either by a declaration or cessation and not by a treaty.

Mr. GARRETT of Tennessee. I doubt the accuracy of the gentleman's history in that respect, but now will the gentleman answer me a question? I asked the gentleman from Illinois [Mr. MADDEN] and he said to ask the President, and I shall put in a resolution asking the President, but perhaps the gentleman can tell me. Upon the passage of a resolution declaring a state of peace to exist, is it the purpose of the administration to immediately withdraw the troops from Germany?

Mr. FESS. The gentleman from Ohio has no authority to speak for the administration, but the gentleman from Ohio can say that when a state of peace is declared, if the necessity ceases for keeping troops there they certainly will be withdrawn.

Mr. GARRETT of Tennessee. After a state of peace is declared what will be the necessity for keeping troops there?

Mr. FESS. In recognition of the force of the resolution. It is so written into the resolution.

Mr. GARRETT of Tennessee. Does the gentleman mean to say that the Nation is going to declare by resolution that we are at peace and then say to Germany "Now, by God, you have got to admit it"? [Laughter.]

Mr. FESS. The gentleman from Ohio says the power that declares the repeal of the declaration of war can condition that repeal upon the enforcement of its conditions.

We certainly are, if that is what the gentleman wants to know. [Laughter on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired. Without objection the pro forma amendment will be withdrawn. There was no objection.

The Clerk read as follows:

In all, Coast Artillery School, $28,000.

Mr. BLANTON. Mr. Chairman, I move to strike out line 26.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Strike out line 26, page 7.

Mr. BLANTON. Mr. Chairman, the purpose of this Coast Artillery school is to help provide defense for our country. Defense for our country means not only defense against foreign enemies, but it means defense against domestic enemies as well. The oath which we Members of Congress took is to defend this country against enemies, both foreign and domestic. I have no quarrel to pick with any man in our Government who has worn our uniform. I take my hat off to him, and I shall continue so to do as long as I live and he lives, because we can never repay the debt that we owe to the ex-service men; but I was amused a moment ago when the distinguished gentleman from Maryland [Mr. HILL], who has so lately become one of us, reiterated what I have heard him intimate several times on this floor to us older Members of the age of 46 or 48 or 50 or even 60 or 70, that we do not know anything about war, because we did not wear the uniform in the late controversy.

Mr. HILL. Will the gentleman yield for a question?

Mr. BLANTON. Just a moment, and then I will. I do not blame him for having that idea, because I know his experience as a soldier of this country must make him feel proud of his service. I am proud of the fact that he is proud of the fact that he wore the uniform of that flag and did it valiantly. I respect him for it, but he must not forget that others, too, may have served although we did not serve at the battle front. I am 48 years old, a man of family, and I was not needed at the front under provisions. I did not go to the front, as the gentleman did, yet I served here in this House and registered under the last draft. I do not minimize the splendid services my colleague [Mr. HILL] rendered, but he must not forget that some of us, too, rendered a service. While enemies domestic were seeking to hamper him and his colleagues on the battle front of France by preventing food, clothing, and munitions from being sent there, which they needed in defense of this country, while domestic enemies were seeking here to destroy munitions of war, while domestic enemies were seeking here to keep our soldiers from going as recruits for the army front of France, some of us here fought those domestic enemies the best we could. I know that we passed some laws here while the gentleman was in France that he does not like. I know that the people of the country changed their Constitution while the gentleman was in France.

I do not say that he does not have the right now to be heard on it. He has the right to change it back again if he can get enough votes to do it, but I want to say to my young friend who must have served so valiantly in France that he never can change the Constitution by passing a mere statutory repeal. He can change it only by the provisions of the Constitution itself. If he wants to change the Constitution, which says that this Congress shall provide a Volstead law, which was passed because the Constitution required it, and we kept our oaths in passing that law—if he wants to change the Constitution, there is a proper way to do it. Bring in a resolution here, not a statutory bill, and let the Members of this House and Senate pass it by a two-thirds vote, and then submit the matter to the people and see whether the people will vote to repeal it. But they will not do it. And the gentleman's bill is futile. He has got the right to be heard. He was not here when we passed it, probably. I am not picking a quarrel with him because I like him. It was just such splendid young fellows as he is who saved that flag from defeat and brought home from France a world victory of which we are all proud. I shake him by the hand and I am glad to serve with him as a colleague, but he must remember that the most sacred thing in this Nation, the thing he fought to uphold in France, is the Constitution of the people. Congress can not change that Constitution by passing his proposed bill to repeal the Volstead law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL. Mr. Chairman, I ask that the time be continued by unanimous consent for two minutes.

Mr. Chairman and gentlemen of the committee, as to what my colleague has just said, if you will turn to the CONGRESSIONAL RECORD to-morrow you will find I have not said anything about serving in France at any time when I have spoken on the floor of this House. I have been very careful not to do so. What I said was that if the gentleman who has just spoken had had any knowledge of real warfare, he would know that the intelligence division of the Army is the eyes and ears of the Army. What I also said was that if the gentleman who has just spoken had had real experience with warfare, he never would have voted to cut down the appropriation from $300,000 to $200,000.

In reference to the remarks of my brother on the Volstead Act, I shall ask leave at a future time to discuss that subject, which is so near to the hearts of the American people.

Mr. FISH. Will the gentleman yield for a brief statement?

Mr. HILL. I will.

Mr. FISH. I would like to add, in view of the remark of the gentleman from Texas [Mr. BLANTON], that no service man of the late war has discussed the Army appropriation bill in general debate, and I think only one has spoken so far on this bill.

Mr. ROGERS. Mr. Chairman, I move to strike out the last word.

During the discussion of the disarmament question yesterday a number of gentlemen in the course of the debate alluded to a resolution which I have had pending for the last two weeks, on the general subject of disarmament. One of the speakers—I have no doubt entirely inadvertently—purported to quote my resolution, but he quoted it quite inaccurately. The resolution is only about 25 lines long, as it appears in the bill text, and probably will not occupy more than 8 or 10 lines of the CONGRESSIONAL RECORD. Rather than to take the time of the House to read it, which I presume I have the right to do, I am going to ask unanimous consent that, for the correctness of the RECORD, the resolution be printed.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The following is the resolution referred to:

House joint resolution (H. J. Res. 53) declaring the naval policy of the United States and authorizing the President to call an international conference on disarmament.

Resolved, etc., That until a program for the reduction of armaments is agreed to by the principal nations of the world, including the United States, it is hereby declared to be the policy of the Congress that the United States should have a Navy second to none.

SEC. 2. That with a view to securing such an international agreement for the reduction of armaments, both military and naval, the Congress of the United States expresses its earnest hope that the President will at the earliest practicable moment invite the Governments of Great Britain, France, Japan, and Italy, and of such other nations as he shall deem proper, to send delegates to an international conference on disarmament, to be held in the District of Columbia, and the President is hereby authorized to fix the number of delegates from each nation and, with the advice and consent of the Senate, to appoint the appropriate number of delegates to represent the United States at such conference.

SEC. 3. That the authority of Congress required by the act approved March 4, 1913 (37 Stat., p. 913), is hereby granted for the purpose aforesaid.

SEC. 4. That for the expenses preliminary to and in connection with the holding of said conference the sum of $100,000, to be expended under the direction of the President, is hereby appropriated.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The gentleman has yielded the floor. The question is on agreeing to the amendment of the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. It was just a pro forma amendment, and I ask unanimous consent to withdraw it.

The CHAIRMAN. Without objection, it will be withdrawn. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE CHIEF SIGNAL OFFICER.

SIGNAL SERVICE OF THE ARMY.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipments and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motor cycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use in the office of the Chief Signal Officer and the Signal Corps School, Camp Alfred Vail, N. J.; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, but not including payment for individual telegraph messages transmitted over commercial lines; electrical installations and maintenance at military posts, cantonments, camps, and stations of the Army; fire control and direction apparatus and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase and development or improvements in apparatus, and maintenance of signaling and accessories thereto, including patent rights and other rights thereto, including machines, instruments, and other equipment for laboratory and repair purposes; tuition, laboratory fees, etc., for Signal Corps officers detailed to civilian technical schools for the purpose of pursuing technical courses of instruction along Signal Corps lines; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, $2,835,000: *Provided*, That not to exceed $600,000 from this appropriation may be expended for salaries and wages of civilian employees; not to exceed $450,000 may be expended for commercial and existing Government-owned telephone and telegraph service; not to exceed $1,000,000 may be expended for signal equipment for organizations; not to exceed $7,500 may be expended for pigeon service; not to exceed $100,000 may be expended for photographic and cinematographic service; and not to exceed $100,000 may be expended for the operation and maintenance of Camp Alfred Vail.

Mr. GARRETT of Tennessee. Mr. Chairman, I make a point that there is no quorum present.

Mr. ANTHONY. I would like to read a few more paragraphs if the gentleman will permit us. It is our intention to rise very shortly.

Mr. GARRETT of Tennessee. I will withdraw the point.

The Clerk read as follows:

WASHINGTON-ALASKA MILITARY CABLE AND TELEGRAPH SYSTEM.

For defraying the cost of such extensions, betterments, operation, and maintenance of the Washington-Alaska Military Cable and Telegraph System as may be approved by the Secretary of War, to be available until the close of the fiscal year 1923, from the receipts of the Washington-Alaska Military Cable and Telegraph System which have been covered into the Treasury of the United States, the extent of such extensions and betterments and the cost thereof to be reported to Congress by the Secretary of War, $140,000.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 5010, the Army aprpopriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted:

To Mr. JAMES of Virginia, for four days, on account of important business.

To Mr. STRONG of Pennsylvania, indefinitely, on account of the serious illness of his wife.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until Saturday, April 30, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

87. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of $375,517.94, required by the Navy Department for the navy yard at Norfolk, Va., fiscal year 1921 (H. Doc. No. 57); to the Committee on Appropriations and ordered to be printed.

88. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation, in the sum of $20,000, required by the Department of Agriculture for general expenses, States Relations Service, fiscal year 1922 (H. Doc. No. 58); to the Committee on Appropriations and ordered to be printed.

89. A letter from the Secretary of War, transmitting requested item of legislation in connection with a searchlight-mirror contract (H. Doc. No. 59); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CHRISTOPHERSON, from the Committee on the Judiciary, to which was referred the bill (H. R. 2381) to amend sections 5549 and 5550 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 34), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HUSTED: A bill (H. R. 5513) to create a national monetary commission; to the Committee on Banking and Currency.

By Mr. KAHN: A bill (H. R. 5514) to provide for maintaining the Corps of Cadets at the United States Military Academy at its maximum authorized strength, and for other purposes; to the Committee on Military Affairs.

By Mr. SABATH: A bill (H. R. 5515) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. STEENERSON: A bill (H. R. 5516) to amend the act of Congress entitled "An act to reclassify postmasters and employees of the Postal Service and readjust their salaries and compensation on an equitable basis," approved June 5, 1920; to the Committee on the Post Office and Post Roads.

By Mr. DRANE: A bill (H. R. 5517) to provide for a site and public building at Clearwater, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5518) to provide for a site and public building at Fort Myers, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5519) to provide for a site and public building at Plant City, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. KITCHIN: A bill (H. R. 5520) increasing the limit of cost for a Federal building at Wilson, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. BRIGGS: A bill (H. R. 5521) to establish a marine fish-culture station in the State of Texas in the vicinity of Galveston; to the Committee on the Merchant Marine and Fisheries.

By Mr. MOORES of Indiana: A bill (H. R. 5522) for the incorporation of the Grand Army of the Republic; to the Committee on the District of Columbia.

By Mr. RHODES: A bill (H. R. 5523) to provide a tariff and to obtain revenue in connection with cobalt ore, cobalt oxide of, and cobalt products, and repealing existing laws in relation to the same; to the Committee on Ways and Means.

By Mr. JOHNSON of South Dakota: A bill (H. R. 5524) authorizing all retired enlisted men who were on active-duty status during the period of the war with Germany and who did not serve as commissioned officers to be returned to the retired list and to receive the full pay and allowances of the grade they held during the war; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 5525) relative to the naturalization and citizenship of married women; to the Committee on Immigration and Naturalization.

By Mr. GRAHAM of Illinois: A bill (H. R. 5526) to amend section 407 of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 5527) to authorize the compilation, printing, and sale of a Spanish-English and English-Spanish dictionary; to the Committee on the Library.

By Mr. TYSON: A bill (H. R. 5572) to extend and remodel the present post-office building at Montgomery, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: Joint resolution (H. J. Res. 93) to provide for a commission to inquire into the condition of public education in the several States and to recommend such measures as it may deem advisable for the improvement of same; to the Committee on Education.

By Mr. A. P. NELSON: Joint resolution (H. J. Res. 94) authorizing the Secretary of the Treasury to designate depositaries of public moneys in foreign countries and in the Territories and insular possessions of the United States; to the Committee on Banking and Currency.

By Mr. HUDDLESTON: Joint resolution (H. J. Res. 95) authorizing the Secretary of War to use surplus Army stores for the relief of destitution in the coal-mining regions of Alabama; to the Committee on Military Affairs.

By Mr. O'BRIEN: Joint resolution (H. J. Res. 96) protesting against violations of the laws of land warfare committed by the British forces against the Irish people in their struggle for independence; to the Committee on Foreign Affairs.

By Mr. PORTER (by request): Joint resolution (H. J. Res. 97) creating a commission to represent the United States in the celebration of the first centennial of the proclamation of the independence of the Republic of Peru; to the Committee on Foreign Affairs.

By Mr. GOOD: Resolution (H. Res. 74) for the immediate consideration of Senate bill 1084; to the Committee on Rules.

By Mr. MOORES of Indiana: Resolution (H. Res. 75) providing that there shall be paid out of the contingent fund of the House of Representatives until otherwise provided by law compensation at the rate of $2,000 per annum for the services of one clerk for the Committee on Disposition of Useless Executive Papers; to the Committee on Accounts.

By Mr. GARRETT of Tennessee: Resolution (H. Res. 76) requesting the President to furnish the House of Representatives with certain information regarding United States troops in Germany after the passage of the proposed peace resolution; to the Committee on Foreign Affairs.

By Mr. NEWTON of Minnesota: Memorial of the Legislature of the State of Minnesota, urging protective tariff on wool, mutton, and lamb; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 5528) authorizing the Secretary of War to donate to the town of Highland Park, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5529) authorizing the Secretary of War to donate to the town of Belmar, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5530) authorizing the Secretary of War to donate to the town of Oakhurst, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5531) providing for a survey of West Creek, Ocean County, N. J.; to the Committee on Rivers and Harbors.

By Mr. BEGG: A bill (H. R. 5532) for the relief of the Snare & Triest Co.; to the Committee on Claims.

By Mr. BLAND of Indiana: A bill (H. R. 5533) granting an increase of pension to Earl Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5534) granting a pension to Earl S. Reeves; to the Committee on Pensions.

By Mr. CLARKE of New York: A bill (H. R. 5535) granting a pension to James Gilroy; to the Committee on Invalid Pensions.

By Mr. DALLINGER: A bill (H. R. 5536) for the relief of Carl G. Linstrom; to the Committee on Claims.

By Mr. DOWELL: A bill (H. R. 5537) granting higher duty pay in case of Samuel D. Nichols; to the Committee on War Claims.

By Mr. FISHER: A bill (H. R. 5538) conferring jurisdiction upon the Court of Claims to hear, examine, consider, determine, and adjudicate the claim of Marion B. Patterson; to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 5539) granting an increase of pension to Lyman W. Russell; to the Committee on Invalid Pensions.

By Mr. FROTHINGHAM: A bill (H. R. 5540) granting an increase of pension to Mary E. Fogg; to the Committee on Invalid Pensions.

By Mr. HAMMER: A bill (H. R. 5541) authorizing the Secretary of War to donate to the town of Mocksville, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5542) authorizing the Secretary of War to donate to the town of Laurinburg, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5543) authorizing the Secretary of War to donate to the town of Raeford, State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARDY of Texas: A bill (H. R. 5544) to reimburse H. A. Swink for loss of cattle sustained by him by the negligent dipping of cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

Also, a bill (H. R. 5545) to reimburse S. G. Ward for loss of cattle sustained by him by the negligent dipping of cattle by the Bureau of Animal Industry, Department of Agriculture; to the Committee on Claims.

Also, a bill (H. R. 5546) authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919; to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 5547) granting an increase of pension to Lizzie H. McDonald; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: A bill (H. R. 5548) for the relief of James E. Van Horne; to the Committee on Claims.

Also, a bill (H. R. 5549) for the relief of Henry Jones Ford; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Kentucky: A bill (H. R. 5550) granting a pension to Phoebe P. Roberts; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5551) granting a pension to Gertie Hatcher; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 5552) granting a pension to Sarah A. Petty; to the Committee on Invalid Pensions.

By Mr. KLECZKA: A bill (H. R. 5553) for the relief of Roland Zolesky; to the Committee on Claims.

Also, a bill (H. R. 5554) for the relief of Paul Wallerstein; to the Committee on Military Affairs.

By Mr. McPHERSON: A bill (H. R. 5555) granting a pension to Richard S. Wilks; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 5556) for the relief of Beatrice Newcombe; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 5557) for the relief of A. O. White; to the Committee on Claims.

Also, a bill (H. R. 5558) granting a pension to Bridget J. Snody; to the Committee on Pensions.

Also, a bill (H. R. 5559) granting a pension to Mary L. Rupert; to the Committee on Invalid Pensions.

By Mr. GILLETT: A bill (H. R. 5560) providing for the issuance to Herman L. Karpeles of a duplicate of an original medal of honor awarded to his father, Leopold Karpeles; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 5561) granting a pension to Adelia A. Devan; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 5562) granting an honorable discharge to James H. Davis; to the Committee on Military Affairs.

Also, a bill (H. R. 5563) granting a pension to Martha Hutton; to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 5564) for the relief of the Gadsden Contracting Co.; to the Committee on Claims.

By Mr. PATTERSON of New Jersey: A bill (H. R. 5565) for the relief of Frank W. Wiedenmann; to the Committee on Claims.

Also, a bill (H. R. 5566) authorizing the Secretary of War to donate to the city of Salem, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RIDDICK: A bill (H. R. 5567) for the relief of James Duffy; to the Committee on Military Affairs.

By Mr. SHELTON: A bill (H. R. 5568) authorizing the Secretary of War to donate to the town of St. James, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5569) authorizing the Secretary of War to donate to the town of Buffalo, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5570) authorizing the Secretary of War to donate to the town of Rolla, State of Missouri, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SWANK: A bill (H. R. 5571) for the relief of Charles Hatch, alias Charles H. Lord; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

386. By Mr. BURDICK: Petition in the case of east Galicia and northern Bukovina, as to their political status; to the Committee on Foreign Affairs.

387. By Mr. BURROUGHS: Resolution of Concord Lodge, No. 537, Brotherhood of Railway Trainmen, opposing the repeal of the excess-profits tax and the enactment of a sales or turnover tax; to the Committee on Ways and Means.

388. By Mr. CHALMERS: Petition of women of the diocese of Ohio, Toledo district, urging favorable action on House bill 13334, which aims to prohibit fishing for salmon in the Yukon River; to the Committee on the Merchant Marine and Fisheries.

389. Also, petition of the Buckeye Producing Co., Toledo, Ohio, to repeal the internal revenue tax now levied on cereal beverages; to the Committee on Ways and Means.

390. By Mr. CRAMTON: Resolution of Knights of Columbus Council, No. 744, Mount Clemens, Mich., indorsing the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of disabled veterans; to the Committee on Interstate and Foreign Commerce.

391. By Mr. CRISP: Petition of citizens of Smithville, Fitzgerald, Montezuma, and Marshallville, in the State of Georgia, protesting against the excessive freight rates, etc.; to the Committee on Interstate and Foreign Commerce.

392. By Mr. DENISON: Petition of the Cairo Products Co., Cairo, Ill., protesting against the 15 per cent tax levied on cereal beverages; to the Committee on Ways and Means.

393. By Mr. GALLIVAN: Petitions of E. F. Kakas & Sons, N. E. Music Trade Association, and A. M. McPhail Piano Co., all of Boston, Mass., relative to taxation matters; also, petition of George Hoyt, of Dorchester, Mass., relative to tax on athletic and sporting goods; to the Committee on Ways and Means.

394. By Mr. KENNEDY: Memorial of Americans of Ukrainian ancestry residing in Woonsocket, R. I., urging recognition of east Galicia as an independent State, the west Ukrainian republic; to the Committee on Foreign Affairs.

395. By Mr. KISSEL: Petition of Kathleen Byrne, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

396. Also, petition of Liberty Textile Corporation, of New York, opposing the excess-profits tax and favoring the sales tax; to the Committee on Ways and Means.

397. Also, petition of Leroy T. Wells, of Wantagh, N. Y., favoring retirement for emergency officers of the Army, Navy, and Marine Corps the same as the regular officers of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

398. Also, petition of M. Crowe, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

399. By Mr. MEAD: Petition of Buffalo Chamber of Commerce, favoring tariff on wood products; to the Committee on Ways and Means.

400. Also, petition of Lackawanna Council, No. 2243, Knights of Columbus, Lackawanna, N. Y., favoring relief for disabled soldiers; to the Committee on Interstate and Foreign Commerce.

401. Also, petition of Buffalo Chamber of Commerce, favoring a duty on all lumber imported into the United States; to the Committee on Ways and Means.

402. By Mr. NEWTON of Minnesota: Petition of sundry citizens of Minneapolis, petitioning the United States Congress to take the necessary steps looking toward the recognition of the republic of Ireland; to the Committee on Foreign Affairs.

403. By Mr. SNYDER: Petition of Oneida Brewing Co., of Utica, N. Y., favoring the repeal of the tax on cereal beverages; to the Committee on Ways and Means.

404. By Mr. YATES: Petition of Edison Electric Appliance Co. (Inc.), Chicago, Ill., by Thomas E. Noonan, protesting against sales tax; to the Committee on Ways and Means.

SENATE.

SATURDAY, *April 30, 1921.*

(Legislative day of Thursday, April 28, 1921.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Mr. LODGE. Mr. President, I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gooding	Lenroot	Sutherland
Broussard	Hale	Lodge	Trammell
Cameron	Harris	McKellar	Underwood
Capper	Harrison	McKinley	Wadsworth
Caraway	Johnson	McNary	Walsh, Mont.
Colt	Kellogg	New	Watson, Ga.
Curtis	Kendrick	Norris	Willis
Dial	Keyes	Robinson	
Fernald	King	Sheppard	
France	Ladd	Spencer	

Mr. KELLOGG. I desire to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Michigan [Mr. TOWNSEND], the Senator from West Virginia [Mr. ELKINS], and the Senator from Ohio [Mr. POMERENE], who are engaged on a hearing before a subcommittee.

Mr. CURTIS. I wish to announce that the Senator from Washington [Mr. POINDEXTER], the Senator from Arizona [Mr. ASHURST], the Senator from California [Mr. SHORTRIDGE], the Senator from Colorado [Mr. NICHOLSON], and the Senator from Nevada [Mr. ODDIE] are detained at a committee meeting.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] to-day.

The VICE PRESIDENT. Thirty-seven Senators having answered to their names, a quorum is not present. The Secretary will call the roll of absentees.

The reading clerk called the names of the absent Senators, and Mr. HARRELD, Mr. OVERMAN, and Mr. SIMMONS answered to their names when called.

The VICE PRESIDENT. Forty Senators having answered to their names, a quorum is not present.

Mr. LODGE. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. SMOOT, Mr. WATSON of Indiana, Mr. DILLINGHAM, Mr. CUMMINS, Mr. HEFLIN, Mr. SHORTRIDGE, Mr. MCCUMBER, Mr. NELSON, Mr. SWANSON, Mr. HITCHCOCK, Mr. POINDEXTER, Mr. ASHURST, Mr. ODDIE, Mr. NORBECK, Mr. NICHOLSON, Mr. WOLCOTT, Mr. WARREN, Mr. STERLING, Mr. ELKINS, Mr. SHIELDS, Mr. BURSUM, and Mr. CULBERSON entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty-two Senators having answered to their names, a quorum is present.

Mr. LODGE. A quorum having appeared, I move that the order to the Sergeant at Arms be rescinded.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

PETITIONS AND MEMORIALS.

Mr. WARREN presented a petition of the Sweetwater Beverage Co., of Green River, Wyo., praying for the repeal of tax now levied upon cereal beverages, which was referred to the Committee on Finance.

Mr. ASHURST presented a memorial signed by W. S. Crowe and 102 other citizens of Globe, Ariz., remonstrating against any further suspension of the laws requiring annual labor or assessment work on unpatented mining claims, which was referred to the Committee on Mines and Mining.

Mr. HARRIS presented a telegram of Aaron Holt Post, Veterans of Foreign Wars, and Ware County Post, No. 10, American Legion, both of Waycross, Ga., protesting against the conclusion of any peace treaty with Germany until the return of Grover Cleveland Bergdoll, which was ordered to lie on the table.

He also presented a telegram in the nature of a petition from Mrs. Alonzo Richardson, chairman, and Mrs. Irving Thomas, president, representing 1,200 women of the Atlanta Woman's Club, of Atlanta, Ga., praying for the enactment of legislation providing adequate relief for wounded ex-service men, which was referred to the Committee on Finance.

Mr. CAPPER presented a resolution adopted at a meeting of the Kansas Oil and Gas Producers' Association, held at Independence, Kans., April 11, 1921, favoring a tariff of $1.25 per barrel on foreign crude petroleum and a proportionate duty on foreign refined products of foreign crude petroleum, etc., which was referred to the Committee on Finance.

REPORTS OF COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH, from the Committee on Military Affairs, to which was referred the bill (S. 674) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia, reported it with an amendment and submitted a report (No. 9) thereon.

He also, from the same committee, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

A bill (S. 1018) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918 (Rept. No. 10);

A bill (S. 1019) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children (Rept. No. 11);

A bill (S. 1020) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States (Rept. No. 12);

A bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii (Rept. No. 13); and

A joint resolution (S. J. Res. 13) authorizing the sale of foodstuffs in the possession of the War Department to any foreign State or Government (Rept. No. 14).

DES MOINES RIVER BRIDGE.

Mr. SHEPPARD. I report back favorably with amendments from the Committee on Commerce the bill (S. 1154) for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo., and I submit a report (No. 15) thereon. The Senator from Missouri [Mr. SPENCER] is very anxious to have the bill passed. He states that its early passage is imperative. It will take only a few moments to pass it, and I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendments were, at the end of line 5, to strike out "double-track" before "bridge," and, in line 6, after the words "Des Moines River," to insert a comma and the words "at a point suitable to the interests of navigation," so as to make the bill read:

Be it enacted, etc., That the Atchison, Topeka & Santa Fe Railway Co., its successors and assigns, be, and the same is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Des Moines River, at a point suitable to the interests of navigation, at or near Dumas, Mo., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 1362) granting an increase of pension to George W. Robinson; to the Committee on Pensions.

A bill (S. 1363) authorizing the Secretary of War to donate to the town of Helena, Ark., two German cannons or fieldpieces; to the Committee on Military Affairs.

A bill (S. 1364) to amend section 5 of the act approved March 2, 1919, entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes"; to the Committee on Mines and Mining.

A bill (S. 1365) to provide for the purchase of a site and the erection thereon of a public building at Forrest City, in the State of Arkansas; and

A bill (S. 1366) to provide for the purchase of a site and the erection of a public building thereon at Monticello, in the State of Arkansas; to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH:

A bill (S. 1367) to carry out the findings of the Court of Claims in the case of Arthur E. Colgate, administrator of the estate of Clinton G. Colgate, deceased; to the Committee on Claims.

By Mr. SUTHERLAND:

A bill (S. 1368) for the relief of George B. Todd; to the Committee on Military Affairs.

By Mr. SMOOT:

A bill (S. 1369) to appropriate $100,000 for the survey of public lands in Utah; and

A bill (S. 1370) granting to the State of Utah 2,000,000 acres of public land to aid in the maintenance of a system of public roads; to the Committee on Public Lands and Surveys.

By Mr. NORRIS:

A bill (S. 1371) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claims of the Omaha Tribe of Indians against the United States; to the Committee on Indian Affairs.

By Mr. WILLIAMS:

A bill (S. 1372) to carry out the findings of the Court of Claims in the case of the estate of Haller Nutt, deceased; to the Committee on Claims.

By Mr. PENROSE:

A bill (S. 1373) to protect the name and insignia of the World War organizations; to the Committee on the Judiciary.

By Mr. HARRIS:

A bill (S. 1374) authorizing and directing the Interstate Commerce Commission to provide for the granting of reduced passenger rates by all railroad companies doing an interstate business through the sale of interchangeable mileage books of not less than 1,000 miles; to the Committee on Interstate Commerce.

By Mr. STERLING:

A bill (S. 1375) to prohibit and punish certain seditious acts against the Government of the United States and to prohibit the use of the mails for the purpose of promoting such acts; to the Committee on the Judiciary.

A bill (S. 1376) providing for the placing of Government employees engaged in the enforcement of national prohibition under the civil service; to the Committee on Civil Service.

By Mr. UNDERWOOD:

A bill (S. 1377) to amend section 300 of an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Finance.

By Mr. SHIELDS:

A bill (S. 1378) granting a pension to G. F. Hudson;

A bill (S. 1379) granting an increase of pension to Wade H. Pyle;

A bill (S. 1380) granting a pension to Zania Seal Trent;

A bill (S. 1381) granting a pension to James M. Gibson;

A bill (S. 1382) granting an increase of pension to John B. Haley;

A bill (S. 1383) granting a pension to Fred W. McMeen;

A bill (S. 1384) granting an increase of pension to John F. Haynes;

A bill (S. 1385) granting an increase of pension to C. F. Boyer;

A bill (S. 1386) granting a pension to William D. Davis;

A bill (S. 1387) granting an increase of pension to Delia B. Zell;

A bill (S. 1388) granting a pension to Alfred C. Williams;

A bill (S. 1389) granting an increase of pension to Oliver P. Chambers;

A bill (S. 1390) granting an increase of pension to John T. Phillips;

A bill (S. 1391) granting an increase of pension to Alexander B. Tadlock;

A bill (S. 1392) granting an increase of pension to Jesse S. Baldwin;

A bill (S. 1393) granting a pension to Israel W. Bennett;

A bill (S. 1394) granting an increase of pension to Eugene E. Scherrer;

A bill (S. 1395) granting an increase of pension to Joseph C. Brewer;

A bill (S. 1396) granting a pension to Otto Greenlee;

A bill (S. 1397) granting a pension to Minta Jones;

A bill (S. 1398) granting a pension to Vian Bennett;

A bill (S. 1399) granting a pension to D. J. Owens;

A bill (S. 1400) granting an increase of pension to John L. Johnson; and

A bill (S. 1401) granting an increase of pension to Joseph Owen Dennison; to the Committee on Pensions.

A bill (S. 1402) for the relief of Charles M. Gourley; and

A bill (S. 1403) for the relief of Barneybass Eastridge; to the Committee on Military Affairs.

By Mr. GERRY:

A bill (S. 1404) for the relief of Philias Cauchon and Zelia Cauchon; to the Committee on Claims.

By Mr. SPENCER:

A joint resolution (S. J. Res. 43) to grant authority to continue the use of the temporary buildings of the American Red Cross headquarters in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

MONTAUK TRIBE OF INDIANS.

Mr. WADSWORTH submitted the following resolution (S. Res. 61), which was referred to the Committee on Indian Affairs:

Resolved, That the Secretary of the Interior be, and he hereby is, requested to report to the Senate where the Montauk Tribe of Indians, once in possession of the land known as Long Island, a part of the present State of New York, now reside; whether tribal relations and a tribal organization are still maintained by them; whether, and if so, to what extent any of them are citizens of the United States; whether the tribe, if still existing as such, owns lands within the limits of the United States to which the Indian title has not been extinguished by cession, or otherwise; where such lands, if any, are situate, the extent of the same, by whom they are occupied and by what tenure held, and whether the tribe, or any of its members, are now under the care or custody or are subject to the control of the Interior Department, in any respect, in a manner similar to that of other Indians within the United States.

ADDITIONAL DISTRICT JUDGE FOR WEST VIRGINIA.

Mr. LODGE obtained the floor.

Mr. SUTHERLAND. Mr. President——

Mr. LODGE. I yield to the Senator from West Virginia.

Mr. SUTHERLAND. I ask unanimous consent to call up and to have considered immediately the bill (S. 694) providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia. It is an emergency bill, and was reported yesterday unanimously by the Committee on the Judiciary.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. Mr. President, I should like to have the bill read.

The bill was read by title.

Mr. SMOOT. Does the Senator from West Virginia say that it is an emergency bill?

Mr. SUTHERLAND. I will say to the Senator that it is strictly an emergency measure, for the reason that the sitting judge in that district has been paralyzed for a year or more and is absolutely incapacitated for the performance of his duties. As a consequence the business of the district is in very bad shape. The former Attorney General and the present one have strongly recommended the passage of the bill. I repeat, it is an emergency matter in the strictest sense of the word, and I hope the Senator will not object to the consideration of the bill. A similar bill was passed through the Senate the last session, and the measure has been recommended unanimously by the former Judiciary Committee and by the present one.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, on page 1, section 1, line 9, after the word "district," to insert the words "and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority," so as to make the section read:

That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the southern judicial district of the State of West Virginia, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district, and the judge so appointed shall be held and treated as the senior judge and shall exercise such powers and perform such duties in that judicial district as may be incident to seniority.

The amendment was agreed to.

Mr. KING. May I inquire of the Senator from West Virginia whether there is in the bill a provision that upon the demise of the present judge no additional judge shall be appointed?

Mr. OVERMAN. That is covered by the bill.

Mr. SUTHERLAND. There is such a provision embodied in section 2 of the bill. That section reads as follows:

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of West Virginia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (S. J. Res. 16) repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and for other purposes.

Mr. LODGE. Mr. President, I shall not long detain the Senate by what I have to say in regard to the pending joint resolution. I can see no reason for consuming much time upon the subject. The question is so simple and so direct that I have been surprised at the vehemence that has been shown and the wide range of the discussion embarked upon in the last day or two by those who are opposed to the measure.

The pending resolution is a joint resolution. It is not a treaty. It is a law. It is to repeal a joint resolution passed by Congress declaring that a state of war existed between the United States and the Imperial Government of Germany and the United States and the Imperial and Royal Government of Austria-Hungary.

There have been intimations here in the debate that Congress was exceeding its powers in the pending resolution. Mr. President, there could be no more complete truism than that that which a legislative body can enact it can also repeal. If we had the power to pass that declaration that a state of war existed—and no one questions that power—we have an equal power to repeal it. The theory that peace can be made only by a treaty has no support in the Constitution that I am aware of, and no support in international law.

The fact that we repeal the declaration of the two Houses in April, 1917, simply is a repeal of an act which we passed, and leaves the situation so that instead of a status of war existing with Germany a status of peace exists. Whatever is to be done in completing that work by treaty must rest with the Executive power, to which belongs the right to initiate and negotiate treaties.

The war with Germany no longer exists as a fact and has not existed since the 11th of November, 1918. This joint resolution simply declares the fact, and that is all it does. The other provisions are also statutory enactments, giving notice to Germany that we shall insist upon all the rights we have under the Versailles treaty and shall hold the alien property funds until all claims against Germany are settled, and incidentally repeals the old treaty with Prussia. The right of Congress to abrogate a treaty directly or indirectly by statute is also unquestioned and has been sustained by the Supreme Court.

With Austria we take the same action. We simply repeal the declaration of a status of war against the Imperial and Royal Austro-Hungarian Empire, and that restores the status of peace.

The passage of this law invades no Executive power. It simply declares the law of the United States, which undoubtedly would be considered by the negotiators of any treaty that may follow.

It has been suggested here that we are invading the Executive authority. Mr. President, the cases are many in which Presidents have asked the opinion of the Senate before entering upon negotiations, asked their opinion as to the terms of a treaty before it has been made, and the recognition by the Executive of the share of the Senate in making treaties has been established by many precedents.

The President, in his speech of acceptance last July, declared that he would sign a resolution of this character whenever sent to him. I need not go into any elaborate discussion of the President's attitude. That was very fully covered by the Senator from Missouri [Mr. REED] yesterday, but I will read once more what he said in his message of April 12 last:

The United States alone among the allied and associated powers continues in a technical state of war against the Central Powers of Europe. This anomalous condition ought not to be permitted to continue. To establish the state of technical peace without further delay I should approve a declaratory resolution by Congress to that effect, with the qualifications essential to protect all our rights. Such action would be the simplest keeping of faith with ourselves and could in no sense be construed as a desertion of those with whom we shared our sacrifices in war, for these powers are already at peace.

This joint resolution is in exact accord with the policies there laid down and the request there made by the President of the United States. I realize that Senators on the other side have fallen so much into the habit of standing by the rights of the Executive, were they well founded or not, that they are naturally very sensitive if anything seems to intimate that the Senate must not first consult the Executive about any action the Senate chooses to take; but they may rest quite easy on this point. We are invading no right of the Executive. We are acting in accordance with his expressed wishes.

As to our attitude to those powers with which we were associated in the Great War, they have every one of them made peace with Germany. They made peace with Germany on the

28th of June, 1919. They so arranged the treaty and so provided that it came into effect when agreed to by three of the principal allied and associated powers. They have been at peace with Germany, therefore, for nearly two years. Is it to be supposed that we are to continue to remain in a condition of technical war with Germany when all the countries we were associated with in the war have made peace?

They did not ask our leave to make that peace effective. They provided specifically that they could make it without our association or consent. I have no fault to find with their doing so, and no desire to interfere with the terms of the peace which they made; but surely it does not debar us from making peace. They can not expect us to remain at war while they have all made peace; and if we choose to make peace with Germany by a treaty, which will probably follow this joint resolution, surely we are not betraying them. They do not expect it, Mr. President. They do not expect us to remain in a state of technical war with Germany. They know that that is an impossible situation and can not continue. The President made it entirely clear in his message, and it is also made evident by the notes that have been written by the Secretary of State in connection with these matters that we have no thought of abandoning the interests of those who were associated with us in the Great War against Germany.

In fact, treaties with Germany alone would be inadequate, as the President has stated; but the passage of this resolution unties our hands. England has been trading with Germany, has been represented in Berlin, has been represented in Vienna, and I suppose in the other fragments of the Austrian Empire which have been set up as independent States. Are we to remain unrepresented while all the other countries are represented? Are we to have our trade hampered, without official representation, without consuls, operating I believe through Spain, which represented our interests in Germany during the war?

We ought to put this country on the same basis of trade and commerce that France and Italy and England and all the other nations have had for two years. That is one of the practical results which make this joint resolution of immediate importance; but the most important thing of all is to get rid of the totally abnormal and anomalous situation in which we now are.

Mr. TOWNSEND. Will the Senator allow me to ask him a question at that point?

Mr. LODGE. Certainly.

Mr. TOWNSEND. I am somewhat disturbed over a proposition which possibly the Senator can make clear to me. I am in hearty accord with him in his desire to bring the technical state of war to an end. But in this resolution he proposes to repeal the act of April 6, 1917, which does create some difficulties in my mind. Why should it not be sufficient to say that the state of war declared by Congress on April 6, 1917, to exist between the Imperial German Government and the Government and people of the United States is hereby declared at an end?

Mr. LODGE. That is what it does say, in those terms.

Mr. TOWNSEND. But it says more. It repeals the act. I have omitted the declaration that the act declaring that a state of war existed on that date is repealed, because that is a fact, and have suggested what we are all trying to get, as I understand it, namely, that the condition declared on April 6 to exist is now at an end.

Mr. LODGE. That is a fact, unquestionably. But, of course, I think the Senator will admit that Congress has a right to repeal what it has enacted.

Mr. TOWNSEND. There is no doubt about that. But do we want to do it?

Mr. LODGE. It seems to me that is the most direct way of doing what we want to do. The Senator's suggested change brings the same result; but I think it is better to repeal it directly, rather than indirectly.

Mr. TOWNSEND. That necessarily carries embarrassments which may have occurred between April 6 and this hour. We are making our repeal date back as of April 6—that is, that the condition which existed when that resolution was passed is at an end, whereas if we said directly that the condition declared on April 6 to exist, namely, a state of war, is at an end now, and leave it there, it would be better.

Mr. LODGE. The language of the resolution is—

> That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist * * * and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

It seems to me that is the most direct way of doing it. Our laws are not like the traditional laws of Lycurgus and Solon—never to be repealed at any time. They are, of course, open to repeal at any time. A treaty of peace in substance repeals any declaration of war that has been made. But this is wholly within the power of Congress, and the purpose is, of course, to get rid of the technical state of war. It has seemed to me all along that this is the most direct way of doing it.

Mr. KELLOGG. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I yield.

Mr. KELLOGG. It seems to me the point that is troubling the Senator from Michigan can be easily explained. We declared a state of war existing, and we prosecuted the war for nearly two years. The fact that we repeal the act does not invalidate or affect in the slightest degree all that was done.

Mr. LODGE. Of course not.

Mr. TOWNSEND. It is debatable ground as to what it does. What is the use of repealing it if you declare directly that the state of war is at an end?

Mr. KELLOGG. I do not say that would not be sufficient. But how can the repeal of the statute affect all the acts of the Government done under the declaration of war?

Mr. LODGE. Of course, the repeal of a law of any kind does not affect the acts done under the law while it was law. We simply declare the fact that the state of war declared to exist on April 6, 1917, no longer exists. That is all we say, and we put an end to it in that way, by this form of repeal.

Mr. President, I have stated why I think practically it is of value to our trade and commerce, that I think the present condition anomalous. It is in contradiction of the existing fact, and however we do it, we ought to come to the true status, the status of fact; that is, that there is no war, and has not been for two years, between this country and the Government of Germany.

I am sure that further negotiations will follow, probably, with those countries who were our associates in the war, as well as with Germany. That is the work, necessarily, of the Executive. This clears the ground, and I have been at a loss to understand the apparent intensity of the opposition to the passage of this resolution, but as I listened to speeches yesterday I came to the conclusion that what causes the feeling about it is that Senators think now that declaring a state of peace with Germany in some way severs the last connection with the league.

Mr. President, the existence of a technical state of war with Germany does not put us back into the league, and we are never going to climb back into it in that way or any other. That league, brought back by Mr. Wilson from Paris, as snarled up with the treaty of peace of Versailles, has been passed upon by the Senate and by the people, and that league, I venture to state, is dead. It is dead for the time being, anyway. It will stay dead, I think, at least four years, and I do not believe that any change of party in this country will ever restore life to that unhappy instrument.

Why should we cling to this beaten, discarded league? Why should we hesitate to clear the ground of one of the remaining obstacles so that we can do something with a free hand to improve the general condition of the world economically and in every other way?

Mr. SPENCER. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Missouri?

Mr. LODGE. Certainly.

Mr. SPENCER. Will the Senator be good enough to tell me as to whether it is not his understanding that some such resolution as this is not only quite expected by our allies but is viewed with entire complacence by them?

Mr. LODGE. Before the Senator came in I stated that was a fact, and I know they all expect that such a resolution will be passed. What they are concerned with is what we do subsequently, how we go out, as a very distinguished representative of France said. "Of course," he said, "we know you can not remain in this technical state of war." Nobody expects it. Nobody thinks that, so far as I know, except the distinguished Senators on the other side of the aisle, and not all of them, because some of them are Republicans.

But we might as well dismiss it and get rid of this encumbrance. This is too slender a thread to permit us to think that it will draw us back into the league. But I think it is wiser to accept the decision of the people, which certainly was plain enough. The President made this precise issue in his speech of acceptance. It was used as a foundation of argument throughout the campaign and on every stump. The people of the country absolutely understood the proposition, and when they voted by over 7,000,000 majority for Senator Harding they approved the position he had taken, if votes mean anything, and I think the time has come to clear away this remaining

piece of wreckage of the unhappy attempt to negotiate a peace in Paris.

If that peace satisfies Europe, we are content. We do not desire to interfere with what they want. But we are not going into that league, and this fact has been officially declared. Now, let us get rid of the ruins that remain, make a fresh start, and try to do something in our own way to help the condition of the world as it is at this moment.

Mr. HARRISON. Mr. President, before the Senator takes his seat will he yield for a question?

Mr. LODGE. Certainly.

Mr. HARRISON. The Senator has just stated that by practically 7,000,000 majority the American people passed on this proposition. Did I understand that he thought that issue was the separate treaty with Germany?

Mr. LODGE. That was one of the issues. It was an issue specifically made by our candidate for the Presidency, and by all our speakers on the stump.

Mr. HARRISON. The Senator will recall that there were many very prominent gentlemen, leaders in the Republican Party, who were for the league. I think there were 31 at one time who signed a petition to the proleague Republicans in the country and the independent people in the country, stating that the best way to adopt the treaty of Versailles and to get into the League of Nations was through the election of Harding and Coolidge, and among those numbers who signed, and who made speeches, none was more prominent and none expressed himself stronger as to that proposition than the present Secretary of State.

Mr. LODGE. Mr. President, if I have in mind the same letter to which the Senator from Mississippi refers, which was headed by Mr. Root——

Mr. HARRISON. Yes.

Mr. LODGE. And I think drafted by him, it did not state just what the Senator from Mississippi states. If the Senator will get it and read it, I think he will find it is a different proposition.

Mr. HARRISON. I have it in my possession, and I shall read it before this debate is over.

Mr. LODGE. I hope the Senator will. It is very good reading, especially in its conclusion.

Mr. HARRISON. I did not understand the remark of the Senator a moment ago, and I do not know how the Senator feels toward the other statement I made, that the present Secretary of State, in his speeches to the people in that campaign, did state that one of the best ways to get the treaty of Versailles ratified and the United States into the League of Nations was through the election of Harding and Coolidge.

Mr. LODGE. Mr. President, I remember most conspicuously in the statements and speeches of the distinguished Secretary of State that he more completely destroyed article 10 and the body of the league than anyone else, I think, who spoke.

Mr. HARRISON. Oh, well, the Senator has not answered my question yet.

Mr. LODGE. I have not the speech here, but I shall be very glad to get it and read it.

Mr. HARRISON. I have it, and I will get it and have it read to the Senator in a moment.

Mr. LODGE. I hope the Senator will have all the reading done in his own time.

Mr. SHIELDS. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Tennessee?

Mr. LODGE. I yield.

Mr. SHIELDS. Did I understand the Senator to assert that the treaty was the issue in the campaign upon which the people passed? As I understood the proposition, the question was whether the United States should become a member of the League of Nations as contained in the German treaty.

Mr. LODGE. That was the question, of course.

Mr. SHIELDS. That we should agree to part 1 of the treaty, which contained the covenant of the league.

Mr. LODGE. It was absolutely that.

Mr. SHIELDS. That, I understand, was the proposition proposed by the then Chief Executive at the Jackson Day dinner here in Washington, to be decided in a great and solemn referendum.

Mr. LODGE. There is no doubt about it.

Mr. SHIELDS. That I understood to be the paramount issue presented by the Democratic platform, and also the issue which was presented in the interview of President Wilson to the New York World, and subsequently delivered in a statement to some 15 Republicans and nondescripts who favored the league who went to the White House to hear and give it publicity.

Mr. LODGE. Yes.

Mr. SHIELDS. I did not hear any of his speeches, but that was made the chief issue by the Democratic candidate for the Presidency, Gov. Cox, as reported in the public press.

Mr. LODGE. So I understood. I did not read all of his speeches.

Mr. SHIELDS. The issue was whether or not we should become a member of the league. I remember on one occasion reading with some interest a speech Gov. Cox made at Youngstown, Ohio, or rather a remark in a speech there, when heckled by some one in the crowd as to his opinion of those Democratic Senators who opposed the League of Nations or favored reservations to it, in which he is reported to have said, "If one of them was a candidate for the United States Senate against a Republican who was for the league, I would vote for the Republican and make speeches for him." I thought that was presenting the issue in a pretty clear-cut manner. That issue was settled by a majority of about 7,000,000 out of about 27,000,000 ballots that were cast in the solemn referendum. The people have spoken, and their voice is the law and should be obeyed.

Now, that was the covenant of the League of Nations as I understand it, but that inevitably carries with it the Versailles treaty. Our President when negotiating that treaty, while on a visit to America pending those negotiations, announced that when that treaty came to America the covenant of the League of Nations would be so intertwined and interwoven with it that it would be impossible to dissect one from the other. That statement was carried out literally, ingeniously, and forcefully. The authority of the League of Nations so permeates and honeycombs the Versailles treaty that it is impossible for it to exist and be executed without the League of Nations. Thus the infirmities of the covenant of the League of Nations affect the treaty to such an extent and so inextricably as to make the document, the treaty proper, hopelessly and incurably bad, and the only possible thing to do is to scrap the entire document, in my opinion. As to apprehension that the resolution will have that effect, I have understood that that is the object of it, and that is why I am going to vote for it.

I can see no objection to giving the peace, which is conceded to exist in fact, a legal status. I can see no bad faith to our allies in the war in doing what they have done nearly two years ago. I can see no wrong in giving our nationals the commercial advantages in trading with Germany which our recent allies have engaged in and profited by for more than a year to our injury.

Mr. LODGE. Mr. President, there is no doubt in my mind whatever that the one great central issue of the last campaign was the League of Nations and whether we should enter it or not. This is a resolution subsidiary to the decision made by the people of the United States. There can be no question, I think, as to how they voted and that they voted against the covenant of the League of Nations. That covenant, as the Senator from Tennessee has pointed out, is so intertwined and involved—I wish to give President Wilson the credit of saying that he had involved it knowingly with the treaty of Versailles—that it will require, on the best calculation I have been able to make, at least 72 amendments to the treaty of Versailles to get the League of Nations out of it, and when we have got it out nothing but a shell remains.

I hope we shall do the obvious thing, complete the clearance of the ground and declare the fact that a state of war no longer exists between this country and the Austrian Empire.

Mr. ROBINSON. Mr. President, will the Senator from Massachusetts yield for a question?

Mr. LODGE. Certainly.

Mr. ROBINSON. The Senator from Massachusetts has been long in the public service and has broad experience in dealing with matters pertaining to our foreign relations. Does the Senator from Massachusetts recall any other incident in which the Congress of the United States has repealed a declaration of a state of war?

Mr. LODGE. No.

Mr. ROBINSON On yesterday I submitted some observations and inquiries addressed to the same point as was embraced to-day in the remarks and inquiries of the Senator from Michigan [Mr. TOWNSEND]. The custom prevails of repealing acts of Congress, resolutions, or statutes that have a continuing application. I do not myself know of any instance where Congress has repealed an act or resolution that has performed its functions, as is the case at issue here.

The declaration of war was made as to Germany on the 6th of April and as to Austria-Hungary on the 7th of December, 1917, and the war was brought to a successful conclusion, actual hostilities ceasing, with the signing of the armistice. I am utterly unable to understand the legal effect which the proponents of the joint resolution intend to accomplish by re-

pealing the declaration of war. Many measures passed by Congress of a somewhat extraordinary character, including the espionage act, acts respecting the custody of property belonging to aliens, and other far-reaching measures, were based solely on the existence of a state of war. They were justified by the emergency recognized by the resolution which we are now seeking to repeal.

Is it, in the opinion of the Senator from Massachusetts, calculated to strengthen the power of Congress to declare the existence of a state of peace to pass a resolution repealing the resolution under which we recognized the existence of a state of war?

Mr. LODGE. I do not see that the repeal of an act of any kind or of a declaration of war or a state of war has the slightest effect upon what was done under the repealed act.

Mr. ROBINSON. Has Congress the power to declare a state of peace independently of its power to repeal the resolution declaring a state of war?

Mr. LODGE. Congress undoubtedly has the power to repeal anything that it has ever enacted.

Mr. ROBINSON. Then will the Senator from Massachusetts tell the Senate what is the object, what is the motive, what is the inspiring cause of this extraordinary action by which in violation of every precedent of our history we propose to repeal the provision by which we sent millions of American soldiers into battle and expended billions of American dollars?

Mr. LODGE. It has nothing on earth to do with what we did under that resolution of course. The declaration that the existing state of war has come to an end is a matter of fact and we recognize the matter of fact just as we recognized the existence of the state of war. Of course we can repeal anything that we can enact. If we did not have the power to enact it, then we could not repeal it, but we had the power to enact it.

Hitherto in a few cases where we have been at war of course the peace made by treaty has necessarily repealed the act declaring war. The mere form of repealing it does not change anything that has been done under it of course. We are continually repealing acts, and every time we revise the code or the statutes many are declared obsolete and are repealed by Congress, but what was done under them when they were in existence is not repealed or changed in any way.

Mr. ROBINSON. But what, I inquire of the Senator from Massachusetts again, is the legal effect of a repeal of the declaration of war after the war has already been ended?

Mr. LODGE. It will not have the slightest legal effect on anything that has been done.

Mr. ROBINSON. Then why insist upon the passage of the pending joint resolution?

Mr. LODGE. Because we desire to recognize the existing state and put ourselves on a level with the other nations that have already made peace and who did not wait for us. The argument always leads to one thing, that we must stay in a technical state of war because other countries have made peace in another way. It is the old international view that we are having pushed at us again.

Mr. ROBINSON. The Senator from Massachusetts has at last admitted that the proposal to repeal the declaration of war can have no legal effect. Now, let me inquire of the Senator from Massachusetts what will be its inevitable moral effect?

Mr. LODGE. If the Senator will allow me—and I believe I still have the floor—I said no legal effect on what happened before it was repealed. Of course, it will have a legal effect on the future.

Mr. ROBINSON. The inevitable moral effect of the joint resolution, whatever may be its purpose, repealing the declaration of war when it can have no relation, as the Senator from Massachusetts admits, to anything that has passed, is to encourage our former enemies and to discourage our former allies in their efforts to settle the reparations dispute.

Mr. LODGE. I yielded for a question, and not for a speech, able as it is. I had not intended to hold the floor so long. I have held it much longer than I desired. I recognize that there are many other Senators who desire to speak.

Mr. COLT. Will the Senator from Massachusetts permit me to ask the Senator from Arkansas a question?

Mr. LODGE. Certainly.

Mr. COLT. We passed the act declaring the United States in a state of war on April 6, 1917.

Mr. ROBINSON. Yes; I stated so—that is, as to Germany.

Mr. COLT. That is all I am talking about.

Mr. ROBINSON. The Senator had not said so. As to Austria-Hungary, we passed it on December 7.

Mr. COLT. I wish to ask the Senator when, in his view, was the state of war created by that act, and when did it cease?

Mr. ROBINSON. The state of war existed at the time we passed the declaration of war.

Mr. COLT. When did it cease?

Mr. ROBINSON. The nominal state of war continues to exist, in the legal sense, I think.

Mr. COLT. The armistice only suspended the state of war.

Mr. ROBINSON. The armistice terminated actual hostilities.

Mr. COLT. Then, does the Senator concede that the legal state of war still exists?

Mr. ROBINSON. I think perhaps it does.

Mr. COLT. If the legal state of war still exists by virtue of the resolution of April 6, 1917, can not the United States, by repeal of that resolution, put itself into a legal state of peace, so far as the United States is concerned?

Mr. ROBINSON. Why, Mr. President, if the Congress has the power to declare a state of peace, the repeal of the resolution declaring a state of war is not necessary and we ought not to make it, for the simple reason that the repeal of a statute that has been executed is usually based upon the ground that the passage of the statute was wrong in the first instance.

Mr. COLT. Oh, no. Now, the Senator from Arkansas knows that we are dealing with very technical questions.

Mr. ROBINSON. We are also dealing with practical questions.

Mr. COLT. A de facto peace and a legal peace are two different propositions. We are in a de facto peace. Now we want to create, if you please, a legal peace. The Senator from Massachusetts——

Mr. ROBINSON. One moment. Will the Senator yield to me for a question?

Mr. COLT. One moment, if the Senator please. As the Senator from Massachusetts said, and as we all know, we can not create a complete legal peace until Germany by some act, so far as we are concerned, puts herself in a condition of legal peace. Of course, we all know that Congress can repeal any act or resolution that it has passed, and therefore by the repeal of the resolution of April 6, 1917, Congress can place the United States in a condition of legal peace, so far as this country is concerned.

Mr. ROBINSON. I stated that yesterday, as the Senator would know if he had done me the honor to listen to my remarks. I said the Congress could repeal the resolution. But I now ask the Senator from Rhode Island a question. If Congress has the power to declare a state of peace, and thus accomplish all that is intended by the proponents of the resolution to be accomplished, why repeal the resolution declaring the existence of a state of war?

Mr. COLT. Because the repeal of the resolution declaring a state of war is the simplest and most effective way to reach, technically, a legal state of peace.

Mr. ROBINSON. But you also declare the state of peace. Why repeal the declaration if you have the power to declare a state of peace?

Mr. LENROOT. Mr. President——

Mr. LODGE. Of course, we have the power to declare peace. We have the power to pass any resolution we choose. We are not forbidden from doing that.

Mr. ROBINSON. If you have the votes you can humiliate the men who made sacrifices in the Great War, you can dishonor the memory of the men who fell in battle, you can bring the name of this Nation into disrepute among the nations of the world, if you have the votes to do it, but I intend that the country shall know what you are doing. You are doing a futile, feeble, and foolish thing, in my opinion, when you repeal the resolution declaring the existence of a state of war after the war has ended.

Mr. LODGE. Mr. President, it has nothing whatever to do with the men who were in the war or anything done under the declaration of war—nothing whatever. It simply recognizes a fact. The trouble on the other side of the aisle is that they still will not recognize facts. They will not recognize that the war is over and that the country is at peace practically, and that their league and their treaty have been beaten, and beaten by the people. Recognize the facts, and let us go on.

Mr. LENROOT. Mr. President——

Mr. LODGE. I yield now to the Senator from Wisconsin.

Mr. ROBINSON. Will the Senator be kind enough——

Mr. LODGE. I yield to the Senator from Wisconsin, who spoke first.

Mr. LENROOT. Mr. President——

Mr. ROBINSON. Will the Senator from Massachusetts be kind enough——

Mr. LODGE. I have yielded to the Senator from Wisconsin, who first rose.

Mr. LENROOT. I want to ask the Senator from Massachusetts about a remark that he made in speaking of the treaty proper, that if the provisions referring to the League of Nations were eliminated from the treaty proper only a shell would be left. That must have been an inadvertent statement on the part of the Senator. I think the Senator will agree that there are three principal parts to the treaty of Versailles other than the League of Nations—the fixing of boundaries, the reparations, and the right of occupation. All those provisions would still be left if the league covenant were eliminated.

Mr. LODGE. Oh, yes.

Mr. LENROOT. And those provisions comprise the major part of the treaty.

Mr. LODGE. I have doubt about that. I intended to say, and I thought I did say, that to eliminate the League of Nations, I found, as I think the Senator will find if he examines the treaty of Versailles, would require about 72 amendments.

Mr. LENROOT. That might be.

Mr. LODGE. It would be necessary to tear the treaty very much to pieces when it came to making the treaty over.

Mr. LENROOT. That might be so, too; but I want to ask the Senator this question: A modification of the treaty proper, excluding the League of Nations from any power to enforce the treaty, would not be a very difficult proposition, would it?

Mr. LODGE. Perhaps not. I once tried to disentangle the treaty from the League of Nations, and I found it a pretty difficult undertaking; but, of course, if the treaty of Versailles is going to be made over, that is only a small part of what has got to be done. There is part 13; there is the Shantung provision, and taking us out of all the commissions in which we are included and in which we do not want to be and in which nobody wants us to be. I think the Senator would find when he got through that there would not be much left.

Mr. LENROOT. Mr. President, the Senator has referred to the action of the country. Is it not true that the action of the country was upon the covenant of the League of Nations in the treaty and not upon the provisions of the treaty proper?

Mr. LODGE. The central question, of course, was that of entering into the covenant of the League of Nations; that overshadowed everything else. The treaty of Versailles proper is another question which was but little discussed here.

Mr. POMERENE. Will the Senator yield for a question?

Mr. LODGE. Certainly.

Mr. POMERENE. The Senator a moment ago suggested this side of the Chamber was not able to recognize facts. I think I do, and if the Senator will permit me, I want to call his attention to several of these facts.

Mr. LODGE. Mr. President, I have no desire to hold the floor any longer. I have tried to relinquish the floor several times.

Mr. POMERENE. I think this will be interesting, if the Senator will indulge me.

Mr. LODGE. Would it not be better for the Senator to make his statement in his own time?

Mr. POMERENE. I want the benefit of the Senator's answer to the question I am about to ask, if I may have it.

Mr. LODGE. Certainly.

Mr. POMERENE. The Alien Property Custodian, according to his report, seized about 33,000 estates. Most of those were seized during the first year or, perhaps, during the first six months of his official action. They were valued at $700,000,000. That property is still in the hands of the Government, at least most of it. Our Government also seized a very large number of ships which had sought refuge in our ports from the British and the French fleets. I think that there can be no doubt about the fact that that property, including the ships, was seized by our Army and Navy and civilian authorities pursuant to the joint resolution declaring a state of war to exist. We are now seeking to repeal that joint resolution. My question is this——

Mr. LODGE. Mr. President, the Senator from Ohio must know that there was an elaborate act passed authorizing all those seizures.

Mr. POMERENE. I realize that very fully.

Mr. LODGE. The trading with the enemy act covers the matter.

Mr. POMERENE. Yes; but that act was passed in pursuance of the first step which we had taken.

Mr. LODGE. Undoubtedly.

Mr. POMERENE. Namely, declaring a state of war.

Mr. LODGE. Does the Senator suggest that repealing the act declaring a state of war alters anything that was done while that act was in effect?

Mr. POMERENE. My question is a little bit long, but the Senator has not waited until I have completed my thought.

Mr. LODGE. I thought it was approaching an end. [Laughter.]

Mr. POMERENE. Perhaps I am a little bit long in my statement, but nevertheless it interests me.

Mr. LODGE. I am sure it interests everybody, I will say to the Senator from Ohio.

Mr. POMERENE. I thank the Senator.

In 1799 we entered into a treaty with Prussia. That treaty expired, but later it was revived by the treaty of 1828, and it is still in full force and effect.

Mr. LODGE. If the Senator will pardon an interruption, that is one reason for passing the pending joint resolution, which abrogates it.

Mr. POMERENE. Still the Senator has not waited until I have completed my inquiry.

Mr. LODGE. I was trying to help the Senator make his statement.

Mr. POMERENE. I think I can make my own statement without any help in that respect.

Mr. LODGE. The Senator from Ohio is helping me make my speech.

Mr. POMERENE. I am quite sure that the Senator from Massachusetts has had so much experience that he needs no help; and we all respect his great ability, even if we do not concur in his conclusions. However, this is one of the provisions of the treaty with Prussia to which I refer:

> If war should arise between the two contracting parties, the merchants of either country then residing in the other shall be allowed to remain nine months to collect their debts, settle their affairs, and may depart freely, carrying off all their effects without molestation or hindrance.

That means, if it is given the effect which was intended, the Germans in this country, when war broke out, had the right to carry off all their goods, including all their ships. That treaty also provides that it shall be in force both "in time of war and in time of peace." I think the distinguished Senator from Massachusetts will agree with me that the German Government took the position that these seizures were illegal. On the other hand, we contended that we had the right to make them because we passed the resolution declaring a state of war to exist, and because of the subsequent legislation; but the foundation for all of that legislation was the war resolution. Now, when we repeal the resolution declaring a state of war to exist, are we not at least giving color to the German claim; namely, that these seizures were illegal? Will the repeal not go further, and jeopardize our title to the property thus seized by our forces?

Mr. LODGE. Mr. President, the pending joint resolution, as I read it and as it is intended, covers entirely and absolutely the question of the property seized and in the possession of the Alien Property Custodian. We did not get anything under the treaty of Versailles except a bill of indemnity for Mr. Palmer. We got all his acts validated; that is the only substantial thing we got out of it. I do not think the joint resolution before us at all affects that situation. The fact that we repeal the joint resolution declaring a state of war to exist does not change or invalidate anything that was done under that act. That certainly is true.

As to the treaty with Prussia, I have always believed that treaties of that character—and that is not the only one; we had one with Mexico, which somehow or other we did not seem to follow very closely, and which was to take effect both in peace and in war—follow the general rule that war abrogates all treaties, just as our War with Spain abrogated all our treaties with Spain, and we had to negotiate new treaties. But, however that may be, the pending joint resolution disposes specifically of the Prussian treaty.

Mr. HARRISON. If before the Senator takes his seat he will allow me to interrupt him, I desire to suggest that a few moments ago we were discussing what 31 prominent Republican leaders had stated in their appeal to the country for votes for Harding and Coolidge in the last campaign. I did not have the document in my possession at that time, but I have it now, and I desire to refresh the memory of the Senator concerning certain passages of it.

Mr. LODGE. If the Senator will allow me to take my seat and yield the floor to him, I shall be delighted to have him read it.

Mr. HARRISON. I want it to appear in the Senator's time, so as to show the inconsistency of his position or to controvert what he so plainly stated.

Mr. LODGE. That is unimportant.

Mr. HARRISON. I understand it is unimportant to the Senator.

Mr. LODGE. But I should like to have a correct version of it and not the version which the Senator from Mississippi gave us. I will be very glad to have the correct version printed.

Mr. HARRISON. It is a very correct version which I have before me.

Mr. LODGE. I hope so.

Mr. HARRISON. And it is signed by very distinguished Republican leaders, the list being headed by Charles Evans Hughes, the present Secretary of State, and including Herbert Hoover, the present Secretary of Commerce; Elihu Root, a very distinguished Republican and ex-Secretary of State; Henry W. Taft; Oscar S. Straus; George W. Wickersham, ex-Attorney General; Henry L. Stimson, ex-Secretary of War; and many others whose names will appear in the RECORD when the document is printed. I am not going to read it all.

Mr. BORAH. Not so very many others.

Mr. HARRISON. Well, 31 of them.

Mr. BORAH. Out of 7,000,000.

Mr. HARRISON. Those who signed the paper are pretty prominent gentlemen, and they influenced about all on the other side of the aisle except the distinguished Senator from Idaho and 11 others to their view. I shall merely read part of the document, and will ask that the remainder of it be included in the RECORD.

Mr. LODGE. I should like to have it all printed.

Mr. HARRISON. All of it will be printed in the RECORD; but I do not want to trespass too much on the time of the Senate, so I will not read it all.

The question—

Say Charles Evans Hughes, Herbert Hoover, George W. Wickersham, et al.—

The question between the candidates—

This appeal was issued on October 15, 1920, right in the heat of the campaign—

The question between the candidates is not whether our country shall join in such an association. It is whether we shall join under an agreement containing the exact provisions negotiated by President Wilson at Paris or under an agreement which omits or modifies some of those provisions that are very objectionable to great numbers of the American people. * * *

The question, accordingly, is not between a league and no league, but is whether certain provisions of the proposed league agreement shall be accepted unchanged or shall be changed. * * *

We can not regard such a provision as necessary or useful for a league to preserve peace.

We have reached the conclusion that the true course to bring America into an effective league to preserve peace is not by insisting with Mr. Cox upon the acceptance of such a provision as article 10, thus prolonging the unfortunate situation created by Mr. Wilson's insistence upon that article, but by frankly calling upon the other nations—

"By frankly calling upon the other nations"—

to agree to changes in the proposed agreement which will obviate this vital objection and other objections less the subject of dispute, but by frankly calling upon the other nations to agree to changes in the proposed agreement which will obviate this vital objection and other objections less the subject of dispute. The Republican Party is bound by every consideration of good faith to pursue such a course until the declared object is attained.

They say nothing here about any separate peace.

For this course we can look only to the Republican Party and its candidate; the Democratic Party and Mr. Cox are bound not to follow it.

We have reached the conclusion—

Say these distinguished Republican leaders, two of whom have been honored by the President with high places in the Cabinet—

We have reached the conclusion that the true course to bring America into an effective league to preserve peace is not by insisting with Mr. Cox upon the acceptance of such a provision as article 10, thus prolonging the unfortunate situation created by Mr. Wilson's insistence upon that article, but by frankly calling upon the other nations to agree to changes in the proposed agreement which will obviate this vital objection and other objections less the subject of dispute. The Republican Party is bound by every consideration of good faith to pursue such a course until the declared object is attained.

For this course we can look only to the Republican Party and its candidate. * * *

The conditions of Europe make it essential that the stabilizing effect of the treaty already made between the European powers shall not be lost by them and that the necessary changes be made by changing the terms of the treaty rather than by beginning entirely anew.

So different from what the Senator says. Continuing:

That course Mr. Harding is willing to follow, for he said in his speech of August 28—

Quoted by these distinguished men—

"I would take and combine all that is good and excise all that is bad from both organizations (the court and the league)."

This statement is broad enough to include the suggestion that if the league which has heretofore riveted our consideration and apprehensions has been so entwined and interwoven into the peace of Europe that its good must be preserved in order to stabilize the peace of that continent, then it can be amended or revised so that we may still have a remnant of the world's aspirations in 1918 builded into the world's highest conception of helpful cooperation in the ultimate realization.

We therefore believe that we can most effectively advance the cause of international cooperation to promote peace by supporting Mr. Harding for election to the Presidency.

And then follows the list of 31 Republicans who signed the manifesto. I ask that it all be incorporated in the RECORD.

The VICE PRESIDENT. Without objection, that order will be made.

The matter referred to is as follows:

CELEBRATED STATEMENT OF THE 31 PROLEAGUE REPUBLICANS WHO URGED THE ELECTION OF SENATOR HARDING AS THE SUREST WAY TO GET THE LEAGUE OF NATIONS.

[From the New York World, Oct. 15, 1920, p. 1.]

"The undersigned, who desire that the United States shall do her full part in association with the other civilized nations to prevent war, have earnestly considered how we may contribute most effectively to that end by our votes in the coming election.

"The question between the candidates is not whether our country shall join in such an association. It is whether we shall join under an agreement containing the exact provisions negotiated by President Wilson at Paris or under an agreement which omits or modifies some of those provisions that are very objectionable to great numbers of the American people.

"The paper signed by 38 Republican Senators in March, 1919, before the league covenant was adopted at Paris, advised the President that the signers could not approve a treaty in the form then proposed, although it was 'their sincere desire that the nations of the world should unite to promote peace and general disarmament.'

"A majority of the Senate voted to ratify the league agreement with modifications, which there is good evidence to show would have been accepted by the other nations; but Mr. Wilson refused to accept these modifications and insisted upon the agreement absolutely unchanged, and Democratic Senators sufficient in number to defeat the treaty as modified followed Mr. Wilson by voting against ratification.

"That is substantially the difference between the parties now. The Democratic platform and candidate stand unqualifiedly for the agreement negotiated at Paris without substantive modification.

"On the other hand, the Republican platform says:

"The Republican Party stands for agreement among the nations to preserve the peace of the world. We believe that such an international association must be based upon international justice and must provide methods which shall maintain the rule of public right by the development of law and the decision of impartial courts, and which shall secure instant and general international conference whenever peace shall be threatened by political action, so that the nations pledged to do and insist upon what is just and fair may exercise their influence and power for the prevention of war.

"Mr. Harding said in his speech of August 28:

"There are distinctly two types of international relationship. One is an offensive and defensive alliance of great powers. * * * The other type is a society of free nations or an association of free nations or a league of free nations, animated by considerations of right and justice instead of might and self-interest, and not merely proclaimed an agency in pursuit of peace but so organized and participated in as to make the actual attainment of peace a reasonable possibility. Such an association I favor with all my heart, and I would make no fine distinctions as to whom credit is due. One need not care what it is called. Let it be an association, a society, or a league, or what not. Our concern is solely with the substance, not the form thereof.

"Mr. Harding has since repeatedly reaffirmed the declarations of this speech in the most positive terms.

"The question accordingly is not between a league and no league, but is whether certain provisions in the proposed league agreement shall be accepted unchanged or shall be changed.

"The contest is not about the principle of a league of nations, but it is about the method of most effectively applying that principle to preserve peace.

"If the proposed changes in the Paris agreement were captious or without substantial ground one might question the sincerity of their advocates. This, however, is not the case.

"The principal change proposed concerns article 10 of the league covenant as negotiated at Paris. Mr. Wilson declares this to be 'the heart of the league,' and the chief controversy is about this.

"Article 10 provides that the nations agreeing to the treaty shall 'preserve as against external aggression the territorial integrity, existing political independence of all members of the league.'

"That is an obligation of the most vital importance and certainly binds every nation entering into it to go to war whenever war may be necessary to preserve the territorial integrity or political independence of any member of the league against external aggression.

"It is idle to say that Congress has power to refuse to authorize such a war, for whenever the treaty calls for war a refusal by Congress to pass the necessary resolution would be a refusal by our Government to keep the obligation of the

treaty. The alternative would be war or a breach of the solemnly pledged faith of the United States.

"We can not regard such a provision as necessary or useful for a league to preserve peace.

"We have reached the conclusion that the true course to bring America into an effective league to preserve peace is not by insisting with Mr. Cox upon the acceptance of such a provision as article 10, thus prolonging the unfortunate situation created by Mr. Wilson's insistence upon that article, but by frankly calling upon the other nations to agree to changes in the proposed agreement which will obviate this vital objection and other objections less the subject of dispute. The Republican Party is bound by every consideration of good faith to pursue such a course until the declared object is attained.

"For this course we can look only to the Republican Party and its candidate; the Democratic Party and Mr. Cox are bound not to follow it.

"The conditions of Europe make it essential that the stabilizing effect of the treaty already made between the European powers shall not be lost by them and that the necessary changes be made by changing the terms of the treaty rather than by beginning entirely anew.

"That course Mr. Harding is willing to follow, for he said in his speech of August 28:

"I would take and combine all that is good and excise all that is bad from both organizations (the court and the league). This statement is broad enough to include the suggestion that if the league which has heretofore riveted our considerations and apprehensions has been so entwined and interwoven into the peace of Europe that its good must be preserved in order to stabilize the peace of that continent, then it can be amended or revised so that we may still have a remnant of the world's aspirations in 1918 builded into the world's highest conception of helpful cooperation in the ultimate realization.

"We therefore believe that we can most effectively advance the cause of international cooperation to promote peace by supporting Mr. Harding for election to the Presidency.

"List of the 31 Republicans who signed the manifesto: Charles Evans Hughes; Herbert Hoover; Elihu Root; Henry W. Taft, member executive committee, League to Enforce Peace; Oscar S. Straus, member executive committee, League to Enforce Peace; George W. Wickersham, member executive committee, League to Enforce Peace; Henry L. Stimson; Lyman Abbott; Paul D. Cravath; Nicholas Murray Butler, president of Columbia University; Samuel McCune Lindsay, president of Academy of Political Science, University of Columbia; A. Lawrence Lowell, president of Harvard University, chairman executive committee, League to Enforce Peace; John Grier Hibben, president Princeton University; Frank J. Goodnow, Johns Hopkins University; William H. P. Faunce, president of Brown University; William Lawrence, bishop of Massachusetts; John Henry McCracken, president Lafayette College; Henry S. Prichett, president Carnegie Foundation for Advancement of Teaching; Jacob Gould Schurman, former president Cornell University; Charles A. Richmond, president Union College, Schenectady, N. Y.; William Allen White, editor, Emporia, Kans.; W. W. Willoughby, professor of political science, Johns Hopkins University; George A. Plimpton, president board of trustees Amherst College; Robert Brookings, president of Washington University; Alexander C. Humphries, president Stevens Institute of Technology; Ernest M. Hopkins, president of Dartmouth College; Charles W. Dabney, University of Cincinnati; Isaac M. Ullman, New Haven, member executive committee, League to Enforce Peace; Samuel Mather, Cleveland, Ohio; Ray Lyman Wilbur, president Leland Stanford University; and Warren Gregory, San Francisco.

"* * * Two of the above list—Paul D. Cravath and George W. Wickersham—joined in an appeal sent in June, 1919, to Senators WADSWORTH and CALDER urging prompt ratification of the Versailles treaty, which embodied the league covenant."

Mr. ROBINSON. Mr. President, will the Senator from Mississippi yield?

Mr. HARRISON. I yield.

Mr. ROBINSON. In connection with that proposition, I assume that the Senator from Mississippi remembers that the President, when a Member of the Senate, voted twice for the ratification of the treaty embracing the League of Nations with reservations; and I suppose he also recalls that after the acceptance speech referred to by the Senator from Massachusetts, and quoted by the latter in a limited degree, a controversy of very far-reaching significance arose between Republicans as to what he meant. The Senator from Idaho [Mr. BORAH] and the Senator from California [Mr. JOHNSON], whom we have learned to style respectfully as "irreconcilables" in connection with the agitation of treaty subjects, declared that he meant to repudiate the treaty and the League of Nations. The present members of his Cabinet, Mr. Hughes and Mr. Hoover, and other prominent Republicans, including those in the list submitted by the Senator from Mississippi, declared that he meant to approve it, and that the only safe way to secure it was to elect him.

The campaign continued throughout a period of many months, and the public were divided in opinion, I might say, until its conclusion, as to how the President stood upon the matter. They knew his record. They knew that as a Senator he had voted to ratify the treaty with reservations. They knew that one powerful faction of the Republican Party, if I may so term the element, led by the Senator from California and the Senator from Idaho, was opposed to the treaty in any form; they wanted the United States to stand alone and independent of any relationship with other nations so far as it was affected by the proposed League of Nations; and they knew that there were millions of men and women in the United States who believed that this Government ought to cooperate with the other civilized nations in an effort to promote the permanent peace of the world, and that the League of Nations was a more or less instrumental agency calculated to accomplish that effect.

And so the election came. Mr. Hoover expressed his opinion very clearly on the subject in an address before Leland Stanford Junior University, on October 2, 1919; and I do wish my very dear friend the Senator from Missouri [Mr. REED] could hear this statement. The Senator from Missouri, you know, is always so interested, if not inspired, by anything that emanates from that very authoritative source. [Laughter in the galleries.]

Mr. Hoover said, in the address to which I have referred, if the Senator from Mississippi will permit me to read it:

The treaties can not be carried out without the league. If the league falls, the treaties also fall. In that even civilization will be taken back to the Middle Ages. If we attempt to revise the treaty we shall tread a road through European chaos.

Even if we manage to keep our soldiers out of it, we will not escape fearful economic losses. * * * A peace without us means more army and navy for us, with the old treadmill of taxes. * * * For us to refuse to enter into a joint attempt with the well-thinking sections of a large part of the world to establish a continuing moral conscience against war is the utmost folly in our own interest.

So that the attitude of Mr. Hoover, the present Secretary of Commerce, was defined not only by his statement, in conjunction with other great and leading Republicans of this Nation, but by a carefully prepared address delivered before a college in the State of California, in which he declared that the course now being insisted upon by the Senator from Massachusetts and those who follow him would carry the world back to the Middle Ages.

Mr. JOHNSON. Mr. President——

Mr. ROBINSON. Just a moment, please.

Mr. JOHNSON. I merely wanted to inquire the date of the address from which the Senator has quoted.

Mr. ROBINSON. The date of the address was October 2, 1919.

Mr. JOHNSON. Why, that was a long time before the election, and so much time has elapsed that Mr. Hoover has had the opportunity to change his mind many times since. [Laughter in the galleries.]

Mr. ROBINSON. Oh, yes; that statement is entirely correct. Mr. Hoover has had ample opportunity to change his mind, and so has the President of the United States, and so has the Senator from California, but the two men who do not seem to change their minds are the Senator from Idaho [Mr. BORAH] and the Senator from California [Mr. JOHNSON].

Mr. HARRISON. Mr. President, if the Senator will permit me, there was a good deal of wiggling and wabbling by Republican leaders during that campaign.

Mr. ROBINSON. I do not think there is any doubt about it.

Mr. JOHNSON. I thank the Senator for the encomium he has paid to the consistency of the Senator from Idaho and myself. I rose to call his attention to the fact that Mr. Hoover has changed his mind completely since then.

Mr. ROBINSON. Mr. President, nothing that the Senator from California thinks about himself can exceed what I would say about him if I had the requisite power of expression. [Laughter in the galleries.]

The VICE PRESIDENT. The rules of the Senate require the occupants of the galleries to refrain from all demonstrations.

Mr. ROBINSON. Mr. President, another member of the Cabinet who I think signed that statement—did Mr. Hughes sign that statement?

Mr. HARRISON. Oh, yes; yes, he headed it.

Mr. ROBINSON. Mr. Hughes is a great international lawyer, as everybody knows, and a great statesman, and his opinion is entitled to respect. While this subject was under deliberation in the Senate he proposed a method of bringing about peace within the ranks of our friends on the majority side by cer-

tain reservations which he thought would make this treaty and the League of Nations entirely acceptable to the United States and make it conform to the interests of the people of this country. Here is what he proposed on July 28, 1919. The Senator from California may interpolate here, if he desires to do so, the observation that Mr. Hughes has had many opportunities to change his mind since that time.

In a letter dated July 28, 1919, he made the following specific proposals:

The Senate of the United States of America advises and consents to the ratification of said treaty with the following reservations and understandings as to its interpretation and effect to be made a part of the instrument of ratification:

First. That whenever two years' notice of withdrawal from the League of Nations shall have been given, as provided in article 1 of the covenant, the power giving the notice shall cease to be a member of the league, or subject to the obligations of the covenant of the league, at the time specified in the notice, notwithstanding any claim, charge or finding of the nonfulfillment of any international obligation or of any obligation under said covenant: *Provided, however,* That such withdrawal shall not release the power from any debt or liability theretofore incurred.

Second. That questions relating to immigration, or the imposition of duties on imports, where such questions do not arise out of any international engagement, are questions of domestic policy, and these and any other questions which, according to international law, are solely within the domestic jurisdiction are not to be submitted for the consideration or action of the League of Nations or of any of its agencies.

Third. That the meaning of article 21 of the covenant of the League of Nations is that the United States of America does not relinquish its traditional attitude toward purely American questions, and is not required by said covenant to submit its policies regarding questions which it deems to be purely American questions to the League of Nations or any of its agencies, and that the United States of America may oppose and prevent any acquisition by any non-American power by conquest, purchase, or in any other manner of any territory, possession, or control in the Western Hemisphere.

Fourth. That the meaning of article 10 of the covenant of the League of Nations is that the members of the league are not under any obligation to act in pursuance of said article except as they may decide to act upon the advice of the council of the league. The United States of America assumes no obligation under said article to undertake any military expedition or to employ its armed forces on land or sea unless such action is authorized by the Congress of the United States of America, which has exclusive authority to declare war or to determine for the United States of America whether there is any obligation on its part under said article and the means or action by which any such obligation shall be fulfilled.

So, Mr. President, the statement made by the Senator from Mississippi [Mr. HARRISON], which was challenged by the Senator from Massachusetts [Mr. LODGE], seems to be established conclusively by the record. From the proposal to combine with other nations in an orderly and well-directed attempt to conserve and maintain the peace of the world, we have degenerated to a proposition to declare the existence of a state of peace, and while repudiating the treaty and all obligations under it if it carries obligations to the United States, we are insisting upon securing every benefit that that treaty gives to us without assuming any obligation that it seeks to impose.

We are not only doing the unusual thing of declaring the existence of a state of peace, but it is proposed to repeal the resolution declaring the existence of a state of war. I have asked, and I ask again, if the Congress has the power, the unquestioned power, as is asserted by the leaders of the majority, to declare a state of peace, then what is the necessity or the justification for repealing the resolution under which we took up arms? What is the legal effect of that repeal? What is intended to be accomplished by it? If it can have no legal effect, if it is merely to do in another way what is to be done by declaring a state of peace, then ought we to repeal this declaration, and thus make an implied apology to Germany for having passed it in April, 1917?

This resolution, Mr. President, is not intended to make peace. It accomplishes nothing whatever except to recognize what already exists. I ask again, are you not content with declaring the existence of a state of peace if Congress has that unquestioned power? Then why do you insist upon repealing, in violation of every precedent in the history of the United States, the resolution under which we went to war?

Mr. HARRISON. I thank the Senator, Mr. President, for his question and the splendid contribution he has made to the history of to-day.

The Senator will recall, and the Senate remembers, that during the month of October, 1920, the Republican candidate for President was changing his position so often on the League of Nations that no one knew exactly how he stood on that proposition. From the time of the Des Moines speech on he was constantly shifting his position, and, if I recall correctly, there was a time in that campaign when the distinguished Senator from California [Mr. JOHNSON] and the distinguished Senator from Idaho [Mr. BORAH], in speaking, threatened to leave the campaign, I know not why. I recall that that was a few days before the Des Moines speech of the now President Harding, and rumor had it that certain Republican leaders did not very much relish the speeches being made and the influence that was being exerted by the Senator from Idaho and the Senator from California. So the Republican leadership was divided throughout that campaign, and I want to say, Mr. President, that none rendered greater service to the Republican Party than the two distinguished Senators I have named; they drew the biggest crowds, won more applause, and took more votes away from the Democratic Party, in my opinion, than any other two men who were speaking for the Republican Party.

But about that time the distinguished leader of the majority in the Senate [Mr. LODGE] made a speech in New York City, and in that speech he was trying to pour oil upon the troubled waters. He was not trying to advocate at that time, and to have the country and the people believe, that he was for a separate peace with Germany and against any understanding or League of Nations that might preserve the peace of the world.

Mr. LODGE. Mr. President, I voted for the resolution.

Mr. HARRISON. Of course the Senator did. None of us were surprised that the Senator voted for it. The Senator from Pennsylvania with his powerful influence forced many of the Senators on the other side to accept his views on it. I do not think the Senator came to it very enthusiastically, but he did, and he voted for it. But here is what the distinguished leader of the majority said in his speech in New York City, in the Hotel Commodore, on October 18, 1920:

Senator Harding is as anxious to promote the world's peace as any man who lives.

Of course.

He is utterly against the Wilson league as Mr. Wilson brought it back from Paris.

That was the impression that Republican leadership was trying to create in the country, that you were opposed to that league, but that you favored some other kind of a league; and that is what caused the disruption between the wing of the party led by the distinguished leader of the majority and that wing led by the Senator from Idaho [Mr. BORAH] and the Senator from California [Mr. JOHNSON].

The Senator from Massachusetts went further. It was a very eloquent speech he made that night in the Hotel Commodore. He said:

Senator Harding's plan is to bring about, under the leadership of the United States, an agreement among the nations which will truly promote the peace of the world.

That was a sop to get Republican proleaguers in line, and that was the kind of argument that was being used by the standard bearer of the party and the Republican leaders on the stump throughout the country. That is what won the election, as the Senator said.

Now, let me read something else. Here is a speech that was made by a distinguished citizen of Massachusetts, a man who has been honored by the Republican Party in that great old State, a State to-day that has in Congress men in high places—the Vice President, the leader of the majority in the Senate, the Speaker of the House of Representatives, and I might go on down the line.

Mr. POMERENE. The Secretary of War.

Mr. HARRISON. And the Secretary of War; yes. I have already mentioned him. I am about to read from the Baltimore Sun of April 16, 1920, from a speech by a Congressman from Massachusetts in that city.

Mr. LODGE. From my speech?

Mr. HARRISON. No; not from the Senator's speech.

Mr. LODGE. I did not make a speech in Baltimore; but that is a mere detail.

Mr. HARRISON. I said this was a distinguished Republican Congressman of Massachusetts who spoke.

Mr. LODGE. I beg the Senator's pardon.

Mr. HARRISON. I quote:

The peace resolution—

That is, the resolution that is before us—

The peace resolution is a sugar-coated pill prescribed by Dr. LODGE to be taken as a regular Republican dose before thinking. It is painless as well as senseless and will in effect put the stamp of approval of the House of Representatives on the action of the treaty wreckers.

Mr. LODGE. Did the Senator say that was in a speech made by a Republican Congressman from Massachusetts?

Mr. HARRISON. Yes; by Congressman Alvan T. Fuller.

Mr. LODGE. Oh.

Mr. HARRISON. The Senator knows him well. He is a great friend of the Senator. So I want to read it. The Senator did not catch this. This Congressman said:

The peace resolution is a sugar-coated pill prescribed by Dr. LODGE to be taken as a Republican dose before thinking. It is painless, as well as senseless, and will in effect put the stamp of approval of the House of Representatives on the action of the treaty wreckers in the Senate.

If you are a Republican and you are sick, it will make you well, and if you are well it will make you better. Would to God it might cure the Republican Party of the sleeping sickness that has kept it from doing anything constructive since they captured control of the House and Senate, except to criticize the President. How about the promises that the Republicans made, that they were to put into effect when they came into control? What have they done about the taxes? How have they reduced the high cost of living?

Those are the words of a Republican Congressman from the great State of Massachusetts.

Now, let me read what another distinguished Republican leader has said about this peace resolution. This is from a man who has been honored by your party, was President of the United States. It is from an article published in the Washington Post June 19, 1919, from the pen of William Howard Taft.

The article reads:

* * * It must give those Republicans who now find themselves supporting the Knox resolution a "cat in a strange garret" feeling when they think of the great traditions of their party and of its historical attitude toward every critical step forward in the history of this country under the Constitution. They must feel uneasy as those Federalists who fought the Louisiana Purchase as unconstitutional because it was made by Jefferson. For the Republicans are the legitimate heirs of Washington, Hamilton, and Marshall.

* * * When he (President Wilson) reflected on the patriotism of Republicans as "prowar but antiadministration," a most remarkable popular rebuke followed instantly. Do not Republicans in the Senate, after their most patriotic course in the fighting of this war and their fine standing before the people on that account, run the risk of dulling the fine edge of that course by present action, which many will contend gives support to the ungracious words of the President?

* * * Those Republicans in the Senate—not now committed—should therefore avoid being hurried into embarrassing commitment by the Knox resolution and should wait until the treaty is presented and until they can, after a full discussion, not in anger, but after a calm, courageous, self-restrained consideration of their responsibility to their country, the world, and their party, decide what the situation demands of them.

* * * Meantime the Republicans of the Senate should not pass the Knox resolution. The reasons for not doing so are clear, and they will be clearer as the inexorable order of events proceeds.

Mr. McCORMICK. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Illinois?

Mr. HARRISON. I yield.

Mr. McCORMICK. That was the statement of William Howard Taft?

Mr. HARRISON. This is the statement of your former President.

Mr. McCORMICK. The Senator said a moment ago that it was the Senator from California [Mr. JOHNSON] and the Senator from Idaho [Mr. BORAH] who drew the crowds and made the votes in the last campaign.

Mr. HARRISON. I beg the Senator's pardon. I know what is the matter with the Senator—I did not include him in the list with those two.

Mr. McKELLAR. Mr. President, I desire to call the Senate's attention to what another distinguished and much-beloved member of the Republican Party has but recently said. I refer to the statement of that splendid old gentleman from Minnesota, Mr. NELSON. Only the day before yesterday this is what he said in reference to this resolution:

The course pursued in establishing final peace by the Knox resolution, as is now proposed, is unusual, halting, equivocating, and only a partial and piecemeal work, omitting some of the most important essentials for a just, permanent, and lasting peace.

* * * * * * *

Two of the most important and vital matters pertaining to a just and permanent world peace, to wit, disarmament and reparation, are entirely omitted in this resolution. It places our country in an attitude of total indifference in regard to these vital subjects. Germany has heretofore been most reluctant to comply with the reparation and disarmament provisions of the Versailles treaty. Will not the passage of this resolution tend to increase and fortify such reluctance?

By this resolution we insist upon full reparation for ourselves, but are wholly oblivious as to whether our allies, by whose side and aid we vanquished the common enemy, secure any reparation at all. We are also by this resolution wholly oblivious as to the disarmament of Germany—a matter most vital to the future peace of the world. One of the lessons impressed upon the civilized world is that Germany, armed and equipped as she was in July, 1914, would be a constant and continuing menace to her neighbors and to a world peace. It seems to me that our country is vitally interested in removing this menace. Under this peace resolution we have no ground for insisting on the removal of this menace.

* * * * * * *

Such is the tenor and spirit of the Knox resolution. I am not a diplomat, and have no gifts of diplomacy, and it is perhaps on that account that I am unable to concur in this resolution, the passage of which will encourage Germany to continue with her reluctance to comply with the treaty of Versailles as to disarmament and reparation.

Mr. WALSH of Montana. Mr. President, when the resolution of like import to that now before the Senate was under consideration a year ago I said:

This resolution, if the expression be parliamentary, is economic idiocy. We give everything and get nothing. We abolish all restrictions on the importation into this country of goods bearing the "made in Germany" trade-mark without any agreement with that country that she will admit all or any of ours into her territory. We invite the representatives of the commercial houses of Germany again to overrun our cities, while she is at liberty to shut her gates on any American merchant, manufacturer, or banker, on our growers of cotton, corn, and live stock, our producers of copper, who may desire to deal with her people. We permit the reestablishment in our midst of the industrial plants that prior to the war enriched so many of her war-mad minions and that became centers of sedition and disloyalty after we entered it, without any assurance that an American firm may even set up an agency in the city of Hamburg. We throw open our ports to emigrants from her impoverished States and Provinces and admit them to citizenship on exactly the same terms as are accorded to the citizens of our faithful allies or the liberated people of the new republics we have aided in creating within her former territory without any guaranty that an American may remain overnight in a hotel in Munich, Dresden, or Berlin.

At that time some effort was made to justify the resolution upon the ground that it was necessary to the restoration of commercial relations with Germany. But it was shown that not only would it accomplish nothing in that direction, except to throw down the bars as to her nationals while she remained at liberty to keep them up as to ours, but that, pursuant to the law, the President had, by Executive order, as early as July, 1919, removed all barriers to commercial intercourse with that country occasioned by our laws save that the importation of dyes, dyestuffs, potash, drugs, and chemicals produced in Germany remained interdicted, and it was further shown that commerce had been carried on to such an extent as that from the time of the armistice to March 20, 1919, she had admitted of goods exported from this country nearly $150,000,000 and we had received from her over $25,000,000 worth. Our exports and imports from Germany for the calendar year 1920 were, respectively, $311,437,377 and $88,836,280, the total value of our exports mounting almost to the figure reached in 1913, never before exceeded, when they aggregated $331,684,212. She is not yet selling to us within $100,000,000 of what we took from her in 1913, one of the penalties she is paying for precipitating the war, a circumstance which reflects the paralysis of her industrial organization and ominously tells of her lessened ability to absorb our products.

It would be a valuable contribution to this debate if some supporter of this resolution would arise and disclose in plain terms just how this country is to profit in any measure by it, what change will ensue upon its passage and approval, except such as I have enumerated to the advantage of our late enemy in the field, in no respect whatever to our advantage.

It is necessarily implied in the resolution that if Germany chooses to send an ambassador to this country he would be received. The President could scarcely decline to receive an accredited representative from a country with which our Government has, in conformity with the Constitution, solemnly declared we are at peace. That of itself is a declaration that we desire to sustain with it amicable relations. But when has Germany made an equivalent declaration that she will receive an ambassador from this country? She has not ventured to send one heretofore, lacking a treaty of amity or some such formal declaration as that made by the resolution before us. She did not care to take the chances of a rebuff. Shall we risk such by sending an ambassador to Berlin? We can not safely do so until by some reciprocal legislation on the part of Germany, or in the usual form by a treaty, she signifies that he will be welcomed and received. So with respect to consular representatives. The resolution under consideration must be regarded as an invitation to Germany to send consuls to such of our cities as she may choose, for the purpose of promoting the trade of her nationals, generally to safeguard and promote their interests, and to discharge such other functions in aid of the fiscal laws and policy of the country they represent as may be by it intrusted to or imposed upon them. But have we any intimation from Germany that she is ready to extend like privileges to our consular agents? She may be quite willing to do so without the formality of the adoption of the resolution before us. In either case, we get whatever she concedes us, not by right, as something due to us by express agreement or pursuant to the law of nations, but by grace of Germany. Why should we stand in the attitude of a suppliant for her favor? Why should we court her good will? Was this country the offender in connection with the severance of the friendly relations which had subsisted between the two countries since our Nation came into being?

I am as anxious as any Senator can possibly be to see that cordiality which is so agreeable and so profitable to both parties immediately restored, but I am unwilling to concede to Germany the very substantial rights and privileges accorded her as incidents of this resolution without, at least, an agreement or undertaking on her part to make reciprocal concessions to us.

Again, I challenge any Senator to show how any advantage whatever is to accrue to the United States by this resolution. As I said on a former occasion, it should be entitled "A measure for the relief of the German people." That title is pecul-

iarly appropriate at this time, for the moral effect of its passage at this particular juncture will be to afford no small measure of support to Germany in the pending controversy with the Allies over the satisfaction by her of the obligations she undertook under the treaty of Versailles. She is insisting upon radical modifications of features of that treaty, especially those dealing with the reparation it exacts of her. She insists that the terms are severe beyond her ability to meet. She pleads for further time; she begs the intervention as mediator of our Government. France threatens the invasion of her territory unless she complies. It will not be forgotten that the author of this resolution, the distinguished Senator by whose name it is known, once Secretary of State, and thus properly regarded as particularly influential with his party, now in power, in all matters of the foreign policy of our Government, made a speech in the Senate on August 29, 1919, in which he vigorously assailed the treaty of Versailles, charging that it was unreasonable in the demands made by it on Germany in satisfaction of the losses suffered by the Allies, and generally taking the position now asserted by Germany in her effort to escape its exactions or to secure amelioration of the terms imposed upon her.

In that speech, after reviewing at length in a highly critical spirit the provisions of the treaty in so far as they imposed burdens on Germany, he summarized them in the following language:

> I regret, sir, that this has been a long and tedious process, but its importance could be satisfied in no other way. It has shown us the treaty takes Germany's territory, European and foreign, without compensation; that it takes from her practically all of her ocean shipping and a large portion of her inland vessels; that it deprives her of all special benefits of treaties and conventions; that it takes her cables; that it compels her to supply large quantities of raw materials; that it internationalizes her great river systems and throws them open to traffic of all nations on a national basis, as if they were the high seas; that it opens her coastwise shipping to all nations; that it compels her to grant exceptional import and export privileges and to accept important restrictions; that it lays down far-reaching principles governing her internal commerce and transportation; that it closes out German interests in practically the whole civilized world outside the territories of her late allies—including those areas which have been taken from her and given to others; that it closes out the interests of that same world in Germany. It has shown that having done all this it assesses against her provisionally, with a stipulation permitting an increase, a debt of 120,000,000,000 gold marks, which is in addition to the property restored in kind and to the value of the boats, gold, and securities delivered; that it makes her responsible for these damages inflicted not only by herself but by her allies, and even by the allied and associated powers themselves, with a list of items which includes some admittedly contrary to the rules of international law hitherto existing; and that finally and in addition she is compelled to answer to her own nationals for the value of the property taken by the allied and associated powers.

The passage of this resolution at this time would very naturally and very justly be interpreted by both sides of the unfortunate controversy now raging in Europe, threatening a resumption of hostilities, as signifying that the very able junior Senator from Pennsylvania had become the dominating character in respect to our foreign affairs, that he had succeeded in constraining his party associates and the administration to accept his views, and that Germany would have the moral support of the United States in her insistence on a revision of the Versailles treaty. It was not without reason, considering the public announcement of the purpose to put through at the earliest practicable moment the Knox resolution, that Germany presumed to solicit the interposition of the United States as mediator in her present quarrel with France, or that the eloquent Viviani was hurried to this country by our ancient ally, bound to us by the most sacred of ties, to dissuade us from the course so advertised.

The late Vice President of the United States brought a tender response from the breast of every American citizen familiar with his country's history when he said, on the occasion of the presentation to the United States Senate by the Republic of France of the beautiful vases which adorn the corridor of this Chamber—

> Since far-off 1776 we have grown rich and powerful, and many seek our favors and many are our friends, but none can get closer to our hearts than France, for she believed in us when all men despised us.

In this her time of trial she barely asks of us that we refrain from an act that can do us no good, but which gives aid and comfort to her enemy. Are we coldly to disregard her modest but anxious appeal?

It is recognized by the resolution before us that a treaty with Germany must be made in order to adjust the only matters in difference between us, now that hostilities have ceased, except in so far as we are interested jointly with our allies in forestalling the recrudescence of the German military power. Again I inquire, inasmuch as we must make a treaty with Germany, what do we get by repealing the declaration of war and making a declaration that meanwhile a state of peace subsists? If German subjects desire to come to this country to enjoy its superior economic advantages, to participate eventually with us in the blessings of American citizenship, including the right to acquire, without cost, our public lands; if German merchants and manufacturers, casting an eager eye upon the rich possibilities afforded by our markets, want the help of consular agents of Germany stationed in our cities to aid them in the peaceful invasion, why not let Germany move to that end by the adoption of some resolution of the Reichstag such as that before us? It is of no consequence to my mind that Germany made no declaration of war against us. We made no declaration of war, strictly speaking, against her, but asserted by formal congressional action that she had made war upon us and had thus established a status in which she must be regarded as the public enemy. If we were right in that declaration—and who is there who doubts it?—it would seem as though, conquered as she was, we might expect the advances to be made by her, not by us. I remind Senators that the resolution before us contemplates a treaty with Germany as essential, notwithstanding its recitals, to the restoration of peace in its essentials. We can not forget that American lives were taken and the property of American citizens, mounting in value into the hundreds of millions, was seized or destroyed by German submarines and German raiders, for the satisfaction of the claims for which the resolution before us makes and can make no provision. On the other hand, property of German nationals in this country to the value of at least three-quarters of a billion was seized and converted by our Government, not including the German ships seized in our harbors, of a value not less than one hundred million more, all or the greater portion of which Germany claims was taken in disregard of our treaty with her or in violation of the more enlightened rules of international law. These reciprocal claims make up practically the sum total of the differences between our Government and that of Germany, and the resolution makes no advance whatever, can make no advance, toward the adjustment of them.

Some impatience is exhibited, even on this side of the Chamber, to end the present anomalous status. In it is reflected, but only feebly reflected, the justifiable impatience of the country at the protracted delay in the restoration of conditions of peace. Gentlemen may cry "Peace, peace," but there is no pease in this resolution.

A treaty with Germany—some kind of a treaty—is essential to the restoration of peace except in name. The resolution, I repeat, contemplates as much and looks to the accomplishment of peace in that manner. But what kind of a treaty is contemplated? We might assent to the Versailles treaty, or we might induce the parties to it to convene and revise it, or we might persuade them to disregard it entirely and negotiate a new treaty, or we might negotiate a separate treaty with Germany. The idea of entering into a separate treaty with Germany is revolting, and commands no support in America except from those whose fidelity to her cause was more or less under suspicion while hostilities were in progress.

We entered the war because German militarism threatened to overrun the world and had in its mad course made war on us in an effort to bar us from the common highway of the seas. It is the quite common belief of the American people that we ought not yet, at least, to abandon our allies in their effort to compel Germany to make adequate reparation and to insure the world against her rebirth as a military power; that our duty as well as our welfare requires that we be something more than an interested observer of her regeneration in a military sense.

To enter upon any one of the four courses conceived as possible, save acceptance of the Versailles treaty, either conditionally or unconditionally, would be hailed with delight in Germany. A proposal to disregard our allies and make a separate treaty with her would doubtless be eagerly embraced as signifying our dissent from the terms imposed by the Versailles treaty on her or the attitude taken by the Allies in respect to the enforcement of the same. So she would be more than pleased could she inveigle us, or should we be deluded into proposing a general revision of that treaty, or the total repudiation of it, to be followed by a new conference to draft a substitute.

It is inconceivable that we should offer any such suggestion to our late allies or that they should entertain it seriously if we did.

Unqualified acceptance of the treaty in view of what has transpired in this country is to be dismissed as a political impossibility. There remains but one course, namely, to propose to the parties thereto acceptance of the Versailles treaty with such modifications of its terms, either absolutely or as they affect us, as will make it on the whole satisfactory to the United States. But what modifications will be insisted upon? Upon what terms is it proposed that the United States shall enter into a treaty jointly with those with whom it fought the war on

the one side against Germany on the other? What is to be the nature of the treaty to be entered into with Germany contemplated by the resolution now under debate? It is now more than a year since the Republican Party entered upon a vigorous campaign to secure control of that department of the Government charged in a special manner with the conduct of our foreign affairs and authorized by the Constitution to take the initial steps in the making of treaties. It is almost six months since the American people called it to the discharge of that high duty. It is all but two months since the party so intrusted with power assumed control of the Government, and as yet the country has had no inkling of what it proposes to do toward bringing order out of the chaos following the war, except as it is disclosed by this resolution that it intends to enter into some kind of a treaty with Germany. Heretofore it has contented itself with criticism. The country eagerly awaits the announcement of some constructive program touching international problems. Meanwhile, industry from one end of the country to the other is well-nigh paralyzed by reason of the collapse of the purchasing power of Europe, due as much to the disturbed condition following as to the exhaustion occasioned by the war. Our foreign commerce is falling off at the rate of $100,000,000 a month. Practically every copper mine in the West is shut down, 60 per cent of our copper product going abroad in normal times. The city of Butte, with a population of 60,000, dependent wholly upon its mines of copper and zinc, stands as idle as a "painted ship upon a painted ocean."

Cotton is similarly affected. It is estimated that the army of the unemployed has risen to the staggering figure of 5,000,000. The pending resolution represents the progress that has been made toward getting the world back to a peace footing, and it, as shown, signifies nothing. The people ask for bread and are given a stone.

The prototype of this resolution before the Senate a year ago contained a provision intended to accomplish the repeal or the demise of what was known as the war legislation, and particularly those acts under which it was loudly and persistently proclaimed the then Chief Executive had exercised and was exercising autocratic and dictatorial powers. Lest the idea may be entertained by some that one of the purposes of the pending resolution is to abrogate war-time acts, I remark that so far as such a result is desirable it has already been accomplished by a direct repeal measure passed in the closing hours of the last session. That measure was the product of a protracted and painstaking study made by the Judiciary Committee of the Senate of the war legislation and represents a prodigious amount of labor on the part of the senior Senator from South Dakota, chairman of the subcommittee to which was referred the repeal bill. A study of the act will astonish by the amount of the legislation it leaves unrepealed and which no member of the committee, however partisan he might be, desired, on reflection, to have repealed. In fact, it is questionable whether a single law valid under the ruling of the Supreme Court in United States versus Cohen not practically dead by the cessation of hostilities was touched, save section 3 of Title I of the espionage act, which, by the way, conferred no power on the President.

I pass to a consideration of some specific features of the pending resolution, and must pray the indulgence of the Senate, as the analysis I propose to make of some of its provisions will necessarily be prosaic and no doubt tedious.

I shall thank those who are endeavoring to follow me in this discussion if they will kindly secure a copy of the joint resolution while I comment upon it. I shall show that without important modifications of the language we shall be to some extent at least committed to a policy to which I am sure even the friends of the measure do not intend to subscribe and to which they have no purpose to pledge the country. It will be noted that if the resolution accomplishes anything at all, the result is achieved by virtue of the initial paragraph, referring to the substitute proposed by the committee, declaring the state of war at an end. What follows as a separate paragraph took the form of a proviso in the resolution as introduced, the language of the original and the substitute in the feature now under consideration being identical. The former—that is, the original resolution—after declaring the state of war at an end, continues, "*Provided, however*," etc. The purpose of a proviso in a law is to limit or restrict the significance or operation of the language which has preceded it. Accordingly the proviso means that the war is not at an end; that is, not wholly at an end; that it is not intended that the necessary consequences of the reestablishment of peace shall ensue, in this that we shall hold all the German property taken by our Government as though we were still at war. But, as heretofore indicated, as there remains no concomitants of war, no danger to be apprehended, no obstacles to peaceful intercourse to be removed, as between us and Germany, save the continual absence of consular and diplomatic representatives heretofore canvassed, except the retention by us, on the one hand, of the German property we seized, and the neglect of Germany to make reparation to our people for the damage suffered by them through her acts of war, what progress have we made by the declaration that the war is at an end? The proviso eats up what preceded it, leaves only a vestige, if it leaves anything, of what has gone before it.

In the draft proposed by the committee the proviso takes the form of a separate paragraph, disassociated syntactically from what precedes it. Whatever consideration may have prompted this change in the form of the resolution it in no wise affects the interpretation to be given to it. The two mean the same thing; they have the same significance. Notwithstanding the unequivocal declaration of the first paragraph, we declare that we do not intend to let the German property go until a treaty is entered into containing provisions as in the resolution set out. That part of it must be considered as an announcement of the policy we intend to pursue with reference to that property, conceded upon our part to be worth three-quarters of a billion and valued at much more by the Germans. It—namely, the recital of the resolution—must be regarded as in the nature of the most solemn instruction to our negotiators, by which they would unquestionably deem themselves bound. Whether Congress can thus bind the Executive, in whom the Constitution vests plenary power to negotiate treaties, or whether he ought to give his assent to a measure purporting to do so, he must determine for himself. A more flagrant attempt to wrest from the Executive his constitutional authority is not, in my judgment, recorded in our annals. The chief vice of this resolution does not consist, in my opinion, in the effort to take out of the hands of the President the duty, if not the authority, to end a state of war by negotiating a treaty of peace, but in directing him as to the terms of the treaty he is to make. However, the resolution declares our purpose to hold the property seized by us until Germany has by treaty with us made suitable provision "for the satisfaction of all claims against the German Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered through the acts of the German Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise."

Provision is to be made in the treaty, which the resolution contemplates shall be entered into, for satisfaction by Germany on account of losses by our citizens either in "their persons or their property," "through the acts of the German Government or its agents," "directly or indirectly," either "through stock ownership," or "in consequence of hostilities or of any operations of war." Any one suffering in his person in consequence of hostilities or any operations of war is to be compensated. That means that we propose to make Germany provide compensation to every American soldier wounded or disabled in the war or ta reimburse the United States on account of any expenditures it has made or may make on that account.

Let not the eloquent junior Senator from Massachusetts [Mr. WALSH] despair. We are going to make Germany take care of our disabled soldiers, whose plight he so commendably exposed in the address by which he startled the Senate and the country on Wednesday last.

The vexed question as to just what elements should enter into the reparations to be exacted of Germany is to be reopened. This was one of the most perplexing of the many difficult problems with which the peace conference was called upon to deal. The resolution proposes a basis essentially different from that finally agreed to at Versailles, after repeated conferences between the financial experts of all the allied countries, and protracted debates participated in by the foremost statesmen there assembled.

I can not believe that either the committee or the Senate has given sufficient consideration to this feature of the resolution to warrant us in making a declaration of policy in that regard such as it enunciates. The conference at Versailles felt constrained in some degree by the fact that the Germans laid down their arms upon the assurance that a treaty would be entered into in conformity with the famous "fourteen points."

In their acceptance of the proposal made by Germany and transmitted by our Government to the Allies, they said:

> Further, in the conditions of peace laid down in his address to Congress on January 8, 1918, the President declared that invaded territory must be restored, as well as evacuated, and made free. The allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensa-

tion will be made by Germany for all damage done to the civilian population of the Allies and to their property by the aggression of Germany by land, by sea, and from the air.

This was a perfectly obvious enlargement of the only mention of the subject in the address of the President, which is as follows:

VIII. All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world by nearly 50 years, should be righted in order that peace may once more be made secure in the interest of all.

However, as the interpretation thus put upon the President's language was communicated to Germany, who without dissent entered into the armistice by which she expressly obligated herself to make "reparation for damage done," she became justly chargeable in the account with "all damage done to the civilian population" of the Allies. France set up the claim that all the cost of the war might and should be exacted of Germany under this language, for, her spokesman said, the cost of the war must be met by taxes laid upon the civilian population damaged to the amount they must thus pay. Great Britain under the constraint to which Lloyd-George was subjected in a hot political campaign in which he yielded to extravagant demands for promises to make Germany pay "shilling for shilling and ton for ton," made similar claims and particularly insisted on being reimbursed for all pensions and separation allowances. For, she said, though the soldier wounded in the field can not recover, being no civilian, yet when he is discharged he becomes a civilian and continues to suffer damage, for which he is compensated by a pension paid by his Government, the amount of which becomes, under the clause referred to, a charge against the enemy.

Against these views the American commissioners made vigorous and repeated protest, the President declaring that they were "clearly inconsistent with what we deliberately led the enemy to expect and can not now honorably alter simply because we have the power." They were evidently induced to yield, however, to some extent, possibly moved by the subtle argument of Gen. Smuts, whose statesmanship the conference revealed to the world and who emerged from it as one of its commanding figures. I ask that it be appended to my remarks as an example of his skill as a dialectitian.

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Without objection, it is so ordered. [See Appendix.]

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH of Montana. I yield.

Mr. KING. As I understand, Mr. Baruch and our commissioners did not assent and did not yield; but when they saw that they were to be defeated they referred the matter to the supreme council, and there the council decided somewhat adversely to the contention that Mr. Baruch had so splendidly and valiantly made.

Mr. WALSH of Montana. I have avoided details for economy of time. The Senator has stated the conditions exactly. Our financial representatives positively declined to accept that construction of the prearmistice negotiations and refused to accede to it. The matter was then referred to what is known as the supreme council, or the "big four." They took the matter up while Mr. Wilson was on the ocean, coming to America, and he was advised by wireless of the renewal of the contention. The quotation which I have given was a part of his reply to the communication thus addressed to him by the financial commissioners who were then in Paris; but the fact is that they did yield, as will be disclosed directly.

The upshot of the thing was that the elements to be taken into consideration were to the number of 10 enumerated in the treaty. (Article 232.) I offer a copy as an appendix to my remarks, and, to aid the present discussion, quote the following, deemed to deal with damage to the "civilian population":

(4) Damage caused by any kind of maltreatment of prisoners of war.

(5) As damage caused to the people of the allied and associated powers, all pensions and compensation in the nature of pensions to naval and military victims of war (including members of the air force), whether mutilated, wounded, sick, or invalided, and to the dependents of such victims, the amount due to the allied and associated Governments being calculated for each of them as being the capitalized cost of such pensions and compensation at the date of the coming into force of the present treaty on the basis of the scales in force in France at such date.

(6) The cost of assistance by the Governments of the allied and associated powers to prisoners of war and to their families and dependents.

(7) Allowances by the Governments of the allied and associated powers to the families and dependents of mobilized person or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year.

After all the travail here only sketched, pensions and separation allowances were included; but, under the resolution before us, it will not be necessary for our negotiators in framing the new treaty with Germany to indulge in any such refinement as eventually resulted in their inclusion by the Versailles conference, for the Secretary of State is commanded, if this resolution shall be adopted, notwithstanding any previous commitments, to demand full satisfaction for all damage done to any citizen of the United States by the forces of Germany, in his person or property, and he is adjured never to consent to let the seized German property go until such provision is made. That includes soldiers as well as civilians. We propose to go beyond the wildest limit proposed by the jingoes of England and France in our demands upon Germany. It will occasion some surprise to the American people to learn that we are even thinking of making any such claim. The distinguished Senator from Pennsylvania has out-Heroded Herod. He complained bitterly about the terms imposed upon Germany by the treaty, and now proposes, like the rest of them, to wring from her the last farthing, without the slightest consideration of the effect upon her resuscitation industrially and our own future as it depends upon that contingency, and unrestrained in any degree by the prearmistice exchanges between her Government and ours, pursuant to which hostilities ceased and she was disarmed.

But some moderation is shown toward her, evidently inadvertently, for it is only such damage as our nationals sustained in their "person or property" for which compensation is to be made. The dependents of a man killed in battle or who dies of wounds or disease are undoubtedly damaged by his death, but they are damaged through injury neither to their persons nor their property.

For so much of the outlay of the War Risk Insurance Bureau as goes to the disabled soldiers we shall make Germany pay; for so much as is awarded to his dependents upon his death she may claim exemption. Upon what theory do we hold her in the one case and release her in the other? Upon no theory. The subject has had, can have had, no serious consideration by the committee. The resolution should be recommitted and those provisions, at least, which introduce the highly controversial question of the elements entering into the amount Germany should pay should be eliminated. If it is deemed advisable to make any expression whatever concerning the terms of the treaty on that subject, general language, such as that quoted from the reply of the Allies to Germany's proposal for an armistice, should be employed.

There is another reason equally cogent why this resolution should be recommitted.

It is quite likely that the author of the resolution, as well as the committee, had in mind only such property as was taken over by the Alien Property Custodian; but, as pointed out, the language used includes a most important class of property that never did pass into his hands, namely, the German ships. They were seized as prizes, taken over, not pursuant to any statutory enactment but in conformity with international law, under which belligerent ships become subject to capture and confiscation by or upon the adjudication of a prize court of the captor nation of the enemy character of the ship.

Under the laws of nations the property of enemy nationals on land has a status quite different from the property of such on the high seas, whether it be ships or merchandise. The former is free from molestation unless by express legislative act of the enemy country within whose jurisdiction it may be; the latter is subject to capture immediately upon the precipitation of war. It has been persistently maintained by those who seek to make more humane the laws of war that private property on land should be immune from seizure or confiscation. The amelioration sought in that regard has rarely been urged as to ships of a belligerent. Treaties negotiated in modern times have not infrequently applied the principle contended for by making specific provision that in the event of war between the high contracting parties the nationals of either should have a limited time to depart with their effects from the territory of the other or, choosing to abide in the country where domiciled, should not be disturbed in their possessions so long as they observed the law and gave no aid to the nation to which their allegiance was due. Such a provision, or one like it, is found in the treaty with Prussia of 1828, read to the Senate this morning by the Senator from Ohio [Mr. POMERENE], by virtue of which Germany claims we must account for all property taken by the Alien Property Custodian, and, perhaps, not for the amount realized on the sale of the same, but for the value at the time it was taken, as she contends, in violation of the express terms of that treaty.

Let it not be understood that I am urging or even admitting the soundness of that view. I am merely stating the contention being made by Germany with reference to the property

taken over by the Alien Property Custodian as distinguished from the ships which, so far as can be judged in the absence of any authoritative official claim, are regarded by her as being upon an entirely different footing.

Some very unequivocal language would be required to justify the contention that any nation had stipulated not to capture the ships of its enemy upon the high seas or otherwise afloat. The title of the captor accordingly as to ships rests upon quite a different and, generally speaking, a much firmer foundation than nonmaritime property. In our war legislation this distinction was recognized. The ships seized by us were dealt with by the act approved May 12, 1917, which declared the title to the same vested in the United States. The original enemy property act, approved October 1, 1917, contemplated only the sequestration of such property. It was not until the passage of the amendment of March 28, 1918, providing for the sale of the same that any effort was made to pass the title. Evidently Congress was impressed originally with the wisdom or justice of the more liberal rule of international law heretofore adverted to, or felt some constraint by reason of the treaty of 1828 touching the confiscation of the property passing into the hands of the Custodian. It moved without hesitation in the case of the ships.

It is, in view of what has been said, a serious question as to whether we may not legitimately retain the German ships as an offset, small indeed, to the enormous expenditure to which we were put to carry on the war, without according any credit to Germany whatever on account of them in the final adjustment which we must exact of her, at least for the ships and property of our nationals seized or destroyed by her on the high seas.

The resolution ignores the very essential difference pointed out.

I know of no reason why we should, out of a spirit of generosity toward Germany, surrender one hundred million to two hundred millions worth of ships to her or give her credit for their value in balancing our account with her. We ought to do neither, unless constrained to do so by some treaty obligation, or the force of international law which we can not honorably disregard.

I refrain from any extended comment on that part of the resolution which purports to reserve to the United States "rights, powers, privileges, claims, indemnities, reparations, and advantages" to which it or its nationals are or may be entitled under the Versailles treaty, perhaps sufficiently animadverted on in the course of the debate. I remark, however, that I can not understand how Senators can be moved to put the United States in the humiliating position of seeming to assert that we may validly claim and that under certain contingencies we shall claim under that treaty which we have repudiated and to which we have declined to become a party. A treaty is a contract between two or more nations. Its validity and effect are determined by substantially the same rules as govern the execution and interpretation of contracts between individuals, except, of course, that duress can not be pleaded in avoidance of a treaty imposed upon a conquered nation. When was it ever, in any country, under any system of law, held or even maintained that one named as a party to a contract, who declined to execute it or to be bound by its terms, could assert any rights under it, could claim under the provisions deemed by him to be to his advantage and yet escape the obligation of those imposing duties or responsibilities upon him?

This resolution ought not to pass. It was conceived in the midst of the passions aroused by the protracted debate on the treaty to appease the demand of the people for progress toward peace likely to grow so insistent as to sweep away all opposition to ratification. As a piece of political strategy it was a masterpiece. Its value as a contribution to the statesmanship of the times has never been made evident, and a careful study of it demonstrates that it is positively mischievous.

APPENDIX A.

[From "The making of the reparation and economic sections of the treaty," by Bernard M. Baruch. Memorandum submitted by Gen. Smuts, pp. 30–32.]

In this reservation a careful distinction must be made between the quotation from the President, which refers to the evacuation and restoration of the invaded territories, and the implication which the Allies find in that quotation and which they proceed to enunciate as a principle of general applicability. The Allies found in the President's provision for restoration of the invaded territories a general principle implied of far-reaching scope. This principle is that of compensation for all damage to the civilian population of the Allies in their persons or property, which resulted from the German aggression, and whether done on land or sea or from the air. By accepting this comprehensive principle (as the German Government did), they acknowledged their liability to compensation for all damage to the civilian population or their property wherever and however arising, so long as it was the result of German aggression. The President's limitation to restoration of the invaded territories only of some of the Allies was clearly abandoned.

The next question is how to understand the phrase "civilian population" in the above reservation, and it can be most conveniently answered by an illustration. A shopkeeper in a village in northern France lost his shop through enemy bombardment, and was himself badly wounded. He would be entitled as one of the civilian population to compensation for the loss of his property and for his personal disablement. He subsequently recovered completely, was called up for military service, and after being badly wounded and spending some time in the hospitals was discharged as permanently unfit.

The expense he was to the French Government during this period as a soldier (his pay and maintenance, his uniform, rifle, ammunition, his keep in the hospital, etc.) was not damage to a civilian, but military loss to his Government, and it is therefore arguable that the French Government can not recover compensation for such expense under the above reservation. His wife, however, was, during this period, deprived of her breadwinner and she therefore suffered damage as a member of the civilian population, for which she would be entitled to compensation. In other words, the separation allowances paid to her and her children during this period by the French Government would have to be made good by the German Government, as the compensation which the allowances represent was their liability. After the soldier's discharge as unfit, he rejoins the civilian population, and as for the future he can not (in whole or in part) earn his own livelihood, he is suffering damage as a member of the civilian population, for which the German Government are again liable to make compensation. In other words, the pension for disablement which he draws from the French Government is really a liability of the German Government, which they must under the above reservation make good to the French Government. It could not be argued that as he was disabled while a soldier he does not suffer damage as a civilian after his discharge if he is unfit to do his ordinary work. He does literally suffer as civilian after his discharge, and his pension is intended to make good this damage, and is therefore a liability of the German Government. If he had been killed in active service his wife as a civilian would have been totally deprived of her breadwinner and would be entitled to compensation. In other words, the pension she would draw from the French Government would really be a liability of the German Government under the above reservation, and would have to be made good by them to the French Government

The plain, common-sense construction of the reservation therefore leads to the conclusion that, while direct war expenditures (such as the pay and equipment of soldiers, the cost of rifles, guns, and ordnance and all similar expenditures) could perhaps not be recovered from the Germans, yet disablement pensions to discharged soldiers, or pensions to widows and orphans, or separation allowances paid to their wives and children during the period of their military service are all items representing compensation to members of the civilian population for damage sustained by them, for which the German Government are liable. What was spent by the Allied Governments on the soldier himself, or on the mechanical appliances of war, might perhaps not be recoverable from the German Government under the reservation, as not being in any plain and direct sense damage to the civilian population. But what was, or is, spent on the citizen before he became a soldier or after he has ceased to be a soldier or at any time on his family, represents compensation for damages done to civilians and must be made good by the German Government under any fair interpretation of the above reservation. This includes all war pensions and separation allowances, which the German Government are liable to make good, in addition to reparation or compensation for all damage done to property of the Allied peoples.

(Signed) J. C. SMUTS.

PARIS, *March 31, 1919.*

APPENDIX B.

REPARATION.

SECTION 1.

* * * * * * *

Article 232.

The Allied and Associated Governments recognize that the resources of Germany are not adequate, after taking into account permanent diminutions of such resources which will result from other provisions of the present treaty, to make complete reparation for all such loss and damage.

The Allied and Associated Governments, however, require, and Germany undertakes, that she will make compensation for all damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied or Associated Power against Germany by such aggression by land, by sea, and from the air, and in general all damage as defined in Annex I hereto.

In accordance with Germany's pledges, already given, as to complete restoration for Belgium, Germany undertakes, in addition to the compensation for damage elsewhere in this Part provided for, as a consequence of the violation of the Treaty of 1839, to make reimbursements of all sums which Belgium has borrowed from the Allied and Associated Governments up to November 11, 1918, together with interest at the rate of 5 per cent per annum on such sums.

This amount shall be determined by the Reparation Commission, and the German Government undertakes thereupon forthwith to make a special issue of bearer bonds to an equivalent amount payable in marks gold, on May 1, 1926, or, at the option of the German Government, on the 1st of May in any year up to 1926. Subject to the foregoing, the form of such bonds shall be determined by the Reparation Commission. Such bonds shall be handed over to the Reparation Commission, which has authority to take and acknowledge receipt thereof on behalf of Belgium. (Ibid., pp. 127–129.)

[Mr. KING addressed the Senate. See Appendix.]

Mr. McCORMICK. Mr. President, the listless character of this debate shows how little concerned is the country with the controversy and the differences which formally divide us in this Chamber. The perfidious nation, as it has been called by Senators on the other side of the Senate Chamber, will bear the characterization with equanimity. The perfidious majority of 7,000,000 in the country, so characterized by our friends on the other side, approved the policy of perfidy, so proclaimed by Democratic Senators, a policy declared at the outset of the campaign

by the candidate of the party which, by an overwhelming majority, was intrusted with the responsibility for government at home and our policy abroad.

We held that grand and solemn referendum which was sought by the then spokesman for the Senators on the other side of the Chamber, with a result known to the world. Thus it is that Democratic Senators have attacked the resolution before the Senate and the majority here with amiable violence and perfunctory vehemence. Their ears are deaf to the now faint echoes of those phrases which we all would forget, which led the world to believe that once we were "too proud to fight," that we were "not concerned with the causes" of the European conflict, that we would have "peace without victory"; their ears are thus deaf, but they still speak the language of political anachronism, the sanguinary speech of Mr. Lloyd-George, when he would have hung the Kaiser and squeezed the last drop of blood from the veins of the German people. That language is no more contemporary than the speech on the part of the then principal spokesman for America, which preceded the utterances of the British prime minister in the khaki campaign.

I believe, sir, that if you were to study, in the leisure of your Sunday afternoon, the speeches which have been made on the other side, you would be—I was about to say driven—you would be lulled to the conclusion that they are a compound of contradiction out of the whole pharmacopœia paradox.

They complain—a Senator, whose capacity I so greatly admire complained—because in eight weeks the present administration has been unable to undo the havoc in our foreign affairs wrought during eight years of the preceding administration, or to wipe out in that time the humiliation and the loss of caste in the world which resulted from the policies which preceded those of the present President. It is argued on the other side that the resolution before us is unnecessary, because peace has been established in law, since it has existed in fact for so long. Democratic Senators hold, on the other hand, that because we have not made peace, we are responsible for the economic depression manifest throughout the world. They would have us delay to negotiate a peace now, although nearly two years ago the President was insisting, as he spoke in half of the States of the Union, that peace must immediately be ratified, else the Union would perish.

They then point to the great trade with Germany, under which we have exported to her as much as we did during the last year preceding the war, as evidence that there is no occasion for adopting the resolution before us.

Next, they condemn us for withholding our economic support from Europe. Indeed, to hear some of our opponents, if you were not accustomed to the manners of this Chamber, sir, you would be compelled to believe that the United States is responsible for the fall of the price of silver in the Asiatic markets, for the acrid animosities which have led the Central European States to choke railway traffic and commerce by arbitrary decree, even for that strange statesmanship which in Europe to-day would seek to settle the question of reparations while that of Silesia is still unsettled.

As the Senator from Missouri [Mr. REED] pointed out, the representation of the President's position by one of the opponents of this resolution was neither candid nor fair. The President, like a very considerable number of Senators on this side of the Chamber, while he advocated the reservation of our commercial and economic rights by the terms of the peace resolution, was unwilling that the resolution should commit us irrevocably to a policy on the other side of the Atlantic. His view has been justified by the event. It was once the fashion in some quarters to cry "traitor," or "pro-German," at the public man who has ventured to challenge the wisdom of our administration or of allied policy on the continent of Europe. Yesterday the Senator from Tennessee deplored the course which will not join our regiments to those of France when they march into the Ruhr, if march they do. He was willing to accept the decision of the Reparations Commission as just, as economic, as realizable, whatever it might actually be. I do not think that the Senator will hold that the London proposals for payment of reparations conform to the letter with part 8 of the treaty. If they did, they must still be measured not alone by the damage wrought by Germany in the war, nor by the wanton devastation of northern France by ruthless German generals, but by the ability of Germany to pay—that Germany whose frontiers have been narrowed and whose resources have been diminished by the Treaty of Versailles.

I had not expected to speak at any length of the question of reparations—now acute—in connection with the resolution to declare the war at an end. The question was raised yesterday by the Senator from Tennessee. During the five years before the outbreak of the war the exports of Germany amounted to some $2,000,000,000 annually, or three hundred million less than the sum of her annual imports. It is difficult to establish an exact comparison between present values or future values and those which obtained before the war, but let us, for argument's sake, assume that in the near future the aggregate annual value of German exports may amount to $4,000,000,000. In 1920 British exports, exclusive of reexports, were worth approximately six billion five hundred million, while the aggregate of American exports for the year was eight billions.

In the simplest terms the fixed indemnity proposed by the Paris conference to be paid by Germany was five hundred million a year for 2 years; an average of a billion a year for 9 years; an average of a billion and a half a year for 31 years.

In short, German exports, competitive with those of America throughout the world, must exceed German imports by that amount annually. Parenthetically, it may be noted that the German proposals submitted to the American State Department suggest an aggregate sum not very different from that of the fixed total contained in the Paris proposals.

If the aggregate of German exports amounts to four billions annually at current value, as against imports of three billion, Germany will be able during the first 11 years to make the fixed payments proposed, but under the terms of the London proposals she is required to pay an additional 12½ per cent tax upon the aggregate value of her exports—that is, an additional half billion a year—which, again, mark you, must be found in the aggregate of German exports—that is, added to them! Considering the vast sums at issue, whatever powers are conferred on the Reparations Commission by article 8 of the treaty, the exaction of maximum possible damages for injuries done by German arms can not be finally determined until we know what are to be the resources, the assets, of the conquered creditor. Mr. President, there is none of us who has read the history of the early duchies in Silesia, of its occupation and government by Polish, Bohemian, Hungarian, Austrian, and German monarchs—there is none of us who has studied the ethnographic and economic charts who would pretend to form a prompt and certain judgment as to its disposition, but this much any Senator, unprejudiced, informed, and intelligent, will say, that although by force you may compel the acceptance of terms of reparations, their total can not be fixed finally, wisely, and yet independently of the future disposition of the industries and resources which cluster about Breslau or are found to the south of it.

The cabled dispatches have it that Mr. Lloyd-George is held back from an invasion of the Ruhr by British public opinion, while M. Briand is harried to make the advance by the pressure of opinion in the French Chamber. Under the providence of God, the Government of the United States is free to exercise and to express its judgment upon the wisdom or unwisdom of the proposed policy, because the treaty of Versailles failed of ratification, because we are at liberty to declare the legal end of the war under the terms of the resolution before us!

German diplomacy has been lacking in candor and understanding. If the allied diplomacy has been disingenuous in pretending to settle the Silesian and reparations questions independently of one another, so also has been the German diplomacy in its delays and omissions. Nevertheless, I hazard the conjecture that the immediate occupation of the Ruhr will be approved neither by official opinion nor by public opinion in America. Since the peace resolution is coming to a vote at the present juncture of affairs in Europe, there have been references here to the legal precedents for the establishment of peace, and complaints that none is found for the presentation of this resolution. There is not to-day, there will not be in the future, a handful of men outside of the Senate concerned in the constitutional metaphysics of making peace thus. We were unable to make peace by treaty because of the character of the league covenant and because of the union of that covenant to the treaty of peace. How providential was that failure on our part! We remained free from the entangling league, but more, we have withheld our assent to the settlement comprised in the treaties of St. Germain, the Trianon, and Versailles, a settlement which can not last, because its political terms violate not only the political principles for which the war was professed to be fought but that supreme political principle of democratic nationality, of national democracy, which has been the disturbing and irresistible force in European international politics since the beginning of the last century.

The Senator from Alabama, the great Senator from Alabama, I am glad to call him, has wisely said that the resolution before us once adopted the treaties which I have named will not come before the Senate for ratification. Their fate will have escaped

the control of Senators or Secretaries of State. The complexity of amendments, the number of reservations necessary to be made, the acceptance of them all by all the powers parties to them, including the former enemy States, the long debate leading into the next campaign which would follow their submission here, all forbid their reconsideration; but, above all, the tide of destiny is carrying them by. We are about to take action which will permit us to accredit ambassadors or ministers to central Europe and to receive ministers or ambassadors from there, even as the Allies have. We shall be able to extend credit to sell and to buy as freely as they, while new treaties of amity and commerce with the former enemy States are in the making. The negotiation of these treaties, like the negotiation of others with the allied States, to facilitate the protection of the economic rights conveyed to us under the Versailles and other treaties, will take time. That can not be otherwise. It is for this reason that we must make an end to the war by declaration, a declaration which surrenders no rights of the United States to any power. Those Senators who have opposed the resolution on the ground that it surrenders commercial or economic rights know very well that the retention of German property by our Government under the terms of the resolution, know that the economic dependence of Europe upon us, whether for new credits or for the refunding of existing debts, all afford us advantages under which an informed and prudent administration may negotiate the treaties to recover and to secure that which the last administration tried to throw away. Although we do not become party to the treaties of Versailles, the Trianon, and St. Germain, we shall not shirk our duty; we shall not shrink from the full measure of responsibility; we shall be free to take that part in the economic reconstruction of Europe which is necessary to the very life of her civilization and the recovery of our own commerce and industry.

Our obligations in effecting European tranquility, because of war's involvements, are not less impelling than our part in the war itself. * * * Helpfulness does not mean entanglement, and participation in economic adjustments does not mean sponsorship for treaty commitments which do not concern us and in which we will have no part. * * * We can be helpful because we are moved by no hatreds and harbor no fears.

Aye, and because with peace declared we shall still be free!

Mr. BORAH. Mr. President, it is rather too late in the afternoon and Senators are too anxious to vote and get away to enter upon an extended discussion of the many other things which have been discussed under the joint resolution and things which might be of interest for discussion had we more time at our disposal.

As I view the joint resolution it does two things in which I am primarily concerned. First, it establishes a technical state of peace, and, secondly, it undertakes to compound and hold the property which we have gathered under the alien custodian law for future disposition, which disposition shall be made by treaty with Germany. There may be a difference of opinion as to just the effect of declaring a technical state of peace when we have actually been at peace for two years, but I think all will concede that some advantage is to be derived from it.

I presume that the difference of opinion in this Chamber over the feasibility and desirability of the joint resolution arises largely out of our difference of view with reference to the question of what we should have done as to the league and what we should do as to the Versailles treaty. I suspect that the discussion is largely colored by our views with reference to those propositions.

The joint resolution is designed to establish a technical state of peace until we can by treaty settle the matters which are yet to be settled by treaty between this Government and Germany. Of course, a treaty must come some time, and anything that we may say in the joint resolution as to our view with reference to what that treaty should contain is only suggestive and, of course, in no way binding upon the treaty-making power.

But I desire to pass by the technical discussion of the joint resolution to make some observations upon some of the things which have been suggested in opposition to it; in other words, rather than discuss the joint resolution, to discuss the discussion which has been going on.

A great deal of time has been taken in attempting to show an inconsistent position with reference to the Republican Party, or rather some of its leaders, on the question of the league, that their position at this time is inconsistent with positions which they have heretofore occupied, and finally as to what the last election really determined. There ought not to be any wide divergence of view as to what the election determined; nevertheless it is a source of constant discussion here in the Chamber. Regardless of what some particular individual who may be a leader or near leader in the Republican Party may have said as to what was the particular issue involved in the campaign, it is very clear to my mind that so far as the voters were concerned those from the Democratic Party who voted the Republican ticket and those in the Republican Party who voted the Republican ticket understood precisely what they were voting on, and that is that they were rejecting not only the League of Nations, but, in so far as they understood it, they were rejecting the Versailles treaty. In other words, both of them meant to the ordinary citizen, the layman, the man upon the street and in the workshop, an entangling of this Government in the affairs of Europe—that they thoroughly understood, and against that they arrayed their votes upon the 2d of November. They were not supremely concerned about reservations. They looked upon them rather as views expressed by international lawyers, the modification of a legal document, concerning which matters they were not going to pass an opinion; but no man stood before an audience during the last campaign and announced his position with reference to being either in favor of or opposed to this Government departing from its established foreign policy or entangling itself in the affairs of Europe that he did not get a response from the audience which indicated precisely how they understood that question.

The voter does not ordinarily take the time and has not the opportunity to go into details, but he grasps easily and firmly the great fundamental, underlying principles of a great question, and upon that understanding he passes his judgment. That, in my opinion, was what happened on the 2d day of November last.

Besides that, Mr. President, I think the issue was made fairly plain to the voters of this country by the discussion in the campaign. I do not think they were permitted to be in doubt as to what they were voting upon. I will trespass upon the patience of the Senate long enough to call attention to some of the statements which were made, and which were the turning points in the campaign. The speech of President Harding at Des Moines, Iowa, has been referred to, and I will read a single paragraph from it. Then I want to read the construction which the opposition party placed upon it. They did not leave us in a position to construe it ourselves; they said to their voters and to their followers, "This is the construction which we, as your leaders of the Democratic Party, place upon the issues as made."

President Harding said in his Des Moines speech:

There is no need of reservations of this character. The obligations are clear enough and specific enough.

That is, the obligations of the treaty.

I oppose the proposed league not because I fail to understand what a former member of the Democratic administration has said we were being "let in for," but because I believe I understand precisely what we are being "let in for." I do not want to clarify these obligations—

That is, the obligations of the treaty or league.

I want to turn my back on them. It is not interpretation but rejection that I am seeking. My position is that the proposed league strikes a deadly blow at our constitutional integrity and surrenders to a dangerous extent our independence of action.

There never was any doubt from the time of the announcement of that doctrine until the close of the campaign that the leader of the Republican Party did not propose to enter into any combination, association, alliance, or league which in any way compromised or militated against the free exercise of the absolute sovereignty or independence of the United States; and, as I said a moment ago, that was the one question which the people understood and on which they were voting.

That speech of the President was construed throughout the country by Republican papers and by Democratic papers as an absolute rejection of any league of nations. The New York Evening Post of October 8, 1920, says:

At Des Moines last night Senator Harding scrapped the league.

And if there is anyone who has been sufficiently informed to speak without possible error concerning the League of Nations it is the New York Evening Post. It continues:

There are to be no more attempts at clarification; there are to be no more attempts at interpretation. It is to be rejection; and in his heart of hearts Senator Harding knows that he is rejecting more than the league. He is rejecting the association of nations to which he still professes adherence. Senator Harding has spoken and his message is an emphatic no to the sacrifices and aspirations for which America entered the war.

The Evening Post of October 7, under the headline "Senator Harding definitely rejects the League of Nations; declares he favors staying out, and accepts the direct issue," says:

Senator Harding no longer seeks interpretative reservations but absolute repudiation.

The New York World of October 8, 1920, editorially says:

Harding scraps the league. In his speech at Des Moines yesterday he declared without qualification or reservation that he favored rejection of the league covenant. To make his objection still more emphatic, he declared that the American troops in the occupied zone of Germany

had no business there. There can be no controversy as to the meaning of these words, "I do not wish to clarify these obligations. I want to turn my back on them. It is not interpretation but rejection that I am seeking." The Senator is entitled to the credit at last as having made himself intelligible. His attitude toward the league is the attitude of JOHNSON, BORAH, MOSES, BRANDEGEE, and PENROSE, and all the bitter enders.

I have here an article from the World-Herald, which is published at Omaha, Nebr., and which has been built up through the industry and ability of the able Senator from Nebraska [Mr. HITCHCOCK]. The World-Herald of October 8, 1920, in an editorial entitled "The issue clearly joined," says:

Senator Harding at Des Moines made definite his unqualified opposition to the League of Nations and his determination that under his leadership, if elected, the United States shall refuse to enter with any reservations or on any terms whatever. For his frankness he is to be commended. Mr. and Mrs. Nebraska, are you a friend of the league with Cox, or are you its foe with Harding? Are you with Cox for its acceptance with any reasonable reservations, or with Harding and the irreconcilables for its rejection on whatever terms? These questions you must answer at the ballot box next month.

The people of Nebraska, after having that issue placed before them not only by Senator Harding but construed by its leading Democratic organ, voted overwhelmingly for the rejection of any league at all with or without reservations. And the issue was no better understood in Nebraska than it was understood throughout every State in the Union. It was simplified from time to time by editorials, and the people were not permitted to be in doubt upon the subject.

On October 13 the World-Herald said:

Senator Harding is for staying out of the league for peace and Gov. Cox is for going in. There is the issue in its naked simplicity, and the solemn referendum to determine the answer will be held on election day.

I read from an editorial in the New York Times of October 10:

The Republican candidate has removed all doubt about it; he has thrown off all disguise. In his Des Moines speech he has declared himself to be definitely against the league.

It then quotes at length his speech.

Again, on October 14, the same paper editorially said:

"I do not want to clarify these obligations," said Senator Harding in his Des Moines speech. "I want to turn my back on them. It is not interpretation but rejection that I am seeking." Nobody misunderstands that language. So far as the United States is concerned, it means the death of the league if Harding is elected. * * * Friends of the league who still cling to him evidently believe that, if elected, he would still seek to get the treaty ratified. That would expose him to the derision and contempt of the Nation, the world, for it would show that he sought and won the Presidency under false pretenses.

I am not going to take up the time of the Senate by calling attention to a great number of other editorials from leading papers; but while the campaign was in progress and the voters were being appealed to there was not that divergence of view as to what Senator Harding meant that there seems to be at this time in the Senate Chamber. He was charged with being opposed to any association, to any alliance, or to any understanding, or to any interference in European affairs, and upon that issue we went to the ballot box upon the 2d of November.

Mr. HARRISON. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. HARRISON. Does the Senator state that that was the position of Senator Harding in the campaign?

Mr. BORAH. I say that was the charge which was made by the Democratic papers, and the issue was made in that way.

Mr. HARRISON. But did not the Republican candidate for the Presidency deny that charge and say that he was for an association or a league?

Mr. BORAH. No; I do not understand that he said he was for a league; he said he was for an association.

Mr. HARRISON. Did not the Republican candidate for the Presidency say that he cared nothing about the name; that it might be called by any name desired, but that he was for some organization that might preserve the peace of the world?

Mr. BORAH. I am perfectly aware that Senator Harding said he was for an association and he did not care anything about the name; but after he had declared that he was against any association and any alliance or any league which in any way militated against the absolute independence of this Government to exercise its own judgment in every crisis, there was very little room left for an association, and I was never disturbed after that.

Mr. HARRISON. The Senator recalls the statement which was issued by Candidate Harding at that time, after his speech at Des Moines, in which he said he had turned his back upon the league, in which he explained that he was for a league, but that he was against the particular league as written in the Versailles treaty. Does the Senator remember that?

Mr. BORAH. Yes; I recall that statement.

Mr. HARRISON. Does the Senator now know what was the correct position of Candidate Harding during the campaign?

Mr. BORAH. Yes; I know what it was, because he has now scrapped the league. [Laughter.]

I said when I arose there might have been differences of view among the leaders, but I was undertaking to demonstrate that the voters understood what they were voting upon; and after all, the Republican Party and the Democratic Party are each made up in their strength by the opinions of those who do the voting; that is what constitutes the party and at last shapes the policies. However great a leader may be, he is not the party, as we have found out. Leaders do not make the issue; the people make the issue, as the closing days of every campaign discloses.

With reference to the pending resolution, President Harding was not indefinite upon that question. I think the able Senator from Mississippi will agree with me that, with reference to the particular measure which we now have before the Senate, the Republican candidate for the Presidency was very definite. He stated in his speech of acceptance that he would be very glad, if elected, as soon as a resolution declaring a state of peace could be declared, to attach his signature to it. That statement was never modified, so far as I know, in any respect during the entire campaign. He stated also in his address to Congress a few days ago that a resolution declaratory of a state of peace would receive his approval and his signature. So I do not think that there is any doubt about what the President's view is with reference to this particular joint resolution.

But there was another announcement, Mr. President, during the closing days of the campaign which, it seems to me, ought to be given a great deal of consideration in determining what the real issue was. I refer to an address issued by ex-President Wilson upon the 27th day of October last. As everyone knows, I have not entertained the same view with reference to the League of Nations that the ex-President has, but I have always profoundly respected the unchangeable attitude which he has held toward the league after he became its advocate. He was not willing to surrender any part or parcel of the instrument which he framed, because he had stated that, in his opinion, its adoption involved the peace of the world, and viewing it from that standpoint we must commend him for the attitude which he assumed from the beginning and held to the last in advocacy of this proposition. This man, who more than anyone else in the world represented the League of Nations and what it stood for, stated to the people upon the 27th of October that a vote for the Republican ticket was a vote against the League of Nations; and I doubt not that every citizen of the United States who was preparing to vote within a few days afterwards and who had an opportunity read and pondered the President's statement. So, Mr. President, we need not doubt as to what the judgment of the American people was upon this subject upon the 2d of November. Moreover, the best evidence of that is found in the fact that not only have we formally rejected the League of Nations but in practice almost every nation which signed it has rejected it.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. STANFIELD in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. The Senator has just stated that we have rejected the Versailles treaty. Of course that happened when we refused to ratify it. Now, having rejected it, what is the legal effect of the reservation contained in the pending joint resolution of the rights and privileges prescribed and set forth in the League of Nations? In other words, does it have any other effect than simply to serve notice upon Germany as to what we are going to expect when it comes to the negotiation of the terms of peace in a treaty of peace?

Mr. BORAH. Mr. President, I think that is one of the effects of it. I think another effect is that it compounds this property and holds it and fixes the rules and the laws which govern this property until it is disposed of by treaty.

Mr. POMERENE. It is already compounded, so far as that is concerned.

Mr. BORAH. I do not know about that. That is where the difficulty arises, and that is the difference of opinion which exists between the very able Senator and me. We passed a declaration of war, and then, by virtue of the fact that we were in a state of war, we passed the alien property custodian law, and under that law certain things were done. Now, if we should simply repeal the declaration of war and say nothing in the act of repeal as to the status of that property which we took possession of solely by reason of the fact that we were in a state of war, I am not by any means clear that we would compound it or hold it as it should be held under that law. We had no right to do what we did under the alien property custodian

law except by reason of the fact that we were in a state of war. If we pass out of that state of war without preserving that property and compounding it, it is a very serious legal proposition, which ought not to be thrown into this proposition at all, as to what becomes of it. We can avoid that by doing what we do here as a matter of abundant precaution, and, in my judgment, that is all there is to it.

Mr. POMERENE. I am quite sure we can do that if Germany agrees to it, but until Germany agrees to it, it is simply a naked proposition.

Mr. BORAH. No, Mr. President; I think upon reflection the Senator will not deem himself bound by that statement. We are fixing the status of property which is in this country, under our control and within our jurisdiction, and Germany has nothing at all to say about it. When we come to make a treaty with Germany the matter can be settled in that way, but so far as our right is concerned to deal with this property and stamp it with a certain status during the time we have jurisdiction of it, Germany has nothing to say about it, and her objection would avail nothing.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. BORAH. I yield.

Mr. JONES of New Mexico. I should like to inquire whether that part of this joint resolution could not just as well be passed next week or next month, and be just as effective as if included in this joint resolution? In other words, does the fact that it is connected with the declaration that the war is at an end have anything to do with its efficacy?

Mr. BORAH. As I have just said, if it be true that we could deal with this property only by reason of the fact that we were in a state of war, I should think the orderly procedure would be to fix its status at the time we passed out of a state of war, and it was for that reason that they were both incorporated in this joint resolution.

Now, Mr. President, just a word upon another feature of this discussion.

I said that not only has the United States rejected the league and failed to ratify the treaty, but almost every country which became a party to the Versailles treaty has either disregarded it or has rejected it in practice. A great deal has been said here about the fact that we ought to become parties to or ratify the Versailles treaty. Why, my friends, there is nothing in Europe that is more universally disregarded and despised to-night than the Versailles treaty.

Let me read what the premier of the French Republic said about it only a day or two ago in the assembly:

I have something to say about the treaty, for I can not permit the country and Parliament to continue in the way of illusion and errors. The treaty of Versailles is ideally perfect. We can find anything we want in that treaty. It has but one fault. Like the celebrated mare of Roland it is not living. In order that it may live there is a piece of mechanism which must work. But this piece of mechanism is a dead letter, because it does not work. I refer to the reparation commission.

There is only one country in the world where the Versailles treaty has any friends, and that is the country in which it has never been permitted to operate. The only place where it is defended is in the Senate of the United States, and we are defending it because we have not sufficiently studied the baneful influence it has had upon the European Continent.

Briand further says:

This commission should fix the total of Germany's debt. Then it should record and accept payments by Germany. This commission has something to do with nearly every bit of the treaty. But for the last year there has been no accord in the commission. It has not even been able to agree on the amount of damages.

The only treaty we have is in accord with our allies. I have thought it essential to maintain this accord, and therefore I submitted to the reduction of our claims. I could have ended the conference in discord, but it ended in accord.

The only treaty which we have under which to act!

Under what authority are the troops in Germany at this time? Let some Senator who believes in the Versailles treaty point me to the provision which authorizes them to send troops into Germany under present conditions. They are in Germany at this time because the prime ministers, Briand and Lloyd-George, agreed among themselves—not the reparations commission but the two prime ministers agreed—what Germany should pay, and that agreement was not in accord with but in disregard of the terms of the Versailles treaty; and they are entering Germany at this time not to collect an amount fixed by the reparations commission but to collect an amount fixed by a commission unknown to the treaty, to wit, the supreme council. It may be that they are acting the best they can under the circumstances. I only call your attention to the fact that while we eulogize the Versailles treaty it is being utterly disregarded by those who have signed it and are bound by it.

I ask permission to insert in the RECORD some further views from publicists and writers in Europe upon the Versailles treaty and its abandonment and disregard by the nations which are the signers of it.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[London Daily News, Oct. 30, 1920—A. G. Gardiner.]

The letter is addressed to ex-President Poincare. In it are found these statements:

That if the policy of France since the armistice is pursued it "can not fail to bring our country into grave collision."

It then refers to the fierce attacks of the French press on England.

It declares that one of the reasons for this attack is because England refused to apply private property of Germans in England to the reparation clause of the treaty. He then says:

"When the war ended in the victory of the Allies, two paths were before us. Throughout 1917 and 1918 President Wilson had proclaimed as the object of the Allies the destruction of the institution of war, with its corollaries of armed alliances, secret diplomacy, and competitive armaments, and the substitution of a new world order based on cooperative purpose. The reign of force was to give place to the reign of law, underwritten by the guarantee of all the nations. It was upon these terms, implicit in the armistice conditions, that Germany surrendered and hostilities ceased. It seemed at that moment that the world had at last turned into a new path. To-day we are disillusioned. At the end of two years of peace, we are back in the old path. The Paris policy for which you, perhaps, more than any single person, are responsible, has triumphed over the Washington policy. * * * The main purpose of that policy has been simple. It is the political and economic destruction of Germany. Over the whole field of Europe you have pursued this purpose with a skill, an audacity, and an energy as brilliant as they are sinister and shortsighted. On the one hand, Germany is kept under the menace of an unlimited indemity which makes her financial recovery practically impossible. On the other, she is threatened with deprivation of the sources of economic power which would enable her to make the reasonable reparation that justice demands. Of her three coal fields, one has been taken. In the case of that of Upper Silesia your military agents are working ceaselessly to get it transferred to Poland. In the case of the third, that of the Ruhr, your openly confessed policy is to occupy it with your armies and to use it as an instrument for the political dismemberment of Germany by the secession of a south German confederation under French patronage * * * It was to promote this scheme that you sent the black troops to Frankfort. It is the occupation of the Ruhr which is insisted on as the penalty for any breach, however unavoidable, of the conditions laid down in regard to disarmament and the tribute of coal to France. The German populations of the old Austrian Empire are cut into fragments and doomed to impoverishment and oppression to prevent the union they desire with the people of their own language and race. Concurrently with this purpose of keeping Germany down by force, you are building up what the New Republic has called the most daring scheme of imperialism since Pan Germanism was at its zenith. The Continent is strewn with your military alliances and swarms with your military missions. It is French policy which has encouraged the Poles in a frantic imperialism which has ruined the prospects of that unfortunate country. It is French policy which sustains Wrangel and makes peace with Russia impossible. The great armament works of Skoda are in French control. Hungary is an outpost of your military system and is left with an army of 350,000 men, while Austria is reduced to 30,000, and the force of the whole German Empire is to be reduced to 100,000. Your treaty with Belgium, which you have declined to register with the League of Nations, converts that country into something a little different from a French protectorate. The frankly admitted purpose is to open up the Scheldt. The opening up of the Scheldt would make Antwerp a potential naval base. * * * Toward Germany you remain irreconcilably vindictive, coupling insistence on the whole treaty of Versailles, which the conscience of the world has repudiated, with the threat to occupy the Ruhr coal field, on which the economic life of Germany depends. Toward the Russian people France remains the cruelest of enemies, prepared to subsidize civil war, to institute mercenary armies, and to maintain the blockade, which in its reactions is a blockade of this country as well as of Russia.

—

[Contemporary Review, November, 1920, p. 620—by Huddleston.]

Before the war there were 26 States in Europe. To-day there are 35. * * * The making of new States certainly does not encourage peace. Reports recently prepared for the American Government show that 9 active wars are now in progress, 19 international fronts are strongly held for fear of attack, 4 frontiers are acutely sensitive, while civil war exists, or is likely to exist, in 7 countries. Everybody is arming; every nation has tremendously increased its expenditure on armies and armament. Peace has been signed, but this is the most relative kind of peace that Europe has ever known. The geographical arrangements of the map-making statesmen have produced the most unstable situation that could possibly have been imagined.

In the meantime, disregarding the covenant of the League of Nations, repudiating its spirit as well as ignoring its letter, occult alliances are being made, secret engagements are being entered into. The old diplomatic game begins anew.

The immediate cause of the founding of the little entente between the Czechoslovakia, Jugoslavia, and Rumania is precisely the realization by these powers that secret bargains are being made against them, subterranean negotiations are taking place, the cynical sacrifices of friends to former enemies is a favorite device of the great powers, and if they are to live at all within the limits assigned them by the peace conference they must unite for their common protection.

Now, instead of the League of Nations which was proposed being an effective league, the greater part of Europe is left outside the league, and the smaller powers which are nominally in the league are in reality arranging themselves in groups in accordance with their conflicting and entangling interests, while we are totally ignorant of the attitude the Russia of to-morrow and the Germany of to-morrow will take up.

It is certain that Austria can not live by itself. The biggest blunder that was made by the peacemakers in Paris last year was to set up this absurdly incompetent and isolated State. It simply can not live, and every statesman worthy of the name recognizes this fact. Now, according to the treaties, Austria may not attach herself to Germany.

When all is said and done, however, in the confusion and complexity in which the affairs of middle Europe were left by the treaty makers, in the uncertainty of frontiers, the economic disorder, the enigmatic political relations, the conflict of the respective designs of the great powers, the projected formation of the little entente came as the promise of the beginning of stabilization. * * * The truth is that we have all played the game of diamond cut diamond. We have all been seeking special advantages in middle Europe. We have all been treating the smaller States as pawns on a perilous chessboard. There has been, and is, a great struggle going on for the control of these little peoples. We have been seeking to fasten upon them economic and political shackles. That we have not succeeded better is due to our fundamental disagreement. * * * The little entente was born out of fear.

Mr. BORAH. What has the Versailles treaty accomplished, Mr. President? I am perfectly aware that not only able Senators upon the other side but able men within my own party are advocating our ratification of the Versailles treaty. I have always thought that the League of Nations was a very bad instrument, menacing in every respect to this country; but I have not a particle of doubt that as between the two instruments it would be infinitely better for us to be in the League of Nations than to be a party to the Versailles treaty, assuming that the instruments could be separated.

The Versailles treaty has reduced Europe to a state of chaos and chronic revolution. Hundreds and thousands and millions of people have been hungered and made destitute or turned upon the streets to die by reason of the impossible terms of the Versailles treaty; and Europe will never regain its equilibrium or its poise or its economic composure until the Versailles treaty is either abandoned completely and absolutely, or else is revised to such an extent as to make it a new instrument based upon new principles.

Let me read you the words of a distinguished writer, L. P. Jacks, known to all publicists, who writes in the publication known as Land and Water, published in London. He says:

Taking a broad survey of the international situation, as it exists at the present moment, we observe that a confused and highly dangerous struggle is going on between two inconsistent principles, between two opposing groups of forces. On the one hand are the forces which arise from the determination of every nation to assert its political independence, its sovereign right to be master in its own house. On the other hand are the forces, equally insistent, which arise from the economic interdependence of all the nations of the world. Politically every nation claims to be master in its own house. Economically no nation is or can be master in its own house; its fortunes are implicated with the fortunes of all the rest. How can a group of nations which are economically dependent on one another—dependent, that is, for their daily bread—be at the same time politically independent of one another? How, at one and the same time, can the industry of the world be conducted as a partnership (which it plainly is) while the politics of the world are conducted as independent businesses, governed by the sovereign rights of the various nations concerned? This simple question covers the whole mass of international problems which now confront us. The political and the economic forces are in conflict. The crying need of the world to be governed on the lines of economic wisdom is being thwarted by the determination of the powers that be to govern it on the lines of a foreign policy which is a hundred years out of date. On the issue of that conflict the fate of industrial civilization depends. Reduced to its simplest terms it is a struggle between the flag and the loaf. There is not a doubt that the loaf will ultimately win. But unless the rulers of this world are wise in their day and generation immense suffering will have to be endured in the meantime.

When once we have grasped what is involved in the industrial constitution of modern society, the truth that stands out in clear prominence is this: That the economic interests of mankind have now won the primacy over their political interests. There was a time when this was not so. Before the industrial revolution it might fairly be contended that the political relationships between the States of the world were more important than their economic relationships. Compared with the present state of things each nation was then, relatively, self-contained and industrially independent of the others. Since then the fortunes of the nations have become interlocked on economic ground. The effect of this process of interlocking, which has been extraordinarily rapid, has been to create for them all a common economic interest and to increase the importance of the economic factor in international affairs until it has outstripped the importance of the political.

It follows that any right solution of the international problem, as it exists to-day, is bound to begin from the economic end. To erect political order on economic chaos is impossible. If you begin by drawing strategic frontiers, by adjusting a balance of power, by making maps to suit the nationalist ambitions of a score of States, by giving to each of them what the traditions of its flag demand, you will find at every step that you are running across the path of great economic forces which will sweep these political arrangements away as soon as you have completed them or possibly while they are only half complete. The economic needs of the peoples can no longer be forced to dance attendance on the kind of "foreign policy"—the only kind which the statesmen of Europe seem to be acquainted with—whose first object is to maintain the territorial status, the political power, the military prestige, the nationalist pride of the various nations it claims to represent. The world where this sort of thing was possible has ceased to exist and a new world, in which the relative importance of the political and economic factors is reversed, has come into being. I do not mean that the occupation of the statesman is gone. On the contrary, he has, if he would only read the signs of the times, a larger and more promising occupation than any which has fallen to the lot of his predecessors. He is dealing with a world the parts of which have become economically so interlocked that by no possibility can he treat it as a collection of kingdoms and empires, each of which is entitled to play its own political game, under the shallow formula of self-determination, irrespective of whether or not it is playing ducks and drakes with economic realities. His business is to make his "policy" conform to this salient fact instead of trying as heretofore to make the fact conform to his "policy."

As Mr. Keynes has pointed out, it was the misfortune, nay, the tragedy, of the Paris conference that, collectively, it failed to understand the supremacy of the economic factor in the life of modern civilization. Whether one considers the treaty as a whole or in parts the impression received at every point is that economic realities have been sacrificed to political considerations. What most impresses the impartial student of the treaty is not its violations of international morality (though these are evident enough) but its violations of economic law. By the amount and form of the indemnities imposed on the Central Empires, by the powers intrusted to the reparation commission, by the breaking up of territorial areas which are industrial units it first creates economic chaos and then, by setting up a League of Nations, proposes to establish political order on the chaos thus created. Its fundamental vice lies precisely in this, that it tackles the problem from the wrong end, putting first what ought to be second and second what ought to be first.

The constitution of the league itself does little more than perpetuate this fatal inversion. The form in which it has been devised makes it inevitable that the machinery of the league will fall into the hands of the old political gangs and provide them with a new playground and a new game; indeed, the process is going on under our very eyes. When Napoleon surveyed the field of Waterloo he remarked to Soult, "Quel joli échiquier!" (What a pretty chessboard!) One need not be a cynic to apply the same description to the League of Nations as it now exists. It is true the disposition of the pieces has been altered and new rules laid down for keeping order among the spectators, but the sinister fact is that the old players are still seated on either side of the board, and the old backers, in the press and elsewhere, still urging them on to play the old game. That these men will continue to do so, in obedience to habits of mind which dominate them all, is a danger greatly to be feared. "Political considerations," "reasons of foreign policy" will, as before, dominate the feast, and economic necessities will have to be satisfied with the crumbs that fall from their table. On these terms the peace and prosperity of the world will remain in jeopardy, in spite of the league, or perhaps in consequence of it.

In answer to all this I shall be told that the League of Nations is giving close attention to economic problems and that an international commission, under the auspices of the league, is being set on foot. But this only serves to bring into greater prominence the very danger of which I am speaking. If some of the findings of this commission should happen to be of a kind to get the prime ministers who adopt them into trouble with their political parties, if they should happen to conflict, as unquestionably they will, with the supposed interests of some national flag, red, white, blue, black, yellow, or star-spangled, as the case may be, what is their chance of being accepted? The Paris conference was attended by a crowd of economists and, then as now, "close attention" was given to economic problems. The economists gave the politicians some excellent advice. It was not taken. It was overridden at each essential point by the blind determination of the peacemakers to reconstruct Europe on purely political lines. Is this to be repeated? According to present indications there is every reason to believe it will be. Only the other day the supreme council put out its manifesto on the economic condition of the world. It is known that this document in its original form contained a proposal for an international loan to the bankrupt States of central Europe. On economic grounds it was an eminently reasonable proposal. But it did not accord with the political aims of the French foreign office, and it was immediately dropped. What is to prevent a similar fate overtaking the findings of the international commission?

If civilization is to be saved from an irreparable disaster this kind of thing must stop, and stop at once. Europe is on the verge of bankruptcy. Unless the crash is averted—and it can be by prompt action—nothing that diplomacy can accomplish, nothing that Machiavellian arts can contrive, will be of the least avail, and no merely political League of Nations will be worth the paper on which it is described. Whatever measures, financial or economic, may be necessary to prevent this dangerous situation developing to its fatal issue, those measures must be taken irrespective of whether or no they run counter to the nationalist pride, the imperial self-interest, the military ambitions of one or other of the nations concerned.

The outstanding need of this perilous moment is that the great nations should act together on economic ground for the purpose of averting a disaster that threatens to involve them all. It is not Germany alone, but the whole of Europe, treated as an economic unit, that has to be kept on its feet. Whatever be the right means of doing this, and science is able to state what they are, they must be taken without delay. Let us suppose, for the sake of argument, that the proposals of Mr. Keynes, or the more limited scheme of Sir George Paish, or any other that expert skill may devise, provides what is required. It must be adopted on its merits. It must not be spoilt nor set aside, as all such schemes have been hitherto—at the Paris conference, for example—by considerations of "high policy." "High policy" must accommodate itself to the economic reality, not vice versa. The alternative is ruin.

This is tantamount to saying that a new type of statesmanship is imperatively demanded for dealing with the perils of the present international situation. If the statesmen of the old order can adapt their minds (I say nothing of their hearts) to the new conditions, if they can be persuaded to put their joli échiquier on the fireback and take sound science instead of "diplomacy" for their guide—so much the better. If not we must look elsewhere—to the bankers, the actuaries, the financial experts, the economists, the men of business, the skilled trustees of labor and trade. From the point of view of science, the only view which a wise man will take in the present crisis, the problem now before the nations is a "business" problem first, and a political problem last. The public must be brought round to the supreme necessity of giving it to men competent to deal with it.

Unless the League of Nations can get to work immediately on economic ground, without being forced, at every step, to yield to the inconsistent demands of this or the other "foreign policy," I confess that my faith in its usefulness comes near to vanishing point. Its ideal aims, which I honor, are of no value unless they are combined with businesslike method, and in this case businesslike method, I would repeat, is economic and not political. As an instrument for giving effect to the essential truth of economic primacy the league may render immense services to mankind. Its first task is to concert common measures for saving a civilization in economic distress. Not until that is accomplished may it go on to lay the foundations of world-wide peace and prosperity.

I quote from another writer who holds diametrically opposite views to the writer whom I have just quoted, but both of whom agree as to the effect of the Versailles treaty upon Europe. He says:

The peace treaties made a European system which could be controlled, if at all, only by a great military alliance, vigilant, permanent, united, and indefatigable. In the world made by these treaties a league of nations can have no moral reality and only the most modest of functions. The need for force in the relationship of peoples is in inverse ratio to their contentment. Where there are unsatisfied ambitions, there will be armaments. When half a continent feels that the terms dictated to it are not merely an offense to its self-respect, but are barely compatible with its physical survival, it is plain that the settlement can in the long run be enforced only by maintaining in the hands of the victors an irresistible police. These treaties, however, are so packed with flagrant injustice, so plainly dictated by strategical ambition and economic greed that they can evoke no more assent. More fatal by far than their remoteness from the moral standards professed by the victors is their disastrous economic effect. Half a continent has been deprived of hope, resources, ambition, and the possibility of work, and confronted with the prospect that it will either fail to maintain its population on the civilized level of comfort, or else acquiesce for generations in devoting all the energy that can be spared from the struggle to win its daily bread, to the task of pouring wealth into the coffers of its conquerors. Treaties which make an impression that is felt in every home, at every family meal, in every school, which reduce millions of men to helpless penury and degradation, can be maintained, if at all, only by overwhelming force. It is idle, while the treaties are maintained, to talk of substituting a league of nations for the alliance of the victors. No league in which neutrals and the vanquished were fairly represented could or would consent to enforce these treaties. The only power which can or will enforce them is an irresistible military alliance of governments which believe that they have an interest in maintaining them.

Austin Harrison, writing in his English Review concerning the Versailles treaty, says:

Yet we can only help France if France helps herself; that is, France must return to sanity. She must understand quickly now that economics control, not "fruits" or pompadours. Will she try to uphold the Clemenceau treaty? Or, realizing that the treaty means European chaos, economic decay, and finally complete breakdown, in which France inevitably will be involved—we can not help her and America will no longer underwrite—will she remember her own great heart, true to her own great reason, and with that fervor that is her glory, will she cry to bleeding Europe, "Debout les morts" (lay out the dead), in the words of her own soldier? It is just possible that such a spirit might save France and Europe, but France can not be saved unless Europe is also saved, and if the French fail to grasp the truth of war, which is that only economics control, she will go down in turmoil and revolution, crushed in her own insensate havoc. * * * What the "big" three have left us with is a European situation very much like that which faced Louis XVI, the heir to "the deluge," only the incidence is universal. * * * There are two immediate steps to be taken. First, we ought to make peace with Russia; secondly, we ought, with France, to make up our minds to call a new peace conference and begin all over again.

Take as an illustration of how the terms of this treaty has ruined a whole people, Mr. President, the present situation in Hungary. Without expressing myself upon the question, I read to you what Mr. Bryce, well known to the American public, says in regard to it. Speaking of the effect of the Versailles treaty upon Hungary, he said:

I need not repeat what has been said by my noble friend about the effect which the treaty would have upon the future of Hungary. It will reduce the Hungarian State to one-third of its former dimensions. It will subject at least three and a quarter millions of Magyars, speaking the Magyar language and inheriting the glorious traditions of the Magyar people, to alien rule, to which they have the strongest possible objection.

It will also ruin the economic cohesion of Hungary, deprive her of all her forests, her mines, and her industries, and it will leave her a mere fraction of her former population, in a purely agricultural area, without that variety of industries and sources of wealth which a great people ought to enjoy. It will break up her system of communications, transfer some of her trunk lines of railways and many of the most important railway junctions to alien States, and destroy the commercial relations which she has had with large parts of her former territory.

* * * * * * *

Take, for instance, the economic losses which Hungary will suffer. Under the treaty Hungary is going to lose 57 per cent of its arable area, 65 per cent of its stocks of cattle, 56 per cent of its horse production, 70 per cent of its sheep, 85 per cent of its forests, the whole of its salt mines and nearly the whole of its mining area, and 65 per cent of its railways, including the most important railway junctions. And on the top of all this it is also going to lose the control of the waterways, upon which the prosperity of the country almost entirely depends. It therefore looks, without exaggeration, as if the country economically will be unable to exist. But the worst feature in all this is the fact that something like three and a half millions of Magyars and something like 1,500,000 German-speaking Hungarians are to be transferred like so many animals from one country to another.

I read from a news dispatch from Budapest, which tells its own sad tale:

5,300 SUICIDES IN 1920 ALARM HUNGARY; 10,000 OTHERS FAIL.

Thirty-two hundred women and 2,100 men committed suicide in Hungary during 1920, police reports for the year show. In addition, there were more than 10,000 unsuccessful attempts at suicide.

The tremendous increase is causing much worry here, inasmuch as the prewar figures were from 50 to 60 suicides yearly. The situation is attributed to the gradual deterioration in living conditions and the fact that the war had the effect of making human life much cheaper.

Government, society, and church circles, realizing the grave danger to the country, have begun a campaign against self-destruction. Sermons on the subject are being preached in all the churches and a special police force has been organized to keep strict watch and prevent suicides. In a number of cases where the police intervened in time the persons attempting suicide protested against what they termed the tyrannous oppression of the authorities.

Take Austria. Austria was isolated, cut off from all sources of raw material, forbidden to trade with Germany, and unable to trade with the adjoining countries because of antipathies existing. The result has been that Austria has been forced into a state of bankruptcy. She has given up, surrendered herself, and asked for a receivership. Is that by reason of the fact that the United States did not join in the Versailles treaty? It was by reason of the fact that there were corralled or impounded about 6,000,000 people in a country of small area, without any resources of any kind upon the face of the earth by means of which they could live.

Permit me to say here, in passing, that I understand that this was all in opposition to the view of the American delegates, and I am proud of the fact that it was.

I read an article from a former editor of the Vienna Fremdenblatt, in which he said:

The Vienna reparations commission has as many sections as countries are represented by them. They took up their quarters in the former war office and have taken more than 300 rooms for their use. All these rooms were suitably and comfortably furnished, and yet they had to be fitted out anew with furniture, carpets, and chandeliers.

COST AUSTRIANS 500,000,000 KRONEN.

More than 300 persons are in the direct employ of the commission—

Administering the affairs of destitute and prostrate Austria. Where people were starving, dying upon the streets, they required 300 employees in that wing of the reparations commission to administer—to their funerals, I suppose.

Mr. REED. On their estates.

Mr. BORAH. This editor continues:

There is also a representative of Greece, although there was no war between that country and Austria. Every section has a manager with a salary of 100,000 gold crowns per year, i. e., more than 6,000,000 kronen; his substitute gets 50,000, his secretary 40,000 gold crowns. Each of the stenographers, typists, and auxiliaries gets at least 25,000 crowns monthly. The finance and judicial experts of the commission have an annual income of about 4,000,000 crowns each. (The value of the Austrian krone is 20.3 cents.)

There are three subexperts on finances, each with a salary of 2,000,000 kronen, approximately; also special experts for industry, trade, traffic, agriculture, food, each obtaining a salary of almost 2,500,000 kronen per year, and each again has substitutes, secretaries, stenographers, typists.

Mr. HITCHCOCK. The Senator certainly is in error when he says the value of the krone is 20 cents. It is less than 1 cent.

Mr. SMOOT. This is the gold krone.

Mr. BORAH. I am reading from this article, and I suspect this gentleman knows, as he is an Austrian, and he was there.

Mr. HITCHCOCK. The figures the Senator is reading as to salaries are undoubtedly in the present depreciated Austrian money, which is almost valueless and is handed around in bales of paper. It is almost necessary to have a basket to carry it.

Mr. BORAH. The gentlemen on this commission would not take any of the basket money; you need not be uneasy about that. They do not have to take it. This article continues:

Adding light, fire, motor cars to all this, the expenditures for the commission are not less than 500,000,000 kronen, which are taken from the pockets of the Austrians, poor as church mice and dying of hunger. To show what this really means it must be stated that the annual deficit of this country amounts to 29,000,000,000 kronen.

Not long ago the Allies allotted to Austria four river torpedo boats for service on the Danube, which is all that is left to Austria of the big Austro-Hungarian fleet. Not less than five admirals of the Entente are appointed to exercise a control over this fleet of four units. Each of them is to receive a monthly salary of £1,000 sterling.

This is the Versailles treaty, Mr. President, which we are asked to become a member of, disregarded by France and disregarded by England because they say it is unworkable, impossible of execution, pauperizing Hungary, pauperizing Austria, and reducing Europe to a state of chronic revolution. It rests like a blight upon all Europe. Millions of people to-night pray for its utter abandonment. It is enforced only where it helps and disregarded where it hurts. In this way it is forcing all Europe into helpless barbarism. If the United States enters that simoon of misery and ruin, we will share in its disastrous effects.

Let me quote further in regard to Austria.

Mr. Huddleston, in the Contemporary Review, a London publication, writing upon this subject of the treaty and Austria, says:

It is certain that Austria can not live by itself. The biggest blunder that was made by the peacemakers in Paris last year was to set up this absurdly incompetent and isolated State. It simply can not live, and every statesman worthy of the name recognizes this fact. Now, according to the treaties, Austria may not attach herself to Germany.

In the same Review is found an article by Mr. Loch, who says:

By the treaty of St. Germain a State has certainly been constituted which is totally incapable of being self-supporting. As the traveler passes along the railway on his way to Vienna one of the most striking things that he notices is the absence of trains other than his own. At railway stations, which in former times were crowded with tourists and others, there is an almost uncanny calm. Grass grows between the lines; platforms and waiting rooms are deserted.

Mr. Bass, in his book, lately out, entitled "The Peace Tangle," says:

These observations have led me to the conclusion that the execution of the treaties of peace in their present form will lead not only to the permanent economic decadence of Europe but to future wars. As I write, almost two years after the signing of the armistice, the front page of my morning paper is covered with the news of many wars in operation and in preparation. All of these conflicts may be traced to the aftereffects of the Great War, and more especially to the work of the Paris peace conference in drafting terms of peace for the world.

There is no one now attempting to execute the Versailles treaty save where it seems advantageous to those who have the right to execute it. Why should we join it? We have no course to pursue here except to make a separate treaty or to go into the Versailles treaty.

Mr. President, I said a moment ago that I took some pride in the fact that the Versailles treaty in its fundamental principles, in its essential and vital terms, was opposed, in my judgment, by every member of the American delegation. The facts which come out from day to day disclose beyond question that while they finally attached their signatures to it, they were opposed to it in principle, and often prophesied in their conversations what would result from it. I therefore have very little doubt that if President Wilson himself was called upon again to execute and sign the Versailles treaty, he would simply say to them, "Its execution is a fulfillment of my prophecy. I refuse to join in any such instrument."

No one contends that it can be executed. One of the first things which they did under the Versailles treaty was to appoint a number of experts to ascertain whether or not it could be executed, and the unanimous report of the experts to the supreme council was that it was unworkable and impossible of execution.

The International Finance Commission, which sat lately in Belgium, came to the same conclusion. I do not know of a single public man in Europe, not a single one, at this time who contends that the Versailles treaty can ever be executed. I do not know of a great economist in Europe who does not hold that its execution means untold misery and indescribable ruin to Europe.

Mr. HITCHCOCK. Mr. President, it seems to me that the Senator from Idaho is the last man who at this juncture should stand here and attack and condemn the manner in which the Versailles treaty is being executed. He admits that when that treaty was framed the United States was the only power participating in the discussion which in a disinterested way endeavored to soften the terms which he now denounces as harsh, that the United States was the only power whose representatives sought so to shape the treaty as not to place upon the Central Powers unbearable burdens. And yet it was by his masterful leadership here on the floor of the Senate that the United States, which had participated in the conference which finally adopted that treaty—that the United States, after having stood for justice, after having stood for moderate terms, after having taken a disinterested position, was taken outside of that treaty and placed in a position where it now stands before the world absolutely helpless to assist in the interpretation of the treaty.

The Senator from Idaho states here to-day on the floor of the Senate that the terms of that treaty are being violated by France, with the connivance and permission of Great Britain, upon the proposal to invade the Ruhr region. I am not going to discuss that issue with him, but the Senator from Idaho knows that we are not in a position to raise an objection because we refused to ratify that treaty.

Mr. BORAH. I agree with the Senator perfectly. I am simply making the argument I am, to keep us from going into the treaty. I do not contend that we should go over there and interfere with the manner in which they are going to execute it. I wish to stay away from it, save as an independent nation. We may counsel and advise with those in distress, a thing we have always been ready to do. So far as I am individually concerned, my judgment is perfectly clear upon that, but the argument which the Senator made yesterday was that if we had signed the Versailles treaty everything would have been well. Europe would have been in a state of prosperity and the world would have been at peace. What I have undertaken to show, if the Senator will pardon me, is not that we should go over there and attempt to adjust this thing, but that under the Versailles treaty it is impossible to adjust it, and it is not our business to be a member of any such organization. What we do we must do disengaged and free as a friendly power.

Mr. HITCHCOCK. What I have undertaken to say now in answer to the Senator's speech is that he is the last one having any right to condemn the nations of Europe for their interpretation or misinterpretation of that treaty, because it was through his leadership that the United States was placed in an impotent position where it could do nothing to see that the treaty was interpreted as the Senator from Idaho says it should be interpreted.

The Senator from Idaho knows that when we failed to go into that treaty and to enter the League of Nations this great Nation lost the leadership of the world. We have not any right as a Nation now to hold these other countries responsible for what they are doing. If we had become a party to the treaty by ratification we would have had that right. The great potential powers of the United States might at least have been sufficient to place such an interpretation upon that treaty as would have avoided the very thing that the Senator condemns now when he criticizes the act of France in invading Germany.

Mr. BORAH. Does the Senator think that, having been wholly unable to modify the terms of the treaty, to write it in accordance with the principles which the President had announced, wholly unable to protect Austria-Hungary as the President had announced here before he went to Europe he would do, wholly unable to prevent the outrage with reference to Shantung, wholly unable to prevent the treaty being written just exactly as Clemenceau and those with him wanted it—does the Senator think we would have been very effective after we signed the treaty to enforce a construction which was in contradiction of the treaty which we signed?

Mr. HITCHCOCK. The spectacle now presented is, as the Senator knows, that Germany is vainly reaching out her hands to the United States asking for protection, and the diplomatic situation is such that our Government can not give any help, can not give any assistance, can not even give counsel to the nations of the world.

The Senator mentions Shantung. How much has the situation in China been improved by our failure to go into the treaty and to hold Japan to the promise which she made to the President of the United States? Japan has Shantung, has Shantung more absolutely now than she would have had Shantung if we had been in the treaty with the promise of Japan.

Mr. BORAH. How did Shantung get into the treaty at all?

Mr. HITCHCOCK. That is no answer. The Senator has mentioned Shantung, and he gave Shantung as an excuse for our staying out of the treaty. What right has he now to hold Japan to any accountability for holding Shantung? We rejected her promise, we stayed out of the treaty, and Japan has Shantung by more permanent right and by more permanent title than she would have had if we had become a party to that treaty.

Mr. BORAH. I agree with the Senator, if reports be true, that Japan has Shantung more solidly within her grip than she had at the time we were trying to ratify the treaty; and some of us told you then, as you will find by looking at the RECORD, that in six months Japan would have swallowed Shantung whole. All the talk about certain economic rights and reserving her sovereignty was mere sophistry. It misled none but those who were willing to be misled. She has it all now. She has it complete. How did she get it? She got it by reason of the fact that the American delegates, rather than lose the league, consented to that which had been condemned by the civilized world as an outrage upon decency and conscience.

Mr. HITCHCOCK. Japan has Shantung absolutely now because the United States was the only nation in the world that held her promise to give it up, and the United States was kept from going into the league and prevented from enforcing their promise by the leadership of the Senator from Idaho.

Mr. BORAH. We do not seem to be able even to make her give up Yap.

Mr. HITCHCOCK. Yap is in a very similar condition, very similar. I wish to say to the Senator from Idaho that all this attempt to drag the League of Nations into this discussion has nothing to do with the case. It was not raised on this side of the aisle. I have made a number of speeches here and not mentioned the League of Nations. I recognize that the Senator and those who sympathize with him as enemies of the League of Nations are not even willing to let it rest and that they want this resolution passed not for the purpose of promoting peace, but they want the joint resolution passed in order to force the hands of the President of the United States, and when that resolution is presented to him at the White House for his sig-

nature he has to decide whether he will sign it and permit the coterie here in the Senate that have dictated its provisions to control his foreign policy, or whether he will reject it and adhere to the policy which he stated in his message on the 12th of April of this year; that he still viewed the questions as open; that he besought Congress not to force his hand, but to allow him, as the holder of constitutional power to negotiate treaties, either to negotiate a new treaty or to get something out of the existing treaty which he still holds at the White House. That is the issue.

In speaking yesterday, as the Senator from Idaho knows—and he makes no reference to it now—I showed conclusively, as I think, that the joint resolution is not for the purpose of establishing peace. It is for the purpose of dictating to the President of the United States and compelling him to adopt a foreign policy that he has not yet decided on.

Mr. BORAH. I think the Senator is speaking out of force of habit. The Senator defended the President here for four years with great ability, and he can not now resist the habit of still defending the President.

Mr. HITCHCOCK. The Senator is mistaken. I defended the Constitution of the United States, which vests in the Executive, whether he be Democrat or Republican, the sole and only power to negotiate treaties, and I say to the Senator from Idaho now that the people of the United States do not want to have the Senate of the United States arrogate to itself the powers which the Constitution vests in the President. The only right which the Senate has is to consent and advise as to treaties which the President is given the power to negotiate. In the resolution you dictate to the President what he shall do. You cut off the possibility of his doing anything with the Versailles treaty, and that is the reason why the Senator from Idaho supports the joint resolution so gleefully. You dictate to him what shall be put into the separate treaty of peace with Germany. Why not trust him? The Senator from Idaho professes here, in glorious terms, the most absolute conviction that the President of the United States is prepared to scrap the League of Nations and to turn his back on the Versailles treaty in every form. Then why not trust him? Why dictate to him in this resolution what he and his negotiators shall put into a treaty?

Mr. BORAH. I do not think the resolution would have that effect on the President with reference to what he shall do with the Versailles treaty. If I thought it would have the effect which the Senator from Nebraska thinks it will have, I would be very happy.

Mr. HITCHCOCK. I reiterate in closing that the joint resolution is not brought here for the purpose of making peace. We have peace. We have had it for years. We have an enormous trade with Germany at the present time. In most of the great products of the United States, Germany at the present stands only second among our great customers. Trade with Germany is growing more rapidly at the present time than our trade with any other country. Our exports to Germany now amount to something like $35,000,000 a month, and the imports from Germany are growing and will continue to grow as fast as they can in the face of legislation which you propose to pass to limit. That is not the purpose.

There has not been a Senator who has stood upon the floor here advocating the joint resolution who has been able to show a single valid reason why the joint resolution should be adopted. He has not been able to show a single benefit to come to the people of the United States as a result of the adoption of the resolution. But anyone can see that the passage of the joint resolution with specifications as to a separate treaty of peace with Germany and with the terms that shall be put into that treaty of peace with Germany is a palpable attempt to force the hands of the President of the United States, to dictate to him as to his foreign policy, and to carry out the threat made in the campaign that from now on the dominant faction of the Republican Party in the Senate proposes to conduct the foreign affairs of the United States.

Mr. JONES of New Mexico. Mr. President, I do not intend to enter into any lengthy discussion of the question which is now pending before the Senate. To me this is a most solemn occasion. I am not satisfied to cast the vote which I intend to cast upon the joint resolution without making a short statement of the reasons why I expect to take that stand.

There is no one in this body who is more anxious to bring about the peace of the world than am I. At the previous session of Congress, when we were considering the Versailles treaty, including the covenant of the League of Nations, I felt that this country could honorably ratify the Versailles treaty without any changes in it whatsoever. I felt that the honor and the dignity of this country would be maintained; that the pledges which it had made to the boys of the United States who went across the Atlantic would be kept. I did not believe that it would jeopardize any of the interests of our country.

But after a majority of the Senate decided that there should be reservations adopted, I was so anxious to bring about the peace of the world that when those reservations were placed upon the resolution for ratification I voted for ratification with those reservations, although some of them were extremely objectionable to me. So I believe that Senators recognize the position in which I am placed to-day. I wish to bring about peace in the world. I realize that this country needs stabilized conditions abroad. I think the dominant party in this country is making a great mistake in devoting its time and giving its attention to purely domestic affairs until our foreign relations are settled.

I do not believe that it will be possible to bring about business prosperity in the United States until we shall have settled our foreign affairs. I think that just as soon as this administration came into power its first duty to the people of the United States was to consider our relations abroad. Every time one picks up a newspaper he sees that the business depression in this country is increasing by leaps and bounds.

The President the other day appealed for a merchant marine. I want to call the attention of the President to the fact that we have a merchant marine, but that it is idle in the docks of our ports because our foreign relations are unsettled. I repeat that we can not bring about prosperity in this country until we bring about stabilized conditions abroad. The people who are holding their cotton, their wheat, their corn, their copper, and their manufactured products will not find a market until something be done to settle foreign conditions.

There may be some difference of opinion as to what was the issue of the last campaign; but I can not agree with the distinguished Senator from Idaho [Mr. BORAH] that the 31 leading Republicans who declared their belief as to what the issue of the campaign was had no followers throughout the country. I believe that they represented a very material proportion of the voters of this country. If it had been understood that this Nation was to take no part in the restoration of world civilization, I know as firmly as I can know anything resting upon uncertain facts that the result in New Mexico would have been different from what it was. Hundreds of thousands of Republicans expressed it as their opinion that the quickest and the best way to get into some league of nations, to bring about some concert of the nations of the world in order to preserve the peace of the world, was to elect a Republican President because we had a Republican Senate. But, Mr. President, be that as it may, that is a thing in the past. There can be no doubt as to what the issue is before the Senate to-day. It is perfectly plain. On the 6th day of April, 1917, the following resolution was adopted by Congress:

Whereas the Imperial German Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the state of war between the United States and the Imperial German Government which has been thrust upon the United States is hereby formally declared—

Declaring a state of war which had been thrust upon the people of the United States—

and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States.

That, Mr. President, was the joint resolution which we adopted on the 6th day of April, 1917. That was then a solemn occasion. In favor of that joint resolution I cast my first recorded vote in this body. I realized the responsibility which I assumed; I could picture the horrors which would necessarily follow the adoption of that resolution; but I believed that there was a great impelling reason for its passage. I felt that civilization was at stake; that there was a great end to be accomplished; that we were justified in marshaling all the forces of this land, as we later did.

Mr. President, while we went into that war inspired by the highest motives which ever inspired any nation on earth, what are we doing to-day? Is there any doubt about the effect of the action which this body is going to take? What are we going to do? You may interpret the resolution now before the Senate as you will, but it unmistakably means one thing. It means that we are ending this war without consummating or securing a single thing for which we went into the war. We are not only doing that, Mr. President, but, in my humble judgment, this resolution is an apology for our ever having entered the war. Its language can have no other reasonable construction, in my judgment.

I have here the report of the Foreign Relations Committee on the pending joint resolution, and the first thing to which I desire to call attention is the following.

Amend the title so as to read as follows:
"Repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes."

What is the principal purpose? It is to repeal the joint resolution which we adopted on April 6, 1917. Why is it desired to repeal that joint resolution? As has been suggested upon the floor of the Senate, what would be the purpose of repealing the act which authorized the building of the Panama Canal after the canal had been built? What purpose could thereby be served? There can be only one interpretation when it is undertaken to repeal an act of this kind, and that is that it is desired to apologize for ever having enacted it. The only portion of the joint resolution upon which we have to vote to-day which will be effective in any respect whatsoever is paragraph 1, which reads as follows:

That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

Mr. President, if it were the purpose of the joint resolution to make a technical ending of the war, there is nothing in the first paragraph which is necessary except the few last words which I have read. A simple declaration that the war is at an end would accomplish the entire purpose. The other paragraphs of the joint resolution are noneffective. All that has been claimed for them is that they give us some right to retain possession of the German property which was sequestered during the war. We sequestered that property by virtue of an act of Congress passed during the war. That act of Congress is in force to-day, and I should like for some good lawyer to explain to me how the legal conclusion can be arrived at, if that act would become ineffective by a resolution declaring the war status at an end, how by incorporating such a provision in this resolution it would become effective. I submit there is a distinction there without the slightest difference. It is idle to claim any such purpose.

Moreover, Mr. President, the subsequent clauses in a former resolution were given some efficacy. In the joint resolution which passed Congress in May, 1920, and which was vetoed by the President of the United States, the first paragraph was followed by a proviso which prevented it becoming effective until other things were accomplished; but now by the pending joint resolution we repeal the joint resolution of April 6, 1917, and declare the war at an end without any condition, unreservedly. The war thus ends, and, as I have said, without having consummated or securing a single purpose for which we entered the war and made the great sacrifices which the country has made. That is the situation.

Mr. President, do we want to do this thing? In the construction of any statute or resolution, it is a well-known legal rule that every word in a paragraph must be given some effect, if it is possible so to do.

The last few words declare the war at an end. What is the use of the other words? The main part of the paragraph is that part which repeals the joint resolution of April 6, 1917. What effect are you going to give to those words? They were put in there for some purpose; and, as I say, the only purpose which can be arrived at from the reading of the joint resolution is to apologize in an abject manner for our ever having passed the joint resolution of April 6, 1917.

Mr. President, I am unwilling to do that. I am unwilling to go before the people of this country and the world with the declaration that this war was fought in vain. There is no other purpose to be served by passing this joint resolution now. Why should there be such haste in passing this joint resolution? Why can it not wait until a treaty of peace can be brought about between this country and the Central Powers of Europe?

There is another thing that this joint resolution means. It means that in the near future we shall have a negotiated peace with Germany and Austria. That is what it means. Is that the purpose for which we fought the war? Is there anyone here who expected that this war would end thus abjectly, and make us suppliants at the feet of the Governments of Germany and Austria to bring about peaceful commercial relations for the future? Is that what you want?

I do not believe it, Mr. President. I do not believe that the people of this country are going to ratify the action which I am sure the Senate is going to take to-night. I have no doubt but that this joint resolution will pass, but I want to enter my most earnest and solemn protest against it. I feel that it is dishonor to our country, it is dishonor to those who made the supreme sacrifice at the behest and instance of this great country of ours.

I hope that this joint resolution may not ultimately pass as it is framed. I do not believe that it should be done. I think it is an ignominious attempt to discredit everything that our country did during the war. I do not know that I could state any more clearly than has been done the reasons why this joint resolution should not be passed. When the other joint resolution was passed by the Congress, the then President of the United States vetoed the resolution. I think his language was then expressive in a concise and emphatic way of the objections to such a joint resolution. I believe that those objections are just as potent now as they were then. I shall not take the time of the Senate to read them, but I ask that the veto message of the President on the passage of the former joint resolution be inserted in the RECORD as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

To the House of Representatives:

I herewith return, without my signature, House joint resolution 327, intended to repeal the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Austro-Hungarian Government, and to declare a state of peace. I have not felt at liberty to sign this joint resolution because I can not bring myself to become party to an action which would place an ineffaceable stain upon the gallantry and honor of the United States. The resolution seeks to establish peace with the German Empire without exacting from the German Government any action by way of setting right the infinite wrongs which it did to the peoples whom it attacked and whom we professed it our purpose to assist when we entered the war. Have we sacrificed the lives of more than 100,000 Americans and ruined the lives of thousands of others and brought upon thousands of American families an unhappiness that can never end for purposes which we do not now care to state or take further steps to attain? The attainment of these purposes is provided for in the treaty of Versailles by terms deemed adequate by the leading statesmen and experts of all the great peoples who were associated in the war against Germany. Do we now not care to join in the effort to save them?

We entered the war most reluctantly. Our people were profoundly disinclined to take part in a European war, and at last did so only because they became convinced that it could not in truth be regarded as only a European war, but must be regarded as a war in which civilization itself was involved and human rights of every kind as against a belligerent government. Moreover, when we entered the war we set forth very definitely the purposes for which we entered, partly because we did not wish to be considered as merely taking part in a European contest. This joint resolution which I return does not seek to accomplish any of these objects, but in effect makes a complete surrender of the rights of the United States so far as the German Government is concerned. A treaty of peace was signed at Versailles on the 28th of June last which did seek to accomplish the objects which we had declared to be in our minds, because all the great Governments and peoples which united against Germany had adopted our declarations of purpose as their own and had in solemn form embodied them in communications to the German Government preliminary to the armistice of November 11, 1918. But the treaty as signed at Versailles has been rejected by the Senate of the United States, though it has been ratified by Germany. By that rejection and by its method we have in effect declared that we wish to draw apart and pursue objects and interests of our own, unhampered by any connections of interest or of purpose with other Governments and peoples.

Notwithstanding the fact that upon our entrance into the war we professed to be seeking to assist in the maintenance of common interests, nothing is said in this resolution about the freedom of navigation upon the seas, or the reduction of armaments, or the vindication of the rights of Belgium, or the rectification of wrongs done to France, or the release of the Christian populations of the Ottoman Empire from the intolerable subjugation which they have had for so many generations to endure, or the establishment of an independent Polish State, or the continued maintenance of any kind of understanding among the great powers of the world which would be calculated to prevent in the future such outrages as Germany attempted and in part consummated. We have now in effect declared that we do not care to take any further risks or to assume any further responsibilities with regard to the freedom of nations or the sacredness of international obligation or the safety of independent peoples. Such a peace with Germany—a peace in which none of the essential interests which we had at heart when we entered the war is safeguarded—is, or ought to be, inconceivable, is inconsistent with the dignity of the United States, with the rights and liberties of her citizens, and with the very fundamental conditions of civilization.

I hope that in these statements I have sufficiently set forth the reasons why I have felt it incumbent upon me to withhold my signature.

WOODROW WILSON.

THE WHITE HOUSE,
May 27, 1920.

Mr. JONES of New Mexico. Mr. President, I wish also to call attention to a statement of the leader of the party on the other side of the Chamber. He said that there is no question but that the passage of this joint resolution will lead to a negotiated peace with Germany. I do not know how to characterize a negotiated peace with Germany in language as strong as that used by the leader of the Republican Party in this chamber. It has already been inserted in the RECORD, but I want to

close with repeating his words as my condemnation of this joint resolution:

In June, 1918, the senior Senator from Massachusetts [Mr. LODGE] said:

The President who delivered the war message and the Congress who voted for war would be guilty of the blackest crime if they were willing to make a peace on the status quo ante bellum and re-create the situation which existed before the war.

May I interpolate and inquire, if we pass this joint resolution, are we not re-creating the situation which existed prior to the war so far as the relations between the United States and Germany are concerned? Are we not restoring the status before the war? If so, it is a crime, in the language of the great Senator from Massachusetts:

If we sent our armies and our young men abroad to be killed and wounded in northern France and Flanders with no result but this, our entrance into the war with such an intention was a crime which nothing can justify. The intent of Congress and the intent of the President was that there could be no peace until we could create a situation where no such war as this could recur. We can not, in the first place, make peace except in company with our allies. It would brand us with everlasting dishonor, and bring ruin to us also if we undertook to make a separate peace.

That is precisely what this joint resolution means. It means that we are to make a separate peace with Germany. It means that we are to desert the Allies with whom we fought the war. It means the surrender of everything honorable and high in purpose which actuated us to engage in the war.

Mr. HARRISON. Mr. President, I shall not occupy the time of the Senate at any great length. I should not now say anything if it had not been for the speech of the distinguished Senator from Idaho [Mr. BORAH] and the utterance that he made to the effect that the issue before the American people in November and settled in that election was for a league of nations or any association, or against a league of nations or any association. The distinguished Senator stated that those who supported the Republican ticket in that election believed that by so doing they not only would be defeating this League of Nations as incorporated in the treaty of Versailles, but they would be putting an end to any association of nations to promote the peace of the world in the future.

Of course, I can understand how the distinguished Senator from Idaho was led into that belief. He was making speeches over the country, drawing great crowds, and winning tumultuous applause. He was talking against any league. He was consistent in the position then that he had taken from the time the League of Nations was first discussed. He has been one of the few Senators here who have been consistent on this proposition from the beginning, and he was led to believe that the other speakers in that campaign, and those who were promoting the candidacy of the Republican candidate, were taking the same position that he was taking; but they were not.

The Senator will recall that when the standard bearer of his party spoke at Des Moines, Iowa, and said that he had turned his back on the League of Nations, and that he was not only against reservations but against interpretations, I believe the expression was, there went up a howl all over this country, not only from Democratic sources but from Republican as well; and the howl was so great that it forced, as I stated in my remarks to-day, a cessation of argument and eloquence upon the part of the Senator from Idaho, and he remained off the stump a few days, and it was only a few days after that—the Senator will recall it, and I do not want this discussion to end without placing it in the RECORD—that the pressure on the managers of the Republican Party by the thousands of men and women in the Republican Party who believed in the ratification of the treaty of Versailles, with or without reservations in some form or other, was so great that it compelled the Republican candidate for President to issue a public statement to the American people.

Of course, it was quite significant and very fitting in that campaign that beneath the picture of the standard-bearer of the Republican Party on the billboards throughout this country the words "wiggle" and "wobble" should have been written, because certainly no one ever attempted to assert what would be the position of the Republican Party from one day to the other on this very important question. But I want to read from this statement, not because I think many of the Senators on the other side will listen to it—they remember it—but I want to read it especially for the benefit of the distinguished Senator from Idaho.

This ought to be a glorious occasion for him. It is a great triumph for him. Starting out almost single-handed and alone, with but a handful to help him, combating not only this side of the aisle but combating the Republican leadership on the other side of the aisle, and in that leadership at that time was the present President of the United States, they fighting for days and for weeks and for months for a league of nations and for the ratification of the treaty of Versailles, the Senator from Idaho almost single-handed and alone stood there and by his eloquence and his great influence has commanded the whole Republican Party to change front on the proposition.

I should like to have the Senator from Massachusetts [Mr. LODGE], the leader of the majority in this Chamber, listen again to what he read on the morning of October 12, the utterance given out in a prepared interview to the American people as to how the candidate of the Republican Party stood on an association or a league of nations. He was forced to do this, and I am not surprised at his action. I really believed that you were going to scrap the League of Nations. I believed, as the editorial that the Senator pointed out that appeared in the New York World said, that you would scrap the League of Nations; but what I object to, what I denounce, is a species of hypocrisy that promised the American people one thing and now you give them another thing. If you were for scrapping the League of Nations, why did not the leadership of the Republican Party, why did not the men who were carrying the banners of that party in October, say not only that you were going to scrap this league but that you were against the idea of a league of nations or any association?

But you did not do that, and here is what the President said in a prepared statement following his Des Moines speech:

It seems to me that there should not remain a shadow of a doubt as to my exact position as regards the proposed League of Nations as drafted at Paris and submitted to the Senate and as regards the great world sentiment for a better understanding among nations to discourage war and generally to advance civilization.

In all of his utterances he was talking about this proposed league as drafted at Paris. Of course, he had voted here for reservations. He had voted to change the league as drafted at Paris, and he could very well afford to tell the American people in this statement that he was opposed to the League of Nations as drafted at Paris and as submitted to the United States Senate. But he goes further. Ah, you can see the Italian hand here, trying to hold in line the distinguished Senator from Idaho [Mr. BORAH] and the distinguished Senator from California [Mr. JOHNSON] and the distinguished Senator from Illinois [Mr. MCCORMICK], so that they might go and talk to certain elements in the country who were opposed to any League of Nations, and arouse them to go out, and not only support, but espouse the cause of the Republican candidates, and still hand out this soft soap to those who really believed in a league of nations. The wonder to me is how he ever fooled a man of such stupendous ability and experience and training as the distinguished Senator from Idaho [Mr. BORAH].

Let me restate—

Says Candidate Harding—

my position as explicitly as my power of words permits.

Now he is going to give it to them. It is just as clear as mud. He said:

First, I am unalterably opposed to going into the League of Nations as that particular proposition now stands.

Of course, he had so voted here in the United States Senate. So had the Senator from Idaho and the Senator from California, and those who were following them.

That proposal is contemptuous of and potentially destructive of the American Constitution. It is not favored by the American people.

Second—

Here is where he expresses himself clearly—

I am in favor of a world association—call it what you will, the name is of slight consequence—that will discourage or tend to prevent war and that will encourage or tend to encourage a better understanding among the nations of the earth.

That was the statement which caught the present Secretary of State, which caught the present Secretary of Commerce, which caught Elihu Root, and Henry Stimson, and all of those thousands and millions of men and women who were for an association of nations to preserve the peace of the world.

Mr. MCKELLAR. Do not leave out Taft.

Mr. HARRISON. I want to read you what he said in a moment.

The old order of things is done with—

Says Candidate Harding—

not only in America but throughout the world, and the United States, always quick with sympathy, always just and usually led by common sense, must play its part in this new order.

How does that suit the distinguished Senator from Idaho? Oh, he says now that Harding is for scrapping the league. Yes; I think he is. But he was not for scrapping the league when he issued that statement to the American people, when the campaign was at its height, prepared on October 12, 1920.

Mr. WOLCOTT. When he was hunting for votes.

Mr. HARRISON. Yes; when he was hunting for votes, as the Senator suggests. Mr. Harding continued:

Third. I believe that such an association can be formulated without wrecking the Constitution, that remains the corner stone of our liberties and of our happiness, without seizing or filching the sovereignty that is our pride and our inspiration to fine living and good works.

* * * * * * *

Fifth. It is my purpose, when elected, to take the whole people into my confidence as regards these matters, to seek their advice, and more importantly, to act consonantly with their advice, and to this end it will be my pleasure as well as my duty to call into conference with me the best minds.

I understand he has called into conference the best minds, including in that number the distinguished Senator from California and the distinguished Senator from Idaho. Am I mistaken in that? The Senator from Idaho answers not. This statement continues:

I thank God that the time has come when I can ask the advice of American women, and especially the mothers of America, too.

The substance of these things has been said in some form or other in every address and I say it all definitely now, because I am not always fully reported, and I want America to understand my thought of cooperation as well as the abiding opposition to the league proposed.

So both understood it then, and both stood with him. I wonder if the Senator from Idaho stood with Candidate Harding on that proposition? The Senator answers not.

Now, one word further touching the understanding of the issue in that campaign. I cited to the Senate only to-day the list of names of those who appealed to the proleaguers of the country to support the Republican ticket, saying that they "believed we can most effectively advance the cause of international cooperation and permanent peace by supporting Mr. Harding for election to the Presidency."

But they were not all. The interview which Candidate Harding gave on the 12th of October satisfied thoroughly ex-President Taft, and so he said, in a telegram to the New York Times August 9, 1920:

I wish to have as many Republican Senators as possible stand by President Harding in the policy to which I believe the circumstances will lead him, of obtaining such an amendment of the present league as will retain the great benefits which the covenant without article 10 will confer on the world.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Idaho?

Mr. HARRISON. I yield to the Senator, and am glad to. I wonder if he agreed with that statement which appeared on the 12th of October, 1920?

Mr. BORAH. In view of the telegram which the Senator has just read, what does he think of ex-President Taft as a prophet?

Mr. HARRISON. Do I think he is a prophet? A very poor prophet, indeed. I think somebody misled the ex-President of the United States. But it does not seem to have been very hard work to mislead a good many folks in that campaign. The Senator from Idaho was a good prophet.

Here is a statement that was signed, among others, by A. Lawrence Lowell; and to show what the sentiment of the country was, this was signed, among others, by a distinguished Senator, a man of great influence in the western country, one who owns and edits a large number of newspapers, who, with certain classes of our people, is as powerful in his influence as any man I know of. Senator ARTHUR CAPPER is one of the signers of this. Other signers are William Howard Taft, A. Lawrence Lowell, Harry A. Garfield, Oscar M. Straus, Henry W. Taft, George W. Wickersham, and Talcott Williams, all distinguished Republicans. Here is what they said on March 18, 1919:

From constant touch with every part of the United States the officers of the league are confident that the present spasm of opposition—

That was when the Senator from Idaho was afflicted on the floor here—

That the present spasm of opposition to the Paris plan—

The Paris plan—

is due mainly to misrepresentation backed by reactionary elements of our population who fear that a change in our methods of handling international questions will interfere with their vested privileges. This is the real basis of the opposition. It is supported also by some who, under the guise of patriotism—

I do not know whom they had in mind at that time—

seek to advance their personal political fortunes.

I think most of the men who opposed this League of Nations from the very start did it very conscientiously. The men who now oppose it, but who pretended to be for it, are the ones that the American people should condemn, not those who consistently from the beginning thought it was a bad thing and fought it here like men upon the floor of the Senate.

But it is disheartening to think that so many men whose eloquence has been poured forth in this Chamber, whose energies have been exerted in behalf of the treaty of Versailles and the League of Nations, now favor adopting a separate treaty with Germany, scrapping the treaty of Versailles.

But I have some other very interesting reading here. I have what George W. Wickersham said about this Knox resolution. But let me read what Senator LENROOT, a distinguished Republican leader, said about the League of Nations.

He takes issue with the Senator from Idaho. He said:

The country ought to know that with very few exceptions the Members of this body, irrespective of party, are in favor of a League of Nations, and the country ought to know that with very few exceptions the Republican Members of the Senate are in favor of the league now proposed, provided reservations are made protecting the rights and interests of the United States.

* * * I stated then (in a speech made in the Senate on February 28, 1919), and I am convinced now, that we should enter a League of Nations to help preserve the peace of the world, and that the plan proposed is a great forward step in this direction.

I believe the United States can and should be protected by proper reservations, and with such reservations the league may be of great value in preventing future wars and securing a better understanding between nations.

So that the RECORD may show it, I want to read an excerpt from a speech that was delivered by the author of this resolution in June, 1910. Senator KNOX, in a commencement-day address before the University of Pennsylvania, at that time employed these words:

We have reached a point when it is evident the future holds in store a time when wars shall cease; when the nations of the earth shall realize a federation as real and vital as that now subsisting between the component parts of single States; when by deliberate international conjunction the strong shall universally help the weak; and when the corporate righteousness of the world shall compel unrighteousness to disappear and shall destroy the habitations of cruelty lingering in the dark places of the earth.

I want to read what the distinguished Senator from Missouri said about this—not the senior Senator from Missouri [Mr. REED] but the junior Senator from Missouri [Mr. SPENCER].

This was in a statement telegraphed to the St. Louis Dispatch in May, 1919:

I believe that the Knox resolution (to separate the peace treaty from the League of Nations) should be so changed that the Senate could go on record as being in sympathy with a League of Nations covenant. I do not intend to vote for a resolution that would put myself and the Senate on record as distinctly hostile to the United States entering such a league.

So, Mr. President and Senators, such were the views of distinguished Republican leaders in the last campaign. Thousands and thousands of votes were cast for the Republican ticket in the belief that the treaty of Versailles would be ratified in one form or another, and the issue was not presented, as I take it, as expressed by the distinguished Senator from Idaho.

SEVERAL SENATORS. Let us vote!

Mr. TOWNSEND. Mr. President, I realize that it would be entirely improper for me to make a speech at this time, but I think those who call for a vote and who occupy much more time on the floor than I do will bear witness that I do not occupy much of the time of the Senate. I should like to present some reasons for an amendment which I propose to offer, but the Senate is not in a frame of mind to listen, and I think it would do very little good even if I were to present it.

I am as weary as anyone could be of the political debate which has taken place here and which has held us here for most of the day, without any attempt at all to discuss the real issue before the Senate. I take it that those Senators who indulge in that practice so often must believe that it is of some value to them before their constituents. I can not conceive that it is of value anywhere else, and I have a rather low estimate of a constituency that is controlled by that kind of oratory.

I am not impressed with the great importance of the pending joint resolution taken under any view that may be given. I do think, however, that the country expects us to put an end to this anomalous condition known as war. There is no political speech which can be made that can satisfy the country that it is not an anomalous condition, if not in fact a farce. The rest of the country is aware that the nations of the rest of the world are at peace. We are in fact at peace.

I should like to do the thing that we all are professing to want to do, namely, make that declaration and that alone. I do not mean that it might not be necessary to accompany it with some of the statements or specifications which are attached to the joint resolution, but I am now talking about the first paragraph, paragraph 1 of the joint resolution. What we are after is to say that that state of war which existed on April 6, 1917, is now at an end. I do not think it is necessary to repeal the declaration which was made at that time; we can not repeal the effect of it; yet by saying so we might possibly invite some of the difficulties and the troubles which some Senators have pointed out here to-day. So, without occupying any further

time, I send to the desk the following amendment, which I shall propose.

The VICE PRESIDENT. The Secretary will read the proposed amendment to the amendment of the committee.

The ASSISTANT SECRETARY. Strike out the first paragraph in the proposed amendment of the committee and insert in lieu thereof the following:

That the state of war declared by Congress on April 6, 1917, to exist between the Imperial German Government and the Government and people of the United States of America is hereby declared at an end.

Mr. UNDERWOOD. Mr. President, I merely wish to say in reference to the Senator's amendment that, although I am not in favor of the joint resolution even if it is amended, I think it would be in far better keeping with parliamentary practice, and we would know far more what is meant, and we certainly would not be guilty of an apology if we adopted his amendment. I shall therefore vote for his amendment, although even if so amended, I expect to vote against the joint resolution.

Mr. HEFLIN. Mr. President, the headlines on the front page of the Washington Post this morning said:

France will march alone if allied support fails.

When I read that my mind went back to the time when France, heroic France, pouring out her blood on the battle field, was holding back as best she could the German Army. And I now recall the time when the daily press here at home told us each morning that the French were being pushed back closer and closer to Paris and the British soldiers were being pressed back *nearer and* nearer to the English Channel. I remember the anxious times when we were saying, "If they can only hold the German line until our troops arrive we can save the day."

I recall the time when our boys left their homes in the East and West and North and South, put on the uniform of their country, and carried our flag to the seaside. I saw them embark upon a sea infested with German submarines, the desperadoes of the deep. I recall those dreadful days, Mr. President. No light was permitted upon the decks of our ships at sea. Our boys down in the bodies of the vessels were risking their lives every minute of the time as they went over to France to help put down the German Army, that sought not only to conquer Europe, but, as soon as that task had been accomplished to march with streaming banners through Berlin as it shouted "On to America."

I recall the time when the Congress of the United States in solemn session, speaking for the American people, indicted the German Government; when it recited the crimes committed by that Government against us and the civilized world, and upon the provisions set out in that resolution we went to war with Germany. I recall that the allied nations pledged to each other that we would fight together to the end; that we would not make a separate peace, but that we all together would write the peace treaty.

We have condemned Russia for deserting the Allies during the war. Poor, war-torn, distracted, chaotic Russia, and yet we criticize her for deserting the Allies in time of war. And here we are, right at the very time when Germany is halting and hesitating as to whether or not she will obey the mandates of the victorious allied powers, about to abandon our comrades in arms. We not only do that but we encourage Germany to believe that we are not now in sympathy with the things we fought for in the war with her.

We are asked not only to repeal the joint resolution which indicted her and declared war against her, but we are called upon in this resolution to apologize to Germany for what we did at that time. We are requested to wipe that indictment from the statute books of the United States—to remove it from the pages of our history. We charged in that resolution that Germany was guilty of certain crimes and stood convicted at the judgment bar of the civilized world, and yet here you are ready to do as Germany would have you do, truckle and get on your knees and put yourselves in the attitude of giving Germany the right to say what the terms of peace shall be with our brave boys and the people of the United States.

Senators, 4,000,000 of young men, the bravest and best blood that ever marshaled beneath a flag, went across the sea to put an end to this war commenced by Germany. Germany is dickering in this country to-day with her propaganda. Her spies are here now. They have been working for months trying to alienate us from our brave allies who fought side by side with us on the battle fields of France.

Germany could not accomplish her devilish purpose as she stood before the United States Army on the battle fields of France. Is she now going to accomplish through a certain kind of politics and German diplomacy what she could not accomplish before the upstanding soldiers of our country on the battle field? Is she about to succeed in having this country do now what she wanted it to do a year and more ago? If so, the situation is really alarming.

The Senator from Illinois [Mr. MCCORMICK] in his speech complains that it will take some time to undo the harm done in international affairs by the former administration in eight years' time, and in his powerful and ponderous appeal reminded us that we must not expect the present administration in just a few weeks to correct all of these evils. The step we are taking to-day complicates matters more than ever. I am in favor of a peace treaty with Germany in keeping with our rights and honor in the premises. This shameful makeshift that you propose practically says to Germany, "Go tell our allies that we are no longer interested in a just settlement of your differences and no longer concerned whether you have peace or war in the Old World."

The Senator from Illinois falls out with Lloyd-George and takes a small fling at him. I regard Lloyd-George as one of the greatest statesmen that lives to-day or that has ever lived. He is a very remarkable man. I do not know whether the Senator from Illinois has fallen out with him because of a little controversy that grew out of an interview said to have been had with Lloyd-George that the Senator gave to the press on his return from Europe, when he was reputed from some source to be representing in some capacity the United States, and Lloyd-George felt called upon to explain away the impression made by the published statement of the Senator from Illinois.

I just happened to recall this interesting incident.

The Senator from Illinois, in an interview not long ago, referred to ex-President Wilson in a rather cold and sarcastic way. He said:

The world has forgotten Dr. Wilson; let us do so, too.

Of course, you understand, Senators, that he was referring to ex-President Wilson. I wonder if the Senator really thinks that the world has forgotten ex-President Wilson? The Senator himself, in the magnitude of his own estimation, is a considerable part and parcel of the world, and the Senator from Illinois does not seem to have forgotten him. He refers to him to-day and talks about the harm he has done in his eight years' administration. Mr. President, the good things of the Wilson administration will live long after the political career of the Senator from Illinois has been forgotten. You can not dispose of the former President in any such manner. No man who is willing to hazard his all and die for a cause can be forgotten. In the annals of history those who traduce and slander him will die in a day, but the man who dares to risk his life, his all, in order to prevent the recurrence of another such war can not die in the affections and memories of the people who love peace and hate war.

Senator BORAH, the able, eloquent, and fearless Senator from Idaho, has always opposed the League of Nations. He ought to be happy to-day. His efforts have borne fruit. He has fought this thing from the beginning. When others around him said, "We favor some sort of a league," he said, "I am opposed to any kind of a league." Like Horatius at the bridge and Leonidas at Thermopylæ, the part he played won for him the honors of the occasion. All honor to him.

Mr. President, I remember a great many things in connection with this matter, but I will not punish Senators on the other side by keeping them here at any great length to hear them recited, for I heard two or three Senators over there a while ago cry, "Vote! Vote!" When I listened to the torrents of convincing logic poured into the other side of the Chamber this morning by the senior Senator from Arkansas [Mr. ROBINSON], by the Senator from Mississippi [Mr. HARRISON], then later on by the Senator from Nebraska [Mr. HITCHCOCK], and then by the Senator from New Mexico [Mr. JONES], I could understand why you wanted to end the debate and vote.

Senators on the other side of the Chamber want to get through with this gruesome thing; you want to be done with it. After you have passed it—and you have the votes to pass it—you will go out of this Chamber saying, in a whisper, some of you, "I am glad we are through with the blamed thing." [Laughter.]

Senators on the other side brought this resolution in here and had it pending for a week or 10 days. None of them has said a word about it until to-day. Why? Because they did not want to go on record. They said, "The least that we can say about this thing the better it will be, because some of us have said that we are going to have some sort of a league, while others have said that we were not going to have any kind of a league. If we get this thing up here and go to discussing it, the Senator from Idaho [Mr. BORAH] is liable to get on the war-path and tell the truth about the whole thing. If ever he gets started on it, he will tell the truth, as will the Senator from

California [Mr. JOHNSON]"; and so they did. Now, the resolution is here, poor, disgraceful, shameful thing, and Senators on the other side have had to come to its rescue.

Senators, in conclusion let me say that I know the gun and ammunition makers of the world do not want any understanding between the nations. I know that those who profit by war do not want anything that will stop war. I know there are those who believe in great standing armies, big war equipment, and in universal military training which will take every boy out of the homes of America at tremendous expense to the taxpayers of America. There are those who would have a system of universal military training such as Germany had, and a military autocracy such as Germany had. That is what some of you are hoping to have; you are going to try to force it upon us in this country. Universal military training is going to be a part of your program a little later on. I know that those who want to make money out of guns and munitions do not want any association of nations, any League of Nations, or any international tribunal. I know that we have that influence to fight.

It was all right, Senators, to go into an alliance with European powers to the extent of $10,000,000,000 in loans, and to the extent of more than $10,000,000,000 expended out of our pockets for guns and munitions and war supplies; it was all right to muster 4,000,000 of the bravest, best boys that ever battled, and send 2,000,000 "over there" to stay for nearly two years; but it is all wrong to take a chance of two years' time in a league looking to the prevention of war and the promotion of peace. Senators, you are going to have to answer for this to the American people.

A Senator on the other side has said that there was not any defense of the League of Nations anywhere except in the Senate. I make a patriotic address now and then out in the States, and I always refer to the league, and I pay a tribute to the man who championed the cause of peace, and nowhere East, West, North, or South have I ever spoken and mentioned the league and Woodrow Wilson that the men and women in the audience did not express their approval with applause. So do not get it into your heads that there is no sentiment in the country for an international agreement looking to the promotion of peace and the prevention of war.

Gen. Grant knew what an awful and cruel thing war was, and one of the last things he ever said was that we must have some sort of an international agreement by which disputes between nations may be arbitrated. Senators know why the gun and ammunition makers do not want the covenant of the League of Nations, do they not? It is because that covenant has in it provisions for the arbitration of disputes between nations and a proposal for disarmament. If we arbitrate, there will be no war, and if we cut down war equipment, then the inducement to fight will not be present. So if we do either or both, the gun and ammunition makers will not make the money they have made, and they do not want any such prospect as that to appear in view.

Senators, I think of the boys who sleep this night in France; I think of the boys who are crippled out at Walter Reed Hospital. I have seen them, God bless them! Some of them with both eyes gone; some of them with half their faces torn away; some of them with both legs gone; some with both legs and one arm gone.

These are the remnants of the brave Army, whose troops went out in possession of all their faculties and went over to fight in France for you and for me—to accomplish what? Not only to achieve liberty and preserve our institutions and prevent a foreign foe from coming here, but to prevent the recurrence of another such war.

Here we are, more than two years after the armistice, making no effort at international peace, making no contribution to the readjustment or reconstruction of a world rent and torn by war, passing a resolution that pleases nobody but the military masters of Germany. Why? They said, "When you went to war with us you accused us of high crimes; you wrote that in your resolution; it is a severe indictment against the German Government. We want you not only to say the war is at an end, but take that indictment off your books."

Is that to be done? Is Germany to receive some sort of grateful remembrance for some of the votes you received last fall? Bernstorff said, "We can look for no arrangement with America until a new President is elected. Then we shall have it." It looks as if he were a pretty good prophet, does it not?

Senators, a soldier who served in the World War talked to me this morning on my way to the office and said: "As an American soldier, who served in France, I resent this performance. What did we go to France for? Are we not to set up some sort of an institution looking to the promotion of peace and the prevention of war? Have we made all of our sacrifices in vain? Has all this vast sum of money been expended for nothing? Is all of it to go up in smoke and nothing to be done looking toward protecting us from another such catastrophe in the future?" I replied, "I believe as you do. I am in favor of doing the thing necessary to prevent war."

Mr. President, Senators on the other side of the Chamber have the votes to pass the resolution, and I am going to conclude my remarks and not detain the Senate longer; but this question is not dead; do not believe that it is. The Senator from Mississippi spoke a parable to you when he told you there were millions of people who voted your ticket with the understanding that they were going to work for the establishment of some sort of league or association of nations that would seek to prevent war in the future.

Whenever it is made clear to the American people that the Republican Party of this day is through with trying to establish more cordial relations with the nations of the earth in the effort to establish world peace they are going to be through with you. Every time one of you gets up over there you refer to that 7,000,000 majority you got. I reminded you once before that Mr. Taft went in by a million majority and went out by unanimous consent. [Laughter.] You keep up the steady progress that you are making now in doing nothing of value, and the Lord only knows what we will do to you even in the next election.

The American people are watching you. They are looking in upon the situation here. They are seeing what you are doing and what you are trying to do.

Mr. President, let the vote on the resolution come. I want to see the day come, and come speedily, when this Nation under God shall take her place, her rightful place, in the family of nations. I want to see this great Nation, the richest of all the nations of the earth, take the lead. She is entitled to lead. She was leading. The leaders of the Republican Party threw down that leadership. I am in favor of getting it back and letting America take the place that she should take and hold in the estimation and in the affections of the nations of the earth. I want the power of this Government expressed, not in anything that would alienate us from the nations of the earth, but in those things that will bind us together in the bonds of international peace.

I want the nations of the earth to love the United States as they did when the President left Paris with this treaty, coming home. No leader of any Government ever left a foreign capital so loved and esteemed by the nations of the world as Woodrow Wilson did when he started home. He is broken now; he is lame and halt, but he made his sacrifice. He fought a good fight. He kept the faith. He struggled for peace, and the God of Peace, I believe, will spare him to see the Nation that he loved yet take her place on the side of humanity, on the side of our boys as against the gun and bullet makers of the Nation, on the side of those who love peace and hate war, who shall work for righteousness, the upbuilding and betterment of mankind.

Mr. STANLEY. Mr. President, were I seeking a simple partisan advantage rather than the good of my country I should rejoice at this hour. There is no doubt, no question of doubt, that the great majority of the American people, that the heart of the world, hungrily longs for some concert among the powerful nations of the world for the establishment of peace and the abolition of war. There is no doubt and no question of doubt that the great majority of the American people agreed with the Senator from Massachusetts [Mr. LODGE] when he declared that a slacker peace, that a separate peace, that an understanding by this Nation with Germany independent of and disregardful of the rights of our allies, would be a thing of infamy.

To-day, at this hour, we can make a peace with Germany as a victor. Pass this joint resolution and you tie your hands, you gag your mouths, you throw away ruthlessly, blindly, madly, all that a hundred thousand dead have gained, that 200,000 maimed have won, that 2,000,000 across the seas have fought to gain. You have no rights that a neutral would not have. You have no rights that you would not have had had you never spent a dollar and never sacrificed the life of a hero.

This scene, this act, is tragic. It is pathetic. You are drunk with power, gentlemen, upon the other side. Whom the gods wish to destroy they first make mad; and this act of separate peace with Germany is political madness. You recant all that your leaders, with a few exceptions, have said. You turn your backs upon the solemn pledges of your own candidate. You destroy the proud position earned by the blood and sacrifice of heroes, and you place yourselves upon the level of conquered

Germany. When you are ready to ask a peace, it will not be as a conqueror but as an equal with the conquered.

As a Democrat, I can rejoice at this act of consummate folly. As a patriot, I could weep for the stained honor of my country.

The VICE PRESIDENT. The first question is on the amendment offered by the Senator from Michigan [Mr. TOWNSEND] to the amendment of the committee.

Mr. UNDERWOOD. Let the amendment be stated, so that the Senate may be advised as to its nature.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to strike out the first paragraph in the proposed amendment of the committee and to insert in lieu thereof the following:

That the state of war declared by Congress on April 6, 1917, to exist between the Imperial German Government and the Government and people of the United States of America is hereby declared at an end.

Mr. McKELLAR. I ask for the yeas and nays on agreeing to the amendment to the amendment.

Mr. LODGE. Mr. President, I only desire to say that that question was very carefully considered by the committee, and the committee decided that the direct method was the best.

With all respect to the Senator from Michigan, for whom I have great regard, I hope the amendment will not be agreed to.

Mr. WILLIAMS. Mr. President, the Senator from Massachusetts [Mr. LODGE] has just expressed a hope that the amendment proposed by the Senator from Michigan shall not be agreed to, and has given for it one reason, and one reason only, to wit, that he and certain other Republican Senators carefully considered it and concluded that it ought not to be adopted.

Mr. LODGE. I gave other reasons this morning when I discussed it, and I am not going to detain the Senate by making a speech at this time.

Mr. WILLIAMS. Why! I do not expect the Senator to do it. I do not want him to do it. It would not gratify my feelings if he did; but, Mr. President, I hope I am at liberty to say, in response to what the Senator said, to declare that although we may follow the unprecedented path of making a declaration of peace by congressional assertion or, rather, a recognition of the fact that peace already exists by congressional declaration, we shall not apologize by repeal for the immortal declaration which recited the crimes of Germany and declared that a state of war existed because of them.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Michigan [Mr. TOWNSEND] to the amendment of the committee, on which the yeas and nays have been demanded.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. BALL (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the junior Senator from Kentucky [Mr. ERNST] and will vote. I vote "nay."

Mr. BROUSSARD (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Louisiana [Mr. RANSDELL] and will vote. I vote "yea."

Mr. DIAL (when his name was called). I have a pair with the senior Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will vote. I vote "yea."

Mr. MYERS (when his name was called). I have a pair with the junior Senator from Connecticut [Mr. McLEAN], who is absent. I am unable to obtain a transfer, and I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. NELSON (when his name was called). On this vote I am paired with the junior Senator from Pennsylvania [Mr. KNOX]. If he were present, he would vote "nay," and if I were at liberty to vote I would vote "yea."

Mr. OVERMAN (when his name was called). On this vote I am paired with the senior Senator from Missouri [Mr. REED], who has been compelled to leave the Senate. If he were present, he would vote "nay" and I would vote "yea."

Mr. SIMMONS (when his name was called). Upon this vote I have a pair with the junior Senator from Minnesota [Mr. KELLOGG]. If he were present, he would vote "nay" and I would vote "yea." I regret that I am unable to obtain a transfer.

Mr. DIAL (when Mr. SMITH's name was called). My colleague [Mr. SMITH] is detained on official business. He has a pair with the Senator from South Dakota [Mr. STERLING]. If we were present, he would vote "yea."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I can transfer that pair on the resolution itself, when it comes to a vote on that, but as to the pending amendment to the amendment, not knowing how he would vote, I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. NEW (when the name of Mr. WATSON of Indiana was called). My colleague [Mr. WATSON of Indiana] is absent on official business. If he were present he would vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON], whose absence has been announced. If he were present, as indicated, he would vote "nay." I very much regret my inability to vote because of this pair. If I could vote, I would vote "yea."

Mr. KING (after having voted in the affirmative). I have a general pair with the senior Senator from North Dakota [Mr. McCUMBER]. I regret very much that he is absent, but in view of that fact I am compelled to withdraw my vote. If he were present he would vote "nay," and I should vote "yea."

Mr. SHIELDS. I desire to announce the necessary absence of the junior Senator from Massachusetts [Mr. WALSH]. He was unable to obtain a pair before he left.

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague, the senior Senator from Florida [Mr. FLETCHER]. He has a general pair with the junior Senator from Delaware [Mr. BALL]. If my colleague were present, he would vote "yea" upon the amendment to the amendment.

Mr. CURTIS. I desire to announce the pair of the senior Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN].

Mr. UNDERWOOD. I wish to announce the absence of the senior Senator from Oklahoma [Mr. OWEN]. He has a pair with the senior Senator from New Jersey [Mr. EDGE]. If the Senator from Oklahoma were present, he would vote "yea" on the amendment to the amendment.

The result was announced—yeas 26, nays 44, as follows:

YEAS—26.

Ashurst	Harrison	Pomerene	Trammell
Broussard	Heflin	Robinson	Underwood
Caraway	Hitchcock	Sheppard	Walsh, Mont.
Dial	Jones, N. Mex	Shields	Watson, Ga.
Gerry	Kendrick	Stanley	Williams
Glass	McKellar	Swanson	
Harris	Pittman	Townsend	

NAYS—44.

Ball	Fernald	La Follette	Penrose
Borah	France	Lenroot	Poindexter
Brandegee	Frelinghuysen	Lodge	Shortridge
Bursum	Gooding	McCormick	Smoot
Cameron	Hale	McKinley	Spencer
Capper	Harreld	McNary	Stanfield
Colt	Johnson	New	Sutherland
Cummins	Jones, Wash.	Nicholson	Wadsworth
Curtis	Kenyon	Norbeck	Warren
Dillingham	Keyes	Norris	Weller
Elkins	Ladd	Oddie	Willis

NOT VOTING—26.

Calder	Knox	Overman	Smith
Culberson	McCumber	Owen	Sterling
Edge	McLean	Page	Walsh, Mass.
Ernst	Moses	Phipps	Watson, Ind.
Fletcher	Myers	Ransdell	Wolcott
Kellogg	Nelson	Reed	
King	Newberry	Simmons	

So Mr. TOWNSEND's amendment to the amendment of the committee was rejected.

Mr. LENROOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment to the amendment.

The ASSISTANT SECRETARY. On page 6, line 3, in the proposed amendment of the committee, strike out the word "and" and insert the word "or," so that it will read:

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit, or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America, or to which the United States of America is or may become entitled as one of the principal allied and associated powers.

Mr. LODGE. As far as I have the power to do so, I accept that amendment to the amendment. I think it is a proper and necessary change in the wording.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to.

Mr. KING. Mr. President, during the day and in the course of the discussion of the pending joint resolution I called attention to three substitutes which I stated I might offer for the

resolution now under consideration. One of the proposed substitutes was substantially that offered by the Senator from Michigan [Mr. TOWNSEND], and which has just been voted upon.

It is not necessary for me further to discuss the other substitutes which I had to offer. In view of the manifest determination of the majority to support with practical unanimity the resolution as it has been reported by the committee, and in view of the fact that any substitute which might be offered which would cure the manifold errors, blunders, and wrongs, if not crimes, in the pending resolution would be voted down, I shall not offer the amendments but shall content myself by voting against the resolution which has been reported from the committee.

The VICE PRESIDENT. The question is on the committee amendment as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The joint resolution is still as in Committee of the Whole and open to amendment.

Mr. LA FOLLETTE. Mr. President, I shall vote for the resolution, because it ends the technical state of war existing at the present time between the United States and Germany. We are not making a treaty. Whenever a treaty is made with Germany it will be submitted to the Senate, and the Senate will have its constitutional part in the making of that treaty.

Whatever there may be in this resolution outside of the effective part which ends war I regard as mere surplusage, and I here declare that in any vote I may hereafter be privileged to make of record upon any treaty which may hereafter be submitted I shall hold myself free to exercise my judgment and vote my conscience with respect to its terms and its provisions whenever such treaty may be submitted to the Senate for ratification.

Mr. WOLCOTT. Mr. President, I do not propose to consume any time at all in discussing the resolution. I had not intended to say a single word. I want the RECORD to make note of the fact as prominently as I can make it that I am opposed to this resolution.

I have a permanent or standing pair with the senior Senator from Indiana [Mr. WATSON]. In the column of names as they appear in the CONGRESSIONAL RECORD showing those who vote yea and those who vote nay, my name, by reason of this pair, will not appear. The inquirer, if he is at all interested in how I voted, will have to examine the little paragraphs after the roll call. I want somewhere in the RECORD to appear, outside of those formal notations, the fact that I am opposed to this resolution. To me it is such a shocking thing; it borders on national disgrace to adopt it, and I want the RECORD to show that I am opposed to it, though my name will not appear in the roll call.

The joint resolution was reported to the Senate as amended.

Mr. FRANCE. Mr. President, I desire to say that I have long been persuaded that when we passed the peace resolution we should also authorize the President to call an international conference of the nations to deal with the great international problems confronting the world, problems which can not be solved by any individual nation. I announced on yesterday that I would offer an amendment which would authorize the President to call an international conference looking to the inauguration of a concert of nations for such cooperation. In view of the lateness of the hour and the impossibility of discussing earlier the amendment which I wanted to offer, I have decided to offer my amendment at another time, when there will be a full opportunity for discussion. Therefore I shall not offer my amendment now.

Mr. MYERS. Mr. President, when a joint resolution similar to the pending joint resolution was disposed of by the Senate about a year ago, I voted against it. At that time I had some hope and thought that there might yet be a chance for the United States to ratify the treaty of Versailles and enter the League of Nations. But that hope was extinguished in my breast by the result of the election last fall.

I have been from the beginning a very ardent, earnest, sincere, and conscientious supporter of the League of Nations, and have been in favor of the United States entering it. I voted to ratify it without reservations and with reservations. I voted to ratify when the President of the United States sent it to the Senate, and I voted to ratify it with all the Lodge reservations. I think there are few Members of this body who have voted as often as I have voted for the United States to enter the League of Nations. There are probably somewhere between half a dozen and a dozen, but no more.

However, I consider that the verdict of the people of the country last fall was against the ratification of that treaty. I think I know a Gettysburg or a Waterloo when I participate in it on the losing side. I can see no hope of the United States ratifying that treaty and entering the League of Nations for a good many years to come at any rate, if ever at all.

It is said that we can make peace with Germany and Austria by a ratification of a treaty of peace, but it is not in the power of Congress to do that. Congress does not have the power of negotiating peace treaties. That is for the Chief Executive of the United States, and no such proposal has been made to us aside from the one President Wilson sent us, which I am very sorry was not ratified. The present Chief Executive does not seem to have any disposition to place before this body a treaty of peace with Germany or with Austria; but, on the contrary, has recommended this course, and it appears to me it is this course or nothing.

If we reject this joint resolution, how long are we to maintain the absurd and grotesque fiction of being at war with Germany when everyone knows we are not and when it is our duty to return to a status of peace as soon as possible? It seems to me if the joint resolution is not passed we are interminably and indefinitely to keep up the absurd fiction of being at war with Germany, when I believe the world needs peace and I believe the United States needs peace. I believe we need peace right now more than anything else, and I believe it is the duty of the United States to take the lead in making peace. I believe that our export trade would be vastly increased if we passed the pending joint resolution. Our exports for March of this year were $750,000,000 less than they were for March a year ago. If we pass the joint resolution I believe it will improve our export trade and will the sooner enable Germany to get on her feet and pay her reparations to the Entente Allies, and in turn the sooner enable them to pay us what they owe us or to pay the interest on their debt at any rate. Therefore I shall vote for the passage of the joint resolution.

Mr. WILLIAMS. Mr. President, I doubt not that right after Christ was crucified some of his disciples or the people who thought they were his disciples gave him up as a lost cause, but I remember that with the resurrection there came the beginning of the real battle between Christianity and the world. I listened with much attention to the Senator from Montana [Mr. MYERS], and I think he is disposed to act a little like the early discouraged disciples. If the Senator thinks that the principle of the League of Nations is dead, he has made a mistake.

Mr. MYERS. If the Senator will pardon me, I do not think the principle is dead.

Mr. WILLIAMS. The principle of the League of Nations itself will resurrect itself by the will of God, the God of peace and of humanity, and of God fatherhood and of man brotherhood, and it can not be killed by a little election in the United States of America, a small part of one planet in one great solar system, which itself is a small part of God's providence.

Mr. MYERS. Mr. President, will the Senator yield to me a moment?

Mr. WILLIAMS. Certainly.

Mr. MYERS. I do not believe the principle is dead, but I do not believe there is any more prospect of reviving the League of Nations in this country in the next four years than there is of reviving the right of secession in this country.

Mr. WILLIAMS. Soon after Christ was crucified I doubt not that a great many people said, "After all the Sadducees knew what they were doing; the Pharisees have acted wisely"; and I know that the mob in Jerusalem cried, "Thanks to God in the highest" to that conclusion. But, Mr. President, there was a distinguished American admiral who, when his ship was sinking, was asked whether he surrendered or not, and he replied, in ever memorable words, "Pshaw! I have just begun to fight."

No man of wisdom expected a people devoted to national isolation for over 100 years upon the first occasion when the question was argued to decide in favor of taking a commanding part in the politics of the world and in the cause of international brotherhood of man all over the world. I did not expect it. I did not leave my plantation while the campaign was going on, because I knew that the first decision must necessarily be adverse. It was contradicting the history of the people of the United States and seemingly contradicting the factors of their policies; but I also knew then and know now that there will be a League of Nations to keep the peace of the world, and that it will be accompanied and effectually accomplished by something like article 10, with force behind it to make governments and diplomats keep the peace of the world.

I know that the good time is coming when any nation on this earth which dares make war without previously having agreed to leave the controversy concerning which it goes to war to

some consensus of world opinion, being the consensus of the organized civilized nations of the world, will itself become an outlaw, a public enemy to the entire civilized world, and will be trodden under foot like any common criminal in the city of Washington is trodden under foot when he dares defy the law. It will become the law of nations that it shall be, as it is already the law of God, as it was the law and will of Jesus Christ. Every Christian prays for it every night, if he prays at all, when he says, "Thy will be done and Thy kingdom come on earth."

I believe in the resurrection. I am not disturbed by the crucifixion. You crucified Wilson and his world cause, as you thought; and you think now that you crucified the cause, but we have just begun to fight, and the cause will be an issue in American politics until you and I are dead, unless it wins before we die. You can not stamp it out, because you can not stamp out the will of God. You can not fight it down, because you can not tread down the eternal idea of the fatherhood of God and the brotherhood of man. You can not make it dead, sure enough, although it is apparently crucified, because you can not extinguish the eternal Word, "Peace on earth, to men good will." It is coming, and it is coming notwithstanding you or anybody else who cry now, as the other mob in Jerusalem cried, "Crucify Him, crucify Him, crucify Him," and after the crucifixion said, "The Sadducees and the Pharisees and the Sanhedrim are right."

There is a "God in history," and all the history of the world proves that His will has been prevailing more and more all the time, and a part of that will is that in a given State there must be a settlement of controversies by courts, and among nations a settlement of controversies by an international tribunal with will and power to enforce its decrees. We have now arrived at the point where we have begun to discuss the question that amongst the States themselves there must be the settlement of controversies by courts or by tribunals or by arbitration or by consensus of public international opinion.

We have just begun the advocacy of a covenant for that purpose. The fight has just begun. America has been isolated for 100 years. Thirty-one nations have said they want to do what we refused to do, because they have not been isolated and their national traditions were not in the teeth of what they wanted to do, while what was proposed to be done *was* in the teeth of our own history. We have to convert the unconverted, but it is coming; it is coming as surely as the sun's rays are coming out some time, no matter how long they may be under the clouds; it is coming as surely as the dawn will come, no matter how long the night.

It is coming in spite of German and Irish and Fiume-Italian and some mistaken real American votes of a foolish and passing generation.

It is coming just as surely as man's impulses are for good and not for bad, as surely as the survival of the fittest amongst men is not the survival of the strongest or most cruel or most poisonous as among beasts; but is the survival of the most humane, the most human, the most manlike, and, therefore, the most godlike—the fittest for men and God.

I scorn the idea that the fight is lost. I scorn every proposition to the effect that there is any good cause in the world which is permanently a lost cause. It can not be. The right element in any cause must be finally gained because God reigns. The right is bound to prevail. I am glad that Hoover and I am glad that Hughes are in the Cabinet. If there is the slightest degree of intellectual honesty or consistency in either one of them; if there be such elements about them—and I hope there are—that they will gradually guide the President of the United States into a course which will be more and more, day by day, in unison with the principles announced in the League of Nations. I do not care what else is in a league of nations to keep peace among men except those two things; that there shall be an international agreement to that effect, and that there shall also be a further agreement that the agreement itself shall be enforced by force—holy and unstinted force—military, naval, economic, whatever is necessary, to make a criminal and outlaw nation keep the peace. It is coming; it must come. I believe it or else instead of being theistical I would become atheistical.

Mr. LENROOT. Mr. President, a few moments ago an amendment to the amendment proposed by me was adopted by unanimous consent. I think it is necessary to have the same amendment in that part of the treaty referring to Austria. Therefore I move to amend, on page 8, in line 12, by striking out the word "and" and inserting the word "or."

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to. The question is on concurring in the amendment as amended.

SEVERAL SENATORS. Let it be read.

The amendment as amended was read, as follows:

Resolved, etc., That the joint resolution of Congress passed April 6, 1917, declaring a state of war to exist between the Imperial German Government and the Government and people of the United States of America, and making provisions to prosecute the same, be, and the same is hereby, repealed, and said state of war is hereby declared at an end.

That all property of the Imperial German Government, or its successor or successors, and of all German nationals which was, on April 6, 1917, in, or has since that date come into, the possession or under control of the Government of the United States of America, or of any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America, and no disposition thereof made except as shall have been heretofore or specifically hereafter shall be provided by Congress, until such time as the German Government has, by treaty with the United States of America, ratification whereof is to be made by and with the advice and consent of the Senate, made suitable provisions for the satisfaction of all claims against the German Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of German Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, American, or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also provisions granting to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and confirming to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the German Government or German nationals, and waiving any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Germany to the contrary notwithstanding.

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of Versailles, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same, under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof or otherwise, or which under the treaty of Versailles have been stipulated for its benefit or for the benefit of its nationals, with the same force and effect as if said treaty of Versailles had been ratified by the United States of America, or to which the United States of America is or may become entitled as one of the principal allied and associated powers.

That the joint resolution of Congress approved December 7, 1917, declaring that "a state of war exists between the Imperial and Royal Austro-Hungarian Government and the Government and the people of the United States of America, and making provisions to prosecute the same," be, and he same is hereby, repealed, and said state of war is hereby declared at an end.

That all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all nationals of the Austrian Empire or the Kingdom of Hungary which was on April 6, 1917, in or has since that date come into the possession or under the control of the Government of the United States of America or of any of its officers, agents, or employees from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by Congress, until such time as the Austrian Government has by treaty with the United States of America, ratification whereof is to be made by and with the advice and consent of the Senate, made suitable provisions for the satisfaction of all claims against the Austrian Government of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America, and who have suffered through the acts of the Austrian Government or its agents since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in Austrian, American, or other corporations, or in consequence of hostilities or of any operations of war or otherwise, and also provisions granting to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce, and industrial property rights, and confirming to the United States of America all fines, forfeitures, penalties, and seizures imposed or made by the United States of America during the war, whether in respect to the property of the Austrian Government or nationals of the Austrian Empire, and waiving any and all pecuniary claims based on events which occurred at any time before the coming into force of such treaty, any existing treaty between the United States of America and Austria to the contrary notwithstanding.

That until by treaty or act or joint resolution of Congress it shall be determined otherwise, the United States of America, although it has not ratified the treaty of St. Germain or the treaty of Trianon, reserves for itself and its nationals all of the rights, powers, claims, privileges, indemnities, reparations, or advantages to which it and its nationals are or may become entitled, together with the right to enforce the same under the terms of the armistice signed November 3, 1918, or any extensions or modifications thereof, or otherwise, or which under the treaty of St. Germain or the treaty of Trianon have been stipulated for its benefits or for the benefit of its nationals with the same force and effect as if said treaty of St. Germain and the treaty of Trianon had been ratified by the United States of America, or to which the United States of America is or may become entitled as one of the principal allied and associated powers.

The VICE PRESIDENT. The question is on concurring in the amendment as amended.

The amendment as amended was concurred in.

The joint resolution was ordered to be engrossed for a third reading, and was read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

Mr. UNDERWOOD. I ask for the yeas and nays on the passage of the joint resolution.

The yeas and nays were ordered, and the Assistant Secretary proceeded to call the roll.

Mr. BALL (when his name was called). Making the same announcement as to my pair and its transfer as on the previous vote, I vote "yea."

Mr. BROUSSARD (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I transfer that pair to the senior Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. DIAL (when his name was called). I have a pair with the Senator from Colorado [Mr. PHIPPS]. I transfer that pair to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. TRAMMELL (when Mr. FLETCHER's name was called). I desire to announce the unavoidable absence of my colleague, the senior Senator from Florida [Mr. FLETCHER]. He has a pair with the Senator from Delaware [Mr. BALL]. If my colleague were present, he would vote "nay."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. I am informed, however, that if he were present he would vote as I intend to vote. I therefore feel at liberty to vote, and vote "yea."

Mr. NELSON (when his name was called). On this question I have a pair with the junior Senator from Pennsylvania [Mr. KNOX]. If he were present, he would vote "yea," and if I were at liberty to vote I should vote "nay."

Mr. OVERMAN (when his name was called). At the earnest solicitation of the Senator from Missouri [Mr. REED], who was obliged to leave the city, I agreed to pair with him on this vote. If he were present, he would vote "yea" and I should vote "nay."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who is unavoidably absent. If he were present, he would vote "yea," and if I were at liberty to vote I should vote "nay."

Mr. DIAL (when the name of Mr. SMITH was called). I desire to announce that my colleague [Mr. SMITH] is detained on official business. He has a pair with the Senator from South Dakota [Mr. STERLING]. If my colleague were present, he would vote "nay."

Mr. STERLING (when his name was called). Announcing my pair as on the previous vote, I transfer that pair to the Senator from Vermont [Mr. PAGE] and vote "yea."

Mr. SIMMONS (when the name of Mr. WALSH of Massachusetts was called). I am requested to announce that the Senator from Massachusetts [Mr. WALSH] is unavoidably absent. I am advised that if he were present he would vote "yea."

Mr. NEW (when the name of Mr. WATSON of Indiana was called). I am requested to announce the absence of my colleague [Mr. WATSON of Indiana] on official business. He is paired with the Senator from Delaware [Mr. Wolcott]. If present and permitted to vote, my colleague would vote "yea."

Mr. WOLCOTT (when his name was called). As just stated by his colleague, I have a general pair with the Senator from Indiana [Mr. WATSON], who would vote as announced. Under the obligations of that pair, I am not permitted to vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. KING (after having voted in the negative). I very much regret that I am compelled to withdraw my vote. I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. Being unable to secure a transfer, I am compelled to withdraw my vote.

Mr. STANLEY. I desire to announce that the Senator from Texas [Mr. CULBERSON], under a transfer, stands paired with the Senator from Colorado [Mr. PHIPPS]. If present and at liberty to vote, the Senator from Texas would vote "nay."

Mr. UNDERWOOD. I am requested to announce the absence of the senior Senator from Oklahoma [Mr. OWEN] on account of important business. He is paired with the Senator from New Jersey [Mr. EDGE]. If he were present, the Senator from Oklahoma would vote "nay."

Mr. BROUSSARD. The senior Senator from Louisiana [Mr. RANSDELL] requests me to make the announcement that he is unavoidably detained. If he were present, he would vote "nay."

Mr. CURTIS. I desire to announce the absence of the Senator from Kentucky [Mr. ERNST], on account of illness in his family, and that if present he would vote for the joint resolution.

I also desire to announce that the Senator from New York [Mr. CALDER] is necessarily absent, and if present would vote for the joint resolution. He has a general pair with the Senator from Georgia [Mr. HARRIS].

I desire further to announce that the Senator from New Hampshire [Mr. MOSES], the Senator from Colorado [Mr. PHIPPS], and the Senator from New Jersey [Mr. EDGE] are unavoidably absent. If present, they would vote for the joint resolution.

I desire also to announce that the Senator from Vermont [Mr. PAGE] is necessarily absent. If present, he would vote for the joint resolution.

The result was announced—yeas 49, nays 23, as follows:

YEAS—49.

Ball	Frelinghuysen	McKinley	Spencer
Borah	Gooding	McNary	Stanfield
Brandegee	Hale	Myers	Sterling
Bursum	Harreld	New	Sutherland
Cameron	Johnson	Nicholson	Townsend
Capper	Jones, Wash.	Norbeck	Wadsworth
Colt	Kenyon	Norris	Warren
Cummins	Keyes	Oddie	Watson, Ga.
Curtis	Ladd	Penrose	Weller
Dillingham	La Follette	Poindexter	Willis
Elkins	Lenroot	Shields	
Fernald	Lodge	Shortridge	
France	McCormick	Smoot	

NAYS—23.

Ashurst	Harris	McKellar	Swanson
Broussard	Harrison	Pittman	Trammell
Caraway	Heflin	Pomerene	Underwood
Dial	Hitchcock	Robinson	Walsh, Mont.
Gerry	Jones, N. Mex.	Sheppard	Williams
Glass	Kendrick	Stanley	

NOT VOTING—24.

Calder	King	Newberry	Reed
Culberson	Knox	Overman	Simmons
Edge	McCumber	Owen	Smith
Ernst	McLean	Page	Walsh, Mass.
Fletcher	Moses	Phipps	Watson, Ind.
Kellogg	Nelson	Ransdell	Wolcott

So the joint resolution was passed.

The title was amended so as to read: "A joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes."

EMERGENCY TARIFF.

Mr. PENROSE. Mr. President, I am directed by the Committee on Finance to report back to the Senate with an amendment and with the recommendation that it pass the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes. I also submit a report (No. 16) thereon.

I desire to inform the Senate that I shall endeavor to call the measure up for consideration either on Monday or at the latest on Tuesday of next week, the purpose being to expedite its consideration and passage as rapidly as may be.

The VICE PRESIDENT. The bill will be placed on the calendar.

RESTRICTION OF IMMIGRATION.

Mr. DILLINGHAM, from the Committee on Immigration, to which was referred the bill (H. R. 4075) to limit the immigration of aliens into the United States, reported it with an amendment in the nature of a substitute and submitted a report (No. 17) thereon.

ADJOURNMENT.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, May 2, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 30, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, offered the following prayer:

Almighty God, all is well: Therefore we lift our hearts to Thee in common thanksgiving, and bless Thee for daily care. Gladden every life, and direct us with a gentle constraint to bear and forbear. Fill our land with peace and contentment, and abide with our President. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 78. An act authorizing the appointment of an additional judge for the district of North Dakota;

S. 1077. An act to authorize the payment of $5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915; and

S. 1078. An act to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 78. An act authorizing the appointment of an additional judge for the district of North Dakota; to the Committee on the Judiciary.

S. 1077. An act to authorize the payment of $5,000 to the Government of Japan for the benefit of the family of Torahachi Uratake, a Japanese subject, killed at Schofield Barracks, Hawaii, on November 25, 1915; to the Committee on Foreign Affairs.

S. 1078. An act to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject, killed at Camp Geronimo, Mexico, May 25, 1916; to the Committee on Foreign Affairs.

BRIDGE ACROSS MAHONING RIVER, OHIO.

Mr. COOPER of Ohio. Mr. Speaker, I move to take from the Speaker's table Senate bill 407.

The SPEAKER. The gentleman from Ohio moves to take from the Speaker's table Senate bill 407, a similar House bill having been reported from the committee. The Clerk will report it.

The Clerk read as follows:

An act (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

Be it enacted, etc., That the consent of Congress is hereby granted to the Trumbull Steel Co. and its successors and assigns to construct, maintain, and operate, at a point suitable to the interests of navigation, a bridge and approaches thereto across the Mahoning River, near the city of Warren, in the county of Trumbull, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. COOPER of Ohio. Yes.

Mr. WALSH. Was the House bill reported before the Senate bill came over?

Mr. COOPER of Ohio. It was. Mr. Speaker, if I may have the attention of the House for just a moment, I wish to say that this seems like an insignificant bill, but it is of very vital importance to one of the great manufacturing industries of my district. This bill is similar to one whch has been reported by the Committee on Interstate and Foreign Commerce and is the first bill on the House Calendar, No. 2. I will appreciate it very much if the House can consider this bill and pass it at this time.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. COOPER of Ohio, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. Without objection, the similar House bill is laid on the table.

There was no objection.

ARMY APPROPRIATION BILL.

Mr. ANTHONY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Connecticut [Mr. TILSON] will please resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the futher consideration of the bill H. R. 5010, the Army appropriation bill, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the Army appropriation bill. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 5010) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

The Clerk read as follows:

AIR SERVICE.

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft; and all necessary spare parts and equipment connected therewith; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas and sewerage, including, maintenance, operation, and repair of such utilities at such plants; for the acquisition of land or interest in land by purchase, lease, or condemnation where necessary to explore for, procure, or reserve helium gas, and also for the purchase, manufacture, construction, maintenance, and operation of plants for the production thereof and experimentation therewith; salaries and wages of civilian employees as may be necessary, and payment of their traveling and other necessary expenses as authorized by existing law; experimental investigation and purchase and development of new types of aircraft, accessories thereto, and aviation engines, including patents and other rights thereto, and plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of airships, balloons, and other aerial machines, including instruments, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of such consulting engineers at experimental stations of the Air Service as the Secretary of War may deem necessary, including necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Service; for printing and binding, including supplies, equipment, and repairs for such Air Service printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies, and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft, $19,200,000: *Provided*, That not to exceed $4,000,000 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding $250,000 may be expended for experimentation conservation, and production of helium; not exceeding $4,300,000 may be expended for experimental and research work with airplanes or lighter-than-air craft and their equipment, including the pay of necessary civilian employees; not exceeding $500,000 may be expended for the production of lighter-than-air equipment; and not exceeding $350,000 may be expended for improvement of stations, hangars, and gas plants: *Provided further*, That not less than $5,500,000 shall be expended for the production and purchase of new airplanes and their equipment, spare parts, and accessories: *Provided further*, That claims not exceeding $250 in amount for damages to persons and private property resulting from the operation of aircraft at home and abroad may be settled out of the funds appropriated hereunder, when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post, and approved by the Chief of Air Service: *Provided further*, That claims so settled and paid from the sum hereby appropriated shall not exceed in the aggregate the sum of $10,000: *Provided further*, That section 3648, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation: *And provided further*, That the Secretary of War is authorized to pay out of funds appropriated for the Air Service of the Army for the fiscal year 1920 the sum of $1,079.02 to Frank D. Kohn for the use and occupation, for the period from July 1, 1919, to January 9, 1920, of the lands upon which the Air Service engine and plane repair depot is now located near the city of Montgomery, Ala.

Mr. SISSON. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the last word.

Mr. SISSON. On page 13, line 25, with reference to the payment of claims, after the words "Chief of Air Service," does not the gentleman think the words "and the approval of the Secretary of War" should be added?

Mr. ANTHONY. The sum is so small, $250, that it was not thought necessary. I remember that question came up at the time that section was considered in the committee, but we thought it probably was not worth bothering the Secretary of War about.

Mr. SISSON. My recollection is not distinct as to what action occurred in the committee with reference to the matter, but I recollect that we discussed it, and my indistinct recollection is that we agreed that absolutely no harm would be done to have the approval of the Secretary of War. This would be a special safeguard to the appropriation in the event there were a great many of these claims. Or in the event there was any abuse of the power vested here in the Chief of the Air Service I still think that that at least would be a safeguard, and as long as it is not abused of course it would rarely, if ever, come to the Secretary of War.

Mr. ANTHONY. The gentleman desires to add the words "and the Secretary of War"?

Mr. SISSON. Yes.

Mr. ANTHONY. I think that would be acceptable.

Mr. SISSON. Mr. Chairman, I move that after the words "Chief of Air Service," on line 25, page 13, there be added "and the Secretary of War."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Amendment offered by Mr. SISSON: Page 13, line 25, after the words "Chief of Air Service," add the words "and the Secretary of War."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HICKS. Mr. Chairman, I move to strike out the last two words, for the purpose of asking the chairman of the committee a question.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. HICKS. Can the chairman of the committee give us any information as to the total cost of aviation in the Army? By "total cost" I mean not merely what we have given under this special head of "Aviation," but the total cost, including pay, subsistence, and other items really chargeable to aviation, but included in other appropriations rather than the subhead "Aviation."

Mr. ANTHONY. We have not the total figures, but taking officers and enlisted men who are carried under "Pay of the Army," of course it will amount to very large figures and run the total very much higher than the $19,000,000 apparent in this paragraph.

Mr. HICKS. Does it approximate something like $45,000,000, probably?

Mr. ANTHONY. No; it would not run that high.

Mr. HICKS. It would probably go to $40,000,000?

Mr. ANTHONY. No. It would probably go to $28,000,000 or $30,000,000, in my opinion.

Mr. HICKS. I rather think the gentleman will find, if he puts in all these items that might be charged to aviation, that they will run approximately to $40,000,000. My purpose in asking the question was to find out if possible what aviation is costing the Government. In the Navy we are subdividing those charges in an endeavor to bring together all the items chargeable against aviation, and we have been somewhat surprised at the grand total of that sum. It runs far in excess, of course, of what is carried in the bill under the title of "Aviation." and it will run probably in the Navy for the last year close to $30,000,000; and I imagine in the Army it will run probably five or ten millions higher than that. I want to say, however, that some of the items chargeable to aviation perhaps are really charges that run against the whole naval service and should not be charged against aviation.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. GREENE of Vermont. Does the gentleman think it safe bookkeeping to charge as a part of the special items of expense the overhead carried in the Army in that way, regardless of the particular activity in which the officers and enlisted men are employed, whose employment might be in some other field if it were not in this?

Mr. HICKS. Personally, Mr. Chairman, I agree with the gentleman from Vermont [Mr. GREENE]. I do not think that the pay and subsistence of aviators and ground men whose salaries come out of the pay of the Army should be chargeable to aviation; but in the Navy we are doing that, and I think we ought to have uniform methods of accounting of these expenditures, so that we can arrive at a proper comparison as to costs of both branches of the service.

Mr. ANTHONY. I think I can give the gentleman the figures he asked for. There are 8,000 enlisted men in the Air Service, and estimating their annual average cost at $2,000 each, that would make $16,000,000 for the enlisted personnel. For the commissioned personnel, figuring 1,200 officers at an average of $3,000 would give us $3,600,000, making about $19,600,000, in addition to the amount appropriated in this bill as total cost of Air Service, which would be very nearly the $40,000,000 of which the gentleman spoke.

Mr. HICKS. The cost of subsistence would have to be added.

Mr. ANTHONY. That is included in the $2,000 per man.

Mr. HICKS. I thank the gentleman. Now, one other question. Does this bill contemplate increasing the number of air stations throughout the country?

Mr. ANTHONY. No; it contemplates diminishing them, because under the appropriations for the Air Service they will have to cut off a number of stations that are now being operated.

Mr. HICKS. But there is no limit fixed by the bill to the number of Air Service stations in the United States, is there?

Mr. ANTHONY. No; it is left to the War Department to work out a suitable plan under the amount appropriated in the bill.

Mr. HICKS. As a matter of fact, is the Army reducing its number of air stations in the entire country?

Mr. ANTHONY. They have been cutting off quite a number.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McKENZIE. Mr. Chairman, I move to strike out the last two or three words, for the purpose of asking the chairman of the committee [Mr. ANTHONY] a question or two.

I desire to ask the gentleman from Kansas whether or not in the consideration of this appropriation for the Air Service it was considered that any part of this appropriation should be expended for aircraft in the National Guard or reserve forces?

Mr. ANTHONY. It was not so intended.

Mr. McKENZIE. And it is not intended that any part of it shall be used for that purpose?

Mr. ANTHONY. We intended that the reserve forces should use the stations and the machines of the Air Service during their 15 days' training, but beyond that we did not figure on any outside use of the aircraft, and I think the sentiment of the committee is rather opposed to equipping the National Guard with air units.

Mr. McKENZIE. My purpose in asking this question was simply to call the attention of Members of the House to what seems to be the entering wedge of a policy of the War Department to launch the National Guard and the reserve forces of our country in the Aircraft Service. In my judgment, which may not be worth much, it would be a very grave mistake. For instance, if we give aircraft to the National Guard of New York, we will have to give aircraft to the National Guard of Wyoming when it is organized, and we will have to give it to Illinois and all of the other States, so that there would be no end to the expenditure of money, but as a practical military asset, in my judgment, it would be worth very little.

Mr. SISSON. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. SISSON. I will state to the gentleman from Illinois that the subcommittee entertained exactly the idea that he is expressing, and I am very glad he is making the statement now, so that it will appear in the RECORD, that it is not the intention of the subcommittee, nor is there anything in this bill which warrants the extending of the Air Service to the National Guard of the various States.

Mr. McKENZIE. I want to say further that my question was prompted by some information that has come to the subcommittee, of which I am a member, in trying to get an inventory of the real estate belonging to the Military Establishment, and in a number of instances I find that air fields or flying fields are recommended for retention for use by the National Guard and the reserve forces of the Army, and I hope that the War Department will take notice of the fact that Congress does not feel that it would be wise at this time to engage in that sort of expenditure.

Mr. MacGREGOR. Mr. Chairman, I move to strike out the last word. Yesterday, yielding to the seductive charm of my friend, the gentleman from Tennessee [Mr. GARRETT], the minority leader, I made a concession which I think was too broad, in which he made me to appear to concede that the previous administration was entirely honest and perfectly square. [Laughter.]

Mr. SANDERS of Indiana. I should think that would take in a good deal of territory.

Mr. MACGREGOR. My mind at that time was directed to the office of the Director of Sales as at present constituted, and my concession was limited to that subject. I have been striving to get at the state of mind of the chairman of the subcommittee on the Army appropriation bill [Mr. ANTHONY] with reference to the disposition of surplus property, and I find in the hearing before the committee the following:

Mr. ANTHONY. You have a military organization in the Quartermaster Department and possibly in other departments selling this surplus?

Secretary BAKER. Yes.

Mr. ANTHONY. Why could they not carry on the work entirely?

Secretary BAKER. It may be they can; I hope they will have gotten it to such a point that they can, but the sale of vast quantities of accumulated supplies does require the consultation of civilian experts.

Mr. ANTHONY. Do you not think it would be possible to clean up the work necessary to be done by your civilian force between now and the end of the present fiscal year, so that all of the work in the future can be done through these departments?

Secretary BAKER. I think it would be a pity for you to put a limitation upon the contingent fund at the disposal of the Secretary of War that would prevent him from employing experts if he needed them. In the report of the Quartermaster General for 1898, I think it is, there is a complaint that the department had not even been able to dispose of the accumulated raincoats which had been bought in 1864.

Recently I saw a report that some wagons and lumber which had been bought for Civil War purposes were still reposing in some yard in the neighborhood of New York City. With this immense amount of property on hand it is impossible to dispose of it effectively and that the vast amount of money tied up in it can be put back into the Treasury without an active, intelligent, energetic business cooperation. The value of the property on hand in the Air Service—and that is why I state it in connection with this particular paragraph—is $451,340,000 plus, and the value of the property declared surplus in the Air Service is $135,000,000. Out of these $3,722,000,000 much more than $500,000,000 should be recovered. I fear that if you leave it to the administration solely of men who are in the military service we will not get as much out of it as if we put a little more money into it and put active business men behind it. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Chairman, the gentleman from Illinois and the gentleman from Mississippi, and all gentlemen who have spoken on this subject seem to think that any expenditure made for the Air Service is rather in the nature of a luxury. Mr. Chairman, I devoutly wish that we could look forward to the day when we shall never have to participate in another war. The day probably is far remote when we shall be in no danger of engaging in war.

I predict in this connection that the next great war will be principally waged from the air by the use of airplanes and the use of chemicals. A niggardly policy toward the Air Service and Chemical Warfare Service in the years to come will be an unwise course if we would prepare this country for whatever may confront us. Infantry and Artillery will play a smaller part in the next great war. My judgment is that we should pursue a policy of preparation with respect to the Air Service and Chemical Warfare that will make us able to meet the greatest nations in the world in the use of those instruments of warfare.

Mr. LAYTON. Will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. LAYTON. We have a good many men here like our distinguished friend from California and others who represent the Navy. The gentleman from Kansas is representing the Air Service and the Chemical Warfare. In other words, it seems that when we all get through we are going to become the most warlike and aggressive nation on the face of the earth. When are we going to quit?

Mr. CAMPBELL of Kansas. Mr. Chairman, I wish we could abandon entirely every activity that looks toward war. But I think it would be very unwise at this time while other great nations are preparing in every way that they can to meet the eventualities of the future, that we should not make preparations for any condition that may arise, and I think these conditions will have to be met in the air and by chemical warfare. It will be far less expensive than any other preparation. [Applause.]

Mr. GREENE of Vermont. Mr. Chairman, I do not know whether the patience of the committee will indulge me in a few brief suggestions as to the remarks made by the gentleman from Kansas. But I suppose on a Saturday afternoon we can dawdle a little on this bill, because there is no pressing necessity at least for its passage.

The same argument that the gentleman makes with reference to modern inventions, that it is going to put Infantry and Artillery out of business, was probably delivered under the earliest instances of which we have any record when the council that sent Hannibal into Italy suggested that if he take along a few elephants it would annihilate the Roman Army. He did not do it. From that day down to the present time the wit and genius of mankind has been employed trying to invent a mechanical substitute for the lives, intelligence, and the personal morale of the human army, and they can not do it and never have. [Applause.] It can not be done.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GREENE of Vermont. Certainly.

Mr. CAMPBELL of Kansas. A very great human intelligence is required both in the Air Service and in Chemical Warfare Service; the very highest type of intelligence is required in the exercise of both.

Mr. GREENE of Vermont. Unquestionably, but that was not the argument I was making. I said that every man that is behind the activities of military matters must by the very nature and circumstances be intelligent enough to direct the agency with which he is intrusted. I am making my reference to the gentleman's suggestion that the battle is to be removed from earth and taken into the air, and I refuse to follow the gentleman into the air in any such argument. The first man who undertook to fly, he and his son——

Mr. ANTHONY. Darius Green?

Mr. GREENE of Vermont. No; it was before the time of Darius Green, but this man and his son rigged themselves up with wings and the son flew so near the sun that the sun melted the wax from the wings and he had to come back to earth with a splash into the sea.

The same thing is true of all academic statements when they say that the genius of man can invent a machine that will do more than the man can do himself. The gentleman forgets that back of every machine that is created by man must be human intelligences to run it, and those human intelligences again are simply put into combat with other human intelligences who are presumed to have as high a standard of intelligence as their competitors. You do not get anywhere—it is a vicious circle. It means one group inventing a certain machine and trying to overcome the destructive power of other machines, but back of all machines is the same human mind and the same human personnel. Every kind of device ever since, nobody knows how much before, Hannibal's time—but that is a very conspicuous incident or illustration that every sleepy schoolboy on a good fishing afternoon well remembers—has been proposed with the same idea and met the same result. A man could sit down with paper or a blackboard and draw a chart showing the destructive power that resides in an elephant against a certain number of men. Therefore, all you have to do is to divide the number of men by the number of elephants needed to annihilate them, and you can change the pages of history. They undertook to do it, and the only things that were left on the pages of history when they got through were the men. The elephants turned tail and ran. It is the same thing always. You will never get much further. Just as soon as some one invented the rifle to take the place of the old fowling piece, folks said then that only a few men were necessary to annihilate all of the other men on the other side. They forgot that the men on the other side were just as human and had just as much inventive genius, just as high a standardized intelligence as they themselves. They did not propose to stand themselves up in blocks of so many to each rifle to be shot down, just to prove the theory of the enemy.

Mr. MADDEN. And the chances are that they had rifles themselves.

Mr. GREENE of Vermont. Exactly.

On this question of the air, I am quite as strongly impressed with the wonderful possibilities of the Air Service as is my friend from Kansas [Mr. CAMPBELL]. I share with him in the admiration for the marvelous genius of mankind that has so far so much subdued the air to our employment and use. I share with him the idea that doubtless we have only begun to unfold a little part of the practical usefulness of the Air Service even in time of peace. But I think we would make a great mistake, if I may say so respectfully to my friend, if having become possessed of a new idea we should become so much absorbed in it that we should forget all of the mighty mountains of truth that we learned before we came to that idea. The sense of proportion ought to linger with us still. As long as men are made as they are, submitted to the same physical conditions, human intelligence will be better than any machine that any human intelligence can devise, and we will be fighting in the old three dimensions quite as much as we will in this new fourth that has been found.

Mr. KINDRED. Mr. Chairman, will the gentleman explain something about the new fourth dimension?

Mr. GREENE of Vermont. If it were new, I could explain it, because nobody would know anything about it and they would take my word for it. [Laughter.]

Mr. SANDERS of Indiana. How about the question of relativity?

Mr. GREENE of Vermont. The Einstein theory?

Mr. SANDERS of Indiana. Yes.

Mr. GREENE of Vermont. It is quite as applicable to it as most that I have said.

I only hope that we will not get away from the discussion of a few fundamentals in considering this matter. When you get all through with it, no invention of mankind since the old, old days in the first gray mists of history has ever taken the place of this one fundamental military experience. The real army is the Infantry. [Applause.] All other phases of military agencies and activities are auxiliaries of the Infantry. The man with the gun or the sword and the pistol in his hand is not only the decisive moral equation of combat, but the reason for war itself. It is all combined in him. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. HARRISON. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to extend my remarks in the RECORD by including therein a report made by the liquidating committee as to the total cost of the Air Service during the war.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. McCLINTIC. Mr. Chairman, reserving the right to object, is this just a statistical report?

Mr. HARRISON. Yes.

Mr. McCLINTIC. I have not objected to the insertion of statistical matters.

The CHAIRMAN. The Chair hears no objection.

The matter referred to is as follows:

[Reprinted from Aviation and Aircraft Journal of Apr. 25.]

WHAT $598,090,781 BOUGHT IN WAR AVIATION—DETAILS NOW AVAILABLE OF ACHIEVEMENTS OF OUR AVIATORS AND COST OF WAR AIR EFFORT HERE AND ABROAD.

The final official account of the work of our Air Service at home and abroad is now available. In last week's issue a detailed statement was published of the war aviation appropriation showing $582,562,781 has been returned to the United States Treasury. The detailed cost of our war aviation during 1917 and 1918 is also now made public for the first time through the compilation of liquidation reports by Aviation and Aircraft Journal. The official statement follows:

"ACTIVITIES AT THE FRONT.

"American flying officers, with the American armies, with the royal air force, with the independent air force, with the French, and with the Italians, destroyed 781 airplanes and 73 balloons, a total of 854 enemy aircraft, actually confirmed, it being impossible to furnish records of nonconfirmed successes, of which there were many. The American losses in airplanes and balloons to the enemy were 289 airplanes and 48 balloons, a total American loss of 337. The superiority of the American Air Service is shown by the confirmation of almost three times as many enemy airplanes shot down as American airplanes lost to the enemy, and nearly twice as many balloons. The actual battle fatalities of the entire United States Air Service personnel with the American, British, French, and Italian Armies for the entire war was 227. It is not possible, of course, to know the exact number of fatalities of the enemy incurred in their loss to the Americans of 854 airplanes and balloons, but it may be assumed that the majority of these airplane losses represent fatalities.

"American airplane pilots spent 35,747 hours over the lines, participated in 150 bombing raids on the western front, dropping 255,000 pounds of explosives. The 37 squadrons in operation in the first and second American armies, whose flying hours for pilots are given herein, flew 966 hours per squadron, although these units had been at the front periods varying from one day to seven months. The American hours nearly equal the hours flown by the Belgians during the entire war. The British squadrons flew 1,292 hours per squadron on all fronts, active and inactive. One thousand six hundred and forty-two balloon ascensions were made by American flying officers in the zone of advance, with a total of 3,111 hours. These balloons made 316 artillery adjustments and were attacked 89 times by enemy aircraft. One hundred and sixteen parachute drops were made from balloons. The aerial observers employed in photography made 17,854 photographs of enemy positions and distributed for interpretation and other purposes 585,000 prints. The activities of the Air Service in training and at the front were carried on from 73 airdromes in the zone of advance alone. Nearly 600 American and foreign decorations were awarded to Air Service officers and soldiers up to May 1, 1919, and the list has been increased since.

"PERSONNEL WITH THE ARMIES.

"On the day of the armistice there were 45 American squadrons and 23 balloon companies assigned to American armies and to the French, Italian, and British air forces. Twelve of these squadrons had American-made DH–4 airplanes. There had been sent 1,230 pilots and 749 observers to the American zone of advance. There were actually at the American front on armistice day 767 pilots and 481 observers, as well as radio and other specialists, both flying and nonflying, and 172 pilots and 20 observers at the front with the allied air forces, not to mention other personnel. Other flying officers were, of course, in reserve and in training. Thirty-five balloon companies were in the American Expeditionary Forces on November 11, 1918.

"FLYING TRAINING.

"During the war period there were commissioned in the Air Service, both flying and nonflying, a total of 20,708, of which 12,449, over 60 per cent, were trained for flying duty as airplane pilots, balloon pilots, airplane and balloon observers, airplane gunners, bombardiers, etc. In this training for the fiscal year 1917–18 only, not to the end of training even, there were flown in the United States 909,606 airplane hours, with a total of 331 fatalities, a ratio of 1.09, and 0.346 fatalities per 1,000 hours flown in 1917–18, respectively. In the American Expeditionary Forces there were flown a total of 193,193 hours in training, with 169 fatalities for the entire period of training, a ratio of one fatality to 1,143 hours' flying. Of the airplanes received in the American Expeditionary Forces, 2,948 were sent to training centers and 2,925 to the zone of advance to December 31, 1918.

"PRODUCTION AND PURCHASE AMERICAN EXPEDITIONARY FORCES.

"Of the 45 American squadrons on armistice date, 33 squadrons were equipped with foreign-made airplanes, in addition to which individuals operating with the Italian, French, and British forces used machines of these countries, respectively. Twelve squadrons were operating or equipping with American DH–4's, and equipment was on hand, both foreign and American, for further squadrons as they could complete training, organize, and get to the front. On armistice day there were 740 airplanes actually with the American Armies, of which 196 were American DH–4's, with 502 in reserve. One thousand four hundred and forty-three DH–4's were received in France, sufficient to supply the unit equipment of 24 airplanes, without wastage, for 60 squadrons. Including automobiles, trucks, motor cycles, etc., there were purchased by the Air Service 3,065 pieces of transportation equipment. Of the 802 hangars on hand, 414 were from the United States and 388 from France and England."

"One thousand eight hundred and eighty-eight airplanes had been outfitted with radio equipment; 1,444 airplanes had been armed. There were 9,232 machine guns on hand, besides those installed in airplanes.

"There had been received in France to December 31, 1918, 6,639 airplanes (4,886 from France, 291 from England, 19 from Italy, and 1,443 from the United States). Seventy-seven balloons had been sent to the balloon companies on the front, 57 of which were American made, with others in reserve."

Above is the official record of the achievements of our Air Service with the American Expeditionary Forces and at home. Volumes have been and many more will be written of the heroic work of our pilots. But every time our activities in the air during the war are mentioned the public recalls the oft-repeated statement by uninformed persons "that the United States spent a billion and a quarter dollars for aviation and got nothing for its money."

In last week's Aviation and Aircraft Journal there was presented for the first time the fact that $582,562,781 of the war-time aviation appropriations remained unspent and has been returned to the Treasury. The cost to the taxpayers was, therefore, according to the present figures after the liquidation boards had finally reported, $617,489,977.

It is practically impossible to find out the exact cost of every item that was purchased, as so many different departments bought for the Air Service at such varying prices. What everyone who looks back at our aircraft activities does want to know is what the Government received for the vast sum. It is believed that this information is gathered together in a condensed report and presented for the first time in the following tables.

First are shown the expenditures in the United States. From this tabulation it will be seen that out of $478,489,977 spent in the United States only $113,721,043.39 was spent for airplanes. The engines being ordered in such large quantities have to be considered separately, as so many more were constructed than airplanes. The 61 American fields, schools, and depots are shown in detailed cost. As will be seen from the huge quantities of materials ordered it would be a gigantic accounting task to secure the exact amount spent for each item; therefore they are grouped under the total of $41,817,220.11.

Following is given the cost of our Air Service in the United States in detail from figures compiled by Aviation and Aircraft Journal from official reports:

Air Service expenditures in United States.

9,742 airplanes from aero industry	$84,704,155.13	
2,000 airplanes from auto and kindred industries	19,843,837.39	
2,152 airplanes from miscellaneous	9,173,050.84	
13,894		$113,721,043.39
(Airplanes considered as without engines.)		
14,765 engines from aero industry	101,725,369.64	
24,058 engines from auto and kindred industries	132,102,018.63	
3,134 engines from miscellaneous	11,010,774.03	
41,953		244,838,162.30
(Includes all engines in or out of airplanes.)		
844 balloons and 1 airship from aero industries	4,754,353.95	
8,968 balloons from auto industry	2,294,760.81	
31,575 balloons from miscellaneous	100,168.25	
41,367		7,149,283.01
(Includes free and observation passenger balloons and pilot, supply, target, and propaganda balloons and 1 airship.)		
30 flying schools and fields	55,587,422.74	
5 balloon schools	2,510,496.01	
1 aerial photo school	1,200.00	
1 radio school and laboratory	485,350.00	
1 aerial gunnery school	380,000.00	
1 mechanics school	158,900.00	
8 warehouses and depots	5,114,041.67	
3 engine repair depots	1,962,120.00	
3 concentration camps	2,406,700.00	
5 acceptance parks and experiment station	641,533.50	
3 sundry stations	479,154.55	
61		69,727,918.47
(Above figures for construction.)		
Rentals for flying fields, schools, depots, rights of way, buildings, warehouses, wharves, etc. (22,912 acres, not including floor space in offices, etc.)		709,899.72
Helium experiments and plants, Nos. 1, 2, and 3 (Army share)		526,459.09

282,426 air pressure and gasoline gauges, air speed indicators, altimeters, clocks, compasses, etc.		
98,555 machine guns		
19,785 synchronizing devices		
15,122 flexible ring "A" gun mounts		
44,652 gun light parts		
20,078 gun yokes, controls, light mounts		
227,595 dummy and loaded bombs		
11,630 Mark I bomb sights		
249 Barlow heavy bomb releases		
10,213 bomb releases and parts		
14,542 flares and releases		
1,051 cameras		
465 enlarging lanterns		
1,599 camera guns		
1,159 photo cradles		
3,968 steel and canvas hangars		$11,817,220.11
3,423 tons ferrosilicon and caustic soda		
172,800 hydrogen cylinders		
236 balloon winches		
3,310,000 feet balloon cable		
13,673,000 yards airplane fabric		
7,888,000 yards balloon fabric		
7,359,000 yards cotton tape		
676,000 gallons acetate dope		
88,000 gallons nitrate dope		
643,240 miscellaneous clothing		
42,424 propellers		
82,159,751 gallons oil		
249,612,095 gallons gasoline		
36,600,000 cubic feet hydrogen gas		
197,635,000 board feet lumber from manufacturers and other miscellaneous items.		
		478,489,977.00

TOTAL EXPENDITURES IN UNITED STATES, $478,489,977.

The figures showing the purchases abroad for the American Expeditionary Forces are the first that have ever been presented giving costs and items. The $139,000,000 was allotted to so many different projects that it has taken two years to reach a settlement with foreign Governments and companies. As the latest figures show, $19,949,769.28 was spent for 5,229 airplanes. For airplane spare parts, $7,490,114.23 was used. Hangars, tents, and other shelters cost $8,228,116.38.

There were 31 American fields, depots, and parks constructed and equipped overseas. As will be seen in the figures below, it is impossible even now to segregate all the items, as has been done in the United States accounting, as the figures are probably scattered in so many places that only the sums expended by the different offices are yet obtainable.

The miscellaneous expenditures in France, England, Italy, and other countries total over $60,000,000.

Air Service expenditures for American Expeditionary Forces.

4,879 airplanes from France	$18,253,628.82	
283 airplanes from England	1,210,419.30	
68 airplanes from Italy	485,271.16	
5,229 airplanes		$19,949,769.28
6,400 engines from France	18,903,828.11	
215 engines from England	1,304,110.30	
444 engines from Italy	2,361,883.23	
		22,569,821.64
7,059 Airplane spare parts from France	7,297,431.89	
Airplane spare parts from England	162,315.12	
Airplane spare parts from Italy	30,367.22	
		7,490,114.23
Engine spare parts from France	7,547,464.97	
Engine spare parts from England	122,325.21	
Engine spare parts from Italy	51,230.00	
		7,721,020.18
Instruments from France and Italy		459,133.92
Propellers from France and Italy		240,270.10
Squadron equipment from France and Italy		2,210,887.77
20 balloons, 60 winches, equipment and supplies from France		2,100,000.00
Armament from France for 2,051 airplanes	759,980.00	
Armament from Italy, miscellaneous	9,115.15	
		769,095.15
Hangars, tents, abris, canvas, etc.: From France	1,881,330.28	
From England	6,406,786.08	
		8,288,116.36
Radio equipment from France		1,062,543.11
Photo equipment and supplies		287,713.22
Photo transportation equipment from France (75 vehicles)		595,550.37
Dope (3,480 gallons) and cellulose, acetate (17.5 tons) from France and England		179,995.55
Special clothing from France and Italy		28,288.66
Signal equipment supplies from France		619,437.19
Castor oil, gasoline, etc., from England		1,329,675.13
Construction of: 11 flying and balloon schools	$5,256,974.65	
7 airdromes	2,344,236.25	
8 depots	1,977,890.92	
Miscellaneous projects: 1 warehouse	119,725.49	
1 acceptance park	1,030,469.45	
1 assembly plant	5,147,139.27	
1 replacement and concentration barracks	162,940.18	
1 test field	112,838.26	
		16,152,274.47
31 Miscellaneous (includes motor transportation, small tools, machinery, shop equipment, steel products, miscellaneous supplies and equipment for general operations, shells, tool kits, boxes, cases, etc.):		
France	$23,006,324.22	
England	1,337,176.66	
Italy	$18,497,488.88	
Switzerland	147,831.19	
Spain	309,973.71	
		$43,298,794.66
Other miscellaneous items		19,799,773.58
Total expenditures for American Expeditionary Forces		139,000,000.00

RECAPITULATION.

Expenditures in United States	478,489,977.00
Expenditures in American Expeditionary Forces	139,000,000.00
Total war aviation expenditures	617,489,977.00
Actual receipts for materials sold	19,399,196.00
Net cost of war aviation	598,090,781.00

[Reprint from Aviation and Aircraft Journal of Apr. 18.]

COST OF WAR AVIATION ONLY $598,090,781—AUTHENTICATED OFFICIAL REPORT OF LIQUIDATION DIVISION OF UNITED STATES AIR SERVICE ON TOTAL APPROPRIATION CORRECTS MISCONCEPTION OF AIR SERVICE EXPENDITURES AND SHOWS THAT $582,564,781 HAS BEEN RETURNED TO UNITED STATES TREASURY.

The general impression that a "billion dollars was spent for aircraft during the war and that the production program was a failure, not a score of American-built planes reaching the front," is finally refuted by figures compiled by Aviation and Aircraft Journal from liquidation reports on file in the office of the Chief of Air Service in Washington. The truth is that the actual cost of all war contracts for aircraft, aeronautical equipment, landing fields, foreign purchases, in fact, everything connected with the equipment and maintenance of our air force at home and abroad, cost the taxpayers less than $600,000,000.

The actual amounts appropriated for the Army Air Service during the war aggregated $1,687,054,758. From this total amount there were revoked by Congress sums aggregating $487,000,000, making the net amount available for expenditure by the War Department $1,200,054,758.

Until now the charge has been made and the public has been led to believe that most of this money was spent and largely wasted. It is now revealed for the first time by official and authenticated reports made by the Liquidation Division of the Air Service that of the amount available for expenditure $582,564,781 has been returned to the United States Treasury.

And there were airplanes produced and delivered to the Government, despite the canard that the United States "got nothing for its money." The total amount spent for Army airplanes in the United States was $113,721,043.39, or 19 per cent of the total Air Service expenditures. For that money the Government received 13,894 American-built airplanes. The Government spent $139,000,000 abroad for training and the purchase of airplanes, engines, construction of cantonments and production centers and received among the other equipment 5,198 complete airplanes, making a total of 19,092 airplanes produced for the United States. These were produced in a period of 21 months. Our production for this period exceeds that of any other country for a like period. It is further substantiation of the belief that the rapidly increasing air power of America forced the war to an early conclusion, for shortly before the armistice the Central Powers had only 3,309 airplanes on the front. At the signing of the armistice, in addition to the 5,198 airplanes purchased abroad, 2,091 American-built airplanes had been shipped to France and 1,040 were at points of embarkation or in transit. One thousand four hundred and forty airplanes had been actually received in France, of which 667 American-made machines were actually in service at the front.

Only within the last few days have these figures been in such form that they could be used in vindication of the war-time Air Service activities of the Government. The Chief of Air Service states that figures "have been published and available for public information for several months, except the important figures showing net expenditures after liquidation and the amount of surplus stocks sold or otherwise disposed of." It is therefore with great satisfaction that Aviation and Aircraft Journal corrects the gross misstatements of the past two years.

After two years of adjusting canceled war contracts, as previously stated, $582,564,781 of the $1,200,054,758 available has been returned to the Treasury.

The amount actually expended from the money appropriated for the War Department for the Air Service in this country and abroad during the war was $617,489,977. From this have been deducted the amounts realized by surplus-material sales since the armistice of $19,399,196, making the net cost of our aeronautical endeavor during the war $598,090,781.

The seemingly unanswerable question before investigating committees, congressional and otherwise, before newspaper writers and the public has been What became of over one and one-half billion dollars appropriated for our Air Service?

The answer is found in the following figures which were secured from the office of the Chief of Air Service. This accounting has been necessarily slow. The magnitude of the aircraft program and the multiplicity of its ramifications, both in production and organization activities, in creating an Air Service from nothing to begin with—and it must be borne in mind that preparations were made for a fight to a finish—have made this task of accounting particularly tedious and of long duration. Further, the final accounting could not be made until suspended and canceled contracts were settled and finally liquidated.

In considering the amount actually spent at home and abroad one must take into account the fact that these expenditures cover all items and that only a comparatively small percentage was spent for airplanes. It is necessary to keep in mind this fact, so that a consideration of future aviation activities may not be warped by prejudice growing out of misconception heretofore circulated about our airplane industry. As will be seen from the figures presented there were expended for Army airplanes and spare parts with the "aeronautic industry" only $84,704,155.16, or 14 per cent of the total Air Service expenditures. Emergency war organizations received orders for $29,016,888.23. The total amount spent for Army airplanes in the United States was $113,721,043.39, or 19 per cent of the total Air Service expenditures.

Looking back over the situation it now is apparent that our airplane industry did not fail during the war. Starting with nothing (as only 142 airplanes had been built for the Army in nine years

previous to 1917) it completed and delivered to the Government, as shown in detail by the following tabulations, 13,894 complete airplanes, together with spare parts.

The problem on our entering the war was to create both an Air Service and an aircraft industry. In both we succeeded, for on November 11, 1918, the Air Service consisted of 20,568 officers and 174,456 enlisted men and civilian personnel, and 48 flying fields in operation.

In addition to airplanes for the Army our aircraft industry during this period manufactured a large number of seaplanes and flying boats for the Navy. It is a significant fact that during all of this period, while there has been almost constant discussion of our "failure in aviation," practically all the criticism has been directed toward the work of the War Department. Most of the Navy's contracts for procurement of seaplanes and flying boats, etc., were placed with the aircraft industry and officers in the Navy Department credit the industry with having met their requirements promptly and regularly.

The production of engines as shown by the final statements is also highly creditable. There was spent for aeronautical engines $244,838,162.30 in this country and 41,953 engines and spare parts were produced and delivered.

From these revised figures it must be conceded that the American airplane industry gave a spendid account of itself during the war. There may be a difference of opinion as to the adaptability of the American-made machines to meet the requirements of the service, but it must be remembered that the airplane manufacturers could make only the machines that they were ordered to make and that during the war period no attempt was made by the War Department to produce planes of American design, the sole effort toward original design and production being centered on the Liberty engine.

It is due perhaps more to the advice of our allies than to our advisers in Washington that more American-made airplanes did not reach the front earlier. When the United States entered the war our allies urged that we first furnish raw material, mechanics, and train aviators. Types of aircraft were changing every few months. A new type on either side with a few miles more speed, greater maneuverability, or greater carrying capacity would render all previous designs obsolete. Under such conditions it was obvious that any American production program should be based on European experience and advice.

That the above facts may be verified from official sources the following statements are printed in original form:

APRIL 6, 1921.

MAJ. LESTER D. GARDNER,
Care Aviation and Aircraft Journal,
225 Fourth Avenue, New York City.

DEAR SIR: In reply to your inquiry as to the exact amount of aeronautical appropriations made by Congress during the war period, accompanied by an additional statement showing the amount actually expended from these appropriations, and in a general way the purposes for which the expenditures were made, the Chief of Air Service directs me to advise you as follows:

There is inclosed herewith a statement, file number A 00.3/53, showing all aeronautical appropriations for United States Army from 1917 to 1918, inclusive, giving (after revocations made by Congress) a net total of $1,200,054,758.

Of this total amount there has been disbursed or reserved for final settlement of all claims to March 31, 1921, the sum of $617,489,977.

This sum, $617,489,977, is the gross amount expended for all of our aeronautic activities from the appropriations for the war period above mentioned. Your attention is directed to the fact that this includes nearly $2,000,000 that has been reserved to cover three remaining contracts not yet liquidated.

From surplus stocks there has been sold since the war aeronautical property bought under these appropriations on which the War Department has realized a cash return of $19,399,196. In addition to the actual sale of surplus material, there has been transferred, without funds, to other governmental departments property to the value of $5,139,315.33. There remains yet to be disposed of other property declared surplus, to the value of $15,931,930.37. Disregarding any cash returns that may be realized from future sale of the latter, as well as the transfers to other departments, but deducting the sum already received from sales ($19,399,196), it will be seen that the net cost of our aeronautical endeavor during the war, according to the present figure is $598,090,781.

There is also included in the above-mentioned statement a tabulation covering the disbursements for the procurement of airplanes, aeronautical engines, balloons, and airships arranged according to industries. The figures contained in this statement are taken from "Aircraft surveys," House Document No. 621, Sixty-sixth Congress, and show figures as of November 1, 1919. These figures were prepared for Congress one year after the armistice, and after all deliveries had been completed. They have been, in some cases, slightly modified by final liquidation of contracts, but a complete analysis of liquidated figures is not immediately available. All these, however, are included in the final liquidation and covered in the preceding paragraph.

There are also embodied in the same statement, figures showing other items of expenditure from these war aeronautic appropriations. The figures on this statement are taken from the figures submitted to Congress by the Air Service, and published in Part II of "United Air Service hearing before a subcommittee of the Committee on Military Affairs, House of Representatives, Sixty-sixth Congress, second session." With these figures before you, you will be able to determine the purpose for which the $617,489,977 was spent. These figures, as above indicated, are not in each case final, as they were prepared before liquidation, but they are sufficiently accurate for practical purposes in considering this question.

The subjects of your inquiry can not be properly considered, however, without reference to the further fact that in addition to the stocks declared surplus and sold or offered for sale since the war, we hold, as additional salvage from war expenditures, much other aeronautical equipment constituting a national asset, such as complete airplanes, extra engines, balloons, and other equipment, now in use or reserved for future use of the service. In addition to this equipment, and probably the greatest asset from the war, are the thousands of trained flying officers and mechanics, together with our training fields, hangars, and other ground facilities. All of the figures contained in the above have been published and available for public information for several months, except the important figure showing net expenditures after liquidation and the amount of surplus stocks sold or otherwise disposed of.

Very respectfully,

H. M. HICKHAM,
Major, Air Service, Chief of Information Group.

WAR AERONAUTICAL APPROPRIATIONS UNITED STATES ARMY, 1917–18.

The following information sets forth the appropriations specifically provided by Congress in the various bills listed. The actual total amount for the bills will vary for some of these figures, as the bills included appropriations for the purposes of the Signal Corps proper, as well as for aeronautics in the Signal Corps.

These figures show the allotments made to cover purchases and contracts, and are not figures representing actual disbursements. It is practically impossible to secure figures on the actual disbursements under each and every class of material or service paid for from Air Service records only.

The figures for the allotments and unallotted balances in this tabulation were obtained from the "United Air Service hearing before a subcommittee of the Committee on Military Affairs, House of Representatives, Sixty-sixth Congress, second session," statement of Lieut. Col. Jacob E. Fickel, Air Service, pages 162 and the following, with the exception of the item of $8,000,000, the allotments under which are not shown in the hearings.

As the statements in the hearings of the date of June 30, 1919, show, the allotments include moneys not only therefore actually disbursed for aircraft material, accessories, and services, but include also funds reserved for settlement of canceled or suspended contracts.

It will be seen from the statements in the hearings that it is practically impossible to arrive at figures which show the actual moneys disbursed for purely aeronautical purposes; e. g., page 168, item 3, some of these telephone systems were installed at Air Service stations. Under paragraph 4, some of this radio equipment was for the Air Service. Paragraph 5 includes also transportation for the Air Service. However, in the attached tabulation there have been included only those allotments specifically named as for the Air Service.

On page 169, the items under "Aviation, seacoast defenses"; "Aviation, seacoast defenses, insular possessions, Hawaii"; or "Aviation, seacoast defenses, insular possessions, Philippines," include moneys appropriated for aeronautics, prior to the declaration of war, which moneys were partially used during the war, and even in 1921.

Other items in these hearings include purely Signal Corps allotments, which have no relation to aeronautics.

Reference is made, in this connection, to the document, "Consolidated List of Aircraft Contracts and Deliveries, April 6, 1917, to November 1, 1919," file No. AI–10.2/22, compiled in the Information Group, O. C. A. S., after making minor corrections in "Aircraft Surveys," House Document No. 621, included as an appendix herein. The figures shown in this statement represent actual disbursements, as of November 1, 1919. The document does not include settlements made subsequently which change the actual final payments to the aeronautical industries and to outside industries for aircraft material. This document is mentioned in order to explain the discrepancy in the figures between those shown therein and the figures shown in the hearings above mentioned.

The allotments under the appropriation of $8,000,000 were supplied by the Liquidation Division, O. C. A. S. The items mentioned in the attached tabulation as unallotted balances were returned to the Treasury.

The concluding statement attached, which purports to show the total actual disbursements, was compiled March 26, 1921, by the Liquidation Division.

So that the items of all war-time Government appropriations may be clearly understood the following official tabulation is furnished:

War aeronautical appropriations, United States Army.

Act of May 12, 1917	$10,800,000
Act of May 6, 1917	40,000,000
Act of June 12, 1917	500,000
Act of June 15, 1917	43,450,000
Act of July 24, 1917	640,000,000
Act of July 8, 1918	8,000,000
Act of July 9, 1918	760,000,000
Act of July 9, 1918	124,304,758
Act of Nov. 4, 1918	60,000,000
	1,687,054,758
Less revocations	487,000,000
	1,200,054,758

Following is a tabulation, appropriation by appropriation, with the allotments for aeronautics, unallotted balances and revocations shown under each:

Appropriations.		Allotments, unallotted balances, revocations.
$10,800,000	Allotments	$8,293,128.73
40,000,000	Used by S. C. proper	40,506,871.27
	Revocation	2,000,000.00
50,800,000	Total	50,800,000.00
500,000	Allotments	480,764.67
	Unallotted balance	19,235.33
500,000	Total	500,000.00
43,450,000	Allotments	32,144,975.49
	Unallotted balance	
	Used for S. C. proper	11,305,024.51
43,450,000	Total	43,450,000.00
640,000,000	Allotments	606,872,404.10
	Unallotted balance	33,127,595.90
640,000,000	Total	640,000,000.00
8,000,000	Allotments	4,858,591.48
	Unallotted balance	3,141,408.52
8,000,000	Total	8,000,000.00

Appropriations.		Allotments, unallotted balances, revocations.
760,000,000	Revocation	$400,000,000.00
	Allotments	288,164,487.41
	Unallotted balance	71,835,512.59
760,000,000	Total	760,000,000.00
60,000,000	Revocations	85,000,000.00
124,304,758	Allotments	91,935,311.81
	Unallotted balance	7,369,446.19
184,304,758	Total	184,304,758.00

Suspension uncompleted portions of contracts at time of armistice	$509,199,915.99
Settled since war to Mar. 25, 1921	93,940,229.30
Balance returned or to be returned to Treasury	415,259,686.69
Total appropriations	1,200,054,758.00
Less amount for suspension contracts	509,199,915.99
	690,854,842.01
Less unallotted balance and suspension contracts proper as above	167,305,094.31
	523,549,747.70
Add disbursements since armistice	93,940,229.30
Grand total disbursements	617,489,977.00
Total appropriations	1,200,054,758.00
Disbursements, including $1,789,000 held for settlement of three contracts outstanding Mar. 31, 1921	617,489,977.00
Savings returned to Treasury	582,564,781.00
Cash received from disposal of property declared surplus	19,399,196.00
Actual cost air endeavor in war	598,090,781.00

APPENDIX I.

Consolidated list of aircraft contracts and deliveries in United States April 6, 1917–November 1, 1919.

AIRPLANES, ENGINES, AIRSHIPS, BALLOONS (SUPPLY, FREE, TOY, OBSERVATION, TARGET, PROPAGANDA, EXPERIMENTAL) ARRANGED BY INDUSTRIES AND BY CONTRACTORS.

Rearranged from corrected copy of "Aircraft Surveys," House Document No. 621, Sixty-sixth Congress, second session, on file in office, Chief of Air Service, to show the amounts paid to each contractor, divided between the aeronautical, automobile and kindred, and miscellaneous industries. Only disbursements to November 1, 1919, are shown. Consequently settlements in liquidation of suspended contracts are not included. The above document is public and for all practical purposes shows the amounts expended for flying material.

Those concerns which were producing airplanes, aircraft engines, balloons, or airships prior to the World War and generally accepted as pioneer aeronautical manufacturers, and those other concerns organized during the war period and who are continuing active operations in aeronautics, have been considered in the classification "Aeronautical industry."

Airplanes.

AERONAUTICAL INDUSTRY.

Kind.	Number received.	Amount.
Curtiss	4,014	$29,366,397.24
Standard	1,033	15,589,694.63
Sturtevant	1	11,250.00
Wright	51	329,250.00
L. W. F	131	1,649,377.50
Glenn Martin	10	822,575.27
Thomas-Morse	599	3,106,103.27
Lewis & Vought	7	61,676.00
Heinrich	2	11,328.00
Gallaudet	4	140,013.02
Breese	300	591,325.85
Burgess	1	26,009.50
Aeromarine	50	323,166.90
Fowler	3,506	31,446,575.88
Dayton-Wright	25	1,084,670.12
Packard	8	144,742.98
Ordnance		84,704,155.16
Total		

AUTOMOBILE AND KINDRED INDUSTRIES.

Fisher	2,000	$19,643,837.39
Brewster		200,000.00
Total	2,000	19,843,837.39

MISCELLANEOUS (EMERGENCY WAR ORGANIZATIONS, NEW CONCERNS, MISSIONS, ETC.).

Empire		$15,000.00
Pigeon-Fraser	3	19,075.00
Liberty Iron Works	100	1,002,366.28
Italian War Mission	1	49,227.79
Equipment Holding	2	10,000.00

Airplanes—Continued.

MISCELLANEOUS, ETC.—continued.

Kind.	Number received.	Amount.
Springfield Aircraft Co	588	$3,457,229.52
St. Louis	450	2,137,500.00
United States Aircraft Co	50	326,170.10
Howell & Lesser	75	394,121.41
Schiefer	1	11,720.00
Various manufacturers for Handley-Page parts	100	
Canadian Aero Co	680	1,733,136.00
Pacific	2	17,504.74
Total	2,152	9,173,050.84

RECAPITULATION OF AIRPLANES.

Aeronautical industry	9,742	$84,704,155.16
Automobile and kindred industry	2,000	19,843,837.39
Miscellaneous	2,152	9,173,050.84
Total	13,894	113,721,043.39

Engines.

AERONAUTICAL INDUSTRY.

Kind.	Number received.	Amount.
Ordnance	2	(1)
Lawrance	1	$21,000.00
Hall-Scott	1,255	2,944,631.03
Curtiss	750	634,547.23
Standard	41	215,093.14
L. W. F	24	(1)
Sturtevant	73	302,000.00
Burgess	30	133,500.00
Wright	5,816	54,372,268.68
Thomas-Morse	69	321,990.08
Gallaudet	4	(1)
Packard	6,630	42,780,339.50
Total	14,765	101,725,369.64

AUTOMOBILE AND KINDRED INDUSTRIES.

Van Blerck	4	$8,913.04
Sterling	4	11,680.59
Wisconsin	2	2,878.00
Duesenberg	40	4,934,798.62
Pierce-Arrow		1,584,164.81
General Motors	2,543	9,766,499.68
Willys-Overland	8,500	21,030,871.60
General Vehicle	61	43,700.00
Excelsior Motor	451	295,000.00
Nordyke & Marmon	2,000	18,015,240.38
Winton	1	1,485.00
Trego	1	1,145,008.11
Lincoln	6,500	45,859,985.18
Ford	3,950	29,401,393.62
Willys-Morrow	1	400.00
Total	24,058	132,102,018.63

MISCELLANEOUS.

Canadian Aero	400	$252,000.00
Aero Engineering	121	523,723.14
Schiefer	1	(1)
Italian War Mission	4	(1)
British War Mission	8	
Union Switch	2,585	10,131,298.89
Murray & Tregurtha	6	103,752.00
Equipment Holding	3	(1)
Pacific	2	(1)
Total	3,130	11,010,774.03

[1] Amounts wholly or partly included in same contracts covering airplanes.

RECAPITULATION OF ENGINES.

Aeronautical industry	14,765	$101,725,369.64
Automobile and kindred industry	24,058	132,102,018.63
Miscellaneous	3,130	11,010,774.03
Total	41,953	244,838,162.30

Balloons and airships.

AERO INDUSTRY.

Kind.	Number received.	Amount.
Connecticut	128	$393,464.10
Knabenshue	28	198,501.66
French-American	1	1,800.00
Goodyear	687	4,160,588.19
Total	844	4,754,353.95

[1] Includes one airship.

Balloons and airships—Continued.

AUTOMOBILE INDUSTRY.

Kind.	Number received.	Amount.
Goodrich	249	$1,788,253.94
United States Rubber	6,437	428,252.68
Firestone	7	76,223.56
Revere	2,275	2,030.63
Total	8,968	2,294,760.81

MISCELLANEOUS.

Halsey	3	$1,185.21
Scott	161	18,579.71
Columbia	1	60.00
Pilot balloons (Faultless)	22,866	1,608.30
Navy Department	44	70,000.00
Pilot balloons (Sterling)	8,500	8,735.00
Total	31,575	100,168.25

RECAPITULATION OF BALLOONS.

Total balloons and airships	41,387	
Total expenditure		$7,149,283.01

APPENDIX II.

DISPOSAL OF SURPLUS MATERIAL.

Following is a statement of aeronautical material declared surplus in the United States Army Air Service and disposed of, as of March 23, 1921. (Memorandum to Information Group from Acting Chief Material, Disposals, and Salvage Division, March 31, 1921.)

Total value declared surplus (cost to Government)			$103,412,028.07
Value of material disposed of (cost to Government):			
Adjustments, wastage, depreciation		$4,403,240.83	
Material absorbed in settlement of claims		6,372,000.00	
Transferred to other Air Service activities		17,205,367.06	
Transferred to other Government departments—no funds		5,139,315.33	
Total sold—			
Government departments	$19,380.52		
Commercial	54,340,893.96		
		54,360,274.48	
			87,480,197.70
Actual receipts for amounts disposed of			19,399,196.00
Value of remainder yet to be disposed of (cost to Government)			15,931,830.37

Percentage of amount disposed of, 84.59.

OTHER EXPENDITURES.

The above figures account for $365,708,485.30 of the total war-time aeronautical expenditures for the Army, as follows:

Airplanes	$113,721,043.39
Engines	244,838,162.30
Balloons	7,149,283.01
	365,708,488.70

This leaves $251,781,488.30 to be accounted for in the expenditures for other purposes.

Below are figures which will show these main expenditures in concrete form:

TRAINING STATIONS.

30 flying schools and fields	$55,587,422.74	
5 balloon schools	2,510,496.01	
1 aerial photo school	1,200.00	
1 radio school and laboratory	486,350.00	
1 aero gunnery school	380,000.00	
1 mechanics' school	158,900.00	
8 warehouses and depots	5,114,041.67	
3 engine repair depots	1,962,120.00	
3 concentration camps	2,406,700.00	
5 acceptance parks and experimental station	641,533.50	
3 Sunday stations	479,154.55	
		$69,727,918.47
Rental for flying fields, schools, depots, rights of way, buildings, warehouses, wharves (acreage owned by United States not included in these figures)		709,899.72
Foreign expenditures (estimated) for airplanes, engines, fields, and other purchases (P. 184, United Air Service hearing, pt. 2.)		139,000,000.00
Miscellaneous:		
Pay of personnel, officers, enlisted men, and civilians, machine guns, ammunition, bombs, cameras, flying clothing, and other purchases		42,343,670.11
		251,781,488.30

Mr. TOWNER. Mr. Chairman, I am hardly able to follow the logic of my good friend from Vermont [Mr. GREENE]. He raises an objection to the plea made by the gentleman from Kansas [Mr. CAMPBELL] that we should not neglect the Air Service.

Mr. GREENE of Vermont. Oh, I know the gentleman is too scrupulously conscientious to put words in my mouth that I did not myself use or intend to use. I took for my text the statement of the gentleman from Kansas [Mr. CAMPBELL], that in the next war the infantry and the artillery would play but a small part.

Mr. TOWNER. The gentleman's logic went much further than that. For instance, he illustrates the proposition by saying that there was no improvement made; that the same idea was suggested in Hannibal's time that is suggested now; that after all it is the man behind the gun that must be principally considered, and, therefore, that he should not pay very much and very particular attention to the gun. That is the proposition that seems to be implied from the gentleman's argument.

Mr. GREENE of Vermont. It may be for the purposes of the gentleman's making a speech, but it was not implied in anything that I said.

Mr. TOWNER. I entirely disagree with the gentleman, because if his speech did not have that implication, then it did not have any implication. I want to call attention to this fact, in all seriousness, leaving out of consideration the gentleman from Vermont in this particular. We must not forget—and I think the gentleman from Vermont will agree with this proposition—that there never was a time in the history of civilization when we were making as rapid progress in development with regard to increasing the implements of warfare as we are doing now. If we realize what the other nations of the world are doing with regard to the air service, we would be not only foolish, not only stupid, but criminally negligent if we did not follow up just as far as we possibly can with those developments and meet them as long as we must stand with the other nations of the world in a defensive attitude. We are obliged to do this. In the Argonne when our own forces were not supplied with air machines, and when the enemy was sweeping down on the defenseless lines, killing and maiming thousands of our boys because we could not meet their offensive with a defensive air service, it would not have been a very convincing argument to our soldiers to tell them what the gentleman from Vermont has just said. We must keep track of these developments of warfare and we must meet them as long as we are compelled to meet them. I sincerely hope that the hour is not distant when we may bring the forces of the world to realize that all of this must stop sometime, that all of this increase in the power to kill and maim mankind must cease, and I expect before long, just as soon as it is possible, we shall all take steps to bring that about.

The administration politically, the people of this country generally, the Members of this House without regard to political divisions, I am sure, will aid in this development. But until that time shall come we must keep our powder dry. We must act with the intelligence of the age and with the common sense that has always manifested America's position with regard to the world in seeing that we do not neglect to make our defense at least as strong as the possible offense of any other nation in the world.

Mr. HAYDEN. Mr. Chairman, the gentleman from Iowa [Mr. TOWNER] can not more sincerely desire international disarmament than I do. I am ready to do anything and everything possible to bring about an agreement among the nations which will greatly lessen if not put an end to the competitive and wasteful expenditures that are now being made in preparation for future wars—wars that would never occur if reason and justice ruled mankind.

Until a binding and effective agreement to disarm can be made it is undoubtedly the part of wisdom for the United States to accumulate an adequate supply of all the modern implements of warfare. I shall vote for the necessary appropriations for that purpose and for whatever sums that may be needed for experiments in devising even more deadly means of destroying our enemies. But in doing so I shall not deceive myself into the belief that some inventive genius will discover anything which can be substituted for the soldier who marches and fights on foot, armed with a weapon that he can carry in his hands.

It should never be forgotten that the infantry is the "Queen of Battles." Every other branch of the military service is a mere auxiliary which works for the infantry. The infantryman must be fed and clothed, and that is why we have quartermasters and a service of supply. The engineers may make maps and repair the roads; the cavalry may scout ahead; the air service may do even more in locating the enemy; the artillery may prepare the way; but without the infantry no battle could be won. It is that steel-white arm, the bayonet, in the hands of the foot soldier which ultimately decides the course of every conflict and the fate of every nation.

Mr. LITTLE. If the gentleman from Arizona will yield, I once heard a soldier say "the cavalry finds them, the artillery scares them, and the infantry licks them."

Mr. HAYDEN. The gentleman from Kansas has been a gallant soldier and what he says is true. He will agree with me that one who thinks that any of the auxiliary arms can be so improved as to do away with the American "doughboy" sadly misunderstands the lessons of history. [Applause.]

The Clerk read as follows:

For pay of officers of the line and staff, $46,000,000.

Mr. STEVENSON. Mr. Chairman, I move to strike out the last word. I want to ascertain how many officers are provided for by this appropriation.

Mr. ANTHONY. We provide here for 14,000. There are 12,900 now in the service.

Mr. STEVENSON. I understood the gentleman from Kansas on yesterday or the day before yesterday to state that this provided for 14,000. Now, the statement was made twice yesterday—I think once by the gentleman from Illinois [Mr. McKENZIE] and once by the gentleman from California [Mr. KAHN]—that it provided for 17,000 officers.

Mr. ANTHONY. The act of reorganization itself authorized the appointment of 17,000 officers.

Mr. STEVENSON. I know that statement——

Mr. ANTHONY. But under the limitation of this bill they will only have 14,000.

Mr. STEVENSON. You have a limitation of 14,000 in this?

Mr. ANTHONY. We have.

Mr. STEVENSON. I did not understand the statement of the gentleman from Illinois yesterday that it provided for 17,000 when we only appropriate for 14,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word in order to ask a question. This provision in this bill is not legislation. It is merely an appropriation providing money for pay of 14,000 officers. The Army reorganization bill is legislation and authorized the appointment by the Secretary of War of 17,000 officers. Gentlemen on this side and some on the other, including myself, criticized the Secretary of War for going beyond our authorization in appropriations, but yet others defended the Secretary of War for going according to law. I want to ask the distinguished chairman of the committee, what is there in the law, if the Secretary of War saw fit so to do, to prevent him from complying with the provision of law and appointing 17,000 officers, in which case the Congress of the United States would be forced in deficiency bills to come in and provide pay for the extra men who had been placed there by the Secretary of War?

Mr. ANTHONY. Not if the Congress approved the provision at the top of page 22, which says:

That the Army shall be reduced by the Secretary of War so that the sum herein appropriated shall defray the entire cost of the pay of the officers and enlisted men of the line and staff during the fiscal year ending June 30, 1922.

Mr. BLANTON. Oh, but the gentleman knows that should the Secretary issue commissions to 17,000 officers we would have to pay them with deficiencies. What I want to ask the gentleman is, whether or not in his opinion the present Secretary of War would consider that provision at the top of page 22 mandatory upon him to such an extent that he would disobey the other statutory law of the land and refuse to go beyond it?

Mr. ANTHONY. I do not see how he dare disobey that.

Mr. BLANTON. If there is no question about that, I withdraw the pro forma amendment.

Mr. DOWELL. Mr. Chairman, I move to strike out the last word. I desire to make an inquiry of the chairman relative to the question of discharging men now in the service. As I understand it, there are now in the service, a large number enlisted within the last year, about 235,000 men.

Mr. ANTHONY. Two hundred and thirty-two thousand is what they figure it now.

Mr. DOWELL. Under the law, as I understand it, or at least under the interpretation of the War Department, the department has refused to release any of these men from the service notwithstanding we passed legislation in the Congress limiting this number to 175,000. Does the gentleman know that is true?

Mr. ANTHONY. That is true.

Mr. DOWELL. Is it the opinion of the gentleman that the department is not authorized to release these men upon a showing of dependency, irrespective of the fact that there are now more than necessary in the Army?

Mr. ANTHONY. There is no question, as has been repeatedly stated, that the Secretary of War has the right to discharge any enlisted man at any time.

Mr. DOWELL. Well, now, that is just the question I wanted to ask, as I have a ruling here by the department which I want to submit to the House, and which shows that the department is not in accord with the view of the chairman of the committee and is not releasing men in the Army, notwithstanding the fact that we have now perhaps 60,000 more than desired, as declared by Congress.

As I understand it, it costs about $2,000 per year per man for every one retained in the Army. A short time ago I submitted to the War Department the question of the release of a young man who desired to be released out of the service. He had a contract for a position at $200 per month and was very anxious to secure his release. The young man furnished the department a statement of facts something like this: His father was a blacksmith at a mining camp and was out of employment. The young man's mother had died prior to his enlistment, it is true, and there were some young children who had to be supported, and his father, without employment, was unable to support the family. These affidavits were filed with the department, and I have them here. The department submitted to me, after several weeks of evidently careful consideration, the following letter, which I want to read to the House: It says:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF, OPERATIONS DIVISION,
Washington, April 26, 1921.

Hon. C. C. DOWELL,
House of Representatives, Washington, D. C.

MY DEAR MR. DOWELL: With further reference to your letter of April 4, 1921, I beg to advise you that application for discharge of Pvt. Patrick Dominic has been received. The reason for discharge cited in the accompanying affidavits is dependency of Pvt. Dominic's father, due to the inability of the father to obtain work. Section 29 of the act of June 4, 1920, authorizes discharge on account of dependency only when such disability is "by reason of death or disability of a member of the family of an enlisted man occurring after his enlistment."

Since no death or disability is shown in the accompanying affidavits, the case does not come within the provision of the above act and can not be approved.

Very truly, yours,

HENRY JERVEY,
Brigadier General, Assistant Chief of Staff.

With over 60,000 surplus of men in the Army, the young man in the service who has a contract at $200 per month, his father out of employment, and with little children to support, is unable to secure a favorable sanction of the War Department for his release, though costing this Government $2,000 per annum.

Mr. KEARNS. I would like to ask the gentleman if that quotation in the letter is from the law or a ruling?

Mr. DOWELL. I assume it is a quotation from the law. What I am getting at is this: Either the War Department has given a narrow construction of the law, or the Committee on Military Affairs ought to bring before Congress at once a bill to provide for the release of these men. [Applause.] There is no reason in this world, and no reason given by the War Department, except as they construe the law that they are unable to release them, that this man, who is able to earn $200 a month, in order to support his minor brothers and sisters, should not be given the privilege of helping to support them.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. DOWELL. I will.

Mr. JOHNSON of Mississippi. Could we not correct that by putting an amendment on this bill, if we were so disposed?

Mr. DOWELL. I am very glad of the suggestion, and I certainly hope, with this situation before the House, this will be done.

Mr. ANTHONY. Will the gentleman yield?

Mr. DOWELL. I yield.

Mr. ANTHONY. I think the bill does contain a provision that will accomplish just what the gentleman wants.

Mr. JOHNSON of Mississippi. In answer to the gentleman, I have examined that clause very carefully. It leaves it in their discretion, but they abused the discretion.

Mr. ANTHONY. Coupled with the Borah amendment, which compels them to reduce the size of the Army, he will avail himself of the men who want discharge.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL. Will the gentleman yield?

Mr. DOWELL. I yield.

Mr. HULL. I wish to call the gentleman's attention to this, that I expect, when the section is reached, to offer an amendment to remedy that very thing.

Mr. DOWELL. However that may be, this is a very important matter in view of the fact that we are now undertaking to reduce the Army. By a violation of what the War Department well knew was the will of Congress, they have enlisted 235,000 men, and unless I am mistaken, and unless there is a definite action by Congress, there will be but few released by the War Department unless they are compelled to do so. Now, I believe, as we are going to reduce the Army, we should make provision for the release of these young men who desire to be released. They should not be compelled to stay in the Army during the next two or three years when they can better themselves so much on the outside.

Mr. BLANTON. Will the gentleman yield?

Mr. DOWELL. I yield.

Mr. BLANTON. As the number of privates in the Army are decreased to a certain extent, does it automatically lower the grade of such officers?

Mr. DOWELL. I presume, perhaps, that is true.

Mr. BLANTON. And is not that the reason for part of the great desire of the department to keep the number up?

Mr. DOWELL. I can not answer what is the reason, but I do know that they are holding them in the service.

Mr. GREENE of Vermont. Will the gentleman permit me to answer that very suggestion?

Mr. DOWELL. I will permit the gentleman to do so.

Mr. GREENE of Vermont. You could discharge all the enlisted men in the Army that are there now, and it would not change the grades of a single commissioned officer, except in the Medical Department.

Mr. DOWELL. However that may be, my purpose is, when we have over 60,000 additional men that we do not want, and they are costing the Government $2,000 a year each to keep, and they have better positions offered outside, to have the privilege of retiring them from the service and permitting them to go into private employment, I think we ought to so state in this bill.

Mr. J. M. NELSON. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. J. M. NELSON. In the course of your investigation, have they refused to reduce on the basis of the case you presented? On what basis are they reducing?

Mr. DOWELL. They can not reduce under this opinion, under the restriction that is placed upon it. I read:

Only by reason of death or disability of a member of the family of an enlisted man occurring after his enlistment.

In this case the young man's mother died before he enlisted and the conditions did not exist then that exist now. Therefore, he can not be discharged, because this did not occur after his enlistment.

Mr. JAMES of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. JAMES of Michigan. Did he make the allotment to his father?

Mr. DOWELL. I do not know anything about the allotment. I am not discussing that phase of it. I am trying to submit to the Members of this House the actual situation. You are not going to reduce this Army unless you make a provision that will compel the War Department to discharge the men who want to be discharged from the service.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman from Iowa may have one-half minute more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BLANTON. If the gentleman will permit me, answering the distinguished gentleman from Vermont [Mr. GREENE], if the Army should be reduced, say, to 50,000 men, surely the Congress would not permit 14,000 officers to hold commissions.

Mr. GREENE of Vermont. Does the gentleman contend that I should make some reflections on that?

Mr. BLANTON. I admit that the gentleman is capable of making reflections on any subject. [Laughter.]

The CHAIRMAN. The time of the gentleman from Iowa has again expired. The Clerk will read.

The Clerk read as follows:

For pay of officers, National Guard, $100.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas moves to strike out the last ward.

Mr. LANHAM. I do so for the purpose of asking the chairman of the subcommittee the purpose of this item and a similar item for a like amount on page 16, with reference to the enlistment of the National Guard?

Mr. ANTHONY. They are not paid directly from the pay of the Army, but we want to keep these items alive. In case the National Guard is ordered out into the Federal service, then we appropriate under that item.

Mr. LANHAM. That accounts for the small sum?

Mr. ANTHONY. Yes. Otherwise they are paid under the National Guard item.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For pay of the officers of the Officers' Reserve Corps, $250,000: *Provided*, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5(b) of the Army reorganization act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in this act, or who may be detailed for duty with tactical units of the Air Service, as provided in section 37a of the Army reorganization act approved June 4, 1920, and except one officer of the Medical Reserve Corps.

Mr. MOORES of Indiana. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOORES of Indiana: Page 15, line 12, after the word "service," insert "or who may be detailed for duty in the Judge Advocate General's Department."

Mr. MOORES of Indiana. Mr. Chairman, I ask unanimous consent for 10 minutes to explain this amendment. I think it will need it.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. ANTHONY. I shall have to object to more than five minutes.

The CHAIRMAN. The gentleman from Kansas objects. The gentleman from Indiana is recognized for five minutes.

Mr. MOORES of Indiana. Mr. Chairman, this amendment is offered absolutely in the interest of economy in the public service and in the administration of the Army. Some of you know that the Army maintains and did maintain during the war a very large fleet of transports and attendant vessels and other vessels of various sorts. You and I, who have practiced law or those who have employed lawyers, know something about what admiralty lawyers charge when they are employed specially in a case and what we have to pay for them. There is an admiralty board of reserve officers in the Army, there being no admiralty lawyers in the Judge Advocate General's force. During the war a number of cases arose which had to be settled in accordance with the rules of admiralty law, which no lawyer except an admiralty lawyer understands.

There are now pending in the War Department between 400 and 500 of these claims still unadjusted, although the admiralty board is working on them all the time. There are 40 or 50 of these claims which are filed from month to month, or have been this winter. This board of four or five admiralty lawyers, reserve officers—majors, most of them—are employed day after day in adjusting these claims and have saved for the Government millions of dollars.

A provision like the one I am seeking to amend was in the bill which passed the House last winter. Secretary Baker wrote to Mr. WADSWORTH, discovering that he could not keep, under the terms of the bill, his admiralty lawyers in the Judge Advocate General's Department more than 15 days. I have a copy of that letter here, asking an amendment permitting these reserve officers to serve longer than 15 days. I shall not detain the committee by reading that letter. The letter which Mr. Weeks wrote to this subcommittee I have here, and, without objection, I shall read it. It is very brief. This is the letter which Secretary Weeks wrote to the chairman of the committee, and it refers to Mr. Baker's letter.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MOORES of Indiana. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. MOORES of Indiana. Yes.

Mr. ANTHONY. Has the gentleman any information as to who these admiralty lawyers are and the number of them?

Mr. MOORES of Indiana. There are four or five of them; not over that.

Mr. ANTHONY. Do you know their names?

Mr. MOORES of Indiana. No. I do not know the name of a single one of them.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORES of Indiana. I read:

WAR DEPARTMENT,
Washington, April 9, 1921.

Hon. DANIEL R. ANTHONY, Jr.,
House of Representatives.

DEAR MR. ANTHONY: I am informed that the Army appropriation act, 1922, which failed of enactment at the last session, is about to be reintroduced in the new Congress. That bill, as passed by Congress, was so worded that no reserve officer could be called to active duty in the Judge Advocate General's Department for a longer period than 15 days in any year. (See H. R. 15943. Calendar No. 777. Report No. 609, pp. 15 and 16.)

I am also informed that my predecessor, Secretary Baker, requested that the bill be amended, but that his letter appears to have been received too late for favorable action. Since I also am of opinion that the bill should be amended, and for the same reasons, I take the liberty of quoting with approval the following extract from a letter of Secretary Baker's to Senator WADSWORTH, chairman Senate Committee on Military Affairs, dated February 25, 1921:

"The Judge Advocate General's Department, as reorganized under the Army reorganization act, has among its reserve officers certain highly trained specialists in branches of civil and military law (especially admiralty), whose services during the war were of the greatest value to the Government, and can not at once be dispensed with. They are now engaged upon work which was forced upon this department by the war and which continues to come. They are disposing of it successfully because of their previous civil and military experience. Permanent officers can not be substituted for them and trained to their special work without an expense which must far exceed their pay. They will be relieved from duty whenever their services can be spared without detriment to the best interests of the Government. In asking that provision be made for their temporary retention, I feel that I am still carrying out the War Department policy which I approve, to the effect that reserve officers shall not now be called for ordinary duty.

"If your committee approve of this suggestion, the following slight amendment might be made to the appropriation act, as indicated by the added words in italic:

"For pay of the officers of the Officers' Reserve Corps, $750,000: *Provided*, That no portion of this appropriation shall be expended for the pay of a reserve officer on active duty for a longer period than 15 days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5b of the Army reorganization act approved June 4, 1920, or who may be detailed for courses of instruction at the general or special service schools of the Army, or who may be detailed for duty as instructors at civilian military training camps appropriated for in this act, or who may be detailed for duty with tactical units of the Air Service, *or who may be detailed for duty in the Judge Advocate General's Department*, as provided in section 37a of the Army reorganization act approved June 4, 1920."

I hope that your committee will approve and adopt the amendment.

Very truly, yours,

JOHN W. WEEKS,
Secretary of War.

The words in italic in the above letter are the words I have offered in my amendment. I have simply copied the words of Secretary Baker and of Secretary Weeks, "or who may be detailed for duty in the Judge Advocate General's Department."

It is in the interest of public economy. It is to effect a very great saving through the use of these men who have been successfully handling these claims for the last two or three years, who still have between 400 and 500 of them, which they are now working upon, who know all the facts, who have been specially trained in admiralty practice; and as a lawyer I feel safe in saying to you that even the best lawyer who is not a specialist in admiralty is as unfit to try an admiralty case as is a general lawyer to try a patent case.

Mr. KAHN. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from California.

Mr. KAHN. It is a fact that these lawyers in the Judge Advocate General's Department are frequently called upon to meet the very best admiralty lawyers in the country in the courts, and therefore it is essential that there should be some good admiralty lawyers in the Judge Advocate General's Department.

Mr. MOORES of Indiana. They have to meet lawyers of the highest character and standing, men like Wilhelmus Mynderse, the greatest admiralty lawyer this country ever produced.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORES of Indiana. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. I thoroughly agree that a lawyer who engages in ordinary practice, no matter how skillful or learned he may be, if he does not pay any attention to admiralty practice, as a rule knows nothing about it; but as I understand the gentleman's amendment it would not prevent their being assigned to the Judge Advocate General's office for any purpose.

Mr. MOORES of Indiana. I have enough faith in Secretary Baker and Secretary Weeks to believe that they would not ask for one thing and take another, and I have copied the language prepared by the Secretary, because I believe it covers the ground.

Mr. GREEN of Iowa. Certainly it would be broad enough; but I did not know but that the gentleman might suggest some slight modification that would limit it to cases where they were engaged in admiralty work.

Mr. MOORES of Indiana. I would be perfectly willing to have that added; but I am afraid it would bungle up the section if we should try to do it now. Perhaps the House would like to know, and I can explain in a sentence the character of this work. We have a great Army fleet of engineer boats, transports, colliers, and various vessels used in war that are not a part of the Navy and have nothing to do with the Navy. There are contracts about these vessels. There are collision cases, there are injuries and actions for negligence. I remember very well a case where two men were scalded to death in a boiler on one of these vessels, and the claim was made and had to be adjusted, and every one of these claims has to be adjusted in accordance with the rules of admiralty law and not in accordance with the rules of the common law.

I submit the amendment.

Mr. WALSH. Will the gentleman permit a question?

Mr. MOORES of Indiana. I will.

Mr. WALSH. Under what authority of law, where a United States vessel is involved in a collision, does a legal officer of the War Department appear in court in an admiralty suit?

Mr. MOORES of Indiana. I suppose he appears as specially detailed by the Attorney General, who is not an admiralty lawyer.

Mr. STAFFORD. May we have the amendment again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

Mr. ANTHONY. Mr. Chairman, under the language of the proposed amendment the entire $250,000 of this sum could be used to pay lawyers who are members of the Judge Advocate's reserve for defending such cases as the Secretary of War chose to assign them to. One of the evils in the War Department in the last few years has been the great number of lawyers who have been hired at large fees to perform all kinds of legal work in connection with various activities. Now, the Judge Advocate General's Department, which is supposed to do all the legal work of the War Department, numbered about 32 officers before the war. We now have increased that corps to 115 officers. We thought that number was ample to take care of the legal work of the War Department, and the gentleman from Massachusetts [Mr. WALSH] has just called the attention of the House to the fact that it ought to be the duty of the Department of Justice to defend the United States Government in any suit brought for damages through the operation of its vessels, and the Judge Advocate General's Department in its proper activities should be limited to the giving of legal advice to the Secretary of War on the conduct of military courts and litigation and not to the active trial of such general Government litigation.

If the War Department had come to the committee and stated specifically the number of reserve officers it required and the amount of money that it desired to expend for such purpose we could have acted intelligently upon the proposition, but the committee did not think it wise to throw this whole appropriation wide open to such use.

Mr. PARKER of New Jersey. Will the gentleman yield?

Mr. ANTHONY. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. Did you tell the Secretary of War in answer to his letter that you would make such an amendment if he put it in that form?

Mr. ANTHONY. We did not.

Mr. PARKER of New Jersey. You simply rejected it when he said it was necessary?

Mr. J. M. NELSON. Is there not a division of the Department of Justice now which has admiralty lawyers in it, whose duty it is to take care of these cases?

Mr. ANTHONY. I can not inform the gentleman as to that, but I presume they are prepared to defend the United States in any form of litigation.

Mr. J. M. NELSON. Does the chairman of the committee think it wise to establish divisions of the Attorney General's office in all the various departments?

Mr. ANTHONY. I do not think so.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. MOORES].

The question being taken, on a division (demanded by Mr. MOORES of Indiana) there were—ayes 13, noes 49.

Accordingly the amendment was rejected.

The Clerk read as follows:

For aviation increase, to officers of the Air Service, $1,000,000: *Provided*, That no portion of this appropriation shall be used for pay of reserve officers.

Mr. HULL. Mr. Chairman, I make a point of order on that proviso.

Mr. ANTHONY. It appears to be a limitation.

Mr. HULL. It changes the entire law. It does not reduce the amount at all. It simply says you shall make the payment to the Regular Army and not to the reserve officers, and that is very injudicious. The Chairman understands that these men come in from civilian life and take two weeks of practice. They are worth practically as much as Regular Army officers, and they cost about one-fiftieth as much. Now, if you are going to discriminate against reserve officers you are not going to have any of them. There are very few of them as it is, and they are trying to build up a reserve corps, and we have got to have them.

Mr. ANTHONY. Will the gentleman yield?

Mr. HULL. Certainly.

Mr. ANTHONY. I do not think the gentleman will say there is a discrimination against the reserve officers. This increase in flying pay is given to officers of the Regular service who participate in flights of not less than four hours a month for a certain number of months. Now, it is very obvious that a reserve officer who comes in and flies for two weeks in the year does not comply with these regulations in accordance with which the Army gives increased pay to flying officers. It would be a mere gratuity to these reserve officers if we gave it to them.

Mr. HULL. If that is true, there is no reason for the provision. If they do not comply with they regulations, they would not be paid. You do not want anything in this appropriation bill that looks like discrimination.

Mr. ANTHONY. It was evidently the intention of the War Department to pay the reserve officers, and in order to prevent it we put this limitation on.

Mr. HULL. Then it is a discrimination against the reserve officers.

The CHAIRMAN. Does the gentleman from Iowa contend that this is not a limitation?

Mr. HULL. I certainly do; the amount is not reduced at all. The money will be paid out just the same; it will be paid out to the officers of the Regular Army.

The CHAIRMAN. The Chair will call attention to the fact that Congress could make any limitation it pleases; it could say that the money should not be paid to the Regular officers of the Army. The Chair must overrule the point of order.

Mr. HULL. Mr. Chairman, I move to strike out the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out the proviso which reads, "*Provided*, That no portion of the appropriation shall be used for pay of reserve officers."

Mr. HULL. Mr. Chairman, the foundation of the military policy, if we have any policy, is that the reserve officers when on duty are equal to Regular Army men. In the reorganization act we provided that the reserve officers shall receive the same pay and allowance as an officer of the Regular Army of the same grade and length of service. Now, in order to keep some flyers in this country so they can fly we call back to the service for two weeks only certain reserve officers of the flying brigade. At this time they should receive the same pay as the Regular Army officers. Even if they get this pay, they cost you less than one-fiftieth of what a Regular Army man does for a year's service. Probably they are not as efficient, but they are good flyers. They have to be or they could not fly. They are men that have seen service, most of them abroad. They go to the flying schools and take two weeks' practice.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. HULL. Yes.

Mr. J. M. NELSON. Have you not the regular officers, and is not this, in effect, an increase in the number of officers to share in the appropriation?

Mr HULL. We are trying to build up a reserve corps in order to lessen the Regular Army—keep the expenses down. That is the theory of having a reserve corps.

Mr. J. M. NELSON. Under this bill you would have the Regular Army officers.

Mr. HULL. We need more than the Regular Army officers in one squadron. We have not any flyers in the Regular Army if war comes; we have a few in the reserve corps, and are trying to build up a reserve corps; but if you get to discriminating, as you are in this proviso, you will have no one in the reserve corps. You will hear from it if you do not strike this out. Men will be brought back in the reserve corps and fly for two weeks, and then they will say that they got in for two weeks but they found the regular man was receiving more pay than they and so they would refuse to come.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HULL. Yes.

Mr. GREENE of Vermont. Does the gentleman think the military can be paid for by a per diem, the same as you pay a bricklayer for the number of cubic yards of masonry?

Mr. HULL. I do not.

Mr. GREENE of Vermont. Does the gentleman think that a man who comes back incidentally for two weeks should be paid on the basis of one who has turned out to be an efficient officer?

Mr. HULL. I think he should receive the same pay for two weeks as the regular man of the same rank.

Mr. GREENE of Vermont. Does he render in the two weeks the same service that the man renders who has been working 52 weeks of the year?

Mr. HULL. He does not receive as much by one-fiftieth.

Mr. GREENE of Vermont. Again I come back to the question, Would you pay him on the same basis as you pay the bricklayer, a per diem?

Mr. KAHN. Will the gentleman yield?

Mr. HULL. Certainly.

Mr. KAHN. Many of the reserve officers are employed in private enterprises. They get salaries that do not enable them to go back into the reserves without being paid for the time they are doing reserve work. They can not afford to go into the reserves for two weeks without being paid so that their families can get money to live on for those two weeks. There is nothing unusual in doing that. We do it with reference to the militia officers who go to the training camps for a week or two.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. HULL) there were—33 ayes and 27 noes.

So the amendment was agreed to.

The Clerk read as follows:

For additional pay to officers for length of service, $4,000,000.

Mr. SWANK. Mr. Chairman, I move to strike out the last word in order to make a statement to the Military Committee. The gentleman from New York called attention to the matter of discharged soldiers, and I agree with him entirely. I want to call attention to this fact: I had a case of a young man who received a dishonorable discharge in the last war. I took it up with the War Department and was informed that they had no authority to change it. I understand that there is another young man whom a Senator told me about who had a dishonorable discharge, but who did not have a black mark against him. The only way to correct this would be by a special bill, and I notice that several such bills have been introduced.

I know a young man who enlisted in the First Division, and who was in all of the great battles in France. When that division was ready to come home he was transferred and placed in the army of occupation. He was from Oklahoma. When they landed in Germany he and a bunch of his Texas friends got together, and you know what a bunch of boys from Oklahoma and Texas will do when they get where there is something to drink, and they went off on a little spree. A bunch of noncommissioned officers was sent out to arrest them. This boy had a little fight with one of the noncommissioned officers. They court-martialed him and sentenced him to serve seven years in the penitentiary. When they came back to New York they chained him to a deserter and took him to Fort Leavenworth and he served seven and a half months. I saw his records. He was rewarded for bravery several times. He was wounded and gassed. I think the Commitee on Military Affairs ought to bring in a bill creating a commission of some kind to hear cases of that nature and determine them and in meritorious cases to make a recommendation, if the man is dishonorably discharged, when he should have been honorably discharged, especially in cases where in a civil court the charge would only amount to assault and battery and the maximum punishment would be a small fine and a little jail sentence. I arose merely to call this to the attention of the committee.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

PAY OF ENLISTED MEN.

For pay of enlisted men of the line and staff, $83,000,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 15, line 22, strike out the figures "$83,000,000" and insert in lieu thereof the figures "$72,678,659."

Mr. KAHN. Mr. Chairman, before the gentleman proceeds will he yield to me for a moment?

Mr. BYRNES of South Carolina. Yes.

Mr. KAHN. I have an amendment which I desire to offer increasing this amount. Should that amendment be now offered as a substitute for the amendment offered by the gentleman from South Carolina?

The CHAIRMAN. The gentleman can offer it at any time before the vote is taken on the amendment.

Mr. KAHN. Mr. Chairman, I ask unanimous consent that the proposed amendment be read now for the information of the committee and be considered pending.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. KAHN: Page 15, line 22, after the word "staff" strike out "$83,000,000" and insert in lieu thereof "$88,519,219."

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, the amendment that I have offered provides a sum sufficient to pay 150,000 enlisted men. I use the exact figure that was carried in the bill as it was originally reported to the House in the last session. In addition to the 150,000 men provided for by this amount, in another paragraph we provide for the pay of the Philippine Scouts, so that by the adoption of the amendment we will provide for the 150,000 enlisted men and for the Philippine Scouts. The provision for the 14,000 officers has already been passed.

Mr. Chairman, it is unnecessary to refer to the history of this personnel question in recent months. After the Congress adopted the resolution limiting the Army to 175,000 men, the subcommittee of the Committee on Appropriations having this bill in charge made a most careful investigation of the subject. It is clear to all that the number of enlisted men in the Army must be fixed arbitrarily. No man is in a position to say exactly why the peace-time strength should be 185,000, 165,000, or 150,000. No man can speak with absolute authority on that subject, either in the War Department or out of it. This committee, headed by the gentleman from Kansas [Mr. ANTHONY], as well informed on military affairs as any man in the House, with the gentleman from Alabama [Mr. DENT], representing the minority, and the other gentlemen of the subcommittee who have familiarized themselves with military affairs and the necessities of the military organizations, decided that 150,000 men was a sufficient force for the next fiscal year. I want you to know not what I say about it, but what the chairman of this subcommittee [Mr. ANTHONY] said about it only a short time ago. When this bill was introduced and Mr. ANTHONY was presenting it to the House, the question was asked by Mr. MILLER, on February 1, 1921, and the following colloquy occurred:

Mr. MILLER. For a question. What was the basis for fixing the number at 150,000 men? Why not 125,000 or 175,000? How did the committee come to arrive at the number of 150,000?

Mr. ANTHONY. The number was fixed after a careful study of the actual requirements of the country. We took into consideration the number of men who would be required to garrison our outlying possessions and the number of men necessary to be maintained in garrisons in this country, including the Coast Artillery for our fortifications, a force on the border, and for the various military posts in this country——

Mr. MILLER. Will the gentleman yield for another short question?

Mr. ANTHONY. And we concluded that 150,000 was about the right number.

Mr. MILLER. Did the gentleman's committee take into consideration the world's condition, or did it fix it entirely upon conditions within the United States?

Mr. ANTHONY. Yes; we took into consideration every condition, I will say to the gentleman.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

Mr. ANTHONY. Mr. Chairman, before that request is put, will he permit me to submit a unanimous-consent request for a limitation of time on this paragraph? I ask unanimous consent that debate upon the paragraph be limited to half an hour.

Mr. JOHNSON of Mississippi. Mr. Chairman, I have an amendment that I desire to offer.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate on this paragraph and all amendments thereto be limited to 30 minutes.

Mr. ANTHONY. I shall make it 40 minutes, the time to be equally divided between those favoring a smaller appropriation and those favoring a larger appropriation, 5 minutes of that time to be reserved for the committee.

Mr. FISH. Mr. Chairman, reserving the right to object, will not the gentleman make it one hour?

Mr. BYRNES of South Carolina. Mr. Chairman, for the present I am going to object. At the conclusion of my remarks I hope the gentleman from Kansas will renew his request.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that his time be extended for five minutes. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. Mr. Chairman, again I quote what Mr. ANTHONY said on February 3, 1921, when the bill was under consideration. At that time he spoke as follows:

The committee have made an appropriation for the pay of the enlisted men of the Army calculated on 150,000 men during the next fiscal year. The committee believe it will be entirely practicable to reduce the Army to that size, and the committee furthermore believe that that will be one of the policies of those who will be responsible for the Government after March 4.

I also believe that the amount appropriated will be adequate to take care of the pay of such an enlisted force without any deficiency.

Not wishing that he shall stand by himself, I quote now from the gentleman from Wyoming [Mr. MONDELL], who on the same day spoke as follows:

A year ago, just out of the war, still within the war shadows, still under the influence of war conditions, we believed we needed 175,000 enlisted men besides the Philippine Scouts and flying cadets. Most of us now believe, and the country believes, that 150,000 enlisted men will be sufficient. We are appropriating for that number. We are trying, partly at least, to realize the hope and expectation of the American people that we shall get back to normal as soon as possible; that we reduce, so far as we can without injury to our Military Establishment, the enormous total of military costs.

Mr. COOPER of Wisconsin. Who said that the country believed 150,000 men were sufficient?

Mr. BYRNES of South Carolina. The gentleman from Wyoming [Mr. MONDELL], the leader of the majority party in this House.

Mr. ANTHONY in presenting this bill to the House has set forth how our forces are distributed, informing you that in Hawaii and at the canal we now have forces larger than normal and forces larger than were necessary, and in Germany we have 15,000 men. Then what change has come over us that necessitates that same committee coming back into the House and asking for an appropriation of 18,000 more men?

Mr. ANTHONY. Will the gentleman yield?

Mr. BYRNES of South Carolina. I regret I can not yield unless the gentleman obtains five additional minutes for me, then I would be delighted to yield. The only argument that has been offered anywhere is that the officials of the War Department say to you that it is not feasible to reduce this force so as to have in the organization only 150,000 men during the next year. They take the position they can not discharge men, a position which the gentleman from Kansas says is not tenable. It can not be defended. The enlistment contract does give that permission; discharges have always been granted and can be granted now, and this force can be reduced to an average of 150,000 men for the next fiscal year if the department will cooperate. As the gentleman from Kansas says, whether it be Secretary Baker or Secretary Weeks, Secretaries may come and Secretaries may go but the General Staff stays on forever, and the General Staff says they are going to have 175,000 or 180,000. It is up to the Congress now to say whether it will abrogate its functions or shall fix the number of enlisted men and make them comply with the law. Is there any reason why they can not do it? The only other argument that has been offered is that the Secretary of War came to the committee and said, "If you will increase this force to 182,000 men I will show you where you can save $22,000,000 out of this bill as you passed it." What answer shall we make to it? We know the Army officers showed him where he could save that money, but 60 days ago they complained that the Congress did not appropriate enough, and in two months they come back and say, "We can save $22,000,000 if you will increase the force to 175,000 or 180,000 men." The only thing to do is to take the $22,000,000 and then fix the enlisted force at what Congress says it ought to be fixed. Why, if they had wanted to increase the force to 200,000 men they could easily have gone to the Secretary of War and shown where we could take off $30,000,000 instead of $22,000,000, but when they only needed $22,000,000 they come back to us and say, "Here is a bill passed March 4, and I can show you where you appropriated $22,000,000 more than we need during the next fiscal year." Now what are you going to do? Are you going to let this bill start in this House with 168,000 men? It left here with 150,000 last time. It went to the Senate and was increased there to 180,000, as I remember. Finally they compromised the differences between the Houses, and Congress said that 156,000 should be the enlisted force for the next fiscal year, and in the face of that the department comes now and asks for 182,000, and the committee changes

its view and asks for 168,000, an increase of 18,000 men, for no reason except that the Secretary has shown where we appropriated $22,000,000 more than they actually needed.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HILL. I ask that the time of the gentleman be extended a quarter of a minute. Did not the gentleman when he stated 158,000 mean 168,000?

Mr. BYRNES of South Carolina. No; I meant 156,000, and if the gentleman will read the bill he will find that it is 156,000.

Mr. KAHN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from California desire to discuss the amendment or his substitute?

Mr. KAHN. I desire to speak on my substitute, and I now desire to offer it.

The CHAIRMAN. The gentleman from California offers a substitute, which the Clerk will report.

The Clerk read as follows:

Mr. KAHN offers the following substitute to the amendment offered by the gentleman from South Carolina [Mr. BYRNES]: On page 15, line 22, after the word "staff," strike out $83,000,000 and insert in lieu thereof $88,519,219.

Mr. FISH. Mr. Chairman, I offer an amendment to the substitute.

The CHAIRMAN. Does the gentleman from California yield?

Mr. FISH. And I ask that it remain pending.

Mr. KAHN. Well, I have no objection to having the amendment to the substitute offered at this time, provided it is not taken out of my time.

The CHAIRMAN. The gentleman from New York offers an amendment to the substitute, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH to the substitute offered by Mr. KAHN: Page 15, line 22, strike out the figures "$83,000,000" and insert in lieu thereof "$77,800,000."

Mr. SANDERS of Indiana. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SANDERS of Indiana. Is that an amendment to the substitute offered by Mr. KAHN? Does it say so?

The CHAIRMAN. The Chair thinks that this is in the form of a substitute——

Mr. SANDERS of Indiana. A substitute to a substitute is not permissible.

The CHAIRMAN. The Chair thinks with a little correction it will be in order.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

Mr. PARKER of New Jersey. Mr. Chairman, I rise to a point of order. An amendment was offered by the gentleman from South Carolina [Mr. BYRNES] and an amendment to the amendment—that is, by way of a substitute—was offered by the gentleman from California [Mr. KAHN]. I do not think any further amendment——

The CHAIRMAN. An amendment to the substitute of the gentleman from California is now in order. If the gentleman from New York [Mr. FISH] desires to offer it as an amendment to the substitute, it will be in order.

Mr. PARKER of New Jersey. Mr. Chairman, I was going to suggest one other thing. I think there is one rule that I have never seen enforced in the House but that is always stated in the manual, namely, that when a succession of figures is proposed the largest is put first and the committee works down from the largest to the smallest without reference to the order in which the amendments are offered. Otherwise Members would have a great deal of difficulty. One would give $1,000,000 and one $800,000 and another $700,000, and all those who would agree to the largest sum would agree to the smaller one. The parliamentary rule was that, without reference to the order in which various figures are proposed, the chairman would name the highest figure first and work down from that.

Mr. KAHN. I understand that this is a parliamentary inquiry, and is not being taken out of my time.

The CHAIRMAN. It is not taken out of the gentleman's time. The Chair wants to know if the gentleman from New York [Mr. FISH] wants to modify his amendment?

Mr. FISH. I do.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. FISH to the substitute offered by Mr. KAHN: Strike out the figures "$88,519,219" and insert in lieu thereof the figures "$77,800,000."

Mr. FISH. Mr. Chairman——

The CHAIRMAN. The gentleman from California [Mr. KAHN] has the floor.

Mr. FISH. Will the gentleman yield to permit me to change the figures, in order to get the amendment perfected?

The CHAIRMAN. Without objection, the gentleman from New York may correct his amendment.

Mr. FISH. I desire to change my figures to $77,839,300.

The CHAIRMAN. The Clerk will report the amendment as corrected by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. FISH to the substitute offered by Mr. KAHN: Strike out the figures "$88,519,219" and insert in lieu thereof the figures "$77,839,300."

The CHAIRMAN. The gentleman from California [Mr. KAHN] is recognized.

Mr. KAHN. Mr. Chairman, as I stated yesterday, the world is in a very unsettled condition. Nobody can tell from week to week what is going to happen. Therefore, in my opinion, this country ought to have an Army of 175,000 men, as was provided by the last Congress. It may be that in a year world conditions will have changed so materially that a much larger reduction of the force can be made. But while the world is in the unsettled condition it is in now, there is no good reason why this country should reduce its enlisted force below a figure considered safe by the War Department.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KAHN. I have only five minutes. If the gentleman will allow me, possibly I can answer a question after I have made one or two statements that I desire to make at this time.

The amount that I have offered will take care of an average Army during the fiscal year of about 185,000 men. That means that gradually the Army will be cut down, until by July 1 of next year it will have been reduced so that for some of the concluding months of the next fiscal year it will be 175,000 men. The amount carried in this bill will not allow 168,000 men for the entire year. It is for an average of 168,000 men. And that means that finally——

Mr. ANTHONY. Will the gentleman yield?

Mr. KAHN. In a moment. It means finally that by the end of the fiscal year the Army will be down to about 140,000 men. I yield now to the gentleman from Kansas.

Mr. ANTHONY. The Army will not be down to 140,000 unless the Secretary of War refuses to discharge down to 168,000 men at the start of July 1. So it is entirely a question of what policy he pursues. Our appropriation will pay for 168,000 men for one year.

Mr. KAHN. Well, the Secretary of War, I assume, is reducing and will continue to reduce the force, so that the 175,000 men provided for by the last Congress will be reached as soon as possible. And I want to say in that connection that I have every sympathy with the attitude of the gentleman from Iowa [Mr. DOWELL], who now occupies the chair. I believe that the War Department officials ought to give discharges in cases similar to that which he mentioned when request for discharge is made, so that the Army can be reduced promptly to 175,000 men.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. KAHN. No; I can not. I have not the time.

The War Department ought to get down to that figure as soon as possible. I am in favor of cutting it down to that number of men, but not below that number at this time.

Now, the gentleman from Kansas [Mr. ANTHONY] suggests that we can remedy the situation by adopting some language on page 22—I think it is. Let me call your attention to what that language would do. It would compel the War Department peremptorily to discharge men, and thereby violate the contract that the enlisted man entered into with his Government. If the enlisted man were to attempt to violate his contract by deserting, he would be arrested and sent to prison. The Government itself has no more right to violate its contract with the enlisted man than the enlisted man has a right to violate his contract with the Government.

Mr. ANTHONY. Will the gentleman yield?

Mr. KAHN. I have only five minutes.

Mr. ANTHONY. I think the gentleman has misinterpreted the contract. If the Secretary of War discharges a soldier to-morrow, who enlisted for three years, he violates no contract in so doing. The contract reserves the right to the Secretary of War to do that.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from California be given five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. I thank the gentleman and the committee.

Mr. GRAHAM of Illinois. We passed a resolution in the last Congress, as I remember it, practically ordering the War Department to reduce the number of men in the Army to 175,000?

Mr. KAHN. Quite right.

Mr. GRAHAM of Illinois. Now, is it not proper for us to consider that that was an expression of Congress of its idea of what size the Army ought to be?

Mr. KAHN. Exactly so.

Mr. GRAHAM of Illinois. Has there been any expression now by this body from that time to this that changed that idea?

Mr. KAHN. No; not that I can remember.

Mr. GRAHAM of Illinois. Then if that is true, why appropriate for a less number? Why create a deficiency in advance?

Mr. KAHN. The bill provides for a smaller number, and I am trying by my amendment to maintain the number at 175,000.

Mr. GRAHAM of Illinois. Why express our opinion one way, and then appropriate for something else?

Mr. KAHN. Mr. Chairman, in all the history of this country we have constantly lacked vision. We have never looked into the future. We take the situation to-day without regard to surrounding circumstances. That is what cost this Government the enormous sums that have had to be expended whenever we have had trouble.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. KAHN. I yield.

Mr. JOHNSON of Mississippi. Would the gentleman be willing to support an amendment which would require or direct the Secretary of War to discharge the enlisted men upon their own applications until the number is brought within the number fixed by this bill—say, 175,000 or 168,000?

Mr. KAHN. If this bill will fix the number at 175,000, I would have no objection, but if it has the purpose of cutting below that I certainly object.

But the proposition is this: The country is facing very serious problems—problems, in my opinion, as serious as we have ever faced in our history. There are international questions that are serious. By standing firm at this time for a reasonably defensive Army—175,000 is not a large Army—we shall be upholding the hands of the administration at this time. I think that is a safe and proper thing to do. The amount of the appropriation that I have suggested only increases the amount called for in the bill by $5,500,000. That $5,500,000 may be the means of saving this country many other millions.

Now, no great harm can be done by maintaining the Army at 175,000 men as the minimum, whereas considerable harm may be done the country if we reduce below that number at this time.

The CHAIRMAN. The time of the gentleman from California has expired. The gentleman from New York [Mr. FISH] has submitted an amendment, and is recognized.

Mr. FISH. Mr. Chairman and gentlemen of the House, I am reluctant to disagree with the venerable and distinguished gentleman from California [Mr. KAHN] as to what constitutes adequate preparedness. The question here is simply what constitutes adequate preparedness. It is not a question of disarmament or really a question of taxation. It is purely, to my mind, a question of adequate preparedness, with a view to our national safety and with due regard to the taxpayers' money.

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me for a question?

Mr. FISH. I have only five minutes. If you will extend my time I will yield.

Mr. MADDEN. I have not the power to do that, but I would not object to it. I would like to ask the gentleman a question.

Mr. FISH. I yield.

Mr. MADDEN. What would be the difference in degree of preparedness between $83,000,000 and $77,000,000?

Mr. FISH. The amendment which I have offered provides for an enlisted personnel of 156,000, which was adopted by the conference report and passed overwhelmingly by this House at the last session.

The gentleman from California [Mr. KAHN] states that we should have an Army of 175,000, because this House at the last session voted for 175,000. Now, I submit that when it came to a vote between 175,000 and 150,000 this House by a vote of exactly 3 to 1 voted for 150,000. And I will also further point out that among those voting for 150,000 on the Republican side were four ex-service men of this war, out of a possible six.

We must consider preparedness as it will exist with an Army of 156,000, as provided by this resolution. We must add to these figures a factor which everyone here overlooks, which no one has mentioned—a federalized National Guard of 89,000, under Government supervision and paid by the Government. Before this war or prior to the Mexican trouble we did not have a federalized National Guard. But this guard—I say it without fear of contradiction, holding no brief whatsoever for the guard—compares favorably with the Regular Army, because young officers who saw combat work on the other side have reenlisted in the guard, and Regular Army officers who have inspected the Artillery units of the National Guard tell me that they compare very favorably with the Artillery units of the Regular Army. An Artillery officer of the Regular Army told me that he disliked to inspect the Artillery units in the National Guard because these young guard officers knew more about modern combat artillery than he did himself.

Another word, Mr. Chairman, inasmuch as I have but a short time to discuss this amendment——

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask unanimous consent that the gentleman from New York may proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FISH. Added to the guard you have got 20,000 marines, who are as good soldiers as there are in the world. Added to that you have the reserve officers' training camps. You appropriate in this bill $2,000,000 for training camps to train officers during the fiscal year beginning July 1. There are thousands of our citizens taking military courses in colleges and universities, and, back of all that, there are 4,000,000 veterans, the best-trained veterans of the world. [Applause.] They are at the beck and call of this country; and I am going to emphasize a fact that is often lost sight of, and that is that our Army was the best trained, best equipped, and best fighting force at the time of the armistice of any in the world. [Applause.] I make this statement deliberately and advisedly and will prove it to your satisfaction. These men who volunteered and were drafted under that splendid law enacted under the leadership of the distinguished gentleman from California [Mr. KAHN], who, I believe, did more to conclude this war by a victorious armistice than any other civilian in the country [applause], and who deserves, in my opinion, to wear on his breast, more than any other civilian, the distinguished service medal [applause]——

Mr. HILL. He has not got it, though, has he?

Mr. FISH. In response to the selective draft and in response to the call for volunteers we had 4,000,000 men enter our Army. These men were trained, and trained intensively, from one to two years. They had the advantage of all the experience at the command of our allies, and with actual combat and battle training they excelled the troops of the enemy or our allies. We must not overlook the fact that they were between the ages of 18 and 30; that they were younger, stronger, more aggressive, had more endurance to withstand the hardships of offensive warfare, and were equally brave; therefore I submit that these veterans were superior to any soldiers in any of the armies. Most of them could be depended upon to respond again in case of war. The 200,000 reserve and National Guard officers and a half million noncoms are ready and will be for at least the next eight years to train a new Army in an emergency.

Why, the gentleman from California, looking to the sky, says there is no cloud of war there, but it may come at any time. Let any war come now or within the next eight years and you need not worry about the result with 4,000,000 of the best trained soldiers at your command. Mr. KAHN further admits that he sees no war cloud at the present time. We have never in the history of this country entered a war without there being a cloud in the sky as a warning, and as that cloud grew bigger and bigger we had an opportunity to prepare, and we have always declared war when we wanted war ourselves. I submit that we have adequate preparedness, and that 156,000 Regulars, with all our other forces, are in every way adequate for the emergency that exists or any emergency that will exist. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired. The Chair will recognize the gentleman from Mississippi [Mr. SISSON].

Mr. SISSON. Mr. Chairman, of course in five minutes I can not discuss this question, involving as much as it does, but I do want to call the attention of the committee to a statement made by the gentleman from California [Mr. KAHN], who has been so long chairman of the Committee on Military Affairs. The gentleman ought not to have made that statement, that the Govern-

ment violates its contract when it discharges a man prior to the expiration of his term of enlistment, when in every one of these enlistments you will find written this language—

Unless sooner discharged by the President, the Secretary of War, or the commander of his corps.

In other words, there are three men named in that contract who have the right to discharge him.

Mr. HULL. Will the gentleman yield?

Mr. KAHN rose.

Mr. SISSON. I have only five minutes, and I do not yield, unless the gentleman from California wishes to interrupt me.

Mr. KAHN. I should like to ask the gentleman whether those words do not relate to conditions entirely different from these?

Mr. SISSON. Oh, no; in every man's enlistment is that provision.

Mr. KAHN. I know; but is it ever carried out?

Mr. SISSON. I do not care whether it is ever carried out or not. The statement made by the gentleman is not sound when he says that the Government violates its contract. That is all there is to it. If that is so, why did they put these words into the enlistment contract? Why does the gentleman bring in a straw man here for the purpose of sustaining a position which he can not sustain under the contract? It is a mere straw man, a bogey man for the purpose of endeavoring to get votes for a proposition which is utterly untenable, as was shown by the gentleman from New York [Mr. FISH] a moment ago.

Mr. KAHN. Will the gentleman yield?

Mr. SISSON. I will.

Mr. KAHN. Is it not a fact that the War Department has never discharged men in this way under that provision?

Mr. SISSON. I do not care anything about that sort of bosh, as to what the War Department has never done. I do not believe the War Department wants to discharge men at all. It wants to keep them. You have got to choke the War Department off, and why have you not helped to choke them off?

Mr. KAHN. Oh, that is not a fair statement.

Mr. SISSON. It is absolutely fair. The statement which the gentleman makes is unfair in every feature of it.

Mr. KAHN. So is the gentleman's statement.

Mr. SISSON. Oh, well, the gentleman comes here with the statement that they have no right to discharge these men, and he makes that statement for the purpose of getting votes for his proposition, when he knows that the contract the Government makes with every one of these soldiers contains that provision.

Mr. KAHN. And they never discharge a man under it.

Mr. SISSON. I agree with the chairman of the committee [Mr. ANTHONY] in his statement that 25 per cent of the men desire to get out of the Army and that 25 per cent of them will make application to get out. Then the natural wastage of the Army, which is from 5,000 to 8,000 a month, will still further reduce the number. Therefore there can be no sort of doubt about the Army being reduced to 150,000 men without in any way bringing about that condition which the Army officers are endeavoring to picture to us. Those of us who have been here a good many years know that our Army officers are endeavoring to fix the size of the Army themselves. When Mr. Hay, of Virginia, occupied the position so long occupied by the gentleman from California [Mr. KAHN], Congress controlled the size of the Army. When he was chairman of the committee the number of men was fixed at a certain figure, and the War Department did not enlist more men, because the chairman of the committee then was virile, and when he told the Army officers and the Secretary of War where to get off, they got off. That is all. When Congress makes up its mind that it wants to reduce this Army down to a certain size, the War Department will follow suit. I do not believe that Army officers are going to put themselves in the position of being violators of the law. I do not believe they themselves want to be lawless, because it is their high purpose to assist in enforcing the law. Up to date they have been left rather up in the air.

When Mr. Dent, of Alabama, offered an amendment to endeavor to get the size of the Army fixed at 175,000, that was voted down, but after that the gentleman from California [Mr. KAHN] brought in his 175,000 resolution, but that did not command that the Army should reduce down to 175,000 men. But I call attention to this fact: In my judgment nothing is more utterly silly than to say that the world condition is such that we need the difference between 150,000 and 175,000 men.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I ask unanimous consent for five minutes additional.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SISSON. If world conditions were such that I had the fears entertained by the gentleman from California, or apparently entertained by him, I would not satisfy myself with the difference between 150,000 and 175,000 men. It is only the difference between tweedledee and tweedledum, except that it costs us about $2,000 a year for every extra man that we keep in the Army; and you gentlemen, who were elected upon a campaign of economy, ought to take that into consideration, because you can make a greater saving in reference to expenses of the Army and Navy than in any other direction. Now, if I felt that we were in great danger or immediate danger of war within the next few months or within the next year, I would not stand up and fix the Army at 175,000 men. The truth is that the fixing of the Army at 175,000 men is desired by Army officers simply because it means the retention of certain positions among the Army officers, because when you reduce the number of enlisted men you reduce the number for these officers to command.

Mr. HILL. Will the gentleman yield for a question?

Mr. SISSON. I yield to the gentleman from Maryland.

Mr. HILL. Will the gentleman state whether the reduction of the enlisted personnel would reduce one Army officer at the present time?

Mr. SISSON. Yes.

Mr. HILL. Without further action of Congress?

Mr. SISSON. The gentleman qualifies here every few minutes as an expert, and the gentleman ought to understand that the law specifically provided that when the armistice was signed and when the Army was reduced, these officers of the Regular Army should go back to their prewar status.

Mr. HILL. I want to thank the gentleman for qualifying me as an expert.

Mr. SISSON. I think it is necessary for some of us to do it, therefore I am willing to be the goat. [Laughter.]

Mr. HILL. Then, will the gentleman answer the question?

Mr. SISSON. I have answered the question.

Mr. HILL. Was the gentleman's answer yes or no?

Mr. SISSON. I do not propose to give a categorical answer to any question.

Mr HILL. Then the gentleman declines to answer the question.

Mr. SISSON. I do not know whether my friend is a lawyer or not; is he?

Mr. HILL. I am a Member of Congress at present.

Mr. SISSON. I am sorry the gentleman ceased to be a lawyer when he came to be a Member of Congress, but that is the way with most of them. [Laughter.] In my judgment, Mr. Chairman, the Army ought to be reduced to 150,000 men. It is the opinion of the gentleman from Michigan [Mr. CRAMTON] that 150,000 is the correct number, but in view of the difficulties presented, in view of the pressure brought to bear as a compromise of differences, we brought in this bill with the distinct understanding on the part of the chairman of the committee and the gentleman from Michigan [Mr. CRAMTON], who specifically stated on the floor that that number was not the fixed policy of Congress, nor should it be taken as a precedent, but that 150,000 was the limit. I believe, gentlemen of the committee, that if we have well-trained officers for the purpose of training the civilians we do not need a great standing Army. My friend, the gentleman from New York [Mr. FISH], in discussing conditions of the country for war and training failed to mention the fact that we have schools and universities and colleges and military schools for training young men for the Army. I fear more than anything else military despotism within a republic. Nothing will more surely destroy our liberties than a policy of militarism. Nothing would tend so much to destroy the liberties of the people as to be ruled by a great military establishment. Great military establishments have been the cause of destroying the liberties of the people throughout the history of the world. It has not been the standing army that preserved the liberties of the people; it has been the standing army that has destroyed the liberties of the people. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WOOD of Indiana. Mr. Chairman, the gentleman from California has told us that the world is in a most chaotic condition. Unfortunately that is true, but for the life of me I can not see how by adding 17,000 additional men to this Army that will settle the chaotic condition of the world.

Now, there are some things to which I shall invite the attention of the committee and which to my mind are conclusive evidence that it is not so much the condition of the world that gentlemen who are desirous of augmenting the Army are concerned about as it is the fastening of a great Military Establishment on this country. Immediately after the armistice was signed a certain coterie of gentlemen thought they were going to consummate the dream of years by creating a great Military Establishment in this country and proposed that we have an Army of 576,000 men. The psychological condition was better then for such an Army than it ever was before or probably ever will be again. That attempt utterly failed. Then they sought to establish an Army of 250,000 men, in face of the fact that this Congress had fixed it at 175,000 men, and in utter defiance of the will of the people as expressed by Congress they went on with enlistments until they had 235,000 men.

This is the embarrassing situation that the present administration finds itself in, that notwithstanding this Congress fixed the number at 175,000—and it was well understood by the Secretary of War at that time that that was to be the size of the Army, still he yielded to the General Staff and those who had been in favor of fastening on the country a great Military Establishment, and in defiance of the will of the people expressed through its Congress, he enlisted an Army of 235,000 men, and this is the number we have now.

Mr. STEVENSON. Will the gentleman yield?

Mr. WOOD of Indiana. No; I have not time. Appreciating the embarrassing conditions in which the Secretary of War finds himself, the committee reluctantly agreed to appropriate for 10,000 additional men, so that he may within the time limited reduce the Army by 68,000 men, so that it will come within the provisions of this appropriation and be reduced to 168,000.

Now, here is the time and place, and this is the most propitious time, at the commencement of this new administration, for the representatives of the people—and I believe we are expressing the will of the people when we vote against increasing this item—to say to the new administration and to this new Secretary of War that you had better pay a little attention to the people of this country and not listen entirely to the General Staff. [Applause.] If I had my way about it I would gladly vote for the amendment offered by the gentleman from South Carolina, for I believe that that would meet the wishes of the people. But in order that the embarrassing position that this administration finds itself in may be somewhat alleviated I am willing to vote for the increased pay for 168,000 men.

Much is said about the necessity for a great standing Army. What would 175,000 men amount to if we were again engulfed in war? It would mean nothing. If we had to fight any of the great powers on earth we would again have to raise an emergency Army as we had to raise it before and as we have always had to raise it. The most we can expect of a standing Army is to protect our internal affairs and guard as best we can the border. Twenty-five thousand men were sufficient to do it before we got into the war, and now we have 4,000,000 men trained to the last minute in the profession of war. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. QUIN. Mr. Chairman, I can not see any necessity for the amendment offered by the gentleman from California. He wants to hold the Army at as great a number as he can. Before the Spanish-American War we had only 27,000 men in the war establishment, and that was ample for this country. There was no talk of anybody coming over here, no insurrection within the domain of the United States.

Mr. KAHN. Will the gentleman yield?

Mr. QUIN. I will.

Mr. KAHN. Did not the gentleman from California vote against any proposition to have a standing Army of 578,000 men, and did not he approve of the reduction to 175,000 men?

Mr. QUIN. I will say that the gentleman on the committee did vote for that, but he was trying at the same time to fasten this contemptible system of compulsory military training on the people, and the proposal of the gentleman from California in reality meant a million men in the United States Army under the name of Reserve Army. He always had a string tied to any reduction of the Army. My friend knows that as a member of the Military Committee I stood out and fought Secretary of War Baker and all others who proposed that iniquitous scheme of 578,000 men for a standing Army. We came on the floor and I had to fight the chairman about an amendment which was unjust. The gentleman from California talks about preparedness for war, but if we were in any danger of war what would 175,000 men amount to? He knows that it would take three or four million men to make a good Army to fight a real big nation, and as conditions exist to-day, as suggested by the gentleman from Indiana [Mr. WOOD], we ought to recognize the rights of the people of this country, the taxpayers, and consider their interests. Instead of having all of these young men wearing the uniform and bearing a sword and gun, let us let some of them be in the industrial occupations, making food and raiment for the people, making tools and implements to carry on prosperity in the United States, instead of our thinking all of the time about the condition of the rest of the world. Let us act for the United States a little, let us come home and take care of the people who are working in the fields, the factories, the mines, and on the railroads, in order that we may make the United States stand out as the greatest people on earth, and let our commerce go to all of the corners of the world. Instead of that policy being pursued, it seems that there are certain interests in the United States who want to hamper the interests of the Republic by having a great standing Army with all that it implies. Instead of our Government standing for the benefit of the people of the United States there seem to be some who desire that it shall stand as a military despotism, holding the world in awe and fear. It strikes me that we ought to follow out some of the marks set by our fathers. Let us in some regard respect the Constitution of the United States and respect the will of the people. Where is the man who works for his living, who toils in the sweat of his brow, who believes that you need in this time a great standing Army such as that which the gentleman from California [Mr. KAHN] would endeavor to increase it to? Why, 175,000 is offered as but a stepping stone to have it 200,000 at the next session of Congress. The gentleman from Indiana [Mr. WOOD] asked how can the present administration accomplish anything along economic lines if this Congress pursues such a policy?

This Congress in reality ought to be the body and the instrumentality to fix the size of the Army instead of allowing the General Staff and those in control of the Army to do it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ANTHONY. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in one hour, one-half of that time to be controlled by the gentleman from Mississippi [Mr. SISSON] and one-half by myself.

The CHAIRMAN. Is there objection?

Mr. MCKENZIE. Mr. Chairman, reserving the right to object, this is perhaps the most important proposition in this bill. It is a matter that every Member here is apparently vitally interested in. Why undertake to limit the discussion? Why not let the matter go along and let every man who wants to have five minutes have his way? If we do not get through with this bill to-day, we can take it up on Monday.

Mr. ANTHONY. That would mean two hours and a half on one line of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. ANTHONY. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, on the pending proposition there are three sets of figures proposed. Gentlemen are given their choice of leadership in three directions. There is the committee under the chairmanship of the gentleman from Kansas [Mr. ANTHONY] proposing the middle course, proposing a figure of $83,000,000. The gentleman from South Carolina proposes $72,000,000 and the gentleman from California $88,000,000.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. I really can not yield now.

Mr. STEVENSON. There is also the proposition of the gentleman from New York [Mr. FISH].

Mr. CRAMTON. Yes; that is intermediate also. I have time to discuss only these three, however. The gentleman from South Carolina [Mr. BYRNES] advocates an Army of 150,000. I do not know what visions of political advantage have charmed him into this proposition. He had an excellent opportunity in the committee to make the very fight which he now proposes and which he failed to make at that time.

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. I am sorry to say that I can not in five minutes. The gentleman had 10 minutes.

Mr. BYRNES of South Carolina. The gentleman does not desire to create a wrong impression.

The CHAIRMAN. The gentleman declines to yield.

Mr. CRAMTON. Mr. Chairman, the gentleman from California [Mr. KAHN] is endeavoring to lead us to what he thinks

is an average force of 185,000 men, while he professes that 175,000 men are enough. I recall that the same gentleman from California at the last session of Congress, when this House was demanding a reduction to 150,000 men as the size of the enlisted force, brought in a resolution that the Army be cut to 175,000 men, and he brought it in under a suspension of the rules, when the House could not express its will for a reduction to 150,000 men. That resolution went through, and in results it has been absolutely nil. The gentleman now proposes an appropriation for an average of 185,000 men, holding out to you the alluring hope that it may be so handled by the War Department that at the end of the year it will be a force of only 175,000 men.

Gentlemen, all the Secretary of War has to do in order to have his Army held up to 185,000 up to the end of the year is to make his cut between the time when this bill passes and the 1st of July. Cut it down to 185,000 and at the end of the year he will have 185,000. But if you want a reduction even to 175,000, do not follow the gentleman from California.

Now as to whether we should follow the gentleman from South Carolina. Our subcommittee—I think I can safely say all of them—favor a reduction eventually below 175,000. The bill that we have offered proposes, however, an average of 168,000 without the Philippine Scouts; 175,000 including the Philippine Scouts. The reason we felt obliged to recommend that figure, larger than the figure in our former bill, was this. The bill in the last session, becoming effective by the 4th of March, would have given four months in which to make a reduction of 70,000, and that could have been done without bringing chaos in the Army. This bill will not become a law apparently before June, and if it becomes effective the 1st of June, bringing the Army down July 1 to an average strength of 168,000, means a reduction of 40,000 men in one month. You can not go further in one month with reduction without bringing chaos in your Army, and our committee felt it could not go further than the figure we have recommended. On the other hand, if the Secretary of War will follow the course that is alluringly held out by the gentleman from California and not make the reduction all at once, not resorting to arbitrary discharges, then under our bill, as recommended by the committee, at the end of the year they will have a force of 126,000 men, small enough to suit almost anyone in the House. Therefore, it seems to me that at this time the House can very safely follow the judgment of the gentleman from Kansas and his committee and leave the figure at the $83,000,000 mark. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Chairman, I think if there is one proposition upon which all Members of the House—Republicans, Democrats, and Socialist—are generally agreed, it is that there must be rigid economy in governmental expenditures. But the trouble is we do not seem to get very far in bringing it about. Since I have been a Member of the House I have observed that our old friend "Economy" has got more friends in debate and less on roll call, especially on the Republican side [applause on Democratic side], than any gentleman of my acquaintance whom I have met. I think that we are reaching that stage of affairs in this country where the people are demanding that we reduce Government expenditures to at least somewhat of a prewar basis. At a time when the cotton farmer is selling his product at from 10 to 15 cents a pound less than it cost him to produce it; when the growers of hogs, sheep, and cattle are selling them on the market at considerably less than they have invested in them; when the farmers who raise oats and wheat and corn are selling these products at prices no greater, and in many instances less, than they sold for in 1916, I say to you that it is time that the Congress of the United States should take note of the conditions and give some consideration to getting the expenditures of Government on a prewar basis. [Applause.] Now, gentlemen of the committee, I am perfectly aware that there are some things on which we can not get back on a prewar basis. For instance, there is more than a billion dollars every year that must be set aside as a sinking fund to pay the principal and the interest on our public debt. There will be at least $500,000,000 that will have to be expended in payment of war risk insurance, hospitalization of the soldiers, in vocational education, and other similar soldier-relief measures, and these are payments which we can not escape; but I do contend that the normal activities of the Government must get back to more normal rate of expenditure. Now, let us see about these Army and Navy appropriation bills. In 1916, the fiscal year preceding the war, we appropriated $153,000,000 for the support and construction of the Navy. In that same year, 1916, the fiscal year before the war, we appropriated $102,000,000 for the support and maintenance of the Army.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLACK. Pardon me just a moment and then I will yield—or a total of $255,000,000 for both the Army and the Navy. Now, here two or three days ago we passed the naval bill, which appropriated $396,000,000, and now we have before us an Army appropriation bill that totals $331,000,000, or a total of $727,000,000 for Army and Navy purposes, three years after the signing of the armistice, as against $255,000,000 for the fiscal year before the war, a difference of $470,000,000. In conclusion, let me make this statement, not as a prophecy, because I do not claim to have any gift of prophecy, but simply as an everyday American citizen who is able to discern the perfectly obvious: If farm products, which lie at the base of our Nation's wealth, stay at their present price level, then other things must come down to meet them, or there is going to be a serious situation in this country. And one of the things which must come down is taxes, and before taxes can come down Government expenditures must be reduced. To state that is simply to state an axiom. Therefore I am going to show my faith by my works and vote for the Byrnes amendment, which provides for the support and maintenance of an Army of only 150,000 men. [Applause on the Democratic side.]

Mr. ANTHONY. Mr. Chairman, I yield three minutes to the gentleman from Kansas [Mr. HOCH].

Mr. HOCH. Mr. Chairman, the gentleman from New York a few moments ago referred to the chairman of the Committee on Military Affairs as "venerable." I think the RECORD ought to be corrected, as the adjective does great violence to the youth of the distinguished gentleman from California. While I can not adopt the adjective, I am sure I can indorse the tribute which he paid——

Mr. FISH. Will the gentleman yield?

Mr. HOCH. I can not yield in three minutes. And I must speak plainly and to the point. No one in this House has a higher regard than have I for the gentleman from California, chairman of the Military Affairs Committee. Americans everywhere honor him for the conspicuous service which he has given in this House to his country, and particularly for the service which he rendered during the war. And while we may disagree with his position as one of the big Army advocates, we do not in the least doubt his sincerity. We are not doubting the sincerity of the professional Army men who form the backbone of the big Army group. War is their business. They breathe the air and imbibe the spirit of things military. In the very nature of things they are in a large measure removed from the ordinary struggle of life, and in very many cases lose the viewpoint of the people who make up the great body of citizenship and upon whose activities rests the burden of Federal taxes. And they can not be permitted to dictate the peace policy of the country. The people of this country are opposed to a great standing Army in peace times, and without any disparagement of the character or services of the General Staff and the men associated with them, I do not believe that the American people intend to have their Army policy fixed by the professional Army influences.

I was concerned by a statement made on the floor by the distinguished chairman of the committee, Mr. ANTHONY, who, as we all know, has done such splendid work in the preparation of this bill, and who, as we all know, has effectively fought against the big Army influences. He said in effect that while we have a new Secretary of War, there seems as yet to be no great change in the military policy; that Secretaries come and Secretaries go, but that the General Staff goes on forever. We all know what that means. It means that the Regular Army people are just as insistent upon a great Military Establishment as they have always been. Mr. Chairman, the statement is disquieting, but it is early yet, and I refuse to believe that there is to be a surrender to the same forces that have been dominating the War Office. [Applause.] I do not mean anything partisan; since coming here two years ago I have as yet to speak my first partisan word upon this floor. But I simply state a fact, known to all, when I recall, as others have already done here to-day, that Secretary Baker went over body and soul to the militaristic forces and asked not only for a peace-time Army of nearly 600,000 men but asked for universal compulsory military training and service in times of peace. Mr. Chairman, I think it is good time right now, at this first opportunity, for this House, which comes from the people and knows the sentiment of the people, to make it understood that it proposes to fix the policy.

A few months ago this House, by an overwhelming majority, voted to cut the Army to 150,000. The Senate stood for 175,000, and in conference our conferees compromised at 156,000. That was the figure at which the bill went to the President only 60 days ago. That bill was vetoed by President Wilson, who had

also fallen under the grip of the big Army forces. Now, we are asked to go up another 10,000 and fix the Army at 168,000. And one of the amendments proposes to add about 25,000. No emergency has been shown. No convincing reason, in my judgment, has been given. I appreciate the argument made as to the practical difficulties of reducing rapidly. But the gentleman from Michigan [Mr. CRAMTON], member of the committee which drafted this bill, stated that the figures of the War Department itself show that without resorting to arbitrary discharges and in due course under expirations of enlistments the Army could be brought down by the end of the fiscal year to 126,000. Much has been said about breaking the "contract." While it has been shown that there would be no breaking of the contract, we do not need to rely upon that fact. There are thousands of men who want to get out of the Army. To let them out certainly would not break any contract. There is no question in my mind but what the War Department can reduce the Army to 158,000, or even to 150,000, within the year if it really wants to do it.

Let the House speak the voice of the country on this question! [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISH. Mr. Chairman, I ask unanimous consent to change the RECORD so that the word "venerable" will read "venerated." [Laughter.]

Mr. ANTHONY. Mr. Chairman, I yield two minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman, if the present administration of the War Department continues to surround itself with the same influences and follows in the same path as the last war administration, it will end in the same disrepute that the last one ended in. That is sure.

I want to present just one proposition, which is this: In the last Congress we passed a resolution declaring our opinion that 175,000 was the proper number of men to have in the Army. From that time to this I have not seen any change in that expression of sentiment. If there has been, I do not know where it has been formally pronounced. Now, we are about, under the leadership of this committee, to appropriate money for a less number than that, when 175,000 is the expression of the size we think the Army ought to be.

I think the Military Affairs Committee of this House ought to bring in a resolution at this time declaring what is manifestly the sentiment of this House for an Army of 150,000 men. [Applause.] But so long as they do not do so, is it not the height of folly to appropriate a less sum of money and invite in advance a deficiency appropriation? I am opposed to deficiency appropriations. [Applause.] I think the department ought to be kept to a rigid exercise of the rule that ought to be established in this country and to spend only what is appropriated for them to spend. And in order to do this thing the first and necessary step is for the Military Affairs Committee of this House to do what I have indicated and express the plain purpose of the House, and I believe of the country, that our Army ought to be reduced to 150,000 men. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I would not presume to impose on the House at this time were it not for the fact that it is highly probable, judging from the record made in the last two days, that this is the only opportunity a Member of this House will have to go on record on this measure, especially if men continue the practice of speaking against a bill and voting for it. For unless more men vote the way they talk than did on the Navy bill we will be unable to get a roll call.

Mr. Chairman, I am unalterably opposed to a large standing Army. I believe with the Father of his Country that overgrown naval and military establishments in times of peace are detrimental to the welfare of republican institutions, as well as burdensome to those upon whom rests the responsibility of meeting the public expense. For those reasons I shall most heartily support the amendment offered by the gentleman from South Carolina [Mr. BYRNES], which, if carried to its logical conclusion, will have the ultimate effect of reducing the standing Army to 150,000 men, and thereby saving millions of dollars to the taxpayers of the country. It seems that the only way we can reduce the standing Army, especially just at this time, is to cut down the Army appropriations, for if we appropriate for a larger Army than that of 150,000 men we may rest assured that every dollar of it will be spent, and more will be asked for in the end.

Mr. BLANTON. Will the gentleman yield there?

Mr. RANKIN. I will yield to the gentleman from Texas for a question.

Mr. BLANTON. If we were to merely cut the appropriations, that would not carry out the gentleman's idea, because the War Department would go right ahead with its program, and we would be called upon to furnish the money for the men in deficiency bills. It is a matter of legislation by the Congress.

Mr. RANKIN. I will say to the gentleman from Texas [Mr. BLANTON] that if this appropriation is cut down, as proposed by the amendment of the gentleman from South Carolina [Mr. BYRNES], it will stop recruiting throughout the country almost immediately. Then if the policy now being advocated in this House, and of which I most heartily approve, of releasing from the Army, Navy, and Marine Corps those boys who are under age and whose fathers and mothers are begging for their releases, as well as those men who are asking to be discharged on the ground that they are needed at home to support their parents or their families—if this policy is carried out, as it should be, then it will only be a short time until the Army will be reduced to 150,000 men, or less, and the expenses of maintaining it will come within this reduced appropriation.

That does not mean that this is the only way to reduce the size of the Army. It would be much better for Congress to pass a law reducing it to the very smallest possible number, commensurate with the safety and welfare of the American people, which would fix it at a much smaller figure than 150,000. But that question is not before Congress now and this one is, and it behooves every man who favors such a reduction to get behind this amendment and help us to place this limit on our military expenditures, and thereby, by indirection, help to reduce the size of our standing Army. Let us by the adoption of this amendment begin the practice of that economy which we have been so long preaching, and in which the American people are so vitally interested just at this time.

This is the opening wedge, and the vote on this amendment will go far toward determining whether this Congress is really in favor of reducing expenses, and thereby restoring the confidence of the country, as well as lifting this much of the burden from the people, or whether a majority of this House expect to continue to play the hand of Esau and the voice of Jacob by preaching economy and practicing extravagance until the burden becomes too heavy for the American people to bear.

There never was a time in the history of the country when we were confronted by a more serious economic situation than that which prevails among the masses of our people to-day. There has never been a time when it was more imperatively necessary for Congress to curtail every possible expense, or when the American people were pleading more earnestly for economy in public expenditures than they are at the present moment. In a great many sections the people are having serious trouble in raising the money with which to pay their taxes, and in some localities they are appealing to Congress for help. We had an appeal from the Northwest, or the last Congress did, during the last few days of the session, asking for money to buy seed wheat with which to plant their fields, and Congress responded with an appropriation of $2,000,000. Appeals of a similar nature are coming in to-day. I have one myself for funds with which to relieve the storm sufferers of my section, and I have introduced a resolution, as has the gentleman from Arkansas [Mr. PARKS], asking for small appropriations for the relief of those distressed people, many of whom were rendered homeless, and some of whom have been made penniless by these horrible disasters.

The people are in no condition to have their taxes increased, and they are confidently looking to Congress to save them from the disastrous consequences that are likely to follow as a result of these extravagances in naval and military expenditures.

A distinguished ex-Member of this House, Gen. Sherwood, of Ohio, remarked to me on yesterday that the only way of materially reducing the expenses of the Government was by cutting down the Army and Navy appropriations. He said that the first year after the close of the Civil War the naval appropriation amounted to only about $19,000,000, whereas the bill passed by this House on yesterday carried more than twenty times that amount. I voted against the appropriation of approximately $400,000,000 for the Navy on yesterday, because I thought then, and I think now, that the amount was too large, under the circumstances; and unless this appropriation for the Army is greatly reduced I shall be compelled to vote against it when it is put on final passage. I shall certainly vote for this amendment which is intended to reduce the Army to 150,000 men, and if I had my way I would reduce it to 100,000 men at once [applause], and then make other reductions later on.

I asked one Congressman who was urging the necessity of a large standing army what his reasons were, what country he expected to attack us. He readily admitted that he did not think we were in any danger from a foreign power, but said he wanted it to protect us from the radical elements at home. Is an army of practically 200,000 men necessary in this country to protect us from ourselves? Have we, the American people,

proved ourselves to be so incapable of self-government that it is necessary to maintain an army larger than the combined forces of Lee and Meade at the Battle of Gettysburg in order to intimidate us into submission to law and order? No, gentlemen; that argument is too flimsy; we are maintaining this army in obedience to that spirit of military imperialism which, unfortunately, prevails in this country at this time, and which is dangerously leading us down the beaten path of militarism trod by Germany to her downfall, and which has been the ruin of every country that has ever adopted it.

Some Congressmen say they have no fear of Europe, but intimate, if they do not say, that they want us to spend these enormous sums on the Navy in order to protect us from Japan, a nation with little more than half our population and 10,000 miles removed from our shores. In other words, they want a large standing Army to protect us against a fictitious foe at home and the largest Navy in the world to insure us against an imaginary enemy abroad.

But the real reason a certain element in this country is clamoring for these appropriations became apparent a few days ago, when this House made a most dangerous departure from the time-honored policies of this Government by passing House resolution 4088, known as the "Chinese trade act, 1921," and providing for the incorporation by the Federal Government of certain enterprises to operate in various parts of the Chinese Empire, exempting them from certain taxes, but extending to them the protection of our flag, following the very same policy of imperial expansion as that pursued by Germany in laying the predicate for her future destruction by greedily attempting to extend her dominion over the weaker peoples of the earth; another Berlin-to-Bagdad proposition.

Whenever these enterprises begin to exploit the helpless people of China, it is going to breed trouble for us; which will, in all probability, be done as soon as they are organized and begin doing business in that country. Those unfortunate people may stand it for a while, but when it becomes so intolerable that they rise up against their despoilers, you will hear a great howl go up from these favored corporations, just as you did from those who were engaged in exploiting the Mexicans a few years ago, urging us to send our Army, and especially our Navy, to protect them from the inevitable consequences of their own misconduct. Of course, they want a large Army and a large Navy, especially when the very law under which they are to operate exempts them, in part at least, from the burden of taxation which such a policy will incur.

Some men tell us that if we will raise the largest Army in the world and build the greatest Navy that floats the seas, we can then bluff the rest of the world into a program of disarmament. We have heard that argument advanced in this House in the course of these debates. Suppose other nations should adopt the same attitude and each one attempt to outstrip all the rest in naval and military preparations, with the same object in view; where would it all end? It would end in the ultimate bankruptcy of the world—if it has not already done so.

Oh, they say, "We will reduce the size of the Army in a year or two." Why not reduce it now, while we have more than 4,000,000 trained men who would be fit for duty should an emergency arise? This is the most propitious time we may ever have to begin the reduction of our standing Army. So let us begin now to answer the cry for economy by adopting this amendment, reducing the standing Army, and cutting down public expenses. [Applause.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The amendment was agreed to—ayes 109, noes 82.

Mr. ANTHONY. Mr. Chairman, I yield three minutes to the gentleman from Vermont [Mr. GREENE].

Mr. GREENE of Vermont. Mr. Chairman, everybody on the floor who has had any experience with this bill in years past or at any time knows that nobody can express anything very definite on such a subject as this in the limit of three minutes. Therefore I want merely to emphasize the thought that I have every year for many years been trying to express to this good fellowship and just as regularly every year have been bowled over in doing it. And that thought is that the peace-time Army of the United States is not a combat army in the sense in which it is intended by the argument that we hear every year on the floor against a so-called "large standing Army."

The Army of the United States is maintained in peace time for three distinct functions—garrison, domestic police, and for the purpose of training itself and the citizenry of the country against an emergency of war.

Now, we have a great continental area in this country, and we have enormous outlying, far-distant possessions; and when we supply, first, the necessary garrisons, you can see how we whittle away the units of this Army; and then when we consider the disposition of the troops at our disposal for police purposes we see that we disperse still more troops throughout the country; and then, for the third purpose—that of training—we have left only those tactical units in numbers and character that remain after we have scattered the rest of our little Army well-nigh half around the world. Therefore the question of numbers that is raised in the amendment now suggested and those carried in this bill in peace time relates only to a garrison, policing, and training Army, not a combat Army or a war defense Army.

It is true that 175,000 men would amount to nothing in war time. It is true that even 275,000 men would amount to nothing if this were called a war-time Army or a war defense Army. It would be very ridiculous to maintain more men in the field in peace time than we needed for garrison, police purposes, and for training, and the cost of maintaining any number between that comparatively small force and the millions we would have to put in the field in war time would be all waste. I am suggesting now that with about 175,000 men we get just about the minimum necessary for garrison and police purposes and the number that are necessary for the proper training of officers and men and the training of citizens. [Applause.]

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. SISSON. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. BARKLEY].

The CHAIRMAN. The gentleman from Kentucky is recognized for five minutes.

Mr. BARKLEY. Mr. Chairman and gentlemen of the House, it occurs to me that on this subject the Members of this House ought to cease to be childish and act as men. I have no doubt that if a secret ballot were taken of the membership of this House on the subject of whether the standing Army of the United States should be 150,000 men or 175,000 men, the overwhelming majority on both sides would vote in favor of 150,000 men.

Now, there is no question of politics in this. The gentleman from Indiana [Mr. WOOD] made a very eloquent speech awhile ago in favor of an Army of 150,000 men. However, he spoiled it all by saying that he would be compelled to vote for an Army of 168,000 men, because not to do so would be to embarrass the administration.

There is no one in this House who desires less to embarrass the administration than I. I have not forgotten the indignation with which I observed men on that side of the House embarrass, or try to embarrass, the recent administration. I have no desire to embarrass this administration, but I say that the thing that would least embarrass the administration would be to reduce the Army to 150,000, thereby helping to make it possible to decrease the expenses of this Government. I am unable to see how such a course could embarrass any administration.

I ask members of the committee, including the gentleman from California [Mr. KAHN] and the gentleman from Kansas [Mr. ANTHONY]—both of whom are as well versed in military matters as any other Member of this House—I ask them to point out a specific danger that is now either pending or likely to appear in the next few months, or in the next few years, that demands more than 150,000 men in our standing Army. Are we going to have any trouble with France? Everybody knows that there is not any possibility of it. Is there any probability that we shall be bothered by England? Everybody knows that there is the very slightest probability that any sort of trouble is to arise between the United States and England. Are we in any domestic turmoil that demands an Army of more than 150,000 men? Is there any situation on the Pacific or in the Far East or in the Near East which requires an Army of more than 150,000 men? If there is, let us vote with our eyes open, knowing what we vote for and the reason for it, rather than take counsel of our fears and suspicions and vote for a larger Army than anybody claims we ought to have, and merely because of some remote possibility that in the years to come we may have to call out an Army of more than 150,000 men.

Yesterday the gentleman from Ohio [Mr. BEGG] delivered a very eloquent speech on this floor, criticizing those who had undertaken to refer to the fact that out of every dollar expended by the United States Government 80 or 90 cents goes for war purposes, and asking if anybody would be willing to repudiate our war debt. Of course, nobody would be willing to repudiate it. He asked also if we were willing to repudiate the interest on the debt. Of course, nobody is willing to repudiate that. He asks whether we are willing to reduce the amount of money that goes to the compensation of our soldiers

who fought to win that war. Of course, the question answers itself. No Member of this House is willing to reduce the amount that our soldiers draw in compensation or insurance, or that their widows and orphans draw. But what the men in this House do desire is to bring about that condition where it will never be necessary to call out those boys or other boys again to give their lives, merely because the Government gives them a meager compensation. I hope the amendment of the gentleman from South Carolina providing for 150,000 men will be carried, and that we will notify the War Department that that is their limit. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. I yield three minutes to the gentleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Chairman and members of the committee: As one of the new Members of the House I am greatly interested in all features of this bill, but particularly so in the per capita cost which the measure carries in comparison with that of other years. Thinking that such a comparative statement might be of some interest to the other new Members of the House, who like myself are going through an Army appropriation for the first time, I submit the following table showing the total number of officers and enlisted men, the total appropriation for the Army, and the yearly per capita cost from 1909 up to the end of the present year, and also including the bill now under consideration.

This is not an attempt to show the cost of maintenance, but the total cost per soldier of all items carried in the various Army appropriation bills. It simply puts before us the cost of our Army Establishment in terms of the men involved.

Year.	Officers and enlisted men.	Total yearly Army appropriations.	Yearly per capita cost.
1909	84,133	$94,371,000	$1,121
1910	84,500	100,459,000	1,189
1911	81,363	95,341,000	1,171
1912	87,094	92,587,000	1,063
1913	91,384	90,907,000	994
1914	94,890	94,241,000	993
1915	103,403	101,019,000	976
1916	105,120	101,959,000	969
1917	141,420	267,801,000	1,893
1918	1,358,713	1,358,713,000	3,863
1919	2,516,719	12,271,868,000	4,876
1920	291,015	772,321,000	2,630
1921	187,916	392,558,000	2,088
1922	182,000	331,072,000	1,801

Mr. J. M. NELSON. Is that the per capita for the enlisted men?

Mr. KETCHAM. For enlisted men and officers. Three things should be kept in mind in the study of this comparative statement. First, the pay of enlisted men is now much higher than in 1909; second, the present Army organization plans require a much larger quota of officers; third, the various appropriations carry many items that do not directly affect the number of men involved. Fortifications, arsenals, aeronautics, and chemical warfare service may be cited as examples. When all these factors are considered there is comfort in the study of the table indicating as it does the return to normalcy in Army appropriations as rapidly as unsettled world conditions warrant. [Applause.]

Mr. SISSON. I yield three minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, I shall vote for the amendment that contemplates an enlisted force of 150,000 men. I am in sympathy with the view expressed by the gentleman from Illinois [Mr. GRAHAM] that we should write into the law a provision insuring that limitation upon the number, and I hope that the gentleman from Illinois [Mr. GRAHAM] will propose an amendment to accomplish that. The so-called Borah provision is incorporated in the bill, and if we are to go to that extent we should go further and absolutely safeguard the situation by doing what the gentleman suggests. If I belonged to the majority, I should certainly propose such an amendment. The gentleman belongs to the majority, and is an influential member of it, and I trust that he may think proper to do so. If he does so and the committee approves, there will be no further ground for his apprehension that the present Secretary of War may adopt the policy that was observed by the late Secretary of War and keep the enlisted force beyond the amount of money that will take care of it.

One other observation: All last winter this identical matter was the subject of consideration at both ends of the Capitol. It was debated up and down in both branches of Congress, and the final action taken restricted the Army to 150,000 men. That was a deliberate expression of the opinion of Congress. Now, the burden of proof is upon those who wish to increase that number, to show some reason for the increase, and during the course of this debate no reason has been assigned. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. ANTHONY. I yield three minutes to the gentleman from Kansas [Mr. WHITE].

Mr. WHITE of Kansas. Mr. Chairman, I think it was in the discussion of this Army bill that the gentleman from Illinois [Mr. MCKENZIE] said, possibly yesterday, that if it were as concretely known what the view of the country was upon this subject as it was on the subject of prohibition, that if the people had spoken on this subject as they have upon prohibition, the Congress would be instructed and would know how to act. Gentlemen, I think there is a stronger consensus of opinion on this subject than upon the question of prohibition. [Applause.] Many men are going up and down this country the cry of whose soul is, "I want a drink; I want a drink!" [Laughter.] But I have heard no man say, "I want a war, I want a war; I want a great standing army." [Applause.] The gentleman from Texas on yesterday in discussing this question said that in the incipient war between Panama and Costa Rica men went forth armed with clubs, sticks, and stones, which indicates a strong inclination, or at least a great provocation, to fight. But I think it harks back to the day described by the great bard when he said, in medieval times—

> I see
> The imminent death of 20,000 men,
> That, for a fantasy and trick of fame,
> Go to their graves like beds, fight for a plot
> Whereon the numbers can not try the cause,
> Which is not tomb enough and continent
> To hide the slain?

I have no disposition to discuss this question technically, but I say to you that the spirit of war and of conflict and of aggression and subjugation is disappearing in the spirit of the civilization of this century. [Applause.] Gentlemen may say in their minds, "What about Germany?" But we know that for 50 years the German Government persistently and continuously perverted the philosophy of the social structure of the German nation in order to justify the German proposition that might makes right. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SISSON. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. LOWREY].

Mr. LOWREY. Mr. Chairman, there is a story of a little boy who boasted:

> That fellow said my sister was red-headed, and I licked him.
> "And what is the color of your sister's hair?" a gentleman inquired.
> "I ain't got any sister," replied the boy, "I was fighting on the principle of the thing."

The ideal thing to do, Mr. Chairman, is to settle all matters on principle. I think every one of us realizes that the ideal thing to do would be to settle this question of our Army appropriations, and every other political question, on original principles. And yet in matters of legislation we often have to do what Jesus indicated in discussing the marriage and divorce question. He said that Moses allowed certain things because "of the hardness of their hearts." In other words, the inspired Jewish lawgiver permitted things or legislated for things not on the original, best principle always, but on the question of what was best under the circumstances, what could be enforced or made effective under the existing conditions.

I am not sure but this is often necessary in matters of legislation. A very vital question in any matter of legislation is, What will be best for the people? With what will the people be satisfied? What do the people demand? And so, sometimes we adopt what the people may demand even when such is not best from the standpoint of original principles, and it is right for us to do so. We can not afford to forget that one of the vital things in a republic is to have the people in their hearts loyal to the Government, loyal to the laws; to have their minds and hearts approve the things done by their Government. We need protection from the inside as well as from the outside. Governments derive not only their just powers but all their real and permanent powers from the consent of the governed.

The greatest protection that any government can have is a happy, contented, and loyal citizenship. It beats all the standing armies that the world can muster. The greatest menace that any government can face is a disloyal and dissatisfied citizenship—a people feeling that the makers of law and administrators of government have betrayed the confidence and sacrificed the rights of their constituency. Against such a menace no standing army can give protection. But in this case policy and principle run parallel.

I am sure in my heart that the gentleman was right who said here on the floor that there is perhaps no question on which the people are speaking out more definitely than on this question of the reduction of war expenses. We expend annually, so a gentleman stated—I have not looked into it—more money for direct war cost, for war equipment, for maintenance of our war forces, not counting what we are paying on war debts and interest, not counting what we are paying for sick and wounded soldiers, or for pensions, or for vocational education of ex-service men, but for our Navy and Army, for preparedness for possible future war, we expend annually for this more money than we spend in all our States for all our public schools.

The other day when the House was considering the large Navy appropriation, for which I did not vote, I estimated that we are paying for one of these naval vessels—to say nothing of whether the building is wise or unwise—more money than would be required to give $500,000 to every county in my State for educational purposes or for building public roads. I further estimated that the cost of one of these ships, of which there are 16 in our 4-year program, would build graded and gravel highways across my State, one every 15 miles from the Gulf to the Tennessee line, or would build a neat brick schoolhouse in reach of every child in the State. And yet this present War and Navy program is only a small part of the tribute we pay to war.

Away back in 1908, when our Navy was far from what it is to-day, Edmond Vance Cooke wrote:

"War is hell," we cry, being proud of our equipment to make more hell.
This is the song of a thousand men who are multiplied by twelve,
Sorted and sifted, tested and tried, and muscled to dig and delve.
They come from the hum of the city and shop, they come from the farm and field,
They plow the acres of ocean now, but tell me, what is their yield?

This is the song of sixteen ships to buffet the battle and gale,
And in every one we have thrown away a Harvard or a Yale.
Behold here the powers of Pittsburgh, the mills of Lowell and Lynn,
And the furnaces roar and the boilers seethe, but tell me, what do they spin?

Understand me, gentlemen of the House, I do not overlook the fact that a country must have protection as well as production, education, and internal improvements. But a Christian civilization and an intelligent and enlightened statesmanship ought to find a remedy for the present situation. It is monstrous that we should pay 90 per cent of our national expenditures as a tribute either direct or indirect to the god of war.

I believe that the day has come when every really civilized nation is sick of war with its cost and horrors. It seems to me that our country is in position to render beneficent service to humanity such as no other nation in history has ever had the opportunity to render—to lead the world in the great scheme of disarmament. I have faith that if America now leads out in a definite, aggressive way, proving her own faith by her works, the nations will follow. My fear is that we may wait too long and sacrifice the opportunity and thus sacrifice the world. For another great war with the means of destruction now in human hands would sink the world in unspeakable ruin. Our American people know this. They are looking to "the powers" at Washington and will not forgive, and ought not to forgive, if we fail to rise to the situation.

Finally, a definite word as to the present bill. I shall vote to cut the standing Army to a hundred and fifty thousand men, and I believe it ought to be cut to a hundred thousand. It has been argued here that the men who are at present in the Army are enlisted for a definite time, and that to drop them out of the ranks now would be to break faith with the gallant fellows and turn them loose without employment. Yet there is not a Member in this House who is not constantly receiving requests to help boys get out of the Army. Give every boy a chance who wants to get out, and the trouble will be not to reduce the Army sufficiently but to keep from reducing it too much.

Again, gentlemen say that in the present unsettled state of world affairs we may be thrown into war again, and we need to be prepared. I remind these gentlemen, first, that recent world events have brought us to where full and constant preparedness for war would mean the maintenance of an Army of millions, which would bankrupt any nation on earth; and, second, that the same recent history has demonstrated more conclusively than ever the fact that America can depend on her citizen soldiery; and, third, that we have recently disbanded in this country an army of more than 3,000,000 men and officers. In them we have at our command a trained force of "war strength" that will be available for a time far beyond the two-year period for which we legislate.

In consideration of these facts it behooves us to reduce the Army appropriation to the lowest possible figure. Our people are already staggering under a tremendous tax burden. We must make large appropriations to reduce our war debt and to provide for those of our people who already have so freely sacrificed their fortunes and their health at the call of their country. Such appropriations are right and necessary. But in the name of the democracy which we and they have defended let us not add to this burden of past wars the useless and dangerous burden of a huge military establishment.

Mr. ANTHONY. Mr. Chairman, I hope that this amendment and both of the pending amendments will be voted down. The committee has decided that the increase of appropriation for pay of the Army to provide for 10,000 additional men for the next fiscal year, more than the House provided at the last session, is for a very good and substantial reason. Conditions have changed since the last bill was framed. We still believe that 168,000 is ample for our Army in time of peace, but the situation is this: From the time the House considered the last appropriation bill the Secretary of War disregarded the wishes of this House and increased the size of the Army by recruiting it up to 235,000 men. The new Secretary of War has to tackle the problem of reducing that Army. The whole question in a nutshell is, Is it safe to reduce the Army in one month's time by 75,000 men. It was represented to us by competent authorities, and we agreed, that to so arbitrarily reduce the Army by 75,000 men before the beginning of the next fiscal year would be liable to destroy its organization. We did not think it was safe to do it, and so we provided a leeway of 10,000 more men for the department to work upon. It is absolutely along the line of safety so to do.

Mr. LAYTON. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. LAYTON. Is it the policy of the committee to treat this as a temporary measure and later bring the Army down to 150,000 men?

Mr. ANTHONY. To 168,000 men. We provide for 168,000 men during the next fiscal year. There is a probability that it may be found too drastic to bring it down to 168,000 by the 1st of July. It is a question of adopting a safe and sane way to bring about this reduction. In all fairness to the present Secretary of War we felt that the added number of 35,000 men recruited since we last passed upon this matter necessitated an increased appropriation of $5,000,000 to allow a margin of 10,000 men under which he could safely bring about the reduction we all desire.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. JOHNSON of Mississippi. Would the chairman be willing to amend the bill so as to make it mandatory on the Secretary of War to discharge men on their application, until the Army was reduced to 168,000 men?

Mr. ANTHONY. We feel that the provisions of the bill are mandatory now and that he will have no alternative.

Mr. JOHNSON of Mississippi. Your bill expressly gives discretion to the Secretary of War and it is not mandatory, it leaves it wholly to his discretion.

Mr. ANTHONY. We feel that it is mandatory on the Secretary of War to bring the size of the Army down to the number that this bill will pay for. Now, Mr. Chairman, one word more, in fixing the number of men and the amount of money which will pay for them the committee adopted that increase with the resolve that in any conference entered into with another body we would not go a cent higher than those figures.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SISSON. Mr. Chairman, I yield one minute more to the gentleman from Kansas in order that the gentleman from Kentucky may ask him a question.

Mr. BARKLEY. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. BARKLEY. I understood the gentleman to say that one reason for making this 10,000 increase is because of the difficulty of bringing about a reduction between now and the 1st of July. As a matter of fact, has there been any increase in the Army since the last session of Congress?

Mr. ANTHONY. Not since March 4; no; but during the month that we were considering the bill the Army was increased by over 35,000 men.

Mr. BARKLEY. When was the bill passed through the House, in the last Congress?

Mr. ANTHONY. Mr. Chairman, I do not remember the date of it. It was the early part of February.

Mr. BARKLEY. Does not the gentleman think it would facilitate the reduction of this Army very materially if the Committee on Military Affairs would bring in some sort of an amendment to the act of July 29 which would make it not only easier but mandatory upon the War Department to exercise some liberality in discharging men?

Mr. ANTHONY. As I have explained, we think we have fully provided for an absolute change in that respect. They must adopt such a policy.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SISSON. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. ROSE].

Mr. ROSE. Mr. Chairman, when the Sixty-fifth Congress was called in special session I was very much opposed to war. I had just passed through a campaign in which the principal slogan was "He kept us out of war." I had very little sympathy with the slogan that was employed during the campaign of 1916, and thereafter a great deal less. It was dragged into the campaign for political purposes, pure and simple. I listened to the first message of the President in that special session wherein he recited the indignities heaped upon our people and which were repeated, following numerous protests presented by the President to the offending nation, and at the conclusion of the reading of that wonderful message I had no hesitation in voting my approval of the resolution which brought our country into the mighty conflict. I supported every resolution or measure offered to the Congress which had for its purpose the organization of a large Army and Navy, and my support was given to every appropriation sought whereby our Army and Navy would be increased to the number of men required and our boys supplied with necessary munitions of war.

Now the Great War has been brought to an end; at least, hostilities have ceased, and we are asked to provide for what I consider a large Army and Navy in time of peace. I have never favored a large Army in time of peace. The distinguished gentleman from California [Mr. KAHN] has been credited with being a militarist, hence those who have followed him in the great service he has rendered to the country before and during the Great War have been classed as militarists, and it is said that their sole purpose is to continue to add to the heavy burdens now heaped upon the backs of our people, a charge without the semblance of foundation upon which to base it. The gentleman from California [Mr. KAHN] is not a militarist from my viewpoint. He has always advocated the most approved methods of warfare and is now desirous for peace throughout the world.

I favor the smallest Army that will safeguard the rights and privileges of our people, and in my opinion an Army of 150,000 men in time of peace is amply sufficient for all practical purposes, although this view may not meet with the approval of the majority of the House. In this connection I beg to add that at no time have I favored compulsory military service or training in time of peace, although I am in sympathy with voluntary training and have been told by every soldier boy with whom I have conversed that his military training has been of great service to him, and that his physical condition has been bettered thereby. The committee having this measure in charge have had ample opportunity to study the question more in detail than any other Members of the Congress, and I am pleased to learn that they favor a much smaller Army than do some of the high officials of our Government.

I am in full sympathy with many of the statements made by the gentleman from Indiana [Mr. WOOD], and I believe that a majority of the people of the United States are in sympathy with the views he has just expressed. It is our duty, wherever possible, to reduce the operating expenses of our Government, and in this bill we are given a splendid opportunity to make a substantial move in that direction. We have been told that "the way to disarm is to disarm." This is but a revival of the time-worn phrase, "The way to resume is to resume," meaning thereby that our Army and Navy can be immediately reduced. The gentlemen contending so earnestly for such a plan realize that it is neither practical nor wise in view of present conditions. The Republican Party will redeem its pledges to the people, and is now working to that end. The bill now under consideration may be regarded as evidence of such purpose.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROSE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SISSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SISSON. I am reserving three minutes for the gentleman from South Carolina [Mr. BYRNES]. I understand that the chairman of the committee has the right to close debate, but this is an amendment proposed by the gentleman from South Carolina [Mr. BYRNES]. My inquiry is as to whether I am compelled to yield the three minutes now?

The CHAIRMAN. It is the practice of the House that the gentleman in charge of the bill has the right to close debate upon any amendment, regardless of who offered it.

Mr. SISSON. Mr. Chairman, I yield three minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Chairman, the gentleman from Michigan [Mr. CRAMTON] in his remarks stated that I should have made this fight in the committee instead of on the floor of the House. In justice to myself, I want to say that every member of the Committee on Appropriations knows that when this bill was reported to the House—when the vote was taken—I specifically reserved the right to myself to vote for 150,000 men, or any number of men under 168,000 that should be proposed. The gentleman says he does not see what political advantage there could possibly be in my offering this amendment. There is none. It is not offered with any purpose of obtaining any political advantage. I said in my opening remarks in offering the amendment that the administration made no difference. When Congress declared we wanted but 175,000 men in the Army, under Secretary Baker the Army was recruited up until the day they were forced to stop recruiting. When Secretary Weeks came in the influence of the staff was still at work, and to-day not one effort has been made to reduce the Army in accordance with the wishes of Congress.

One argument submitted by my good friend [Mr. ANTHONY] is that while he says 150,000 men are enough, yet it is impossible to reduce the force; it will be disastrous to do so at this time. Under Secretary Baker the department knew the wishes of Congress and refused to comply with the wishes of Congress, but recruited the Army up to 235,000 men, and under Secretary Weeks it has remained at 235,000 men, and absolutely nothing has been done to comply with the expressed will of Congress as contained in the joint resolution and in the bill which was adopted and sent to the President.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. No; I have not the time. No party lines can be drawn in this matter. The question is whether you are going to allow the department to say, "I know you do not want more than 150,000 men; I know that the Republican leader, Mr. MONDELL, has said the country wants only 150,000 men, and that your appropriation bill as passed in March provided for only 156,000 men; but we refuse to discharge a man in order that we may come in here now and say that you have got to allow us 175,000 men, because it is not feasible to discharge them." It is said that they can not discharge the men. Why, the contract of enlistment specifically gives the right of discharge to the President, Secretary of War, and commander of a corps. If they wanted to comply with the wishes of Congress, they could start in and discharge now those who would be glad to be discharged, and by July 1 it would not be so difficult to have the Army down to the requisite size. The gentleman from Kansas yesterday said that 25 per cent of the men in the Army would ask for a discharge if they were granted the right to do so. This bill gives it to them. I intend to offer an amendment making it specific that that legislative provision shall take effect immediately upon the passage of this act, so that men with dependents can have a chance to get out of the Army now.

The gentleman from Kansas is right; 150,000 men are enough. They can reduce that size if you make them do so, and I ask you to vote down both substitutes and vote for the 150,000 men.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. ANTHONY. Mr. Chairman, I yield the remainder of my time to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, we all welcome the somewhat belated enthusiasm of the gentlemen on the minority side for a reduction in the size of the Army and in the Army appropriations. During all of the months during which a Democratic Secretary of War, contrary to the expressed wish of Congress, was recruiting an Army from the 175,000 that the Congress had provided for to 235,000, no man on the Democratic side raised his voice in protest against it. On the contrary, when we protested on this side against that action and finally brought in a resolution compelling that recruiting to cease, many gentlemen on the Democratic side not only defended the action of the Secretary but were much opposed to what we were proposing to do.

Mr. BLANTON. And many criticized him on this side.

Mr. MONDELL. A very few criticized him on that side, including the gentleman from Texas, who supported our effort to prevent the Secretary from outrageously violating the will of the Congress in using up public money in unnecessarily recruiting men. What is the situation? We came out of the Great War with 4,000,000 men under the colors. The Republican Sixty-sixth Congress made an earnest effort to reduce

military expenditures, but, do our best, the expenditures were about a billion dollars in 1920. We further reduced the expenditures, but were greatly hampered by the persistent extravagances of the department under Secretary Baker, so that, doing our best, our Military Establishment for the current year will cost us about $500,000,000. We are endeavoring now to still further reduce the size of the Army and the cost of the Military Establishment. But we must do it with due regard to the fact that we are gradually reducing a very great force; that we have certain units organized we can not reduce as rapidly as some of us desire to do it without doing great harm to the service. The situation that confronts us to-day and that necessitates some departure from the action taken when this bill was considered in February grows out of the action of the Democratic Secretary of War in recruiting an Army contrary to the purpose and will of Congress to 235,000 men. He did not desist from recruiting until we had actually passed a resolution compelling him to do so. The day before it became law, by overriding a presidential veto, recruiting was going on all over the country, although the will of the Congress had been well known to the War Department for months. We had hoped when we passed this bill in the last Congress that the voluntary separations from the service would enable us to get the enlisted force of the Regular Establishment low enough that with the appropriation we then proposed to make of $77,000,000 we would have enough to pay the men still remaining in the establishment and maintain a force of approximately 158,000 men, exclusive of the Philippine Scouts.

Mr. DOWELL. Will the gentleman yield?

Mr. MONDELL. Let me finish this statement, please. We now find that unless we arbitrarily discharge men who are under contract of enlistment and reduce more rapidly than is consistent with good practice in view of the situation we can not pay the Army with the sum we had proposed. We do not want any deficiency. The present Secretary of War does not intend to expend money in excess of the sum appropriated by the Congress; he expects to keep within the law and within the appropriation, and we want to give him money enough so that he can, without doing violence and harm and injury to the Military Establishment, keep within the law and within the appropriation. In order to do that it was necessary to increase the pay appropriation above the appropriations when the bill was last before the House something like $6,000,000. But in doing that, however, the committee has made other reductions amounting in round numbers to $21,000,000, so we secure an increase in the personnel of the Military Establishment and still have a bill carrying $15,000,000 less than the bill passed in the last Congress. The bill should be supported as it was reported.

The CHAIRMAN. The time of the gentleman from Wyoming has expired; all time has expired.

Mr. LONGWORTH. Mr. Chairman, I ask unanimous consent that the amendments may be reported in the order in which they will be voted upon.

The CHAIRMAN. Without objection, the amendments will be again reported. [After a pause.] The Chair hears none.

The Clerk again reported the amendment to the substitute, the substitute, and the original amendment.

The CHAIRMAN. The question is upon agreeing to the amendment to the substitute offered by the gentleman from New York.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. FISH. Mr. Chairman, I ask for tellers—I ask for a division first.

The CHAIRMAN. The gentleman from New York asks for a division.

The committee divided; and there were—ayes 75, noes 66.

Mr. KAHN. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. FISH and Mr. KAHN] reported that there were—ayes 97, noes 74.

So the amendment to the substitute was agreed to.

The CHAIRMAN. The question is on the substitute as amended.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. If the Kahn amendment as amended by the substitute offered by the gentleman from New York [Mr. FISH] is now adopted, would we still get a vote on the amendment offered by the gentleman from South Carolina?

The CHAIRMAN. No; the amendment as amended by the substitute would be voted upon.

Mr. BARKLEY. Another parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARKLEY. If the Kahn amendment as now amended should be defeated and the vote on the Byrnes amendment also should be defeated, will it then be in order to offer the motion of the gentleman from New York [Mr. FISH] as an amendment to the text of the bill?

The CHAIRMAN. The Chair does not wish to cross any bridges until he comes to them.

Mr. BARKLEY. Well, it may affect the way some of us will vote on this proposition. The gentleman from New York offered his figures as an amendment to the substitute offered by the gentleman from California [Mr. KAHN]. Now, if all those propositions are voted down, would we have another opportunity for a vote upon the same proposition as an amendment to the text of the bill?

The CHAIRMAN. There is ample opportunity to amend the bill which can not be taken away.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FISH. Is it in order for me to offer this same amendment to the text of the bill in case it fails at this time?

The CHAIRMAN. Not if identical. The question is on agreeing to the substitute as amended.

The question was taken, and the Chair announced the noes seemed to have it.

Mr. FISH. Division, Mr. Chairman.

The CHAIRMAN. The gentleman from New York demands a division.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FISH. Evidently I do not understand the situation.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. FISH. I do not think I am the only one, though, in the House that does not understand it. For my own benefit, I would like to know what we are voting on.

The CHAIRMAN. The question is on agreeing to the Kahn substitute as amended by the gentleman's own amendment.

Mr. LAYTON. Mr. Chairman, a parliamentary inquiry.

Mr. MONDELL. Mr. Chairman, the Chair has not put the motion.

The CHAIRMAN. The question is on agreeing to the amended substitute. The Chair has been interrupted, every time that he started to put the motion, by a parliamentary inquiry, and in order to make it clear to everyone the Chair will explain. The question is now on the amended substitute.

The question was taken, and the substitute as amended was rejected.

The CHAIRMAN. The question is now on the original amendment offered by the gentleman from South Carolina [Mr. BYRNES].

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Whether it is not in order at the present time, and the only time for any Member of the House to offer an amendment to the amendment if he disagrees to the amendment now pending before the committee?

Mr. GARRETT of Tennessee. Regular order, Mr. Chairman.

The CHAIRMAN. The gentleman has stated a parliamentary inquiry. It is correct. Now is the only time to amend this particular amendment, if it is agreed to.

Mr. BARKLEY. Any other amendments to the text of the bill would be in order?

The CHAIRMAN. Any proper amendment. The question now is on agreeing to the amendment of the gentleman from South Carolina.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. BYRNES of South Carolina and Mr. GARRETT of Tennessee demanded a division.

The committee divided; and there were—ayes 79, noes 71.

Mr. ANTHONY. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. ANTHONY and Mr. BYRNES of South Carolina took their places as tellers.

The committee again divided; and there were—ayes 109, noes 82.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. FISH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FISH. Is it in order to offer an amendment to that which has just been adopted?

The CHAIRMAN. The Chair will say, if adopted there is no way of changing it.

Mr. FOSTER. Mr. Chairman——

The CHAIRMAN. All debate has been exhausted.

Mr. FOSTER. I ask unanimous consent to proceed for five minutes. I have been a patient listener here for two years, and I believe the committee will allow me to proceed at this time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSTER. Mr. Chairman, I had called to my attention yesterday through a letter from a constituent of mine in Athens County, Ohio, that an anarchistic movement, which we have seen reflected in the daily papers in the last two days, was in progress out there. I have the honor to represent a district in which there are some 18,000 union coal miners—good, patriotic Americans. They have had only about one-fourth work during the last winter. State President Lee Hall states that 305 of the 392 coal mines in southern Ohio are now idle. Many of them have had no work for the past three or four months. I send to the Clerk's desk and ask to have read, in my time, an anarchistic circular which my constituent sends me, and who states that it has been circulated only in the night season, never in the daytime, among those loyal but unemployed miners, some of whom are almost at the point of hunger. In view of its relation to May day to-morrow, I ask that the Clerk read it, following which I wish to make a few remarks.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

MAY DAY OF REVOLUTION.

May day of revolution is here!

May day, when the workers of the world think of liberty! When they form their ranks as a challenge to the masters! When they come out in their millions and demonstrate the solidarity of the workers!

This year the American workers must all demonstrate. They have good reason. The bosses have challenged the millions of workers in the country. They have organized to crush the workers. They want to exploit them more. In their greed they intend to grind out more profit from their bones. They want to know who shall be the masters in America.

Then let us show them who will be the masters! Let us tell them that the system must be changed. Let us tell them we will change it by revolution! That is the only way—there is no other.

In Europe the workers are carrying on their fight. With gun in hand they are fighting their governments, determined to overthrow them and set up workers' governments that shall represent only the workers! In Italy and Germany the workers face the guns of the Government, ready to die to obtain their freedom from the brutal system. In England, France, and Spain they are preparing for the day when the clash with the Government must come.

In India, Egypt, in the Near and Far East the workers and the oppressed people are organizing their ranks to drive out the imperialist robbers and cutthroats, who hold them enslaved. They are learning to use force against force. There is no other way.

Only in soviet Russia the workers may celebrate May day as free men! Only in soviet Russia there is no exploitation! In soviet Russia the workers rule! Attacked by the whole capitalist world, the workers of soviet Russia has stood fast and defended the revolution. The revolution is spreading across the globe. It calls to us. Let us prepare!

Too long have we stood the misery the bosses have forced on us. We have not forgotten the war, which killed and crippled for life millions of workers and filled the bosses' pockets with gold! We have not forgotten the war and all its fake promises! We have not forgotten and we will not forget! The bosses are preparing for a new war. Millions of men are unemployed and the bosses are afraid of them.

And well they may be afraid!

We American workers will no more stand the tyranny of the bosses and of their government. We have had enough. The United States Government stands for the bosses against the workers! It uses the lawmaking bodies, the courts, and its troops against the workers.

THEN WE MUST DESTROY THE UNITED STATES GOVERNMENT.

We must overthrow it and put in its place a workers' government. We must uphold the workers' government with a strong army to crush the bosses and all who support them!

We must prepare for the revolution—there is no other way!

May day of the revolution is here!

Let us join the ranks of the fighting American workers!

Let us proclaim our solidarity with the revolutionary workers of Germany and Italy!

Let us proclaim our solidarity with the workers of the entire world!

Let us prepare for the revolution!

UNITED COMMUNIST PARTY OF AMERICA.

Mr. FOSTER. Mr. Chairman, since receiving this letter I have been in touch with Mr. John Moore, former president of the United Mine Workers of the State of Ohio, now president of the Ohio Federation of Labor, and now the legislative agent in this city of the United Mine Workers of America. I call the attention of the committee to it at this time partly because of the insistence of Mr. Moore, a loyal American, that there be a disclaimer of any connection therewith entered on the part of the organizations he represents, and those are the organizations among which it is circulated in Ohio. He wishes the public to be assured that they had nothing to do with its preparation or circulation and do not have any sympathy whatever with its un-American purposes. He and I both want it understood that we condemned it from top to bottom. [Applause.]

Gentlemen can readily see its purpose. I noticed in last night's Washington Star accounts from four different States where this same publication was being circulated during the present week. This letter from my constituent, a lady by the way, one of our newly made citizens, says that they have left this circular on porches through these mining communities for three different nights, never in the daytime, the last night being that of April 26.

I am not taking the dastardly circular so seriously as to imagine a revolution is at hand, gentlemen, but I think it is high time that we give public ventilation to and condemnation of these acts of a class of traitors, a class of anarchists, not socialists—I do not propose to disgrace socialists by such a classification—when they are spreading their damnable doctrine broadcast, in an attempt to destroy the Government which affords them their only protection. Such men have not the courage to shoulder a musket. They only work in the dark.

Mr. FESS. Will the gentleman yield?

Mr. FOSTER. I gladly yield to my friend.

Mr. FESS. Has the gentleman thought that the printing of this in the RECORD would make it frankable, and had he thought, after having it read to the membership here, whether it would be wise to have it deleted from the RECORD?

Mr. FOSTER. I am quite sure that I shall always be glad to avail myself of the good judgment of my colleague [Mr. FESS].

Mr. TEMPLE. I do not think the CONGRESSIONAL RECORD serves many people who are likely to be influenced improperly by that circular.

Mr. FOSTER. I want to please my colleague from Ohio as well as my genial friend from Pennsylvania. Being compelled to choose between them, I shall leave it the way it is. I do not believe it will injure the country to know what these cutthroats are trying to do, and I am quite willing and resigned to leave it in the RECORD, frank or no frank.

Mr. SANDERS of Indiana. May I ask unanimous consent, Mr. Chairman, for one minute?

Mr. FOSTER. I wish to say that this same circular has been submitted to the Attorney General, and at his request turned over to his Bureau of Investigation, which is now on the job out in Ohio. Let us hope for early and effective results.

Mr. SANDERS of Indiana. I want to say that this identical circular is being sent throughout the United States, or, at least, in Indiana. The same circular—reading exactly, so far as I remember, as this one—was circulated in Terre Haute, Ind., in my district.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. I have learned of its circulation in five States this week.

Mr. JOHNSON of Mississippi. Mr. Chairman, I offer an amendment. I believe, though, Mr. Chairman, we have not reached the next paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of War shall discharge from the military service with pay and with the form of discharge certificate to which the service of each, after enlistment, shall entitle him all enlisted men under the age of 18 on the application of either of their parents or legal guardian, and shall also furnish to each transportation in kind from the place of discharge to the railroad station at or nearest to the place of acceptance for enlistment, or to his home if the distance thereto is no greater than from the place of discharge to the place of acceptance for enlistment, but if the distance be greater he may be furnished with transportation in kind for a distance equal to that from place of discharge to place of acceptance for enlistment; and the Secretary of War is authorized in his discretion to grant applications for discharge of enlisted men without regard to the provisions of existing law respecting discharges.

Mr. JOHNSON of Mississippi rose.

Mr. ANTHONY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ANTHONY: Page 16, line 13, after the word "discharges," insert "The provisions of this paragraph shall take effect immediately upon the approval of this act."

Mr. ANTHONY. I offer that, Mr. Chairman, in order to remove any doubt about when the provisions of the paragraph will go into effect.

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment.

Mr. WINGO. I make the point of order, Mr. Chairman, that the point of order comes too late. The gentleman from Kansas has debated his amendment.

Mr. MADDEN. I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Kansas offered his amendment and debated it.

Mr. MADDEN. I make a point of order also against the amendment offered by the gentleman from Mississippi.

Mr. WINGO. The gentleman can not make a point of order against it until it is reported.

Mr. JOHNSON of Mississippi. Mr. Chairman, I offer a substitute for the amendment of the gentleman from Kansas [Mr. ANTHONY].

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi [Mr. JOHNSON].

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Mississippi as a substitute for the amendment offered by Mr. ANTHONY: Page 16, line 10, after the word "war," strike out all the remainder of the paragraph and insert in lieu thereof the following: "shall grant a discharge to enlisted men upon their application until the number of enlisted men is reduced to 150,000."

Mr. MADDEN. Mr. Chairman, I make a point of order against the amendment.

Mr. JOHNSON of Mississippi. Will the gentleman reserve it?

Mr. MADDEN. Yes; I will reserve it.

The CHAIRMAN. The gentleman from Illinois reserves his point of order.

Mr. BANKHEAD. What is the point of order, Mr. Chairman?

Mr. MADDEN. That it is legislation on an appropriation bill; that is the point of order, and it is a change of existing law.

Mr. BANKHEAD. It might be germane and admissible under another theory, Mr. Chairman, which I think it is.

The CHAIRMAN. What is the proposition that the gentleman from Alabama makes?

Mr. BANKHEAD. It seems to me that although it might be in the nature of legislation, certainly on the face of it it tends to reduce the appropriation and the amount of expenditure.

The CHAIRMAN. The point of order has been reserved.

Mr. JOHNSON of Mississippi. Mr. Chairman, if the House of Representatives heeds the advice of the chairman of the Military Affairs Committee [Mr. KAHN], it will increase rather than decrease the Army.

We have just passed an amendment providing pay for not more than 150,000 enlisted men, but unless we pass the amendment which I propose, or one similar to it, the amendment just passed will amount to nothing.

Several months ago Congress passed a resolution calling upon the Secretary of War to reduce the Army to 175,000 enlisted men. The Secretary of War ignored the resolution, and although the new Secretary of War has been in office for two months he has not reduced the Army. There are to-day 232,000 enlisted men in the service. How are we to reduce the Army? My amendment provides that upon application of the soldier the Secretary of War shall discharge them until the number of soldiers is reduced to 150,000, the number we have appropriated money to pay. My amendment makes it mandatory on the Secretary of War to discharge these men upon their application.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Mississippi. Yes; I yield gladly to the distinguished gentleman.

Mr. CRAMTON. Inasmuch as the appropriation is for 150,000 enlisted men and the proviso on page 22 says the Army shall be reduced so that the sum appropriated shall defray the entire cost, why is it necessary to have that further provision?

Mr. JOHNSON of Mississippi. I will answer the gentleman to his satisfaction if he is reasonable. On page 16, line 11, you expressly give the Secretary of War full discretion to discharge these men or not, and the Secretary being under the influence of the General Staff, as has been charged on the floor of the House, I say to you the men will not be discharged unless the law is made mandatory.

Unless this amendment is adopted you will find that the Army will not be reduced according to the wishes of the Congress. I do not hold the Secretary of War entirely responsible, because I realize he has to contend with the General Staff. This "war machine," known as the General Staff, is not going to relinquish any of its authority unless the Congress writes a law that will force them to. You know and I know the General Staff has dominated the Army for a long time, and I do not see any difference now under the new administration from the way they dominated the former Secretary of War.

As Mr. ANTHONY, the chairman of the Army appropriation committee, has well said: "Secretaries of War come and Secretaries of War go, but the General Staff goes on as ever."

You Republicans went to the country last November on a platform advocating, among other things, rigid economy. You promised the people you would reduce taxes; that you would reduce the Army; that you would bring about a state of peace in the country. You declared you abhorred war and loved peace and craved an opportunity to bring about peace. Now, instead of reducing the Army, the Chairman of the Military Affairs Committee [Mr. KAHN] wants to maintain a large standing Army in violation of your pledges to the American people.

Never before in the history of this country were taxes so high. The American people are to-day groaning beneath the burden of taxation and demanding that they be relieved. The people can not continue carrying these oppressive burdens. They will not continue carrying these oppressive burdens. If you do not relieve them, they will demand a change of administration in order that they may get relief.

Do you realize that we have in this country to-day 4,000,000 trained soldiers, who are ready upon short notice to defend our flag? Do you realize that with 14,000 officers, all well trained and ready for action, that this country can raise an Army within 60 days that can resist successfully the attack of the world? The people realize what standing armies mean. They know that every Government that has maintained large standing armies and depended upon military force has failed. They know that large armies breed war instead of peace. The man who carries a pistol in his pocket carries it for the purpose of shooting some one, and upon the least provocation many times wrecks his own life and destroys others because of having been armed.

I do not mean that we should not be prepared, but I mean this: That where we are too well armed, we are prone to seek something upon which to try out arms. Men have said here to-day that we should have a large Army because we are in danger. What country threatens the peace of America? No one has been able to point out a menace, but by insinuation, for the purpose of frightening Congressmen into supporting a big Army program, men have said the situation is delicate. I do not believe one word of it. With Europe almost bankrupt, with Germany disarmed, who is to attack America? The greatest enemy this country has, so far as bringing on war, is the munitions makers. Those who have made great fortunes by selling guns and munitions to the Government with which to destroy lives are in favor of war. They are in favor of big armies, because they realize that big armies will eventually make use of munitions, thereby bringing about a demand for their products.

Mr. Chairman, I recall that during the war many of us went about over the country speaking to the people and urging them to buy Liberty bonds, war stamps, and to subscribe to the Red Cross and many other patriotic demands. I remember how those people denied themselves of sugar, white bread, and hundreds of other things in order that the soldiers might have the best. I remember how the mothers and fathers accompanied their boys to the trains where they entrained for the training camps, and we all remember how those old parents wept upon the necks of their boys as they were offering them as a living sacrifice in order that peace might be brought about in the world. Those mothers and fathers were promised that this would be the last time they would be called upon to give any of their children in such a cause, that this was to be the last war.

The war has been over two years and a half, and to-day we have nearly a quarter of a million men in arms. Do you realize what it costs to maintain the Army? For every enlisted man in the Army it costs the Government $1,600 a year. The cost of the Army for the next fiscal year will be $331,072,159.80. For fortification, $8,038,017. Directly and indirectly, 90 per cent of the money expended by this Government is for the Army, Navy, pensions, hospitals for soldiers, and other expenses caused by war.

If disarmament could be brought about—and I hope that it soon will be—the taxes of the people could be reduced to a very small sum.

The mothers and fathers of this country demand that we do something to stop war. They demand that we reduce the Army. If you believe the soldiers of the late war want a large standing army, ask them, and they will tell you they do not.

A few days ago I visited Arlington Cemetery and there gazed upon the hundreds of new-made graves marked by little white crosses, the places where now rest the torn bodies of boys who died upon the battlefield in France, and as I looked upon those graves I thought of the mothers and fathers at home who had been robbed of their boys because of militarism.

I visited Walter Reed Hospital in Washington, where I saw poor, blind soldiers being led about. I saw the maimed and wounded soldiers of the late war sitting about the hospital, unhappily whiling away the time. And I said that certainly there can be no one in this Congress, the pulsation of whose heart beats in sympathy with the mothers of these men, who will vote to bring about a condition that will bring on another war.

Mr. Chairman, I have received many pathetic appeals from mothers and fathers, asking me to get their boys out of the Army, but on account of so much "red tape" in the Army Regulations, few of the soldiers are released. Thousands of those boys are needed by their parents. Many of them are anxious to engage in more profitable business, where they may become home builders and taxpayers. This ought not to be a partisan question. Every Democrat and every Republican in this House knows that the people want a small Army. They are opposed to militarism. They demand that this Government adopt a policy of rigid economy and reduce the taxes that burden the people.

If you adopt this amendment or one similar to it, your Army will be reduced to 150,000. I trust the amendment will be adopted.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GARRETT of Tennessee. Mr. Chairman, I want to suggest to the gentleman from Mississippi [Mr. JOHNSON] that his amendment, as it seems to me, ought not to be offered as a substitute for the amendment of the gentleman from Kansas [Mr. ANTHONY]. There is no relation between the two matters. Now, suppose we want to vote for both. It seems to me there should be some arrangement made whereby the amendment of the gentleman from Mississippi will not be pending as a substitute for the amendment offered by the gentleman from Kansas.

The CHAIRMAN. It is not pending as a substitute. The point of order has been reserved against it.

Mr. MADDEN. I make the point of order against it.

Mr. GARRETT of Tennessee. He offered it as a substitute.

The CHAIRMAN. It clearly is not a substitute. If anybody makes a point of order against it, it will be so held.

Mr. JOHNSON of Mississippi. I offer it as an amendment.

The CHAIRMAN. The Chair sustains the point of order. There is already an amendment pending.

Mr. KEARNS. Mr. Chairman, may we not have the substitute pending again?

The CHAIRMAN. The substitute has been ruled out.

Mr. HULL of Iowa rose.

Mr. GARRETT of Tennessee. Mr. Chairman, I ask for recognition on the Anthony amendment. Does the gentleman from Iowa [Mr. HULL] want to offer an amendment or substitute for it?

Mr. HULL of Iowa. I want to offer an amendment to the section.

The CHAIRMAN. The Chair will recognize the gentleman from Tennessee in opposition to the amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not know that I am opposed to the amendment of the gentleman from Kansas. Indeed, I am not opposed to it. If this language here becomes a law, I see no reason why the amendment of the gentleman from Kansas should not prevail. But I am just wondering if in our effort here to do a kind thing we are not likely to be doing an injustice by the adoption of this language which has just been read.

Mr. ANTHONY. Will the gentleman yield?

Mr. GARRETT of Tennessee. I will.

Mr. ANTHONY. The only purpose of the amendment was to clear away all doubt that might exist in the minds of some of the Members who have spoken to the committee about it as to when the language of the paragraph was to go into effect. Some contended that it would not go into effect until July 1. Others thought it should go into effect at once.

Mr. GARRETT of Tennessee. I agree with the gentleman from Kansas about that, and I think his amendment should prevail; but I simply wanted to call attention to the condition that is going to be created by the adoption of this language.

At present the recruiting officers of the Army are charged with the duty of trying to ascertain the ages of men who offer themselves for enlistment. An officer who knowingly recruits a young man under 18 years of age is subject to court-martial and severe penalty. Nevertheless they get by. Young men will misrepresent their ages and state that they are over 18. Under the practice now they are discharged for fraudulent enlistment and their fares are not paid to their homes. Their parents have to arrange for the payment of the fare of the discharged soldier to his home or wherever he may wish to go. This is designed to correct that. This will give to the boy an honorable discharge and will provide for paying his way home.

Mr. PARRISH. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. PARRISH. I do not understand that this bill provides for paying his fare home.

Mr. GARRETT of Tennessee. To the place of enlistment.

Mr. PARRISH. Only to the place of enlistment?

Mr. GARRETT of Tennessee. To the place of enlistment, or to his home if it is near the place of enlistment.

Mr. PARRISH. Does not the gentleman think the bill should provide for paying his way to his home if he is under 18?

Mr. GARRETT of Tennessee. I have the very gravest doubt, notwithstanding the sympathy I feel about the matter. Like all other Members of Congress I have had many of these minority cases. Yet I have the very gravest doubt whether from a sound military standpoint we are not making a mistake in putting that provision in this bill. [Applause.] In my opinion it will result in the development of carelessness on the part of the recruiting officers. It will encourage young men under 18 to misrepresent their ages and enlist, and then their parents will file applications for their discharge and upon proof made will get them out. It will result in the Government paying out a tremendous amount of money for enlisting men who will be under age and who will suffer no penalty whatever. I sympathize with the feeling of Members. I have had many cases that have torn my heart; yet I doubt whether as a sound military proposition this ought to be adopted. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Virginia. Mr. Chairman, for its bearing upon the matter now under discussion, I wish to state that a little later I shall offer an amendment which will follow the so-called Borah amendment. The Borah amendment now in the bill provides that the Secretary of War shall not expend more in compensating officers or enlisted men than the sums specified in the bill. I call the attention of my friend from Mississippi [Mr. JOHNSON] to the amendment I shall offer, which I will now read. It is to follow the Borah amendment on page 22, line 5:

> The process of reduction shall be put in effect immediately upon the passage of this act, so that the number of officers during the next fiscal year shall not exceed 14,000 and the number of enlisted men shall not exceed 150,000.

The purpose is to make the act speak with reference to the time of its passage, so far as the matter of reduction is concerned, with a direction to the Secretary of War to begin the process of reduction at once, without compelling him to grant or refuse any individual application for discharge. If my proposal is adopted, the Secretary of War will at once begin the work of effecting the reduction on the basis provided by the bill.

Mr. JOHNSON of Mississippi. I wish to say that all I am interested in is to have these men discharged when they are anxious to be discharged. As it is now, the Army officers are not going to discharge them as long as you Congressmen allow them to hold them.

The CHAIRMAN. The question is on the amendment of the gentleman from Kansas.

The amendment was agreed to.

Mr. JOHNSON of Mississippi, Mr. HULL, and Mr. JOHNSON of South Dakota rose.

The CHAIRMAN. For what purpose does the gentleman from South Dakota rise?

Mr. GARRETT of Tennessee. Mr. Chairman, I suggest that the gentleman from Mississippi [Mr. JOHNSON] should be entitled to recognition.

The CHAIRMAN. Not necessarily. For what purpose does the gentleman from South Dakota rise?

Mr. JOHNSON of South Dakota. I move to strike out the last two words.

Mr. JOHNSON of Mississippi. Mr. Chairman, my amendment is pending.

The CHAIRMAN. The amendment of the gentleman from Mississippi was ruled out.

Mr. JOHNSON of Mississippi. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Mississippi. I offered it again, and it was pending at the time——

The CHAIRMAN. The gentleman sent an amendment to the desk, and in due time the Chair will recognize him to offer his amendment; but the Chair feels under no constraint to recognize the gentleman at this moment.

Mr. JOHNSON of Mississippi. I only wanted to know the parliamentary status.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] is recognized.

Mr. MONDELL. Mr. Chairman, if the Chair will allow me, the gentleman from Iowa [Mr. HULL], as I understand, has a substantive amendment.

The CHAIRMAN. That would have precedence.

Mr. MONDELL. The gentleman from South Dakota has only a pro forma amendment.

Mr. JOHNSON of South Dakota. The gentleman from South Dakota has already been recognized.

The CHAIRMAN. The Chair did not understand that the gentleman had only a pro forma amendment when the Chair recognized him.

Mr. JOHNSON of South Dakota. Mr. Chairman, every Member of Congress occasionally has the painful duty imposed upon him of criticizing organizations or individuals, and it is my duty at this time to call the attention of this House to the National Disabled Soldiers' League, an organization of alleged service men that is taking from the wounded men of the late war thousands of dollars and using that money for purposes foreign to that for which it was contributed. This organization does not work in harmony with any soldiers' organization. It ought to be investigated by Congress, unless when the facts are given to the Congress and to the administration it ceases to ask contributions and ceases its alleged work.

Members of Congress will find that there are branches of this organization in practically every State in the Union to-day, and that their own constituents—men who have been wounded—are suffering by reason of its activities.

This National Disabled Soldiers' League first came to my attention in 1920, when it was in the early stages of its organization. The men who were responsible for the league and who occupied the executive positions were George Gillin, chairman; Sidney Marks, vice chairman; and Arthur T. Schmidt, secretary and treasurer. In addition, there was an executive committee composed of men who are said at this time to be still in the Fox Hills Hospital.

The league claimed to represent an organized effort on the part of disabled veterans throughout the country to secure proper legislation in their own interest. Some of the points for which they claimed to be working were immediate vocational training for all disabled soldiers, with pay; the Darrow bill which provides for $20 a month added compensation for every disabled soldier; preferential legislation for disabled soldiers in regard to civil service; permanent employment bureaus for placing disabled soldiers; and adequate legislation covering needs of ex-service men whose disabilities are now appearing and resulting from the Army service.

Membership was solicited among the disabled at $1 a year. Acting on the assumption that there were 614,900 disabled veterans in the United States, a figure they can not verify, the officers estimated that the league would soon become self-supporting. Membership was slow in coming in, however, and appeals were issued to the public for financial support.

About this time an advisory council was formed, including Thomas L. Chadbourne, the chairman; Marshall Field; Herbert Hoover; Prof. R. D. Fisher, of the Rehabilitation Division of the Vocational Board; Rabbi Stephen S. Wise; Mrs. Wendell Phillips; and Edward T. Moore, counsel. It was found on investigation that several of these members had agreed to serve through sympathy with the professed cause of the league, though knowing practically nothing of the organization of the men connected with it. This advisory council never met, the chairman refused to call a meeting, though requested to by council members. After investigation Mr. Hoover, Mrs. Phillips, Prof. Fisher, and Rabbi Wise resigned from the council. No information can be secured at Mr. Chadbourne's office beyond the statement that he was much interested in the league and supported it substantially. He now refuses to give information.

Early in October there were rumors to the effect that the league had been formed primarily for political purposes. A representative of the bureau called at the office of the Republican national committee and informed the committee that Gillin and Marks, if suitable salaries were paid, would swing the vote of the disabled men of the country, whom they claimed to represent, to the Republican nominee. This was refused consideration, whereupon they threatened to affiliate with the Democratic Party and fight the Republican Party to a finish. Shortly after that disabled men receiving the literature of the league also received propaganda in the form of extracts from the speeches of the Democratic candidate for the Presidency touching upon his interest in the cause of the disabled men. To quote their own literature, "We are going into politics with a splash—we indorse the candidate, we will not indorse parties, but only those men who pledge themselves to aid us." In addition to this the same men received strong Democratic propaganda from the Under Fire Veterans' Association, George H. Gillin, president, Arthur T. Schmidt, vice president, with headquarters at the same address as that of the league. The financial statement shows thousands of dollars of anonymous contributions and a salary pay roll yearly of about $60,000.

Another interesting fact is that a few days before election the records in the office of the league disappeared, executives claiming that they had been stolen. However, they reappeared shortly afterwards. This same thing happened when the secretary of the league was called to testify before the New York district attorney. Now, since that time it has been proven that prior to the election a contribution of $5,000 was made to this disabled men's league by Thomas L. Chapman, Bernard Baruch, and Cyrus H. McCormick. I have no objection to their contributions, whether to Republicans or Democrats, but when an organization does take money from men for political purposes it has no right to go to the disabled men and mulct them for a dollar apiece. That is what the organization is doing, but whether or not it is necessary for Congress to investigate it and make public all the facts, of which I have given only a very few, I do not know. I would suggest to these men who have been running this organization which refuses to cooperate with the American Legion, the Veterans of Foreign Wars, the World War Veterans, or any other bona fide legitimate organization of ex-service men, that they ought to demand a congressional investigation if these facts are not true, and I would suggest to them also that if they do not demand that investigation, if they do not cease their propaganda, if they do not cease demanding money from wounded men to be used for political purposes, it will be necessary for some of the ex-service men in this House to introduce such a resolution so that their books can be brought before a committee and all of the facts can be given to the American public.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. FLOOD. Is this league composed of disabled veterans?

Mr. JOHNSON of South Dakota. There are many disabled veterans in it. I do not think there is any question about that.

Mr. FLOOD. Does the gentleman know the number?

Mr. JOHNSON of South Dakota. I think they have quite a number at the present time.

Mr. FLOOD. It is a veterans' organization?

Mr. JOHNSON of South Dakota. It is an organization brought into existence purely for political purposes in the late campaign, which was willing to sell out to the Republican or to the Democratic Party. Either party might have been justified in contributing to these men. I have no objection to that. That is a matter of politics. My objection is to these men going out to-day and collecting $1 or $2 each from disabled men, and of each dollar that is contributed 90 cents goes to these alleged officers, who hold the offices, and who make no report to their men.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. HULL. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HULL: Page 16, line 10, after the word "is," strike out the words "authorized in his discretion" and insert "directed under such reasonable regulations as he may prescribe"; in line 12, after the word "men," insert "serving in the continental United States"; line 13, after the word "discharges," insert the words "until the number in the Army has been reduced to 150,000 enlisted men, not including the Philippine Scouts."

Mr. MADDEN. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from Iowa, or I reserve it for five minutes.

Mr. HULL. I ask the gentleman to reserve it.

Mr. MADDEN. I reserve the point of order.

Mr. HULL. Mr. Chairman, I might say that I do not think it is subject to the point of order. It simply changes the language that is in the bill, and it changes it in a constructive way, in a way to which I think no Member of this House should object.

Mr. JOHNSON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. HULL. Yes.

Mr. JOHNSON of Mississippi. I want to say to the gentleman that it covers my amendment, and I have no desire to press mine further.

Mr. HULL. I thank the gentleman from Mississippi. It not only covers his amendment but it clears the matter up. There are no discharges to be made in the Army unless in continental United States. To discharge a man in the foreign service on his application might cause confusion. It also does not include the Philippine Scouts. It is practically in conformity to the present bill, except in this, that it directs the discharge of a man by the Secretary of War and does not allow him to have the discretion to hold that man in. That is all the change there is. I do not think any objection can be made to that.

Mr. J. M. NELSON. Mr. Chairman, will the gentleman yield?

Mr. HULL. Yes.

Mr. J. M. NELSON. Will the amendment prohibit the discharge by the Secretary of men outside of continental United States?

Mr. HULL. Certainly not. The section will read in this manner:

And the Secretary of War is directed under such reasonable regulations as he may prescribe to grant applications for discharge of enlisted men serving in the continental United States, without regard to the provisions of existing law respecting discharges until the number in the Army has been reduced to 150,000, not including the Philippine Scouts.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield?

Mr. HULL. Yes.

Mr. HUMPHREYS. I did not catch the reason the gentleman assigns for the words "in continental United States."

Mr. HULL. Simply because we have troops in the Philippines, in the Hawaiian Islands, in Europe, and other places. To discharge a man there on his own application might cause confusion, as men might ask to be discharged who ought not to be discharged. I do not want to interfere with our foreign service, and I do not think any Member of the House should.

Mr. J. M. NELSON. I have a case of an appeal by a mother in straightened circumstances for the discharge of a boy in Germany. Would not the gentleman's amendment by implication prevent the Secretary from discharging him?

Mr. HULL. Certainly not. He should discharge him if he can, but we should not compel him to discharge him. That man is on foreign soil.

Mr. McKENZIE. Will the gentleman yield?

Mr. HULL. I will.

Mr. McKENZIE. I wish to ask the gentleman if he does not feel that perhaps his amendment might result in the crippling of the force in continental United States, considering the fact we have 15,000 men in Germany, 18,000 in the Philippines, and with the forces we have in Hawaii and the Canal Zone?

Mr. HULL. Certainly not. This is a whole lot better than to do the other way. This simply allows them to get out on their own request, but the Army is not forced to discharge the men unless the men ask to be discharged. You are going to bring the Army down to 150,000. Let the men select themselves—those who want to get out and let them go out; that is all.

Mr. FESS. Will the gentleman yield?

Mr. HULL. I will.

Mr. FESS. I would like to ask the gentleman whether the language is not contradictory in this where it says the Secretary of War is directed and then leaves it to the Secretary of War to prescribe such regulations——

Mr. HULL. Such reasonable regulations for the carrying out of these provisions. You could not take away every discretion from the Secretary of War.

Mr. FESS. But could not he under the regulations——

Mr. HULL. I suppose that is barely possible, but I have faith in our Secretary of War that he will carry that out properly.

Mr. LAYTON. I understand it is mandatory as far as the continental United States is concerned and discretionary as far as the foreign possessions are concerned?

Mr. HULL. Yes.

Mr. ANTHONY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 5010, the Army appropriation bill, had come to no resolution thereon.

ADJOURNMENT.

Mr. MONDELL. Mr. Chairman, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until Monday, May 2, 1921, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HICKS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 5219) to create a bureau of aeronautics in the Department of the Navy, reported the same without amendment, accompanied by a report (No. 35), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CABLE: A bill (H. R. 5573) providing for the purchase of a site and the erection of a public building thereon at Lima, Ohio, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: A bill (H. R. 5574) to authorize an issue of bonds in exchange for bonds of the first, second, third, and fourth Liberty loan issues; to the Committee on Ways and Means.

By Mr. BARBOUR: A bill (H. R. 5575) to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases," approved April 22, 1908; to the Committee on the Judiciary.

By Mr. BELL: A bill (H. R. 5576) to provide relief for certain employees of the Government who were retired under the provisions of the act of May 22, 1920, commonly known as the retirement act, and for other purposes; to the Committee on Reform in the Civil Service.

By Mr. MARTIN: A bill (H. R. 5577) to amend an act entitled "An act to reduce tariff duties and to provide revenue for the Government, and for other purposes," approved October 3, 1913; to the Committee on Ways and Means.

By Mr. SUTHERLAND: A bill (H. R. 5578) to relieve the Territory of Alaska, its officers and municipalities, from the necessity of filing bonds or security in legal proceedings in which such Territory, its officers or municipalities, shall be parties; to the Committee on the Judiciary.

By Mr. FOCHT: A bill (H. R. 5579) to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus south of Dahlia Street, Nicholson Street from Thirteenth Street to Sixteenth Street, Colorado Avenue from Montague Street to Thirteenth Street, Concord Avenue from Sixteenth Street to its western terminus west of Eighth Street west, Thirteenth Street from Nicholson Street to Piney Branch Road, and Piney Branch Road from Thirteenth Street to Blair Road, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 5580) to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.; to the Committee on the District of Columbia.

By Mr. WHITE of Kansas: A bill (H. R. 5581) to amend section 24b of an act entitled "An act to amend an act entitled 'An act for making further and more effectual provisions for the national defense, and for other purposes,' approved June 3, 1916, and to establish military justice," approved June 4, 1920; to the Committee on Military Affairs.

By Mr. BARBOUR: A bill (H. R. 5582) to provide compensation for persons suffering injuries while engaged in interstate or foreign commerce, and for the dependents of such persons in case of death, and for other purposes; to the Committee on the Judiciary.

By Mr. BRAND: A bill (H. R. 5583) providing a temporary loan of $50,000,000 by the Federal Reserve Board to the Federal Farm Loan Board for the purpose of expediting the loan of money to farmers upon their applications therefor now pending; to the Committee on Banking and Currency.

By Mr. GILLETT: A bill (H. R. 5584) to acquire a site and erect a building thereon at Springfield, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 5585) relating to execution of pension papers in foreign countries; to the Committee on Pensions.

By Mr. KOPP: A bill (H. R. 5586) to provide for the erection of a public building on ground already acquired at Fairfield, in the State of Iowa; to the Committee on Public Buildings and Grounds.

By Mr. WEAVER: A bill (H. R. 5587) for the purchase of a site and the erection of a post-office building at Tryon, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 5588) to repeal section 5 of an act entitled "An act to establish the Lassen Volcanic National Park in the Sierra Nevada Mountains, in the State of California, and for other purposes," approved August 9, 1916; to the Committee on the Public Lands.

Also, a bill (H. R. 5589) for the protection and improvement of the Lassen Volcanic National Park, Calif., and for other purposes; to the Committee on Appropriations.

By Mr. SCHALL: A bill (H. R. 5590) to authorize the issuance of Victory medals and bronze service lapel buttons to certain persons; to the Committee on Military Affairs.

Also, a bill (H. R. 5591) to classify employees in the motor-vehicle service of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. OVERSTREET: A bill (H. R. 5592) to revive the right of action under the act of March 12, 1863 (12 Stat. L., p. 820); to the Committee on the Judiciary.

By Mr. DOWELL: Joint resolution (H. J. Res. 98) authorizing the Secretary of War to transfer certain buildings and equipment located at Camp Dodge, Iowa, to the Iowa State College of Agriculture and Mechanic Arts; to the Committee on Military Affairs.

By Mr. IRELAND: Resolution (H. Res. 77) authorizing the Doorkeeper of the House to appoint an additional page; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHANDLER of Oklahoma: A bill (H. R. 5593) granting a pension to Martha Ousley; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 5594) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in the claims of the Omaha Tribe of Indians of Nebraska against the United States; to the Committee on Indian Affairs.

By Mr. KLINE of Pennsylvania: A bill (H. R. 5595) granting a pension to Martin Cuthbert; to the Committee on Invalid Pensions.

By Mr. LAMPERT: A bill (H. R. 5596) granting a pension to Myra C. Robbins; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 5597) granting a pension to Nettie May Jernegan; to the Committee on Pensions.

By Mr. MEAD: A bill (H. R. 5598) authorizing the Secretary of War to donate to the village of East Aurora, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5599) authorizing the Secretary of War to donate to the village of Hamburg, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5600) granting an increase of pension to George Plewacki; to the Committee on Pensions.

By Mr. O'CONNOR: A bill (H. R. 5601) for the examination and survey of Bayou Bienvenue, State of Louisiana; to the Committee on Rivers and Harbors.

By Mr. OGDEN: A bill (H. R. 5602) to carry out the findings of the Court of Claims in the case of William E. Woodruff; to the Committee on Claims.

Also, a bill (H. R. 5603) to carry out the findings of the Court of Claims in the case of Daniel F. Griffin; to the Committee on Claims.

Also, a bill (H. R. 5604) to carry out the findings of the Court of Claims in the case of George W. Barth; to the Committee on Claims.

By Mr. OLDFIELD: A bill (H. R. 5605) granting an increase of pension to Cora E. Brown; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 5606) granting a pension to Harry Elkins; to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 5607) authorizing the Secretary of War to donate to the city of Baltimore, State of Maryland, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 5608) granting a pension to Elizabeth M. A. Baumgarner; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 5609) authorizing the Secretary of War to donate to the town of Piercefield, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of New Jersey: A bill (H. R. 5610) granting an increase of pension to Charles J. Kilcullen; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 5611) granting a pension to William H. Linnabary; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5612) authorizing the Secretary of War to donate to the town of Fayette, State of Ohio, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 5613) granting a pension to Joseph S. Penland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5614) for the relief of Mrs. Cary B. Moore; to the Committee on Claims.

By Mr. WHITE of Maine: A bill (H. R. 5615) granting an increase of pension to Thomas Roy; to the Committee on Pensions.

MOTIONS TO DISCHARGE COMMITTEES.

Under clause 4 of Rule XXVII, motions to discharge committees were filed as follows:

By Mr. WALSH: Motion to discharge the Committee on Revision of the Laws from the further consideration of the bill (H. R. 12) to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force March 4, 1919.

Also, motion to discharge the Committee on Education from the further consideration of the bill (H. R. 25) to create a national university at the seat of the Federal Government.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

405. By Mr. BARBOUR: Petition of Stanislaus County (Calif.) Farmers' Educational and Cooperation Union, favoring excess-profits tax until full cost of the war is paid, and opposed to the sales tax; to the Committee on Ways and Means.

406. By Mr. BURTON: Petition of the city council of the city of Cleveland, Ohio, urging legislation for the consolidation for telephone lines; to the Committee on Interstate and Foreign Commerce.

407. By Mr. GALLIVAN: Petition of Savin Hill Yacht Club, Dorchester, Mass., protesting against tax on pleasure boats; to the Committee on Ways and Means.

408. By Mr. GORMAN: Petition of Council Notre Dame de Loudres (Chicago, Ill.), No. 117, urging the defeat of the Smith-Towner bill; to the Committee on Education.

409. By Mr. KING: Petition of Mrs. Gus Keller and 125 other citizens of Quincy, Ill., urging the passage of the Smith-Towner bill; to the Committee on Education.

410. By Mr. KISSEL: Petition of S. Liebmann's Sons (Inc.), Brooklyn, N. Y., urging the repeal of the internal-revenue tax on cereal beverages, etc.; to the Committee on Ways and Means.

411. By Mr. MacGREGOR: Petition of International Brotherhood of Locomotive Engineers, Buffalo, N. Y., protesting against the proposed turnover or sales tax; to the Committee on Ways and Means.

412. By Mr. MEAD: Petition of Charles Werner Fur Co. (Inc.), opposing the present tax on furs; to the Committee on Ways and Means.

413. By Mr. RYAN: Petition of Mrs. Theresa M. Phillips, of New York City, urging the recognition of the Irish republic, etc.; to the Committee on Foreign Affairs.

414. By Mr. STAFFORD: Petition of citizens of the fifth district of Wisconsin, praying for an amendment to the Volstead prohibition act; to the Committee on the Judiciary.

415. By Mr. YATES: Petition of Joseph B. Perkins, Springfield, Ill., favoring the Ralston-Nolan bill; to the Committee on Ways and Means.

SENATE.

MONDAY, *May 2, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, Thou hast made us for Thyself and we can not rest excepting we rest in Thee. So amid the restlessness of our age and the manifold problems and anxieties that confront us, we do ask that we may hear the still, small voice of Him who said come unto Me and rest. And so amid the day's duties and of the manifold responsibilities may our hearts respond and find even in activity the calm of Thy presence. We ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, April 28, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PACIFIC COAST PETROLEUM INDUSTRY.

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Federal Trade Commission, transmitting part 1 of the report of the Commission on the Pacific Coast Petroleum Industry dealing with production, ownership, and profits, in pursuance of Senate resolution 138, Sixty-sixth Congress, first session, which was ordered to lie on the table.

MEMBER OF JOINT COMMISSION ON POSTAL METHODS AND FACILITIES.

The VICE PRESIDENT. Pursuant to the provisions of section 6 of the Post Office appropriation act, approved April 24, 1920, the Chair appoints the Senator from Tennessee [Mr. MCKELLAR] a member of the Joint Commission on Postal Methods and Facilities, to fill the vacancy occasioned by the expiration of the term of Hon. Charles B. Henderson, former Senator from Nevada.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of papers, documents, and so forth, on the files in the Treasury Department, which are not needed in the conduct of business and have no permanent value or historic interest, and asking for action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. MOSES and Mr. FLETCHER members of the committee on the part of the Senate, and ordered that the Secretary of the Senate notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 3152. A bill granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.; and

H. J. Res. 52. Joint resolution to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. 407) granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio, and it was thereupon signed by the Vice President.

NEGOTIATION OF TREATIES.

Mr. BRANDEGEE. Mr. President, I have here an article from the Yale Law Journal of March, 1921, containing an article by William W. Dewhurst, of the Florida bar, upon the question of the respective powers of the Senate and the President in the negotiation of treaties. It is an extremely important communication, in my opinion, and I should like to have it printed in the RECORD. It is a very brief article.

The VICE PRESIDENT. Is there objection? If not, it will be so printed.

The article is as follows:

"DOES THE CONSTITUTION MAKE THE PRESIDENT SOLE NEGOTIATOR OF TREATIES?

[William Whitwell Dewhurst, Florida bar.]

"When the armistice was proclaimed, the President assumed that he had the sole power to negotiate the treaties with Germany and Austria-Hungary, with the Governments of which powers Congress had declared a state of war existed. The President also assumed the power to aid in establishing new nationalities and in determining the territorial boundaries of the Central Powers and of other nations, among them several against which Congress had not declared war. The Senate, without protest, conceded to the President this power with respect to the necessary treaties. Throughout all the proceedings there was no recorded opposition by the Foreign Relations Committee of the Senate, or by any Senator, to the President's claim that the negotiation of the treaties was vested exclusively in him, nor was there even any criticism of his position in this regard.

"As late as the 26th of August, 1919, the President, in his letter to the chairman of the Senate Foreign Relations Committee, gives as a reason why he withheld the treaties with Austria-Hungary, Bulgaria, and Turkey the undesirability of creating the precedent which would be created by submitting to the Senate, or its Committee on Foreign Relations, treaties in their draft form. He states that such a course 'would tend to take the function of negotiating treaties out of the hands of the Executive, where it is expressly vested by the Constitution.'

"The reply by the chairman of the Foreign Relations Committee to the President's letter admits, 'as of course,' that the committee 'was aware that negotiations are wholly in the hands of the Executive.' This assertion that the sole power to negotiate treaties has been lodged in the President by the Constitution, akin to the prerogative in a monarch, made by the President and expressly assented to by the chairman of the Foreign Relations Committee of the Senate, has been accepted by the press of the country as admitted constitutional law. Numerous editorials have characterized the committee's request for information as to the contents of these pending drafts of treaties as an evidence of a want of respect for the Constitution, and have declared that for the President to yield to such a 'preposterous' demand would be to abandon a great presidential prerogative. (Discussing the Knox resolution, the New York Times in its issue of May 7, 1920, says: 'It [the resolution] must be vetoed, for the state of war can not be ended, the condition of peace can not be restored, by resolution. * * * Mr. KNOX does not need to be reminded that the negotiation of treaties is exclusively the business of the President.'

"This was the contention of Secretary Seward with respect to recognition of the Maximilian government in Mexico. In April, 1864, he wrote our minister to France that recognition of Maximilian was a purely executive question. On June 27 the Committee on Foreign Affairs reported to the House a resolution asserting that it belonged to Congress to declare the foreign policy of the United States, and it was the constitutional duty of the President to give effect to that policy in diplomatic negotiations. It may be that the power exercised by President Wilson in making himself sole negotiator, and virtually sole representative of the United States of America to negotiate the several treaties with the Central Powers, conforms to the accepted interpretation of his powers under the Constitution now. Certain it is that the debates in the Constitutional Convention disclose a different view, held by the framers of the Constitution, namely, that the Senate should participate equally with the President in such negotiation. The journal of the Federal convention (published in 1840 under direction of the United States Government from the original manuscripts kept by President Madison and reprinted in 1893) contains a number of illuminating entries with regard to the sense of Article II, section 2, of the Constitution. (Article II, section 2, clause 2, reads as follows: 'The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law * * *.')

"The first meeting, at which delegates from seven States were convened, was on May 25, 1787. John Dickinson, of Delaware, and Elbridge Gerry, of Massachusetts, did not take their seats until May 29. On that day Charles Pinckney, from South Carolina, laid before the convention the draft of a federal government which he had prepared, to be agreed upon between the free and independent States of America. Article 7 of this draft reads: 'The Senate shall have the "sole and exclusive power to declare war, to make treaties, and to appoint ambassadors and other ministers to foreign nations,"' etc.

"On June 26 the convention considered the duration and powers of the Senate. James Wilson, of Pennsylvania, in debate stated:

"Every nation may be regarded in two relations, first, to its own citizens; secondly, to foreign nations. The Senate will probably be the repository of the powers concerning the latter objects. It ought, therefore, to be made respectable in the eyes of foreign nations.

"On August 6 the report of the Committee of Detail was made. The preamble recited, 'We, the people of the States [enumerating them] do ordain, declare, and establish a Constitution for the government of ourselves and our posterity.'

"Article 9, section 1, of the report submitted by the Committee of Detail (for the Constitution to be ordained) reads, 'The Senate of the United States shall have power to make treaties and appoint ambassadors and judges of the Supreme Court.'

"Prior to the reference of the draft of the proposed Constitution to the Committee of Detail on June 18, Mr. Hamilton, who had hitherto been silent on the business before the convention, submitted amendments to the draft offered by Mr. Randolph. Article 4 of Mr. Hamilton's draft reads:

"The supreme executive authority of the United States to be vested in a governor to be elected to serve during good behavior. The authorities and functions of the Executive to be as follows: To have a

negative on all laws about to be passed, and the execution of all laws passed; to have the direction of war when authorized or begun; to have, with the advice and approbation of the Senate, the power of making all treaties, etc.

"On August 23 article 9, section 1, was reported by the Committee of Detail, reading, 'The Senate of the United States shall have power to make treaties,' etc. Gouverneur Morris moved an amendment to the section after the word 'treaties': 'but no treaty shall be binding on the United States which is not ratified by law.'

"Mr. Wilson stated that the King of Great Britain, being obliged to resort to Parliament for the execution of treaties, was under fetters similar to those imposed on the Senate by the amendments proposed by Mr. Morris. Mr. Dickinson supported the amendment, although it was unfavorable to the small States, which would otherwise have an equal share in making treaties.

"Dr. Johnson pointed out that full and complete power was vested in the King of Great Britain. If Parliament should fail to provide the necessary means of execution a treaty would be violated.

"Mr. Gorham stated that negotiations on the spot were not to be desired, that treaties would generally be influenced by two or three men who would be corrupted by the ambassadors sent here. He added, 'In such a Government as ours it is necessary to guard against the Government itself being seduced.'

"Mr. Randolph moved that the motion of Gouverneur Morris be postponed, but the question was lost, the States being equally divided. Mr. Madison suggested for consideration whether a distinction might not be made between different sorts of treaties, allowing the President and Senate to make treaties eventual and of alliance for limited terms, and requiring the concurrence of the whole legislature in other treaties.

"The first section of article 9 was finally referred again to the Committee of Detail.

"On September 4 the Committee of Eleven (on unfinished parts of the Constitution) reported an alteration in the report before the convention, to be amended to read, 'The President, by and with the advice and consent of the Senate, shall have power to make treaties'; substantially the language of clause 2, section 2, Article II, of the Constitution as it now reads.

"On the 7th day of September the above clause, on second reading, being under debate, Mr. Wilson moved to add after the word 'Senate' the words 'and House of Representatives.' He thought the need of secrecy in the business of treaties being inconsistent with obtaining the complete legislative sanction, was outweighed by the importance of the latter. Mr. Sherman thought the power could be safely trusted to the Senate, and that the necessity for secrecy in the case of treaties forbade a reference of them to the whole legislature. Mr. Wilson thought the plan dangerous, as throwing power into the hands of the Senate, and said, 'They are to make treaties and they are to try all impeachments.' 'In allowing them thus * * * to make treaties which are to be laws of the land the legislative, executive, and judiciary powers are all blended in one branch of the Government.' Mr. Wilson's motion was rejected, and the convention agreed to the form of the first sentence. It is evident that the framers of the Constitution understood that the words, 'by and with the advice and consent of the Senate to make treaties,' made the Senate a joint participant from the beginning.

"The provision of Article VI that all treaties shall be among the supreme laws, and hence requiring them to be publicly known, shows that in the debate the words, 'He [the President] shall have power by and with the advice and consent of the Senate to make treaties,' was understood to require that the Senate be joined as negotiator of treaties. Doubtless it was then contemplated that all treaties would be negotiated by an agent or agents selected by the Senate and President jointly, and no member realized that the President might take into his own hands, 'acting in his own proper person,' the negotiating of a treaty, especially a treaty which undertook to parcel out the Eastern Hemisphere and the islands of the seven seas.

"That the Senate was to be joined in all negotiations for a treaty further appears by the later debates on the subject. The proposed clause, 'but no treaty shall be made without the consent of two-thirds of the Members present,' being under consideration, Mr. King stated that as the Exectuive was here joined in the business, there was a check which did not exist in Congress, where the concurrence of two-thirds was required. Mr. Madison moved to insert, after the word 'treaty,' the words 'except treaties of peace,' allowing these to be made with less difficulty than other treaties. It was agreed to nem. con. Mr. Madison then moved to authorize the Senate, two-thirds assenting, to make treaties of peace without the concurrence of the President. The President, he said, would necessarily derive so much power and importance from a state of war that he might be tempted to impede a treaty of peace. Mr. Butler seconded the motion. Gouverneur Morris thought the power of the President in this case harmless; that no peace ought to be made without the concurrence of the President. Mr. Butler was strenuous for the motion as a necessary security against ambitious and corrupt Presidents. Mr. Madison's motion failed of adoption. The clause concerning treaties, amended by the exception as to treaties of peace, was then adopted by a vote of eight States in favor and three against.

"On September 8 Mr. King moved to strike out the exception of treaties of peace from the general clause requiring two-thirds of the Senate to make treaties. A reconsideration of the whole clause was agreed to. Gouverneur Morris was against striking out the exception of treaties of peace. He stated that if two-thirds of the Senate should be required for peace, the legislature would be unwilling to make war for that reason, and that besides if a majority of the Senate should be for peace, and be not allowed to make it, they would be apt to effect their purpose in the more disagreeable mode of negativing the supplies for war.

"Mr. Williamson remarked that treaties were to be made in the branch of the Government where there might be a majority of the States without a majority of the people; that the small number of Senators constituting a quorum of the Senate should not have the power to decide the conditions of peace. Mr. Wilson said, 'If two-thirds are necessary to make peace, the minority may perpetuate war against the sense of the majority,' a prediction which has been realized. Mr. Gerry enlarged on the danger of putting the essential rights of the Union in the hands of so small a number as the majority of the Senate, representing perhaps not one-fifth of the people. Mr. Sherman was against leaving the rights established by a treaty of peace to the Senate and moved to annex a proviso that no such rights should be ceded without the sanction of the legislature. On the question of striking out 'except treaties of peace,' eight States voted in the affirmative and three in the negative. On motion to strike out the clause requiring two-thirds of the Senate for making treaties, Delaware voted aye and nine States voted no.

"Mr. Rutledge and Mr. Gerry moved that no treaty should be made without the consent of two-thirds of all the Members of the Senate. Mr. Gorham stated that here was a difference between proceedings under the Continental Congress and under the proposed new Constitution, as the President's consent would also be necessary in the new government. On motion to strike out, three States voted aye and eight voted no.

"On September 12 Dr. Johnson, from the committee on style, reported the Constitution in substantially its final form, the first two paragraphs of Article II, section 2, being as they now read. On September 17 the engrossed Constitution being read, and a speech written by Dr. Franklin delivered, urging consent thereto, the Members signed the Constitution.

"The language used by the participants in the debates on the frame of the treaty-making article in the Constitution furnishes no foundation for President Wilson's claim, and the Senate's concession that the function of negotiating treaties is vested wholly in the Executive. It was never suggested in the convention that the President might make treat'es, provided two-thirds of the Senate should afterwards approve his action. Such may now be the law by custom established, but it is manifest that the framers of the Constitution contemplated and provided that the Senate should participate in the negotiations.

"Neither was the present accepted construction of the power conferred on the Executive that which was held by our first President, who was a member of the convention. President Washington denied the right of the House of Representatives to be joined in the making of treaties, but he repeatedly asked the Senate's advice in negotiating treaties. (See his communications to the Senate dated, respectively, Feb. 9, Aug. 4, 6, 7, and 11, 1790, and May 8, 1792.)

"It is significant that President Washington asks whether the Senate will advise and consent to his 'ratification of a treaty,' and in proclaiming treaties states that 'by and with the advice and consent of the Senate' he has 'in due form ratified' such treaties.

"An article by James C. Welling, printed in the National Intelligencer of October 30, 1858 (Lieber, Civil Liberty (3d ed., 1874) 135, note), states that on the 22d of August, 1789, the President of the United States came into the Senate Chamber, attended by Gen. Knox, and laid before the Senate a statement of facts in reference to the negotiation of certain treaties with

various Indian tribes. Desiring to fix certain principles on which the negotiations should be conducted, he submitted to the Senate a series of questions, to each of which he requested a categorical answer, to guide him in giving instructions to the commissioners appointed to treat with the Indians. The questions were seven in number and were considered throughout two daily sessions in the presence of the President, and, as appears from the Senate Journal, of Gen. Knox.

"On March 30, 1796, in answer to the House resolution requesting a copy of the instructions to the minister of the United States who negotiated the treaty with the King of Great Britain, and other documents relating to that treaty, President Washington replied at length. He stated that, having been a member of the convention and knowing the principles on which the Constitution was formed, he never had a doubt that the power of making treaties was exclusively vested in the President, by and with the advice and consent of the Senate, provided two-thirds of the Senators present concurred; that the necessity of caution and secrecy was a cogent reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. Throughout the reply he coupled the Senate with the President as the makers of a treaty.

"In 1846 President Polk asked the advice and consent of the Senate in advance upon the ratification of the treaty with Great Britain relative to Oregon and sent the Senate a message in which he wrote:

"I lay before the Senate a proposal, in the form of a convention, presented to the Secretary of State on the 6th instant by the envoy extraordinary and minister plenipotentiary of Her Britannic Majesty for the adjustment of the Oregon question, together with a protocol of this proceeding. I submit this proposal to the consideration of the Senate and request their advice as to the action which, in their judgment, it may be proper to take in reference to it.

"In the early periods of the Government the opinion and advice of the Senate were often sought in advance upon important questions of our foreign policy. Gen. Washington repeatedly consulted the Senate and asked their previous advice upon pending negotiations with foreign powers, and the Senate in every instance responded to his call by giving their advice, to which he always conformed his action. This practice, though rarely resorted to in later times, was, in my judgment, eminently wise, and may on occasions of great importance be revived. The Senate are a branch of the treaty-making power, and by consulting them in advance of his own action upon important measures of foreign policy which may ultimately come before them for their consideration, the President secures harmony of action between that body and himself. The Senate are, moreover, a branch of the war-making power, and it may be eminently proper for the Executive to take the opinion and advice of that body in advance upon any great question which may involve in its decision the issue of peace or war. On the present occasion the magnitude of the subject would induce me under any circumstances to desire the previous advice of the Senate, and that desire is increased by the recent debates and proceedings in Congress, which render it, in my judgment, not only respectful to the Senate but necessary and proper, if not indispensable to insure harmonious action between that body and the Executive. * * * For these reasons I invite the consideration of the Senate to the proposal of the British Government for the settlement of the Oregon question and ask their advice on the subject. * * * Should the Senate, by the constitutional majority required for the ratification of treaties, advise the acceptance of this proposition or advise it with such modifications as they may upon full deliberation deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice or to express an opinion on the subject, I shall consider it my duty to reject the offer.

"Both John Jay and Alexander Hamilton prepared and published articles in the Federalist with respect to the treaty-making power. Jay states (that by John Jay is No. 64 of the Federalist):

"The President and Senators will always be of the number of those who best understand our national interests. With such men the power of making treaties may be safely lodged. * * * The convention have done well in so disposing of the power of making treaties. Although the President must, informing them, act by the advice and consent of the Senate, yet he will be able to manage the business of intelligence in such a manner as prudence may suggest.

"Under the Confederation, Congress alone was intrusted with the power of making treaties, and it required the assent of the 13 States to make a treaty.

"Considering the inconvenience of the negotiation of treaties by a legislative body, Mr. Jay pointed out that for want of secrecy and dispatch in this method, the Constitution vested the power to make treaties in the Senate and the Executive, and thus provided that negotiations for treaties should have every advantage which could be derived from talents, information, integrity, and deliberate investigation on the one hand, and from secrecy and dispatch on the other; that as all constitutional acts of power, whether in the executive or the judicial department, had as much legal validity as if they proceeded from the legislature, the people might commit the power to make treaties to a distinct body of the legislature. Hamilton observed (in No. 75 of the Federalist, from which Judge Story quotes largely in his Commentaries on the Constitution) that the power of making treaties partook more of the legislative than of the executive character, and belonged properly neither to the legislative nor to the executive; that a man raised from the station of a private citizen to the rank of Chief Magistrate, possessed of but a slender fortune, and looking forward to a period not very remote when he might be obliged to return to the station from which he was taken, might sometimes be under temptation to sacrifice duty to interest; that an ambitious man might make his own aggrandizement by the aid of a foreign power, the price of his treachery to his constituents. He adds:

"The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in the nation to commit its interests of so delicate and momentous a kind as concerns its intercourse with the rest of the world to the sole disposal of a magistrate, created and circumstanced as would be a President of the United States.

"He noted that if the making of treaties were intrusted to the Senate alone the Nation would lose a considerable advantage in the management of its external concerns, and the people would lose the additional security which would result from the cooperation of the Executive, and he adds:

"Though it would be imprudent to confide in him solely so important a trust, yet it can not be doubted that his participation would materially aid the safety of the society; that the presidential office will always bid fair to be filled by men of such character as to render their concurrence in the formation of treaties peculiarly desirable; that under the Constitution, because of the cooperation of the President, the people will have greater security against the improper use of the power of making treaties than they enjoyed under the confederation.

"There can be little doubt that the States, in ratifying the proposed Constitution, voted with the general understanding that the Senate was to participate in the negotiation of treaties with foreign nations, and that all acts of the President in the negotiation of such treaties were to be taken with the knowledge and approbation of that body.

"It was Judge Tucker's opinion (1 Tucker's Blackstone's Commentaries (1803), Appendix, 335–339) that under the Constitution the Senate is to participate in the conclusion of a treaty as well as its ratification, as appears from his discussion of how, under the Constitution, the plenitude of authority granted to the President and the Senate as the treaty-making power, if abused to the detriment of the public, should be punished.

"This eminent judge held the view: First, that treaties should be concluded by an ambassador appointed by the President, with the advice and consent of the Senate; second, that the instructions given such ambassador should be submitted to and approved by the Senate; third, that such ambassador and even the President himself were subject to impeachment for the abuse to the detriment of the public of the authority which was vested in them by the Constitution.

"Upon the question of the effect of a treaty some of the articles of which may contain stipulations on legislative objects, or such as are especially vested in Congress by the Constitution, Judge Tucker asks:

"Is Congress bound to carry such stipulations into effect, whether they approve or disapprove of them? Have they no negative, no discretion upon the subject? The answer seems to be that it is in some respects an inchoate act. It is the law of the land, and binding upon the Nation and all its parts, except so far as relates to those stipulations. Its final fate in case of refusal on the part of Congress to carry those stipulations into effect would depend on the will of the other nation. (Mr. Justice Iredell in the case of Ware v. Hylton (1796), 3 Dall., 199, 272, indicates his agreement on this point with Judge Tucker.)

"Mr. Justice Miller in his lectures on the Constitution noticed the question which has arisen by the presentation to the Senate for ratification of the treaty with France which President Wilson negotiated and signed.

"The learned justice pointed out that there existed a doubt as to the power of the President, by and with the advice and consent of the Senate, to make a treaty with a foreign nation, which according to the Constitution is to be the supreme law of the land, in those matters with respect to which, by other provisions of the Constitution, the concurrence of the House of Representatives is essential to the making of a valid law.

"Under the Constitution war can be declared only with the concurrence of both Houses of Congress. It is reasonable that both Houses of Congress with the approval of the President should make declaration of the termination of war.

"A bill making appropriations for the purchase of Alaska was passed by the House only after that body accepted a report from a conference committee containing a resolution stating that the stipulations of the treaty could not be carried into full force and effect by legislation, to which the consent of both Houses was necessary.

"The proposed treaty with France, signed by the President, requires this country to proceed immediately to the help of France should Germany make an unprovoked attack on that nation. If the Senate shall ratify this proposed treaty, the difficulty may be overcome by the House passing an act reenacting seriatim the provisions of the treaty. This was the course pur-

sued in 1816 with respect to the commercial convention of 1815 with Great Britain. With reference to that convention the conference committee of the House of Representatives reported:

"Your committee understood the committee of the Senate to admit the principle contended for by the House, that while some treaties might not require, others may require, legislative provision to carry them into effect; that the decision of the question how far such provision was necessary must be founded upon the peculiar character of the treaty itself.

"President Wilson refused to join in the ratification of the treaty of Versailles with such reservations as two-thirds of the Senate desired.

"President Adams yielded to the judgment of the Senate under like circumstances, as appears by his message of March 2, 1801, wherein addressing the Senate, he said:

"Gentlemen of the Senate, I have considered the advice and consent of the Senate to the ratification of the convention with France under certain conditions.

"Although it would have been more conformable to my own judgment and inclination to have agreed to that instrument unconditionally, yet, as in this point I found I had the misfortune to differ in opinion from so high a constitutional authority as the Senate, I judged it more consistent with the honor and interest of the United States to ratify it under the conditions prescribed than not at all. * * *

"JOHN ADAMS.

"That it would have been better if the President had been required by the Senate to negotiate the treaties with Germany and Austria-Hungary through a duly appointed ambassador or ambassadors upon instructions submitted to and approved by that body must be apparent to all. Had the Senate soon after the armistice exercised its constitutional power of advice, by the adoption of a resolution declaring it to be the sense of that body that the United States declined to join in setting up nations, fixing their boundaries, or assuming any direction or control of the territorial boundaries of the nations of Europe or their colonial possessions it is probable that satisfactory treaties could have been submitted and ratified early in the year 1919.

"The past is now history. The peace of the world would have been sooner and better assured had the authority vested in the Senate by the Constitution been recognized by the President or independently exercised.

"The history of Executive action in the annexation of Texas and the setting up of the Republic of Panama, as well as the late signing of the treaties with Germany, Austria-Hungary, and France, cause thoughtful men to approve of the announced purpose of President-elect Harding, that before attempting to negotiate a new covenant, he will advise with the Senate."

IRISH ADDRESS TO AMERICAN CONGRESS.

Mr. BORAH. Mr. President, I have in my possession an address to the American Congress by the parliament of Ireland, and I ask permission to present the address and have it referred to the Committee on Foreign Relations. I also ask that it may be printed as a public document.

The VICE PRESIDENT. Without objection, it will be received and printed and referred to the Committee on Foreign Relations.

POSTAL EMPLOYEES IN MILITARY SERVICE ABROAD.

Mr. UNDERWOOD. Mr. President, I desire to call the attention of the Senate to the reference of the bill (S. 1377) to amend section 300 of an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

On the 30th day of April I introduced the bill in the Senate by unanimous consent and asked for its reference to the Committee on Post Offices and Post Roads. That order was made by the Senate, but the desk referred the bill to the Committee on Finance. I can understand how the desk should have reversed the order of the Senate, because most bills of this character go to the Committee on Finance. It is very natural that it would be supposed that a bill of this nature, thus introduced, should go to the Committee on Finance. But I asked that it should be referred to the Committee on Post Offices and Post Roads for a particular reason. The Postmaster General has made certain recommendations with reference to this proposed legislation and has given the matter consideration, and I wished it to go to the Committee on Post Offices and Post Roads in order that it might be referred to the Post Office Department and have a report on it from that department.

Mr. PENROSE. May I inquire what the bill is about?

Mr. UNDERWOOD. I think there were four or five men in the Postal Service who served in the Great War who lost their lives or were injured in health as the result of service in the field. They do not come under any of the legislation that is now in existence, of course, taking care of ex-soldiers, because they were not soldiers.

I asked unanimous consent at the time for the reference of the bill to the Committee on Post Offices and Post Roads, which was granted by the Senate. The change of the order was made at the desk. I ask that the original order be carried out and that the bill be referred to the Committee on Post Offices and Post Roads.

Mr. PENROSE. The Senator refers to an original order. Does he mean that the Senate passed a resolution referring the bill?

Mr. UNDERWOOD. No; I mean simply that I asked unanimous consent that it be referred to the Committee on Post Offices and Post Roads and it was so referred. No one has a right to change that order but the Senate itself. That is what I mean.

Mr. SMOOT. I will say to the Senator that all legislation of this character has been referred in the past to the Committee on Finance, as the Senator stated.

Mr. UNDERWOOD. Certainly. If the Senator wishes a change of the reference I am perfectly willing for him to move the change of reference and we will discuss it, but when I get an order made by the Senate of the United States I do not want it changed by anyone but the Senate of the United States.

Mr. SMOOT. That is right.

Mr. UNDERWOOD. That is all I am asking, that the reference be made in accordance with the order I asked for. Then if the members of the Finance Committee think there has been a wrong reference, which was granted at my request by the Senate, I am perfectly willing for them to take it up and I will discuss the question with them.

Mr. PENROSE. I respectfully beg to differ with the Senator from Alabama as to the propriety of the order. Any Senator can introduce a bill by title and mumble a request for unanimous consent to have a reference made. Certainly no one realized the full scope of the bill, if any member of the Finance Committee was present and agreed to the change of reference.

Mr. UNDERWOOD. Does the Senator himself realize what the bill is? Will he state to me what the bill is about?

Mr. PENROSE. No.

Mr. UNDERWOOD. The Senator can not because he does not know.

Mr. PENROSE. Even from the statement the Senator has made I am not able to grasp the full scope of the bill, except that the Senator from Utah [Mr. SMOOT] has assured me that it comes within the jurisdiction of the Committee on Finance, as all similar measures have done.

Mr. UNDERWOOD. I am sure the Senator from Pennsylvania does not know anything about this bill.

Mr. PENROSE. I do not, and I do not think the Senate did when it granted the alleged unanimous consent.

Mr. UNDERWOOD. It knew just as much about it as it does in the case of the ordinary references here. I have good reason and there is good reason for the jurisdiction of the bill. What I am objecting to, and what I have a right to object to, is that when an order is granted by the Senate of the United States for the reference of a bill on this floor no one has a right to change that reference but the Senate itself. That is what I am objecting to.

Mr. McCUMBER. Mr. President, I wish to ask the Senator what the record shows with regard to the reference of the bill.

Mr. UNDERWOOD. I do not know. The record may have been changed. I do not know whether it shows it or does not show it.

Mr. McCUMBER. Ordinarily the Vice President directs to what committee a bill shall be referred, and even though a Senator may have asked that it be referred to a certain committee, if the direction of the Chair was to refer it to another committee that is the action of the Senate. What I want to get at is whether it was properly referred.

Mr. UNDERWOOD. I am not criticizing the Vice President, if the Senator thinks that is what I am doing.

Mr. McCUMBER. No; but I wanted to know——

Mr. UNDERWOOD. These references are made by the direction of the Vice President, as a matter of course. I am not making any criticism of the Vice President. I am simply stating what happened. This is the second time it has happened to me during this session of Congress.

There is no Senator on the floor who is more courteous to the membership of the Senate than I try to be. It has been the custom here for a Senator of the United States to get up and ask for a reference, and when his request is granted the bill goes where he asks for the reference. Of course, it is perfectly proper for the Senate to correct it, and if any Senator here at the time does not want the reference made, he has a right to inquire into it. But I asked unanimous consent for this reference to the Committee on Post Offices and Post Roads,

because I wanted to have it considered by that committee, and that order was granted.

Mr. McCUMBER. Then, if the order was granted, the error was by the clerk at the desk in referring the bill to a different committee. My question was designed to ascertain whether that order was granted, and whether the Vice President so referred it, or whether the clerks at the desk were in error in making that reference.

Mr. UNDERWOOD. As I said, I have not stopped to look up the record. I know what I did. I do not know whether the record has been changed or not. I know what I did, and what I am asking of the Senate is that that order made in reference to the bill be put back where I asked it and where the Senate granted the order.

Mr. PENROSE. I ask that the Secretary read the RECORD containing the alleged unanimous-consent order.

Mr. McCUMBER. It is on page 800 of the RECORD of April 30.

Mr. PENROSE. I wish to say that I do not care personally whether the Committee on Finance have the bill or not, but there is a regular parliamentary way and an irregular way of doing business in this body.

Mr. UNDERWOOD. I did it in the regular way, I will say to the Senator from Pennsylvania. Of course, I know that if the clerk at the desk wanted to change the reference of the bill or change the order that I got, that could be done. If the Senator wants to know what took place, let him send the stenographers to get their original notes.

Mr. PENROSE. I ask that the record of the proceeding be read. The official record is the final court of appeals as to what was the order of the Senate.

Mr. UNDERWOOD. What I am objecting to now—I know perfectly well what I did.

Mr. PENROSE. I do not.

Mr. UNDERWOOD. I know the Senator does not, but I am not asking the Senator.

Mr. PENROSE. I ask the clerk at the desk to read the record.

Mr. UNDERWOOD. He can read the record, but he changed the record.

Mr. PENROSE. That is a serious charge to make.

Mr. UNDERWOOD. I know what I said. Somebody changed the record. Of course, the record carries out the order. The bill could not have gone to the Committee on Finance unless the record was changed.

Mr. PENROSE. I call for the reading of the stenographer's notes, Mr. President.

Mr. UNDERWOOD. I should be very glad to have them read.

Mr. PENROSE. I do not see why the Senator from Alabama should show all this feeling about this matter. I am rather surprised at this outburst of feeling about the reference of a bill of minor importance, and I am anxious to find out the facts.

Mr. UNDERWOOD. Well, of course, I recognize the fact that it is a minor bill; it is not of great importance; but I state for the Senator that this is the second time that I have asked for the reference of a bill this session which has gone to a different committee from that which I asked.

Mr. PENROSE. I dispute the right of a Senator to dictate the reference of a bill. The practice of the Senate and the rules of this body regulate to what committee a bill shall go. The Senator from Alabama certainly would not expect the Finance Committee or the Committee on Post Offices and Post Roads to demand that a bill relative to agriculture should be referred to either of those committees. I dispute the Senator's right to stand here in this body and say to what committee a bill shall go, even if it has the blessing of his authorship.

Mr. UNDERWOOD. Very well. If the Senator from Pennsylvania wants to draw that line, then I suppose he wants me to object whenever a Senator on the other side of the Chamber gets up here and asks for the reference of a bill and to any order in reference to it.

Mr. PENROSE. I think the Senator would be performing a very useful function if he should remain in his seat and object whenever there was an irregular reference of a bill.

Mr. UNDERWOOD. I shall direct myself in the future to the bills of the Senator from Pennsylvania; I shall not punish the balance of his side in that way.

Mr. PENROSE. The Senator need not concern himself about my bills, for I have never requested, in my long service in this body, to what committee a bill should go. I trust all of the committees of the Senate, Mr. President, their integrity of purpose, and their ability to cope with the measures referred to them.

Mr. UNDERWOOD. Mr. President, the Senator from Pennsylvania has taken it upon himself to inject himself into my affair in my time and says that there is some feeling on my part about the reference of a little bill. It is not a matter of any grave importance; it is merely a matter in which one or two citizens are involved. It is a question of the consideration of a war claim of some men who served in a post-office capacity with the Army, who had no Army status, but who lost their lives in serving with the Army in Siberia. I wanted the bill referred——

Mr. PENROSE. May I ask the Senator——

Mr. UNDERWOOD. If the Senator will take his seat and let me finish——

Mr. PENROSE. I want to know from what State these employees come?

Mr. UNDERWOOD. I should prefer to make my own speech in my own time.

The VICE PRESIDENT. The Senator from Alabama has the floor.

Mr. UNDERWOOD. If the Senator from Pennsylvania wants to address the Senate when I get through, he can then take the floor himself. Mr. President, naturally one of these men came from Alabama.

Mr. PENROSE. I thought so.

Mr. UNDERWOOD. That was the cause of my interest in the matter. A request would not come to me from a citizen of Pennsylvania or New York or Oregon about a matter of this character.

Of course, Mr. President, I recognize the fact that, the change of reference having been made, the record had to show it, and that it also had to be printed on the bill; but whoever changed it—and I presume it was done by the clerks at the desk—did so in carrying out, probably, some order that had been given to them relative to the reference of this class of bills. The bill is to fix some kind of a payment to men who lost their lives in the Postal Service while serving with the Army in Russia, or in other foreign service.

Mr. OVERMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. UNDERWOOD. I do.

Mr. OVERMAN. If there was an order of the Senate, it seems to me there ought to be some investigation. The clerks have no right to change the Journal from that which the Senate directed. If the Senator asked unanimous consent that this bill be referred to a certain committee, and the clerks assumed authority to refer it to a different committee than the order of the Senate, it ought to be investigated.

Mr. UNDERWOOD. Mr. President, what I am after—and that is the question I am trying to get before the Senate—is this: I have no animus about this matter. I do resent the fact that a brother Senator should get up here about the reference of a little bill and attempt to criticize me and my position in asking a reference, when I had the order of the Senate. I think it is a matter of presumption on the part of any Senator to stand here and criticize the act of any Senator in asking the reference of a bill.

Of course, I recognize that I have no right, nor has any other Senator a right, to demand the reference of a bill to a particular committee, and if a wrong reference is made it is the right of any Senator on this floor to move that the bill be referred to what he believes to be the proper committee; but whatever is done should be done in the open. It should be done on the record. I do not care what the CONGRESSIONAL RECORD shows. Of course it shows that this bill was referred to the Finance Committee, because if it did not show that it would not go to the Finance Committee; but I state as a Senator that when I introduced this bill I asked that it be referred to the Post Office Committee, and without notice to me or notice to the Senate nobody had a right to change that request.

I am asking now that this bill be put back where it was originally ordered to be put, and then if some Senator thinks it is going to the wrong committee and wants it changed back I have no objection to his moving it; but I ask now, Mr. President, if it takes unanimous consent—I think it should be done by order of the Chair, unless the Chair chooses to dispute my word—I ask unanimous consent that this order be wiped out and the original order restored referring this bill to the Post Office Committee. Then, if that is an improper reference, either the chairman of the Post Offices and Post Roads Committee or the chairman of the Finance Committee can move its reference.

Mr. PENROSE. Mr. President, a casual examination of this bill would seem to disclose the fact that it is an effort to

infringe seriously on the ordinary law concerning death or disability of soldiers and in some way to place civilian employees of the Post Office Department on an equality of opportunity for emolument, reward, and relief with the brave men who wore the uniform and incurred the danger; but as one of the aggregation comes from Alabama I can understand the feeling of the Senator from Alabama, and I will withdraw any opposition to the reference.

Mr. McCUMBER. Mr. President, there is an implication, at least, that there has been some unfairness in making this reference. I can not believe that that is the——

Mr. UNDERWOOD. No, Mr. President; if the Senator will yield, let me say to him that I do not imply that there has been any unfairness. I think that somebody at the desk has assumed to straighten out the reference of a certain class of bills. That was done in this case. Now, I want that stopped. When a Senator asks that a bill be referred in a certain way, and the Vice President says, "It is so ordered," nobody has a right to change that but the Senate itself.

Mr. McCUMBER. That is just what I agree to myself, that there is no such right, and I do not think it has been done, unless through a misunderstanding of the request. I do not think anyone has willfully changed the record so as to refer a bill to any committee differing from what was intended at the time it was presented and so ordered.

Mr. UNDERWOOD. I have not said that they have. I have not made that statement. I have not said that anybody has willfully done that. I know that I asked the reference of this bill to the Post Office Committee, because I had a purpose in doing it. I introduced this bill at the last session of Congress. I had a purpose in doing it, because I wanted to ask the Post Office Committee to refer the bill to the Postmaster General for a report, and I did it purposely and intentionally. The bill itself is not an important matter; but it is important, when a Senator gets up here and asks for an order and the order is made, that it shall not be changed.

Of course, I recognize that very often references are made carelessly and without consideration; often bills go to the wrong committees; but what I want to point out is that if the order is granted, nobody has a right to change that order but the Senate itself.

My relations with the force at the desk are very pleasant. I have no personal criticism of them, but that is where this happened, and I do not want it to happen again. That is the reason why I am calling it to the attention of the Senate, and I want this bill put back where I had it referred. When it goes back there, if any Senator thinks it is the wrong reference, I should like to discuss it with him. I have a reason for its being there, and I think a perfectly legitimate reason.

Mr. McCUMBER. Mr. President, let me say that while I think it is a wrong reference I have not the slightest objection to the bill going to that committee. The original bill came from the Finance Committee. Naturally, an amendment to that act which was reported by the Finance Committee should go to the same committee which had the original bill under consideration, and from which the law emanated.

My only point, however, was that I feared it might be understood, at least, from the Senator's remarks, that the clerks at the desk had intentionally made a change of the record, notwithstanding the fact that the Senator from Alabama had requested that the bill go to another committee. All I wanted to suggest to the Senator, in entire kindness, was that I think if a reference was made different from what the Senator asked, it was done inadvertently and with no purpose to overrule the request of the Senator.

Mr. UNDERWOOD. I want the Senator to understand and I want the RECORD to show that I am not charging any animus on the part of the clerical force at the desk. I know that the reference of the bill was either inadvertently changed or that it was done with the idea that I had made a mistake and that the correct reference of the bill was to the other committee.

I am not charging any bad faith or bad intentions on the part of the clerical force. I know that that is where the change is made, and I know perfectly well that it was either inadvertently made by them, or possibly they thought that I did not know where the bill ought to go and they sent it to the committee that they thought was the proper committee. I am making no criticism. I know that I asked for the order, and got it, and I did it with a purpose.

The original bill granting pensions and payments to soldiers went to the Finance Committee, but this bill relates entirely to employees of the Post Office Department. If you come down to the merits, there may be a serious question as to whether the Post Office Committee has not jurisdiction over its own employees if any legislation is going to be had; but that is not the question I am discussing here. The Senator may be right and I may be wrong about the reference, although I think I was right about it; and I do not want the RECORD to disclose that I am doing this in any unjust criticism of the men at the desk. I am not charging any bad motive on their part, but I just want the RECORD to disclose that I protest against anybody making a change of order when I have once gotten it from the Senate.

Mr. McCUMBER. Mr. President, the chairman of the Committee on Finance has indicated his acceptance of the request that the bill be taken from the Finance Committee and rereferred. I think that a motion is necessary, however. The bill now is before the Finance Committee, and it will have to go back to the Senate. I therefore move that the Finance Committee be discharged from the consideration of the bill and that it be referred to the Committee on Post Offices and Post Roads.

Mr. UNDERWOOD. I have already asked unanimous consent that that be done. I do not think any Senator is going to object to putting this proposition where it belongs. If there is anybody who then wants to have it referred to some other committee, I have no objection to his making such a motion.

I ask unanimous consent that the reference be made as I originally had it made, Mr. President.

Mr. McCUMBER. The Senator did not ask that the Committee on Finance be discharged, and I thought his motion was hardly sufficient to take the bill away from the Finance Committee. I have no objection to the unanimous-consent request.

Mr. UNDERWOOD. I think the proper order would be for the Chair to direct that the record be corrected, but I do not care to go into a controversy about that. I ask unanimous consent that the Committee on Finance be discharged.

The VICE PRESIDENT. The Chair understands the Senator from Alabama to ask unanimous consent that the Committee on Finance be discharged from the further consideration of the bill, and that it be referred to the Committee on Post Offices and Post Roads. Without objection, it will be so ordered.

Mr. SMOOT. Mr. President, the chairman of the Finance Committee has not objected to this request, and I suppose he is willing that the bill should go to the Committee on Post Offices and Post Roads; but I want to say that I can not see any reason why this bill should go to the Committee on Post Offices and Post Roads, for it amends the original bill granting relief to men in the Army and Navy.

As far as a report from the Post Office Committee is concerned, the very first thing that the Finance Committee would do if this bill were referred to it would be to send a letter to the Post Office Department and ask for a report upon the bill, and that is just exactly what the Post Office and Post Roads Committee would do.

I do not think there is any necessity for discussing the matter. I am willing, if the chairman is, that the bill shall go to the Post Office Committee.

The bill simply means that for death or disability under the act creating the War Risk Bureau, a civil-service employee of the Government will be treated the same as a disabled veteran who served in the war. He will be entitled to receive insurance under Government supervision; he will be entitled to all the assistance by way of family allowance, hospitalization, and everything else that a soldier has granted him under existing law. Now, there may be some reason for it, but for the life of me I can not see it.

If employees of the Post Office Department are to receive benefits under the bill, there is no reason why employees of the Treasury Department and all other departments should be denied them.

Mr. UNDERWOOD. Mr. President, as the Senator from Utah has gone into the discussion of this question, I do not think I ought to let it rest here without the RECORD showing something about this matter. I thank the Senate for making the proper reference of the bill—at least, the reference that I originally asked.

As far as I know or have heard, less than half a hundred men are involved under the title of this bill. It relates entirely to men who served in the Post Office Department with the expeditionary forces abroad and who lost their lives on the field of service or were permanently disabled. Now, of course, somebody had to serve. I think the first service in the world in the Great War was that of the men who served in the ranks for their country; but these men from the Postal Service went with the expeditionary forces as volunteers and served on the front lines, and enabled the boy from home to receive letters from his family, from the loved ones he left behind him.

Some of them were killed, and some were wounded and disabled for life. One that I refer to, and have an interest in, came from Alabama. Although he was only a postal clerk, he

died in the front lines with the expeditionary forces in Siberia. He left a wife and dependent children with nobody to take care of them. He was serving his country, perhaps only as a postal employee, but he was serving on the front lines; and there has been no legislation in reference to a case of this kind. There is no general law now that allows this widow and children to participate in the Government aid that is granted to soldiers.

If an elevator employee in the Capitol Building or in the War Department down here is injured in his elevator service, you have a law that will grant compensation to him, and a board to take care of him, although he was only serving in Washington; but you asked for volunteers, and you sent these postal employees abroad, and they served on the front lines with the fighting forces, and you have no law to take care of their widows and children or those that were disabled.

You may not think this is a meritorious bill, but I do. I think there is merit in the bill, and it is not a bill that is going to cost the Government of the United States a great deal of money, because there are less than a hundred men involved in the whole thing; and I think it is entitled to proper consideration.

I have nothing further to say about the reference to the committee. The bill has gone to the Post Office Committee, and I should like to have them consider it and report on it. Of course, if the majority of the Senate want it referred to the Finance Committee, I should accept the judgment of the *majority*. What I want is action, and I want the Senate to understand that I do not feel that this is a bill that should be slurred at, because the boy who gave his life for his country as a postal employee came from Alabama any more than if he came from Pennsylvania or Utah. He is entitled to the consideration of his claim. He died to serve his country, and a widow and dependent child, who survived him, are suffering at home.

Mr. PENROSE. Mr. President, will the Senator state whether this citizen of Alabama died of wounds in battle?

Mr. UNDERWOOD. I had the facts of the case with me, but I will not attempt to say now whether he died from exposure on the front line or from wounds. I know, however, he was with the front line column when he died.

Mr. PENROSE. Exposure well back of the front line, no doubt.

Mr. UNDERWOOD. No. I am sorry the Senator continues to slur a dead boy who served his country abroad as a volunteer. I think his slurs indicate that those who are entitled to consideration by the Government had better keep their bills out of the committee over which he presides.

Mr. PENROSE. Mr. President, I merely wish to repeat the statement made by the Senator from Utah. From a generous feeling toward the leader of the minority and because I can understand his interest in a citizen from Alabama who died in Siberia, I have not pursued my objection to the change of reference of this bill; but the Senate may well be impressed with the fact that this is simply an illustration of raids on the Treasury which may be expected in every conceivable form for pensions for every conceivable kind of employee. Bankruptcy is not far distant from the American Government if every Member of this body can appeal to the sense of generosity and an alleged practice to introduce bills extending the military beneficence of the Government to some constituent who is a civil-service employee and who happened to serve abroad. I can see no end to it, Mr. President. I can see the possibilities of one of the greatest scandals that ever confronted the American Government if that practice is pursued; and I am surprised that a Senator old in service, like the Senator from Alabama, and one of his undoubted patriotism, should deliberately be a party, and an early party, to drive the entering wedge into a raid upon the Government which can only end in scandal and ultimate bankruptcy.

Mr. BRANDEGEE and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. UNDERWOOD. I ask the Senator from Connecticut to allow me to answer the statement of the Senator from Pennsylvania.

Mr. BRANDEGEE. I yield to the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, by the courtesy of the Senator from Connecticut, I do not propose to let this matter rest here under the statement of the Senator from Pennsylvania that a bill of the kind introduced by me will involve a scandal.

Mr. PENROSE. I said it would be an entering wedge.

Mr. UNDERWOOD. Or an entering wedge to produce a scandal in the United States. The Senator has voted for millions of dollars in pension appropriations himself, and it is a late day for him to criticize other people. Let the Senate and the country understand what this bill is. The bill merely provides—

That section 300 of the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, is hereby amended to read as follows:

"SEC. 300. That for death or disability resulting from personal injuries suffered or disease contracted in the line of duty by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, or by any employee of the Post Office Department serving with the postal agencies operating in connection with the Army in France and Siberia, or in actual course of transit thereto or therefrom, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service, and said employee shall be held and taken to have been in sound condition when ordered to France or Siberia to serve with the postal agencies operating in connection with the Army: *Provided further*, That this entire section, as amended, shall be deemed to become effective as of April 6, 1917."

Mr. President, I do not care how these men are taken care of. This is one method proposed. But I do not understand how it can be a scandal to ask that consideration should be given to a man who went to a foreign country as a volunteer to serve with the Army of the United States, whether he was in the fighting line or whether he was in the Government line that was delivering the mail; there does not seem to me to be any difference. If he offered his services to his country, and his wife and children are dependent, it does not seem to me that it is any scandal on anybody that an attempt should be made to take care of them.

I am not in favor of a general civil-service pension. I do not know how the Senator himself stood when that question came up for a vote some time ago and it was established. But when men go abroad with the fighting forces and take their chances before the guns of an enemy, I think they have wiped out all distinctions, and I think when an effort to provide that reasonable compensation shall be paid to disabled men or to the dependents of those who lost their lives, or to men who lost their health in the service of their country abroad, in time of war, is denominated as a scandal, then I think we have to find a new definition for the word "scandal." There have been things occurring here that far more closely approached what we understand as a scandal than taking care of the wife and infant child of a boy who gave his life to his country serving with the expeditionary forces in the frozen zones of the Siberian forests.

Mr. BRANDEGEE. Mr. President, I have no intention of discussing the merits of the bill, or of expressing an opinion as to which committee it should be referred; but I was interested in the statement of the Senator that he had asked unanimous consent for the reference of the bill to the Committee on Post Offices and Post Roads, and that the reference had been in some way changed. Of course, I do not doubt that the Senator is confident that he did ask unanimous consent, but he might be mistaken. Therefore, I asked that the stenographer's notes be sent for, but I have not been advised that they have as yet been produced.

However that may be, if the Senator did ask unanimous consent for the reference of the bill to the Committee on Post Offices and Post Roads and the Senate granted his request, of course, that is where the bill ought to stay, until it is removed by a vote of the Senate. Of course, the RECORD merely shows, as the Senator from North Dakota [Mr. MCCUMBER] read, that Mr. UNDERWOOD introduced a bill and that it was referred to the Committee on Finance.

I have the bill here, and it appears from the bill that the Senator did not indicate on the outside of it the committee to which he wanted to have it referred, and the clerk informs me that on opening it he thought an error had been made in the reference, and he drew a pencil through the words "Post Offices and Post Roads," which the Senator had indicated on the inside of the bill, and inserted "Finance."

I am moved to make that statement simply for the reason that in the early part of the Senator's remarks he used some language equivalent to stating that he objected to its being done by the clerk because somebody had ordered the clerk to do it. The clerk who handed me the bill said that he did it entirely on his own volition, because he thought it was the proper reference. I simply say that in justice to the clerk.

Mr. UNDERWOOD. I simply want to say to the Senator, with regard to the reference, I think that some one probably advises the clerks as to how some of the bills shall be re-

ferred, and I do not say that is improper where there is no order made and no request.

The Senator calls to my attention something in the bill that indicates how I wanted to have it referred. When it was introduced before it was referred to the Committee on Post Offices and Post Roads, and I had noted on the inside of the bill the fact that it should be referred to the Committee on Post Offices and Post Roads.

The Senator informs me of something I did not know. The clerk struck out what I had in there, and he himself has indicated how the reference was made.

Mr. BRANDEGEE. In the handling of hundreds of bills, unless the clerk knew that unanimous consent had been granted by the Senate, if he thought it had been referred to an improper committee, I suppose he would change the reference. The clerk informs me that no one suggested to him to do it, but he did it of his own volition.

Mr. UNDERWOOD. I am not criticizing the clerk; I am not making any harsh criticism. I asked that the bill be referred to the Committee on Post Offices and Post Roads for the reasons I have given. I knew my request had been changed after the Senate had granted it, and I just wanted to make it evident here that it must not be done again except by order of the Senate, or I shall be heard from.

Mr. KENYON. I ask for the regular order.

Mr. McCUMBER. Mr. President, just a moment before the regular order is taken up. Certainly there is something peculiar about this matter. I am not objecting to the fact that the Senator should ask that a bill practically granting pensions to a certain class of persons who served in the Army should be sent to the Committee on Post Offices and Post Roads and allow the Committee on Post Offices and Post Roads to perform the functions of the Committee on Pensions, and the functions of the Finance Committee, in considering the matter of war risk insurance.

I want to call the attention of the Senator from Alabama to the fact that it is probably a little more far-reaching than he thinks, as he introduced his bill. We have had bills of this kind before the Committee on Pensions probably ever since the close of the Civil War.

First, there were the telegraphers, whose work was at the front. They were employees of the War Department; they were not soldiers, but they were paid for their services and paid very much more than the soldiers received. They asked that they be included in the list of soldiers, and if they were injured at the front, or if they suffered from any disability incurred in the line of service, that they should draw the same pension as a soldier regularly enlisted in the Army of the United States. The Committee on Pensions has steadfastly refused to allow that.

Then there were the association of teamsters, who did the hauling for the soldiers, and other different associations, which desired to come in and asked to be pensioned. The Committee on Pensions has insistently refused to put them upon the pension roll as a class. They have taken care by special bills of those people who were injured in the line of service, while acting under a command.

I really feel, Mr. President, that this bill should go to the Committee on Pensions, neither to the Finance Committee nor to the Committee on Post Offices and Post Roads. I am not asking that it go there, but if you make a rule that will include a certain class of people who have been employed as you would employ a stenographer for the use of a general or a captain in the Army, and place them in the same class as a soldier, while the soldier got $30 a month and was required to go anywhere he was commanded, if you say that the stenographer, the telegrapher, or the driver of a wagon who was not in any way connected with the Army should be included in the list of soldiers and receive the same pensions for themselves and their families, you are treading at least upon dangerous ground.

As has been suggested to me, the Treasury Department and every other department in the Government had hundreds and thousands of people at the front, and if we are to include them, I simply say as a little suggestion to the Committee on Post Offices and Post Roads, who under this reference are to assume the jurisdiction of the Pension Committee, they are treading upon dangerous ground if they pick out any particular class and say that that class of people shall be placed under the same regulations, as pensioners, as those entitled to the benefits under the general law relating to war-risk insurance.

I think that the individuals the Senator refers to should be taken care of by a special bill. If a person died in the service of the United States, in a service that he was commanded to do that was dangerous, we ought to take care of those special cases without broadening the line of our laws, so that the benefits that are granted to the soldiers regularly enlisted should extend to a line of employees outside of the regular service.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him, I acknowledge that I am not an expert on pensions. I myself do not know and am not prepared to announce what is the best way to take care of this situation, but heretofore all legislation affecting the postal employees has gone to the Committee on Post Offices and Post Roads. The amendment to the law embraced in this bill, and the only amendment to it, is that portion of it which directly affects postal employees. I really have no controversy about that fact. That was not the thing I rose for this morning. I had asked for a reference of a bill and got it, but it did not go where I had asked that it should go, and I wanted to see that it went to the committee I had named. If the Senator from North Dakota looks into it and thinks we can get a report from the Finance Committee and that it will not be smothered——

Mr. McCUMBER. Mr. President, I am not asking that it shall not go to the Committee on Post Offices and Post Roads, because the Senator from Alabama seemed to think that it had been improperly or inadvertently taken from the committee to which he wished to have it go and because the Senator suggested that he had certain reasons for asking that it go to that particular committee. All I wish to do now is to indicate to that committee the danger of taking a class of civil employees and giving them the status of soldiers of the American Army, a thing which we have not done in the past and which the Committee on Pensions ever since the Civil War have steadily and consistently refused to do; but in some cases, and in a number of cases where persons have been killed or injured and there is no question but that the injury was in the line of duty of the character for which a soldier would draw a pension, they have been granted pensions, even though they were not members of the Army. I think that is the better way to handle those special cases, rather than to include them in a class by themselves and give them a status under the Army and Army laws.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that I have no pride of authorship in this bill. I do not contend for a minute that the way he proposes may not be the best way. All I say is that these men are entitled to consideration, and I want them to get consideration, and my purpose in having the bill referred to the Committee on Post Offices and Post Roads is to enable me to ask that committee to refer it to the Postmaster General and let him give us the full facts in reference to these men's service; and when that is done, if the committee desires to propose some better way than I have proposed, that will be very agreeable to me.

The VICE PRESIDENT. The Committee on Finance will be discharged from the further consideration of the bill (S. 1377) to amend section 300 of an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and it will be referred to the Committee on Post Offices and Post Roads.

PETITIONS AND MEMORIALS.

Mr. RANSDELL presented a resolution of the constitutional convention of Louisiana, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Constitutional convention of Louisiana, 1921, resolution No. 103, by Mr. Payne.

Be it resolved by the constitutional convention of the State of Louisiana, now in session, That the Congress of the United States be, and is hereby, memorialized to the end that its power be used to suppress illegitimate and injurious speculations in agricultural products.

Adopted by the constitutional convention of the State of Louisiana on the 13th day of April, A. D. 1921.

O. H. SIMPSON,
Secretary of the Convention.

Mr. RANSDELL also presented 39 petitions signed by 1,170 citizens of New Orleans, La., praying for the enactment of legislation recognizing the Irish republic, which were referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions of Local No. 1831, Farmers' Union, of Cedar Vale, and Flowerdale Local, No. 1701, F. E. & C. U. of A., of Anthony, both in the State of Kansas, favoring legislation to prohibit gambling in grain products, which were referred to the Committee on Agriculture and Forestry.

He also presented a resolution of representatives of the Farm Bureau Federations of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, South Dakota, Nebraska, and Kansas, favoring the making of an appropriation to secure accurate data in regard to the production of cattle, swine, and

sheep, which was referred to the Committee on Agriculture and Forestry

He also presented a memorial of sundry citizens of Russell, Kans., remonstrating against conditions in the occupied zone of the Rhine in respect to the presence and action of French colonial troops, which was referred to the Committee on Foreign Relations.

He also presented a resolution of sundry jewelers of Wichita, Kans., protesting against an increase from 5 to 10 per cent on practically all jewelry sales, which was referred to the Committee on Finance.

He also presented a resolution adopted by the Child Conservation League, of Topeka, Kans., January 25, 1921, favoring the amendment of proposed legislation to promote physical education in the United States through cooperation with the States in the preparation and payment of supervisors and teachers of physical education, including medical examiners and school nurses, etc., so as to provide that the sole administration shall rest in the Bureau of Education; that the word "physical" be substituted for the word "medical" wherever it may occur; that the parent or guardian be allowed absolute freedom in the selection of a practitioner of the school of healing, etc., and that notices required to be given parents or guardians shall be printed or written and shall contain a clear statement of the privilege of selection on the part of such parent or guardian, etc., which was referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a memorial of the Tivoli Brewing Co., of Detroit, Mich., remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

He also presented a memorandum from the Ukrainian National Committee, of Hamtramck, Mich., in relation to the case of East Galicia, requesting that the Government of the United States recognize East Galicia (along with northern Bukovina) as an independent State as the West Ukrainian Republic; that the Government of the United States recognize the lawful Government of the West Ukrainian Republic, namely, the Government established by the Ukrainian National Assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

He also presented resolutions of the Civil and Commercial Association, of Sault Ste. Marie; Charles A. Learned Post No. 1, the American Legion, of Detroit; the Central Labor Union of Marquette; and Herbert J. McKune Post No. 31, the American Legion, of Chelsea, all in the State of Michigan, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a memorial of Local Union No. 22, Cigarmakers, of Detroit, Mich., remonstrating against the enactment of legislation placing a tariff on Sumatra tobacco, which was referred to the Committee on Finance.

He also (for Mr. NEWBERRY) presented a petition of sundry citizens of Midland, Mich., praying for the enactment of the Nolan Patent Office bill, which was referred to the Committee on Patents.

He also (for Mr. NEWBERRY) presented resolutions of Bay City Board of Commerce, of Bay City; Grand Rapids Lion Club, of Grand Rapids; and the national legislation committee of the Flint Chamber of Commerce, of Flint, all in the State of Michigan, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

Mr. CAPPER presented a resolution of the Farmers' Union, of Girard, Kans., protesting against legislation repealing the excess-profits tax and the substitution therefor of a sales or turnover tax, which was referred to the Committee on Finance.

He also presented resolutions of the faculty of the Overbrook Rural High School, of Overbrook, and the American Legion, of Randolph, both in the State of Kansas, favoring legislation providing adequate relief for wounded ex-service men, which were referred to the Committee on Finance.

Mr. WARREN presented a resolution of the Casper Chamber of Commerce, of Casper, Wyo., favoring the so-called truth in fabric bill, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of the Big Horn Basin Bee Keepers' Association, of Cowley, Wyo., favoring legislation placing a tariff of 60 cents per gallon on honey imported into the United States, which was referred to the Committee on Finance.

Mr. NELSON presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

Resolution memorializing the Congress of the United States to remedy the conditions existing with respect to the rehabilitation of disabled ex-service men.

Whereas the United States of America has a duty, first, to furnish adequate medical, surgical, and hospital treatment to its ex-service men who need it; second, to train the disabled in as far as possible to overcome the vocational handicap that their disability imposes upon them; third, to compensate the disabled in so far as is possible by cash payments for the financial loss their disability occasions them and their dependents; and

Whereas the United States, liberal and generous in its provisions for the disabled who gave their health and strength in their country's service in the late war, has failed in a large measure, through legislative and administrative deficiencies, to make these provisions available in this, that while in the rehabilitation of a disabled man there are three needs—medical treatment, vocational training, and financial support—and while recognizing these three needs the Government has overlooked the fact that they are the simultaneous needs of one man and not of three different men, or of one man at three different times, and has given the problem over to three agencies—the Public Health Service for treatment, the Federal Board of Vocational Education for training, and the Bureau of War Risk Insurance for financial support—each agency an institution complete in itself and each administratively independent of the other two, and all by force of circumstances exercising functions they were not intended to exercise; and

Whereas as a result there has been unintentional administrative chaos, duplication, wasted energy, and conflict, which has resulted in thousands of disabled veterans waiting for months for compensation and for an opportunity to take vocational training, and thousands of disabled men in need of hospitalization unable to secure treatment on account of lack of adequate hospital facilities, and an unusual amount of hardship and inability to secure treatment by thousands of disabled men on account of the centralization of the agencies in Washington: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States of America be, and the same is hereby, urgently petitioned and requested to take such measures as may be necessary, first, to provide adequate care and hospitalization for the disabled ex-service men of America; second, to provide for the consolidation of the three agencies now dealing with the disabled ex-service men; third, to decentralize the administration of the agencies dealing with the disabled ex-service men; be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States; that another be transmitted to the President of the Senate and Congress of the United States; and also that copies be sent to each representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives April 5, 1921.

OSCAR ARNESON,
Chief Clerk House of Representatives.

Passed the senate April 10, 1921.

GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 21, 1921.

J. A. O. PREUS, *Governor.*

Filed April 22, 1921.

MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 1038, as shown by the records in my office.

[SEAL.]

MIKE HOLM,
Secretary of State.

Mr. NELSON presented a resolution of the Legislature of Minnesota, which was referred to the Committee on Finance, as follows:

A resolution memorializing the Congress of the United States to pass a protective tariff bill on wool, mutton, and lamb.

Whereas the farmers of this State during the past year have received such low values for the products of the farm, and that said values are not commensurate with the cost of production; and

Whereas the sheep breeders of this State have experienced every known difficulty in the disposal of their wool crop and also that their mutton and lamb must compete with frozen mutton and lamb imported into this country: Be it therefore

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That the Congress of the United States be, and the same hereby is, urgently petitioned and requested to establish a protective tariff on wool, mutton, and lamb: Be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives of the United States, to the President of the United States Senate, and to each Senator and Representative of the State of Minnesota in the United States Senate and House of Representatives.

W. I. NOLAN,
Speaker of the House of Representatives.
LOUIS L. COLLINS,
President of the Senate.

Passed the house of representatives February 28, 1921.

OSCAR ARNESON,
Chief Clerk, House of Representatives.

Passed the senate April 21, 1921.

GEO. W. PEACHEY,
Secretary of the Senate.

Approved April 23, 1921.

J. A. O. PREUS, *Governor.*

Filed April 23, 1921.

MIKE HOLM,
Secretary of State.

I, Mike Holm, secretary of state of the State of Minnesota, and keeper of the great seal, do hereby certify that the above is a true and correct copy of H. F. No. 287, as shown by the records in my office.

[SEAL.] MIKE HOLM,
Secretary of State.

Mr. NELSON also presented letters of Charles B. Mills, president of the Midland National Bank, Minneapolis, Minn.; W. P. G. Harding, governor of the Federal Reserve Board; and John H. Rich, chairman and Federal reserve agent of the Federal reserve bank, of Minneapolis, Minn., in relation to the efficiency of the Federal Reserve System and Federal reserve banks, which were referred to the Committee on Banking and Currency.

He also presented a memorial of Theo. Hamm Brewing Co. and Jacob Schmidt Brewing Co., of St. Paul, Minn., remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of the State of Minnesota, praying for the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of Local Union No. 294, Cigar Makers, of Duluth, Minn., protesting against the enactment of legislation increasing the tariff duty on wrapper tobacco, etc., which was referred to the Committee on Finance.

He also presented a memorial of sundry pastors of Protestant Churches of St. Cloud, Minn., remonstrating against the Government of the United States interfering with the British Government or any other Government in the administration of affairs exclusively within their own jurisdiction, etc., which was referred to the Committee on Foreign Relations.

Mr. GERRY presented a memorandum signed by Rev. M. Zalitach and sundry other citizens of Woonsocket, R. I., in relation to the case of East Galicia, requesting that the Government of the United States recognize East Galicia—along with northern Bukovina—as an independent State, as the west Ukrainian Republic; that the Government of the United States recognize the lawful Government of the west Ukrainian Republic, namely, the Government established by the Ukrainian National Assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented resolutions signed by sundry citizens of Caldwell and Belle Valley, Ohio, favoring legislation providing adequate relief for ex-service men, which were referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 23) authorizing the Secretary of War to investigate the claims of private parties to the Mariveles quarry within the limits of a United States military reservation in the Philippine Islands, and to permit the working thereof by the persons entitled thereto, provided military necessities permit, reported it without amendment and submitted a report (No. 18) thereon.

Mr. NELSON, from the Committee on the Judiciary, to which was referred the bill (S. 426) to amend an act entitled "An act to amend section 1, chapter 209, of the United States Statutes at Large, volume 27, entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' and to provide for the prosecution of writs of error and appeals in forma pauperis, and for other purposes," approved June 25, 1910 (36 Stat., p. 866), reported it without amendment and submitted a report (No. 20) thereon.

Mr. GOODING, from the Committee on the District of Columbia, to which was referred the bill (S. 813) to authorize the Commissioners of the District of Columbia to close upper Water Street between Twenty-first and Twenty-second Streets NW., reported it without amendment and submitted a report (No. 21) thereon.

Mr. OVERMAN, from the Committee on the Judiciary, to which was referred the bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, reported it with amendments and submitted a report (No. 22) thereon.

EMIL S. FISCHER.

Mr. KEYES. Mr. President, from the Committee on Immigration I report back favorably without amendment the joint resolution (S. J. Res. 38) admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, and I submit a report (No. 19) thereon.

Mr. CALDER. I ask unanimous consent for the present consideration of the joint resolution just reported.

Mr. ASHURST. Mr. President, let it be read first.

Mr. CALDER. A similar joint resolution was passed on March 3, the closing day of the last Congress.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. ASHURST. I shall not object, but probably I should. It seems we all should object to granting citizenship by act of Congress. The courts are open and a liberal law regarding naturalization is now on the statute books. The courts have opportunity and time to spin out the oblique threads. While I shall not object to the joint resolution in which my friend the Senator from New York is interested, I believe this is a bad precedent to set, and that we ought not further to grant citizenship through Congress. The applicant should take his place in the courts of the country and prove to the satisfaction of the judge that he has complied with the law and is worthy of citizenship. I hope this may be the last attempt of the kind that will be made in the Congress of the United States. I shall not object to this one because I am familiar with the case. I suppose if there could be a meritorious case where relief should be granted this may be the one, but it is a bad precedent.

Mr. UNDERWOOD. Before unanimous consent is given I should like to have the Senator in charge of the joint resolution explain the case, and especially to tell us whether there are any property interests involved in the question of the beneficiary being made a citizen of the United States.

Mr. CALDER. The Senator from Alabama asked that same question of me on the evening of March 3, and I assured him then that there are no property rights involved. I may say to the Senator that this man lived in Austria, where he was born, and 30 years ago came to this country and lived quite a while. Then he lived in Brazil for a while. He then returned to the United States in 1901. In 1903 he gave notice of his intention to file his application to become a citizen—that is, he followed the usual course. He was then required to go to China as the representative of an American concern. He came back and forward from China several times. When he returned to this country in 1910 he applied for his final papers and found that the law of 1906 intervened and that his notice of intention of 1903 was then of no value. He again gave notice of his intention. He was then required to visit Siberia, China, and the Orient on matters of business for American concerns and was unable to get back and live five years continuously in this country. He came back in 1915 and left again.

I have a number of letters of indorsement here—one from our consul in China, one from the judge of the United States circuit court in Chicago, and one from the colonel of the Fifteenth Cavalry, at Shanghai, where Mr. Fischer did splendid work for our Government during the war. Every one of these men tell of his splendid and loyal service to this country. He now lives in New York and is a resident there.

This is one of the very few cases I have known which has unusual virtue in it. I may also say that he returned from China on the 20th of March, 1920, and has an opportunity to return. As he has business obligations in China again representing American interests, he is very anxious to return there.

Mr. EDGE. I think the Senator is modest in stating all the facts. May I inquire of the Senator if this is not the case of the young man who, as a matter of fact, is engaged to be married to an American girl and must have citizenship conferred on him by this legislation before that happy event can be consummated?

Mr. CALDER. I did not desire to go into that detail, but that is the fact. The young lady in question will not marry the beneficiary unless he becomes an American citizen.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas Emil S. Fischer, born in Austria in 1865, emigrated from Brazil and arrived in the United States at the port of New York and established a permanent residence in the city of New York in 1892; and

Whereas said Emil S. Fischer, being then a resident of the city of New York, did on the 4th day of November, 1903, apply to the United States district court for the southern district of New York and receive his first citizenship papers; and

Whereas said Emil S. Fischer, while maintaining continuously his said residence in New York City, has sojourned in China, representing American banking and commercial interests, fostering American trade expansion, among other things acting as adviser and foreign secretary to the Chinese Government Commission at the San Francisco Exposition and for the Chinese alien property custodian during the late war; and

Whereas the absence of said Emil S. Fischer has prevented his completing his citizenship, although he has rendered invaluable service to the United States Government, and in order that he attain citizenship and continue his work in China: Therefore be it

Resolved, etc., That Emil S. Fischer be, and he is hereby, admitted to all of the rights and privileges of a citizen of the United States.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

ASSESSMENT WORK ON MINING CLAIMS.

Mr. PITTMAN. I am directed by the Committee on Mines and Mining to report back favorably with amendments the bill (S. 231) to amend section 2324 of the Revised Statutes, and I submit a report thereon. I ask for the present consideration of the bill. A similar bill passed the Senate at the last session of Congress. It is the unanimous report of the committee.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. SMOOT. I wish to ask the Senator just one question. This is a bill extending the time for assessment work, as I understand it?

Mr. PITTMAN. Yes.

Mr. SMOOT. It simply provides that the annual date of assessment work shall be from July 1 to June 30 of the following year, instead of the calendar year?

Mr. PITTMAN. That is all. It makes work of this character to conform with the general fiscal year.

Mr. ASHURST. If I understand the provisions of the bill correctly, it changes the time for performing annual labor or assessment work from the calendar year to the fiscal year, so that hereafter the owners of unpatented mining claims must do the assessment work before the 1st day of July instead of the 1st day of January.

Mr. PITTMAN. Yes.

Mr. ASHURST. Does the bill preserve intact and does it leave in full vigor and force the act of December 31, 1920, which grants until July 2 of this year within which the 1920 work may be performed?

Mr. PITTMAN. It does by express provision.

Mr. ASHURST. In other words, the annual labor or assessment work for 1920 must be done before the 2d of July, 1921?

Mr. PITTMAN. Yes; it must be done before that date.

Mr. POINDEXTER. May I ask the Senator from Nevada what committee reported the bill?

Mr. PITTMAN. The Committee on Mines and Mining.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments of the Committee on Mines and Mining were, on page 2, line 4, to strike out the words "located after the passage of this act," and to add at the end of the bill an additional proviso, so as to read:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, as extended and made applicable to the Territory of Alaska by the act entitled "An act providing a civil government for Alaska," approved May 17, 1884, and the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900, as amended, which provides that the period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of January succeeding the date of location of such claims, such provision being applicable to all claims located since the 10th day of May, 1872, be, and the same hereby is, amended to provide that the period within which the work required to be done annually on all unpatented mineral claims shall commence on the 1st day of July succeeding the date of location of such claims, and that the period within which the work required to be done annually on all other unpatented mineral claims to which section 2324 of the Revised Statutes of the United States as extended to the Territory of Alaska is applicable shall henceforth commence on the 1st day of July of each year: *Provided,* That the period for performing the work required by section 2324 of the Revised Statutes, as extended to the Territory of Alaska, and by this act beginning the 1st day of January, 1920, which but for this act would expire the 31st day of December, 1920, is hereby extended to and including the 30th day of June, 1921: *Provided further,* That nothing herein shall be construed to repeal an act entitled "An act extending the time for doing the annual assessment work on mining claims for the year 1920 to and including July 1, 1921," or to excuse the performance of such work.

Mr. ASHURST. I suggest for the Senator's consideration the advisability of adding to that portion of the bill which preserves the act approved December 31, 1920, the words "act approved December 31, 1920," to identify it further, or does he think the identification is sufficient?

Mr. PITTMAN. I accept the suggestion of the amendment of the date of the approval of the act and ask that it be included.

Mr. KENYON. Mr. President, I should like to ask if this bill has just been reported from the committee?

The VICE PRESIDENT. It has.

Mr. KENYON. No Senator likes to object to these particular bills, but it does seem to me this is not the way to do business. I am not going to object to this particular measure, but if the leaders on the Republican side are not going to object hereafter, then some of us who are not leaders will object. Bills ought to go to the calendar and give Senators a chance to investigate them.

Mr. ASHURST. I hope the Senator will withdraw his objection.

Mr. KENYON. I have not objected; but if this policy goes on I am going to commence objecting.

The VICE PRESIDENT. Without objection, the committee amendments are agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PITTMAN subsequently said: Mr. President, this morning, by unanimous consent, a report that I presented on behalf of the Committee on Mines and Mining was adopted. It referred to Senate bill 231. I have since discussed the matter with the Senator from Washington [Mr. POINDEXTER], the chairman of the committee, and I desire to re-form the report in some particulars. I therefore ask unanimous consent that the vote by which the bill was passed be reconsidered.

The VICE PRESIDENT. The Senator from Nevada asks unanimous consent that the vote whereby Senate bill 231 was read a third time and passed shall be reconsidered. Is there objection? The Chair hears none.

Mr. PITTMAN. I now ask unanimous consent to withdraw the report.

The VICE PRESIDENT. Without objection, the bill will be recommitted to the Committee on Mines and Mining.

ASSISTANT CLERK TO VICE PRESIDENT.

Mr. CALDER, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 57, submitted by Mr. LODGE on April 27, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Vice President of the United States be, and he hereby is, authorized to employ an assistant clerk at $1,740 per annum during the Sixty-seventh Congress, to be paid from the miscellaneous items of the contingent fund of the Senate.

Mr. EDGE. Mr. President, a parliamentary inquiry. This being Monday, is it not the usual order to have a call of the calendar?

Mr. ROBINSON. I suggest that morning business be concluded first.

Mr. EDGE. I assumed that it had been concluded.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. UNDERWOOD:

A bill (S. 1405) for the relief of William Collie Nabors; to the Committee on Claims.

By Mr. JOHNSON:

A bill (S. 1406) to fix the compensation of certain employees of the United States; to the Committee on Education and Labor.

A bill (S. 1407) granting an increase of pension to Helen F. Lasher; to the Committee on Pensions.

A bill (S. 1408) authorizing Rolph Navigation & Coal Co. to sue the United States to recover damages resulting from collisions; to the Committee on Claims.

By Mr. CURTIS:

A bill (S. 1409) providing for citizenship and classification of Indians, and for other purposes; to the Committee on Indian Affairs.

A bill (S. 1410) for the relief of Adaline White (with accompanying papers); to the Committee on Appropriations.

A bill (S. 1411) to reward officers of the United States Army for exceptionally long and faithful service (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 1412) to carry out the findings of the Court of Claims in the case of Humphrey M. Woodyard;

A bill (S. 1413) to carry out the findings of the Court of Claims in the case of Lewis H. Gest;

A bill (S. 1414) for the relief of Claude Chandler (with an accompanying paper); and

A bill (S. 1415) for the relief of John W. Millar (with an accompanying paper); to the Committee on Claims.

A bill (S. 1416) granting a pension to John Thomas Snodgrass (with accompanying papers);

A bill (S. 1417) granting a pension to Sarah E. Ross (with an accompanying paper);

A bill (S. 1418) granting a pension to Hannah E. Grow (with an accompanying paper);

A bill (S. 1419) granting an increase of pension to Melville C. Mallicoat (with accompanying papers);

A bill (S. 1420) granting a pension to Harry Hawkes (with an accompanying paper);

A bill (S. 1421) granting a pension to Sarah Elmore (with an accompanying paper);
A bill (S. 1422) granting a pension to Alice Noble (with accompanying papers);
A bill (S. 1423) granting a pension to Julia Rumbley (with an accompanying paper);
A bill (S. 1424) granting a pension to James F. Hargett (with an accompanying paper);
A bill (S. 1425) granting a pension to Mary Durham (with an accompanying paper);
A bill (S. 1426) granting a pension to Sarah Wilson (with an accompanying paper);
A bill (S. 1427) granting an increase of pension to Nancy J. Lee (with an accompanying paper);
A bill (S. 1428) granting a pension to Hattie H. Skuse (with an accompanying paper);
A bill (S. 1429) granting a pension to Louisa Leppla (with an accompanying paper);
A bill (S. 1430) granting a pension to Lemuel Abbott (with an accompanying paper);
A bill (S. 1431) granting a pension to Annie E. White (with an accompanying paper);
A bill (S. 1432) granting a pension to Alvin E. Owens (with accompanying papers); and
A bill (S. 1433) granting a pension to Edith H. Peters (with accompanying papers); to the Committee on Pensions.

By Mr. WELLER:

A bill (S. 1434) for the relief of the Fidelity & Deposit Co. of Maryland, Baltimore, Md.; to the Committee on Claims.

By Mr. CAPPER:

A bill (S. 1435) to control forest devastation, to perpetuate forests in the United States, to raise a revenue from forest products, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. KENYON:

A bill (S. 1436) to require the teaching of the Constitution of the United States in the schools of the District of Columbia; to the Committee on the District of Columbia.
A bill (S. 1437) granting an increase of pension to Elizabeth J. Edson; to the Committee on Pensions.
A bill (S. 1438) for the relief of Maj. Ellis B. Miller; to the Committee on Naval Affairs.
A bill (S. 1439) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education and Labor.

By Mr. SHIELDS:

A bill (S. 1440) for the relief of Henry Gregg; to the Committee on Military Affairs.
A bill (S. 1441) to provide for the erection of a public building at Dayton, Tenn.; and
A bill (S. 1442) to provide for the erection of a public building at Newport, Tenn.; to the Committee on Public Buildings and Grounds.
A bill (S. 1443) granting an increase of pension to Thomas M. Woods (with accompanying papers);
A bill (S. 1444) granting an increase of pension to Robert O. Dunn;
A bill (S. 1445) granting a pension to Thomas Smith; and
A bill (S. 1446) granting an increase of pension to Grover Cleveland McMahon; to the Committee on Pensions.

By Mr. ROBINSON:

A bill (S. 1448) to establish game sanctuaries in the national forests; to the Committee on Agriculture and Forestry.
A bill (S. 1449) to carry out the findings of the Court of Claims in the case of W. W. Busby, administrator of the estate of Evelina V. Busby, deceased, against the United States;
A bill (S. 1450) for the relief of John W. Fein; and
A bill (S. 1451) for the relief of William Ramsey and others; to the Committee on Claims.

By Mr. WILLIS:

A bill (S. 1453) for the relief of Lebanon National Bank, of Lebanon, Ohio; to the Committee on Claims.
A bill (S. 1454) for the relief of John Scott (with accompanying papers); and
A bill (S. 1455) for the relief of John W. Mercer (with accompanying papers); to the Committee on Military Affairs.

By Mr. RANSDELL:

A bill (S. 1456) for the relief of Col. Herbert Deakyne, Corps of Engineers, United States Army; to the Committee on Military Affairs.
A bill (S. 1457) authorizing the Postmaster General to cancel or readjust the screen-wagon contract of Thomas A., Henry P., and Joseph F. Eagan, and the parcel post and collection wagon contract of the estate of Thomas Eagan; to the Committee on Post Offices and Post Roads.
A bill (S. 1458) to extend the provisions of the retirement law for the Lighthouse Service to include Joseph P. Groux, former keeper of Chefuncte River Range Light Station, Louisiana; to the Committee on Commerce.
A bill (S. 1459) granting a pension to Marietta Hubbell Baldey;
A bill (S. 1460) granting an increase of pension to John A. Boutte; and
A bill (S. 1461) granting a pension to Richard D. Powers; to the Committee on Pensions.
A bill (S. 1462) to amend paragraph 10 of section 9 of the Federal reserve act, approved December 23, 1913; and
A bill (S. 1463) to amend paragraph 10 of section 9 of the Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.
A bill (S. 1464) providing for an increase of salary for the United States marshal and district attorney for the western district and for the United States district attorney for the eastern district of Louisiana; and
A bill (S. 1465) to relieve Congress from the adjudication of private claims against the Government; to the Committee on the Judiciary.
A bill (S. 1466) for the relief of the legal representative of George E. Payne, deceased;
A bill (S. 1467) to carry into effect the findings of the Court of Claims in favor of Elizabeth White, administratrix of the estate of Samuel N. White, deceased; and
A bill (S. 1468) for the relief of the New Orleans-Belize Royal Mail & Central American Steamship Co., of New Orleans, La.; to the Committee on Claims.
A bill (S. 1469) to confirm the right, title, and interest of the Peoples Investment Co. (Inc.), of the State of Louisiana, in certain lands;
A bill (S. 1470) authorizing the Secretary of the Interior to sell and patent to J. D. Calhoun, of Lincoln Parish, La., certain lands; and
A bill (S. 1471) for the relief of occupants of lands included in the Bellevue grant, in St. Landry Parish, La.; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 1472) to amend the act entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States," approved June 29, 1906, as amended, and the act entitled "An act in reference to the expatriation of citizens and their protection abroad," approved March 2, 1907, and for other purposes; to the Committee on Immigration.

By Mr. COLT:

A bill (S. 1473) granting an increase of pension to Mary A. Scully; to the Committee on Pensions.

By Mr. ELKINS:

A bill (S. 1474) authorizing the Secretary of War to loan tents and other camp equipage to recognized organizations of World War veterans, and for other purposes; to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 1475) for the relief of Henry T. Wilcox; to the Committee on Claims.

By Mr. SWANSON:

A bill (S. 1476) for the relief of Richard J. Easton; and
A bill (S. 1477) to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States," approved July 6, 1914; to the Committee on Naval Affairs.
A bill (S. 1478) granting a pension to Ada L. Kitchings; to the Committee on Pensions.
A bill (S. 1479) granting the consent of Congress to the Washington & Old Dominion Railway, a corporation, to construct a bridge across the Potomac River; to the Committee on Commerce.
A bill (S. 1480) authorizing the Secretary of War to donate to the Sandy Point Civic League, of Tettington, Va., one cannon or fieldpiece;
A bill (S. 1481) providing for the reconstruction of certain public roads in Fairfield district, Henrico County, Va.;
A bill (S. 1482) authorizing the Secretary of War to donate to the town of Schoolfield, county of Pittsylvania, Va., one German cannon or fieldpiece; and
A bill (S. 1483) authorizing the Secretary of War to donate to the State Normal School of Virginia, located at East Radford, Va., one cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 1484) for the relief of Th. Brovig, as owner of the bark *Bennestvet;*

A bill (S. 1485) for the relief of J. W. Hogg;

A bill (S. 1486) for the relief of the Eastern Transportation Co.;

A bill (S. 1487) for the relief of Th. Brovig, as owner of the bark *Bennestvet;*

A bill (S. 1488) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris;*

A bill (S. 1489) for the relief of the Lloyd Mediterraneo Societa Italiana di Navigazione, owners of the Italian steamer *Titania;*

A bill (S. 1490) for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.;

A bill (S. 1491) for the relief of George T. Larkin;

A bill (S. 1492) for the relief of the Gauley Mountain Coal Co.;

A bill (S. 1493) for the relief of the Link-Belt Co., of Philadelphia, Pa.;

A bill (S. 1494) for the relief of Gaetano Davide Olivari fu Fortunato, as managing owner of the Italian bark *Doris;* and

A bill (S. 1495) for the relief of the Arundel Sand & Gravel Co.; to the Committee on Claims.

By Mr. JONES of Washington:

A bill (S. 1496) to establish load lines for certain vessels; to the Committee on Commerce.

By Mr. SPENCER:

A bill (S. 1497) to amend an act entitled "An act to amend and modify the war-risk insurance act," approved December 24, 1919; to the Committee on Finance.

By Mr. JONES of Washington:

(By request.) A joint resolution (S. J. Res. 44) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

A joint resolution (S. J. Res. 45) to authorize the President to extend invitations to certain foreign nations to send delegates or representatives to the tenth annual convention of the American Association of Port Authorities; to the Committee on Foreign Relations.

SHOOTING GROUNDS AND GAME REFUGES.

Mr. NEW. I introduce a bill providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them.

The VICE PRESIDENT. To what committee does the Senator from Indiana desire to have the bill referred?

Mr. NEW. I think the bill should probably go to the Committee on Irrigation and Reclamation or to the Committee on Public Lands and Surveys. I have no request to make concerning its reference.

Mr. SMOOT. I suggest that the bill should be referred to the Committee on Public Lands and Surveys.

Mr. NEW. I ask that it may be so referred.

The VICE PRESIDENT. The bill will be referred to the Committee on Public Lands and Surveys.

The bill (S. 1452) providing for establishing shooting grounds for the public, for establishing game refuges and breeding grounds, for protecting migratory birds, and requiring a Federal license to hunt them, was read twice by its title and referred to the Committee on Public Lands and Surveys.

RELIEF OF EX-SERVICE MEN.

Mr. ROBINSON. Mr. President, I introduce a joint resolution and ask its reference to the Committee on Military Affairs.

The joint resolution (S. J. Res. 46) creating a joint commission of Congress to investigate respecting the health, compensation, and employment, and the advisability of legislation to promote the welfare of former soldiers, sailors, and marines in the service of the United States during the war with Germany was read twice by its title.

Mr. ROBINSON. Mr. President, the failure of Congress to deal comprehensively and systematically with just and necessary legislation respecting former service men is not due to indifference or opposition to the accomplishment of those purposes. It may be truthfully said that the sentiment in favor of such action is universal in both Houses. Widespread complaint and criticism is heard, particularly as to hospitalization and compensation. Delay and confusion will continue until the subject is dealt with comprehensively and scientifically. Hundreds of bills have been introduced and referred to various committees contemplating more or less wholesome action in piecemeal. The wise and sensible course seems to be to study the subject as a whole and thus deal with it promptly and intelligently.

Such a commission as that proposed by my joint resolution can quickly familiarize itself with the information available in the Bureau of War Risk Insurance, the Public Health Service, and in the possession of the representatives of the American Legion and devise a well-considered plan which ought to meet with general approval.

I ask that the joint resolution may be referred to the Committee on Military Affairs.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Military Affairs.

ISSUANCE OF RAILROAD MILEAGE BOOKS.

Mr. ROBINSON. I also introduce a bill to provide for the issuance of mileage books by railroads engaged in interstate commerce.

The bill (S. 1447) to direct railroads engaged in interstate commerce to issue mileage books was read twice by its title.

Mr. ROBINSON. I ask leave to have printed in the RECORD at this point a statement issued by the National Council of the Commercial Travelers' Associations of the United States explaining the purposes of the proposed legislation and the necessity for it.

There being no objection, the paper referred to was ordered to be printed in the RECORD, as follows:

MILEAGE BOOKS.

The National Council of the Commercial Travelers' Associations of the United States, with allied organizations representing the manufacturers and jobbers, has a membership exceeding 900,000. Equally interested with the above associations are the theatrical producers, the moving-picture industry, the Actors' Equity League, the farmers' grange, and the press of the entire country. In their behalf the following statement is made. It is their earnest desire that an interchangeable mileage book be issued to take the place of the present recently established railroad rates which are practically prohibitive and to a certain degree destructive to the business interests of the country.

Up to the present time the roads have declined to issue such a book, claiming it to be class legislation or discrimination. What is desired is a 1,000, 2,000, or 5,000 mile interchangeable mileage book, good on all roads, at 2½ cents per mile. This suggestion as a solution of the difficulty is based upon the fact that it is selling a commodity at wholesale at a cheaper rate, in the same manner as special carload lots are transported at lesser rates.

It is not class legislation or discrimination for the reason that anyone should have the privilege of purchasing such a book, and therefore is not confined to a commercial traveler.

A great benefit to the railroads would lie in the fact that at least 400,000 such books would be immediately purchased, which would mean a cash return to them, if the books were for 5,000 miles, of $50,000,000 immediately available; and it is possible that this amount might be doubled, which would mean $100,000,000 immediately available. Books would also be purchased by the employers who would buy them for the use of their salesmen in cases where the expenses are advanced and paid by the employer.

A further advantage to the railroads would lie in the fact that clerical help would be saved because the book would be good on all roads, and could be used for checking and paying excess baggage, thereby saving the expense entailed in the issuance of the numerous books, tickets, and checks necessitated at the present time. Also in the books lost and unredeemed, which the railroad records show amount to several million dollars. This, of course, would be added income to the roads.

The present rates are almost prohibitive and will result if continued in a reduction of nearly 50 per cent of the commercial travelers, and naturally will retard and interfere seriously with the prosperity and business development of the country. Several houses that are in the habit of sending out all of their men at this time of the year are now sending out only a small number, less than one-half of the number that would be ordinarily sent out at this time. This will also result in a curtailment of the freight business of the railroads. It is hoped that action in this matter may be expedited, so that the manufacturers, wholesalers, and jobbers may not be retarded in accomplishing the business prosperity to which the American people are entitled and to which end the Government should do all possible to cooperate and assist.

More than 60 per cent of the commercial travelers of the country have been held from their activities awaiting the issuance of this mileage book, and in consequence this fact has largely contributed to the decreased earnings of the railroads, not only in their passenger-traffic income but also in their freight income, in their express-company income, and in the Pullman income. The hotels, theaters, restaurants, department stores, drug stores, news stands, public conveyances, newsboys, and even bootblacks have also felt this decrease in business, and naturally it follows that the Government will feel it in reduced income from its various forms of taxation that would have resulted had normal transportation expenses existed.

The agricultural, industrial, and commercial world all favor it. The clergy also earnestly favor it. In brief, an interchangeable mileage book of the character outlined has the unequivocal indorsement of the great traveling public, who represent the lifeblood arteries of the Nation, and to their representatives in the Congress they now appeal for relief, the relief which has already been suggested by the President in his message to the Congress.

Mr. ROBINSON. I desire to make a brief explanation in reference to the bill at this time.

During the war passenger rates were made very high, in part for the purpose of discouraging travel. At the present time passenger travel has fallen off very greatly, and that is due, in part, to the excessive rates that are being charged. The railroads have declined to issue mileage books. Many jobbing concerns and wholesalers have reduced the number of their commercial travelers, and those who are still employed are traveling less than half as far, in the aggregate, as they normally travel. This bill, if it passes, will yield an immediate return to the railroads of between fifty million and one hundred million dol-

lars in cash. It will increase passenger traffic very greatly and accomplish no detrimental result, so far as I can see. I ask that the bill be referred to the Committee on Interstate Commerce.

Mr. DIAL. Does the bill introduced by the Senator from Arkansas refer to fares on Pullman cars?

Mr. ROBINSON. This bill has no reference to Pullman fares. It merely relates to carriers engaged in interstate commerce, and provides that they shall issue mileage books for use by passengers, under rules and regulations to be prescribed by the Interstate Commerce Commission.

Mr. DIAL. I had hoped that the bill would also regulate Pullman fares.

Mr. ROBINSON. Rates on Pullman cars are excessive and in time will have to be reduced.

The VICE PRESIDENT. The bill will be referred to the Committee on Interstate Commerce.

AMENDMENT TO FEDERAL LIVE STOCK COMMISSION BILL.

Mr. STERLING submitted an amendment intended to be proposed by him to the bill (S. 659) to create a Federal live stock commission, to define its powers and duties, and to stimulate the production, sale, and distribution of live stock and live-stock products, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. SWANSON submitted an amendment providing that the act entitled "An act to repeal section 3480 of the Revised Statutes of the United States," approved July 6, 1914 (30 Stat., 454) be amended by addition, after the word "Army," the words "Navy and Marine Corps," intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

RURAL CREDITS.

Mr. KENYON. Some time ago I introduced what is known as the rural credits bill, which will become an acute subject in the present Congress. In yesterday's issue of the Washington Sunday Star there is a short article by Mr Milliken explaining the bill. There is also a short editorial from the same paper, which is in the nature of a constructive criticism of the bill. Both articles are very short, and I ask unanimous consent that they may be printed in the RECORD.

There being no objection, the articles referred to were ordered to be printed in the RECORD, as follows:

"PLAN TO GIVE UNITED STATES FARMERS BETTER SYSTEM OF CREDITS—MEASURE THAT CONGRESS IS ASKED TO PASS PROVIDES MULTIPLE INSURANCE AS SECURITY FEATURE.

"[By R. C. Milliken, monetary statist for the rural credit committee of the Association of Pure-bred Live Stock Associations.]

"The enactment into law of the McFadden-Kenyon rural credit and multiple insurance bill would not only be a boon to agricultural production but would greatly strengthen our whole banking and credit systems. No European country relies on ordinary bank deposits for agricultural production as is the case with us. The time required for such credit to reproduce itself is too long to employ ordinary deposits, and where this bad banking method is practiced we find the banks loaded up with frozen assets which make it impossible for them to finance the production and distribution of commerce, the real mission of the deposit bank.

"This bill purposes to create two Federal corporations by two separate special charters, namely, a rural credit society and multiple insurance league. Multiple insurance means all kind of insurance. The principle of multiple insurance is well tried in Europe, where some companies have operated it for more than two centuries.

"The rural credit society will comprise one central bank, 48 branches, 1 for each State, and any number of community associations, which are denominated communes in the bill. The capital of the central bank will be $25,000,000, which will be furnished by the Government without interest, but a sinking fund is created for its retirement. The capital of the branches will aggregate $2,400,000, which will be furnished by the big life insurance company which accepts the Federal multiple insurance charter. This branch capital will become a guaranty against the loss of the Government's investment. The stock of the communes will have a par value of $5 and be paid for by farmer members. This commune stock will not only be another guaranty against the loss of the Government's investment, but will also be liable for the debts of the communes of the several States in which they are situated.

"A member's borrowing capacity will be proportioned to the amount of stock he owns in his commune. For example, a member of a commune of the second class may borrow ten times the amount of his commune stock. In communes of this class members are jointly and severally liable for the obligations of the commune. In other words, the members are partners. There is no such liability of members of communes of the third class, but in that class a member can borrow but five times the commune stock owned by him. The second or unlimited liability class communes have proven to be the most popular class in Europe. But in order to induce our farmers to adopt that class of commune we must provide a system of sound and economic multiple insurance for them, just as was provided for the European farmers, for with such insurance the poorest tenant in the community can furnish as good security as a basis for credit as the richest farmer.

"Before the war the European farmer obtained credit for production at from 3½ to 4½ per cent, such low interest rates being due to two facts—first, the security furnished for such credit; and, second, because he had access to the credit markets of the financial and industrial centers for his rural bills of exchange, whereas the American farmer is dependent on the deposit bank of his community. The average membership of the German rural credit societies was 92, each jointly and severally liable for the obligations of the other. Therefore each piece of their paper had an average of 92 indorsers, not considering the multiple insurance. It would be unreasonable to expect a wealthy American farmer to enter an unlimited liability commune with a tenant farmer unless we provide a system of sound and economic multiple insurance for the farm credit system.

"Seven farmers may organize a commune, the members of which would elect officers yearly, the officers meeting bimonthly to pass on applications for loans to members. If the application for a loan be approved the borrower draws a rural bill of exchange, which would be mailed to the State branch, and if approved by the branch a check would be sent to the borrower. This system of 'banking with bills' is the oldest system of banking, antedating the deposit and note-issue systems by 20 centuries of which we have authentic history. Deposit banking is the most expensive credit system extant, it requiring expensive buildings and fixtures to display wealth, besides numerous officers, tellers, and clerks, whereas a rural bill of exchange drawn on a milk stool in a cow barn is just as good as if drawn on a mahogany desk in a marble bank building, as the investor in such paper looks to the system rather than to the individual maker. The total expense of managing the rural credit societies of Germany in 1912 was $152 per commune, compared to $44,700, the yearly expense of managing the average national bank in this country.

"It is also the purpose of the McFadden-Kenyon bill to induce one of the best mutual insurance companies in each particular line of insurance to accept the proposed Federal multiple insurance charter and do its particular line of insurance business thereunder instead of its State charter. The farmers in many States are paying 300 per cent more for fire insurance than the farmers in other States who have their local mutuals. A similar disparity in rates on cattle insurance exists, though to a lesser degree than exists in fire insurance rates. What is being done in one State can be done in all the States under similar conditions.

"But conditions must be equal to hope for like results. Some States where the highest fire insurance rates prevail have the most obnoxious fire insurance laws, such as the 'valued policy law,' which enables a man to realize $1,000 on a building worth but $200. The true purpose of insurance is to indemnify the unfortunate against a loss and not to enable him to profit by the transaction. To permit one to profit by a fire encourages incendiarism. Such obnoxious laws would not interfere with this multiple insurance league, because it would obtain its charter from Congress and therefore would owe allegiance to but one Government, just like the Federal reserve and farm-loan systems.

"In order to reduce the cost of this insurance we must reduce the expense of management. That is sought under the McFadden-Kenyon bill by making provision for common agents of the two corporations. The secretaries of the communes of the credit society can act as the local agents of the insurance league, and the auditors of the credit society can become the general agents of the insurance league. It has been said, and said truthfully, 'that the average premiums under the plan would be less than $5, while many premiums would be less than $1, and if the credit society has to send 10, 20, or 30 miles for an insurance agent to take that application for insurance, the traveling expense of the agent would exceed the net cost of the insurance in many cases. Under the proposed arrangement the applicant and insurance agent would be together at the time the credit is granted, thus eliminating all traveling expenses.'

"By eliminating the expense of the soliciting and general agents we would reduce the cost of such insurance by 50 per cent in most cases. It will be the poor farmers who will be required by the credit society to carry insurance as a basis for credit, for the wealthy who have accumulated wealth to pledge for credit will not be required to furnish insurance. It therefore behooves us to reduce the cost of such insurance to a minimum. It is the purpose of this bill to conserve every sound, economic, and efficient insurance company in the country. By acting as the reinsurance agent for the sound "county mutuals" the proposed insurance league would greatly extend the usefulness of the latter.

"Our farmers in many States have sound fire insurance through their 'county mutuals,' their risks being so widely scattered as to prevent a 'conflagration loss,' such as occasionally happens in the cities. The Baltimore and San Francisco fires wiped out all their local fire insurance companies, their unfortunate premium payers losing everything. The city man has no protection against a conflagration loss when he insures in a local fire insurance company, which limits its business to that one city.

"In the matter of crop, or even frost, insurance, the farmer is in the same position as is the city dweller respecting fire insurance. Sound crop and frost insurance requires an area of operation much larger than any one State.

"Therefore, if the farmers of one State procure a charter from their State to do a safe crop or frost insurance business they would be forced to leave their own State in order to furnish safe protection. But the moment they enter such other State their company becomes a foreign company, just as foreign as any British or German company doing business for profit is, and must comply with the same laws as are imposed on them, even though the proposed company enters such other State, not for profit, but to afford themselves and the farmers of such other States absolute security in the production of agriculture for the whole nation. Congress can relieve this situation by granting the Federal charter of the McFadden-Kenyon bill for the multiple insurance league. Then it would be just as much at home in one State as in another, just like a national bank, which receives its charter from Congress, the only body authorized to legislate for it. If Congress can grant charters to national banks solely to make money, it certainly can grant such a charter as that proposed in the McFadden-Kenyon bill to aid agricultural production. The only Congressmen who would oppose such a measure are those who act one way in an open session and just the contrary in executive or secret session.

"The principles of the McFadden-Kenyon bill have been indorsed by numerous live stock associations, the American Agricultural Editors' Association, the executive committee of the American Farm Bureau Federation, and by some of the best thinkers of our agricultural colleges."

—

"PRODUCTION CREDIT FOR FARMERS.

"On another page of to-day's Star is published an article in explanation of the McFadden-Kenyon rural credit and multiple insurance bill, passage of which at the present session of Congress is being urged by the united agricultural interests of the country. Briefly stated, the purpose of the bill is to make available to American farmers credit facilities equal to those enjoyed by industrial and commercial interests, and the multiple-insurance feature is joined to the credit measure because the farmer's insurance policies are to constitute an additional security for his loans.

"That a more advantageous system of credits is one of the great needs of American agriculture has long been recognized. Deposit banks have not been able to provide such a credit, because sounding banking practice forbids that the demand funds of depositors shall be tied up in long-time loans. Thirty, sixty, or even ninety day loans do the farmer little good, for, unlike merchant or manufacturer, he will make, as a rule, but one turnover of his capital in a year. Experience has demonstrated that the average credit need of agriculture is for a loan maturing in about 11 months.

"The McFadden-Kenyon bill very wisely provides that loans under the proposed system shall be for production only. No loans would be made under it for the purchase of land or luxuries or for any purpose except to further the processes of production. That a better system of credits should be made available to agriculture is of as great concern to the city dweller as it is to the tiller of the soil, and the results sought to be accomplished by the McFadden-Kenyon bill would benefit all the people.

"But the measure is marred by one feature which is objectionable in theory and dangerous as a precedent. It is provided that the initial capital for the banking system shall consist of $25,000,000, advanced from the National Treasury without interest. It is true that repayment of this loan is contemplated through creation of a sinking fund derived from an assessment of one-tenth of 1 per cent of the interest proceeds of each loan, but it is contended by proponents of the measure that interest can not be paid the Government without defeating the objects sought by unduly enhancing the interest rate to borrowers.

"This argument seems hardly a valid one. With the one-tenth of 1 per cent set aside as an amortization fund for the repayment of principal and interest, there need be no increase in interest rates to borrowers at all, merely an extension of the period for discharge of the obligation. In the present condition of national finances for the Treasury to advance $25,000,000 to the rural credits bank means that the Government must go into the market and borrow that much money at current interest rates. If the Government is to be repaid principal and interest, it is merely lending its credit for the accomplishment of a general good and the process is not open to serious objection. But if the interest on the 25,000,000 is to be an outright gift to the farmers, it becomes a case of taxing money out of one man's pockets to put it into the pockets of another, which is the most objectionable kind of class legislation."

LEWIS CLARKE LUCAS.

Mr. WILLIS. Mr. President, on April 21 last I introduced a bill (S. 1073) for the relief of Lewis Clarke Lucas. Col. Lucas was an officer in the Marine Corps, and the bill, therefore, should have been referred to the Committee on Naval Affairs, but it went to the Committee on Military Affairs. I ask unanimous consent that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. If there is no objection, such will be the order.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. CURTIS submitted the following resolution (S. Res. 62), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-seventh Congress to send for persons, books, and papers; to administer oaths; and to employ a stenographer at a cost not exceeding $1.25 per printed page; to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recesses of the Senate and at such time and place as it may deem necessary, the expenses of travel incident to the sessions of said committee or any subcommittee thereof to be paid from the contingent fund of the Senate.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

The following bill and joint resolution were read twice by title and referred as indicated below:

A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.; to the Committee on Commerce.

A joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914; to the Committee on Irrigation and Reclamation.

EMERGENCY TARIFF.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 2435, known as the emergency tariff bill, and I call the attention of the Senator from North Carolina [Mr. SIMMONS] to the motion.

Mr. SIMMONS. Mr. President, I should like to inquire of the Senator, if the bill is to be made the unfinished business of the Senate, when he proposes to take it up for discussion?

Mr. PENROSE. My purpose in making the motion is to make the bill the unfinished business. I would be greatly gratified to be able to go on with the bill to-day; I know that a number of Senators are anxiously awaiting the passage of the measure; but of course I want to consult the convenience of the leader of the minority on this particular legislation, and I should be glad to have any suggestions that the Senator from North Carolina may care to make as to when the bill should come up.

Mr. SIMMONS. Mr. President, I have no objection to the bill being made the unfinished business of the Senate, but we have only this morning received copies of the hearings. There were rather extensive and illuminative hearings taken by the Committee on Finance upon the two principal changes which

have been made in the emergency tariff bill since the Senate had it under consideration at the last session. Those changes relate to the antidumping provisions and to the provision regulating the valuation of foreign imports. Senators, of course, ought to have some time to examine the hearings before we begin a discussion of the bill, and such opportunity has been denied them until to-day. The two amendments are of very great importance; they are almost of as much importance to the general industries of the country as the emergency tariff provisions are to the agricultural industry. I suggest to the Senator that he postpone taking the bill up in the Senate until to-morrow at least. I prefer that he fix Wednesday as the date, but if the Senator thinks that is more time than is necessary for Senators to advise themselves with reference to the hearings and to consider the bill as it has been amended, I will not object to its being taken up to-morrow.

Mr. PENROSE. Mr. President, I realize the force of what the Senator from North Carolina has stated. The final print of the bill and of the report was not available until this morning. The amendments to the measure as it passed the House are complex and far-reaching and somewhat complicated concerning the antidumping and valuation clauses. Anxious as I am to pass the measure promptly, I realize that nothing could be gained by undue haste in pushing a measure that Senators have not had a reasonable opportunity fully to examine. Therefore I will press my motion now to proceed with the consideration of the bill, with the understanding that, should the motion be agreed to, I will ask unanimous consent that the bill be laid aside until to-morrow, when I hope the Senator from North Carolina will consent, at least, to have any Senator who is ready to proceed go on with any remarks he may desire to make on the measure.

Mr. SIMMONS. Mr. President, I am not prepared now to make any arrangement as to the course of the discussion; I should rather merely ask that the bill be not taken up until to-morrow. That will be satisfactory to me.

Mr. PENROSE. Then I will press the motion now and ask the Chair to put the question.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Pennsylvania that the Senate proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenues; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes.

Mr. PENROSE. I ask unanimous consent that the unfinished business be temporarily laid aside. I desire at the same time to inform the Senate that my purpose is to bring the bill up to-morrow, and, if proper and reasonable, I shall ask to have the bill proceeded with.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania that the unfinished business be temporarily laid aside? The Chair hears none, and that order is made.

ORDER OF BUSINESS.

Mr. COLT. Mr. President, the unfinished business having been temporarily laid aside, I ask unanimous consent for the immediate consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States.

Mr. EDGE. Mr. President, I note by the calendar that the immigration bill is on the calendar about the tenth in regular order. Understanding that this is Calendar Monday, and that perhaps those bills on the calendar preceding the immigration bill may be passed by rather quickly, I ask the Senator if he will not defer making his request until the calendar has been called and passed over. I am particularly interested in the third bill on the calendar, being Senate bill 86, introduced by myself. The importance of the early passage of that bill I think I can make apparent to the Senate in about two minutes. I should like, if possible, to have it passed in the regular way as it is reached on the calendar to-day. Of course, I understand that under the rule applicable to the morning hour bills on the calendar, if they provoke debate of more than five minutes and are objected to, have to go over, but I think if I may be permitted a few minutes to explain why the bill should pass that it probably will receive the unanimous approval of the Senators in the Chamber.

Mr. SMOOT. The Senator does not expect to pass that bill under the five-minute rule?

Mr. EDGE. I can see no reason why it should not pass. It merely involves a simple amendment to what is known as the Federal reserve act. It has met general approval; it has been unanimously indorsed by the Federal Reserve Board, and I am quite sure that when it comes up under the five-minute rule I can explain it—I hope I can, at least—so that Senators will be unanimous to have it passed.

Mr. SMOOT. I hardly think the Senator means that it is the third bill on the calendar. The third bill on the calendar is the bill to create a bureau of aeronautics in the Navy Department.

Mr. EDGE. The bill to which I refer and which I have in my hand is a bill to amend section 25(a) of the act approved December 23, 1913, known as the Federal reserve act. It simply involves an amendment to that act.

Mr. SMOOT. That is the second bill on the calendar.

Mr. EDGE. I am merely consulting the calendar that I have in my hand. It may be an old one.

THE CALENDAR.

The VICE PRESIDENT. The calendar under Rule VIII is in order. The Secretary will state the first bill on the calendar.

ADDITIONAL DISTRICT JUDGE IN ARIZONA.

The first business on the calendar was the bill (S. 395) providing for an additional judge for the district of Arizona.

Mr. SMOOT. A similar bill was passed at the last session.

Mr. ASHURST. It has passed twice before.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President of the United States shall appoint, by and with the advice and consent of the Senate, an additional judge for the district of Arizona, who shall reside in said district and shall possess the same qualifications and have the same powers and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That the clerk of the district court for the district of Arizona and the marshal and district attorney for said district shall perform the duties appertaining to their offices, respectively, for said court.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FEDERAL RESERVE ACT.

The bill (S. 86) to amend the act approved December 23, 1913, known as the Federal reserve act, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Banking and Currency with an amendment.

Mr. EDGE. Mr. President——

The VICE PRESIDENT. The amendment of the committee will be stated.

The ASSISTANT SECRETARY. The committee reports the following amendment——

Mr. LA FOLLETTE. Mr. President, I ask that the bill go over, unless an explanation is made.

Mr. EDGE. I am addressing the Chair for the purpose of making an explanation.

Mr. LA FOLLETTE. I was waiting for that, but it seemed that the bill was likely to pass without anything being said.

Mr. EDGE. No; I simply thought the committee amendment might be adopted first. I had no intention of having the bill passed without making the explanation. If the Senator desires it, I will make it before the committee amendment is considered.

This bill was prepared under the direction of the Federal Reserve Board, to amend the act providing for the incorporation of banking institutions for the purpose of engaging in international trade. The amendment, briefly, simply provides this:

The original act provides that when banks are incorporated for the purpose of engaging in foreign trade, 25 per cent of the stock subscribed shall be paid at once, the minimum amount of capital of any corporation organized under the act being $2,000,000. It provides, further, that after the 25 per cent has been paid, 10 per cent shall be paid every 60 days until the entire 100 per cent has been paid. This amendment provides that after the 25 per cent has been paid, providing there is in the treasury at least $2,000,000, at the option of the directors of the bank, under the control and supervision of the Federal Reserve Board, the additional payments of 10 per cent can be called by the directors as they deem such additional capital necessary.

In endeavoring to incorporate a corporation now with a capital of $100,000,000—which is extremely important, I will say, if we are going to try to market our surplus products of cotton and of corn and of wheat and of tobacco and of various other commodities—it has been found very difficult to secure subscriptions from associations, from farmers, from banks, and from others who would naturally be interested because of being interested in exporting their goods, where it is automatically required that they must pay in this very large sum of money every two months following the 25 per cent original payment. It is certainly bad business to require the payment of money before the money is needed. Money is not so plenti-

ful these days. To pile up additional capital automatically, if the bank did not have calls considered sufficiently strong to warrant the loan, is simply tying up capital without any real use for it. So the Federal Reserve Board has unanimously decided that inasmuch as this provision is interfering to some extent with the subscription of stock and the ultimate incorporation of the large corporation now under way, to be under their jurisdiction and under their control, it would be entirely proper to amend the act so that it will not be made arbitrary, but the capital can be called as it is found necessary to have the money in the treasury.

I might point out right here, in the very few minutes I have, that the present situation is startling. I consider that it is absolutely essential for this Congress to do something in a practical way to help the present situation as far as it relates to exports. Our exports have decreased since 1919 from practically a billion dollars a month until last month they were only slightly over $200,000,000. There is cotton in the storage houses to-day sufficient to furnish the markets of the world for all of next year if not a single cotton plant was planted during 1921. The same thing, to a great extent, applies to wool, corn, and other commodities. We have over 500 American steel ships, owned by the Government, operated by the Shipping Board, tied up now in docks in New York and elsewhere because they can not get cargoes. American business men and producers can not fill orders abroad until you help in extending credit, and you naturally can not extend credit abroad until you form organizations of this character in order to have a businesslike organization to do it. So that this simple amendment, approved unanimously by the Federal Reserve Board, is asked for so that this one corporation that has made considerable headway, as I am informed, and secured subscriptions of over $30,000,000, can function so that these markets abroad wanting our goods can be in a position to have such credit extended as good banking dictates. This is one practical method through which we can improve business and not depend on emergency measures, which usually fail to produce results.

That is all there is in the amendment. The bill was unanimously approved by the Committee on Banking and Currency and reported to the calendar, and I am asking for early action on it simply because the sooner this bill becomes a law the more quickly this corporation can function to help American trade and help American exporters and producers and relieve this problem that I have briefly presented to you.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Secretary will state the amendment of the committee.

The amendment was, on page 2, line 14, to strike out the words "with the consent of the Federal Reserve Board" and to insert "with the consent of the Federal Reserve Board and subject to such regulations and conditions as it may prescribe," so as to make the bill read:

Be it enacted, etc., That section 25 (a) of the Federal Reserve act, being the section added to said act by the act approved December 24, 1919, be amended so that the first sentence of the paragraph prescribing the amount of capital stock a corporation organized under that section is required to have and prescribing also the manner in which such capital stock must be paid in, said paragraph being the fourth paragraph following subparagraph (c) of said section, shall read as follows:

"No corporation shall be organized under the provisions of this section with a capital stock of less than $2,000,000, one-quarter of which must be paid in before the corporation may be authorized to begin business, and the remainder of the capital stock of such corporation shall be paid in installments of at least 10 per cent on the whole amount to which the corporation shall be limited as frequently as one installment at the end of each succeeding two months from the time of the commencement of its business operations until the whole of the capital stock shall be paid in: *Provided, however*, That whenever $2,000,000 of the capital stock of any corporation is paid in the remainder of the corporation's capital stock or any unpaid part of such remainder may, with the consent of the Federal Reserve Board and subject to such regulations and conditions as it may prescribe, be paid in upon call from the board of directors; such unpaid subscriptions, however, to be included in the maximum of 10 per cent of the national bank's capital and surplus which a national bank is permitted under the provisions of this act to hold in stock of corporations engaged in business of the kind described in this section and in section 25 of the Federal reserve act as amended: *Provided further*, That no such corporation shall have liabilities outstanding at any one time upon its debentures, bonds, and promissory notes in excess of ten times its paid-in capital and surplus."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUREAU OF AERONAUTICS.

The bill (S. 656) to create a bureau of aeronautics in the Department of the Navy was announced as next in order.

Mr. LA FOLLETTE. I ask that that go over.

The PRESIDING OFFICER. The bill will be passed over.

DISTRIBUTION OF WAR TROPHIES.

The bill (S. 674) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 4, line 23, to strike out "$1,000,000" and insert "$400,000," so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to apportion and distribute pro rata among the several States and Territories of the United States and the District of Columbia in corresponding ratio as the total number of men serving in the armed forces of the United States, as hereinafter provided, from each State or Territory and the District of Columbia bears to the total number of men so serving from all States and Territories and the District of Columbia, all cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies captured by the armed forces of the United States from the armed forces of Germany and allied nations, with the exception of such cannon, gun carriages, machine guns, minenwerfers, mortars, bomb throwers, flame throwers, gas projectors, and other war devices and trophies as may be required for experimental purposes or for actual use by the armed forces of the United States; and the further exception of such of the devices aforementioned as may be required for display in museums of a national character or for monumental purposes in Arlington National Cemetery and in other national cemeteries, national parks, and national monuments wheresoever situated.

SEC. 2. That the apportionment and distribution provided for in this act shall be undertaken and completed as soon as practicable after the return of the aforementioned war devices and trophies to the United States; and that for the purposes of this act the Secretary of the United States Navy, or such person as he may direct, and The Adjutant General of the United States Army shall separately or jointly compile or cause to be compiled a report or reports showing the number of men in the armed forces of the United States accredited to each State or Territory of the United States and to the District of Columbia, either by enlistment or by the process of the selective service act, or otherwise drawn into and becoming an integral part of the armed forces of the United States during the period hereinafter specified, and that such report or reports shall be laid before the Secretary of War as soon as practicable after the passage of this act, and in no event later than six months from date hereof, and shall serve as the basis for the pro rata apportionment and distribution among the several States, Territories, and the District of Columbia, as hereinbefore provided.

SEC. 3. That in the case of the States and Territories the apportionment and distribution, as provided for in this act, shall be made through the governor or chief executive of each of the several States and Territories and in the District of Columbia through the Board of Commissioners of the District of Columbia.

SEC. 4. That for the purposes of this act the term "in the armed forces of the United States," wherever used in this act, shall be construed to include all men enlisted, drafted, or otherwise drawn into and becoming an integral part of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, and all other armed forces of the United States whatsoever; and that the period of service in the armed forces of the United States, as hereinbefore provided, shall be construed to begin with the effective date of the declaration of a State of war between the United States and Germany on April 6, 1917, and to end on the effective date of the armistice between the United States and Germany, at 11 o'clock on November 11, 1918; and that the report or reports of men accredited to each of the several States and Territories and the District of Columbia shall be confined to the period between those two dates, inclusive.

SEC. 5. That all transportation charges on war devices and trophies, as indicated from point of shipment to point of final delivery within the several States, Territories, and counties thereof, and the District of Columbia, shall be borne by the United States Government, but not the expenses or costs incident to erection in local communities.

SEC. 6. That on and after the passage of this act no award or distribution of war devices or trophies captured during the period specified shall be made except as herein provided, and all legislation conflicting herewith is hereby repealed.

SEC. 7. That to carry out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of $400,000, or so much thereof as may be necessary, to be administered by the Secretary of the Treasury.

Mr. WADSWORTH. Mr. President, I ask that the reading of the bill be dispensed with, and that I have permission to tell what the bill does.

This bill was passed by the Senate on a prior occasion, something like 18 months ago. It provides that the Secretary of War shall allot to each of the States and to the District of Columbia captured trophies which are now in the possession of the War Department; that the allotment shall be made to each State in proportion to the number of men the State contributed to the Army and Navy during the recent war; that the allotment having been made to each State by the Secretary of War, the governor of the State shall make the allotment of the material within his State, thereby in turn relieving the Congress of an immense flood of legislation authorizing the granting of cannon or machine guns to thousands of communities all over the United States, and leaving it to the local authorities of the States to make this distribution in the way best fitted for their needs.

Mr. UNDERWOOD. Mr. President, will the Senator let me ask him a question? I have no objection to the bill, and I think what the Senator says is correct, and that this is the proper way to do it; but I received a letter this morning calling to my attention some statement in the papers that the War Depart-

ment was proceeding to distribute these useless cannons now. Can the Senator give me any information on that subject?

Mr. WADSWORTH. My information is that they are not distributing the trophies that were captured in the late war.

Mr. UNDERWOOD. That is what I am talking about.

Mr. WADSWORTH. It is true that the War Department distributes useless cannons of ancient make which it had in its possession before we went into this war; but this bill applies only to the captured trophies, and the War Department has no authority to touch them. They are now in storage, thousands and thousands of them. It costs the Government a good deal of money to take care of them. Many communities would like to have them, and the Senate committee upon a prior occasion, and the Senate itself, thought this was the best way to effect the distribution, and I hope the Senate will repeat its decision in the matter.

Mr. UNDERWOOD. I have no objection to the bill. I think the bill is a good one; but my understanding from this letter was that that was already being done.

Mr. WADSWORTH. It can not be done. There is no authority for it.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Nevada?

Mr. WADSWORTH. Yes; I yield. I wanted to make one further statement, and then I was going to yield the floor.

Mr. PITTMAN. Was there any reason why the bill did not include the Territories in this distribution?

Mr. WADSWORTH. It does include them.

Mr. PITTMAN. I did not understand that.

Mr. WADSWORTH. The title of the bill is:

A bill to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia.

Mr. PITTMAN. I did not hear that.

Mr. WADSWORTH. Now, Mr. President, just one more word as to the history of this legislation.

This same bill was passed by the Senate more than 18 months ago in the last session of Congress. After long deliberation it was amended in the House in this way: Instead of having the governor of each State make the distribution of the material within his State, the House inserted a provision that the delegation in the Congress from each State, the two Senators and the Members of the House of Representatives should make the distribution within the State concerned.

In other words, if the suggestion of the House at the last session of the Congress should prevail, the delegation from the State of New York, for example, the 2 Senators and 43 Members, would meet in solemn session and endeavor to divide up all this material and state where it should be sent within the State of New York. The members of the Committee on Military Affairs of the Senate consulted with a good many Senators about that toward the end of the last session of Congress, and it was the consensus of opinion that any such machinery for the distribution of this kind of material would be very difficult to put into operation and to carry through to a successful conclusion. I leave it to Senators to picture the meetings of the delegations of the several States endeavoring to get together to decide what town gets the machine gun, what village gets a trench mortar, what town gets a cannon, and what town gets an old shell.

The PRESIDING OFFICER. The question is on the committee amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDEMNITY FOR DAMAGES BY AMERICAN FORCES.

The bill (S. 1018) to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That section 1 of an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918, be, and hereby is, amended to read as follows:

"SECTION 1. That claims of any foreign Government, or nationals thereof, not an enemy or ally of an enemy, for damages caused by American military forces or its agencies engaged in operations incident to the World War, may be presented to any officer designated by the President, and when approved by such an officer shall be paid under regulations made by the Secretary of War."

SEC. 2. That sections 2 and 4 of said act be, and hereby are, so amended that wherever the term "military forces" appears said term shall read as follows: "Military forces or its agencies."

Mr. KING. May I inquire of the Senator from New York whether this is supposed to be the tribunal which is to determine all the claims of the character referred to in the bill?

Mr. WADSWORTH. Mr. President, this bill makes no change in the character of the tribunal whatsoever. The only change which the bill makes is the addition of the words, on line 9, page 1, "or its agencies."

Here is the point: The Comptroller of the Treasury has ruled that an Army transport is not a part of the military forces of the United States. Although she is loaded to the gunwales with American troops and American military supplies, under the command of military officers, nevertheless the Comptroller of the Treasury says that she is not a part of the military forces. Under that ruling, in the event that an American Army transport collided with a French ship or the ship of any other nation the War Department could not settle the claim.

The War Department asks that the words "or its agencies" be inserted in the law in order that we may deal squarely with other people. It is one of the remarkable rulings of the Comptroller of the Treasury.

Mr. FLETCHER. I understand it is intended to carry out what Congress really intended was to be effected by the original legislation.

Mr. WADSWORTH. That is correct.

Mr. FLETCHER. And by a ruling of the comptroller a technical point is raised, which this amendment of the law is intended to cure.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF DESTITUTE DISCHARGED SOLDIERS ABROAD.

The bill (S. 1019) authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to furnish transportation on United States Army transports from Europe to the United States, and subsistence en route, to any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person: *Provided*, That if such person, his wife or children, are not at a port of embarkation of United States Army transports the Secretary of War is further authorized to furnish transportation to such person, his wife or children, to such port of embarkation and subsistence en route: *Provided further*, That all such transportation and subsistence shall be furnished without cost to such person, his wife or children: *Provided further*, That the authority conferred by this act shall cease and determine six months after the approval thereof.

Mr. SMOOT. Mr. President, I desire to ask the Senator from New York a question in regard to the bill. Suppose these discharged soldiers had not requested that they be discharged in France, we will say, or the country in which they were located, and they wanted to come home at the time they were discharged. Would they have had the privilege of bringing their wives and children home at the expense of the Government?

Mr. WADSWORTH. Yes; Mr. President. When the Army was brought home from France, quite a number of the soldiers—I forget how many hundred—were married to French women, and the War Department brought those families home free of charge, on the transports.

Mr. SMOOT. Suppose a soldier was discharged, and his wife was in America at the time he was discharged, and he entered into business in France, and in the meantime he sent for his wife and his children to come over there, when he was out of the Army. Under this bill would the Government pay the transportation charges for his wife and children?

Mr. WADSWORTH. No; under this bill it would not.

Mr. SMOOT. What is there to prevent it?

Mr. WADSWORTH. Because the bill authorizes the War Department to bring them from France to the United States.

Mr. SMOOT. That is what I mean.

Mr. WADSWORTH. The Senator expressed it the other way around.

Mr. SMOOT. I said, suppose a soldier was discharged in France, and at the time of his discharge he had a wife and children in America, and he entered into business in France and sent for his wife and children after he had been discharged, and they went to him in France. Under this bill his transportation and subsistence and expenses would be paid. However, would the Government pay the expenses of the transportation of his wife and children?

Mr. WADSWORTH. Yes; it would in that case.

Mr. SMOOT. That seems to me to be unfair.

Mr. WADSWORTH. Mr. President, I do not know that there is a single case of that kind.

Mr. SMOOT. I know of one case. I do not know whether the soldier is going to return as soon as this bill passes, but I do know of a soldier who was over there; I know he was discharged from the service over there; and that he is in France to-day. I know that he sent for his wife and children after he had left the Army, and I know they are there now. I received a letter from him some little while ago stating that if things did not brighten up before long he would come back to America. Now, the question arises whether the Government, under this provision, would not have to pay his expenses, as well as those of his wife and children.

Mr. WADSWORTH. Just on the transport, that is all. Mr. President, the point is this: When our Army was brought home from France quite a considerable number of men asked permission to be discharged in France. Some of them thought they saw good business opportunities, some of them liked the communities in which they found themselves, some of them had married French women, and determined that they would like to settle down in France. Things of that sort always happen in a great army, as large as an army of 2,000,000 men. Under certain conditions, when the officers felt that the request was justified, the man was given his discharge in France.

At the same time he was paid his travel allowance, which, however, did not include transportation across the ocean, because no travel allowance was paid for that. The travel allowance is paid to a soldier when he is discharged in order to give him enough money to pay his railroad fare from the place at which he is discharged in the United States to his home or where he was enlisted. A good many of these men, however, stayed in France. Some of them, to use a slang expression, have "gone broke"; their prospects are not as rosy as they were, and they are appealing to welfare associations for help; they are coming to American consuls; they are penniless. The industrial conditions in France are such that they have not the employment they thought they could get. The spectacle, of course, constitutes somewhat of a reflection upon the Government and Army of the United States. There are not many of them. It is the purpose of this bill to permit the War Department to transport the men and their families, if they have families, on the Army transports back to the United States, to get them away from France, where they can not make a living, and where the sight of them, of course, is not a very pleasant thing, either to the French people or to other Americans or to themselves.

Mr. SMOOT. I recognize that the facts are just as stated by the chairman of the Committee on Military Affairs; but I really thought that in the case I cited—I do not know how many more there are, but I do know of this particular case—the Government of the United States should not be put to the expense of bringing back his wife when she was an American woman, who went over after his discharge, together with his children. The Government would not have been at that expense if he had not requested his discharge in France. There may be very few cases——

Mr. WADSWORTH. There are very few.

Mr. SMOOT. But I do know of the case I have referred to. It would have been very much better for the Treasury of the United States if he had come home promptly.

Mr. FLETCHER. Mr. President, the Senator will observe the qualification here—

> Any person who served in the Army of the United States and was honorably discharged therefrom in Europe, and who is now in Europe and is or becomes destitute, and to the wife and children of such person.

In other words, he must be in a condition of destitution before he could apply.

Mr. SMOOT. I do not think they have enough money to pay their transportation home.

Mr. KING. They will all be destitute.

Mr. FLETCHER. This is only to provide transportation on Government transports.

Mr. WADSWORTH. The Senator will also notice that the last proviso is to the effect that the act shall cease and determine six months after its enactment.

Mr. FLETCHER. It is limited to six months.

Mr. WADSWORTH. In other words, the action under the bill must be closed up within six months.

Mr. KING. May I inquire of the Senator from New York whether the travel allowance is again paid these men?

Mr. WADSWORTH. It is not.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPENDENTS OF LIEUTS. JEAN JAGOU AND FERNAND HERBERT.

The bill (S. 1020) for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States, was considered as in Committee of the Whole, and was read, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to the dependents of First Lieut. Jean Jagou, Seventy-third Infantry, and First Lieut. Fernand Herbert, One hundred and sixty-third Alpine Infantry, both of the French Army, and who were accidentally drowned July 26, 1918, near Camp Cody, N. Mex., while on duty with the French Military Mission and acting as instructors of United States troops at Camp Cody, N. Mex., such sums of money as by the act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended," approved June 25, 1918, is provided to be paid as compensation to the widow or children or other dependents for the deaths from causes occurring in line of duty in the service of the United States; and such compensation shall be payable and be paid as of and from the 26th of July, 1918, and under and according to the terms, conditions, and basis of compensation in the said act provided, and such sums shall be paid in full of all claims, legal or equitable, of said Jean Jagou and Fernand Herbert, their heirs, representatives or assigns.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF GOVERNMENT LANDS IN HAWAII.

The bill (S. 1021) to provide for the exchange of Government lands for privately owned lands in the Territory of Hawaii was announced as next in order.

Mr. PITTMAN. I ask that that bill may go over.

The VICE PRESIDENT. The bill goes over.

SALE OF WAR DEPARTMENT FOODSTUFFS.

The joint resolution (S. J. Res. 13) authorizing the sale of foodstuffs in the possession of the War Department to any foreign State or Government was announced as next in order.

Mr. SMOOT. Mr. President, I am not going to object to the consideration of the joint resolution. I rose for the simple purpose of saying that I hope the War Department will not sell this stuff as they sold about a year and a half ago other stuff at 20 cents on the dollar, and then those same foodstuffs were sold by the Governments buying them to their own citizens and then shipped back into the United States to be sold here. I hope the War Department will not sell these goods at a price which will permit that to be done.

Mr. KING. May I inquire of the Senator from New York [Mr. WADSWORTH] what became of the recommendation of Gen. Dawes and others who, as I understood, were sent to Europe for the purpose of liquidating our unsettled accounts and making disposition of the unneeded supplies and munitions, as well as foodstuffs, clothing, and so forth?

Mr. WADSWORTH. The property to which the Senator refers was the property of the American Expeditionary Forces and was all in France. All that property has been disposed of in one general sale to the French Government, by which we not only got rid of the property at a fairly decent price but got rid of a lot of claims which saved us a great deal of bother. This is property held in the United States and has nothing to do with the liquidation to which the Senator refers. This is property which the Government has struggled for two years to sell here in our markets, and the American public simply will not buy it. The department wants the opportunity under the law to sell it to foreign countries. If the bill had been enacted a year or a year and a half ago, it would have placed some millions of dollars in the Federal Treasury.

Mr. KING. Does it extend to unnecesary military supplies or merely to foodstuffs?

Mr. WADSWORTH. Only to foodstuffs. The existing law forbids the sale of foodstuffs to any foreign country out of War Department surplus property. This includes foodstuffs.

Mr. HARRISON. If the Senator will permit me, everyone washed his hands of it after Gen. Dawes finished his testimony before the House Committee on Military Affairs.

The Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

> *Resolved, etc.*, That the Secretary of War is hereby authorized, in his discretion, to sell to any foreign State or Government with which the United States is at peace at the time of the passage of this resolution, upon such terms as he may deem expedient, any foodstuffs, now or hereafter found to be surplus, which are not needed for military purposes and for which there is no adequate domestic market.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESTRICTION OF IMMIGRATION.

The bill (H. R. 4075) to limit the immigration of aliens into the United States was announced as next in order.

Mr. COLT. Mr. President, I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with an amendment in the nature of a substitute.

Mr. COLT. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with.

I will state that this bill is the same bill identically which passed the Senate at the last session restricting immigration to 3 per cent of those who were resident aliens within the territory of the United States according to the census of 1910. That bill passed the Senate with only two dissenting votes. The bill was introduced in the Senate early in this session by the Senator from Vermont [Mr. DILLINGHAM]. This same bill which passed Congress at the last session was also introduced in the House at this session, and which I shall call the old bill. In the House the old bill was changed by making certain exceptions which enlarged the numbers who would come in during this emergency period. The Senate Committee on Immigration considered those exceptions, and they deemed it better to report the old Senate bill as an amendment to the House bill, and therefore the form in which the bill comes before the Senate is as an amendment to the House bill and is the same bill which was passed at the last session of Congress.

It does not seem to me necessary, unless some of the Senators wish information, to go into any debate upon the bill. If the Senate passes the bill in its present form, the bill will be thrown into conference with the House bill, and then we can determine what the final form of the bill shall be; in other words, the points of difference between the Senate and the House can be settled in conference.

Mr. KENYON. May I ask the Senator a question?

Mr. COLT. Certainly.

Mr. KENYON. I understand the Senator to say this is the identical bill as it passed the Senate at the last session of Congress.

Mr. COLT. I mean to say that it is the identical bill, the only change being to provide that it shall go into operation a few days later, which was a necessary change, owing to the fact that the former bill was to have become operative on May 1. This bill goes into operation 15 days after it becomes a law. The bill was fully discussed in the Senate before. It calls for 3 per cent instead of 5 per cent, as originally reported by the Senate Committee on Immigration at the last session of Congress. It was simply a reduction to 3 per cent. It is a compromise measure. Those who were in favor of more liberal immigration yielded to the 3 per cent plan, and those who were in favor of an absolute exclusion were willing to admit the 3 per cent.

Mr. HEFLIN. Mr. President, what is the pending question?

Mr. COLT. The question is upon the passage of the bill, which is identical with the bill which passed the Senate at the last session of Congress.

Mr. HEFLIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Brandegee	Harreld	McKellar	Shortridge
Broussard	Harris	McKinley	Simmons
Bursum	Harrison	McLean	Smoot
Cameron	Heflin	McNary	Spencer
Capper	Hitchcock	Nelson	Stanfield
Caraway	Johnson	New	Sterling
Col	Jones, Wash.	Nicholson	Sutherland
Cummins	Kellogg	Norbeck	Swanson
Curtis	Kendrick	Norris	Townsend
Dial	Kenyon	Oddie	Trammell
Dillingham	Keyes	Overman	Underwood
Edge	King	Phipps	Walsh, Mass.
Fletcher	Ladd	Pittman	Warren
France	La Follette	Poindexter	Watson, Ga.
Frelinghuysen	Lenroot	Pomerene	Weller
Gerry	Lodge	Ransdell	Williams
Gooding	McCormick	Sheppard	Willis
Hale	McCumber	Shields	

The PRESIDING OFFICER. Seventy-one Senators having responded to the roll call, a quorum is present. The question is on agreeing to the Senate committee amendment.

Mr. HEFLIN. Mr. President, I understand that as the pending bill is now written it will permit about 300,000 immigrants annually to come into the United States. I think the provision which is made in the bill as reported by the Senator from Vermont [Mr. DILLINGHAM] is a considerable improvement over the bill as it came from the House. The provision of the House bill relative to permitting those who are fleeing from foreign countries because of religious persecution would permit thousands and hundreds of thousands of undesirable foreigners to come into our country.

We have tried for a long time to pass an immigration law that would really restrict immigration and that would guard our shores against the undesirable populations of foreign countries, but we have invariably discovered, after the law had been enacted, that there were loopholes through which such people could come. Undesirables have been coming and they are now coming to this country. I submit, Mr. President, to the Senate and to the country that if this Government ever intends to protect its life against the dangers that threaten it from this very source that time is now. The daily newspapers have been filled with headlines relative to the movements of red anarchists and bolsheviki in the United States. I hold here in my hand the notice of a circular which has been issued by them. This is from Ansonia, Conn., and is dated April 29. It appeared in the Washington Post of last Saturday, I believe. The article reads:

ANARCHIST CIRCULARS URGE REFUSAL TO OBEY LAWS.

ANSONIA, CONN., *April 29.*

Radical literature again was distributed in this city during the night. Circulars bearing the caption, "The 1st day of May—the day of reckoning and liberation," and purporting to be issued by anarchist groups of the United States and Canada, were found this morning.

In them workers are advised to refuse to pay taxes and rents, refuse to obey laws, take possession of the land, factories, mills, and mines and to go armed to mass meetings or parades.

Mr. President, is this Government called upon to open the doors of this country to people who openly and notoriously advise the violation of our laws, the tearing down of our institutions and the taking over of private property? It seems to me that it is high time that Congress should pass a law that will keep out all people who are unfriendly to the American form of government. Several months ago one of these men who oppose our form of government, and while enjoying its hospitality, unfurled and burned the United States flag before an audience of his kind in the city of New York. I think some small fine was imposed upon him, but he is now again a free man. Is this Government called upon to open the doors of our country to such as he? Is this Government called upon to permit such as he to remain?

Mr. President, some months ago the boys who had returned from France with our flag, covered all over with the glory of their valor, while marching in a parade out in Centralia, Wash., celebrating Armistice Day, were fired upon from ambush and two of them killed. Is this Government called upon to permit any more of that kind from the criminal classes of Europe to land upon our shores?

Mr. President, it is high time for this Government to take stock; it is high time that we were finding out here at home just "who is who" in America.

There was another story in the newspapers Saturday about one of these red anarchists who has been in this country for 17 years and yet he had never been naturalized. Think of it. He has been protected by our laws; he has enjoyed the blessings and benefits of the Government, which he is daily seeking to overthrow. Is there any good reason why we should pass a law that will permit such as he to come over here?

Mr. President, if I had my way about it, I would shut our immigration doors tightly for one year at least, and I would very rigidly restrict it for all time to come.

I am in favor of putting a commission of loyal Americans on the other side of the ocean to pass on prospective immigrants before they ever set foot upon the ship sailing for our shores. I am in favor, then, of having another such commission on this side to examine them and their credentials before they are permitted to set foot upon American soil.

Mr. President, it is no small thing to be a citizen of the United States. Time was when Rome had reached the zenith of her power that the proudest title a Roman could wear was that of a Roman soldier. To-day the proudest boast that mortal man can make is "I am an American citizen." And yet we have people in the United States, not long in the country, who threaten Members in the other branch of Congress and threaten Senators in this branch with punishment at the polls if they do not throw the doors open to all kinds of people coming from foreign countries. Political threats are used and local political power employed to secure the enactment of laws that will permit this stream of undeserving and undesirable people to continue to come into this country.

Thomas Jefferson warned us of this danger; Abraham Lincoln warned us of this danger; Gen. Grant warned us of this danger; a long line of illustrious leaders that I could mention have told us "Your danger is from within more than from without." Danger from within—How? you ask me. By people

coming here who despise our form of government, who hate our institutions, and who spread the poison of their dangerous propaganda.

Senators, I repeat it is high time that we were taking stock; it is high time that we were passing a real immigration law that will keep such people out.

Not long ago I heard a Senator make a plea in behalf of liberal, easy immigration laws and he told us how in the old days we threw our doors open and how great and good people came to our shores. That is true; all of our ancestors came from across the sea; but the difference between the immigrants of that time and this, Mr. President, is that then the individual wanted to come here because he liked our form of Government; because he wanted to become a member of it; because he desired to enjoy its blessings and benefits; because he intended to support its institutions; to fight for it, if need be, and to die for it, if necessary. That is the difference between the old type that came then and some of the miserable horde that is coming now.

Mr. COLT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Rhode Island?

Mr. HEFLIN. I am glad to yield to the Senator.

Mr. COLT. Does the Senator recall that 411,000 aliens waived exemption under the draft and enlisted in the late war under the banner of our country?

Mr. HEFLIN. If there were 400,000 of them who did waive exemption and were willing to fight, I dare say there were 5,000,000 of them who were shirking their responsibilities, dodging the draft law, and refusing to fight for the flag. We convicted a number of them who were openly and notoriously advising people to resist the draft law, who were telling them to paralyze the military arm of the Government in every way they could, and they were doing all in their power to defeat the purpose and the program of the Government.

Mr. COLT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from Rhode Island?

Mr. HEFLIN. I yield to the Senator.

Mr. COLT. May I say further to the Senator that, of those who strove to avoid the draft, the percentage among the aliens was comparatively low? Indeed, I have seen it stated that it was less than among the native born. I merely make these statements in justice to the aliens. It does not seem to me that exaggerated statements should be made which the facts do not seem to warrant.

Mr. HEFLIN. Mr. President, I have to challenge that statement of the Senator. I do not agree with his statement that a larger percentage of native stock were disloyal and were guilty of slackerism than there were among the aliens in this country. I do not know where the distinguished Senator got his information, but evidently it came from some source not entirely friendly to the Government. I think it is a reflection upon the great body of American boys born here, native to the soil, to say that there were more of them who were guilty of trying to dodge their responsibility in time of war, refusing to follow their flag, than there were of aliens in America.

I know that there are many aliens here who are loyal and true, and they have my very best wishes; but I am speaking of those who do not appreciate our Government, who hate it and urge its overthrow. These are the people I am talking about. This is not fiction that I am speaking about. It is not a mere matter of speculation. I am speaking of the cold facts that stare us in the face each day. There are people here who defy our courts, challenge the integrity and authority of our flag. Why, they blew up some of our guns and munition plants during the war. They poisoned our horses at the camps. They poisoned food intended for our soldiers. How did they come here? They came here through the gates of American immigration laws. I am fighting in my place as a Senator from a sovereign State to keep such things from happening any more.

I would not permit one of them, I do not care whether he puts it under the head of religious persecution or what, to come into this country if I thought there was any doubt at all about where he would be and what he would do after he arrived.

Mr. President, in the old days, when the immigrant came, he came of his own accord, he worked and laid aside a little money in order to enjoy the great privilege of coming to the United States, of becoming citizens of this, the greatest Government on the globe, the freest and best Government in all the world. They were glad to come. They worked and stinted in order to get money to come. How is it now? Why, they have immigration agents now hired who go through foreign countries getting up people to come and fill up the ships that sail for America. These agents are paid money to do what? To get shiploads of people to go over to the United States. What kind of people? Any kind, just so they occupy space on a ship and pay money into the purses of the steamship companies of the United States and those of foreign countries, too.

Mr. President, are we to permit citizenship in this country to become in this fashion a mere matter of barter for the benefit of immigration agents and steamship companies? The cattlemen used to send their agents out into the country to buy and drive to the railroad station a carload of yearlings. They would then load them on the train and ship them to market. That is what the financiers of the immigration business are doing now with people whom they bring here and turn loose upon the people of the United States. They have agents going through Europe who display pictures of our savings banks, with the boys and girls from our factories rushing over with hands filled with greenbacks to deposit in the bank. They say to the foreigners: "America is the place. Get your tickets. The ship will sail soon. Don't fail to get your tickets." They fill these ships with people who make the business of the immigration agent profitable and pour money into the pockets of the steamship companies.

The steamship companies haul them over to America, and as soon as they step off the decks of their ships the problem of the steamship companies is settled, but our problem has but begun—bolshevism, red anarchy, black-handers, and kidnapers, challenging the authority and the integrity of our flag, and still we find people who want us to have loopholes in the law so that such may continue to come in.

I do not intend to vote for any such proposition. I would like to shut for a time the immigration door. Thousands come here who never take the oath to support our Constitution and to become citizens of the United States. They pay allegiance to some other country while they live upon the substance of our own. They fill places that belong to the loyal wage-earning citizens of America. They preach a doctrine that is dangerous and deadly to our institutions. They are of no service whatever to our people. They constitute a menace and danger to us every day, and I can not understand the seeming indifference that some national lawmakers exhibit upon this serious subject. This very question of immigration is the most vital question that affects us to-day.

Senators, if we permit this thing to go on the day is coming when you can draw a line through the United States and ask the native stock to get on one side and the foreign born on the other and they will outnumber us. They will be in the majority.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. HEFLIN. I do.

Mr. WILLIAMS. The Senator speaks about the day coming when they will outnumber us. The day has already come, has it not, when they hold the balance of power and can decide a national election?

Mr. HEFLIN. That is true, absolutely true. They can get us divided on any great issue and get their forces in compact, concrete form and hold the balance of power and decide issues that affect the conduct and the life of the United States Government.

Mr. COLT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Rhode Island?

Mr. HEFLIN. I yield.

Mr. COLT. May I ask the Senator if he has seen the recent statistics of the Census Bureau which show that for the 10 years from 1910 to 1920 the increase in the alien-born population of the United States was only 358,442?

Mr. WILLIAMS. But they were not the voters.

Mr. HEFLIN. No.

Mr. COLT. With a population, I might say, of 105,000,000 to 110,000,000, does the Senator think that an increase in alien population in 10 years of a little over 358,000 presents any great danger to American institutions?

Mr. WILLIAMS. Mr. President, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Mississippi?

Mr. HEFLIN. I do.

Mr. WILLIAMS. I hope the Senator will call attention to the fact that while that increase of 350,000 took place in one 10-year period, while we were isolated from Europe for the most part, there were 13,000,000 of foreign-born voters in the United States at the last election.

Mr. HEFLIN. Think of that, Mr. President; if 13,000,000 of foreign-born voters participated in the last election that is as

many, if not more, votes than Presidents Wilson and Taft and Roosevelt all polled in the presidential election of 1912.

Mr. WILLIAMS. I beg the Senator's pardon. I meant 13,000,000 of foreign-born population, with their due proportion of voters. Their due proportion is about 50 per cent in the case of foreigners.

Mr. HEFLIN. Yes; about that.

Now, Mr. President, a great many of these foreigners went out of our country during the World War to fight against us. They were occupying places in this country, making money in our industrial establishments that some real, loyal Americans should have had, and when the war came on and our liberties were imperiled they went back to fight against the flag that had sheltered them and blessed and profited them while they were here. Every year foreigners in America send out of this country millions and millions of money. They send it back to the Governments over there; and these men that I am talking to you about are not citizens of the United States. They have never taken the oath to support that flag. There are thousands and hundreds of thousands of men in this country enjoying all the blessings and benefits that those who support our institutions enjoy, and yet when war comes they get out of the country and take up arms against the flag and the Government.

Mr. President, I want to suggest to the Senator from Rhode Island and to others on the other side that I hear a great deal said about protecting American labor against the cheap labor of Europe; that the standard of living is so much higher here, American labor can not compete with cheap labor of Europe. I could never understand why you would build a tariff wall between the products of the cheap labor of Europe and the United States and then throw the doors to America open to thousands of cheap European laborers to come here and compete with American labor. Yes, come here and compete with the loyal American citizen who has a wife and children to support. If you want to protect these men, protect them by keeping out those who work for starvation wages and spread their dangerous doctrines around the industrial establishments of our country, and take the places of our men, and get money that ought to be going into the pockets of the loyal wage earners of America.

You are permitting people to come over here who never become citizens of this country. They go into our industrial establishments and take the places that should be filled by American workingmen. They get the places and American workingmen are walking the streets, idle and hungry. Senators, the time has come to stop this thing. We are seeking to keep these people out.

Some Members of the Congress, it seems, are opposed to this character of restriction. Some have constituents back home who say to them, "If you do not vote to permit these people to continue to come, we will beat you at the next election." I want to remind the American people, as I did on a former occasion in this Chamber, that it is high time that we were voting in Congress for the good of the Government of the United States.

Mr. President, in the Saturday Evening Post not long ago there was an article written by Kenneth L. Roberts in which he said that an American consul general in a European city said to him:

> Every foreign Government understands that never in the history of the world was there such a movement of peoples as there is to America to-day. All the Governments understand that we have every right to go into the case of every immigrant with extreme thoroughness, because it is becoming a matter of life and death for our people.
>
> Why? Because our very existence is threatened. American institutions are threatened by this influx of the refuse and criminal hordes of foreign countries.

Some time ago the chairman of the Committee on Immigration in the House, Congressman Burnett, of my State, said that while in Italy he made inquiry about a dangerous band of outlaws and cutthroats that he had heard of in Italy. The man to whom he was speaking said: "They have all gone to America." The hearings in the House at that time disclosed that the King of Denmark pardoned 700 criminals with the distinct understanding that they would go to America. In other instances we are told that foreign countries make up purses to send out of their countries undesirables, and they send them to America. God help us to protect the great household of America from the dangers that threaten it.

> What care we for wrongs and crimes,
> It's dimes and dollars, dollars and dimes.

But they tell us that the immigration agents and steamship companies make money out of it. Away with the interests of America! "What care we for wrongs and crimes; it is dimes and dollars, dollars and dimes." The steamship companies make money out of it. Certain organizations, political and religious, profit by it. On with the dizzy and dangerous dance they tell us.

I protest against it, Mr. President. I wish I had it in my power to shut these doors tight for at least 12 months' time. We know how upset and distracted the world is. We know how much unrest and distress there is in the Old World, rent and torn by war. People want to get away from conditions over there. They want to leave behind them the big war debts. And what is the suggestion made to them? Go to America. Who is there to encourage them? The hired immigration agents. Who is there to greet and receive them? The steamship companies, ready and anxious to bring them over and dump them down upon the shores of America.

In the name of the boys who fought and died in France, I protest against such a course. I plead for the preservation of the institutions of my country. I plead for the great army of wage earners of America, to protect and defend them against this horde of unfit foreigners who want to come here to take their places in our industrial establishments. I plead for the honor and glory of my flag and for the preservation and perpetuity of American institutions.

The bill that you are going to vote for and have passed by the Senate is not what I would like to see become the law upon this subject, but as it is a great improvement on the House bill I shall vote for it.

THE NONPARTISAN LEAGUE, ITS ORIGIN, DEVELOPMENT, AND ACHIEVEMENTS.

Mr. LADD. Mr. President, I arise with a good deal of diffidence to speak for the first time before this the greatest deliberative and legislative body of the world. But when I read in the Washington Post for Sunday, May 1, 1921, a dispatch carried by the Associated Press that a former President, speaking before an audience at the New York University, has, as on previous occasions, denounced that great group of American farmers in the Central West and so cast indirectly reflections upon all the tillers of the soil, the real producers of the great share of the wealth and who constitute more than one-third of the population of this country, the largest single employer of labor, and who has more real wealth invested than in all the railroads, mines, and manufactures combined, I would fail to do my duty or in my humble way to try to represent the farmers should I allow this statement to go unchallenged. The headline reads:

> Taft denounces radical politics—Asserts Nonpartisan League is not patriotic, and socialists are fomenting class war.

In the text of the dispatch, we find:

> He said the Nonpartisan League, a combination of farmers originating in North Dakota, is not a patriotic American party.

Ex-President Taft has during the past year gone out of his way repeatedly to cast reflections upon the farmers' aspirations as represented by the Nonpartisan League, as well as upon the speaker, when it suited his purpose, and, apparently as expected he would do by some of his shortsighted political and banking advisers. It is clearly evident Mr. Taft knows very little of the real problems of the practical farmer who tills his own land, but has depended upon information largely furnished by that group who have for ages and in North Dakota for the past 40 years farmed the farmers, and from which group the tillers of the soil are determined to break away in their own orderly fashion and as loyal American citizens, not, as Mr. Taft would have you believe, as hoodlums and anarchists.

I propose to speak therefore at some length on the Nonpartisan League, its origin, development, and achievements.

The farmers of North Dakota are neither free lovers, bolsheviks, or socialists, and they have not attempted to go beyond their just rights nor have they attempted to destroy property rights, as I will try to show. Their acts have been tested in every court of the land, and the Supreme Court of the United States no later than June, 1920, upon the constitutionality of the acts of the legislature, said:

(Supreme Court Reporter, 250–253 U. S., October term, 1919, pp. 502 and 503.)

> This is not a case of undertaking to aid private institutions by public taxation as was the fact in Citizens' Savings & Loan Association *v.* Topeka (20 Wall., 665; 22 L. Ed., 455). In many instances States and municipalities have in late years seen fit to enter upon projects to promote the public welfare which in the past have been considered entirely within the domain of private enterprise.
>
> Under the peculiar conditions existing in North Dakota, which are emphasized in the 243 Opinion of its highest court, if the State sees fit to enter upon such enterprises as are here involved, with the sanction of its constitution, its legislature, and its people, we are not prepared to say that it is within the authority of this court in enforcing the observance of the fourteenth amendment to set aside such action by judicial decision.
>
> Affirmed.

In order to fully understand the Nonpartisan League and the reasons for its existence one must know the peculiar background in North Dakota.

North Dakota is one of the larger of our States, with an area of 70,000 square miles, very sparsely settled, and has a total population of less than 700,000 people. Agriculture is its chief industry, and 80 per cent of the entire population live on farms, while another 10 per cent live in villages of from 100 to 500 persons. Only 10 per cent of the population dwells in cities, and the largest city in North Dakota has only 22,000 people.

Although the majority of the people in North Dakota were born in the United States, about one-fourth of the people of the State come of Scandinavian stock and perhaps an equal proportion are of German and Russian extraction. These farmers or their immediate ancestors came to North Dakota only a generation ago when the Territory was open for settlement and homesteaded the land from the Government, and in 35 years their industry has transformed what were barren prairies, roamed only by the buffalo, elk, and deer, into one of the greatest agricultural producing States in the Union.

But while the farmers of North Dakota were producing great yields of grain year after year, which was materially contributing toward the wealth of the Nation, and while bankers, millers, grain buyers, insurance agents, and all those who did business with the farmer were making money, the farmers of North Dakota as a class grew poorer and poorer. Statistics show that in 1915 more than two-thirds of the farms of North Dakota were mortgaged and more than one-fourth of the farmers of North Dakota were tenants on the land they tilled.

This unfortunate condition had been created in a single generation in one of the most fertile farming countries in the United States.

Naturally there was a reason, and the reason was not difficult to find. The increasing poverty of the farmers of North Dakota was the direct result of an unjust marketing system, which permitted their ruthless exploitation by the great grain-buying and milling interests of Minneapolis and Chicago.

It is hardly too much to say that for a generation North Dakota was treated by great interests outside the State much as the Romans ruled their conquered Provinces. The financiers, millers, insurance men, packers, and grain-buying and railroad interests which centered in Minneapolis and St. Paul, Minn., looked upon North Dakota as their exclusive trade preserve and taxed its people all the traffic would bear. Discriminatory railroad rates, which frequently in years past averaged at least 40 per cent higher than charges on the same commodities in the neighboring State of Minnesota, made it difficult and almost impossible for North Dakota to develop its own industries, so that practically everything the State produced was shipped to the Twin Cities and Duluth, and virtually all commodities consumed in the State had to be purchased from these outside points.

This in itself was a very uneconomical system and not conducive to the development of the State's prosperity; but, in addition to this, the farmers suffered gross injustices in the marketing of the grain, which composed their staple crop. Practically all of the elevators in North Dakota were controlled by concerns closely connected with the Minneapolis Chamber of Commerce. Many of the banks in North Dakota also were owned by the same interests, and it was no coincidence but part of a settled policy that notes, mortgages, and other obligations incurred by the farmers usually fell due in the fall of the year. This and a lack of storage facilities compelled the farmers of North Dakota to market their crop almost immediately after it was thrashed, and for a period of 35 years price tables indicate that the grain from North Dakota was marketed when prices were at their lowest point in the year; but, more than that, the buyers took advantage of the farmers in the matter of grades, correct weights, and dockage in their grain.

Repeated experience convinced the farmers that there was something fundamentally wrong with the system that compelled them to sell always on a falling market when by holding their wheat a few weeks longer—not dumping on the market at times of harvest—they could get materially higher prices. The farmers of North Dakota also complained, with justice, about discriminations and frauds practiced upon them through the grading of their grain. The elevator men who purchased the grain fixed the grade which determined its value, and naturally it was to their advantage to make the grades as low as possible. In many cases grades were so arbitrarily fixed that the same load of grain has been given different grades at different elevators, and there are cases on record where shrewd farmers took the same load of grain to the same elevator on different days and had it graded differently—apparently the determining factor but a whim of the buyer.

The flagrant injustice of allowing the grades of grain to be arbitrarily fixed by the buyer is best evidenced by the fact that the great terminal elevators at Minneapolis and Duluth habitually sold more bushels of high-grade grain than their records showed they had purchased from the farmers. Evidently by some mysterious hocus-pocus grain became enhanced in value after it had left the farm and gone into the hands of the grain buyers, and, of course, this manipulation in grades cost the farmers of North Dakota in the aggregate many millions of dollars every year.

The best illustration of the essential dishonesty of this system of marketing was shown in 1916, when hot winds resulted in the production of shriveled kernels of wheat throughout North Dakota. The grain buyers announced that this wheat was unfit for human consumption and that none of the existing grades would cover the case. Therefore they said that the North Dakota wheat last year would have to be used for chicken feed, and special feed of the A, B, C, and D grade was devised to suit the occasion. Practically the entire crop of North Dakota wheat that year was purchased as feed—A, B, C, or D wheat—and the price of this wheat ranged from 40 cents to $1.05 per bushel under the ordinary grades at which the farmers had formerly sold their wheat. As a consequence the farmers of North Dakota lost millions of dollars on that one crop, and their rage and chagrin can be imagined when it was afterwards discovered that the mills of Minneapolis not only manufactured this wheat into flour but had the supreme audacity to claim superior quality for this flour on the ground that it was unusually rich in gluten—absorbed a large amount of water and made an exceptionally large loaf of nutritious bread. Copies of the circular letters which millers sent out to their trade advertising this flour came into my possession and enabled me to expose this gigantic swindle which had been perpetrated upon the producers of North Dakota. It was this fact more than any other that caused the farmers of North Dakota to enroll in the Nonpartisan League in such numbers.

For more than 10 years the farmers of North Dakota had realized that the marketing system was wrong and had been casting about for methods whereby they could get a fairer price for their grain. Most of them finally came to the conclusion that the erection of a State-owned terminal elevator would materially improve their situation. They believed that State-owned terminals would permit them to secure fairer grades, more reasonable dockage, and to hold their grain for the inevitable rise in price which always occurred after the season of thrashing. Consequently, way back in 1907, after the issue had been agitated and discussed all over the State, the farmers of North Dakota, by a majority vote of 86 per cent of the people, instructed the legislature to build a State-owned terminal elevator. The legislature did not heed this mandate, giving as an excuse that the erection of a State-owned terminal elevator would be unconstitutional, and two years afterwards, at another election, for a second time, by a majority vote of practically 86 per cent of the people, the constitution was amended so that the elevator could be built. Once more the legislature failed to heed this mandate of the people, giving as the excuse this time that they were not certain whether the terminal elevator should be built within the State or in the terminal market of Minneapolis. A third time the farmers passed a measure instructing them to build it within the State; then the legislature pointed out that the measure failed to provide an appropriation, and two years more were wasted, until the farmers for a fourth time, by an overwhelming majority, repassed a measure instructing the legislature to build a terminal elevator and provide an appropriation for it. This was in 1914, for seven years had elapsed through the dilatory tactics of the legislature, and it would seem by this that the people of North Dakota had made their wishes in this matter most manifest and that nobody of the elected servants would dare to refuse their plainly expressed mandate. But the North Dakota Legislature was completely dominated by agents of the milling combine and the railroads, and once more it refused to accede to the wishes of 86 per cent of the people.

It was at this time, in the winter of 1915, that a delegation of about 300 farmers went to Bismarck to ascertain why it was that the legislature would pay no attention to their demand for a terminal elevator, and it was on this occasion that one of the old guard legislators in the course of a speech against the terminal elevator, turned to the farmers, who were patiently sitting in the gallery, and said: "You farmers go home and slop your hogs. We will make the laws in this State." This insult, on top of the years of neglect, was a material factor in the formation of the Nonpartisan League, for the delegation of farmers who had thus been publicly flouted held a meeting at a hall at the State capital that night, and at the meeting it was determined to form a great State-wide organization that would elect men to the legislature who would carry out the

wishes of their farmer constituents. Of course, other factors combined to force the farmers into politics, for about this time the attorney general of the State brought suit against and tried to dissolve the Society of Equity, which had been organized by George Loftus and which purposed to right the wrongs of the farmers through cooperative elevators and mills. The attack of the attorney general was undoubtedly inspired by the Minneapolis grain combine, and it made it plain, even to farmers who favored cooperative rather than State ownership as the best method of solving their difficulties, that they must enter politics in order to protect their cooperative industries.

The organization of the Nonpartisan League looked like a hopeless task. There were approximately 80,000 farmers in North Dakota and they were scattered over a great area, larger than all New England, but its organizer, A. C. Townley, started walking from farm to farm and asking the individual farmers to sign a short political platform which had been formulated, and on the first day out he called upon six farmers, all of whom joined. The first week that Townley was organizing he called upon 79 farmers and 78 of them joined the organization and paid him dues. This shows how ripe North Dakota was for a farmers' organization. Soon Townley put other organizers to work and soon the organizers were riding about in Fords instead of walking from farm to farm. The movement swept the State like a prairie fire, and in less than six months' time more than 20,000 members had joined the organization and paid two years' dues in advance.

The platform of the Nonpartisan League was short and explicit. It demanded, first, the construction of State-owned elevators and mills, the establishment of a rural credits bank to give the farmers long-time loans at low interest rates; the creation of a department by the State that would insure the farmers against loss by hail, exemption of farm improvements from taxation, and the passage of equitable grain-grading laws which should be administered by the State grain inspection department.

The political tactics of the farmers were in keeping with this concrete program. Members of the Nonpartisan League of every township met in caucus at their schoolhouses and named delegates to their county conventions and legislative nomination. To prevent any hand-picked slate from being railroaded through, the name of every man present was placed in nomination, and then the farmers voted for their choice in a secret ballot. In each ballot the name of the low man was eliminated until finally a successful nominee had a majority of all the votes cast. This process was slow, but it was democratic and resulted in a high type of men being chosen as delegates to the State conventions and nominees for the State legislature. The farmers as a result of their experience had a distrust of professional politicians, and generally they carefully avoided nominating these self-seeking gentry and chose for their legislators fellow farmers whom they knew and trusted. Most of these men did not seek the office, but were literally drafted into political service by their neighbors who insisted that they serve, and few of these men refused to serve even though in many instances it meant great personal sacrifice. The candidates for State officers were chosen at State conventions in much the same way, and Lynn J. Frazier, the first farmer governor of North Dakota, who is now serving his third term, was not even a delegate to the convention. The farmers spent three days in canvassing the situation, and some of Frazier's neighbors mentioned him as a good man. He was spoken of so highly that finally the convention called in other men from Frazier's neighborhood, and they were cross-examined as to his character and qualifications. This quiz convinced the farmers that Frazier was the right man and he was unanimously nominated, although most of the farmers had not even seen him and only knew about him through the testimony of his neighbors and friends. Frazier himself had no knowledge that he was being considered for the position, and, like Cincinnatus, he was plowing in the field when a delegation of his neighbors notified him that he had been nominated for governor. "Why, gentlemen, I have had no experience in politics," Frazier exclaimed. "That is why we picked you, Lynn," wittily responded the quizzical old farmer whose experience had led him to suspect all professional politicians. Most of the other candidates for State office were chosen in much the same way, and the majority of them were farmers. It is noteworthy and quite typical that this convention only indorsed three men of the professional politician type, and that all of these men afterwards turned traitor to the farmers' movement while every actual farmer elected to the State office by the Nonpartisan League has remained true to the men who put him there.

The Nonpartisan League did not put up candidates on an independent ticket. It was, as its name implied, nonpartisan, and the candidates it indorsed entered either the Democratic or Republican primaries as the exigencies dictated, and all members of the Nonpartisan League, whether Republican, Democratic, Progressive, Prohibitionist, or Socialist, pledged themselves to vote for the nominees indorsed at their caucus. The league had grown so rapidly that in the spring of 1916 its nominees swept the Republican primaries, and in the fall elections of the same year Gov. Frazier and all his associates were elected by top-heavy majorities. The league also elected more than two-thirds of the members of the lower house of the State legislature and practically all the senators who were up for office.

North Dakota, however, has a constitutional provision whereby only one-half of the State senate is elected every year, and although the Nonpartisan League had elected a majority of the senators whose terms expired, the hold-over majority in the senate controlled that body and the farmers of North Dakota once more found the accomplishment of their hopes had been blocked by a small coterie of professional politicians. The Nonpartisan League majority in the house of representatives promptly passed laws incorporating the demands of their program, but the reactionary hold overs in the State senate refused to heed the will of the majority and the legislature adjourned without passing any of the measures which had been promised to the farmers by the leaders. The professional politicians hoped that the league would fall apart as a consequence. They predicted that the farmers would be so disappointed over their failure to get a prompt enactment of the laws desired that they would turn upon their leaders in disgust; but, instead, the spirit of the farmers was only strengthened. The leaders explained that the program had been blocked entirely by the remaining professional politicians in the legislature and that it would be necessary to wait two years and reelect the lower house of the legislature and defeat the reactionary senators who had blocked their program. With marvelous patience, the farmers grimly awaited to inflict the final defeat upon the men who had blocked their program for so many years, and instead of disintegrating, the league greatly increased its membership.

In the meantime this country entered into the war with Germany, and the great corporate interests, whose selfish profits were jeopardized by the Nonpartisan League program, took advantage of this fact and tried to destroy the organization by accusing its leaders of pro-Germanism and disloyalty. History shows that in all countries all reform organizations are always accused of disloyalty in times of war, but history offers few parallels of the vicious and despicable assaults made upon the loyalty of the Nonpartisan League farmers. In Minnesota, Montana, South Dakota, and other neighboring States where the organization had taken root and was growing rapidly, the farmers were insulted and had their patriotism impuned; but in many cases league organizers were mobbed, tarred and feathered, and otherwise maltreated, and the farmers themselves were denied the constitutional rights of free speech and peaceable assemblage by disorderly mobs of overzealous officials who illegally broke up their meetings or placed a ban upon all political speeches. The farmers accepted this situation with real patriotism and remarkable patience or otherwise a very serious situation would have been created by unscrupulous politicians, who claimed to be fighting for democracy abroad, but were suppressing it at home with all the attributes of the Kaiser they were seeking to overthrow.

This situation did not exist in North Dakota, however. There was an oasis of sanity in a desert of hysteria. Gov. Frazier, fortunately, was that sterling type of an American who believed in upholding constitutional rights at all times. He knew the Constitution pretty well and he could find in it no provision which declared it inoperative in times of war. Therefore the governor announced that in North Dakota there would be no mobbing, no tarring and feathering, no repression of free speech, and no dispersal of public assemblage by law-abiding citizens. "If anyone says anything seditious, we will put him in jail," said the governor in effect. "But if anybody tries to break up a meeting because he thinks somebody is going to say something seditious, then he will go to jail." The common sense and firmness of the governor proved very efficacious and North Dakota was not disgraced by mob violence and hoodlumism which were connived at, if not often encouraged, by the governors of its neighboring Commonwealths.

North Dakota also had a war record of which every citizen of the State is proud. North Dakota oversubscribed its quota in every Liberty bond drive. In the second drive it had the largest per capita subscription of any State in the Union, and in both the third and fourth Liberty loans it was the first State in the Union to complete its quota. North Dakota also made a splendid record in donations for the Red Cross, Young Men's Christian Association, and other war activities, and its drafted men were put in the Army at a lower expense than any other

State in the Union. North Dakota also had the unique distinction of having one county where no men were drafted, as every eligible man volunteered. The State is also proud of the fact that it set an example for the rest of the country in its treatment of its soldiers while they were in the Army and after they were returned from war. During the war the North Dakota Safety Commission declared a moratorium on soldiers' debts. The families and dependents of the soldiers were not permitted to have their property foreclosed or to be ejected from their homes as they were in some neighboring States, and when the boys returned from abroad North Dakota was the first State in the Union to voluntarily give them a substantial bonus and as yet unequaled by any other State, namely, $25 per month for each month or fraction of a month actually in the war service.

Despite efforts of opponents of the Nonpartisan League to create prejudice against it by fanning the war hysteria, Gov. Frazier and the entire State ticket were renominated again in the spring of 1918 and reelected by substantial majorities in the fall of the same year. The league also elected more than two-thirds of the members of the lower house of the legislature and practically all the senators running for office, so that now for the first time it controlled both branches of the popular assembly. The Nonpartisan League now controlled every department of the State government, executive, legislative, and judicial, for the league leaders had taken the precaution to nominate and elect four members of the State supreme court. This step was bitterly denounced by its opponents, who declared that "the judicial ermine was being smirched" and that "the supreme court was being dragged into politics." This did not deter the farmers from putting up their own judicial candidates. They strongly suspected that even courts had divided opinions and might not always understand and appreciate the agricultural and industrial problems confronting the farmer, and it would not be unwise to select men for these positions who had manifested a liberal attitude in considering the farmers' problems. It is well that the league leaders had the prevision to gain control of the supreme court, for otherwise, judging by the experiences of other Commonwealths which have since, as well as previously, tried to benefit the lot of their people by legislative enactment, it is extremely probable that a constant succession of writs, injunctions, and other legal obstacles would have impeded their political progress more effectively than they have thus far been able to do with their many attempts which the courts have strongly resisted.

Having complete control of the State government, the Nonpartisan League officials did something absolutely unique in American political history. They were elected on the pledge to enact a definite political program, and they now proceeded to carry out their promises. I repeat that, so far as I can ascertain, this was never done before and has never been done since by any great political party. In a legislative session lasting less than 60 days every measure for which the people of North Dakota had waited for so long is written on the statute books of the State. A State mill and terminal elevator was authorized, the State bank was created, a State hail insurance department and State home-building association were authorized, and then the legislature adjourned after authorizing the issuance of $17,000,000 in bonds for the creation and operation of their industrial utilities, and empowering the governor, the attorney general, and the commissioner of agriculture and labor as members of the industrial commission with managerial powers over all the State utilities. Had the farmers stopped at the establishment of these State industries, intended to improve the condition of agriculture, they might have left themselves open to the charge that they were motivated entirely by selfishness and passing only class legislation.

But the farmers did not stop there. They passed 17 correlating laws tending to improve the status of organized labor and of women and children in industry. One was a workman's compensation act, another was a model mine inspection law, it was made obligatory to provide shelters for workmen engaged in out-of-door employment, child labor was prohibited, minimum wages were fixed for women, it was made illegal to employ women for more than an 8-hour day, picketing was permitted, and the use of injunction in labor disputes prohibited. Space prohibits a detailed description of these laws, but union leaders agree that they comprise the most advanced program of labor legislation in existence anywhere in the United States. These laws were passed without pressure or coercion, and solely because the farmers generously felt inclined to give to their fellow workers in the city the same measure of justice which they were demanding for themselves.

The farmers of North Dakota thought that at last the long-promised relief was at hand, but instead they found that they were only entering upon the real fight, for with a cynical disregard of the majority will the corporate interests whose profits were jeopardized by the Nonpartisan League program proceeded to resort to every possible subterfuge to defeat the will of the people. Their first step was to invoke the referendum law, which the nonpartisan legislature had enacted, and less than four months after the legislature had adjourned a special election was called to either ratify or reject the laws it had passed. The laws were ratified by a large majority, and then opponents of the league brought suit in the courts to contest the legality for this industrial program. The district court decided the program was constitutional, and this decision was affirmed by the State supreme court. Then the foes of the league took the case into the Federal court. Judge Charles F. Amidon, of the Federal district court, in a remarkable decision upheld the constitutionality of the whole program and pointed out its economic necessity. Appeal was immediately taken to the United States Supreme Court, which on June 1, 1920, by a unanimous decision sustained Judge Amidon and ended all further question as to the entire legality of North Dakota's industrial program.

In the meantime members of the North Dakota Industrial Commission, confident that the decision of the lower courts would be sustained by the United States Supreme Court, had gone ahead with their industrial program. The hail insurance department began operations, the home-building department started to build homes, the bank was created and commenced to function, and the State purchased a small mill, which was operated by the industrial commission, pending the completion of the 3,000-barrel-a-day mill which is now under construction. These industries have been in operation for a little more than a year and a half, and despite the incessant opposition, which has done everything in its power to make their operation difficult, they have made a splendid record of accomplishment.

The State hail insurance department, which insures the grain of the farmers against damage by hailstorms, has been in operation for two seasons. There were some 35 private hail insurance companies in North Dakota, and their premiums averaged 77 cents an acre for $7 worth of insurance in case the farmer's grain was damaged or destroyed. The State hail insurance department has given the farmers the same amount of financial protection for 28 cents an acre, thus saving the farmers of that State 49 cents on every acre of grain insured against damage by hail. In its two years of operation the State hail insurance department has insured more than 24,000,000 acres of grain, and on this single item alone the farmers of North Dakota have been saved approximately $12,000,000 in two years. The State hail insurance has demonstrated its efficacy and this one department of the State government has more than justified the agitation and expense incurred by the Nonpartisan League.

The State Mill & Elevator Association began its activities in a very small way. The State purchased a 75-barrel-a-day flour mill at Drake, N. Dak., and has been operating it for more than a year. This mill made 83 per cent profit on the total purchase price in the first 111 days of its operation. After that the industrial commission distributed the profits in the shape of higher prices for the farmers' wheat and lower prices for the consumers' flour. The farmers were paid on an average of 12 cents a bushel more for their wheat than they could receive at any of the private mills or elevators in North Dakota, and the flour which was manufactured from this wheat was sold at from 50 cents to $1 a barrel under the price charged by the private mills. The shorts, bran, and other by-products of the mill were kept in North Dakota and sold for $7.50 a ton less than was charged for the same materials by private concerns.

The State mill, although it has only been run on an experimental state, has demonstrated that huge savings can be effected in the marketing, manufacture, and distribution of North Dakota's wheat crop when the State enters into this business on a large scale. If the entire wheat crop of North Dakota could be handled by the State and manufactured into flour the annual savings to the producers and consumers of the State would not be less than $60,000,000. Opponents of the Nonpartisan League place great stress upon the fact that a recent audit of the State industries showed the mill to have lost $17,000 on its year's operation. Now, this fact can be easily explained. In the first place, the mill did not attempt to make a profit, but manufactured at cost, giving higher prices to the producer and charging less to the consumer. In the second place, in the fall of 1920 the price of wheat dropped rapidly from $2.50 to $1.50 a bushel, and this depreciation in the price of stored stock of grain accounts for the small loss shown by the State mill. Practically all the private mills in the Northwest were hit by the same calamitous drop in prices, and many of them lost huge sums of money. The book loss shown by the small State mill is trifling, indeed, when compared to the vastly larger sums it has saved

for the people of North Dakota. The State mill has proved its worth and the farmers of North Dakota more than ever are determined to carry out the principle of State ownership in the marketing and manufacture of their grain. Work has been started on the 3,000-barrel-a-day mill at Grand Forks, N. Dak., and will be completed as soon as the bonds for that purpose are sold.

In connection with the mill the model grain-grading laws enacted by the Nonpartisan League have already saved the farmers of North Dakota many millions of dollars. The new laws provide that when there is a dispute about the grade of grain a sample shall be sent to the State grain inspector, who determines the grade on its milling value. Farmers are also paid for dockage, which the grain buyers formerly had not recompensed them for, and it is estimated conservatively that these two laws alone have saved the farmers of North Dakota between three and five million dollars every year. Reduced and equalized freight rates have saved the people of North Dakota several million dollars more annually.

It is the State bank, however, which is the keystone of the industrial program of the Nonpartisan League, that has incurred the most bitter enmity on the part of the great financial interests which have been fighting this program. They realize that if the State bank is successfully operated in North Dakota it is likely to be adopted by other States, and this would strike them a heavy blow on the solar plexus of their industrial power. In fact, I am informed the South Dakota Legislature at its recent session took steps preparatory to establishing such a bank after the people have had an opportunity to vote on the proposition. It may also be worth calling attention to that the State of South Dakota this last summer came over into North Dakota and purchased a coal mine at Haynes and are operating the same to supply their public institutions.

Every unscrupulous means that fear and malice could suggest have been employed in the attempt to destroy the Bank of North Dakota. The fight is continuing and the boycott of the North Dakota bonds which has been decreed by Wall Street and other financial centers is part of the concerted campaign to coerce the farmers of North Dakota and to compel them to abandon or fatally compromise their program. But despite this vicious and un-American conspiracy, the Bank of North Dakota is still solvent and the people of North Dakota are still determined to carry on the fight they have been waging so long.

The Bank of North Dakota combines the best features of the Federal Reserve System and the Federal farm loan act and is being operated in the interests of the people of the State. By law the Bank of North Dakota is made the depository of all public funds and it acts as the central reserve and clearing house for the some six hundred private banks of that State. In addition to acting as a reserve and central clearing house, it accepts deposits from both within and without the State and conducts a rural credits department which loans money to farmers for 30-year periods, which is paid back at the rate of 7 per cent a year on the amortization plan. Interest rates charged by the private banks of North Dakota were excessive, and this was one of the chief grievances of the farmers. The Bank of North Dakota, although handicapped by the boycott of its bonds, which deprived it of $10,000,000 contemplated for the purpose of real estate loans, already has materially reduced interest rates throughout the State by loaning approximately $3,000,000 to farmers. It also has proved a great source of strength in the acute financial stringency which was created in all the agricultural regions of the country as a result of the rapid drop in the price of all farm products. It is hardly too much to say that it was the stabilizing influence of the reserves mobilized by the Bank of North Dakota which prevented a disastrous panic in that State. Only 42 banks have closed their doors in North Dakota despite the fact that there have been four crop failures in the western part of the State and many of these will reopen again early, whereas more than 100 banks have closed their doors or failed in Georgia and more financial institutions have closed their doors in the adjoining Northwestern States than there have in North Dakota, although the publicity propaganda is not used in their case as in North Dakota. The Bank of North Dakota, although it has performed great public service at a low cost, has made a net profit of $129,000 in the 18 months of its operation in addition to creating a surplus of $40,000 and repaying the legislative appropriation of $24,000 necessary for its establishment. In view of this record the Bank of North Dakota has more than justified the warmest predictions of its creators and has proved that a public bank administered in the interests of the public can be of inestimable benefit in curbing the usurious charges of private monopolists.

The home-building law of North Dakota is another novel act designed for the welfare of its citizens. This law provides that any citizen can make deposits with the State for the purpose of purchasing a home. He is paid 6 per cent interest on these deposits, and when he has accumulated $1,000, for example, he then can go to the proper authorities, they will select and purchase a site of the house, agree upon the plans, and then will advance $4,000 in addition to the $1,000 put up by the citizen purchasing it, who is given 20 years in which to repay this sum on equal monthly installments. Under this humane and efficient system an individual can purchase a $5,000 home in North Dakota for $28.65 a month after he has made the initial payment. This is actually cheaper than the average rent for the same sort of a dwelling, and there has been a great demand for homes in North Dakota since this law was inaugurated.

The foregoing, in brief, is the history of the Nonpartisan League and its accomplishments in North Dakota. It is the history of a people who were ruthlessly exploited by great corporate interests until in self-defense they turned and sought an economic remedy. After due deliberation they decided that the only way in which they could materially improve their situation was to use the machinery of the State and create public utilities to compete with the private monopolists who were draining the State of its sustenance. Every step has been taken only after due deliberation and discussion. Every step has been taken in a legal, orderly, constructive way. There has been no revolution in North Dakota. Instead there has been peaceful evolution in comformity with the forms guaranteed by our Constitution and truest American tradition. North Dakota has proved the very valuable lesson that it is possible to right economic wrongs peaceably through existing political machinery and without resort to violence which has for its end overthrow of the State or industrial paralysis. The people of North Dakota are carrying out a great experiment in industrial democracy, and if they succeed in the work which they have thus far carried on so successfully in the face of many daunting difficulties, their example is certain to be followed by the sovereign people of other American commonwealths who are groaning under the oppression of the same industrial despots.

I fear Mr. Taft has been influenced by the propaganda referred to by Judge G. W. Anderson of the Federal circuit court in Boston, who had charge of the prosecution of German propagandists during the war and who said recently—

> that 99 per cent of all the German plots we read about during the war did not exist; and that likewise 99 per cent of the teachings of violence which we hear about to-day are purely imaginative. Both, he said, have been manufactured by the same group of people in alliance with the public press for the purpose of introducing a rule of fear in their own interests.

I quote also the public statement of John H. Dietrich, minister of the First Unitarian Society of Minneapolis, who has had an opportunity to study at first hand the Nonpartisan League movement and who says:

> The best illustration of the political possibilities in this country is found in what has happened in our neighboring State of North Dakota. Here is a State which has been captured by a recently organized political party for the specific purpose of changing the Government along the most drastic lines of social reform. In the beginning everything was against them. The legislature, the governor, the courts, bore the usual relation to the business interests. The newspapers were opposed to the movement. Rights of speech and assembly were denied with unexampled rigor. But in six years time, with an unrivaled sense of solidarity, the farmers swept everything before them. They won the governorship, took over control of the legislature, captured the courts, and rewrote the constitution of the State, and to-day North Dakota belongs to the Nonpartisan League. Regardless of what you may think of the platform of the Nonpartisan League, you must admit that its accomplishment testifies that there is nothing that can not be done once the people really make up their minds to do it. What has been done in North Dakota can be done in Minnesota, in Illinois, or in Pennsylvania, or in the Nation at large. If there is anything that can not be achieved, it is because the people do not understand it and therefore need education, or because they do not know how to get it and therefore need organization.

Yesterday we extolled the farmer as the very backbone of the Nation, the Gibraltar against which the waves of discontent and radicalism might dash without harm to our democracy or the undermining of our national welfare.

To-day the same farmer in some sections is looked upon as a bolshevik, a socialist, undermining and destroying our very national existence. There is no question but what there is great discontent among the farmers, for prices of all farm products have dropped out of all proportion to the cost of other products or to the cost of production, and the farmer is on the verge of bankruptcy.

Why this sudden change of front? Has the farmer overnight been transformed from the sturdy individualistic yeoman of our land to a dangerous citizen, organized to overthrow the Government and destroy American liberty, which he has for 200

years helped to build up and which he has fought to make safe; or what is the trouble?

No; the farmer stands where he has always stood, a lover of freedom, a man who believes and practices what he preaches.

Not less than 70 per cent of the Nonpartisan League membership in the 13 Western and Northwestern States, where they are most fully organized, are Republicans. They are organized without regard to party lines for the purpose of trying in an orderly fashion at the polls and in the legislature to throw off the oppressive yoke that has been put upon them by a system devised by a privileged few, and through wrong or antiquated legislative enactments they are afforded legal protection.

I say, therefore, if these great bodies of farmers of this Central West, as well as elsewhere in the country, whom I have the high honor to represent, are to be read out of the Republican Party by a few spokesmen or self-selected leaders, I prefer to stand on honest conviction and right principle with the farmers than to be aligned with either existing party, that can not or will not sympathize with them and is not willing to try to understand and alleviate their wrongs.

It is my candid belief, however, that Mr. Taft, unsympathetic as he is with real agricultural problems and the farmers' needs, does not represent the opinion of my associates in Congress who have manifested a keen sympathy for the farmer and a desire to grant reasonable relief needed to again restore American agriculture to its former prestige. I do not feel, therefore, that farmers need fear that their interests will not be looked after, not as in the past through honeyed words, soon to be forgotten, but in constructive legislation providing for cooperative marketing through the principle of collective buying and selling, in tariff legislation necessary to protect the farmer and his products, to extend the benefits of the Federal land bank and rural credits more fully to meet the needs of the farmer and the money to be furnished at no higher rate of interest than is now required for money furnished bankers in order that the farmer may market his products in an orderly fashion, to have legislation enacted which would encourage land ownership in place of the rapidly increasing tenancy, and the honest adjustment of taxes, which means, in their judgment, the defeat of the sales tax now proposed and which they believe would shift the burden of taxation from the shoulders of those best able to bear the same onto the common people, largely the farmers and the wage earners.

Again, I repeat, the farmers ask for no special class legislation, but rather for legislation which shall insure justice to all and special privilege to none.

RESTRICTION OF IMMIGRATION.

The Senate, as in Commitee of the Whole, resumed the consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States.

Mr. HARRIS. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 9, line 3, it is proposed to amend by striking out "three" and inserting "one," so that it will read:

SEC. 2 (a). That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 1 per cent of the number of foreign-born persons of such nationality resident in the United States—

And so forth.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. JONES of Washington. Mr. President, I offer the amendment which I send to the desk. I desire to have it come in before section 4 of the committee amendment, so that what follows shall apply to this in case it is adopted. It will then involve a renumbering of the subsequent sections of the committee amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The ASSISTANT SECRETARY. It is proposed to insert in the bill a new section, to be known as section 4, and to read as follows:

SEC. 4. That no person shall be admitted to the United States under the foregoing provisions of this act unless brought here in a vessel of the United States: *Provided*, That this restriction shall not apply to citizens of contiguous countries coming overland.

Mr. JONES of Washington. Mr. President, I shall take just a moment. I am not going to discuss this matter at any length at all.

Personally I am in favor of preventing any immigration to this country, at least for a period of years. I believe that we ought to stop immigration until we get those who are here fully and thoroughly assimilated. I should like to see the citizenship of this country thoroughly American, making the interests of the United States, the welfare of the United States, and the peace and stability of the United States their supreme aim and object.

I sometimes think there are many of our citizens who are really giving their highest allegiance to some other country, some other Government than our own. I sometimes think there are those in this country who are in fact American citizens who make the welfare of other peoples and other countries supreme over the welfare of our people and of our country. I do not believe that this condition of things will pass away until those who are here are fully imbued with their obligations and duties toward this country, and are filled with the thought that every act of theirs should be primarily for the supreme interest of the United States.

I have not any doubt but that in the last election there were thousands and possibly millions of the voters of the country who were moved to vote a certain way simply because some one had not done as they thought he ought to do toward peoples and countries outside of our people and our country. That may have redounded to the advantage of the party to which I belong, but, Mr. President, it is a sad and an unfortunate state of our citizenship that such a course should be taken.

I remember, when the peace treaty was being discussed on the floor of the Senate, receiving a telegram from an organization in my State referring to a certain action taken by the Executive, stating that because of that action there would be 5,000 votes of a certain nationality cast against the Democratic ticket at election time. Mr. President, such a condition as that can not promote the welfare, the happiness, and the stability of this country. We are not to-day a Nation of people devoted to one flag, one ideal, and to the principles of this country, but those who have come here from different countries, and who are of different nationalities, have not reached the point yet where they are making this country and its interests their supreme object. As I said awhile ago, I believe we ought to stop immigration to this country until those who are here are fully and thoroughly assimilated.

So, Mr. President, I shall vote for this measure not because it goes as far as I would like but because it goes further than the present law, and I shall vote for every proposition which comes more nearly to what I would like to see done.

I know that the members of the committee are just as patriotic and just as sincere in their desire to do the proper thing for this country as I am. I am simply expressing my own idea and my own view as to what I think would be the wisest course to take. I think they have done well in bringing out a measure that is as restrictive as the measure which they have presented to the Senate. I think I appreciate the difficulty that has confronted them, and, without going into the argument with reference to the different propositions which might be considered with regard to this great question, and various objections which might be made to the position I take, I simply content myself by expressing my views as to what should be done and my purpose to vote on every occasion, when I have an opportunity, in favor of restricting immigration to this country until we get a condition here that I think is really for the best interests of the country.

Mr. WATSON of Georgia. Mr. President, before the Senator takes his seat I would like to ask him if he will support a proposition to close the doors of immigration entirely for, say, a period of five years?

Mr. JONES of Washington. I will.

Mr. WATSON of Georgia. Then I will propose it, as a member of the Committee on Immigration, and we will see just how many Senators will vote for it.

Mr. JONES of Washington. I will. I am inclined to think it will take more than five years to assimilate those who are here, so I will vote even for a longer time.

I wish to give just one illustration, Mr. President. I went through the immigration station at Ellis Island some time ago. I went into the room where they were examining the immigrants and where they were hearing the testimony in support of their admission to this country. They had up one case, and a witness appeared in behalf of the person desiring to come in here. An interpreter had to be used to get his testimony. Upon inquiry I found that that witness had been in this country for 17 years and could not speak or understand the English language. Mr. President, I think that illustrates just what we need to do in this country. We need to Americanize in the fullest sense of the term millions who have come here.

Mr. President, when I say I am in favor of keeping them out until that is done I am not reflecting upon those people at all.

I am simply expressing what I believe is for the best interests of our country. It is a matter of national defense with me, and I put the interest of the country and its defense above everything else.

Mr. President, I have offered an amendment which would be a little bit further restrictive, I think. I want to require those who do come here to come in American ships. That brings up, of course, the question of the American merchant marine. That I am not going to discuss, except to say that I believe the time has come when, if we want an American merchant marine, we must do everything and take advantage of every opportunity that will tend to build it up and encourage its development.

Our competitors are going to keep us off the seas if they can do it. They are going to use every possible means to accomplish that end, and I think we will be derelict in our duty toward the national welfare if we neglect any opportunity which presents itself to us of which we could take advantage to help build up and maintain an American merchant marine. If we required every immigrant who comes to this country to come in an American ship, we would go a long way toward establishing upon a permanent basis some shipping lines, especially passenger-carrying lines, across the Atlantic.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES of Washington. I yield.

Mr. KING. I would like to ask the Senator, who is chairman of the Committee on Commerce, and perhaps more familiar with our merchant marine than most of us, whether we have sufficient boats running to all the ports in the world from which immigrants will come to care for those who might desire to come to the United States? We have boats, I know, which go to some European ports, some Asiatic ports, and some South American ports; but my understanding is that there are many points to which our passenger boats do not go, and the Senator knows that our freight boats will touch more ports than our passenger boats will touch. I am inclined to think that if his amendment were to be adopted it would inhibit some people coming to the United States who would be entitled even under the restrictions of this bill to come to our shores.

Mr. JONES of Washington. Mr. President, of course that might be true; nevertheless that would be very satisfactory to me. We have enough ships, I think, but we probably have not the lines established to touch at the various ports from which persons would like to come. That would not prevent those who do desire to come here, and who are in condition to come, from going to the points from which our ships would sail.

Mr. NELSON. Mr. President, if the Senator's amendment, totally excluding all immigration to this country, were adopted, how would it help American shipping?

Mr. JONES of Washington. I have not offered an amendment of that kind. I simply expressed the view that I would like to see that done. But I have offered my amendment to comply with the terms of the bill as presented by the committee which would allow three or four hundred thousand people to come here; and if they do come, I think they should come in American ships.

Mr. KING. Mr. President, the Senator knows that we are making very strenuous efforts now to secure foreign export trade. We have hundreds, and possibly thousands, of representatives of our business houses in various parts of the world. If our foreign trade expands, as I hope it will, we will send more and more of our young men to the various parts of the world for the purpose of developing our foreign trade. Does not the Senator think that if we adopt the amendment which he has just tendered it may promote legitimate retaliation by other nations, and that they will prohibit American business men and other Americans from coming to their shores except in their own bottoms? So that we would lose more than we would gain. Under the bill now before us, there will not come into the United States in excess of about 300,000 or 350,000 in any one year. We are sending abroad every year more than 300,000 or 350,000 persons—tourists and business men—and the number, if times improve, will greatly increase. If the Senator's amendment is adopted, I think he may be working in the interest of foreign shipowners rather than in the interest of our merchant marine.

Mr. JONES of Washington. Mr. President, I have not any fears of that kind at all. Of course, I do not know that my friend intends to present it as an objection, but it seems as if we can hardly present any proposition looking toward the building up of the American merchant marine but that some one is afraid that some other country will retaliate.

Mr. President, other countries are discriminating against us all the time. They are using measures and means to build up their trade, regardless, apparently, of what they expect from us. I expect to take this matter up some of these days. But I did not intend to take any time in discussing it to-day. I am just going to refer to one little incident brought to my attention the other day—an arrangement being made between Jamaica and Canada under which no imports can be taken into Jamaica except in Canadian ships. Are they afraid of our retaliation? I suppose not. We will not retaliate. We will just turn the other cheek whenever they strike us a blow.

The time has come, Mr. President, when this country, not as retaliation, but simply to meet discriminations that are being made against us, should seek not only passenger traffic but freight, and we should do what is necessary to get it.

Another incident was brought to my attention the other day. I do not know exactly how true it is, yet it came from a very responsible man. I have referred the matter to the Shipping Board to investigate. A gentleman from Los Angeles wrote me that the newspapers on the Pacific coast are making their contracts for the purchase of print paper to begin the 1st of July; that they have received bids from a company that has its print mills in this country and in Canada; and that upon bids for the carrying of the print paper coming from the mills in Canada the Canadians have made a proposal to underbid any offer made by Americans for the transportation of those products by 5 cents a hundred, and therefore the contracts are being made with them. I would like to know, if that is the case, why those in charge of American shipping do not say to these people, "We will underbid any bid made by Canada and carry this print paper in American ships"? They do not hesitate to do it. Why should we not use the same methods to get cargoes for our ships which I have heard of other countries doing?

Over in Cuba American and British ships were lying waiting for cargoes. Apparently, according to a certain agreement with reference to rates, our ships bid a certain amount for the transportation of a cargo. The British ships underbid, loaded up with sugar, and came to this country; our ships lying there idle, or else coming home in ballast. We can not build up our American shipping, we can not build up American trade, in that way.

Mr. President, I did not intend to discuss these matters. I have not any hope, really, of the adoption of the amendment I have offered. I am satisfied that the committee amendment will be adopted without amendment. But I did want to use this as a vehicle, at any rate, to call attention to the situation which confronts us. The question is, Are we going to have an American merchant marine? If we are, we will have to do the thing that is necessary to build it up and to maintain it.

Mr. OVERMAN. Mr. President——

Mr. JONES of Washington. I yield to the Senator from North Carolina.

Mr. OVERMAN. Does not the evidence show, and has it not shown all along, that the foreign ship companies have their agents in foreign lands that induce immigrants to come here and stay, and that they have been encouraged by their Governments over there to locate here for a few years in order to send their money back to those countries? I think you will find that to be the case.

Mr. JONES of Washington. I have that impression, but I do not say that it is true. I think the Senator from Vermont [Mr. DILLINGHAM] could probably answer that question much better than I, because I know there is no one in this body who has gone into the subject as he has.

Mr. OVERMAN. I think the Senator from Vermont knows that to be a fact.

Mr. DILLINGHAM. Mr. President, if I may be permitted to make a remark on the subject, that matter was very thoroughly investigated in 1907 at the time the immigration commission did its three years' work. At that time the country's cry was that the steamship companies were dumping European emigrants into this country, that they had their agents everywhere in Europe, and were the inducing cause for their coming. At that time we made a very careful investigation of the question, and while we found the steamship companies were very glad to have the patronage of the immigrants, we found also that over 90 per cent of those immigrants came here because of correspondence had with their brothers, their cousins, or their former neighbors now in this country who had written them what the rates of wages were in the United States, had written them that work was plenty, and that if they came here they would be sure of employment and at the wages indicated in their letters. We found as a result of such correspondence that substantially 80 per cent of those landing in this country had, at the time of such landing, railroad tickets from New York to the place of their destination that had been sent to them previous to their leaving home.

The steamship companies, I think, were anxious to secure passengers, but we did not find that the immigration was induced by them, but was induced by friends of the arriving immigrants already in this country.

Mr. OVERMAN. My recollection is, and the Senator can state whether it is correct, that in reading the testimony at that time it was shown they had their own agents all over the countries of Europe.

Mr. DILLINGHAM. The steamship companies had booking agents; there is no question about that.

Going a step further and showing how thoroughly the immigration to this country was guarded—that is, in respect to their physical condition—let me call attention to this fact: There was a period of 13 months from December 31, 1907, when the immigration to this country was very large and when there were more rejections in Europe, three times over, than there were in the ports of the United States; that is to say, when the immigrants reached the United States. We have placed upon our statute books a law which holds the steamship companies absolutely responsible for the physical condition of every person brought over by them; in other words, we require the steamship companies at the port of embarkation to make a physical examination of every proposed immigrant, and if they bring an immigrant to this country—and this is the law at the present time—who has any disease that might have been discovered by a competent medical examination at the port of embarkation they are compelled to take that immigrant back to the country from which he came free of expense. That has had a marvelous effect upon the character of our immigration.

Now, what has been the effect? So many were rejected at the port of embarkation at Bremen and other great ports in Germany that the German Government became alarmed; the people from Russia and countries north and west of Germany who entered that country to take the German vessels and who were rejected at the ports of embarkation became a burden to those cities. The German Government therefore compelled the steamship companies to establish control stations at different places on the borders of Germany at such companies' sole expense. During 13 months 27,799 immigrants were rejected at the German border. They never even reached the ports of embarkation. At the ports of embarkation there were 11,882 rejected by the steamship companies, making a total of 39,681 rejected in Germany, while during the same 13 months there were only 13,064 rejected at the American ports. In other words, by this legislation alone through medical examination at foreign ports nearly 40,000 intended immigrants were rejected in a single year, while we rejected only 13,000 at our own ports.

Mr. McCUMBER. How many were we admitting into the country during that time?

Mr. DILLINGHAM. We were bringing in at that time, as I remember, 700,000 or 800,000 annually.

Mr. OVERMAN. Was there not some proof about the Government of Austria being engaged in encouraging emigration to this country?

Mr. DILLINGHAM. Only in respect to Hungary, and that was proved to be a mistake.

Mr. OVERMAN. I remember that evidence was brought out to the effect that they were doing that.

Mr. DILLINGHAM. When the commission was in Europe I was assigned to Italy, Austria, Hungary, and Russia. I went to Budapest and had a long consultation with the minister of emigration there, and I found that Hungary had awakened to the idea of her own development, after seeing what Germany had done, and had inaugurated a policy of keeping her men at home, because they needed them in the development of their own Kingdom.

Mr. JONES of Washington. We all know the wonderful strides made by Germany before the war broke out in the building up of her merchant marine. It was growing by leaps and bounds, and even threatened the supremacy of Great Britain upon the seas. I was reliably informed the other day that one of the measures that Germany took toward the building up of its merchant marine was to require that everyone leaving Germany as an emigrant to the United States must go in a German ship. It was a wise policy from the standpoint of building up the German merchant marine. It would be a wise policy for this country to follow something along the line suggested by the pending amendment.

Mr. President, I was thrilled by the statement of the President in his message to Congress that the American people propose to have an American merchant marine, but we will not get it and we will not have it unless we do what is necessary to get it and to maintain it. I have not made any statement with a view to controverting the positions of other Senators or anything of that sort. I merely desired to state my position. I am in favor of this policy from two standpoints, because I am in favor, as I said, of cutting off, at least for a time, all immigration to this country. Those who are opposed to that policy, of course, will vote against the amendment. Then, I am in favor of the amendment because it would tend to limit those who come, and I am also for it because I think it would go a long way toward helping to build up the passenger lines and merchant marine of this country.

Mr. COLT. Mr. President, one purpose of the amendment proposed by the Senator from Washington is further to restrict the immigration called for under the bill, but the Senator goes further and says that he is in favor of a complete suspension of immigration. He bases that proposition upon the ground of the Americanization of the aliens who are already in the United States.

I should like to ask the Senator if he believes that with the 30,000,000 aliens or descendants of aliens in this country he will tend to Americanize that body by barring any of the nationals belonging to those countries from coming into the United States? Nationalization, Americanization, is based upon affinity, upon attachment, upon something akin to the family tie. It is not based upon any obstructive legislation. Just think of the effect upon the state of mind of the millions of aliens in this country if the American Republic should for the first time in its history bar every national from its gates. I maintain that it would have a most disastrous effect.

Further than that, we are trying to increase our trade with foreign countries. We are going to send our agents abroad to build up that trade. What kind of a reception will they meet in European countries when they learn that the United States of America forbids every national from entering our gates for five years? Is that an American policy? Have we come to that extreme view of isolation? Is that the position that the United States of America, with 30,000,000 of aliens here, is going to occupy toward all the great family of nations? I do not believe that those who say they would totally suspend immigration for five years have reflected upon it from the broader standpoint.

I do not know what effect it might have upon treaties, I do not know what effect it might have upon foreign Governments in their attitude toward the United States, but I do believe from the bottom of my heart that it is a narrow, impolitic policy unworthy of this great Republic.

The proposed amendment to the pending bill, of course, would tend to further restriction. Let me say here that it is the purpose of the committee to frame permanent legislation along the lines of selection at the source and of distribution after arrival and along the line of restriction. The pending bill is only a temporary measure providing for an emergency based upon a proposition which, to my mind, is much exaggerated, as shown by statistics, that owing to war conditions abroad there is a flood of immigrants who are seeking to come to this country. The committee tried to take a reasonable view. There were those who wanted 5 per cent or even more. There were those who were in favor of the principle of suspension. However, we finally agreed as a matter of compromise to make it 3 per cent. On the basis of 3 per cent the total arrivals will be 355,261.

There is another feature of immigration that no one seems to take into account, and that feature is the number of departures. Ever since we have had a record of departures, 35 aliens have departed to every 100 who have arrived. So far as the immigration from southern and eastern Europe is concerned, in the year ending June 30, 1920, 122 went home to every 100 who came in.

Mr. KING. Mr. President, will the Senator permit an interruption?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Utah?

Mr. COLT. In just one moment. If we should deduct the ordinary rate of departures under the 3 per cent plan, we will have net for the year ending June 30, 1922, only 231,050. Then, as shown by the Senator from Vermont [Mr. DILLINGHAM] in his report, of that 231,050 a greater proportion would come from northern and western Europe than from southern and eastern Europe. Those from northern Europe we call rather the better class of permanent immigrants. So this bill is simply an intermediate step or compromise between total suspension of immigration and a policy of admitting the number who would normally arrive during the current year.

To those who are so fearful of immigration I should like to state the number that have arrived during the present year. I shall not read the odd figures. The number of arrivals dur-

ing July was 62,000; August, 67,000; September, 76,000; October, 82,000; November, 87,000; December, 59,000; January, 55,000; February, 52,000; and March, 45,000. The figures show that immigration now month by month is falling off. That is probably due to economic conditions in this country, for economic conditions are a barometer. When economic conditions are bad immigration automatically falls off, to a large extent. If we take the total departures for those nine months, amounting to 176,000, we have a net total of 382,208 during the nine months. If immigration should continue in the same proportion, not counting any decrease for the next three months—and I am quite certain there will be no increase, for there has not been any increase during the last three or four months, but there has been a gradual decrease—we would have coming in under the present law for the year ending 1921—and since last summer transportation facilities are said to have been normal—a total of only 509,611 immigrants during the year. This bill would cut that down to 355,461, or, with the departures, to a net of 231,050.

Now, looking at the question from a broad standpoint——

Mr. CALDER. Mr. President, will the Senator from Rhode Island yield to me?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from New York?

Mr. COLT. Certainly.

Mr. CALDER. Do I understand from the Senator's last remark that the limit of those who could come here in any one year under the pending bill would be something like 355,000?

Mr. COLT. Exactly.

Mr. CALDER. It would not be likely, however, that that many would come, because in immigration from many nationalities, such as the British Islands, and Germany, perhaps, and the Scandinavian countries, there has been a great falling off. So we should hardly reach, under any circumstances, the percentage allowed from those countries, would we, I ask the Senator?

Mr. COLT. We should probably not.

Mr. CALDER. But we would do so as to immigration from the other countries, from southern and eastern Europe. So in all probability the pending bill will reduce our immigration to something like one-half of what the Senator's maximum figures show?

Mr. COLT. It would.

Mr. DILLINGHAM. Mr. President, may I be allowed to interrupt?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Vermont?

Mr. COLT. I yield.

Mr. DILLINGHAM. In answer to the inquiry of the Senator from New York [Mr. CALDER], I desire to say that northern and western Europe, made up of Belgium, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom, would be entitled to bring in between 19,000 and 20,000 more immigrants than are actually coming. The average during the three years just previous to the war from those nations was, in round numbers, 182,000. Under the pending bill those countries could bring in 202,000—between nineteen and twenty thousand more—but probably will not do so, as the Senator from New York suggests. However, on the other hand, from eastern and southern Europe, consisting of Austria-Hungary, Bulgaria, Serbia, Montenegro, Greece, Italy, Portugal, Rumania, Russia, Spain, Turkey in Europe, and Turkey in Asia, there were coming in previous to the war, upon an average, 738,612 immigrants. Under the pending bill we could only admit from those countries 153,249; in other words, we absolutely cut out from that immigration 585,000 immigrants annually.

Mr. CALDER. About four-fifths of the immigration that has been coming in?

Mr. DILLINGHAM. Yes; about four-fifths of it.

Mr. COLT. That is, of the average in the past?

Mr. DILLINGHAM. Yes.

Mr. COLT. I may add that the Committee on Immigration would not adopt any amendment to the House bill which in any way increased the number of immigrants. Although that does not accord with my views, I for one felt that there was a very strong undercurrent in favor of a practical suspension of immigration, and therefore I yielded my views. So we reported the bill just as it was passed by the Senate at the last session.

Mr. WATSON of Georgia. Mr. President, will the Senator from Rhode Island allow me to ask him a question?

The VICE PRESIDENT. Does the Senator from Rhode Island yield to the Senator from Georgia?

Mr. COLT. Certainly.

Mr. WATSON of Georgia. In the case of a country where immigrants to the number of 6 per cent of their nationality desire to come in and we only admit 3 per cent, what is the line of reasoning that cuts out 3 per cent and lets in the other 3 per cent? Is there not discrimination there not based upon any real reason or fact?

Mr. COLT. No; I should say there was no more involved than in the issuing of visés. We could simply tell them, "You will have to wait until the next year; you can not come in during this year."

Mr. WATSON of Georgia. Then the same question would confront us next year.

Mr. COLT. When we come to that bridge we will cross it; we are in deep enough water now.

Mr. WATSON of Georgia. Are we not at that bridge now?

Mr. COLT. I can not answer the Senator, except to say that if there were 6 per cent who wanted to come, and 3 per cent only could come, those who first made the application could come in and the remainder could not during the calendar year.

Mr. WATSON of Georgia. Might it not happen, may I ask the Senator from Rhode Island, that the very one-third that we allowed to come would be the least desirable and the one-third we excluded would be the most desirable?

Mr. COLT. The Senator uses the expressions "desirable" and "undesirable," but the present immigration law, if enforced, excludes every undesirable immigrant.

Mr. WATSON of Georgia. How?

Mr. COLT. And the criticism in connection with the use of the terms "desirable" and "undesirable" is derived from the fact that the present immigration law is not strictly enforced. Under the present law there is a physical test; an alien can not come in unless he is physically sound. Then there is a mental test; there is an educational test; there is an anarchistic test, if it may be so called. There are various tests which if applied, generally speaking, would only admit those whom we call desirable as distinguished from those who are undesirable, although it might be said that after those tests were all applied, there might be some who, by reason of their habits, customs, and so forth, we would prefer to keep out, but the very purpose of the present immigration law was to exclude the undesirables. However, when it comes to the question of specific classes or races which it is desired to exclude we open up the broad question of exclusion on account of race.

Mr. WATSON of Georgia. As I understand the Senator, he admits that the law has not effected its purpose?

Mr. COLT. Yes; it has not been fully enforced.

Mr. WATSON of Georgia. Then, will it not be further from effecting its purpose when we provide this arbitrary limit of 3 per cent?

Mr. COLT. I can not quite agree with the Senator.

Mr. WATSON of Georgia. Then, we ought not to have it.

Mr. COLT. Mr. President, if we are going to say that immigrants must embark on American ships, why not encourage American shipping further and say that emigrants who depart must embark on American ships? If we are going into that kind of business with foreign nations and foreign trade, why do we not say that all our imports and all our exports must be in American bottoms? Ah, there is a principle of retaliation and a principle of fair dealing in all these matters.

Mr. President, we are opposed to any amendment which further restricts the small number of immigrants who will be allowed to enter under the provisions of the pending committee amendment, and we are opposed to any amendment which enlarges the number. We rest upon the old bill, which was passed by the Senate with only two votes against it.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment.

The PRESIDING OFFICER (Mr. STERLING in the chair). The Chair will inform the Senator that there is an amendment pending. The question is on the amendment of the Senator from Washington [Mr. JONES].

Mr. WILLIS. I ask that the amendment be stated.

Mr. COLT. I rise to a parliamentary inquiry. I should like to ask what amendment is pending?

The PRESIDING OFFICER. The Secretary will state the pending amendment.

The READING CLERK. On page 13, after line 3, it is proposed to insert a new section to be numbered section 4 and reading as follows:

That no person shall be admitted to the United States under the foregoing provisions of this act unless brought here in a vessel of the United States: *Provided*, That this restriction shall not apply to the citizens of contiguous countries coming overland.

Mr. KENYON. Mr. President, I was not in the Chamber when the Senator from Washington presented his amendment, and I did not have the opportunity of hearing him. I hope that the amendment proposed by him will be adopted.

We have lines of American boats crossing the great ocean and struggling for a livelihood especially against the British lines. A person traveling the ocean now can travel under the American flag, and it is a splendid sensation; but American mail is transported to a considerable extent in British boats. Some of it is carried on American boats, but, as I understand, there is no kind of British mail transported in American boats. Our late ambassador to England, when he came from Great Britain—and I am not criticizing him particularly—traveled on a British boat, and our new ambassador to Great Britain, I see, has also selected his quarters on a British boat. How discouraging to any American line trying to build up its trade and commerce. What an advertisement for the British line.

I had the pleasure of crossing the ocean a short time ago on one of the American boats of the United States Mail Steamship Co. There are no accommodations in any British boat that can compare with them. Sailing under the American flag has its attractions also—there were 40 passengers on this boat going over and 60 passengers coming back, while British boats sailing at the same time were overcrowded with American passengers. I do not know how we are going to build up a merchant marine for the United States if the American people are not willing to travel on American boats. They ought to do so even at some sacrifice, but there is no sacrifice involved. It is a great sight nowadays to see the American flag coming down the Thames on freighters and other vessels, but there is a lamentable failure of the American people to patronize American boats. American patronage has made British lines rich.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. I do.

Mr. KING. Does not the limited number of American passengers traveling upon American boats and the great number traveling upon British boats result from the fact that while we have prohibitory statutes in the United States, they have not quite extinguished the desire upon the part of some Americans to imbibe a little wine occasionally?

Mr. KENYON. Mr. President, I know that that is a fiction. Perhaps I ought not to say it, being such an earnest prohibitionist myself, but the American boats are wet enough to suit the most fastidious "wet" that ever came from the State of Utah. [Laughter.] That is no longer a legitimate argument. However, I have heard it advanced.

Now, as to these immigrants, what can be the argument against bringing them in in American boats, and helping these struggling American lines to establish a merchant marine? I have not heard any argument against it. I suppose there may be some, but this would be a good start in the right direction to help build up the American lines which now are struggling against all kinds of odds in trying to create ocean traffic.

Mr. KING. May I suggest to the Senator, in view of the fact that he was not in the Chamber when I made a similar suggestion to the Senator from Washington, if we enact legislation of the character contemplated by this amendment might we not bring upon American travelers embarrassments, and bring about retaliatory legislation which in the long run would more seriously affect the United States and its merchant marine than if we permit men to come to the United States in other bottoms?

For instance, as I suggested, there are thousands of Americans traveling now, perhaps more from America than from any other country in the world. Undoubtedly as soon as there is a renaissance in business—and we will have a renaissance in business if the Republicans do not put up tariff rates so as to prohibit us from trading with the world—there will be more Americans traveling throughout the world than there are to-day. We are sending abroad every year more people than are coming to the United States. They are going largely for business. I have no doubt that from the United States there will depart during the coming year more than 500,000 individuals for pleasure and for business. There will be coming into the United States perhaps less than three or four hundred thousand. If we prohibit those coming in from coming in boats other than American boats, may not those other nations prohibit Americans from going to other lands except in boats under other flags?

Mr. KENYON. There may be something to that, but I am satisfied that the American lines will have to fight for whatever they get. They have had a difficult time getting into the associations in Great Britain that enable them to have joint agents with other companies. They have had to struggle along with their own single agents. Every kind of embarrassment has surrounded them. What I am pleading for is that if we are going to have an American merchant marine, the American people ought to ship in American bottoms, the American people ought to ride in American boats under the American flag, and every pound of American mail ought to be sent in American boats to help sustain these lines. Otherwise we never can get anywhere in any program involving a merchant marine. "Sail and ship under the American flag" ought to be our slogan.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. KENYON. I am through.

Mr. POMERENE. I just want to ask a question. I ask it because I do not know, and I want the information.

If this amendment should be adopted, would it lead to any embarrassment because of the favored-nation clauses in the various treaties we have with other countries?

Mr. KENYON. I do not see how. It would apply equally to all countries.

Mr. POMERENE. I do not know whether it would or not. I am asking for information. I should like to have the Senator from Washington answer the question, if he will.

Mr. JONES of Washington. I did not understand the Senator.

Mr. POMERENE. I asked this question: If the Senator's amendment should be adopted, would it likely lead to any embarrassment with other nations due to the favored-nation clauses in our several treaties?

Mr. JONES of Washington. I can not see how it could. It would apply to every country alike. I do not think anybody would question our authority to prohibit all immigration to this country as far as the actual legal power to do it is concerned. If we can limit it to 3 per cent, we can limit it to 1 per cent. If we can limit it to 1 per cent, we can entirely prohibit it.

Mr. NELSON. Mr. President, will the Senator yield? In view of the facts stated by the Senator from Iowa [Mr. KENYON] a while ago, why should we not enact legislation prohibiting Americans from traveling in other ships than American vessels? Would not that solve the problem?

Mr. JONES of Washington. Of course, that is entirely different from this. I should like to see them required to go on American ships. I hate to think that the ambassador of this country, going to Great Britain now when we are trying to build up an American merchant marine, is engaging his quarters on a British ship.

Mr. KENYON. Does the Senator think a law ought to be required to get Americans to travel in American boats when they are as good as any other boats?

Mr. JONES of Washington. No; it ought not, but I think that is entirely foreign to the question that is presented here. I do not think there would be any trouble about the treaty proposition with this amendment, because it applies to all alike.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES of Washington. The Senator from Ohio [Mr. POMERENE] has the floor.

Mr. POMERENE. It has been contended that if we were to make a difference in freight rates in favor of American vessels, that might be regarded as a violation of the favored-nation clause. Is that contention sound?

Mr. JONES of Washington. It probably is now, because of our treaty.

Mr. POMERENE. Very well. Now, if that be so, then when we insist that immigrants who come here must travel on our vessels, is not that also, by analogy at least, a violation of the favored-nation clause?

Mr. JONES of Washington. I think not.

Mr. POMERENE. I do not know. I am simply asking for information.

Mr. JONES of Washington. I think not. The idea as I have it is this: We are here restricting immigration, and we are making the restriction apply to all countries alike. Now then, we simply say that a certain number of immigrants can come in here, but that they can not come in unless they come in American ships. As the Senator from Rhode Island [Mr. COLT] said, that is a further restriction.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. POMERENE. I yield the floor.

Mr. LENROOT. We now have a differential in our tariff law allowing a lower tariff upon goods shipped in American bottoms. Did not the administration take the position that

they could not enforce this provision of the tariff law because it would violate our treaties; and what is the difference between admitting goods at a lower tariff and providing that immigrants shall come only in American ships?

Mr. JONES of Washintgon. Because we have specific treaties limiting our right to do that very specific thing.

Mr. LENROOT. Only in general language.

Mr. JONES of Washington. It is general language, "commerce," but these are treaties with various countries; and in the act to which the Senator refers it is specifically provided that that shall not apply to any country with which we have a treaty, and the Supreme Court held that we had treaties with so many different countries that it was practically inoperative.

Mr. LENROOT. Mr. President, I do not think this amendment should be adopted, for two reasons.

If the purpose of the amendment be further to restrict immigration, it is about as unscientific a method of restricting immigration as anyone could possibly think of. Its restriction will be dependent wholly upon whether or not there is an American line of steamships to a given country. If there is not, it is an absolute prohibition of immigration from that country. Now, when we are trying to be more scientific in admitting immigrants, and to base our action at least upon some reasons, do we want to make it dependent upon the circumstance of whether or not there be an American line of steamships to a given country? That would apply as a very effectual prohibition in the case of practically all of the northern countries of Europe. I think it would apply to all of the Scandinavian countries. I do not believe there is a single American line to any Scandinavian country, and yet under this amendment there would be an absolute prohibition of immigration from those countries.

Upon the other point, as to violation of treaties, I can see no difference between a provision of law providing for a differential in the admission of goods and a similar provision relating to immigrants—not the slightest difference. The reason why that provision was put into the Underwood tariff law was because, after full investigation, it was believed that Congress had no power to make that differential so long as those treaties were in existence. Now, if this amendment should be adopted, even though we had a right to adopt it, it seems to me that it might well injure the American merchant marine more than it would help it, because the benefit to the merchant marine would be very small indeed; but it might lead to retaliation by Great Britain and other countries having a large merchant marine that they would be very glad to have the excuse to discriminate in their favor and against us.

Mr. NELSON. Mr. President, will the Senator yield?

Mr. LENROOT. Yes.

Mr. NELSON. It is apparent from what the Senator from Iowa stated that the volume of our people going to Europe now is unusually large, and a large share of them are of the wealthier classes, who generally take first or second class passage. Is there any way in which we could advance the interests of our shipping better than by compelling these people to travel on American ships and keeping them away from foreign ships? Can the Senator conceive of any scheme by which we could ruin the foreigner and help our own shipping better than by excluding these American tourists, these rich fellows who go over there every summer, from foreign ships and compelling them to travel in American ships?

Mr. LENROOT. If we were going to apply this policy at all, applying it in that direction would be of some value in building up the American merchant marine; but applying it to immigrants, it seems to me, would be effectual only to a very small extent in building up the merchant marine, and might injure the merchant marine tenfold more in other directions. In any event, this is a matter of so much importance, if it is to be a part of a policy of building up the merchant marine, that it ought to be considered by the Committee on Commerce, and fully considered, and the Committee on Commerce ought to have all the information before it with reference to its effect upon treaties and otherwise before the Senate acts upon it by way of adoption.

Mr. McCUMBER. Mr. President, I should like to ask the Senator a question. In the face of the fact that we have these favored-nation treaties with other nations of the world and we want to continue our commercial relations with them, what does the Senator think of the merits of a provision in our law that their citizens can not come to the United States unless they come in American bottoms, but American citizens can go to their countries in any ships that they see fit?

Mr. LENROOT. Of course, the question answers itself; and, Mr. President, I think the chairman of the committee, the Senator from Washington, will admit that if this amendment does violate our treaties he does not want the Senate to adopt the amendment or Congress to pass a bill containing it. Surely the United States does not desire to be put in the position of regarding its treaties as "scraps of paper."

Mr. JONES of Washington. If the Senator will yield just at that point, of course I agree with him as to that, but, as I stated a while ago, I do not believe the amendment violates a treaty. If I did, just like the Senator, I would not be in favor of doing it.

Mr. LENROOT. Does not the Senator think that that is a matter of such great importance that it ought to be carefully considered before action is had upon it?

Mr. JONES of Washington. Of course, Senators have their view about it. As far as I am concerned, I have not any doubt in the world but that these commercial treaties do not apply to travelers. They apply to trade, and the Senator's contention only emphasizes, to my mind, the position we take about the merchant marine act, under which we direct the President to take steps to abrogate these treaties, so that we can do what we think wise to do.

Mr. LENROOT. The Senator does not mean he thinks the carriage of men, women, and children is not commerce?

Mr. JONES of Washington. Certainly not, but this simply provides that men who come here shall come in American ships if they want to come as immigrants. It does not interfere with the ordinary traveler and prohibit travelers from coming unless the bill which the Senator from Vermont is sponsoring is intended to prevent travelers from coming. It is not intended to deal with travelers; it is intended to deal with immigrants, with persons who are coming here to make this country their home.

Mr. POMERENE. Will the Senator yield to me for a question?

Mr. JONES of Washington. Certainly.

Mr. POMERENE. I am not a member of the Commerce Committee, but I have understood that the committee has it in mind to present a bill which would give some preference to freight and cargoes which are brought here in American bottoms. May I ask if that is correct? Is that being considered?

Mr. JONES of Washington. I will state the situation: We can not do that until we get rid of the treaties we have now. That is, even if we deemed it of vital importance to do it and we were unanimously in favor of it, we could not do it without doing what the Senator from Wisconsin suggested a moment ago we would not think of doing—making of these treaties scraps of paper. We could do it, of course. Arbitrarily we could pass a law that would abrogate the treaties, but that is not the proper way of doing it.

We have done this: One provision of the merchant marine act directs the President of the United States to give the notice required for the abrogation of the treaties. The purpose of that is simply to get rid of these treaties, so that we shall be in a position to determine whether or not we ought to adopt this policy known as discriminating duties. We might not decide to do it, and there is not any bill pending before the committee looking to that end, because it would be useless, I think, to present it until we get rid of the treaties. Then, if it were presented after that we might, upon mature consideration, decide that it was not wise or proper to do it. So there is no such measure proposed.

Mr. POMERENE. Mr. President, it was my thought that the question of bringing over immigrants in American bottoms is so nearly akin to the other question that it seems to me it ought to be very carefully studied and a report presented to the Senate bearing upon that subject. It may clarify the legal and international difficulties very much.

Mr. NELSON. Mr. President, will the Senator from Ohio allow me to ask him a question?

Mr. POMERENE. Certainly.

Mr. NELSON. I have some difficulty with this proposition, and perhaps the Senator can solve it. On Saturday we passed a peace resolution, ostensibly for the purpose of opening trade with Europe. We want trade. Those people with whom we expect to trade have to pay with money or with credit for what they get here. They can not draw funds from the clouds as they draw nitrates.

Mr. POMERENE. I do not know of any way of doing it.

Mr. NELSON. I would like to know how those poor people of Europe could trade with us if we impose all kinds of restrictions? On one side you pass the peace resolution to open trade; on the other side you propose to pass an antidumping bill. How will our foreign trade come between all these rocks?

Mr. POMERENE. Mr. President, I share the difficulties which seem to be in the mind of the Senator from Minnesota,

and I have been watching very eagerly to see which one of these hot pokers our Republican friends are going to take up first. I am very much interested in that. I should like to know, too, how we can shut off all trade and get these foreign nations to pay us the $15,000,000,000 they owe us.

Mr. KING. Eighteen billion dollars.

Mr. POMERENE. My friend the Senator from Utah says it is $18,000,000,000. It may be that that is correct. There are a good many questions of that kind which are constantly cropping out, which I am not able to solve. There are individual manufacturers who solve them for me every day. They insist that there shall be an antidumping clause as to their particular industry, but some of them do not care a rap as to what will be the effect on other industries.

Mr. DILLINGHAM. Mr. President, I feel sure the Senate will bear with me in suggesting that it is now almost 5 o'clock in the afternoon, and that this bill is before the Senate because the antidumping bill, or the emergency tariff bill, was laid aside as the unfinished business until to-morrow. Unless this bill is passed to-night, I do not know when it again will come before the Senate, nor how soon it can receive the consideration of the Senate.

It is an emergency bill. It has been said here, and it is true, every one interested in this question understands it, that during the coming year we must adopt permanent legislation which will be fitted to the new conditions, those that have arisen in Europe and those which have arisen in the United States as the result of the war.

This bill passed the Senate and the House of Representatives during the closing hours of the last Congress, and failed to become a law because of the failure of action on the part of the retiring President.

The House very graciously adopted the Senate method of handling the matter, and there was introduced into that body a copy of the bill as it passed both branches at the last session. But in the House four or five amendments to the bill were adopted, which increased the number of immigrants who may be admitted during the coming year under its provisions.

The Senate committee are opposed to those amendments, and in order to get quick action they deemed it best to report the Senate bill as a substitute for the House bill. The Senate bill which they have reported as a substitute is precisely the measure that passed this body at the last session with only two votes against it. If the Senate passes that bill, that will throw the matter into conference, and during this week, while the emergency tariff bill is under consideration, those questions can be thrashed out in conference and the bill brought back to the Senate for action.

I assume that every Senator is in favor of restrictive legislation. Some are satisfied with this bill; others would be glad to go further; others would be glad if the bill had been left on the basis of 5 per cent instead of providing 3 per cent.

But we all agreed in the last Congress that we would try it out on the 3 per cent basis. I am very much hoping that to-night the Senate will see fit to pass this measure just as it is, and let us go into conference on the House amendments. If we fail to do that, I do not know when we shall get it up again nor when we can make it a law, and because of conditions on the ocean and in foreign ports this minute it is very necessary that the bill should be disposed of at the earliest possible moment.

I hope we may have a vote upon the bill to-night. I hope that if there are amendments to be offered by different Senators, we may have them disposed of without delay and reach a final vote on the bill before adjournment.

Mr. KING. Mr. President, just one word. I want to express my approval of the statement made by the Senator from Vermont, and I want to say to my Democratic friends who are opposing this measure, or who want a stronger bill, that I sympathize with their views. I introduced a bill at the beginning of this session, and I introduced one at the last session, to exclude all immigration for a period of one year, so that we could investigate the subject very carefully and work out a proper and scientific bill. I could not have my way in the committee. I assented to this bill. It does not meet my desire, but I think it is the best measure we can obtain for the present, and I think we ought to speedily pass the bill.

Mr. DIAL. Mr. President, I would like to ask the Senator from Iowa [Mr. KENYON] what is the reason why we do not carry our mail on our own ships?

Mr. KENYON. I do not think I said we do not carry any of our mail.

Mr. DIAL. No; a good deal of it.

Mr. KENYON. We do carry a good deal of it, but I certainly think it could not offend any man in the United States if we carried every pound of American mail on American boats. It should be done.

Mr. DIAL. I agree with the Senator, and we ought to build up the merchant marine so as to carry it in our own boats.

Mr. JONES of Washington. We take care of that in the merchant marine act.

Mr. KENYON. If we want to build up a merchant marine, we should patronize our own boats.

Mr. JOHNSON. Mr. President, I wish to inquire, first, if the amendment offered by the Senator from Washington is pending now?

The VICE PRESIDENT. It is.

Mr. JOHNSON. I want to say, in reply to the Senator from Vermont, that, of course, all expedition ought to be used in acting on a measure of this sort; but there is not any more important subject before this body than the present bill. There is an amendment which I desire to present, and I am going to present it.

Mr. DILLINGHAM. I hope the Senator did not think I was trying to cut him off. I was simply asking that when amendments were presented, we might vote as quickly as possible upon them.

Mr. JOHNSON. Thus far I have not occupied any time upon this bill. I have listened to the speeches of our distinguished friends with the utmost pleasure, of course. I am going to be heard, with the permission of the Senate, for a few minutes, not more than three, upon the amendment I shall offer. I am sure the Senator from Vermont will accord me that privilege.

Mr. DILLINGHAM. With great pleasure, as far as I have the power.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Washington [Mr. JONES] to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. TRAMMELL. Mr. President, I now present the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will read the amendment to the amendment.

The READING CLERK. Amend, on page 9, by striking out, after the words "Sec. 2(a)," the following words:

That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

And insert in lieu thereof:

That for two years from the approval of this act immigration of aliens of any nationality to the United States be, and the same is, hereby prohibited.

Mr. TRAMMELL. Mr. President, I propose to occupy but very little time, as I see Senators are getting very restless to vote on the bill, and it is the desire of a great many to have an early adjournment.

It seems to me to be the consensus of opinion of practically the entire membership of the Senate, as well as of the House of Representatives, that there exists a condition in this country and in other countries which necessitates action upon the part of the United States looking to the restriction of immigration. That condition which makes necessary a restriction bringing it down to a very small percentage in my opinion makes it necessary to have an absolute prohibition against immigration.

I can not quite appreciate the argument made by some that we will offend the sensitiveness of other nations by enacting an absolute prohibition against immigration, when they take it to themselves that to restrict it to 3 per cent will not also offend them. If we are going to be governed in dealing with this subject by the attitude with which it will be received by other nations, then certainly it will be received with no more favor if we limit it to 3 per cent than it would to have an absolute prohibition, because the other nations necessarily see that it is the desire of this country that their emigrants cease coming here or, at least, that they shall come to a very limited extent.

I think, Mr. President, it is more important that this country should be relieved from having an onrush of immigration than it is for us to be so very careful in regard to whether or not we will offend other nations upon this question. We have had a great many people come to this country who have made good citizens, that is true, but we have had a great many come to this country who have not made good citizens, and unfortunately at the present time and possibly during the last decade there has been a greater disposition on the part of the foreign born immigrating to the United States than ever in the history of our country to endeavor to break down our Government and our institutions, and to be a disturbing element here instead

of being an element to assist in promoting our institutions and sustaining our Government.

At this particular time, when our business institutions are more or less disorganized, when we are just rallying from the staggering influences of the war, when we have labor idle by the millions here in this country, I can not see why we want to invite very cordially others to come here. What service or what benefit will they be to America? We have heard a great deal about "America first." We have heard a great deal about "We are for the United States first." I heartily share in those sentiments when they are sincerely spoken, because I sincerely believe in America first and in standing by our own flag and our own country; but what benefit are we to derive from having immigration come here? I believe we should prohibit it absolutely for a period of two years and give the Nation an opportunity to go through the reconstruction period, the rebuilding of our business affairs, and the remolding, where necessary, of our laws to suit new conditions under which we are existing since the war. I hope that my amendment to the amendment of the committee will be agreed to.

Mr. WATSON of Georgia. Mr. President, in support of the proposition of the Senator from Florida [Mr. TRAMMELL], I beg to say briefly that, in my judgment, there is no middle ground between unrestricted immigration and absolutely prohibited immigration. This thing of settling the right of immigrants to come here on a percentage basis does not strike me as being legal or having in it the essentials of common sense and common justice. If we allow 3 per cent to come from a country where we do not want 1 per cent, we are doing ourselves a wrong; and if we refuse to allow 6 per cent to come from a country where we would like to have 12 per cent, we are doing those people and ourselves a wrong.

We have provided in the bill that the information shall go to our diplomatic and consular agents abroad telling them the number whom they can admit to be immigrants, and that not more than 20 per cent of the utmost allowance can be licensed to come during any one month. In nearly every country from which these immigrants come there will be from half a dozen to a dozen consular positions, and it will be published abroad just like it will be published here, and there will be conflicts if we undertake to sift them out. It is unsound. It is a confused measure. It rests upon no scientific basis.

We want the whole world to come here or we want to stay here with those who have come and develop the American ideal without the interference of those who oppose that ideal. We want the melting pot to melt. We want assimilation to go on. We do not want "little Germanys" here that speak German and have German customs, German ideas, and nothing in the world but German love. The same can be said of "little Italys." The same can be said of "little Russias." The same can be said of almost every other nation. We want to assimilate what we already have.

All this talk about steamship companies fails to appeal to me. There is a colored gentleman in the woodpile whose name has not been mentioned, and that colored gentleman is cheap labor. The steamship company is not the only offender in this regard. There must be an accomplice somewhere. As a matter of fact, there are several accomplices. There are various interests that want more people brought here to compete with those who are already here.

A few years ago, when the whole country was horrified by conditions that existed in the coal fields of the middle West, we were told that 27 different languages were spoken in the coal fields of Colorado. I do not know whether the statement was true or not, but it must be largely true that we have drawn from nearly every nation on the face of the earth. Now it is proposed that we shall say that we arbitrarily strike a line of 3 per cent, without regard to the desirability of the immigrants. Just because in 1910 a great number came from a country from which we would like to have had none, we will take 3 per cent now; and because in 1910 only a small portion came from a country where we would have been glad to have had a great many more, we will take only 3 per cent. That is putting on the same level the good and the bad. That is putting on the same level those whom we can assimilate and those whom we can not. It is putting on the same level those who go to the farms and work and those who stay in the cities and do not work.

I submit, Mr. President, that there is no scientific basis for any percentage based upon the immigration of some other year. Let us throw the doors wide open and keep them open for all time or let us close them and say they have been open long enough, and work out our own salvation through our merchant marine, our farming interests, our milling interests, our mining interests, and every other interest that we have.

The VICE PRESIDENT. The question is on the adoption of the amendment proposed by the Senator from Florida [Mr. TRAMMELL] to the amendment of the committee.

Mr. HEFLIN. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. OVERMAN. Let the amendment to the amendment be reported.

The VICE PRESIDENT. The amendment to the amendment will be read.

The READING CLERK. The Senator from Florida proposes, on page 9, in lines 1 to 6, inclusive, to strike out the following words:

That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910.

And in lieu thereof insert:

That for two years from the approval of this act immigration of aliens of any nationality to the United States be, and the same is hereby, prohibited.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. EDGE (when his name was called). I have a pair with the senior Senator from Oklahoma [Mr. OWEN]. I transfer that pair to the junior Senator from Pennsylvania [Mr. KNOX] and vote "nay."

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Kentucky [Mr. ERNST] and vote. I vote "nay."

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Texas [Mr. CULBERSON], and on this amendment I vote "yea."

The roll call was concluded.

Mr. DIAL. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on official business. He has a general pair with the Senator from South Dakota [Mr. STERLING].

Mr. FERNALD. I have a general pair with the senior Senator from New Mexico [Mr. JONES]. I transfer that pair to the Senator from Maryland [Mr. WELLER] and will vote. I vote "nay."

Mr. BROUSSARD (after having voted in the negative). I am paired with the senior Senator from New Hampshire [Mr. MOSES]. I therefore withdraw my vote.

Mr. DILLINGHAM (after having voted in the negative). I observe that the Senator from Virginia [Mr. GLASS] is absent from the Chamber. I have a general pair with that Senator, which I transfer to my colleague [Mr. PAGE], and allow my vote to stand.

Mr. CURTIS. I wish to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Illinois [Mr. MCCORMICK] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS];

The Senator from West Virginia [Mr. SUTHERLAND] with the Senator from Arkansas [Mr. ROBINSON]; and

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT].

The result was announced—yeas 19, nays 47, as follows:

YEAS—19.

Ashurst	Heflin	Sheppard	Underwood
Caraway	Jones, Wash.	Shields	Watson, Ga.
Fletcher	McKellar	Simmons	Williams
Harris	Overman	Swanson	Willis
Harrison	Pittman	Trammell	

NAYS—47.

Ball	Elkins	Lenroot	Poindexter
Borah	Fernald	Lodge	Pomerene
Brandegee	Gerry	McCumber	Reed
Bursum	Gooding	McKinley	Shortridge
Calder	Hale	McNary	Smoot
Cameron	Hitchcock	Nelson	Spencer
Capper	Johnson	New	Sterling
Colt	Kellogg	Nicholson	Townsend
Curtis	Kenyon	Norbeck	Wadsworth
Dial	Keyes	Norris	Walsh, Mass.
Dillingham	King	Oddie	Warren
Edge	La Follette	Phipps	

NOT VOTING—30

Broussard	France	Jones, N. Mex.	McCormick
Culberson	Frelinghuysen	Kendrick	McLean
Cummins	Glass	Knox	Moses
Ernst	Harreld	Ladd	Myers

Newberry	Ransdell	Stanley	Weller
Owen	Robinson	Sutherland	Wolcott
Page	Smith	Walsh, Mont.	
Penrose	Stanfield	Watson, Ind.	

So Mr. TRAMMELL'S amendment to the amendment of the committee was rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment reported by the committee.

Mr. JOHNSON. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from California to the amendment will be stated.

The READING CLERK. On page 9, after line 23, it is proposed to insert the following:

Aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious or political persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecutions.

Mr. JOHNSON. Mr. President, permit me for an instant to call the attention of the Senate to what the amendment provides. We have before the Senate an amendment which has been presented as a substitute for the House bill. The bill which has been passed by the House, and which, of course, presumably, will go into conference with the bill as passed by the Senate, has a provision similar in character to the amendment which I have just introduced, except that it refers alone to those who suffer from religious persecution, in the exact language of the amendment I have presented. The House bill carries an exception of those who have been subjected to religious persecution. I have added in this amendment "or political," so that the exception is made of those who have been subjected to religious or political persecution. They are exempted from the operation of the bill.

I present this amendment, Mr. President, because it embodies what has been the policy of this Nation since the time we became a nation, and it is a policy which we have pursued continuously until the present day. If we had excluded immigration entirely, if we had put up the bars so that there could be no immigration of any kind, I would have been quite content with that; but the pending measure does not, of course, do that. It does not adopt a distinct, definite policy of exclusion, but it permits the admission of 3 per cent based upon the population of foreign born in our country in 1910.

The House bill makes an exemption in the one direction, namely, religious persecution; I make the exemption applicable both to religious and political persecution. That being the policy that has been pursued by this country from the time that we became a nation, and inasmuch as the policy has not been definitely changed by this bill as to the admission of immigrants here, I think that the only policy we ought to pursue, and the amendment seeks so to do.

Mr. WILLIS. Mr. President, the argument of the Senator from California is plausible but not convincing. If this amendment is to be adopted, we shall be driving a 4-horse team right through the bill, and there will be no use at all of passing it.

I think the Senator from California is entirely mistaken in his view as to the attitude of the other House. I think I know as much about that particular matter as does he. I think the House is not disposed to insist upon the provision adopted by it touching the admission of those subjected to religious persecution. However, whether the House takes that position or not, this body ought to enact legislation that appeals to its sound judgment.

As Senators will note, the provision adopted by the House exempts "aliens who prove to the satisfaction of the proper immigration officer or the Secretary of Labor that they are actually subjects of religious persecution." A consideration of the question must convince any thoughtful man that if such a provision shall go into the bill it will make it absolutely unworkable and will turn the office of Secretary of Labor and perhaps of the President of the United States into places where practically nothing will be done but to hear appeals. If Senators are interested in the restriction of immigration, as I am, they will vote down the amendment and then vote for the bill.

Mr. JOHNSON. Mr. President, just a word in response. I do not know, of course, what the House intends to do in conference. I have read from the House bill. I can recall, and you can recall, Mr. President, the Kossuth case, years ago, when we permitted him to land in this country and would not permit him to be taken from it because of the character in which he came. I can recall, and you can recall, that during all of the period we have existed as a Nation we have ever boasted of the fact that we were a place of refuge for those who are persecuted either religiously or politically. By no means do we drive a 4-horse team through this bill if we adopt the amendment I have proposed. This has always been our policy, and to-day, if the Senate defeats the amendment, it will alter the policy that has ever been ours.

The cases which will arise can not be innumerable at all; there may be some, but not a vast number. In the past the time occupied in trials in respect to the particular subject matter has never been a matter that was of great moment or of great consequence, and in the future it can not be a matter in connection with which there will be a great deal of time or, indeed, a great deal of effort expended. I have offered the amendment merely because of my desire to maintain and continue the policy which the Republic has followed ever since it became a nation.

Mr. WILLIS. Mr. President, I desire to say merely a word or two in reply to the Senator from California. I think, Senators, we have come to the time when we should begin to legislate for the people of this country. When measures are proposed for legislative sanction immediately the consideration that is suggested is, What will some foreign nation or some alien think about it? We have organizations of the friends of various foreign countries; let us have an organization of the friends of our own country for a while, and see how that will work.

Mr. REED addressed the Senate. After having spoken for nearly an hour, he said:

Mr. President, I have some further remarks on the pending question which I should like to continue in the morning. I think it is rather late.

RECESS.

Mr. DILLINGHAM. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, May 3, 1921, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 2, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, our times are in Thine hand. We look backward with gratitude and forward with fervent hope. Create within us a deeper desire to grow in knowledge and a love for the truth. May our devotion to Thee and to our country be as a sacred flame, and when the road winds up the hill that is steep and lonely, be Thou at our right hand. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, April 30, 1921, was read and approved.

LEAVE TO PRINT.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNS of Tennessee. Mr Speaker, on April 27 a very able and an exceedingly instructive and highly illuminating address was made to the United States Chamber of Commerce by the gentleman from Iowa [Mr. GOOD], the distinguished chairman of the Committee on Appropriations. This address shows great research and was prepared with great care. I am sure that it will be a matter of supreme interest and highly instructive to all the Members, because it is a historical review, so to speak, of the fiscal operations of the Government as applied to the appropriations and expenditures, and also makes valuable suggestions as to the methods which should be adopted to provide the revenue necessary to run the Government during the ensuing fiscal year. I therefore ask unanimous consent——

Mr. KING. Will the gentleman yield?

Mr. BYRNS of Tennessee. I have not submitted my request yet, but I will yield.

Mr. KING. I just wanted to ask the gentleman if he had submitted it to the gentleman from Oklahoma [Mr MCCLINTIC]?

Mr. BYRNS of Tennessee. No; I have not, but I hope the gentleman from Oklahoma, in view of the importance of this address, will make no objection to the request which I will now make. Mr. Speaker, I ask unanimous consent that this speech be printed as a House document.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the speech referred to be printed as a House document. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 694. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia;

S. 1154. An act for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo.; and

S. J. Res. 16. Joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. J. Res. 16. Joint resolution repealing the joint resolution of April 6, 1917, declaring a state of war to exist between the United States and Germany, and the joint resolution of December 7, 1917, declaring a state of war to exist between the United States and the Imperial and Royal Austro-Hungarian Government, and for other purposes; to the Committee on Foreign Affairs.

S. 694. An act providing for the appointment of an additional district judge for the southern judicial district of the State of West Virginia; to the Committee on the Judiciary.

S. 1154. An act for the construction of a bridge across the Des Moines River at or near the city of Dumas, Mo.; to the Committee on Interstate and Foreign Commerce.

UNANIMOUS CONSENT CALENDAR.

Mr. IRELAND. Mr. Speaker, I ask unanimous consent for the consideration of the privileged resolution which I send to the Clerk's desk.

The SPEAKER. This is the day set aside for consideration of bills on the Unanimous Consent Calendar. The Clerk will report the first bill.

DIVERSION DAM, CROW INDIAN RESERVATION.

The first business on the Calendar for Unanimous Consent was Senate joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I ask to have the joint resolution reported.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Senate joint resolution (S. J. Res. 20) making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

Resolved, etc., That the sum of $150,000 appropriated by the Indian appropriation act, approved March 3, 1921 (Public No. 359, 66th Cong., 3d sess.), for the construction of a diversion dam on the Big Horn River, Crow Indian Reservation, Mont., be, and the same is hereby, made immediately available for the construction of said dam.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GARNER. Mr. Speaker, what committee does this come from?

The SPEAKER. From the Appropriations Committee. The Chair hears no objection. The Clerk will report the joint resolution.

The joint resolution was again reported.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent that this may be considered in the House as in the Committee of the Whole.

Mr. STAFFORD. Mr. Speaker, it is on the Union Calendar, and it is necessary to consider it in the House.

The SPEAKER. It will be considered in the House. The Chair ruled once before that unanimous consent having been given for consideration, a bill could be considered in the House. The question is on agreeing to the joint resolution.

The question was taken, and the joint resolution was agreed to.

On motion of Mr. ELSTON, a motion to reconsider the vote by which the joint resolution was agreed to was laid on the table.

BRIDGE ACROSS OHIO RIVER, IRONTON, OHIO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

Mr. JOHNSON of Washington. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of Washington. Was not this bill brought up two or three years ago?

Mr. FOSTER. No.

The SPEAKER. This is a different bill. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

Be it enacted, etc., That the consent of Congress is hereby granted to the Ironton & Russell Bridge Co. and its successors and assigns to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, at or near the city of Ironton, Ohio, in the county of Lawrence, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. FOSTER, a motion to reconsider the vote by which the bill was passed was laid on the table.

ARREARS ON FEDERAL IRRIGATION PROJECTS.

The next business on the Calendar for Unanimous Consent was House joint resolution (H. J. Res. 52) to authorize the Secretary of the Interior, in his discretion, to furnish water to applicants and entrymen in arrears for more than one calendar year of payment for maintenance or construction charges, notwithstanding the provisions of section 6 of the act of August 13, 1914.

The SPEAKER. Is there objection to the consideration?

Mr. WALSH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman who has this matter in charge what particular urgency there is for taking these people out of the provisions of the law on this particular occasion?

Mr. KINKAID. Mr. Speaker, I will say to the gentleman from Massachusetts that it is because of the generally demoralized condition of business that the necessity arises for the relief asked. As the Secretary of the Interior states in his letter recommending the enactment of the resolution, it is on account of the low price of farm products and the difficulty in securing loans from the banks.

Of the 12 principal projects under the reclamation law there are but 3 which perhaps will need much relief. The record made by the projects in general is a very fine one, indeed, and all that is asked by the resolution is that a small percentage have time to raise a crop so that they can pay the charges. They do not ask to be relieved from charge at all, but they are required to pay penalties at the rate of 1 per cent a month, or 12 per cent a year, for the time that is granted them. So the Government will not lose anything at all. On the contrary, the payment of the amount will be made certain, with what is equivalent to interest at the rate of 12 per cent, while the Government is paying on its own indebtedness only about one-third of that amount. So the Government will gain financially by the operation.

Now, the holdings are homes; they are farms which are valuable. Only water users who are worthy will be granted water. Each individual case will stand upon its own merits.

The Secretary of the Interior is required to make due investigation of each case and grant the relief only if it is shown that the applicant is entitled to relief, and reject the application for more time—that is, not to grant water—if the water user does not show himself worthy. Now, he can go out and look over his farm and see what he has been doing in order to determine the merits of his application for water this year, so that the water is there ready. If the water is not granted to the water user, he can not make a crop. He will be like a debtor imprisoned for the nonpayment of debt who is without the means of earning the money.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. WALSH. What is the situation going to be if these crops that are planted this year fail, or if the prices should not be sufficient to pay for the two years? Are they going to come in again asking for another extension?

Mr. KINKAID. I can not answer that, but I am satisfied or have confidence that Providence will be with us this year. At least I hope that will be the case.

Mr. WALSH. Oh, I suppose the gentleman is depending upon the emergency tariff bill to increase prices.

Mr. KINKAID. Here is given 1,000 per cent security for all that is unpaid.

Mr. HICKS. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes.

Mr. HICKS. About how many is it expected will be entitled to this relief?

Mr. KINKAID. There are 195 on one project out of 1,440 water users. The others do not need relief. That constitutes about the percentage in the three cases which need more relief than any of the rest.

Mr. HICKS. And it will run about 500 altogether who are to be benefited if this bill becomes a law?

Mr. KINKAID. Not quite that many.

Mr. HICKS. How much money is involved?

Mr. KINKAID. The rate after that is to be $2.50 per acre on each 250-acre farm, or $200 on a farm; and those farms are worth $100 an acre.

Mr. HICKS. Then, do I understand by the statement of the gentleman from Nebraska that the money involved here is about $200 for each applicant, and there are 500 applicants? Multiplied by that would make the total?

Mr. KINKAID. Yes; approximately that is what would be involved, and the security is a thousandfold good, and unless they can have the water to raise the crops they will have to do without the water this year until they have raised the money. The Interior Department is not authorized to grant any relief unless legislation is passed authorizing the granting of the relief.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. KINKAID. Yes; I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Speaker, I think it is highly important, in fact, almost essential, that this resolution shall be adopted, and yet I regret the conditions which necessitate it, and I favor it only because I am very sure the Secretary of the Interior and the Reclamation Service will be very careful in extending the benefits of the relief proposed under the resolution.

Mr. HUDSPETH. As I understand, the Secretary of the Interior recommends this legislation?

Mr. MONDELL. He does. We who live in the region where the reclamation projects are, if we realize our responsibilities—and I hope all gentlemen do—realize that one of those responsibilities is that of insistence that all shall be mindful of their obligations under these projects, and that they shall not expect, and they shall not be encouraged to expect, that they are not to eventually pay the charge for the construction and the maintenance charges. In order to avoid some of the faults of administration Congress some years ago provided that the Secretary would not grant relief beyond a certain point.

That is quite sufficient under ordinary circumstances, but the people on some of these projects, in common with the agriculturists of that section generally, are facing a situation that is extraordinary, a situation which is exceedingly trying and difficult, a situation under which they have either disposed of their products for less than the cost of production or still hold them unable to market them even below the cost of production. While the major portion of the settlers will be able to meet, and will meet, their obligations there are some that in my opinion must be relieved if we are to continue to have the projects operate to their full capacity.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. In just a moment. And it is not wise and would not be wise to have a tract here and there deprived of water because of the inability of the entryman to pay the maintenance charges this year until late in the year. My understanding is that the arrangement that the Secretary would make would be one under which the charge for maintenance this year, instead of being paid in advance, as required by law, shall be paid immediately after or soon after the crop is harvested.

Now I yield, though I do not control the time.

Mr. WALSH. What is the penalty if this legislation is not enacted?

Mr. MONDELL. Cancellation of the entry and a forfeiture of all the payments made.

Mr. WALSH. That would occur in a very small number of cases, perhaps?

Mr. MONDELL. Well, it would occur in many more cases than it ought to, and in the case of men who are well meaning and well intentioned and who under the circumstances should not be deprived of the opportunity to continue their operations.

Let me say to my friend that the payments have, taken altogether, been generally paid when due on these projects, and only here and there is there a situation that requires relief. I am sure the Secretary will be careful in extending relief.

Mr. HUDSPETH. I understand about 8 per cent there are in need of relief?

Mr. MONDELL. Yes; on some projects not over 1 or 2 per cent, on some none.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KNUTSON. Is it not true that conditions in the West are unusual this year?

Mr. MONDELL. Very extraordinary.

Mr. WALSH. I would like to come upon a time when for once, so far as legislation is concerned, there are not unusual conditions in the West because of the fault of legislation taking people subject to the law out of the provisions of the law. The gentleman from Wyoming has seen us make exception after exception here until finally the law as passed has broken down.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. WALSH. Yes.

Mr. MONDELL. We have had this provision on the statute books for about nine years, I think, and up to this time no general request for exemption from the conditions had been submitted, and I hope nothing will occur in the future under which there need be any further relief of this sort.

Mr. WALSH. Mr. Speaker, I do not think we ought to establish the precedent for this sort of legislation, and I object.

Mr. SINNOTT. Will the gentleman withhold his objection?

Mr. WALSH. I withhold it until the gentleman can make a statement.

Mr. SINNOTT. These settlers are not relieved from any penalty except the refusal of water——

Mr. MONDELL. For the time being.

Mr. SINNOTT. For the time being. If they do not pay, they can not obtain irrigation water for this year. Under this act they pay the usual penalty of 1 per cent a month for their failure to make their payment. Now, if this is not accorded to them the water will run down the canals just the same and past their farms and holdings——

Mr. REECE. And be wasted.

Mr. SINNOTT. And the water will be wasted. All that they get under this bill is the right to use the water for this year upon the payment of a penalty of 1 per cent a month. No one is injured by this.

Mr. WALSH. What is going to be the situation if they have a poor crop year?

Mr. SINNOTT. They will have to hustle and raise the money to meet their payments when they become due. Possibly the financial situation will be better next fall. In a great many places in the country the farmers are actually unable to pay their taxes on account of the crop condition.

Mr. WALSH. I object.

Mr. SINNOTT. There is perfect security to the Government. The Government does not lose anything.

Mr. KINKAID. If the gentleman will withhold this objection——

Mr. WALSH. I will withhold it to allow the gentleman from Nebraska to make a statement.

Mr. KINKAID. The water is already impounded for each of these farm units and will go to waste if it is not utilized by all of the water users, so that the Government loses nothing by furnishing the water. Even if the Government never collected the amount due for construction, operation, and maintenance charges, it would lose nothing by allowing the water to be used. The water must go to waste if it is not utilized this year. All that is sought is time in which to raise a crop to realize the money whereby the delinquent payments may be made. The Government is getting interest—it is called a penalty, but it is equivalent to interest—at 12 per cent per annum. If these farmers should fail in even two crops, the Government could not lose, but they are not going to fail. When they have irrigation water their crops do not fail. The water is what makes their crops secure. Their crops are guaranteed by having the water impounded there wherewith to irrigate their land, so that there is no question about that.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. KINKAID. I yield to the gentleman from Alabama.

Mr. BANKHEAD. What is the character of the crops that they grow on these three irrigation projects that the gentleman says need relief?

Mr. KINKAID. They grow sugar beets on a small percentage of the land on two of the three in question, but four-fifths or nine-tenths of the area is devoted to alfalfa.

Mr. BANKHEAD. Was either one of these items covered by the emergency tariff bill?

Mr. KINKAID. Oh, no; they did not have to be. It never has been necessary, so far as alfalfa is concerned. They have been feeding this alfalfa to cattle, and a great deal of fattening has been done on these projects—fattening of cattle and fattening of sheep. Great herds are driven in from Wyoming in the fall to be kept there and fattened, during the winter, on sugar beet pulp and alfalfa, which makes a balanced ration for the live stock. The price of cattle was so very low that feeders could not afford to buy alfalfa to feed them. There is no market for it at home, and the freight rates are so high that it will not stand transportation at the low price. They will have nothing left after paying the freight rates. It is these three projects that have grown alfalfa mostly and have no market for it that need the relief. On the other projects hardly any of them need relief, and what is needed is negligible.

Mr. BANKHEAD. Just one other question. I understood the gentleman to say they need relief because of the fact that they were unable to negotiate loans at the banks, that although there was security a thousandfold they were unable to procure financial assistance from the local banks, and that that was one reason.

Mr. KINKAID. The banks have loaned to their limit. That is well known to the Federal Reserve System and well known in banking circles, and in my opinion there has never been presented a more meritorious case for relief for any industry than this one, or where payment is better guaranteed than it is in this case.

Mr. WYANT. Will the gentleman state what the security is which the Government will have for these advances?

Mr. KINKAID. There are no advances made.

Mr. WYANT. For these permits?

Mr. KINKAID. The Government has a first lien on the land.

Mr. WYANT. Prior to any other lien?

Mr. KINKAID. Above any other lien, a first lien on the land.

Mr. MADDEN. The Government only furnishes the water for the current year?

Mr. KINKAID. That is all.

Mr. MADDEN. And these people will have to pay for that later on, anyway?

Mr. KINKAID. They are bound to pay for it in any event or they will not get title to the land.

Mr. MADDEN. I think they ought to be given the right to raise the crops that are needed out there, and the Government certainly can not do less than is being asked for in this bill.

Mr. ARENTZ. Will the gentleman yield?

Mr. KINKAID. I yield to the gentleman from Nevada.

Mr. ARENTZ. Mr. Speaker, I happen to live in a community where this measure would be effective for great good to the financially unprepared, developing arid lands into homes under Government projects; in a section of our country, in the West, where the cost of production last year of both live stock and farm products was more than it could be sold for. For instance, the cost of production of alfalfa last year was approximately $10 a ton. The first payment for ditch maintenance and construction was due December 1. The hay could not be sold for any price. Cattle were selling around 5 and 6 cents on the hoof. You could not sell the hay to the sheepmen, and these are the only two outlets for the hay, except shipping it out of the State, and in most cases this is prohibited on account of expensive freight rates from Nevada to California points. The bankers would not loan the money to the farmers, for they did not have it to loan in many cases, and in the section of the country where I come from they could not borrow the money for any purpose. They could not sell the hay or live stock except at considerable loss. Unless something is done to give them water this season, they can not hold last year's hay over and raise this year's hay crop and take a chance on the sheep and cattle market being a little better than it was last year, but in addition to this these same people, instead of putting in hay and keeping their hay fields in shape, will plant wheat and sugar beets and otherwise diversify their crops rather than keep it in hay, as they have heretofore, with the result that the chances are that they will have the money to pay when the interest comes due on the money they had to borrow for raising this year's and last year's crop, as well as meet the payment to the Government of the annual amount due for construction and maintenance of reservoirs and ditches.

Mr. STEPHENS. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. Yes.

Mr. STEPHENS. Mr. Speaker, will the gentleman yield until I can read a little letter on that particular subject at this time?

Mr. ARENTZ. Yes.

Mr. STEPHENS. This is along the line of agriculture and transportation. This letter is from I. N. Price & Co., who are commission men in Cincinnati, Ohio. The letter was written to me, and is as follows:

I. N. PRICE & CO.,
COMMISSION MERCHANTS,
Cincinnati, April 27, 1921.

Hon. AMBROSE E. B. STEPHENS,
Congressman Second District Ohio, Washington, D. C.

DEAR SIR: In line with the widespread discussion as to the effect of the high freight rates on the producing as well as the consuming end of the foodstuffs industry and distribution, we are outlining to you an instance wherein a car, containing 280 crates of cabbage, was shipped to us from Bowling Green, Fla., to be sold for the account of the shipper. This car was shipped on April 10, and arrived at Cincinnati April 15 instant. The car number was Northern Pacific 95491. The quality of the cabbage was good, and it arrived here on this market in good condition, and on arrival here we disposed of it at the top market price of $2.40 per crate. A crate contains 120 pounds gross and 100 pounds net of cabbage. For transporting this car from Bowling Green to Cincinnati the carrier assessed a charge of $430.30, and we took the matter up with the railroad company immediately, to determine whether or not the charges were correct, and they advised that they were correct. These freight charges were deducted from the gross sales of the car. The drayage and cost of handling at this end totaled $95.20, and after deducting these charges, together with the freight charges, or a total deduction of $525.50, it left a net balance of but $146.50 to be returned to the grower.

Mr. GARNER (interrupting the reading). Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. What is before the House?

The SPEAKER. The question as to whether unanimous consent shall be granted for the consideration of this joint resolution.

Mr. GARNER. Of course I do not want to interfere with the program, whether it be just a matter of killing time or what it is, but the gentleman is reading a letter with reference to freight rates in Florida, and, as I understand, this is a resolution which has to do with a land proposition in the West.

Mr. STEPHENS. But this letter pertains to the land proposition along the line of agricultural production.

Mr. WALSH. Mr. Speaker, it does not pertain to this joint resolution. I am perfectly willing that gentlemen shall present all of the information about this measure that they desire, because if they can convince me that it is wise to take these particular projects out of the operation of the general law, I shall not object. The letter the gentleman from Ohio was reading certainly has no bearing on the objection I have heretofore interposed.

Mr. JOHNSON of Washington. This is a case where the banks would extend the loan, if they had made it. The Federal Government is asked to do the same thing. If the banks had this thing, they certainly would extend it rather than see it perish.

Mr. ARENTZ. Mr. Speaker——

Mr. WALSH. I yield to the gentleman from Nevada.

Mr. STEPHENS. But the gentleman yielded to me in order that I might read a letter.

Mr. ARENTZ. Regarding the security offered by the farmer, my case is similar to that of every settler on arid land.

Mr. CARTER. Mr. Speaker, who has the floor?

The SPEAKER. The gentleman from Massachusetts has objected to the consideration of the resolution, but he has withheld the objection to allow anyone who desires to make suggestions. While he does not actually occupy the floor, yet he controls the use of the floor. Anyone demanding the regular order can at once stop the discussion.

Mr. WALSH. I yield to the gentleman from Nevada.

Mr. ARENTZ. Mr. Speaker, these farmers went on sagebrush land, unleveled, without water, and put their shacks up in the desert.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. I would like first to tell my story. In most cases they have their families and went there with the idea of putting in years of time and making a home in the arid West. It took approximately $20 an acre to clear and level the land, and in some cases it ran as high as $100 an acre.

Mr. WALSH. Has the gentleman any confidence, if this exception be made for the water users in his particular section of the country, that we will not next season be called upon to pass another measure making a still further exception?

Mr. ARENTZ. I would not be in favor of extending the time any longer than one year.

Mr. WALSH. Then I shall withdraw my objection, in view of the gentleman's statement.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the joint resolution.

The Clerk read as follows:

House joint resolution 52.

Resolved, etc., That in view of the financial stringency and the low price of agricultural products, the Secretary of the Interior is hereby authorized, in his discretion, after due investigation, to furnish irrigation water on the Federal irrigation projects during the irrigation season of 1921 to water-right applicants or entrymen who are in arrears for more than one calendar year for the payment of any charge for operation and maintenance, or any construction charges and penalties, notwithstanding the provisions of section 6 of the act of August 13, 1914 (38 Stats., p. 686): *Provided*, That nothing herein shall be construed to relieve any beneficiary hereunder from payments due or penalties thereon required by said act.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 1, lines 3 and 4, strike out the language: "in view of the financial stringency and the low price of agricultural products."

Mr. KINKAID. Mr. Speaker, the committee has no objection to that amendment.

Mr. MONDELL rose.

Mr. STAFFORD. Does the gentleman desire recognition in opposition to the amendment?

Mr. MONDELL. No.

Mr. STAFFORD. Then I yield the floor.

Mr. RAKER. Mr. Speaker, I desire to be heard in opposition to the amendment.

Mr. MONDELL. Mr. Speaker, I have no objection to the amendment. It is simply a recitation of fact and does not affect the legislation one way or the other. This resolution should be adopted, but as one coming from the country where the reclamation projects are being carried on I want to say a few words which I hope will be read by the Secretary of the Interior and by the Commissioner of the General Land Office and the heads of the Reclamation Service relative to operations under the provisions of this resolution. I think it absolutely essential that the resolution be adopted if we are to allow a certain number of settlers on some of these projects to plant their lands and to secure crops on the lands already planted this year.

A condition unprecedented exists in that country. Some farmers have unsold products which they are not able to sell, which they can not even mortgage in order to raise the sums for these advance payments. But, Mr. Speaker, if this highly beneficial and useful work of reclamation is to go on, everyone connected with it and having to do with it must realize the obligations resting upon every settler under these projects to meet all sums due the Government, and just as far as it is humanly possible for him to do so to meet them as they become due.

Mr. KINDRED. Will the gentleman yield?

Mr. MONDELL. I can not yield.

Mr. KINDRED. Just to ask one question friendly to the measure.

Mr. MONDELL. I yield for a brief question.

Mr. KINDRED. Stripped of all unnecessary verbiage and hairsplitting amendments, does this amendment provide simply a relief for a period of 12 months to the farmers and stockmen of this area?

Mr. MONDELL. Well, for some of them; those who are unable to meet their obligations. Mr. Speaker, there are one or two very considerable projects in the West where, while the project is completed or nearly completed, construction charges have not yet begun to run. I doubt if any relief is necessary on a project of that sort. Where the settler has his area planted and has been farming for some years and has not as yet had laid upon him the obligation of construction charges, he certainly ought to be able to meet the cost of maintenance and operation. If he can not do that, it must be admitted that either he or the project is a failure, and I hope that the department will have that in mind in operating under this legislation. I hope further than that while they provide relief in worthy, needy cases they shall be very careful not to encourage nonpayment of obligations among those who are able to pay, for the future of this great work, its progress, its extension, its development depends upon the demonstration of the fact that these projects are economic, that men can meet their obligations under them, that we can go forward and develop additional areas and repay the money expended in the work of development. While relief should be granted where it is absolutely essential, it should be withheld in every case where it is simply demanded or requested because for one reason or another the entryman feels that he could use the money some other way more advantageously. A policy of easy acquiescence with every request or demand under this resolution would not be a kindness to the settler and would be harmful and detrimental to reclamation development.

Mr. RAKER. Mr. Speaker, I rise in opposition to the amendment. Mr. Speaker, what has been said by the distinguished leader on the other side in regard to these projects is true, and I was delighted to hear the distinguished gentleman from Massachusetts [Mr. WALSH] withdraw his objection to the consideration of this bill, because as a matter of fact the conditions warrant legislation of this character. The striking out of the language designated in the motion now pending, "in view of the financial stringency and the low price of agricultural products," I imagine, the chairman having said there was no objection, it will go out on a vote, but we hope to show that it should not. But that is the truth of the situation, that is the fact, and we ought not to disguise the fact in the legislation, and while it will really make no material difference to the legislation, because if it is enacted it will have simply this effect, that a man who has been unable to pay for the charges of operation and maintenance for one year is in a position to lose his water-right application although he may be financially able under ordinary circumstances to make good. Ninety-five out of one hundred of these people on these projects, if not a larger percentage, will make good. And the same way with the construction charges and the penalties. Not only is he in that condition, but he is in this: If he has a homestead or desert-land filing or other filing under the project he stands in a position to have that forfeited by the Secretary of the Interior under the law, because unless in his discretion he shall otherwise proceed he cancels the man's water-right application and his land entry.

Mr. WALSH. Will the gentleman yield?

Mr. RAKER. I will yield.

Mr. WALSH. Does the gentleman think that by striking out this language any relief will be withheld from these people?

Mr. RAKER. Oh, no; not at all. The chairman having said there was no objection, so I imagine it will go out of the bill. But I was trying to offer a few feeble remarks in regard to the importance of the legislation and the necessity of it. Now, a man has his ranch or his farm. He has hay on his farm now sufficient to pay all of this indebtedness if he could sell his hay. There is no question about that. All you have to do is to go over some of these irrigation projects and you will find that to be the fact. These men have been shipping their hay, it has been bought up by various parties, and it has been shipped as far east as Kentucky, because of the quality of the hay; but I am advised by those who have been handling this product that the expense for railroad transportation is so enormous that they can not ship any more hay from the West to the Southern States where they have been shipping it, and where there is a good market, and where it could be shipped now except for the exorbitant freight rates. And I am advised that during the month of March there were three hundred and fifty odd thousand idle cars that could have been used to transport this product and like products across the continent, but they were unused on account of the machinery of the railroads going down, because they are turning off more men, and those people are unable to ship the product.

Mr. SINNOTT. Will the gentleman yield?

Mr. RAKER. I will.

Mr. SINNOTT. Would it not be better to leave this language in there which they seek to strike out, for the reason it is some guide to the Secretary of the Interior? You take this out, why, the Secretary has entire carte blanche in the matter of granting an extension to a person who is not financially embarrassed and in some communities where there is no financial stringency.

Mr. RAKER. I think so; and, Mr. Speaker, I ask that I may insert a letter in my remarks which I referred to in regard to the shipment of hay from the West to the East.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. WALSH. How long is it?

Mr. RAKER. About a page.

The SPEAKER. The Chair hears no objection. The time of the gentleman has expired.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may have two minutes more.

The SPEAKER. The gentleman asks unanimous consent to extend his time two minutes. Is there objection? The Chair hears none.

LOS ANGELES, CALIF., *March 1, 1921.*

Hon. JOHN E. RAKER,
Representative of State of California,
House of Representatives, Washington, D. C.

DEAR SIR: It is our understanding that there will be introduced at the special session of Congress called for April bills repealing that section of the 1920 transportation act which directs the Interstate Commerce Commission to establish rates which will earn a specified return to the carriers on the value of the property they have devoted to transportation services. Under the present law the commission is powerless to reduce rates unless they can show an increase in revenue will result from such reduction.

The rates granted the carriers by the commission in case Ex Parte 74 may have been reasonable at that time, but conditions have changed considerably since then and the present rates are very unjust and unreasonable. Following is a typical example of the conditions which have been brought about by rates established under the 1920 transportation act: We shipped a car of hay from Los Angeles to Lexington, Ky., the invoice value being $887.04, delivered Lexington; freight charges and war tax amounted to $482.92, leaving $404.12 net to us. These conditions are very discouraging. At the present time there are thousands of tons of alfalfa hay in the State of Nevada, which generally moves into this market, but owing to the exorbitant freight rates same is still in the fields rotting.

A recent report of the transportation lines showed over 358,000 surplus cars on hand. This surplus is increasing weekly instead of diminishing. This condition can not go on much longer. Business can not return to normal until freight rates are reduced.

As the people's representative we look to you for relief. We urge you to vote for any bill which will repeal the rate-making section of the 1920 transportation act. If there are no bills introduced at the special session, we ask that you introduce such a bill.

Prompt action is necessary to relieve the dangerous situation which confronts American business at this time.

Yours, very truly,

NICHOLLS-LOOMIS CO.,
F. F. MILLER, *Traffic Manager.*

Mr. RAKER. The gentleman from Oregon [Mr. SINNOTT] has presented a question that came before the committee, that it ought to be extended in its operation and its action by the Secretary of the Interior. If there are no financial stringencies surrounding any particular project, or if there are no low prices of agricultural projects that have been raised on these various irrigation projects, there ought not to be an extension of time. There is no question on earth about that. We are in favor of these men paying back every dollar that the Government has expended on these reclamation projects. And they will do it, if you will give them an opportunity, when the money stringency has changed, and the low prices of agricultural products come back, as they ought to, and are sure to do, and when there are reasonable transportation charges and reasonable prices, so that the people in the large cities can obtain these products, instead of starving for want of them, as they are doing now. These farmers will then be able to receive a fair remuneration for their labor and produce. So the Secretary wanted this in the bill as a guide, and the committee unanimously acted upon it as such, and as a determining factor in presenting the bill to the House, namely, that there could be no justification for this committee reporting this bill, there could be no justification for the House passing this bill, unless the two conditions existed, namely, a stringency in the money market and, second, low prices of agricultural products, so low that they ought not to sell them and can not sell them so as to bring a reasonable compensation. Let the amendment be rejected and the bill pass. The remedy is right. The result will benefit the farmers—no detriment to the Government—will benefit both parties in the end.

Mr. HUDSPETH. My colleague states something about an amendment to this resolution. I fail to find any.

Mr. RAKER. The gentleman from Wisconsin [Mr. STAFFORD] has offered an amendment, and which is pending, to strike out the words of lines 3 and 4, reading as follows:

That in view of the financial stringency and the low price of agricultural products.

The SPEAKER. The time of the gentleman from California has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was rejected.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. KINKAID, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

Mr. KINKAID. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. McCLINTIC. I object, Mr. Speaker.

PRINTING OF A COMMUNICATION FROM THE SECRETARY OF THE TREASURY.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to address the House for five minutes on the subject of the printing of a letter from the Secretary of the Treasury.

The SPEAKER. The gentleman asks unanimous consent to address the House for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I have received a letter from the Secretary of the Treasury, which I am going to ask to have printed as a public document, but for a few minutes I want to call the attention of the House to two points to which the Secretary calls our attention. One is that the estimated expenditures of the Government for this and the next fiscal year will fall short of the estimated expenditures—this year by about $114,900,000 and about $18,000,000 next year. The Secretary points out that within the next 24 months more than one-half of our Government obligations after deducting from our total obligations the moneys due us from foreign Governments fall due, or $7,579,000,000, in round numbers.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield.

Mr. GARNER. Does the gentleman intend to print the letter?

Mr. FORDNEY. I just wanted to call attention to those two points, and then I am going to ask to have the letter printed as a public document.

The Secretary points out that unless Congress practices rigid economy and reduces Government expenditures under existing law we will not have revenue sufficient to discharge any of the short-time obligations of the Government.

Mr. BYRNES of South Carolina. Is the gentleman in accord with the statement of the Secretary?

Mr. FORDNEY. I am strongly in favor of rigid economy in the Government. We should without any question reduce Government expenditures.

Mr. BYRNES of South Carolina. I, too, am in favor of it; but for two years I have been urging the Congress to stop appropriating money by reappropriation and revolving funds, and I notice the Secretary says that by reappropriation and by revolving funds hundreds of millions of dollars of actual cash are being paid out by the Treasury. Is the gentleman in favor of joining me in stopping these indirect appropriations of which the Secretary complains?

Mr. FORDNEY. I am in favor of using the pruning knife industriously wherever it can be done to advantage.

I am unable in five minutes' time to state all of the items on which, in my opinion, we can save Government expenditures. One of them is the Bureau of War Risk Insurance. In my opinion that department should be revamped and the compensation feature of the war-risk insurance should be transferred to where it belongs, to the Pension Department, where there is an organization well trained and equipped to administer that part of the law for much less money than under present plans.

Now, gentleman, I have a statement here which shows that for the printing of 1,345 copies, the usual number, the expense will be $88.09, and for each additional 1,000 copies $6.72. I ask that this letter be printed as a public document, and that the House authorize the printing of at least 5,000 additional copies to the usual number. There will be a great demand for it, and, in my opinion, it contains very valuable information at this time.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I yield.

Mr. GARNER. Mr. Speaker, I do not want to object to the printing of this letter as a document. It ought to be printed. But for what purpose is the gentleman asking that 5,000 be printed?

Mr. FORDNEY. I think there will be a very great demand for it, because there is so much information in the letter, in my opinion, that the people ought to have, and I think this report should be placed at the disposal of Members of Congress, so that Members of Congress may give them to their constituents as they ask for them.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GARNER. If the gentleman will permit, I agree with the gentleman that this information ought to be given to the Congress, but as to using this as a campaign document or as an educational agency or as a means of propaganda for the purpose of advocating the repeal of certain taxes or the levying of certain other taxes, I do not think it ought to be used for that purpose.

Mr. FORDNEY. My dear friend, let me say to you that I do not think there is one bit of politics in the whole report. It

is not my purpose, however, to use it in any form or shape or manner politically.

Mr. GARNER. Let me point out to the gentleman a thing that he criticized the last administration for, and that was that he advocated the repeal of certain taxes and the levy of certain other taxes. Now, the present Secretary does advocate the repeal of certain taxes and the levying of certain other taxes, and the gentleman will recall the fact that Secretary Houston was severely criticized for suggesting that by a certain method you could get certain money. It is a fact that he did point out that by levying certain taxes you could get certain money, but it seems the present Secretary——

Mr. FORDNEY. What is the difference between Secretary Houston's recommendation and those set forth in this letter, my friend?

Mr. GARNER. The difference is that according to the newspapers he recommends the levying of certain specific taxes.

Mr. FORDNEY. My dear friend, you should only believe half that you see in the newspapers and nothing that you hear. [Laughter.] I would rather not comment upon the Secretary's suggestions. I would have his letter printed as a public document and let each one comment on it for himself.

Mr. GARNER. I do not think you should have the extra number printed in the first instance, or unless it should be found later that they are needed.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GARRETT of Tennessee. Does the gentleman agree with the Secretary's suggestions?

Mr. FORDNEY. Yes. So far as I understand, there is no great difference between the suggestions of the two Secretaries. I do not now recall that there is any difference and could not make correct comment without comparing the two reports.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. SISSON. In having the document printed, should not the resolution provide the number that are given to the Senate and the number that should be given to the House? That has been usual, so as to have an equal and just distribution.

Mr. FORDNEY. That is true where more than the ordinary number is printed.

Mr. SISSON. Will that document be distributed through the document room or through the folding room?

Mr. FORDNEY. I am not positive. Maybe the gentleman himself can answer that question.

Mr. SISSON. We should know exactly what is to be done with it, and certainly we should know how many each Member is fairly entitled to.

Mr. FORDNEY. I would like to have it distributed among the Members of the House.

Mr. SISSON. I shall have no objection to the request or resolution if it is so framed that every Member of the House may have a certain number at his disposal.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LONGWORTH. I think the gentleman made a remark by inadvertence, possibly not understanding the question of the gentleman from Tennessee [Mr. GARRETT].

Mr. FORDNEY. Possibly I did not understand the gentleman.

Mr. LONGWORTH. That was that Secretary Mellon makes the same recommendation that Secretary Houston did.

Mr. FORDNEY. Without comparing them particularly, I do not think there is great difference.

Mr. LONGWORTH. Oh, there is a vital difference.

Mr. FORDNEY. But I do say this, that this is a Republican document and undoubtedly correct. [Laughter and applause.]

Mr. LONGWORTH. And that is the very reason why there is such a wide difference. [Laughter.]

Mr. FORDNEY. Perhaps so. [Laughter.]

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BYRNES of South Carolina. The gentleman from Michigan and myself are in accord as to the subject of lapsing appropriations. I want to call the gentleman's attention to this statement in the Secretary's letter:

> Reduction of appropriations, moreover, will not of itself be effective to reduce expenditures unless at the same time the Congress avoids or controls measures which result in expenditures without an apparent appropriation. Reappropriation of unexpended balances, revolving-fund appropriations, and appropriations of receipts and other indefinite authorizations of expenditure have in the past been responsible for hundreds of millions of dollars of actual cash outgo.

Now will the gentleman help us avoid those legislative subterfuges which have been responsible for the expenditure of hundreds of millions of dollars?

Mr. FORDNEY. I will say to the gentleman that before the war there were 33,000 Government clerks employed in this city, and on the 4th of March there were 85,000 Government clerks employed here.

Mr. BYRNES of South Carolina. Congress appropriated for them.

Mr. FORDNEY. The administration then in power employed them. Whose duty is it to discharge them when they are no longer needed?

Mr. BYRNES of South Carolina. The Congress appropriates the money by which they are paid.

Mr. FORDNEY. I decline to yield to the gentleman in order that he may make a speech. The Secretary of War recently stated that he expected to discharge 16,000 clerks before the 1st of July.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask that the gentleman may have five minutes more.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the gentleman from Michigan may proceed for five minutes more.

Mr. FORDNEY. Yes; I do not want any more time. Is there objection to the printing of this letter?

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

Mr. FORDNEY. I do not want five minutes. I simply want to print this letter.

Mr. MONDELL. Mr. Speaker, reserving the right to object——

Mr. KNUTSON. I object.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman is talking about a very important matter.

Mr. FORDNEY. The gentleman's argument is done. Does he object? That is all I want to know.

Mr. GARRETT of Tennessee. No; I ask unanimous consent——

The SPEAKER. Objection has been made.

Mr. GARRETT of Tennessee. On what side?

Mr. KNUTSON. On this side.

Mr. SISSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SISSON. Is this a privileged resolution?

The SPEAKER. Yes; the gentleman from Michigan asked unanimous consent that there be printed 5,000 extra copies as a public document. The Speaker understands that he withdrew the request for 5,000 additional in response to the suggestion of the gentleman from Texas [Mr. GARNER].

Mr. GARNER. I do not want to be put in the attitude of objecting to this extra 5,000 copies if the gentleman thinks that they are necessary.

Mr. FORDNEY. I think they are.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the letter of the Secretary be printed as a public document and that 5,000 extra copies be printed. Is there objection?

Mr. SISSON. Reserving the right to object, I have no objection to printing the 5,000 copies, but I do think we should provide now in this unanimous-consent request that they be distributed through the folding room, and that 1,500 copies be for the use of the Senate and 3,500 copies for the use of the House.

Mr. FORDNEY. I have no objection to that suggestion.

The SPEAKER. Without objection, the request is amended as suggested. Is there objection to the request as amended?

There was no objection.

JOINT COMMITTEE ON REORGANIZATION.

Mr. WALSH. Mr. Speaker, I move to suspend the rules and pass Senate joint resolution No. 30.

The SPEAKER. The gentleman from Massachusetts moves to suspend the rules and pass Senate joint resolution No. 30. which the Clerk will report.

The Clerk read as follows:

Joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand a second.

The SPEAKER. The gentleman from Tennessee demands a second.

Mr. WALSH. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The Clerk will first report the resolution.

The Clerk read as follows:

Resolved, etc., That the President of the United States is authorized to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization created under the joint resolution of December 17, 1920, entitled a "Joint resolution to create a Joint Committee on the Reorganization of the Administrative Branch of the Government," who shall receive an annual salary of $7,500, payable monthly, such salary to be paid in equal parts from the contingent funds of the Senate and House of Representatives as from time to time may be duly authorized by resolutions of those bodies.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] demands a second. The gentleman from Massachusetts [Mr. WALSH] asks unanimous consent that a second be considered as ordered. Is there objection?

Mr. GARRETT of Tennessee. I object.

The SPEAKER. The gentleman from Tennessee objects. The gentleman from Massachusetts [Mr. WALSH] and the gentleman from Tennessee [Mr. GARRETT] will take their places as tellers. As many as are in favor of ordering a second will pass between the tellers and be counted.

The House divided; and the tellers reported—ayes 122, noes 49.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Tennessee makes the point of order that there is no quorum present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of ordering a second will as their names are called answer "yea," those opposed "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 224, nays 100, answered "present" 1, not voting 104, as follows:

YEAS—224.

Ackerman	Foster	Little	Rogers
Anderson	Frear	Longworth	Rose
Andrews	Free	Luce	Rosenbloom
Anthony	Freeman	Lufkin	Sanders, Ind.
Appleby	French	Luhring	Sanders, N. Y.
Arentz	Frothingham	McArthur	Schall
Atkeson	Funk	McCormick	Scott, Mich.
Barbour	Gahn	McFadden	Scott, Tenn.
Beck	Gensman	McKenzie	Shaw
Beedy	Gernerd	McLaughlin, Mich.	Shelton
Benham	Glynn	McLaughlin, Nebr.	Shreve
Bird	Goodykoontz	McLaughlin, Pa.	Siegel
Bixler	Gorman	McPherson	Sinnott
Blakeney	Graham, Ill.	MacGregor	Slemp
Bland, Ind.	Green, Iowa	Madden	Smith
Boies	Greene, Mass.	Magee	Snell
Brown, Tenn.	Greene, Vt.	Maloney	Speaks
Burdick	Griest	Mapes	Sproul
Burroughs	Hadley	Mason	Stafford
Burton	Hawley	Merritt	Steenerson
Butler	Hays	Michaelson	Stephens
Cable	Herrick	Michener	Stiness
Campbell, Kans.	Hersey	Miller	Strong, Kans.
Campbell, Pa.	Hickey	Millspaugh	Summers, Wash.
Cannon	Hicks	Mondell	Sweet
Chalmers	Hill	Montoya	Swing
Chandler, Okla.	Himes	Moore, Ill.	Taylor, N. J.
Clague	Hoch	Moore, Ohio	Taylor, Tenn.
Classon	Houghton	Moores, Ind.	Temple
Clouse	Hull	Mott	Thompson
Colton	Ireland	Mudd	Tilson
Connell	James, Mich.	Murphy	Timberlake
Connolly, Pa.	Jefferis	Nelson, A. P.	Tincher
Cooper, Ohio	Johnson, S. Dak.	Nelson, J. M.	Towner
Coughlin	Johnson, Wash.	Newton, Minn.	Treadway
Crowther	Jones, Pa.	Nolan	Underhill
Curry	Kearns	Norton	Valle
Dale	Keller	Ogden	Vestal
Dallinger	Kelly, Pa.	Osborne	Volgt
Davis, Minn.	Kendall	Parker, N. J.	Volk
Dickinson	King	Parker, N. Y.	Volstead
Dowell	Kinkaid	Patterson, N. J.	Walsh
Dunbar	Kirkpatrick	Peters	Wason
Echols	Kissel	Porter	Watson
Elliott	Kleczka	Purnell	Webster
Ellis	Kline, N. Y.	Ramseyer	Wheeler
Elston	Kline, Pa.	Ransley	White, Kans.
Evans	Knutson	Reavis	White, Me.
Fairchild	Kopp	Reece	Williams
Fairfield	Kraus	Rhodes	Williamson
Faust	Lawrence	Ricketts	Wood, Ind.
Fess	Layton	Riddick	Wurzbach
Fish	Lea, Calif.	Roach	Wyant
Fitzgerald	Leatherwood	Robertson	Yates
Focht	Lehlbach	Robsion	Young
Fordney	Lineberger	Rodenberg	Zihlman

NAYS—100.

Almon	Brand	Clark, Fla.	Dupré
Bankhead	Briggs	Collier	Favrot
Barkley	Brinson	Collins	Fisher
Bell	Buchanan	Connally, Tex.	Flood
Black	Bulwinkle	Crisp	Fulmer
Bland, Va.	Byrnes, S. C.	Davis, Tenn.	Garner
Blanton	Byrns, Tenn.	Deal	Garrett, Tenn.
Bowling	Cantrill	Drane	Garrett, Tex.
Box	Carter	Driver	Griffin
Hammer	Linthicum	Parrish	Stedman
Hardy, Tex.	Logan	Pou	Stoll
Harrison	Lowrey	Quin	Sumners, Tex.
Hawes	McClintic	Rainey, Ala.	Swank
Hayden	McDuffie	Raker	Taylor, Colo.
Huddleston	McSwain	Rankin	Ten Eyck
Hudspeth	Mansfield	Rayburn	Tillman
Humphreys	Martin	Rouse	Tyson
Johnson, Miss.	Mead	Rucker	Upshaw
Jones, Tex.	Montague	Sabath	Vinson
Kincheloe	Oldfield	Sanders, Tex.	Ward, N. C.
Kindred	Oliver	Sandlin	Weaver
Kunz	Overstreet	Sears	Wilson
Lanham	Padgett	Sisson	Wingo
Lankford	Park, Ga.	Smithwick	Woods, Va.
Larsen, Ga.	Parks, Ark.	Steagall	Wright

ANSWERED "PRESENT"—1.

Cooper, Wis.

NOT VOTING—104.

Ansorge	Denison	Kelley, Mich.	Perkins
Aswell	Dominick	Kennedy	Perlman
Bacharach	Doughton	Ketcham	Petersen
Begg	Drewry	Kiess	Pringey
Bond	Dunn	Kitchin	Radcliffe
Bowers	Dyer	Knight	Reber
Brennan	Edmonds	Kreider	Reed, N. Y.
Britten	Fenn	Lampert	Reed, W. Va.
Brooks, Ill.	Fields	Langley	Riordan
Brooks, Pa.	Fuller	Larson, Minn.	Rossdale
Browne, Wis.	Gallivan	Lazaro	Ryan
Burke	Gilbert	Lee, Ga.	Sinclair
Burtness	Goldsborough	Lee, N. Y.	Snyder
Carew	Good	London	Stevenson
Chandler, N. Y.	Gould	Lyon	Strong, Pa.
Chindblom	Graham, Pa.	Mann	Sullivan
Christopherson	Hardy, Colo.	Mills	Tague
Clarke, N. Y.	Haugen	Moore, Va.	Thomas
Cockran	Hogan	Morgan	Tinkham
Codd	Hukriede	Morin	Vare
Cole	Husted	Newton, Mo.	Walters
Copley	Hutchinson	O'Brien	Ward, N. Y.
Cramton	Jacoway	O'Connor	Winslow
Cullen	James, Va.	Olpp	Wise
Darrow	Johnson, Ky.	Paige	Woodruff
Dempsey	Kahn	Patterson, Mo.	Woodyard

The Clerk announced the following pairs:

On this vote:

Mr. HUTCHINSON (for) with Mr. GALLIVAN (against).

Mr. BEGG (for) with Mr. RIORDAN (against).

Mr. CRAMTON (for) with Mr. TAGUE (against).

Mr. WOODRUFF (for) with Mr. GILBERT (against).

Mr. HARDY of Colorado (for) with Mr. CULLEN (against).

Mr. GRAHAM of Pennsylvania (for) with Mr. JAMES of Virginia (against).

Mr. HUKRIEDE (for) with Mr. CAREW (against).

Mr. BRENNAN (for) with Mr. STEVENSON (against).

Mr. CHINDBLOM (for) with Mr. KITCHIN (against).

Mr. REBER (for) with Mr. FIELDS (against).

Mr. BROWNE of Wisconsin (for) with Mr. JACOWAY (against).

Mr. WOODYARD (for) with Mr. O'CONNOR (against).

Mr. LANGLEY (for) with Mr. DOMINICK (against).

Mr. DENISON (for) with Mr. ASWELL (against).

Mr. NEWTON (for) with Mr. MOORE of Virginia (against).

Mr. PERLMAN (for) with Mr. DREWRY (against).

Mr. PATTERSON of Missouri (for) with Mr. COCKRAN (against).

Mr. KIESS (for) with Mr. LEE of Georgia (against).

Mr. SNYDER (for) with Mr. THOMAS (against).

Mr. WINSLOW (for) with Mr. LAZARO (against).

Mr. RADCLIFFE (for) with Mr. JOHNSON of Kentucky (against).

Mr. REED of West Virginia (for) with Mr. WISE (against).

Mr. FULLER (for) with Mr. SULLIVAN (against).

Mr. EDMONDS (for) with Mr. O'BRIEN (against).

Mr. KAHN (for) with Mr. GOLDSBOROUGH (against).

Mr. LAMPERT (for) with Mr. DOUGHTON (against).

Until further notice:

Mr. LEE of New York with Mr. LONDON.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from Tennessee moves that the House do now adjourn.

The question was being taken when Mr. GARRETT of Tennessee demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 98, nays 216, answered "present" 1, not voting 114, as follows:

YEAS—98.

Almon	Blanton	Buchanan	Clark, Fla.
Bankhead	Bowling	Bulwinkle	Collier
Barkley	Box	Byrnes, S. C.	Collins
Bell	Brand	Byrns, Tenn.	Connally, Tex.
Black	Briggs	Cantrill	Crisp
Bland, Va.	Brinson	Carter	Davis, Tenn.

Deal	Johnson, Ky.	Oldfield	Smithwick
Dominick	Johnson, Miss.	Oliver	Steagall
Driver	Jones, Tex.	Overstreet	Stedman
Dupré	Kincheloe	Padgett	Stoll
Favrot	Kindred	Park, Ga.	Sumners, Tex.
Fisher	Kunz	Parks, Ark.	Swank
Flood	Lanham	Parrish	Taylor, Colo.
Fulmer	Lankford	Quin	Ten Eyck
Gallivan	Larsen, Ga.	Raker	Tillman
Garner	Linthicum	Rankin	Upshaw
Garrett, Tenn.	Logan	Rayburn	Vinson
Garrett, Tex.	Lowrey	Rhodes	Ward, N. C.
Hammer	McClintic	Rouse	Weaver
Hardy, Tex.	McDuffie	Rucker	Wilson
Hawes	McSwain	Sabath	Wingo
Hayden	Mansfield	Sanders, Tex.	Woods, Va.
Huddleston	Martin	Sandlin	Wright
Hudspeth	Mead	Sears	
Humphreys	O'Connor	Sisson	

NAYS—216.

Ackerman	Focht	Longworth	Rogers
Anderson	Foster	Luce	Rose
Andrews	Frear	Lufkin	Rosenbloom
Appleby	Free	Luhrin	Sanders, Ind.
Arentz	Freeman	McArthur	Sanders, N. Y.
Atkeson	French	McCormick	Schall
Bacharach	Frothingham	McFadden	Scott, Mich.
Barbour	Funk	McKenzie	Scott, Tenn.
Beck	Gahn	McLaughlin, Mich.	Shaw
Beedy	Gensman	McLaughlin, Nebr.	Shelton
Benham	Gernerd	McLaughlin, Pa.	Shreve
Bird	Glynn	McPherson	Siegel
Bixler	Good	MacGregor	Sinnott
Blakeney	Gorman	Madden	Slemp
Bland, Ind.	Graham, Ill.	Magee	Smith
Boies	Green, Iowa	Mapes	Snell
Brennan	Greene, Mass.	Mason	Speaks
Brown, Tenn.	Griest	Merritt	Sproul
Burdick	Hadley	Michaelson	Stafford
Burroughs	Hays	Miller	Stephens
Burton	Herrick	Millspaugh	Stiness
Butler	Hersey	Mondell	Strong, Kans.
Cable	Hickey	Montoya	Summers, Wash.
Campbell, Pa.	Hicks	Moore, Ill.	Sweet
Cannon	Hill	Moore, Ohio	Swing
Chalmers	Himes	Moores, Ind.	Taylor, N. J.
Chandler, Okla.	Hoch	Morin	Taylor, Tenn.
Clague	Hogan	Mott	Temple
Classon	Houghton	Mudd	Thompson
Clouse	Hull	Murphy	Tilson
Colton	Ireland	Nelson, A. P.	Timberlake
Connolly, Pa.	James, Mich.	Nelson, J. M.	Tincher
Cooper, Ohio	Jefferis	Newton, Minn.	Towner
Coughlin	Johnson, S. Dak.	Nolan	Treadway
Curry	Johnson, Wash.	Norton	Underhill
Dallinger	Jones, Pa.	Ogden	Vaile
Darrow	Kearns	Olpp	Vestal
Davis, Minn.	Ketcham	Osborne	Voigt
Denison	Kinkaid	Paige	Volk
Dickinson	Kirkpatrick	Parker, N. J.	Volstead
Dowell	Kissel	Parker, N. Y.	Walsh
Dunbar	Kleczka	Patterson, N. J.	Wason
Echols	Kline, N. Y.	Peters	Watson
Elliott	Kline, Pa.	Porter	Webster
Ellis	Knutson	Purnell	Wheeler
Elston	Kopp	Ransley	White, Kans.
Evans	Kraus	Reavis	White, Me.
Fairchild	Lawrence	Reece	Williams
Fairfield	Layton	Ricketts	Williamson
Faust	Lea, Calif.	Riddick	Wood, Ind.
Fenn	Leatherwood	Roach	Wurzbach
Fess	Lehlbach	Robertson	Wyant
Fish	Lineberger	Robsion	Yates
Fitzgerald	Little	Rodenberg	Zihlman

ANSWERED "PRESENT"—1.

Woodruff

NOT VOTING—114.

Ansorge	Doughton	Kendall	Pringey
Anthony	Drane	Kennedy	Radcliffe
Aswell	Drewry	Kiess	Rainey, Ala.
Begg	Dunn	King	Ramseyer
Bond	Dyer	Kitchin	Reber
Bowers	Edmonds	Knight	Reed, N. Y.
Britten	Fields	Krelder	Reed, W. Va.
Brooks, Ill.	Fordney	Lampert	Riordan
Brooks, Pa.	Fuller	Langley	Rossdale
Browne, Wis.	Gilbert	Larson, Minn.	Ryan
Burke	Goldsborough	Lazaro	Sinclair
Burtness	Goodykoontz	Lee, Ga.	Snyder
Campbell, Kans.	Gould	Lee, N. Y.	Steenerson
Carew	Graham, Pa.	London	Stevenson
Chandler, N. Y.	Greene, Vt.	Lyon	Strong, Pa.
Chindblom	Griffin	Maloney	Sullivan
Christopherson	Hardy, Colo.	Mann	Tague
Clarke, N. Y.	Harrison	Michener	Thomas
Cockran	Haugen	Mills	Tinkham
Codd	Hawley	Montague	Tyson
Cole	Hukriede	Moore, Va.	Vare
Connell	Husted	Morgan	Walters
Cooper, Wis.	Hutchinson	Newton, Mo.	Ward, N. Y.
Copley	Jacoway	O'Brien	Winslow
Cramton	James, Va.	Patterson, Mo.	Wise
Crowther	Kahn	Perkins	Woodyard
Cullen	Keller	Perlman	Young
Dale	Kelley, Mich.	Petersen	
Dempsey	Kelly, Pa.	Pou	

So the motion to adjourn was lost.

The following pairs were announced:

Until further notice:

Mr. GRIFFIN (for) with Mr. RADCLIFFE (against).

Mr. ASWELL (for) with Mr. BOWERS (against).

Mr. RIORDAN (for) with Mr. BEGG (against).

Mr. TAGUE (for) with Mr. CRAMTON (against).

Mr. GILBERT (for) with Mr. WOODRUFF (against).

Mr. CULLEN (for) with Mr. HARDY of Colorado (against).

Mr. JAMES of Virginia (for) with Mr. GRAHAM of Pennsylvania (against).

Mr. CAREW (for) with Mr. HUKRIEDE (against).

Mr. KITCHIN (for) with Mr. CHINDBLOM (against).

Mr. FIELDS (for) with Mr. REBER (against).

Mr. JACOWAY (for) with Mr. BROWNE of Wisconsin (against).

Mr. MOORE of Virginia (for) with Mr. NEWTON of Missouri (against).

Mr. DREWRY (for) with Mr. PERLMAN (against).

Mr. COCKRAN (for) with Mr. PATTERSON of Missouri (against).

Mr. LEE of Georgia (for) with Mr. KIESS (against).

Mr. THOMAS (for) with Mr. SNYDER (against).

Mr. LAZARO (for) with Mr. WINSLOW (against).

Mr. WISE (for) with Mr. REED of West Virginia (against).

Mr. SULLIVAN (for) with Mr. FULLER (against).

Mr. O'BRIEN (for) with Mr. EDMONDS (against).

Mr. GOLDSBOROUGH (for) with Mr. KAHN (against).

Mr. DOUGHTON (for) with Mr. LAMPERT (against).

Mr. POU (for) with Mr. ANTHONY (against).

Mr. MONTAGUE (for) with Mr. RHODES (against).

Mr. HARRISON (for) with MANN (against).

Mr. STEVENSON (for) with Mr. LANGLEY (against).

Mr. RAINEY of Alabama (for) with Mr. VARE (against).

Mr. TYSON (for) with Mr. HUTCHINSON (against).

Mr. DRANE (for) with Mr. FORDNEY (against).

Mr. WOODRUFF. Mr. Speaker, I am paired with the gentleman from Kentucky, Mr. GILBERT, and I withdraw my vote and answer "present."

The result of the vote was announced as above recorded.

The SPEAKER. A second was ordered, and the gentleman from Massachusetts [Mr. WALSH] has 20 minutes and the gentleman from Tennessee [Mr. GARRETT] has 20 minutes.

Mr. GARNER. Mr. Speaker, I would like to ask the gentleman from Massachusetts what he would say as to extending the debate a little mite?

Mr. WALSH. I think it would be more desirable to restrict debate. Mr. Speaker, I desire to yield the time allotted to me to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, I ask the Chair to notify me when I have consumed 10 minutes.

Inasmuch as this resolution is the outgrowth of a resolution that was passed by the Sixty-sixth Congress, I think it only fair to the new Members to spend a moment in giving something of the history of the proposition now under consideration. In the last Congress an effort was made on the part of certain of the Members of this body to provide some sort of a committee or tribunal that would do away with what had generally become known as the needless duplication and overlapping of activities in the administrative branches of the Government. We realized that the financial condition of the country was more or less menacing and that one of the most essential things to be done to reduce taxation was to reduce the expenses of the administrative branches of the Government. An investigation on the part of some of us had disclosed the fact that the departments were competing with each other; that practically every department had commissions or bureaus within it that were doing identically the same work that commissions and bureaus were doing in other departments. We came to the conclusion, after an investigation of some little time, that while the business of the United States as a Government was probably the biggest business in the world, it was likewise the worst-managed business in the world, as, for instance, we discovered that there were 19 different commissions and bureaus engaged in the building of good roads, that there were 21 bureaus scattered throughout the Government engaged in mapping and surveying, each one with its own personnel, and each personnel duplicating the work of other personnels in other departments. Consequently a resolution was passed by this House, and, as I recall it, it received the unanimous support of the membership of the House on both sides of the aisle, to appoint a joint commission to make a survey of the administrative branches of the Government to find wherein the evil existed, to ascertain the bureaus that were duplicating the work of other bureaus, and to do away with the unnecessary activities in order that we might cut down the personnel now on the Government's pay roll and thereby vastly decrease the expenses of the Government. The

resolution provided that the committee should consist of three members from the Senate and three members from the House. After the resolution was passed there were appointed upon the part of the Senate Senators SMOOT, HARRISON and WADSWORTH, and on the part of the House Dr. TEMPLE, of Pennsylvania, Judge MOORE, of Virginia, and myself. The committee began its work as soon as it could under the circumstances, because immediately after the passage of the resolution the adjournment came.

Some of the difficulties that we are going to encounter in this work have come to the attention of the committee. I say to the membership of the House that the work is monumental in character, and in my judgment it will take two years to make an adequate survey of the administrative branches of this Government and ascertain just what the evil is and where these duplications are. My idea was that the resolution should have been passed originally when the House was Republican and the administration Democratic, the thought I had in mind being that if there were antagonism between the administration and the Congress this committee would be able more effectually to work in decreasing the personnel in these departments. In that I failed. We have now come to the proposition where the committee is seeking to ascertain just where these duplications are, just what should be done away with, what bureau or commission should be taken from this department and either done away with entirely or combined with a bureau or commission in another department. We are now encountering an antagonism that I anticipated in the first instance. It is the psychology of these departments, whenever an energetic, ambitious, industrious man is at the head of one of them, that he immediately becomes obsessed with the importance of his department. The work of the Government is not the important thing, but the work of the department is the important thing, and the head of the department resents taking away from him any jurisdiction that the department already possesses, resents taking away from him any commission or bureau that has grown up through the years within his department. The thought on the part of the committee, the thought that was eventually communicated to the President, was that if the ear of the Executive were constantly attuned to the objections of the departmental heads to the taking away of this bureau or the taking away of that commission, to the removal of personnel from his department, we would save much embarrassment if we had some one working with the committee who represented the Executive, who would always have his ear, and who could give him first-hand information as to the necessity for what the committee desired to do.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I intend only to use 10 minutes, and if I get through with this statement before I have consumed 10 minutes, I shall be very glad to yield.

It seemed to the committee that we must have access to the executive head of this Government, so as to put the President in the atmosphere of what the committee was doing, so as to keep him constantly advised as to the necessity from the standpoint of the committee, and that the committee would be working at a very great disadvantage if he were not placed in that attitude. It is apparent to every one on either side of the aisle that the work of this committee will be fruitless unless we can crystallize in legislation a remedy for the evils we discover. The original resolution provided that the committee should have the power to employ any assistants that it might need, to pay whatsoever salary we thought the assistant was entitled to, with the provision that we should report to the House and the Senate the necessity for this labor, the necessity for this assistance, and secure the approval of the House, so that the money might be paid out of the contingent fund of either the House or the Senate.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman now yield?

Mr. REAVIS. Not just at present. It occurred to the committee that in order to combat influences that would necessarily appear in the departments to retain jurisdiction and to retain bureaus and commissions, in order to convince the President of the necessity for the things which our hearings may disclose, we had to have some method of putting him constantly in touch with what the committee was doing, with the evils that we were disclosing, and with the necessity for the remedy.

The SPEAKER. The gentleman from Nebraska has consumed 10 minutes.

Mr. REAVIS. I shall consume a few minutes more, Mr. Speaker. The matter was, therefore, taken up with the President, and in response to an interview we had with him I received from him on the 16th day of last month this letter:

THE WHITE HOUSE,
Washington, April 16, 1921.

MY DEAR MR. REAVIS: Senator SMOOT sent to me a copy of a proposed resolution providing for Executive representative on your Joint Committee on Reorganization. I have noted the provisions of this resolution and have sent to Senator SMOOT an expression of my approval. I am glad to inclose to you a copy of the letter addressed to him.

I am sure I need not add that it will be very pleasing if this resolution can have early and favorable action.

Very sincerely, yours,

WARREN G. HARDING.

Hon. C. FRANK REAVIS,
House of Representatives, Washington, D. C.

That letter was written after the President's attention was called to the necessity that he be constantly advised as to what the committee was doing, and it was written because the President has a sincere desire to cooperate in the fullest measure with the Congress in effecting these economies so far as they may be effected. It is no desire on the part of the President to make a place for anyone. It is merely a desire that the Executive may cooperate with this committee in doing away with the useless duplication and overlapping of activities which are costing this Government hundreds of millions of dollars every year.

I reserve the remainder of my time.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. STAFFORD. I make the point of order that that is dilatory. Mr. Speaker, I contend no business has been transacted by the House since a quorum was developed.

Mr. RAYBURN. That is a reflection upon the speech of the gentleman from Nebraska.

Mr. STAFFORD. No reflection, but a compliment to the gentleman.

Mr. WALSH. Mr. Speaker, this is a motion to suspend the rules. Ordinary motions are not in order upon a motion to suspend the rules. We have just had a call of the House, which disclosed the presence of a quorum.

The SPEAKER. The Chair thinks a quorum ought to be present if a gentleman makes the point. The Chair will count. [After counting.] One hundred and eighty-five Members are present; not a quorum.

Mr. STAFFORD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Edmonds	Kennedy	Perlman
Ansorge	Fairchild	Kiess	Petersen
Aswell	Fairfield	Kincheloe	Pringey
Begg	Fields	Kindred	Rainey, Ala.
Bland, Ind.	Flood	Kitchin	Reber
Bond	Fordney	Kleczka	Reed, N. Y.
Bowers	Frear	Knight	Reed, W. Va.
Britten	Fuller	Kreider	Riordan
Brooks, Ill.	Gensman	Lampert	Sanders, N. Y.
Brooks, Pa.	Gilbert	Langley	Slemp
Browne, Wis.	Goldsborough	Larson, Minn.	Snyder
Buchanan	Gould	Layton	Strong, Pa.
Burke	Green, Iowa	Lazaro	Sullivan
Burtness	Greene, Mass.	Lea, Calif.	Tague
Carew	Greene, Vt.	Lee, Ga.	Thomas
Clarke, N. Y.	Hardy, Colo.	Lee, N. Y.	Tinkham
Classon	Hardy, Tex.	Little	Tyson
Cockran	Haugen	Lufkin	Underhill
Codd	Hawes	Lyon	Vare
Cole	Hawley	Maloney	Voigt
Connolly, Pa.	Hogan	Mann	Walters
Copley	Houghton	Mead	Ward, N. Y.
Cramton	Hukriede	Mills	Ward, N. C.
Cullen	Hull	Morgan	Wheeler
Davis, Minn.	Husted	Newton, Mo.	Winslow
Dempsey	Hutchinson	O'Brien	Wise
Dickinson	Jacoway	Olpp	Young
Doughton	James, Va.	Parker, N. J.	
Drewry	Kahn	Patterson, Mo.	
Dunn	Kelley, Mich.	Perkins	

The SPEAKER. Two hundred and ninety-six Members have answered to their names, a quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. Without objection, it is so ordered——

Mr. GARRETT of Tennessee. Oh, no, Mr. Speaker; I demand a division.

The House divided.

The SPEAKER. The ayes seem to have it——

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Obviously a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 255, nays 54, not voting 121, as follows:

YEAS—255.

Ackerman	Fitzgerald	McCormick	Ryan
Almon	Focht	McFadden	Sabath
Anderson	Foster	McKenzie	Sanders, Ind.
Andrews	Frear	McLaughlin, Mich.	Sandlin
Appleby	Free	McLaughlin, Nebr.	Schall
Arentz	Freeman	McLaughlin, Pa.	Scott, Tenn.
Atkeson	French	McPherson	Sears
Bacharach	Frothingham	McSwain	Shaw
Barbour	Funk	MacGregor	Shelton
Beck	Gahn	Madden	Shreve
Beedy	Garrett, Tenn.	Magee	Siegel
Benham	Gernerd	Mansfield	Sinclair
Bird	Glynn	Mapes	Sinnott
Bixler	Gorman	Martin	Sisson
Blakeney	Graham, Ill.	Mason	Slemp
Bland, Ind.	Graham, Pa.	Merritt	Smith
Boies	Griest	Michaelson	Smithwick
Bowers	Griffin	Michener	Snell
Bowling	Hadley	Miller	Speaks
Brennan	Haugen	Millspaugh	Sproul
Briggs	Hays	Mondell	Stafford
Brooks, Ill.	Herrick	Montague	Steagall
Brown, Tenn.	Hersey	Montoya	Stedman
Burdick	Hickey	Moore, Ill.	Stephens
Burroughs	Hicks	Moore, Ohio	Stiness
Burton	Hill	Moore, Va.	Strong, Kans.
Butler	Himes	Moores, Ind.	Summers, Wash.
Cable	Hoch	Morgan	Sumners, Tex.
Campbell, Kans.	Huddleston	Morin	Sweet
Campbell, Pa.	Hudspeth	Mott	Swing
Cannon	Hull	Mudd	Taylor, N. J.
Carter	Humphreys	Murphy	Taylor, Tenn.
Chalmers	Ireland	Nelson, A. P.	Temple
Chindblom	James, Mich.	Nelson, J. M.	Thompson
Christopherson	Jefferis	Nolan	Tillman
Clague	Johnson, S. Dak.	Norton	Tilson
Clouse	Johnson, Wash.	Ogden	Timberlake
Collier	Jones, Pa.	Oliver	Tincher
Collins	Kearns	Osborne	Towner
Colton	Keller	Overstreet	Treadway
Connell	Kelly, Pa.	Padgett	Upshaw
Cooper, Ohio	Kendall	Paige	Vaile
Cooper, Wis.	Ketcham	Parker, N. J.	Vestal
Coughlin	King	Parker, N. Y.	Voigt
Crisp	Kinkaid	Parks, Ark.	Volk
Crowther	Kissel	Parrish	Volstead
Curry	Kline, N. Y.	Patterson, N. J.	Walsh
Dale	Kline, Pa.	Porter	Wason
Dallinger	Knutson	Pringey	Watson
Darrow	Kopp	Purnell	Webster
Davis, Minn.	Kraus	Raker	Wheeler
Denison	Kunz	Ramseyer	White, Kans.
Dickinson	Larsen, Ga.	Ransley	White, Me.
Dowell	Lawrence	Reavis	Williams
Driver	Lea, Calif.	Reece	Williamson
Dunbar	Leatherwood	Rhodes	Wingo
Dyer	Lehlbach	Ricketts	Woods, Va.
Ellis	Lineberger	Riddick	Woodyard
Elston	Linthicum	Roach	Wright
Evans	London	Robertson	Wurzbach
Faust	Longworth	Robsion	Wyant
Fenn	Lowrey	Rodenberg	Yates
Fess	Luce	Rogers	Zihlman
Fish	Lufkin	Rose	

NAYS—54.

Bankhead	Cullen	Johnson, Miss.	Rankin
Barkley	Davis, Tenn.	Jones, Tex.	Rouse
Bell	Deal	Kincheloe	Rucker
Black	Dominick	Kindred	Sanders, Tex.
Bland, Va.	Drane	Lanham	Stevenson
Blanton	Dupré	Lankford	Stoll
Box	Favrot	Logan	Swank
Brand	Fisher	McClintic	Ten Eyck
Brinson	Fulmer	McDuffie	Tyson
Bulwinkle	Gallivan	O'Connor	Ward, N. C.
Byrnes, S. C.	Garner	Oldfield	Weaver
Byrns, Tenn.	Garrett, Tex.	Park, Ga.	Wilson
Cantrill	Hammer	Pou	
Connally, Tex.	Hayden	Quin	

NOT VOTING—120.

Ansorge	Dunn	Hukriede	Maloney
Anthony	Echols	Husted	Mann
Aswell	Edmonds	Hutchinson	Mead
Begg	Elliott	Jacoway	Mills
Bond	Fairchild	James, Va.	Newton, Minn.
Britten	Fairfield	Johnson, Ky.	Newton, Mo.
Brooks, Pa.	Fields	Kahn	O'Brien
Browne, Wis.	Flood	Kelley, Mich.	Olpp
Buchanan	Fordney	Kennedy	Patterson, Mo.
Burke	Fuller	Kiess	Perkins
Burtness	Gensman	Kirkpatrick	Perlman
Carew	Gilbert	Kitchin	Peters
Chandler, N. Y.	Goldsborough	Kleczka	Petersen
Chandler, Okla.	Good	Knight	Radcliffe
Clark, Fla.	Goodykoontz	Kreider	Rainey, Ala.
Clarke, N. Y.	Gould	Lampert	Rayburn
Classon	Green, Iowa	Langley	Reber
Cockran	Greene, Mass.	Larson, Minn.	Reed, N. Y.
Codd	Greene, Vt.	Layton	Reed, W. Va.
Cole	Hardy, Colo.	Lazaro	Riordan
Connolly, Pa.	Hardy, Tex.	Lee, Ga.	Rosenbloom
Copley	Harrison	Lee, N. Y.	Rossdale
Cramton	Hawes	Little	Sanders, N. Y.
Dempsey	Hawley	Luhring	Scott, Mich.
Doughton	Hogan	Lyon	Snyder
Drewry	Houghton	McArthur	Steenerson
Strong, Pa.	Thomas	Vinson	Wise
Sullivan	Tinkham	Walters	Wood, Ind.
Tague	Underhill	Ward, N. Y.	Woodruff
Taylor, Colo.	Vare	Winslow	Young

So the motion to dispense with further proceedings under the call was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MANN with Mr. KITCHIN.

Mr. CONNOLLY of Pennsylvania with Mr. FIELDS.

Mr. NEWTON of Missouri with Mr. HAWES.

Mr. BEGG with Mr. RIORDAN.

Mr. FORDNEY with Mr. FLOOD.

Mr. RADCLIFFE with Mr. LEE of Georgia.

Mr. EDMONDS with Mr. ASWELL.

Mr. STEENERSON with Mr. HARDY of Texas.

Mr. WOODRUFF with Mr. GILBERT.

Mr. REED of West Virginia with Mr. CAREW.

Mr. BROWNE of Wisconsin with Mr. JACOWAY.

Mr. LANGLEY with Mr. VINSON.

Mr. KRIEDER with Mr. DOUGHTON.

Mr. HUTCHINSON with Mr. MEAD.

Mr. HUKRIEDE with Mr. COCKRAN.

Mr. LAMPERT with Mr. TAGUE.

Mr. GREEN of Iowa with Mr. THOMAS.

Mr. HARDY of Colorado with Mr. LYON.

Mr. PERLMAN with Mr. JAMES of Virginia.

Mr. PATTERSON of Missouri with Mr. LAZARO.

Mr. STRONG of Pennsylvania with Mr. WISE.

Mr. CRAMTON with Mr. RAYBURN.

Mr. FULLER with Mr. SULLIVAN.

Mr. ELLIOTT with Mr. HARRISON.

Mr. BROOKS of Pennsylvania with Mr. RAINEY of Alabama.

Mr. REBER with Mr. CLARK of Florida.

Mr. NOLAN with Mr. TAYLOR of Colorado.

Mr. KIESS with Mr. O'BRIEN.

Mr. ANTHONY with Mr. BUCHANAN.

Mr. DUNN with Mr. JOHNSON of Kentucky.

Mr. DEMPSEY with Mr. GOLDSBOROUGH.

Mr. GOOD with Mr. DREWRY.

Mr. PRINGEY. Mr. Speaker, I wish to vote.

The SPEAKER. The Chair will state, inasmuch as a part of the Members may not be familiar with the rule, that there is one to the effect that unless a Member votes when his name is called he can not vote on the roll call. But the theory being that the Clerk may have neglected to call a Member's name, and, of course, in that case he having had no opportunity to vote ought to be allowed a further opportunity. So, if a man was listening and did not hear his name called, he can vote. Was the gentleman from Oklahoma present and listening when his name was called?

Mr. PRINGEY. I was.

The SPEAKER. The gentleman will be recorded.

The name of Mr. PRINGEY was called, and he answered "Yea."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. That motion is not in order.

Mr. GARRETT of Tennessee. Why is it not?

The SPEAKER. Because the rule so provides. It is as follows:

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereof is announced he shall not entertain any other motion until the vote is taken on suspension.

The gentleman from Tennessee [Mr. GARRETT] is recognized for 20 minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. SUMNERS] may control the time.

Mr. SUMNERS of Texas. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. Mr. Speaker and gentlemen of the House, in five minutes it would be impossible to point out the ill effects of the passage of this resolution. This resolution would not be before the House if it had not been that the President expressed a wish for its passage. There are not 10 men in the House of Representatives at the present time who originally would favor this legislation, and I venture the assertion that the members of the Committee on the Reorganization of the Departments on the part of the House did not initiate it.

Gentlemen, you are going to have a budget bill reported from your Budget Committee passed within a week. You gentlemen

probably know—the older Members do—what the provisions of that bill were, as you passed it at the last session. It provides for the President to organize an executive budget, a permanent bureau, located in the executive department, and under the jurisdiction and direction of the President of the United States. It provides for one employee at $10,000 per annum, and for an assistant at $7,500 per annum, and for many other employees. A total appropriation of $200,000 will be made.

Now, when you pass this resolution you are going very materially, in my judgment, to complicate the work of that executive bureau, and I am not willing to admit on the part of the House of Representatives that three of its Members, joined by three on the part of Senate, will be unable to function and unable to look into the executive branch of the Government with a view to dispensing with certain bureaus without the assistance and advice of the President of the United States. [Applause on the Democratic side.]

Why, gentlemen, there is not in the history of the legislation of this Government a resolution similar to this.

Who ever heard of a committee of the House and a committee of the Senate going to the President of the United States and asking him to appoint a clerk and to pay that clerk out of the contingent funds of the House and Senate? It is something unheard of in the history of legislation. And why do you do it? You can not say that you need this clerk. If you do need him, you can employ him. But the press of the country report—and I take it that it is true, because no one has denied it—that the President desires a man from Ohio to supervise your work, to direct you in the methods by which you shall conduct it.

Now, if the joint committee of the House and Senate is going to make an efficient investigation of the departments of the Government, the President is going to say to that committee, "Gentlemen, do not go any further in this direction, because it might be embarrassing," and therefore you will desist. Let us illustrate it: There will be seven members of this committee now, after you add one from the Executive, because the resolution says he shall cooperate with the committee. I do not know whether he will preside or vote, or what his activities may be, but he will come in and tell you how to function. Suppose your views do not agree with his, or suppose, forsooth, when you adopt the budget the bureau of the budget in the executive branch of the Government submits its report in the next two years. The gentleman from Nebraska [Mr. REAVIS] says it will take about two years to do its work. Suppose their report does not agree with the President's bureau. Suppose they recommend to the President of the United States that he abolish certain bureaus or coordinate certain functions of the Government, and your committee, joined by the representative of the Executive—this elaborate organization that is provided for in this resolution—recommends another procedure by the House of Representatives and the Senate. Which one are we to take? Which one is to predominate in its recommendations to Congress? Will it be the President's budget committee or the joint committee on the part of the House and Senate, joined by an Executive member?

I am going to predict, gentlemen, that before the end of this Congress, before you gentlemen make your report, and before we get any legislation on the subject, the President is going to rue the hour in which he asked you to make a place for one of his citizens from Ohio. [Applause on the Democratic side.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER. The gentleman from Tennessee is recognized for five minutes.

Mr. BYRNS of Tennessee. Mr. Speaker, I am in favor of any proposition that seeks to cut out duplication and save the money of the people, but I am opposed to Congress, under the guise of seeking to cut out duplication, creating additional duplication in the public service and adding to the burdens of the people by creating unnecessary and high-salaried officials. [Applause on the Democratic side.]

When the resolution providing for the Reorganization Committee was passed last December it was stated and understood by Congress that it was going to cost the Treasury very little money, because it was heralded then and has been heralded since in the press that the work was going to be done by the members of that commission, who were Members of Congress, by working at night and overtime. It was expected that it would cost very little, because the resolution actually provided that whatever expenses were incurred were to be paid out of the contingent funds of the House and Senate.

In addition to that, it was stated that where additional services were required they would call upon the Bureau of Efficiency, and that is exactly what they have been doing, because only last week the Chief of the Bureau of Efficiency was before the subcommittee on deficiencies, of which I am a member, and he stated, as I recollect, that he had been doing work for the Reorganization Committee and had already expended, I think it was, $16,000 out of his present appropriation for that purpose. He was there asking the Committee on Appropriations to recommend an additional deficiency appropriation of $10,000 in addition to the $135,000 which he has had this fiscal year, and he based his plea upon the fact that it was required to enable him to perform work during the balance of the fiscal year for this Reorganization Committee.

I said this would create additional duplication. You have a Bureau of Efficiency. What does the law provide that that Bureau of Efficiency shall do? It provides that the Bureau of Efficiency shall investigate the—

> Administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and investigate duplication of statistical and other work and methods of business in the various branches of the Government service.

What does the resolution creating the Reorganization Committee provide? It provides that it shall make a survey—

> Of the administrative services of the Government for the purpose of securing all pertinent facts concerning their powers and duties, their distribution among the several executive departments, and their overlapping and duplication of authority; also to determine what redistribution of activities should be made among the several services, with a view to the proper correlation of the same, and what departmental regrouping of services should be made, so that each executive department shall embrace only services having close working relation with each other and ministering directly to the primary purpose for which the same are maintained and operated, to the end that there shall be achieved the largest possible measure of efficiency and economy in the conduct of Government business.

Now, the gentleman from Texas [Mr. GARNER] told you a moment ago——

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BYRNS of Tennessee. No; I regret that I have not the time. The gentleman from Texas [Mr. GARNER] told us that within a week or so we would pass a budget law, something that I hope will be put upon the statute book very soon. What does that budget bill as passed by the Senate and as proposed in this House provide? Listen. It creates, as the gentleman said, a bureau of the budget to be under the sole direction of the President of the United States. It provides a director of the budget at $10,000 a year and an assistant director at $7,500 a year, and in addition to that it places at his disposal $225,000 to employ a competent force under the director, to make a detailed study of the departments and establishments for the purpose of enabling the President to determine "(1) the existing organization, activities, and methods of business of such departments or establishments, (2) the appropriations therefor, (3) the assignment of particular activities to particular services, or (4) the regrouping of services." Is there not a clear duplication in the work to be performed by these three different agencies?

My friends, you have told the people that you are in favor of cutting out duplication and saving the people's money, but you are right here, by the passage of this resolution, duplicating the service that you expect of this bureau of the budget which you are creating, to cost $225,000 a year. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SUMNERS of Texas. I yield to the gentleman from Tennessee [Mr. BYRNS] two minutes more.

Mr. BYRNS of Tennessee. They told us last December that they would not require any particular appropriation for the purposes of this commission. Why is it now that five months after that commission was created they come in here and ask that a position be created to be filled by the President at $7,500 a year? Is he to do the work of the commission? He is to be appointed from the State of Ohio. I have no particular criticism of that, but has he any special knowledge of the departments here? Has he as much knowledge as the Bureau of Efficiency, which for several years has been making investigations of your departments, and which now is under the direct control and supervision of the President of the United States, and for which you are appropriating $135,000 during this year and will probably allow a further deficiency of $10,000 for the express purpose of aiding this Reorganization Committee?

Why, gentlemen, last fall we heard claims and promises of economy. We have heard much about duplication of service,

and I appeal to you not to refute those claims of economy which were made in the campaign last fall by the passage of this resolution creating what I said at the outset was an unnecessary office. Let this commission do the work which they promised Congress they would do and make their report, and then let Congress pass upon it. You appreciate the difficulty you are going to have if you give the President a $7,500 man to act with this commission and then provide a budget bureau with a $10,000 man at the head of that. As the gentleman from Texas [Mr. GARNER] says, what are you going to do if they conflict in the recommendations which they will make to the House? I hope that in the interest of economy you will vote down this resolution and this motion to suspend the rules. [Applause.]

Mr. GARRETT of Tennessee. I make the point of order that there is no quorum present.

The SPEAKER. The Chair anticipated that the gentleman would be likely to make that point, and he has just counted the House, and there is a quorum present.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman from Nebraska use some of his time?

Mr. REAVIS. There will be but two speeches on this side.

Mr. SUMNERS of Texas. We have only one more speech on this side.

Mr. REAVIS. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Nebraska has eight minutes remaining.

Mr. REAVIS. I yield three minutes to the gentleman from Virginia [Mr. MOORE].

The SPEAKER. The gentleman from Virginia [Mr. MOORE] is recognized for three minutes. [Applause.]

Mr. MOORE of Virginia. Mr. Speaker, I have the unsought honor of being a member of the joint committee, and I will vote for this resolution if I can be present when the vote is taken. But it may be impossible for me to remain.

I had not supposed that the resolution would be made a party question, nor did I think it would stir up any excitement. This is a plain statement of the matter—the committee is charged with a great responsibility and the President has recognized that fact. The President is extremely anxious to cooperate with the committee and has chosen and suggested the method of doing it expressed in the resolution. I think that his cooperation will be extremely helpful to the committee. The committee is going to find itself constantly examining and investigating in the closest way the conditions in the executive departments, and the cooperation of the President will be a very great aid to the committee in doing it.

I have only time to mention one fact further, namely, that this resolution was considered in the Senate on the 19th day of last month, and there received unanimous approval; that the Senate minority member of the committee, Senator HARRISON, of Mississippi, not only voted his approval but expressed his approval in a speech, and that the very able and distinguished Democrat who was at one time the leader of this House, Senator UNDERWOOD, in even more extended remarks indicated the reasons why, in his opinion, it was proper to pass the resolution. [Applause.]

Now, Mr. Speaker, I do not concede, with great respect for my distinguished friend from Tennessee [Mr. GARRETT], that there is any good reason why there should be any opposition to the resolution, and I have no hesitation in giving it my support.

Mr. SISSON. Mr. Speaker, it is absolutely essential that the man who votes for the passage of this resolution, on either side of the House, must either have some support outside of his own reasoning powers or he must have it by virtue of the letter of the President demanding it. I do not believe that with the Executive letter left out of this debate you could get 10 Republican Members of this House to vote for the passage of the resolution.

Now, if there is one thing that I am afraid of more than another it is the domination of the legislative branch of the Government by the Executive. [Laughter on the Republican side.] Oh, you may laugh and jeer as much as you please on the Republican side, intimating by it that the Democrats were controlled in the last House by the Executive. I condemn that Executive control by one President just as much as I do by the other, and God knows I wish you felt that way. But you do not. You bend the neck to Harding's yoke, but if this request had come from a Democratic President you would have wanted to impeach him. Why do not you now act as you talked a year ago? If you did this resolution would not stand a ghost of a show to pass. Why is it that you do not have Executive representation on the Appropriations Committee for the purpose of insuring that there shall not be any Executive veto? If there is one thing that this Government should be always sure to guard against, it is keeping absolutely separate the executive, legislative, and judicial branches of the Government. The legislative branch of the Government should make the laws, the judiciary should construe the laws, and the executive should enforce them. Thomas Jefferson said that the separation of the three branches of Government and keeping them separate was the palladium of American liberty.

Now, this is a small matter you may say, but the great trouble about it is that I am afraid that it is for the purpose of settling some political differences and political embarrassment in the State of Ohio. [Cries of "oh, no" on the Republican side.]

I hear you say no, but I can name the man who is slated for this job.

A MEMBER. We know him.

Mr. SISSON. You Republican leaders all know it is for the purpose of settling political differences up in Ohio and you propose to put Mr. Brown in this place with the idea that this will settle some embarrassment of the President and will settle some political differences in Ohio.

Mr. LONGWORTH. There are no political differences in Ohio. [Laughter.]

Mr. SISSON. I am sure there are no political differences if you can make a place for Mr. Brown and keep him out of the race for the United States Senate; then the gentleman from Ohio, Mr. LONGWORTH, and the gentleman from Ohio, Mr. FESS, can fight it out here among themselves.

Mr. REAVIS. Will the gentleman yield for a brief question?

Mr. SISSON. No; I have not the time; I have some things I want to say. When you look at the resolution you will find that it provides that the Executive shall have representation here. I tell you as a matter of fact my friend from Ohio Mr. FESS is going to have a hard time if he beats Mr. LONGWORTH for the United States Senate; you are both going to have a lively hot time unless one of you get the assistance of the Executive.

This is the first time in the history of this Republic that the President of the United States was ever given the power to elect a Member of Congress and allowed to put him on a certain committee. Oh, you may ask, is he going to vote? What is he going to do? I do not know, nor do you. He may preside and vote in case of a tie. Is he going to advise? If so, is he going to give you instruction as to what to do? Will you later let him come on the floor? Will you finally allow him a vote and have all the rights of a Representative? What is the purpose of putting him on this committee? He lives in Ohio, and what does he know about the difficulties in the reorganization of the Government? Take my friend WALSH, and he could give him cards and spades on reorganizing the departments and classifying clerks, for he knows something about the Government. Take the gentleman from Wyoming [Mr. MONDELL]; he could open up a school and teach this man, and all such as he, something about government. Take the gentleman from Indiana [Mr. WOOD] and put him in his place; he has the right method, he is vigorous, he has the ability to work, and he believes in economy, and it would not cost the Government a cent. Take the gentleman from Illinois [Mr. MANN], and he could do something. These men have been here for years, and they understand something about the departments of Government. This man that you propose to put on the committee knows nothing on earth about it. It will take him years to know what every member of this committee already knows. Yet you propose to put him down here as an adviser, as a counselor and controller of six experienced Members of Congress, and expect him to give you light on reorganization. Gentlemen, this theory will not hold water. You know that he will do no good. It will add one more highly paid man to the pay roll. Is this your method of cutting down expenses and cutting off useless employees?

This is a precedent, and it will not be long before the President will begin to say in the future, "I am interested very much in certain legislation coming before the Committee on Appropriations—the subcommittee having in charge the legislative, executive, and judicial appropriation bill—and in view of the fact that that bill deals with everything from the President down to a charwoman, I think the Executive ought to have a representative on that committee to sit and advise and counsel with you," and they will get another in the Senate. Then the Committee on the Judiciary will have to have an Executive representative to sit on it representing the President. Gentlemen, you are mingling the powers of Government, which is an admission on the part of the Congress that the membership elected by the people is unable to function.

It has been suggested by the proponents of this bill that by having this man you can avoid Executive veto. True, you may avoid Executive vetoes, if you always have men to tell you what the Executive wants to do, but when you do it you have absolutely destroyed the independence of the legislative branch of the Government, and here in this body, the representatives of the people, repose the sanctity and sacredness of our liberties. They are reposed in you and not in the Executive. The whole Government is constructed upon the theory that you, and you alone, as the representatives of the people, should determine legislation. The only thing under the Constitution that the President has to do with the legislative branch of the Government is to deliver to it recommendations, either orally or in writing—and some have delivered them orally and some in writing—and to give the Representatives information about the condition of the executive branch of the Government and make such recommendations as he sees fit and proper. When this is done he has gone the length of his cable tow. But this is done in the open, aboveboard. It is where all the people can see and hear; it is where the whole world can know what the President is doing. There should be no star-chamber proceedings in this Government. But when you do what you are proposing to do here all of you Republicans know that the President had a joint interview with certain Members of this body or another, and they come with innocence on their brows and assume responsibility for the whole proceeding, when as a matter of fact they are acting under orders. America will condemn such star-chamber proceedings. You will pass this bill under suspension of rules, when you know that it can not be amended or debated, and when you do you concede that the Executive has a right to have representation on these committees. I shall vote against this resolution. It is revolutionary and dangerous.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GARRETT of Tennessee. Mr. Speaker, may I inquire if the Speaker has read my mind recently?

The SPEAKER. The Chair has not.

Mr. GARRETT of Tennessee. I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] There is a quorum present.

Mr. REAVIS. Mr. Speaker, I yield the remainder of my time to the gentleman from Pennsylvania [Mr. TEMPLE].

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. TEMPLE. Mr. Speaker, I have been very much interested in the debate on this question, particularly in the opposition to the proposal. The most serious objection comes from Democratic members of the committee which prepared the budget plan, and it is based upon their belief that there will be a duplication of work between the budget bureau and the Committee on Reorganization. I have had the honor to be a member of the special committee that prepared the budget legislation ever since that committee was created, and I also have the honor to be a member of the Committee on Reorganization. I have seen this from both angles. I wish to address myself now for a little while to the question raised by these gentlemen.

The particular work of the budget commission, to be created, I hope, by the bill that will pass here next week, is the preparation of estimates of expenditures. As an incident to that, they will inevitably find out all of the duplication there is in the governmental service, and that commission ought to have the authority, and will have the authority, if the budget bill passes, to point out and ask for a remedy for all of the duplications that they discover in preparing the estimates. That is not a function they will perform once for all; it is a continuing function. That is a duty that will be theirs as long as the budget system prevails. Inevitably duplication will arise, even after we have made a general readjustment. I was talking not long ago with the president of one of the great railroad systems. He said that, of course, there will be duplications in any large and complicated system, and he told me an incident in his own experience. They were preparing to rebuild one of their terminals, and they put their construction engineers to work gathering data. They worked for several weeks before they realized that in the offices of their maintenance engineers they already had the data which the construction engineers were now attempting to get. Duplication will arise in any large and complicated business.

We now undertake a general reorganization of the bureaus and departments of the executive branch of the Government. Congress has appointed a special committee, because we want the work done more quickly than will be possible if we depend on the budget bureau, whose particular business is to prepare the estimates. After this general committee gets the work done the Budget Committee will keep it up to date, functioning, as the bill reads, from time to time and as directed by the President. That is a constant part of their work. It is not the same kind of work that the Reorganization Committee is to do now on a large scale. It is not one general review and reorganization scheme, duplicating the work of this committee; but if it were, it is too late to remedy that, unless by discontinuing the Committee on Reorganization. It is not the appointment of this representative of the Executive on the committee that is going to make duplication. If there is to be any duplication, it is in the fact that the two committees exist.

The appointment of an Executive representative does not add anything to any real or supposed duplication. The question arises, also, whether the Executive has any right to be represented on this committee. The committee is organized for the purpose of investigating, making a general survey, and suggesting a regrouping of all of the executive branches of the Government. In every committee that makes appropriations, or in every legislative committee that drafts a bill, the committee asks for the advice of men who are in the executive departments. Read the committee hearings of any committee and you will find that constantly done, and if the legislative committees do not avail themselves of the knowledge of the executive workings by calling the members of the departments in, then they have not done their duty. It is much more important to have the advice of the President in work that vitally affects every agency of the executive branch. We want the cooperation of the Executive, and I hope that you will give it to us by passing this resolution.

The SPEAKER. All time has expired. The question is on suspending the rules and passing the joint resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 223, nays 98, not voting 108, as follows:

YEAS—223.

Ackerman	Faust	Larsen, Minn.	Ricketts
Anderson	Fenn	Lawrence	Riddick
Andrews	Fess	Lea, Calif.	Roach
Anthony	Fish	Leatherwood	Robertson
Appleby	Fitzgerald	Lehlbach	Robsion
Arentz	Focht	Lineberger	Rodenberg
Bacharach	Fordney	Little	Rogers
Barbour	Foster	Longworth	Rose
Beck	Frear	Luce	Ryan
Benham	Freeman	Lufkin	Sanders, Ind.
Bird	French	McCormick	Sanders, N. Y.
Bixler	Frothingham	McFadden	Schall
Bland, Ind.	Funk	McLaughlin, Mich.	Shaw
Boies	Gahn	McLaughlin, Nebr.	Shelton
Bowers	Gensman	McLaughlin, Pa.	Shreve
Brennan	Gernerd	McPherson	Siegel
Brooks, Ill.	Glynn	MacGregor	Sinclair
Brown, Tenn.	Goodykoontz	Madden	Sinnott
Burdick	Gorman	Magee	Snell
Burroughs	Graham, Ill.	Mapes	Speaks
Burtness	Graham, Pa.	Mason	Sproul
Burton	Green, Iowa	Merritt	Stafford
Butler	Greene, Vt.	Michaelson	Stephens
Cable	Griest	Michener	Stiness
Campbell, Kans.	Hadley	Miller	Strong, Kans.
Campbell, Pa.	Harrison	Millspaugh	Summers, Wash.
Cannon	Haugen	Mondell	Sweet
Chalmers	Hays	Montague	Swing
Chandler, N. Y.	Herrick	Montoya	Taylor, N. J.
Chandler, Okla.	Hersey	Moore, Ill.	Taylor, Tenn.
Chindblom	Hickey	Moore, Ohio	Temple
Christopherson	Hicks	Moore, Va.	Thompson
Clague	Hill	Moores, Ind.	Tilson
Clouse	Himes	Morgan	Timberlake
Codd	Hoch	Morin	Tincher
Colton	Hogan	Mott	Towner
Connell	Hull	Mudd	Treadway
Connolly, Pa.	Ireland	Murphy	Underhill
Cooper, Ohio	James, Mich.	Nelson, A. P.	Vaile
Coughlin	Jefferis	Nelson, J. M.	Vestal
Crowther	Johnson, S. Dak.	Newton, Minn.	Voigt
Curry	Johnson, Wash.	Nolan	Volk
Dale	Jones, Pa.	Norton	Volstead
Dallinger	Kearns	Ogden	Walsh
Darrow	Keller	Osborne	Wason
Davis, Minn.	Kelly, Pa.	Paige	Watson
Dickinson	Ketcham	Parker, N. J.	Webster
Dowell	King	Parker, N. Y.	Wheeler
Dunbar	Kinkaid	Patterson, Mo.	White, Kans.
Dyer	Kirkpatrick	Patterson, N. J.	White, Me.
Echols	Kissel	Porter	Williams
Elliott	Kline, N. Y.	Purnell	Williamson
Ellis	Kline, Pa.	Ramseyer	Wurzbach
Elston	Knutson	Ransley	Wyant
Evans	Kopp	Reavis	Zihlman
Fairfield	Kraus	Reece	

NAYS—98.

Almon	Bland, Va.	Brinson	Collier
Aswell	Blanton	Bulwinkle	Collins
Bankhead	Bowling	Byrnes, S. C.	Connally, Tex.
Barkley	Box	Byrns, Tenn.	Crisp
Bell	Brand	Cantrill	Cullen
Black	Briggs	Carter	Davis, Tenn.

Dent	Jones, Tex.	Oliver	Steagall
Dominick	Kincheloe	Overstreet	Stedman
Drane	Kindred	Padgett	Stevenson
Driver	Kunz	Park, Ga.	Stoll
Dupré	Lanham	Parks, Ark.	Sumners, Tex.
Favrot	Lankford	Parrish	Swank
Fisher	Larsen, Ga.	Pou	Ten Eyck
Fulmer	Lazaro	Quin	Tillman
Gallivan	Linthicum	Raker	Tyson
Garner	Logan	Rankin	Upshaw
Garrett, Tenn.	London	Rayburn	Vinson
Garrett, Tex.	Lowrey	Rouse	Ward, N. C.
Griffin	McClintic	Rucker	Weaver
Hammer	McDuffie	Sabath	Wilson
Hayden	McSwain	Sanders, Tex.	Wingo
Huddleston	Mansfield	Sandlin	Woods, Va.
Hudspeth	Martin	Sears	Wright
Humphreys	Mead	Sisson	
Johnson, Miss.	Oldfield	Smithwick	

NOT VOTING—108.

Ansorge	Fields	Knight	Reed, W. Va.
Atkeson	Flood	Kreider	Rhodes
Beedy	Free	Lampert	Riordan
Begg	Fuller	Langley	Rosenbloom
Blakeney	Gilbert	Layton	Rossdale
Bond	Goldsborough	Lee, Ga.	Scott, Mich.
Britten	Good	Lee, N. Y.	Scott, Tenn.
Brooks, Pa.	Gould	Luhring	Slemp
Browne, Wis.	Greene, Mass.	Lyon	Smith
Buchanan	Hardy, Colo.	McArthur	Snyder
Burke	Hardy, Tex.	McKenzie	Steenerson
Carew	Hawes	Maloney	Strong, Pa.
Clark, Fla.	Hawley	Mann	Sullivan
Clarke, N. Y.	Houghton	Mills	Tague
Classon	Hukriede	Newton, Mo.	Taylor, Colo.
Cockran	Husted	O'Brien	Thomas
Cole	Hutchinson	O'Connor	Tinkham
Cooper, Wis.	Jacoway	Olpp	Vare
Copley	James, Va.	Perkins	Walters
Cramton	Johnson, Ky.	Perlman	Ward, N. Y.
Dempsey	Kahn	Peters	Winslow
Denison	Kelley, Mich.	Petersen	Wise
Doughton	Kendall	Pringey	Wood, Ind.
Drewry	Kennedy	Radcliffe	Woodruff
Dunn	Kiess	Rainey, Ala.	Woodyard
Edmonds	Kitchin	Reber	Yates
Fairchild	Kleczka	Reed, N. Y.	Young

So, two-thirds having voted in favor thereof, the rules were suspended and the Senate joint resolution was passed.

The Clerk announced the following additional pairs:

General pairs:

Mr. MCARTHUR with Mr. TAYLOR of Colorado.

Mr. KENDALL with Mr. O'CONNOR.

Mr. ATKESON with Mr. BUCHANAN.

Mr. WOOD of Indiana with Mr. FIELDS.

Mr. RHODES with Mr. FLOOD.

Mr. VARE with Mr. THOMAS.

The result of the vote was announced as above recorded.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent that the title of the resolution be amended so as to conform to the body of the resolution.

The SPEAKER. That was amended in the vote.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DENISON, for three days, on account of official business.

To Mr. OLIVER, until Friday, May 6, on account of service with Board of Visitors.

To Mr. NEWTON of Minnesota, until May 6, on account of serving with Board of Visitors to United States Naval Academy.

To Mr. HUMPHREYS, for five days, on account of official business.

To Mr. SNYDER, indefinite, on account of important business.

SENATE BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 407. An act granting the consent of Congress to the Trumbull Steel Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River, in the State of Ohio.

APPOINTMENT TO BOARD OF VISITORS AT ANNAPOLIS.

The SPEAKER. Mr. MCARTHUR having resigned as a member of the Board of Visitors to Annapolis, the Chair appoints the gentleman from Pennsylvania, Mr. DARROW, in his stead.

MODIFICATION OF TITLE OF SENATE JOINT RESOLUTION 30.

Mr. GARRETT of Tennessee. Mr. Speaker, as I understood the request of the gentleman from Nebraska [Mr. REAVIS]——

The SPEAKER. The Chair thought it was not necessary. The modification was made in the motion to suspend the rules.

Mr. GARRETT of Tennessee. I thought so.

EXTENSION OF REMARKS.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend and revise my remarks on Senate joint resolution No. 20.

The SPEAKER. Is there objection. [After a pause.] The Chair hears none.

Mr. TEMPLE. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Pennsylvania makes the same request. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Wyoming asks unanimous consent to address the House for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Speaker, some days ago when it seemed altogether probable that we would dispose of the Army bill to-day, or earlier, tentative promises were made that we would take up the budget bill for consideration to-morrow morning. We have not completed consideration of the Army bill; but I think so many gentlemen have understood that the budget bill was to come up to-morrow that, in view of that understanding, it is advisable that it should be taken up in the morning and the Army bill go over. I make this statement in order that gentlemen may know that the rule for the consideration of the budget legislation will be presented in the morning. The Army bill will probably be taken up on Thursday, Calendar Wednesday intervening.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 9 minutes p. m.) the House adjourned until Tuesday, May 3, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

90. A letter from the Secretary of the Treasury, transmitting supplemental estimate of appropriation in the sum of $5,000 required by the Smithsonian Institution for printing and binding, fiscal year 1921, to cover the Annual Report of the American Historical Association (H. Doc. No. 62); to the Committee on Appropriations and ordered to be printed.

91. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to establish rates of base pay for enlisted men of the insular force of the Navy; to the Committee on Naval Affairs.

92. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to correct the status of certain enlisted men of the Navy and Naval Reserve Force, and for other purposes; to the Committee on Naval Affairs.

93. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to repeal certain provisions of the deficiency act approved June 5, 1920; to the Committee on Naval Affairs.

94. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to establish the commissioned warrant and warrant grades of chief electrician, electrician, chief radio electrician, and radio electrician in the United States Navy; to the Committee on Naval Affairs.

95. A letter from the Secretary of the Navy, transmitting draft of proposed legislation to increase the efficiency and provide for the proper organization and administration of the Naval Reserve Force; to the Committee on Naval Affairs.

96. A letter from the Secretary of the Treasury, transmitting estimate of appropriation in the sum of $32,000 required by the Treasury Department in connection with the discontinuance of the subtreasury at Baltimore, Md.; to the Committee on Expenditures in the Treasury Department.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5237) granting a pension to Bessie P. Leffel; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3433) granting a pension to Katherine Schone; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BIXLER: A bill (H. R. 5616) granting the consent of Congress to the commissioners of Venango County to construct a bridge across the Allegheny River at Oil City, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. WALSH (by request): A bill (H. R. 5617) to establish a bureau for the study of criminal, pauper, and defective classes; to the Committee on the Judiciary.

By Mr. WATSON: A bill (H. R. 5618) extending the period during which the prosecutions of certain violations of the selective service act may be brought; to the Committee on the Judiciary.

By Mr. WILSON: A bill (H. R. 5619) providing for the extension and enlargement of the post office and court building at Monroe, La.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 5620) to aid in the construction of the Roosevelt Highway along the Pacific coast of Oregon; to the Committee on Roads.

By Mr. HULL: A bill (H. R. 5621) for the disposal of certain lands in the town sites of Fort Madison and Bellevue, Iowa; to the Committee on the Public Lands.

By Mr. JOHNSON of Washington: A bill (H. R. 5622) providing for the appraisal and sale of the Vashon Island Military Reservation, in the State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. QUIN: A bill (H. R. 5623) to provide an appropriation to mark the grave of Gen. Thomas Hinds; to the Committee on the Library.

By Mr. SABATH: A bill (H. R. 5624) providing for the appointment of an additional judge in the northern district of the State of Illinois; to the Committee on the Judiciary.

By Mr. BOX: A bill (H. R. 5625) for the erection of a public building at Lufkin, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5626) for the acquisition of a site for a post-office building at Jacksonville, Tex., and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. BEGG: A bill (H. R. 5627) authorizing the Secretary of the Interior to compensate veterans of the Civil War for time served in Confederate prisons; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 5628) to prohibit certain persons engaging in business in the District of Columbia and the Territories of the United States, and to punish its violation; to the Committee on the Judiciary.

Also, a bill (H. R. 5629) creating and establishing an inferior district court in each district of the United States of America and defining the jurisdiction and providing for the appointment of judges for said courts, and for other purposes; to the Committee on the Judiciary.

By Mr. McSWAIN: A bill (H. R. 5630) to amend paragraph 5 of section 1 of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. FESS: A bill (H. R. 5631) to amend an act entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended by the act of July 11, 1919; to the Committee on Education.

By Mr. VOLSTEAD: A bill (H. R. 5632) to further protect interstate and foreign commerce against bribery and other corrupt trade practices; to the Committee on the Judiciary.

By Mr. PORTER: Resolution (H. Res. 78) requesting the Secretary of State to furnish the House of Representatives with information concerning oil fields in Mexico and Central America; to the Committee on Foreign Affairs.

By Mr. HUDSPETH: Joint resolution (H. J. Res. 99) to suspend the requirements of annual assessment work on mining claims during the years 1920 and 1921; to the Committee on Mines and Mining.

By Mr. BIXLER: Joint resolution (H. J. Res. 100) authorizing and directing the Secretary of War to enter and record the name of Roe Reisinger, alias J. Monroe Reisinger, on the Army and Navy medal of honor roll; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 5633) for the relief of Frank H. Haddock; to the Committee on Military Affairs.

By Mr. BOX: A bill (H. R. 5634) for the relief of Frank William Brown and Clara Bryan Brown; to the Committee on Claims.

Also, a bill (H. R. 5635) for the relief of T. J. Ball; to the Committee on Claims.

Also, a bill (H. R. 5636) authorizing and directing the Secretary of War to donate and deliver to each of the 14 counties of the second congressional district of Texas one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DYER: A bill (H. R. 5637) granting a pension to Emma Potts; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 5638) granting an increase of pension to Belle Harbert; to the Committee on Pensions.

By Mr. HAYDEN: A bill (H. R. 5639) for the relief of Walter Runke; to the Committee on Indian Affairs.

By Mr. HAWLEY: A bill (H. R. 5640) granting an increase of pension to Winifred Wilson Adams; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 5641) granting a pension to Adolph Specht; to the Committee on Pensions.

Also, a bill (H. R. 5642) for the relief of Mrs. Harold G. Halstead; to the Committee on Claims.

Also, a bill (H. R. 5643) for the relief of A. C. Russell; to the Committee on Claims.

Also, a bill (H. R. 5644) for the relief of Casimira Mendoza; to the Committee on Claims.

Also, a bill (H. R. 5645) for the relief of the First State Bank of Kerrville, Kerr County, State of Texas; to the Committee on Claims.

Also, a bill (H. R. 5646) for the relief of W. F. Payne; to the Committee on Claims.

Also, a bill (H. R. 5647) for the relief of Pettus H. Hemphill; to the Committee on Military Affairs.

Also, a bill (H. R. 5648) for the relief of Ike T. Boyles; to the Committee on Claims.

Also, a bill (H. R. 5649) for the relief of Benito Viscaina and Maria Viscaina; to the Committee on Claims.

Also, a bill (H. R. 5650) for the relief of E. W. King; to the Committee on Claims.

By Mr. HUMPHREYS: A bill (H. R. 5651) to survey the Yazoo River, Miss., with a view to the control of its floods; to the Committee on Flood Control.

By Mr. JOHNSON of Washington: A bill (H. R. 5652) to carry out the findings of the Court of Claims in the case of Omar H. Case; to the Committee on War Claims.

By Mr. KENDALL: A bill (H. R. 5653) granting a pension to Loney Ward; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 5654) granting a pension to Mell Gordon; to the Committee on Pensions.

By Mr. KUNZ: A bill (H. R. 5655) granting a pension to Charles A. Evans; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 5656) authorizing the Secretary of War to donate to the town of Blasdell, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5657) authorizing the Secretary of War to donate to the town of Angola, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5658) granting a pension to William J. Hines; to the Committee on Pensions.

By Mr. MONTAGUE: A bill (H. R. 5659) for the relief of Ellen M. Willey; to the Committee on Naval Affairs.

By Mr. MORIN: A bill (H. R. 5660) to reimburse Louis Schultz for damages done property by a Government-owned motor truck; to the Committee on Claims.

By Mr. PATTERSON of New Jersey: A bill (H. R. 5661) authorizing the Secretary of War to donate to the borough of Audubon, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. QUIN: A bill (H. R. 5662) for the relief of Sargeant Prentiss Knut, administrator of the estate of Haller Nutt, deceased; to the Committee on War Claims.

By Mr. SWING: A bill (H. R. 5663) granting a pension to Sarah E. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5664) granting a pension to Rosamond C. Dailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5665) for the relief of Otto A. Nesmith; to the Committee on Military Affairs.

By Mr. TINCHER: A bill (H. R. 5666) granting a pension to Sarah Gibbs; to the Committee on Invalid Pensions.

By Mr. VOLK: A bill (H. R. 5667) for the relief of Antti Merihelmi; to the Committee on Claims.

By Mr. WARD of New York: A bill (H. R. 5668) for the relief of Cora T. Dering; to the Committee on Claims.

By Mr. WATSON: A bill (H. R. 5669) granting a pension to Hannah White; to the Committee on Invalid Pensions.

By Mr. WHEELER: A bill (H. R. 5670) granting a pension to Amanda Ellen Howell; to the Committee on Pensions.

By Mr. WHITE of Kansas: A bill (H. R. 5671) for the relief of John Minster; to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 5672) granting a pension to Mary E. Coon; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

416. By Mr. CHALMERS: Petition of the Central Labor Union of Toledo, Ohio, indorsing the legislative program advocated by American Legion in behalf of ex-service men; to the Committee on Ways and Means.

417. Also, petition of the Central Labor Union of Toledo, Ohio, protesting against repeal of excess-profits tax and the establishment of a sales tax; to the Committee on Ways and Means.

418. Also, petition of the Woolner Brewing Co., of Toledo, Ohio, protesting against the continuance of the tax now levied on cereal beverages; to the Committee on Ways and Means.

419. By Mr. DYER: Petition of the St. Louis Brewing Association, protesting against the tax levied against cereal-beverage manufacturers on their products; to the Committee on Ways and Means.

420. Also, petition of the Independent Breweries Co., favoring a repeal of the internal-revenue tax now levied against cereal-beverage manufacturers; to the Committee on Ways and Means.

421. By Mr. FUNK: Petition of Lodge No. 853, Brotherhood of Locomotive Firemen and Enginemen, of Forrest, Ill., protesting against the repeal of the excess-profits tax, and also against the enactment of a sales or turnover tax; to the Committee on Ways and Means.

422. By the SPEAKER (by request): Petition of Springfield Post No. 21, American Legion, Springfield, Mass., favoring immediate relief for veterans of the late war; to the Committee on Interstate and Foreign Commerce.

423. Also, petition of the National Democratic Club of New York City, N. Y., regarding legislation for disabled veterans of the World War; to the Committee on Interstate and Foreign Commerce.

424. By Mr. KELLY of Pennsylvania: Petition of certain residents of Pittsburgh, Pa., of Ukrainian ancestry, relative to the east Galicia situation; to the Committee on Foreign Affairs.

425. By Mr. KISSEL: Petition of Greenpoint Post, No. 241, American Legion, Brooklyn, N. Y., regarding veteran legislation; to the Committee on Interstate and Foreign Commerce.

426. Also, petition of Solon Palmer, New York City, regarding sales tax; to the Committee on Ways and Means.

427. By Mr. MEAD: Petition of A. Wagner, Buffalo, N. Y., opposing the sales tax bill; to the Committee on Ways and Means.

428. Also, petition of the International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, Buffalo, N. Y., opposing the passage of the sales tax bill; to the Committee on Ways and Means.

429. By Mr. MONDELL: Petition of the Riverton Commercial Club and the Dubois Commercial Club, of Riverton and Dubois, Wyo., respectively, asking for an appropriation in the sum of $158,000 for the purpose of constructing the Riverton-Dubois Highway; to the Committee on Roads.

430. By Mr. SINCLAIR: Petition of Minot Lodge No. 6, Knights of Pythias, Minot, N. Dak., favoring the passage of the Smith-Towner bill; to the Committee on Education.

431. By Mr. SUTHERLAND: Petition of the Huntington Chapter of the American Association of Engineers, urging Federal aid for highways; to the Committee on Appropriations.

432. By Mr. YATES: Petition of Pavey & Co., of Springfield, Ill., by Mr. H. T. Culp, protesting against the Anderson bill, H. R. 232, the Haugen bill, H. R. 14, and the Morris bill, H. R. 659, all providing for restrictive regulation of the packing industry and allied lines; to the Committee on Agriculture.

SENATE.

TUESDAY, *May 3, 1921.*

(Legislative day of Monday, May 2, 1921.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, with an amendment, in which it requested the concurrence of the Senate.

CALL OF THE ROLL.

Mr. NORRIS. Mr. President——

Mr. PENROSE. Mr. President, I suggest the absence of a quorum before the Senate proceeds further.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Simmons
Borah	Gooding	McKinley	Smoot
Brandegee	Hale	McLean	Spencer
Broussard	Harreld	McNary	Stanfield
Bursum	Harris	Nelson	Stanley
Calder	Harrison	New	Sterling
Cameron	Heflin	Nicholson	Sutherland
Capper	Hitchcock	Norbeck	Swanson
Caraway	Johnson	Norris	Townsend
Colt	Jones, N. Mex.	Oddie	Underwood
Culberson	Jones, Wash.	Overman	Walsh, Mass.
Cummins	Kendrick	Penrose	Walsh, Mont.
Curtis	Kenyon	Pittman	Warren
Dial	King	Poindexter	Watson, Ga.
Dillingham	Ladd	Pomerene	Watson, Ind.
Edge	La Follette	Ransdell	Williams
Fernald	Lenroot	Reed	Willis
Fletcher	Lodge	Robinson	Wolcott
Frelinghuysen	McCormick	Sheppard	
Gerry	McCumber	Shortridge	

Mr. CURTIS. I wish to announce that the Senator from Delaware [Mr. BALL] and the Senator from New Hampshire [Mr. KEYES] are absent on official business.

I wish also to announce that the Senator from Kentucky [Mr. ERNST] is absent on account of illness in his family.

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is absent on official business and that he will be absent during the entire day.

The PRESIDENT pro tempore. Seventy-eight Senators have answered to their names. There is a quorum present.

RICE PRODUCTION, MILLING, AND MARKETING.

Mr. NORRIS. Out of order, I ask unanimous consent to submit a report from the Committee on Agriculture and Forestry.

I am directed by that committee, to which was referred Senate resolution 56, submitted by the Senator from Arkansas [Mr. ROBINSON] on April 25, to report it favorably with amendments. I understand that the resolution will be printed with the amendments proposed by the committee, and that under the rule it must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. UNDERWOOD. What is the resolution?

The PRESIDENT pro tempore. It will be read.

The resolution as proposed to be amended by the Committee on Agriculture and Forestry was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

The amendments were, in line 3, after the word "respecting," to strike out "agricultural industries, products, and pursuits, the production, manufacture, and market conditions affecting products, particularly"; in line 8, after the words "United States," to insert "to employ stenographers and accountants"; and in line 14, after the numerals "1922," to insert "To pay the expenses of said investigation, there is hereby appropriated out of the contingent fund of the Senate the sum of $10,000," so as to make the resolution read:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, is hereby authorized and directed to investigate conditions respecting the production, milling, and marketing of rice. Said committee or subcommittee shall be empowered to hold hearings in Washington or elsewhere in the United States, to employ stenographers and accountants, to examine witnesses, and to issue subpœnas to compel the attendance of witnesses and the production of books, papers, documents, memoranda, and correspondence. Said committee or subcommittee shall report from time to time its findings and recommendations to the Senate and shall make its final report on or before January 1, 1922. To pay the expenses of said investigation there is hereby appropriated out of the contingent fund of the Senate the sum of $10,000.

NEGOTIATION OF TREATIES (S. DOC. NO. 9).

Mr. BRANDEGEE. Mr. President, yesterday the Senate granted me unanimous consent to have printed in the RECORD an article from the Yale Law Journal on the negotiation of treaties. I ask that it may be printed also as a Senate document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS.

Mr. CAPPER presented a resolution of Local Union No. 2049, Farmers Union, of Bayard, Kans., protesting against repeal of the excess-profits tax law and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of the Central Christian Church, of Iola, Kans., favoring the enactment of legislation providing adequate relief for wounded ex-service men, which was referred to the Committee on Finance.

He also presented a resolution of Local No. 66, Farmers Union, of Kincaid, Kans., favoring legislation placing a protective tariff on agricultural products, which was referred to the Committee on Finance.

Mr. McLEAN presented memorials of the Connecticut Breweries Co., of Bridgeport; the Yale Brewing Co. (Inc.), of New Haven; Christian Feigenspan (Inc.), of New Haven; and the Hellman Brewing Co., of Waterbury; all in the State of Connecticut, remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which were referred to the Committee on Finance.

He also presented a resolution of the Bridgeport Chamber of Commerce, of Bridgeport, Conn., favoring the enactment of legislation permitting corporations to deduct contributions or gifts made to corporations organized and operating exclusively for religious, charitable, scientific, or educational purposes, which was referred to the Committee on Finance.

He also presented a resolution of George Alfred Smith Post, No. 74, Women's Auxiliary of the American Legion, of Fairfield, Conn., favoring the enactment of legislation providing adequate relief for wounded ex-service men, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of New Britain, Conn., praying for the enactment of legislation establishing a daylight saving law, which was referred to the Committee on Interstate Commerce.

He also presented resolutions of Goddess of Liberty Council, No. 3, of New Haven; Quinnipiack Council, No. 61, of New Haven; Washington Camp, No. 4, Patriotic Order Sons of America, of New Haven; Washington Camp, No. 8, Patriotic Order Sons of America, of New Haven; and the Women's Relief Corps, auxiliary to the Grand Army of the Republic, of Hartford, all in the State of Connecticut, favoring the enactment of legislation restricting the immigration of aliens in the United States, which were ordered to lie on the table.

He also presented resolutions of Naugatuck Division, Ancient Order of Hibernians, of Naugatuck; the Robert Emmett Club, of Bridgeport; and Ancient Order of Hibernians, of Waterbury, all in the State of Connecticut, favoring the enactment of legislation for the recognition of the Irish republic, which were referred to the Committee on Foreign Relations.

He also presented a resolution of the Industrial Association of the Lower Naugatuck Valley, of Derby, Conn., favoring the enactment of legislation imposing a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a memorial of the New Haven Trades Council, of New Haven, Conn., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented memorials of the Italian-American Independent Citizens' Club (Inc.), of New London; Columbus Republican Club, of New Haven; San Carlino Republican Club, of New Haven; and Frank Frassa, president of the General Italian Committee, of Bridgeport, all in the State of Connecticut, remonstrating against the enactment of legislation increasing the duty on Italian lemons, which were referred to the Committee on Finance.

He also presented a memorial of Independent Norwich Lodge, No. 309, Independent Order of B'rith Abraham, of Norwich, Conn., remonstrating against the enactment of legislation restricting immigration, which was ordered to lie on the table.

He also presented petitions of the Rotary Club and sundry members of the Chamber of Commerce, of New Britain, Conn., praying that an appropriation be made for an addition to the New Britain post office, which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Assyrian National Star Society (Inc.), of New Britain, Conn., praying for the enactment of legislation amending the immigration law so as to provide that those who have suffered religious persecution may be permitted to enter this country, which was ordered to lie on the table.

He also presented memorials of Private Michael J. Comcowich Post, No. 597, Veterans of Foreign Wars, of Ansonia; La Croix-Murdock Post, No. 585, Veterans of Foreign Wars, of Meriden; and Seiclprey Post, No. 296, Veterans of Foreign Wars, of Winsted, all in the State of Connecticut, remonstrating against the conclusion of any peace treaty with Germany until Grover Cleveland Bergdoll is delivered to the authorities of this country, which were referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 52) for the relief of the Stevens Institute of Technology, of Hoboken, N. J. (Rept. No. 23); and

A bill (S. 546) making an appropriation to pay the State of Massachusetts for expenses incurred and paid, at the request of the President, in protecting the harbors and fortifying the coast during the Civil War, in accordance with the findings of the Court of Claims and Senate report No. 764, Sixty-sixth Congress, third session (Rept. No. 24).

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 472) for the relief of William B. Lancaster, reported it without amendment and submitted a report (No. 26) thereon.

He also, from the same committee, to which was referred the bill (S. 1300) for the relief of the heirs of Agnes Ingels, deceased, reported it with an amendment and submitted a report (No. 27) thereon.

Mr. CUMMINS (Mr. CURTIS in the chair), from the Committee on the Judiciary, to which was referred the bill (S. 214) to amend section 24 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, reported it with an amendment.

OHIO RIVER BRIDGE AT IRONTON, OHIO.

Mr. CALDER. I ask permission to report favorably from the Committee on Commerce House bill 3152, granting the consent of Congress to construct a bridge over the Ohio River, and I submit a report (No. 25) thereon. The Senator from Ohio [Mr. WILLIS] is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 3152) granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

Mr. UNDERWOOD. There is no objection to the bill, but let it be read.

The Assistant Secretary read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Ironton & Russell Bridge Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation, at or near the city of Ironton, Ohio, in the county of Lawrence, in the State of Ohio, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REORGANIZATION OF EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization, which was to amend the title so as to read:

Joint resolution to authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization.

Mr. SMOOT. I move that the Senate concur in the amendment made by the House.

Mr. UNDERWOOD. I ask that action be withheld for a minute until I can ask the Senator a question.

Mr. SMOOT. Very well.

Mr. UNDERWOOD. As read at the desk, I did not gather exactly what the amendment is.

Mr. SMOOT. We allowed the old title of the joint resolution to go to the House, which provided for an additional member. We did not amend the title, and all the House has done is simply to amend the title to conform to the joint resolution.

Mr. UNDERWOOD. And the House accepted the Senate resolution?

Mr. SMOOT. Exactly as it was. We made the mistake in not amending the title, and that is all there is to it.

The amendment was concurred in.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

A bill (S. 1498) making an appropriation for the construction of roads and bridges on the north approach to and within the Petrified Forest National Monument, Ariz.; to the Committee on Appropriations.

By Mr. KING:

A bill (S. 1499) suspending the provisions of section 2324 of the Revised Statutes of the United States relative to improvement work on mining claims until the 1st day of July, 1923, and for other purposes; to the Committee on Mines and Mining.

By Mr. McLEAN:

A bill (S. 1500) granting an increase of pension to James H. Scollin; to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 1501) granting a pension to Augusta Glidden (with accompanying papers); to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 1502) for the relief of Thomas E. Owen; to the Committee on Claims.

A bill (S. 1503) granting a pension to Julianita G. Ortiz (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 1504) to facilitate commerce by prescribing overtime rates to be paid by transportation lines for inspection of arriving passengers and crews; to the Committee on Commerce.

A bill (S. 1505) for the relief of Almirall & Co. (Inc.); to the Committee on Claims.

By Mr. WOLCOTT:

A bill (S. 1506) creating the office of United States civil engineer, and providing for the pay and retirement of such officers; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 1507) to reinstate Harold T. Dawson as a midshipman in the United States Naval Academy; to the Committee on Naval Affairs.

A bill (S. 1508) granting an increase of pension to Adam S. Reisinger (with accompanying papers); and

A bill (S. 1509) granting a pension to Lodeca Wertz (with accompanying papers); to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 1510) for the relief of W. R. Grace & Co.;

A bill (S. 1511) for the relief of Sophie Caffrey;

A bill (S. 1512) for the relief of the owner of the boat *Gaylord;*

A bill (S. 1513) for the relief of Margaret Nolan;

A bill (S. 1514) for the relief of C. F. E. Petersen;

A bill (S. 1515) for the relief of Henry C. Wilke;

A bill (S. 1516) for the relief of Lewis W. Flaunlacher;

A bill (S. 1517) for the relief of Antti Merihelmi;

A bill (S. 1518) for the relief of Simon Florez Cruz;

A bill (S. 1519) for the relief of Jose Salazar;

A bill (S. 1520) for the relief of Perley Morse & Co.;

A bill (S. 1521) for the relief of the P. L. Andrews Corporation;

A bill (S. 1522) conferring jurisdiction upon the United States Court for the Southern District of New York to hear and determine the claim of the owner of the French auxiliary bark *Quevilly* against the United States, and for other purposes;

A bill (S. 1523) for the relief of P. Delany & Co.;

A bill (S. 1524) for the relief of the William Wrigley, jr., Co. (Inc.), of New York City, N. Y.;

A bill (S. 1525) for the relief of the Drapery Hardware Co., of New York City, N. Y.;

A bill (S. 1526) for the relief of the Thermal Syndicate (Ltd.), of New York City, N. Y.;

A bill (S. 1527) for the relief of the Sirio Match Co., of New York City, N. Y.;

A bill (S. 1528) for the relief of Sophie K. Stephens;

A bill (S. 1529) making appropriation to pay the R. S. Howard Co., of New York City, N. Y., its loss and damage incurred and suffered by it in complying with United States Navy Commandeer Order No. N-3255, dated June 18, 1918;

A bill (S. 1530) for the relief of Joseph Lago;

A bill (S. 1531) for the relief of Mose Matos;

A bill (S. 1532) for the relief of Charles B. Chrystal;

A bill (S. 1533) for the relief of Fairbanks, Morse & Co., of New York City, N. Y.;

A bill (S. 1534) for the relief of the Acme Die Casting Corporation, of New York City, N. Y.;

A bill (S. 1535) for the relief of the estate of Catherine Locke, deceased;

A bill (S. 1536) for the relief of Elizabeth Bolger;

A bill (S. 1537) for the relief of Furness, Withy & Co. (Ltd.);

A bill (S. 1538) for the relief of Louis F. Meissner;

A bill (S. 1539) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased; and

A bill (S. 1540) for the relief of Emma H. Ridley; to the Committee on Claims.

A bill (S. 1541) for the relief of J. P. D. Shiebler;

A bill (S. 1542) for the relief of Philip A. Hertz;

A bill (S. 1543) to provide for increasing the rank or grade of officers and enlisted men of the Army on retirement, and for other purposes; and

A bill (S. 1544) to amend the military record of Richard Parke; to the Committee on Military Affairs.

A bill (S. 1545) fixing the salary of the district attorney for the eastern district of New York;

A bill (S. 1546) to amend the Penal Code;

A bill (S. 1547) to provide for the establishment of a probation system in the United States courts, except in the District of Columbia; and

A bill (S. 1548) to fix the salary of the United States marshal for the eastern district of New York; to the Committee on the Judiciary.

A bill (S. 1549) granting an increase of pension to Henry S. Nichols;

A bill (S. 1550) granting a pension to Walter B. Chase; and

A bill (S. 1551) granting an increase of pension to Ann G. Ford; to the Committee on Pensions.

A bill (S. 1552) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired; to the Committee on Naval Affairs.

DUTIES OF JUDGES.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, which was ordered to lie on the table and be printed.

RESTRICTION OF IMMIGRATION.

The Senate, as in Committee of the Whole, resumed consideration of the bill (H. R. 4075) to limit the immigration of aliens into the United States.

Mr. REED resumed and concluded the speech begun by him on yesterday. The speech entire is as follows:

Monday, May 2, 1921.

Mr. President, I have not had the opportunity to hear the debate on the pending bill, because I was out of town during the day until a few moments ago.

We are passing a bill of the greatest importance in the greatest haste. I understand that the Senate is expected to vote upon this bill this evening after a few hours of consideration. Of course, it can be said that we have considered similar bills on other occasions. That may be some reason why debate is not now necessary, or, indeed, why debate is now useless, but I think this bill is far-reaching in its consequences; I think it is filled with danger to the United States.

I can not agree to the proposition that, because a human being happens to be born in some other country, he is therefore a menace to this Republic. I can not subscribe to the doctrine that, because there are some people in other countries who will not make good citizens of this country or of their own, therefore we should exclude all people indiscriminately.

Like the Senator from Ohio [Mr. WILLIS], I want to legislate for the United States; but I deny that we are legislating for the United States when we bar from our gates the man of good morals, good intelligence, good intentions, and good health. What we can do probably is to turn aside a tide of travel and send them possibly into Canada by the hundreds of thousands, and possibly by the millions in the long run, and can make of them loyal British subjects instead of American citizens.

We are a very hysterical people. We get excited very quickly about things that are purely temporary. If the price of coal

goes up $2 a ton, everybody gets a notion that there is a great crisis, and before you get the bill passed—I am simply using this to illustrate—the thing has regulated itself. We had a paper shortage in this country. Part of it was natural and part of it was artificial; but before we could think of any kind of legislation to regulate it the paper market was broken, and white paper was being sold on call only a few weeks ago at 4½ cents a pound.

There has been a war in Europe, and all of a sudden somebody concluded that we would be raided by vast numbers of people from Europe and that the wicked and bad elements of Europe would all come in. Now, Mr. President, it is not difficult to keep, I will not say all but any considerable number of, bad people out of this country and at the same time keep our doors open for the proper kind of people. I have had occasion to say before, and I say now, that it is easy enough to establish in Europe tribunals that will be self-supporting, supported out of fees there collected. These tribunals can absolutely examine into the character and history and purposes of the people who apply for admission to this country. I assert that every man of sound morals and sound health and good intelligence who comes to this country is an addition to the wealth and power of this country.

Something has been said here in the last few minutes about nationalities, or people of certain nationalities who belong to societies that have a compound name—an Irish-American society, for instance. I suppose that is one of the organizations that is aimed at. If those societies meant a divided allegiance, there would be no question in the world as to the attitude of every one of us; but let us examine the question, and I will take the Irish-American society as a type. Let us inquire as to its loyalty to America—the loyalty of Americans of Irish descent to America.

I dare any man to stand on this floor and challenge their loyalty. I invite him to rise now, and I pause for that Senator to rise in his place and challenge the loyalty of the Irish in America. There is the usual profound silence—an unusually profound silence—for I think I have the best attention now that I have had on the floor of the Senate in a long time. You dare not do it, and it is not true, and you know it is not true.

From the days when Irishmen crowded to the table to sign their names to the Declaration of Independence, when every man who subscribed his name knew that he might be signing his own death warrant, to this hour on every battle field of the Republic, in every war that has been fought for human liberty where the Stars and Stripes have been at the head of the column, Irishmen who belonged to these societies—Irish-American societies, Irish historical societies, Friendly Sons of St. Patrick, and all the rest of them—have been there ready to pour out their blood and do their part, and no man dare deny it on this floor.

But we need not confine these considerations to the Irish. Mr. President, there were substantially 900,000 volunteers in the European war who went out under our flag. The old system of volunteering had been denied, and so men rushed to the colors in two ways.

In one form they enlisted in the Regular Army and the Regular Navy without the inducement that went to volunteering in former wars of being permitted to go out under officers they themselves had selected. They nevertheless filled the ranks of the Regular Army and of the Navy, and did it purely as a matter of patriotism, because the war was on.

There was another method of volunteering. The National Guard of this country was a small and weak organization. When war was declared, although every man who went up and signed the muster roll of the National Guard knew that he would be ordered to the front, that organization found its membership enormously increased, so that the aggregate of the National Guard and of these volunteers who went into the regular ranks mounted, as I have the figures, to nearly 900,000 men.

Now, take the list of names of those men who did not wait to be drafted—and I cast no reflection on the men who did—but of those men who came and offered their lives, their fortunes, their health, their all in defense of this flag, take the list of those names and run it through, and you will find that the citizens of foreign birth, or whose fathers were of foreign birth, are there in such numbers as to give the lie to every man who challenges their loyalty.

The first bodies brought home, the first of the dead who came, whose remains the President of the United States went from the Capital to meet, bore names, the majority of them, that sounded very foreign to the American ear. I had those names once. I am going to take the liberty of inserting them as part of my remarks. So you can take the muster rolls, and they give you the answer, and the answer is that these men proved their loyalty to this land.

I will not even except the German-Americans, although we were at war with that country. I do not deny that in that exigency some people of German birth tried very hard to keep our country from going in against Germany as far as they had influence, just as people of English extraction would have tried to keep us from going in against Great Britain, or people of French extraction would have felt that they did not want this country to go in against France; but when war was declared, who is it dare say that these men did not—to use the common expression—toe the mark, that they did not fight well and bravely, that they did not stand to their colors, which are our colors? Now, who dare deny it?

There happens to be in the city of St. Louis a very considerable element of people of German extraction. Some of them have not learned our language. I always regret it when people come from foreign countries and do not immediately acquire a knowledge of our tongue. But the cold fact is that scarcely a man with a German name in the city of St. Louis claimed his exemption. Men who were married and had a perfect right to exemption did not claim it. Hundreds of them and thousands of them who had a perfect claim to exemption did not take advantage of the fact.

I assert that in all the history of this world there never marched to the front a body of men as thoroughly loyal as the rank and file of the American Army, and that rank and file was drawn from every class of people, and these despised foreigners, whom you execrate here to-day by this legislation, were there, ready to perform their duty.

Now, I issue another challenge. Point me to a place on the field of battle where the sons of foreigners did not stand firmly by the side of the dauntless American of pure blood, if we can use that expression with reference to any of ourselves?

I grant that there are classes of people in different countries of the world we ought not to admit to this country. There are races. I think the Chinese are a fine people, but I do not think they ought to be admitted to America to live here, because they are not assimilable by the white race with any justice to their blood or to ours.

I think the Japanese ought not to be permitted to come. I think for the most part Asiatics ought to be excluded. But they ought to be excluded because of racial differences.

When you come to the great white races of Europe, a different question is presented, and we ought to know, before men are permitted to come here, what their characters are and what their morals are, and what their attitude is toward the institutions of our land. Because we have admitted them carelessly and recklessly in the past is no reason why we should be careless or reckless in the future. If we have been improvident and careless and have not properly guarded our gates, that is no reason why we should close the gates absolutely. We should adopt the necessary regulations to insure that those who come to this land will make good American citizens, and, having done that, we will have done our full duty by this country and by the world. But we are a great people for extremes. One day we open the doors wide for everybody. Then, because some come who never ought to have been permitted to come, the next day we slam the door shut in the face of everybody.

Propositions have been brought forward here to exclude all immigration; to exclude the greatest philosophers outside of the United States, and there are some outside of the United States; to exclude the greatest artists who ever put brush to canvas; the greatest master of the chisel who ever carved from shapeless stone the forms of beauty, grace, and loveliness; to exclude the chemists who could teach us, mayhap, to make dyes, so that we did not have to clamor for protection against the superior skill of other people; to exclude the weaver who might be able to teach us how to make cloth that would wear like the cloths that are made in foreign lands; to exclude the agriculturist who has known how to make the sterile plains of Germany bear twice the crops the fruitful soil of America brings forth; to exclude the great writers of songs and plays, great magicians of music, who have turned the air to melody and changed the dull life of the people into wondrous song.

We can learn something from Europe. We are not quite so superior as we think ourselves to be. All of the intelligence and all of the culture and all of the patriotism of the world is not gathered within the puny temples of our brains. This is the old spirit of provincialism, the thing that was condemned by the fathers of the Democratic Party, the narrow spirit of the man who fears competition.

What are you afraid of? When did you get to be so superior? I can demonstrate that foreign immigration is a good thing. I can prove it. Look at yourselves. You are all the offspring of

foreigners; and behold how great you are! How all the graces sit upon you naturally! How all the virtues swell and throb through your pure souls, and all the attributes of courage surge in your manly hearts!

But where did you come from? I question whether there is a man in this room whose ancestors have been here four generations who can say that he comes from any one blood. In your veins meet and mingle the bloods of many peoples. Do you call yourself an Englishman? Then what are you? English blood is a polyglot, if such a thing be upon all this earth—the original Celtic stock conquered by a German tribe, overrun by the Italians, who were called Romans then; partially conquered by the Danes and their blood left there; and then another German tribe, which gave to Britain the name of England, because that tribe was the tribe of Angles; then a mixed breed of Norsemen and French, who had established themselves in part of France and who had named it Normandy because the Norsemen had overrun in. This breed of English is therefore a breed of many breeds, and I have no question it was the meeting and the mingling of these different strains of blood which made the Englishman what he is to-day, the most dominant character in all the world, the most determined in his policies, the most deathless in his determination, the great conquering race, that with but 38,000,000 Britishers in the British Isles floats the flag of England over one-third of the world's surface and over one-third of its population. So, if you are English, your are pretty well crossed up.

But why spend time over there? Let us come home. At the time of the Revolution, 26 different languages were spoken in the city of New York. We had the Pennsylvania Dutch with us then, so provincial, so attached to their old customs, that in parts of Pennsylvania to-day they still speak their original tongue, although the ancestors of some of them came here 175 years ago.

Then there were the French Huguenots. Somebody proposed here a moment ago to close the door on account of religion. There is not the descendant of a French Huguenot in the United States whose ancestor did not come here to escape religious persecution. They were the outcasts of their country. They were driven away because they did not worship God according to the forms and ceremonies which had been laid down for them by others. So they came in great numbers, and to-day every man I know of who has a drop of that blood in his veins is proud to boast of it.

The Germans came here in great numbers. I know that a man who says anything now for a German is very likely to be misunderstood and misconstrued and abused. But have they not been a sturdy people, a law-abiding people, in the United States? Have they not gone forward in every line of endeavor? Have they not been loyal to this flag?

Living where I do I have great sympathy for the old cause of the South, but I can not forget the fact that probably it was the German citizens of Missouri who kept Missouri in the Union. There were some things they did that are not popular down there yet, but the distinctive characteristic of that people is loyalty to the country of their adoption. Now, I agree that some of them, a few of them, did not behave as they should have in that war, but they were few, their numbers were small.

Who are these people you are barring out? The Jugo-Slav, I suppose, is especially abhorrent to you, and yet we have asserted by our attitude in the war that he not only is capable of being a good citizen of an established government but that he is capable of setting up a government for himself.

The Czecho-Slav, the Polack. You go about saying you are making a war for the purpose of liberating peoples, that they are capable of governing themselves without any help from anybody, but if one of them comes over here he will contaminate our civilization, tear the foundations from the temple of liberty, defile all the altars of our national fame, and bring ruin to this Republic, and yet the gentleman who says it can not go back three generations without finding a strain of blood that enters his veins and that blood the blood of some immigrant.

I have more faith in my country and its institutions than some people. I think that our country is so much better than any other country that nine hundred and ninety-nine out of a thousand who come here, not merely as laborers but men intending to live here, can be absorbed and can be inspired with a love and reverence for our institutions. Has it not always been so?

How did your ancestors get here, anyway? Do you think that God Almighty went around and picked out a few select individuals of the highest character and morals and respectability and brought them here, and you have descended from that particular stock? You are descended from people who came here not one whit better than the men and women who are coming now. A lot of your ancestors worked their passage over here as bondmen and sold themselves into temporary slavery in order to get here. Some of you may find, if you will go back far enough, that your great-great-great-grandmother was sold on the auction block and paid for in long green tobacco by the enterprising gentleman over here who wanted a wife. Some of you may easily now trace your ancestors back to the fellow who came over here without a dollar in his pocket, clattering wooden shoes upon the docks, with a wife following him, with an old shawl over her head and a pack of kitchen tools upon her back.

So we can go back through all of it. It is not to the discredit of those people that they came thus. It is to their credit. It requires no courage for a man with his pockets bulging with money and his head filled with ideas gained from education to emigrate to a new country, because he has the means to take care of himself. But it requires a high degree of courage for a man to take his wife and his little children and go into a new land with no money, with no capital save his own courage and his strong arm, to front new fields, to engage in a contest with other men for a livelihood in a land where he is unfamiliar with their laws, unfamiliar with their language, and ignorant of their habits. So for that very reason we have been getting all these years in these humble folk really the cream of the heart and brain and soul of Europe. A man who would come in and front conditions of that kind and make his way had to have manly traits. He was obliged to possess something of the real iron that makes men men, and here he came.

Yet always this old cry has gone up. There is nothing new about it. I have said in other speeches in other days on the floor of the Senate that we have heard it in every age of our brief period as a Nation. The same argument has come every time from the same sort of people. When the Germans first came we were warned that they were illiterate and ignorant people who would never amalgamate into our lives. I can go back to the days when they were planting colonies, when every man with any real sense knew that every white man who came here added to the sum total of the young colonies and helped to defend against the redskins and against the adversities of a new life. Even then the colonies were so jealous of each other, because they came from different countries, that they were engaged at times in war with each other, each of them asserting that he belonged to the race that was ordained of God, the select, the pure, and the good.

So when the Dutch came the same cry was raised against the Dutch. "The wooden-shoe Dutch" they were called. It was declared that our country would be turned into a sort of Dutch adjunct to Holland. When the Scotch came they protested against the Scotch in the same way. When the Irish came it was certain that our country was about to be polluted by these people. Very few of their critics had enough education themselves to know that the only reason the Irish were ignorant was because Great Britain had destroyed their schools and made it a felony for an Irish Catholic to educate his own child.

The Bohemians came, the Czechs, not in such great numbers, but when they started a settlement they generally came in hordes to that particular place, and again the cry went up that our country was about to be destroyed. It happened that one of those colonies located in the county where I lived, and it became my fortune to go to school with the children of these Bohemian immigrants who had come there wearing their leather waistcoats, smoking their long pipes, the women carrying feather beds upon their backs that they had brought over from the fatherland, with customs entirely foreign to ours. The first thing they built was a great dance hall, and they installed a brass band at one end and a fellow with a beer keg at the other. Everybody said, "What ruin that means!" and yet the very first generation, their children with whom I went to school, were such that I and the others of us so-called Americans had all we could do to keep up with them. In a little while they were doctors and lawyers and musicians and ministers and teachers and chemists, and in a little while the daughters of this proud original American race that had been here about 75 or 80 years were intermarrying with them.

Look about you. You have men in the Senate who were born over there. Are they patriotic? They stood by the flag. Are they good citizens? Are the Swedes and Norwegians of Minnesota and the Dakotas good citizens? Are they making their way? The truth is they are making their way a good deal better than the so-called native Americans in a great many places.

What about the matter of education? I put in table after table in a speech that I made here on a similar question to this a few months ago and showed that the percentage of the

children of foreign-born parents attending schools was very much greater than the percentage of the children of native-born parents. It was particularly true in the South, I am sorry to say, that that condition obtained. Now we want to close the door.

Let us consider another quality of these people. Are they brave? One thing that can nearly always be taken as the touchstone of the character of a race is, Is it a brave people?—for bravery is a virtue that is nearly always accompanied by the other manly qualities. Sir, if any of our well-conceited home folks think that those people over yonder are not brave after the example of this war, then it would be useless for me to stand and argue with them, for whether it was the Englishman with his indomitable grit, the Scotchman with his inflexible courage, the Irishman with his dash, the Frenchman with his chivalry, or the German with his stolid disregard of danger, or the Bulgarian, or the Serbian, or the Italian—all of those people furnished examples to the world of the fact that they knew how to die for a cause they believed was right. But we are very superior creatures. Our ancestors got here a few years earlier than those people will come.

[At this point Mr. REED yielded the floor for the day.]

Tuesday, May 3, 1921.

Mr. REED. Mr. President, I do not intend to take much more of the time of the Senate. On yesterday I remarked that on the previous occasion when a similar bill was before the Senate I had put into the RECORD some tables bearing upon the question of the conduct of foreigners who come to this country. One of the great tests of citizenship is the thirst for learning. I have not a compilation made from the last census, because I think the compilation is up to this time, perhaps, impossible, but I know of no reason why the figures taken from the last preceding census are not as instructive as those that might be taken from the last census. They show, broadly speaking, that the foreigner educates his children better than does the native-born white man.

Mr. President, I present, without reading, a table which I ask to have inserted as a part of my remarks, showing the school attendance of children between 6 and 14 years of age in all of the States of the United States.

The PRESIDENT pro tempore. Without objection, the table will be printed in the RECORD.

The table referred to is as follows:

TABLE NO. 1.—*Per cent of children 6 to 14 years of age attending school compared with the per cent of foreign-born population in each State.*

[This table confined to the white race for the year 1910. Census Abstract, pp. 86 and 228.]

WHITE.

States.	Per cent of foreign-born whites in 1910.	Per cent of native parentage.	Per cent where one or both parents are foreign born.	Per cent of foreign-born children.
Alabama	0.9	70.0	78.1	70.2
Arizona	22.9	80.4	72.1	61.6
Arkansas	1.1	74.7	81.2	55.8
California	21.8	87.4	88.1	82.3
Colorado	15.9	86.4	88.4	81.7
Connecticut	29.5	92.6	92.6	89.2
Delaware	8.6	83.4	83.4	75.9
Florida	4.5	72.1	76.1	63.5
Georgia	.6	74.8	84.5	76.0
Idaho	12.4	82.0	84.1	76.2
Illinois	21.3	88.2	88.0	83.8
Indiana	5.9	88.4	87.6	80.6
Iowa	12.3	90.8	90.8	82.0
Kansas	8.0	88.3	89.1	76.7
Kentucky	1.7	76.3	87.1	83.8
Louisiana	3.1	68.4	69.7	50.7
Maine	14.8	90.3	88.4	81.0
Maryland	8.0	83.3	80.0	75.5
Massachusetts	31.2	93.9	93.1	88.1
Michigan	21.2	91.3	90.6	86.8
Minnesota	26.2	88.8	89.2	86.0
Mississippi	.5	84.2	82.9	44.0
Missouri	7.0	85.5	86.7	80.7
Montana	24.4	83.5	86.0	76.1
Nebraska	14.8	90.1	90.8	85.1
Nevada	22.0	86.3	88.8	76.7
New Hampshire	22.4	92.2	91.3	85.5
New Jersey	25.9	89.6	88.7	83.8
New Mexico	6.9	76.9	75.1	56.6
New York	29.9	89.9	90.6	83.3
North Carolina	.3	75.7	84.0	64.8
North Dakota	27.1	92.7	81.5	70.0
Ohio	12.5	90.3	89.2	84.0
Oklahoma	2.4	82.2	85.5	75.8
Oregon	15.3	85.1	87.3	82.7
Pennsylvania	18.8	88.1	84.8	79.6
Rhode Island	32.8	91.2	89.0	82.4
South Carolina	.4	72.1	81.4	72.2
South Dakota	17.2	84.1	84.6	72.9
Tennessee	0.8	75.2	83.6	78.9
Texas	6.2	74.3	60.3	38.4
Utah	17.0	85.4	87.9	83.5
Vermont	14.0	93.1	93.3	89.3
Virginia	1.3	73.2	80.0	71.3
Washington	21.1	85.9	86.9	83.9
West Virginia	4.7	83.0	82.9	66.1
Wisconsin	22.0	90.8	89.7	84.1
Wyoming	18.6	84.9	85.9	76.4
United States (total)	14.5	83.5	88.0	82.3

School attendance of children 6 to 14 years of age in the United States of all classes, both native and foreign born parentage and foreign born, 81.4 per cent.

Mr. REED. The table shows the percentage of foreign-born whites in each State, the percentage of children of native parentage, the percentage where one or both of the parents are of foreign birth, and the percentage of foreign-born children attending the schools.

It is impossible to study this table—which I merely insert because I do not want to take the time of the Senate to read it—without arriving at the conclusion that the foreigner who comes to this country is anxious to educate his child, and that he has been more attentive to that high duty than has the native-born American citizen.

I call attention also to the fact that those States which possess the smallest percentage of foreign-born people are the strongest advocates of the pending bill, as shown by the votes on preceding bills of a similar character; that is to say, the State where the foreign population is very small, where the people are least acquainted with the foreigner, is found here, through its representatives, most strenuously advocating the measure; and the votes on preceding bills in the Senate and the House of Representatives will demonstrate that fact.

On a previous bill, when the literacy test was proposed, the singular thing was that those States lowest in point of literacy were the most strenuous advocates of the measure; and the singular thing, also, was that the children of the native-born population of those States were lower in point of literacy than the children of the foreign-born population. Indeed, it may be broadly stated, taking the United States as a whole, that the children of the foreign-born population attend the schools better than do the children of the native-born population. The States which possess the smallest percentage of foreign-born people, as I have said, are the strongest advocates of this bill, while many of the States having a high percentage of foreign-born population have in the past opposed similar measures.

The following States have less than 2 per cent of foreign-born people:

	Per cent.
Alabama	0.9
Arkansas	1.1
Georgia	.6
Kentucky	1.7
Mississippi	.5
North Carolina	.3
South Carolina	.4
Tennessee	.8
Virginia	1.3

The following States have more than 2 and less than 5 per cent of foreign-born population:

	Per cent.
Florida	4.5
Louisiana	3.1
Oklahoma	2.4
West Virginia	4.7

The lowest in point of foreign population of any of the States is North Carolina, with but three-tenths of 1 per cent. Mississippi has five-tenths of 1 per cent, and South Carolina has four-tenths of 1 per cent.

In New York State the per cent of foreign population is 29.9; in Minnesota 26.2; in New Jersey 25.9, running down through the States to 12.4 per cent. I shall not stop to read further, but will ask to insert the table in the RECORD.

The PRESIDENT pro tempore. Without objection, permission is granted.

The table referred to is as follows:

The following States have a large foreign-born population:

	Per cent.
New York	29.9
Minnesota	26.2
New Jersey	25.9
Montana	24.4
Wisconsin	22.0
Illinois	21.3
Michigan	21.2
Colorado	15.9
Oregon	15.3
Nebraska	14.8
Idaho	12.4

Mr. REED. Mr. President, I also ask permission to print a table showing the five States which have the largest percentage of foreign born compared with the five States which have the smallest percentage of foreign born.

The PRESIDENT pro tempore. Without objection, permission is granted.

The table referred to is as follows:

Comparative statement showing the five States which have the largest percentage of foreign born compared with the five States which have the smallest percentage of foreign born.

LARGEST PERCENTAGE OF FOREIGN BORN.

States.	Per cent of foreign-born whites in 1910 (Census Abstract, p. 86).	Per cent of school attendance 6 to 14 years, all classes (Census Abstract, p. 228).	Per cent of school attendance 6 to 14, native white (Census Abstract, p. 228).	Per cent of school attendance 6 to 14, of whites having one or both parents foreign born (Census Abstract, p. 228).	Per cent of school attendance 6 to 14, of foreign-born whites (Census Abstract, p. 228).	Per cent of negroes 6 to 14 attending school (Census Abstract, p. 228).	Expenditures for public schools, 1879 (Statistical Abstract, 1880, p. 155).	Expenditures for public schools, 1911 (Statistical Abstract, 1912, p. 118).	Value of all property in 1904 (Statistical Abstract, 1912, p. 650).	Population in 1880 (Statistical Abstract, 1880, p. 149).	Population, 1910 (Census Abstract, 1910, p. 24).	Area in square miles (Statistical Abstract, 1912, p. 28).	Date when admitted to the Union (Statistical Abstract, 1912, p. 21).
Rhode Island	32.8	88.8	91.2	89.0	82.4	87.7	$597,000	$2,360,000	$799,000,000	276,000	542,000	1,000	1790
Massachusetts	31.2	92.9	93.9	93.1	88.1	92.0	4,994,000	22,502,000	4,956,000,000	1,783,000	3,366,000	8,000	1788
New York	29.9	90.0	89.9	90.6	88.3	87.1	10,464,000	52,328,000	14,769,000,000	5,087,000	9,113,000	47,000	1788
Connecticut	29.5	92.3	92.6	92.6	89.2	90.5	1,375,000	5,426,000	1,414,000,000	622,000	1,114,000	4,000	1788
North Dakota	27.1	80.7	82.7	81.5	70.0	.....	.....	5,184,000	735,000,000	.....	577,000	70,000	1889

SMALLEST PERCENTAGE OF FOREIGN BORN.

South Carolina	0.4	62.6	72.1	81.4	72.2	56.1	$319,000	$2,168,000	$585,000,000	995,000	1,515,000	30,000	1788
North Carolina	.3	71.7	75.7	84.0	64.8	64.0	337,000	3,140,000	842,000,000	1,400,000	2,206,000	48,000	1789
Mississippi	.5	72.2	84.2	82.9	44.0	63.7	641,000	2,726,000	688,000,000	1,131,000	1,797,000	46,000	1817
Georgia	.6	65.6	74.8	84.5	76.0	55.4	465,000	4,390,000	1,167,000,000	1,539,000	2,609,000	58,000	1788
Tennessee	.8	72.1	75.2	83.6	78.9	60.1	710,000	5,083,000	1,104,000,000	1,542,000	2,184,000	41,000	1796

Mr. REED. Mr. President, I desire to make a few remarks regarding the table last printed and the other tables.

These tables demonstrate (a) that the total percentage of foreign-born population in the United States is 14.5 per cent; (b) that the percentage of children between the ages of 6 and 14 of native white parentage who attend schools is 83.5; (c) that the percentage of children of all classes between the ages of 6 and 14 who attend school is 81.4; (d) that the percentage of whites between the ages of 6 and 14 who attend school where one or both of the parents are foreign is 88 per cent in the whole United States—88 per cent, as against the general average of 81.4 per cent.

Moreover, as another test, the States having the largest percentage of foreign-born population have the lowest percentage of illiteracy, and the States having the smallest percentage of foreign-born population have a high percentage of illiteracy. Rhode Island has an immigrant population of 32.8 per cent and its school attendance is 91.2 per cent, while South Carolina's immigrant population is 0.4 per cent and its school attendance is 72.1 per cent. Massachusetts has an immigrant population of 31.2 per cent and a school attendance of 93.9 per cent, while North Carolina's immigrant population is 0.3 per cent and its school attendance 75.9 per cent. New York's immigrant population is 29.9 per cent and her school attendance 89.9 per cent, while Mississippi's immigrant population is 0.5 per cent anl its school attendance 84.2 per cent. Connecticut's immigrant population is 29.5 per cent and its school attendance 92.6 per cent, while Georgia's immigrant population is 0.6 per cent and its school attendance only 74.8 per cent. North Dakota's immigrant population is 27.1 per cent and its school attendance 82.7 per cent, while Tennessee's immigrant population is 0.8 per cent and its school attendance is 75.2 per cent. What a sad commentary it is upon the native-born American citizen that the foreigner who comes to this country sends his children to school better than the man born and reared under the American flag.

There is no better test of citizenship than the fact that the father and the mother will deny themselves the comforts of life in order to send their children to the public schools. There is no better way to fit children for the great office and duty of American citizenship than to send them to school. It seems to me that the one test I have named answers the whole question as to the fitness of these people, if they are properly selected before they come here, which is what should be done, to amalgamate themselves into the public life of the American people.

Mr. President, let us look into this question a little further. What has foreign immigration done for this country? I need not repeat what I said yesterday, that originally all the people of this country were immigrants, and for the most part they were the class of people that Europe was casting out, either by religious proscription, by tyranny of law, or by hard economic conditions. These were the instrumentalities that forced the people of other countries to come here originally. There were probably considerably less than 3,000,000 inhabitants of this country when the Declaration of Independence was signed. Patrick Henry in his great address put it at 3,000,000, but I think he was trying to encourage his fellow patriots, and added on about 500,000 people. Whether that be true or not, these colonies probably could not have held their place in the conflicts of the world except for rapid additions to their numbers. Only a few years went by until our population had doubled. It doubled, of course, out of the populations of foreign countries that had come here—the outcast, the refugee, the man fleeing from adversity, most of them coming here in pauper's rags or sent over by the bounty of other men; but when they came they became a part of the sinew and bone and soul of America, so that when the War of 1812 came around we found ourselves much more able to defend than we would have been if we had possessed only the 2,500,000 people who were here at the close of the Revolutionary War.

From that day on these people came and continued to come, and the alarmist stood and continued to sound his alarm. Each shipload of people who came to our shores at once brought to the surface the fears of these people. They declared that their blood, now become royal and superior, would be contaminated by these hordes coming here from abroad; but they continued to come. Before their axes the forests fell. With their shovels the mountains were tunneled. With their brain and their brawn and their energy they redeemed this continent. If we had shut off immigration after the Revolution, we probably would not have been a people of 110,000,000 to-day. I have not the exact figures on that point, but I think the statement is safe. Instead of being the greatest country in all this world, we would have been yet a weak country. I question, sir, whether there would have been many more white men in this country than there are colored people at the present hour. Perhaps I should put my figures of 10,000,000 at 20,000,000, for there are nearly 10,000,000 colored people here. Would that have been the

wisest course to pursue? Are there any here who, in view of this vast immigration, and in view of its results, are ashamed of the average American citizen?

We have been trying now for 200 years the policy of the open door. It existed before the Revolution, and it has existed ever since; and at the end of that time, with the most glorious result of nation building and nation progress that has ever been furnished in all the history of the world, we are suddenly told that if we do not stop it at once our country will be ruined.

Let me call your attention to another fact. The States having the largest foreign population are the States possessing the wealth, and possessing, in addition to the wealth, the best public-school systems. I do not say that wealth is the test of greatness, but it is one of the tests of progress. I do not put this particular argument forward as conclusive at all in itself, but as an argument that goes far to annihilate the doctrine that when a man happening to be born under a European sky comes here he subtracts from the sum total of American intelligence or patriotism or energy.

Rhode Island has a percentage of foreign-born whites of 32.8. The value of the property given in the Statistical Abstract for Rhode Island—which had a population under the census that I am using, that of 1880, of only 276,000 people and under the census of 1910 of 542,000 people—was $799,000,000. Its area was only 1,000 square miles.

South Carolina, with a foreign population of four-tenths of 1 per cent, had an area of 30,000 square miles—thirty times the area of Rhode Island—and a population of 1,515,000 in 1910. Although its area was thirty times as great as that of Rhode Island and its population three times as great as that of Rhode Island, its wealth was only $585,000,000, or only about five-sevenths that of Rhode Island.

Is there any lesson in those figures for you, Senators? I shall not take the time to read the rest of this table; but let me say that the figures I have just given are characteristic figures, and that in a general way they will apply to all the States having a very large foreign population, upon the one hand showing vast increases in wealth, and the other side of the shield is shown in the States having the smallest foreign population and likewise the smallest percentage of wealth, which means material progress.

I will give you just one other illustration. North Carolina, with three-tenths of 1 per cent of foreign population, with an area of 48,000 square miles and a total wealth of $842,000,000, I put in comparison with Massachusetts, with 31.2 per cent of foreign population, with an area of 8,000 square miles, as against 48,000. Massachusetts had a wealth of $4,956,000,000 and North Carolina $842,000,000.

What do these figures mean?

Mr. WATSON of Georgia. Mr. President, will my friend from Missouri allow me to ask him a question?

Mr. REED. Certainly.

Mr. WATSON of Georgia. A moment ago the Senator was speaking about the vast increase of the power of this country owing to immigration and citing the comparative figures. Has my friend from Missouri studied the increase of population in such countries as Holland, Belgium, Germany, and Japan and compared the immense strides which Japan has made upon her own native population with the strides which we have made upon native population and immigration combined?

Mr. REED. I have not given the matter study in direct connection with this question. If the Senator will permit me, I will answer his question more fully in a moment. I was just developing a theme.

Mr. President, I now come to answer the question of the Senator from Georgia [Mr. WATSON], who is a student, and whose studies are not circumscribed merely by the boundaries of our own country. It is very true that there has been a very large increase of the native population of Japan without any substantial immigration. It is very true that there has been a very large increase in population in Germany, and I think in Holland, in Great Britain, and other European countries during the last century, without substantial acquisition from the outside, and I apprehend that what the Senator is seeking by his question is to draw the conclusion that if that has been true there, we would have increased with very great rapidity here, even if no foreigners had come, from the days of Patrick Henry on.

There is some logic in that, but it by no means, in my opinion, justifies the conclusion which I think the Senator means to draw. The reason Japan did not many, many centuries ago overrun her borders was an economic reason. She had as many people as could be supported, and whenever a nation reaches that point they stop reproducing, or at least there is a great limitation placed upon it, and whenever a nation of that kind gets in a more prosperous condition the answer is always found in an increase of population. The ability of Great Britain, through her manufactures and her industrial development, to support a larger population, undoubtedly vastly increased the population of Great Britain in the last century of time, particularly if we exclude Ireland, where the converse is shown; where, because of bad government, starvation, and emigration, the population was cut in half.

So in Germany it is true that the population has largely increased in the last century, but going along with it was an industrial development which made it possible for large families to exist and for the population to rapidly increase.

In addition to that, of course, there has been another contributing cause in all of these countries and in our own. Modern science has conquered many diseases and prolonged human life. It is a perfectly legitimate argument to say that these influences would have been at work in our own country if no foreigners had come here that we would have increased rapidly in population. But when I say we might have reached ten or twenty million whites by this time, I think I have taken into account every one of the conditions the Senator spoke of, for we would have been obliged to double our population several times if we had started with the original 2,500,000, whereas in Europe, in a century of time, they have probably increased something like 75 per cent.

Mr. WATSON of Georgia. Mr. President, will the Senator yield again?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. I yield.

Mr. WATSON of Georgia. I understood the trend of the Senator's argument to be that we not only owe very largely our present wealth and power to foreign immigration but that we would be dependent in the future upon that, and would lose, in proportion at least, if we cut off immigration. I asked the Senator if he had the data before him—I am very much interested in his speech and would like to hear what those figures are if he has them—as to the comparative growth in power of wealth of Japan, based upon the increase of the Japs, and the power and wealth of the Netherlands, Holland and Belgium together, based upon native populations. I understand that Belgium is per capita the richest country on earth. Then I would like to have figures as to the vast strides in power made by the German Empire before the Great War, based entirely upon the natural increase of the German population. I asked the Senator, with a great respect for his ability, and endeavoring to secure information of value to this debate, whether he could tell us what those figures show as between nations which rely upon themselves and those which have to rely upon outside support.

Mr. REED. Mr. President, I tried to cover that as well as I could without having the statistics before me. I think, however, I have stated the fact as broadly as the statistics will show or the Senator will contend, that there has been an enormous increase in population and wealth in those countries.

The Senator drew one deduction which goes further than I have been endeavoring to argue; that is, that I am arguing that our future depends upon foreign immigration. I do not claim that at all, but I claim that foreign immigration, if we properly select the immigrants, will aid us in the future, as it has aided us in the past; and no one will go further than myself in insisting upon the selection being rigidly and carefully made.

But now let me see if the Senator's own illustration does not argue him out of court. If it be true that, pent up in his little country, obliged to import a large part of the supplies upon which he lives, the Belgian has made himself the richest man in the world, that must be the result of industry, of intelligence, of good citizenship, and if he has done that over there, what harm will it do to let him come over here and give us the benefit of his energy and his intelligence? You see, you prove too much by that argument.

Mr. WATSON of Georgia. Mr. President, will my friend allow me another question?

Mr. REED. Certainly.

Mr. WATSON of Georgia. What evidence has he that the Belgian has come or wants to come; that he is in the class he speaks of?

Mr. REED. I have this evidence, that many of the Belgians have come in the past, a very considerable number in proportion to the population of that country. There has been a generous immigration from Belgium here, when you take into consideration the size of the country; for, of course, it is a very small country. Indeed, living in my own city there is a very considerable colony of Belgians, and very good citizens they are, too.

Take the German proposition. Germany had up to the war vastly increased her wealth and her power. I am not one of

those who propose, because the Imperial German Government led the German people into this war, to condemn the German people forever. Mr. President, they have done more than increase their power and their wealth. At the basis of their power, to a very large extent, lay a knowledge of scientific fact and organization which grew to be so tremendous that when they were mustered upon the field of war they were the most formidable enemy the rest of Europe ever had to confront.

That being true, I unhesitatingly say that if men of that type come here, bringing those qualities which the Senator states have made that pent-up country great, powerful, and progressive, they will not injure us.

The Hollander, the Dane, the Swede, the Norwegian, the Senator says have made great progress. They have. I grant the statement. If they have made it under the adverse conditions at home, pent up in little countries which are overpopulated, crowded, and hemmed in, then why will they, when they come to this country, not bring with them the same qualities which they possessed over there? If they are in the front in the march of empire and greatness, why will they not over here contribute to our welfare and advantage?

What harm have we suffered? The only harm I know of that the United States has suffered from foregin immigration has come not because we have failed to close our doors in the face of all foreign nations, but because we have not been discriminating enough and careful enough as to whom we admitted.

But because we have not been brave enough is no reason why we should now shut the door entirely, for that is what the bill in effect is intended to do. Admission ought to be a matter of selection and the selection ought to be made on the other side of the water and not here at our ports. If we have failed to take proper precautions in the past we ought to take them now and not resort to this method of practically total exclusion.

I believe the bill permits to come from any country a number equal to 3 per cent of the people from that country who are already here. Now, what is the sense in that? Those of you who argue on that side of the case say that a lot of the people that we have here are bad. All right, we will let 3 per cent more of equally bad come in. If that is sound, if what we have is fit to be here, and belong here, and is an advantage to us to have here, then we do not need and should not have a 3 per cent limitation. If they are bad people, if they are dragging down our civilization, if they are imperiling our Republic, then we ought not to allow any of them here.

Mr. WATSON of Georgia. Since the Senator addresses himself to me particularly——

Mr. REED. I did not. I was attracted to the Senator as I usually am.

Mr. WATSON of Georgia. I assure the Senator I appreciate that. But the Senator must be aware that yesterday I supported the amendment of the Senator from Florida [Mr. TRAMMELL] to close the doors entirely and see how we could get along with what we have here, including, of course, the Senator from Missouri.

Mr. REED. The Senator's position is logical then.

Mr. WATSON of Georgia. Of course, it is logical. If I understand the drift of the Senator's argument he would open the door entirely——

Mr. REED. Oh, no; the Senator does not correctly understand me.

Mr. WATSON of Georgia. I am glad to stand corrected.

Mr. REED. I had intended before the bill came up to prepare a substitute, but the bill came here long before I had any idea it would come. I think that this country ought to establish tribunals in the principal countries of Europe, and to those tribunals every prospective immigrant ought to make his application. His whole character ought to be examined into, the burden ought to be put upon him to show that he is a man of good character, capable of supporting himself, with sound health, with sound morals, that he is attached to the institutions of the United States; that he proposes to renounce all allegiance to foreign kings, potentates, and powers, and intends to make of himself a citizen of this Republic. Now, if that is done our doors can be wide open to that class.

Mr. WATSON of Georgia. Without limit?

Mr. REED. Without limit, but not by any means open to the class of people who have flocked here from some countries. I will go further than that with the Senator. I believe there are people who, because of racial differences—and I said this yesterday, naming two races—fundamental characteristics that do violence to our methods of thought and of living, ought to be kept out altogether; but when we speak of Europe, speaking of it broadly, if the method I have suggested were adopted there would be no occasion to be alarmed at an influx of population. That is my judgment, though I may be wrong.

Mr. WATSON of Georgia. Would not the inevitable consequence be, if I may ask the Senator, that those only would apply for examination and for the right to come here who have made a failure of themselves in their own country?

Mr. REED. Oh, I think not by any manner of means. I think exactly the converse is true. I think the man who has the courage to come to a new country to better his condition is, generally speaking, the boldest and the best of his class. Of course, we would not expect the aristocrats to come, for they must abandon their titles, their emoluments, and their honors. We would not expect the extreme wealthy to come, for they are so happily situated at home they would not want to come. But outside of these classes I have named there is that great body of men and women whom Jefferson loved to refer to as the great common people, not the lazzarone, not the offscourings and derelicts, but that class of men and women who have an ambition to make homes and to get along in life. Our immigrants for the most part have been of that kind.

I have said on other occasions, and I say now, that, speaking broadly, we got the best of the blood of Europe in the immigrants who have come to this country. It is not the derelict who comes. Occasionally one of them drifts here, but generally speaking, if I may drop into the vernacular, it is the game man who has always come. It was the brave and adventurous who came here and planted their colonies in the Southland and along the coasts of the North. It was the brave and adventurous who followed them, and to-day, if you would go into a European community and look among the people of that community and find those who had the courage to come here, while the whole class might be such as we would not want to come in some places, nevertheless I venture to say that those who have come will average far above those who stayed behind. I believe that to be true. I believe it has always been a mistake to say that Europe is dumping her foul population upon us.

On the other hand, I think that the French peasant in whose veins there flowed the healthful, honest blood, in whose heart there were the impulses of fatherhood and patriotism, was a better man when he came here than the average of their nobility, and I believe that is generally true of every other one of those countries.

Mr. CARAWAY. Mr. President, will the Senator yield to me?

Mr. REED. I yield.

Mr. CARAWAY. If those immigrants were such worthy citizens here why did they not succeed in their homeland, and why has the Senator said that most of them came here in rags?

Mr. REED. Why did not your ancestors succeed in their own land?

Mr. CARAWAY. Does the Senator expect me to answer?

Mr. REED. Yes; I ask it in all kindness and, of course, in all politeness. Why did not mine? Why did our ancestors come here?

Mr. CARAWAY. Of course, I do not know why the Senator's ancestors came. I should like to know, but I would not like to hazard a guess.

Mr. REED. The Senator may.

Mr. CARAWAY. I would rather take him outside and let him tell me privately. Mine came because it was a great deal more healthful here in some respects than it was where they came from.

But the statement to which I wished to call attention, if the Senator will pardon me just a moment, was this: The Senator said the immigrants are the possessors of wealth, because he said the wealth is found where the immigrants are, and he said the learning and the desire for education are in the immigrant and in his children and not in the native born.

Mr. REED. Oh, no; I did not make either of those statements.

Mr. CARAWAY. Will the Senator pardon me? He said, and I wrote his words down as he uttered them, that in those States where the foreign population was greatest the best schools were found and the most wealth was found.

Mr. REED. I did make that statement.

Mr. CARAWAY. And that in States where the foreign population was less there is less of education and less of wealth.

Mr. REED. I made both those statements, but that is not what the Senator just said. But proceed; I did not wish to interrupt the Senator.

Mr. CARAWAY. I am curious to know how long an immigrant has to stay in America before he loses the vitality and virility he had in the old country. How many generations did our fathers stay here before they ceased to love education and ceased to have the ability to acquire wealth, if the immigrant is not a better man when he comes than the native American stock among whom he comes.

Mr. REED. Has the Senator concluded?

Mr. CARAWAY. Yes.

Mr. REED. That is a very shrewdly put question. The Senator undertakes to put me in the attitude of saying that the native American has degenerated. I did not say that.

Mr. CARAWAY. Pardon me; either he has degenerated or the immigrant is the better man of the two.

Mr. REED. Oh, no; neither conclusion follows by any manner of means. In the first place, I am not saying this. I am proving the statement that the children of foreign-born parents are sent to the public schools better than the children of native born, and I am proving it from the official statistics of the United States. I have nothing to do with the other question when I produce those figures. In the next place, I am producing these figures as to the wealth in certain States and as to the degree of their foreign-born population from the official figures of the United States census, but I have not argued that the American citizen is degenerating, neither have I argued that the foreigner makes all the money. What I have said is this, and there is no use of trying to twist or distort it from just exactly what I did say: I said that the figures in these official reports show what I have stated, and that the States that had received the influx of foreigners had advanced most rapidly in wealth. I will say to the Senator frankly that I think it was the American citizen who was here got the most of it.

Mr. CARAWAY. May I ask the Senator a question?

Mr. REED. Oh, certainly, but I should like to answer the one which the Senator has asked and then I will answer any other question the Senator may wish to ask, although I do not wish to stand here very long.

Mr. OVERMAN. Mr. President——

Mr. REED. Let me conclude the answer.

Mr. OVERMAN. Very well.

Mr. REED. The Senator from Arkansas [Mr. CARAWAY] asserts by his argument that people who come to this country can not have amounted to anything in the world or they would not be here. That was the assertion which was made by the Senator from Arkansas. I do not think we want to stand on that. I do not want to admit that my ancestors did not amount to anything and that they came here because they amounted to nothing in their old home. I think they were humble folk, but I think they were honest, notwithstanding the intimation of the Senator that I had better be inquired of in private. [Laughter.]

Mr. CARAWAY. May I ask the Senator a question?

Mr. REED. Certainly.

Mr. CARAWAY. How long did the Senator's ancestors stay here until they ceased to be as good as they were when they came, for if the Senator's argument means anything——

Mr. REED. Oh, well, I shall answer that if the Senator will not be impatient, and I think I shall answer it so successfully that even he will be convinced.

My ancestors came here, of course, to better their condition. I think that nearly all of the people who came to this country came for that reason. They did not come because they were human derelicts at home. They came because they were enterprising men who were willing to face the adventures of the deep and the perils of the forest in order that they might build homes for themselves and families and live a life of broader freedom and opportunity. That is why they came, and that is why immigrants are coming now. When anybody intimates that nobody but derelicts ever leave Europe he casts an aspersion on his own ancestry and on the ancestry of every other American citizen. The Senator from Arkansas did not mean to go that far, I am sure.

Now, let us see about the degeneration. It is simply a cold fact, according to the figures, that the foreigner has been sending his children to school better than has the native American citizen of to-day. That is merely the fact; I did not make it. When men were drafted into our Army during the recent World War the amount of illiteracy which was discovered was appalling. Everybody knows that; nobody is proud of it; everybody would like to see the condition remedied.

Now, I suppose it is true, if the Senator please, that the foreigner who comes to this country in many instances did not have the benefit of free schools at home. Frequently when he comes here he himself has no education, but coming to this new land, finding these advantages, realizing that he must succeed by his own efforts and that his family must succeed by their own efforts, he sends his children to school with greater care than does the native American at the present time. The percentage is not startling, but it is there, and it is a material percentage. I suppose that is the answer. Nevertheless, no matter what may be the reason, the fact is here, unless the United States Census Bureau has deliberately falsified the figures which they have gathered all over the United States.

Moreover, I might tell the Senator that there are some sections of this country where there is a considerable portion of the white folk who never have paid any attention to education; who did not do it in the days of the Revolution and never have since. I am sorry that is true. Yet they are good people; in many respects they are wonderful people; but I think that that is one very bad mark against them, and one which I hope to see removed.

Mr. President, I have been drawn a little aside from what I wanted to say. I think the pending bill is drawn on false lines. I think the clamor that we are about to be overrun by immigrants from European countries is all a mistake. I think we ought to adopt a system entirely different from this, a system of selection. I expect to see the Senate reversing itself inside of 24 months on this question. It may not do so, but this is not the first time we have witnessed propaganda carried on, excitement produced, and then people have found after a while that they were mistaken. I forgot that the Senator from North Carolina [Mr. OVERMAN] rose to ask me a question, and I now yield to him.

Mr. OVERMAN. Mr. President, I did desire to interrupt the Senator when he referred to my own State of North Carolina. I want to refer the Senator to some statistics about that State.

It is true, Mr. President, that in North Carolina we have less foreign population than is found in any other State in the Union, and we are proud of it. It is true that we have been the lowest in literacy, which has been occasioned, of course, by our large colored population; but in the last 10 years we have lifted ourselves 14 points higher, and the statistics now show that, although we have less foreign population than has any other State in the Union, in percentages North Carolina has increased in population and in wealth more than has any State in the Union.

The statistics also show that we have fewer divorces than has any other State in the Union; that our birth rate is higher than that of any other State in the Union; and that our death rate is less than the average.

These are some of the statistics relating to North Carolina, and if the Senator from Missouri had examined the figures of the last census he would have discovered the great progress North Carolina has made. I do not say what has caused it, but the fact is that its citizens are a homogeneous Anglo-Saxon people, descended, as the Senator has said, from men who came across the sea; the foreigner is not there. As I have stated, we have increased in wealth. We are now, with only 50,000 square miles, the seventh State in the United States in agriculture. We raise more tobacco than any State in the Union. We have more textile industries than has any other State in the Union.

Mr. STANLEY. Mr. President, I am deeply impressed by the eloquent tribute——

Mr. OVERMAN. I know what the Senator from Kentucky is going to say about tobacco.

Mr. STANLEY. The Senator from North Carolina is paying tribute to his great State; but he must not forget that out of approximately a billion three hundred million pounds of tobacco which are produced in the United States Kentucky alone produces nearly 500,000,000 pounds.

Mr. OVERMAN. I know, Mr. President, that Kentucky has been ahead of North Carolina in the production of tobacco, but if the Senator from Kentucky will examine recent statistics——

Mr. STANLEY. If the tobacco of North Carolina could be piled up beside the tobacco produced in Kentucky, it would be as Ossa to a wart. [Laughter.]

Mr. OVERMAN. The Senator from Kentucky has not examined the recent statistics in reference to that matter.

Mr. STANLEY. How many million pounds does North Carolina produce?

Mr. OVERMAN. I do not know; I have not the statistics.

Mr. STANLEY. I can tell the Senator.

Mr. OVERMAN. I think we are now leading Kentucky. However that may be, the Senator knows we are one of the greatest tobacco-growing States in the Union.

Mr. STANLEY. Yes; North Carolina is one of the greatest of the tobacco-growing States and produces a wonderful quality of tobacco, but she does not raise tobacco like that of Kentucky; we produce a tobacco of great value. [Laughter.]

Mr. OVERMAN. North Carolina does not produce the burley tobacco, but she raises a splendid smoking tobacco, and we are one of the greatest, if not the greatest, of the tobacco-producing States. Kentucky may be slightly ahead, but the Senator knows that North Carolina, at any rate, is second.

Mr. STANLEY. Oh, North Carolina is entitled to any place so long as she does not challenge the primacy of old Kentucky. [Laughter.]

Mr. OVERMAN. I think that the statistics will show my statement to be correct. However, Mr. President, what I wanted to say is that North Carolina has increased in population to a marked extent, as the census returns show, and the statistics likewise prove that we have lifted ourselves, so far as illiteracy is concerned—and we are ashamed, of course, that there is any illiteracy within our borders—14 points higher than we were, and we have increased in population to 2,300,000.

Mr. REED. Mr. President, I would not on any account have anybody think that I am trying to reflect on any State of the Union. I have compared the States simply from the figures that are given by the compilers of our statistics. The Senator from North Carolina says that his State has now 2,800,000 people. The figures I have before me for 1910 give them 2,206,000.

Mr. OVERMAN. I was speaking of the last census.

Mr. REED. But the figures I have given are within a hundred thousand of the figures given by the Senator from North Carolina.

Mr. OVERMAN. Yes.

Mr. REED. So there is no quarrel about that. North Carolina is a splendid State and is the home of splendid people. It is because she is a splendid State and her population are a splendid people that I can take her as a standard; and when I show the Senator that the foreigner comes here and sends his children to school a little better than do the people of his State I have proven the foreigners' case by comparison with the great people of a great State.

Mr. OVERMAN. I admit that it is true of our colored population.

Mr. REED. No; I am speaking of the whites. I have not dealt with the colored people in the figures I have given.

Mr. OVERMAN. No; the Senator takes the statistics as to education.

Mr. REED. Of the whites.

Mr. OVERMAN. I do not think so.

Mr. REED. The Senator says that the people of North Carolina are improving. I am glad of it. I have not any doubt of the future of that State; I have not any doubt of the future of any of the Southern States. Every sympathy I have in the world is with them. I feel more a neighbor to them than I do to any other section of the country. The simple lesson that I am trying to impress here to-day is that this alarm about the foreigner coming here and dragging down our civilization is not well founded; that it is refuted by every line of American history and by every comparison of facts. Nor did I say that it was the foreigner coming into Massachusetts and other States that had produced their wealth, but I did say that the two facts were found side by side, and I do say that the wealth of America, the power of America, and the majesty of America have been growing every year since the first white man put his foot on this continent; that the fathers of us all came from foreign shores, and that the men who are coming now will add to our material wealth, to our prosperity, and to our greatness. That is undoubtedly true if we will adopt a system of careful inspection and investigation on the other side.

Mr. President, there is a human side to this question which I think we may well consider. I very much doubt the right in morals to deny to one of God's creatures the opportunity to go from country to country and from place to place in order to establish his home, provided he comes with clean hands, with a clean heart, with a clean purpose, and proposes to perform all of his duties under the Government he shall have adopted, and provided he is of that race and blood so that he can amalgamate himself into the body of the people.

I commented yesterday on one matter that I was about to omit which I desire to refer to just briefly. I stated then that the first dead that were brought back—I believe I said, inadvertently, from the European war; I meant to say the trouble in Mexico—answered the question of whether these men of foreign birth served our country. Here are the names of the men brought back from Vera Cruz. Follow them:

George Poinsett. You might say that was an American name.

Louis Frank Boswell, likewise.

Gabriel A. De Fabbio, Francis P. De Lowry, Frank De Vorick, Elzie C. Fisher, Louis Oscar Fried, E. H. Frohlichstein, Dennis J. Lane, John F. Schumacher, Charles Allen Smith, Eric Alvin Stream, Walter L. Watson, Daniel Aloysius Haggerty, Samuel Martin, Edward Rufus Percy, Randolph Summerlin, Clarence E. Hirschberger, Harry Pulliam.

Mr. WILLIAMS. What is it the Senator is reading from?

Mr. REED. The CONGRESSIONAL RECORD, the names of the dead brought back from Vera Cruz.

Mr. WILLIAMS. Oh, yes.

Mr. REED. Some of those are English names; some of them are Irish; some of them are Italian; some of them are Slavic; yet they were all good Americans. They fixed their bayonets and moved to the front, following the flag. They died like thoroughbreds, and their bodies sleep in our soil, and their funeral oration was delivered by the President of the United States.

I have here a muster roll of the marines—not the drafted men, but the men who volunteered in the marines to get into the fighting early. Examine it and you will find the names of men from Poland and Austria and Germany and Switzerland and Italy and all the other countries of Europe; and as they marched away in their brown uniforms you could not have told to save your life, in most instances, the original nationality of any of them. And so, in the walks of peace they are struggling on and doing the best they can; and we are saying now for the first time in our history, save the days of the old "know-nothing" agitation which practically destroyed one political party and may be said to have given vitality and life to another, that we desire to pursue the narrow policy of exclusion.

I want to say one word on the immediate amendment that is before the Senate. It proposes to keep open the doors of this country as an asylum for those fleeing from religious or political persecution. I wonder what the Senate will do with that. Will we reverse all our traditions and policies? Will this Nation, that has always been the harbor for those who fled from persecution of various kinds, close its doors now to those who flee to our shores and seek refuge? I suppose we will; but, so far as I am concerned, Mr. President, I protest against it as a mistake, a grievous mistake, one which will not add honor or luster to our country or to its history.

Mr. WILLIAMS. Mr. President, I think I noted several fallacies in the argument of the Senator from Missouri, to some of which I propose to call attention. Of course, the Senator did not intend to attempt to prove the inferiority of our native stock to the foreigners who were coming in, but, all the same, the argument that he made would lead to that conclusion, if there is anything in it worth making at all or worth hearing.

Mr. President, one of the first fallacies that the Senator made was that he forgot that times change and men change with them. It was originally true that the people who left Europe and came to America were the boldest, the bravest, the most enterprising, and those who most sought freedom; but tempora mutantur, nos et mutamur in illis—those times have changed, and people have changed with the times. That is not true now. It was true when the gentlemen adventurers went to Kentucky and to North Carolina, when the Puritans and the Pilgrims went to New England, when the men of the Palatinate left religious persecution along the Rhine and came to Pennsylvania; it was true when the Huguenots left France and came to South Carolina; but it is not true now. The man who leaves Europe to-day is not leaving it for the purpose of home seeking or home making or of carrying a rifle into the wilderness and plowing with one hand while he watches the woods for Indians with both eyes. The man who comes to America to-day is the wage earner or else the political nondescript, who has been cast out in his own country because of socialistic or anarchistic opinions of some description.

That is not true without exception, of course. It is hard to make any statement that would be true without exception. Everybody who knows anything of the history of this country and of such men as Alexander Hamilton and Albert Gallatin and Agassiz and a hundred more that might be mentioned if time permitted, knows that a great many of our very best citizens were born abroad. But, Mr. President, the men who came with the large ideas of an imperial England in the spacious times of the great Elizabeth to settle in Virginia and found a new English empire were not succeeded by men who are doing the same thing to-day. The men who left Moravia in Austria because they were being harried to death by the Church of Rome are not coming to America to-day. The men who deserted the shores of England and Scotland, Presbyterians and Puritans, because they were being harried there are not coming here to-day, because the same cause does not exist in any of these cases; nor is the gallant cavalier, who was going abroad to a life of adventure and enterprise in order to build up a new domain for himself, coming to Virginia to-day. It is true, as the Senator from Georgia intimated in a question that he asked, that the Belgian, for example, who is coming to America to-day is the Belgian who has failed at home, and not the man who has made possible Belgium's wonderful strides within the last half of a century.

Mr. President, the man coming to America to-day is the wage earner. He is not a man seeking a farm. Now, that leads me to the next fallacy that the Senator has committed. He says

that the children of the foreigners are going to school in larger percentages than the children of the native American stock. That is true; but it is not because the children are the children of foreigners and the other children are the children of native American stock. It is because the native American stock are settled in the mountains and out on the prairies and in the country and on the farms, where school facilities do not exist to the same extent, while the foreigner settles in the cities and in the towns, where the native American stock long ago, as soon as the country was sufficiently densely settled, built up schools for him. He has not built them up for himself.

The old fallacy is there of thinking that because two things run along with one another, one is the cause of the other. It is not true that the foreigner seeks an education for his children to any greater extent than the native-born American does. It is true that the foreigner's children attend school in a larger percentage, because the foreigner lives in Massachusetts, Rhode Island, New York, Pennsylvania, Illinois, and not only in those States but in the cities of New York and Chicago and Buffalo and all these large cities, where the wealth of the country has enabled the people to build up splendid schools, and where in most cases they have compulsory education. He being a foreigner has nothing to do with it. The other child being the child of a native American parent has nothing to do with it. In the mountains of North Carolina there is a larger percentage of children not attending school, simply because there is a larger percentage of children who have no school to attend. The country is too thinly settled. You have to have a certain number of pupils to make a school, and even when a small school is established the child has to walk too far or ride too far to get to it. That is the reason.

So that all these statistics do not prove anything. They do not mean anything. They simply mean the fact that in the communities where the foreigners live a larger percentage of children go to school than in the communities where the native Americans, as they are called—the native stock we had better call them—live. Of course, a man can not send his children to school in the mountains of eastern Kentucky, or of eastern Tennessee, or of western North Carolina, or parts of West Virginia the same number of days that a man in Boston, who was born in Italy, can send his children, especially as the Italian in Boston is forced to send his children, anyhow, whether he wants to or not.

So much for that.

Then the Senator commits the same fallacy again, when he goes on to show that the percentage of foreigners is largest where the percentage of wealth is the largest. But he has the cart before the horse. The foreigner has not made the percentage of wealth largest there. The foreigner went there because the wealth was largest, because there is where the money was which could hire day laborers in the mines and in the factories.

Again, the fact that one community has a larger percentage of native Americans, as they are called, and the other a larger percentage of foreign born, has nothing to do with it except this, that the wealth existing there attracted the foreigners; and, by the way, the Senator was right when he intimated that the native American is making the money out of the foreigner, while he is doing the work, for the most part.

Let us not fool ourselves by looking back to our ancestors, saying that if the man who comes to America to-day is not the man we would want him to be, therefore our ancestors who came here were not the men we would have wanted them to be. Times have changed, and with them men and men's ways of immigrating. Men immigrate now in order to get a larger per diem pay. The men who settled Virginia did not go to Virginia to get a larger per diem pay. The men who settled Massachusetts and Vermont did not go there to get a larger per diem pay. Even when they were seeking material advantage they were seeking it in the shape of a home, which they were going to gain by their courage, with their rifles over their shoulders and their plow handles in their hands.

The Senator has described what occurred when America was a new country; but let him remember that America is no longer a new country. There is absolutely nothing more new about it, and the things that tempt the enterprising and the vigilant and the progressive and the freedom-seeking to go to a new country do not exist here. A man can not go into the wilderness now and carve out a home, a plantation, a homestead for himself and his family and build up a family as he used to do.

Mr. CARAWAY. Mr. President, I wish to interrupt the Senator for a moment. He said there is nothing new in America. I think he omits the logic of the Senator from Missouri.

Mr. WILLIAMS. I did not mean to say there is nothing new in America, but I meant that America does not have that newness which attracted enterprising, bold spirits to carve homes in the wilderness. The wilderness is gone. A great deal of it is gone through overexploitation and abuse, too, I am sorry to say; but it is gone.

Mr. STANLEY. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from Kentucky?

Mr. WILLIAMS. I yield.

Mr. STANLEY. Does not the Senator from Mississippi think that the crux of the whole proposition is in this, that originally immigrants came to America, now immigrants are brought to America?

Mr. WILLIAMS. That is to a large extent true, but not altogether. A great many people are very anxious, since the war, to come of their own accord to America to escape taxation and debt, bedevilment of after-war effects of various sorts; although, of course, the steamship companies are bringing vast numbers of them and putting out advertisements which are getting them under false pretenses, while they bring them. But there are numbers of people in Europe to-day who would like to come to America; and numbers of them are very good people, too.

But the racial factors are different from what they used to be. Instead of English and Scotch and Welsh and Irish and Germans and Scandinavians, without mentioning them, because I do not want to cast a slur upon anybody's race, all of them are the children of God, there are other races coming now, not the sort that built this country.

Mr. STANLEY. To take a concrete instance, when the Mesaba Range was first developed thousands of Swedes, Norwegians, and Finns came over voluntarily into that part of the country and engaged in the development of those mines. In the course of time there were labor troubles, and those Scandinavians went on a strike. In order to keep the business going, Bohemians, Italians from southern Italy, Sicilians, and people from the Balkan States were brought in in great numbers. Not one of those people from northern Europe left the country. They went out into Minnesota and developed it like a garden, and they are there yet.

Mr. WILLIAMS. They went to the farms.

Mr. STANLEY. They went to the farms. A small per cent of those who were brought over here under contract remained.

Mr. WILLIAMS. Mr. President, of course, that is to a very great extent, to a very major degree, true, and these men, as I said a moment ago, come seeking a higher per diem pay for manual labor, and, of course, they go to the centers where manual labor is employed; that follows necessarily from the very cause of their coming. And this follows necessarily for us, that they are piling up foreign colonies, concentrating them at certain particular places, until they are ceasing to be American in thought and English in language, and it is so in a great many parts of this country.

I saw the statement somewhere that the old town of Boston, Mass., now contains 66 per cent of foreign born, or the children of foreign-born citizens. I know not whether that be true or not; but if so, it is a bad thing for the country, not because the foreigners are in America, but because they are concentrated in a small place.

Mr. President, there is nothing more important for a republic, for any democracy, even if it were a democracy with an hereditary president, with a crown on his head, instead of one with an elected president—there is nothing more important for any democracy than a homogeneous population, with like traditions, like ideals, like aspirations, like thoughts concerning what is best for mankind, like tokens of citizenship, like pride, homogeneity. What have we come to now? We have in this country to-day millions of men, who, when they go to the polls, do not vote as Americans at all but vote as Germans, vote as Irishmen, vote as Italians, vote as Poles, or vote as Hungarians, or Austrians, and are determined, in the manner in which they vote, by the interest which their coracial people have across the sea, or what they think to be their interests, at any rate; sometimes they are woefully mistaken even about that.

It requires no statistics to establish that fact. Every man who lives in America, especially every politician, knows it. They are voting just as much according to their European racial nativity as the niggers are because of their African derivation.

You can not have untrammeled law and order and wise liberty unless you have equality, and you can not have equality unless you have fraternity and likeness of thought, if not an identity, a likeness, at any rate, of an end and aim in political and in moral matters. You can not have a real homogeneous people when you are keeping a boarding house for transients,

and when men are not ashamed, instead of calling themselves simply Americans, to call themselves some sort of hyphenated Americans, and to take pride in it.

Of course, the Senator from Missouri did not intend anything of the sort, it is as far as possible from his thought, but his argument sounded like a labored attempt to show the inferiority of the native stock, and the superiority of the foreign born and of their children; that they were taking better advantages of schools; that they lived where there was the most wealth; and that they also lived where there was the most population. Again he got the cart before the horse. The foreigner went to the places where there was already the most population in order to get employment. His being there was not the cause of the density of the population.

Mr. President, I think we can get along very well for some years while we try to assimilate these elements we already have, which thus far have not been assimilated. Before the Great War we used to talk a lot about the melting pot, and I for one used to believe in it, strange to say. Now, I see that of all the species of tomfoolery a man ever indulged in was this talk about a melting pot. It has not melted any of them. They are either Germans or Irish or Italians or Poles or Magyars or Austrians, four cases out of ten, at any rate, and probably seven out of ten. America comes second with them.

I think if we get along about 10 years assimilating what we have we will be better off. And as to our halting in population, we would not halt in population at all. The only reason the native stock in New England has not bred faster was because it was crowded to death with foreigners, and the native American would not have children that he could not support. But for the competition and the crowding, families in Massachusetts would be as large to-day as they are in Mississippi, and in Mississippi we have larger families than almost any of these foreigners; really the white families in Mississippi are larger, as the statistics show, than even the nigger families.

Why is that? Because there is plenty of room and plenty of chance to go ahead. The mother knows that the son who is just born can probably find the environment in which he can support himself and that the daughter just born will probably find a husband who, in the environment, can support himself. And the native Yankee, the native of New England stock, has, I suppose, wisely, but whether wisely or not, limited his family. The competition in the necessities of living about him were such that it was a wise thing to do. I shall not, at any rate, enter into that. It might have been unwise. Perhaps it would have been wiser to have had more faith in the future and a larger feeling of course and a larger feeling of confidence in his own offspring's cutting its way through, foreigners or no foreigners, crowding them; and the old New England Yankee would have cut his way through, too. He had the courage; he had the intellect; he had the moral stamina; he had everything else. But whether he made a mistake or not, the reason for the smallness of families consists in the density of population, and if the density of population had come about by a too early and too large immigration, this result would not have followed. My friend the Senator from Missouri has too often in his speech concluded that one thing was the result of the other, because it happened to run pari passu with it.

Mr. REED. Mr. President, I wish to take just a moment in reply to the Senator from Mississippi [Mr. WILLIAMS]. The Senator states that all the foreign population in the States is now crowding into the cities.

Mr. WILLIAMS. Pretty nearly all.

Mr. REED. The Senator is in error about that. Let us take Minnesota. There are really only two cities in the State of Minnesota, and neither of them is large. Twenty-six and two-tenths per cent of the population is foreign born. Let us take Michigan. There is really only one large city in Michigan, and there is 21.2 per cent; Wisconsin, with only one city of any considerable size, 22 per cent; Montana, without a single large city, 24.4 per cent; Colorado, with no city of any considerable size except Denver, and it is not a large city, 15.9 per cent.

Mr. WILLIAMS. If the Senator will permit an interruption right there, immediately in this connection, is it not true that a majority of the population that is foreign in Michigan, for example, is in Detroit, and a majority of the foreign population in Missouri is in Kansas City, St. Louis, and St. Joe?

Mr. REED. No; I did not name Missouri.

Mr. WILLIAMS. I think statistics will show that to be the case.

Mr. REED. But the fact is, and I wish to discuss these questions just as I understand the facts to be, that where it goes depends a great deal on where the population comes from. The immigration into Minnesota and the Northwest generally came, a good deal of it, from the north of Europe.

Mr. WILLIAMS. From Scandinavia chiefly.

Mr. REED. And, as Bacon demonstrated, immigration generally follows pretty closely the isothermal line. A very large percentage of the farmer population in the States to which I have just referred is of foreign extraction. It is equally true, and no one who wants to be fair in debate will deny it, that too many of the foreigners who come to this country now are likely to stay in the great cities of the East and to seek employment there.

I was talking with the Immigration Commissioner of the United States this morning—and I think I am at liberty to quote him—and he does not at all take the view that the pending bill is wise legislation. He states that selection and distribution is the correct answer and not prohibition.

I simply call attention to these things to show that the claim can not properly be made that the foreigners all stay in the cities; neither can it be made that they are simply wage laborers. I have not the figures with me, but they have been prepared in a way at least so they can be gotten at, and I am sufficiently familiar with the subject to make the assertion that the foreigners enter every line of business and every line of labor. We find them among the doctors and the lawyers. We find them among the merchants and the manufacturers. Of course, a large portion of them are laborers. They came here because they were poor in the other country and they wanted a chance to develop themselves. The ancestors of the men about us came under similar circumstances. There is a Senator in this Chamber now who has told me, and I think he likes to tell it because I think he is proud of it, and he has a right to be proud of it, that when he came here he was 8 years old and had one dollar in his pocket. He had not made much of a success over there. There is no higher encomium can be paid to any man than that he started in life without any wealth or powerful influence back of him and by his own integrity built up the structure of his character until he had achieved success.

Now, I am going to be frank about this. There have been in recent years a great many men who came to this country not to abide but to earn some money because the labor market was short here and they could get work here or they were pressed out by hard conditions over there and they came expecting to go back. But that does not militate against the rule for which I am appealing, which is not to close the doors but to select the people. Nevertheless, the Senator from Mississippi rather overstated the matter, unintentionally, of course—we all take a little latitude when we are on our feet—but the fact is, taking from 1910 down to the opening of the European war, 1910, 1911, 1912, and 1913, much the larger proportion remained here. There was then a heavy emigration during 1914 and 1915, particularly of men who were undoubtedly going back to join their own countries in their battles, and I can not help admiring them for that. I think if I left the United States and was gone 50 years and this country got into trouble and I could do any good and was able to walk, I would feel like coming back, but I would not come back if it was fighting with the country I had adopted, and in this instance, at the time these people went, we were not parties to the war.

All told, in 10 years, according to the figures prepared by the Bureau of Labor Statistics, there remained in this country over and above those who returned 3,941,544 people, so that it is not true—I do not wish to use a word that would seem to anyone too harsh—it is not accurate to say that they came here just to go back. They have not been doing anything of the kind.

There is just one thing further that I wish to say about this. The question is not what the immediate immigrant does. It is the question of what his progeny will do. I grant you that frequently when he comes here he is uneducated. The reason I dwelt on the question of education was because I wanted to show that he did not propose to rear a brood of children in ignorance, not to show that he was better than the people in the United States, but that he was taking advantage of the conditions and that therefore his children and their children would move along in the currents of our life without doing violence to our institutions. If that is true, then the sole question to be determined, it seems to me, is to get the right kind of a man in the first place. Then we will get children who are reared under our institutions, who go to our schools and who do amalgamate in our life.

I can not agree with the statement that there are many disloyal people in this country. Race prejudice sticks in the hearts of most people. I think my friend, the very brilliant Senator from Mississippi, being by blood a Welsh, still thinks in a kindly way of that land from which his ancestors came, and I think it may sometimes prejudice his views just a little bit. I do

not blame an Irishman in America to-day if his heart bleeds for Ireland. I do not blame the children of other lands who come here if there is still in their hearts a warm spot for their native country if they put America above that and every other country.

I say now as I said on yesterday that I do not believe in any country of the world in the last war was there so little of disloyalty, so much of the genuine spirit of loyalty and sacrifice, as there was in the United States. I believe there was more treason in England against England than there was in America if we counted all the foreigners and all the sympathizers with foreign countries and multiplied them a hundredfold. I have selected England, because I believe England holds her people with a tighter grip of affection than any other country does except our own.

The Senator states that the character of population coming over here in changing. I have sought to demonstrate in other addresses, and I merely refer to it now, that the same claim that is being made now has been made ever since the first immigrant set foot in this country. It was charged then, as it is being charged now, that he was a bad citizen, an inferior creature. The people who come here we are meeting every day, and I insist that it is not the fact, taken as a whole, that they are of the character that has been described here by my friend from Mississippi. But if that were true, it is no reason to close the doors. The Senator made the statement that we close the doors for at least 10 years and let us assimilate them and then open the doors again. In the name of high heaven, if they are the kind of people he speaks of, why do we want to assimilate them and why do we want ever to open the doors again? If they are capable of assimilation, then they must be capable of making good citizens. If it is right to open the doors 10 years from now, then these people can not be the bad people he has described them to be.

We have to stand upon one ground or the other. Either they are fit to make good citizens and will make good citizens, and hence it is proper to receive them, or if they are bad citizens, then they should be utterly shut out of our country not for one year, not for 6 months, not for 10 years, but forever.

We do not want them now or in the future if they have been properly described upon this floor. The truth is that this bill was born in a shiver of hysteria. Somebody said all Europe is going to come over here and overwhelm us. Nothing of the kind is going to happen; nothing of the kind has happened in the past. It took all the steamships in the world two years to move 2,500,000 American soldiers over yonder and back. Of course, some immigrants will come, and, if they are not selected to suit you, let us select them.

This is a narrow bill, founded upon prejudice to a large extent. It will be an economic mistake. It will help build up Canada to our north to our disadvantage. I have taken all this time, when I should have been through hours ago if I had not been interrupted. I thank the Senate. I am simply making my protest, knowing perfectly well that the bill will be passed.

Mr. CALDER. Mr. President, the Senator from Missouri a moment ago stated that in his talk with an official of the Immigration Service this morning he was reminded that this whole question was one largely of selection and distribution. I have always held that view. It is unquestionably true. Sixty years ago, when a great many immigrants were coming here from the British Isles, from Germany, and from the Scandinavian countries, while many of those immigrants stopped in the large centers of the East, a large proportion of them went farther west. To the Irish, the Germans, and the Scandinavian peoples we owe the splendid citizenry that we have to-day in Wisconsin, Michigan, Illinois, Minnesota, Iowa, Missouri, the Dakotas, and other of the Western States. In those days we complained even of that character of immigration. As a boy I remember reading in the newspaper advertisements for the employment of persons, with the statement that no Germans need apply or no Irish need apply. These nationalities have so demonstrated their loyalty to America that the people from these countries are welcomed here. It is now being suggested that the Italian is an offensive immigrant, and that those who come from eastern and southeastern Europe should be shut out.

I have always been, Mr. President, favorable to liberal immigration laws, but I believe that we ought to establish at the gateways in Europe some agency to determine those who are the really objectionable immigrants and bar them before they leave the other side, if that were possible, as we do to-day at Montreal and the other Canadian gateways before they come to us from the north.

I believe that in the main, however, the immigration that comes here from Europe is helpful, and so to-day I propose to vote for the amendment of the Senator from California [Mr. JOHNSON].

We all recall that in the early days of the Republic, because of the French Revolution and the problems growing out of it, thousands of people of French nationality came here and settled because of political difficulties. We know that in the beginning of the last century many of the liberty-loving Irish people, who were making their struggle for independence, were forced to leave their country. We know that between 1840 and 1855 tens of thousands of people of German birth came here; that citizens of Poland, to escape political persecution, came here; and all of them have made good Americans. So I do not propose when such a proposition is presented here to agree that people who are in difficulty because of their religious or political beliefs shall be shut out, provided they are of the character of people who otherwise can pass our immigration regulations.

Mr. President, during the recent war I introduced a bill in this body, which was passed, which permitted the naturalization of aliens in the American Army and Navy without requiring them to be in the country the necessary five years, as provided by the naturalization law, or even requiring them to file their first papers. I know it will be quite astonishing to Senators to learn that as the result of that law 358,000 aliens, serving in the Army and the Navy, were made citizens of the United States in the years 1917, 1918, and 1919. I have not the exact figures before me, but I am informed that something like 500,000 aliens served in our Army and Navy during the late war. I recall distinctly visiting one of the draft boards at my home in Brooklyn. It was on the opening night of the sessions of the board. The first man who presented himself was an Italian. I remember that his name was Magenta. The drafting officer called him Tony Magenta. Tony said that he was an alien and had only been in the country three years. The drafting officer asked him if he wished to claim his Italian citizenship, but he replied, "No; I live in this country. I propose to stay here, and I am going to fight under its flag." We have a monument erected to Tony in Brooklyn. He was the first man killed in his regiment.

Mr. President, it was my privilege to visit Camp Upton where the Seventy-seventh Division was trained. That division was the New York City draft division. There were something like 70,000 men in it, and of that number 80 per cent were either of foreign birth or of immediate foreign parentage. In that division the Jew from the lower east side of New York, the Irish, the Italian, and the German boy from the west side of New York, all intermingled as Americans and fought under the flag. I am told that there was no better fighting division in the American Army overseas than the Seventy-seventh, and in which there was a greater diversity of birth and of antecedents than in any other division that fought in the war.

Mr. President, I am not afraid that the country is going to the eternal bowwows unless we enact restrictive immigration laws. Perhaps this measure may be a wise one to pass for a temporary period, but for Senators to rise here and to insist that the country is in any worse condition than it has ever been, or that the life of the Republic is threatened because of the aliens in our midst seems to me even too absurd to argue.

It is true that in the city of New York 40 per cent of the population is of alien birth and 78 per cent is of alien birth or of immediate foreign parentage; but I venture the statement, despite all that has been said about New York and the other crowded centers of the country, where the foreign born reside in large numbers, that during the war there was no more loyal people and none who offered their services more readily or made better soldiers or performed the duties that a patriotic citizenry may be called upon to perform than these very people who came to us from foreign lands to escape the oppression in the countries of their origin, here to work out their futures for themselves and their children.

Mr. President, I shall vote for the pending amendment with a very great pleasure, because I feel that to fail to adopt it would be going counter to every tradition of the Republic. I hope it may be adopted, and I am sure if it is it will work no injury to the ideals which this country has held during all the period of its national life.

Mr. HARRISON. Mr. President, the Senator from Missouri [Mr. REED], who just concluded his very lengthy and forceful and eloquent speech, a speech filled with just as much force and eloquence as many others he has made in opposition to similar legislation in the past, said that this bill was born in a spirit of hysteria. I do not think that is exactly accurate. Congress has been trying for years to restrict immigration into this country. The Senator from Missouri will recall that one of the few times he has stood with a President in his views was touching this important question. When Mr. Taft was President, Congress, by a very large vote both in the House and in the Senate, passed a bill restricting immigration. It was

vetoed by the President. At that time the Senator from Missouri opposed the legislation. Only a very few votes were lacking to pass that bill over Taft's veto. Later, when Mr. Wilson was President, Congress passed similar legislation by a very large majority in both the House and the Senate. It went to the President, and he vetoed it. The Senator from Missouri was also with the President at that time. We passed that legislation over President Wilson's veto by a very substantial majority.

In all of that legislation I stood for the proposal to restrict immigration. I am for stronger restrictive provisions than are found embodied in the bill before us. I do not accept the views that the Senator from Missouri says those who are in favor of restricting immigration should take. In criticizing the senior Senator from Mississippi [Mr. WILLIAMS] he said that if the senior Senator from Mississippi would have a suspension of immigration into this country for 10 years he should have it throughout all time. There is no argument in the suggestion that if a man is in favor of a 10-year prohibition of immigration he should be in favor of such prohibition without limit.

That does not strike me as very forceful. We could pass some kind of legislation, probably, to extend it at the end of that time, or, if we wanted to repeal that law and modify it in the meanwhile, we could do it. I would not care if upon the statute books it should be written that undesirable immigration into the United States should be prohibited for all time. I would *not limit it* to 10 years only; I would go further than that. There is no Senator here who would go further than I would toward prohibiting undesirable immigration into this country. I shall not discuss the reasons; but in answer to the proposition that in a "shiver of hysteria," as the Senator from Missouri styled it, this bill was born, I want to say that it was brought out of the committee because of the fact that witness after witness appeared before the Immigration Committee and stated to us, after investigation in European countries, that there were as many as 15,000,000 people desirous to come to the United States, and that the only reason for their not coming was because of the lack of steamship facilities to bring them. Why, one witness, if not more, appeared before the committee and said that at Warsaw, I believe, and at Danzig, I believe also, there were thousands of men and women and children that stayed in line for as long as two weeks in order to have their passports viséed, that they might come to the United States, and that in many instances they had absolutely nothing; they were penniless. So it was in order to withstand and forestall that great influx of immigration into this country that we hastily brought out this bill as an emergency piece of legislation and asked the Congress to pass it quickly.

That was during the last session of Congress. I was very sorry, indeed, that it was vetoed, or that it was not signed—that it was killed by virtue of that—because in the discussion here at the last session there was hardly enough opposition to this legislation to get a roll call. At that time I tried to prohibit immigration altogether, and offered an amendment accordingly. The original bill carried with it 5 per cent of the aliens in this country of the various nationalities, and so forth, according to the census of 1910, might be admitted annually, and we reduced it to 3 per cent upon the floor of the Senate. I offered that amendment here, and it was adopted. I would have gone further; indeed, I offered an amendment to make it 1 per cent, but the sentiment of the Senate was that 3 per cent was a fair percentage to fix, and it was fixed by a very large majority.

At this extra session of Congress the House of Representatives brought out the bill, and we had hoped that it could be brought out in the same form that it passed before, because of the emergency character of the legislation. The Committee on Immigration does not state to the Senate that this is permanent legislation. It operates for 14 months only. The Committee on Immigration expects to go into the matter further, to investigate conditions fully, and to bring out a permanent piece of legislation.

But in order to get something upon the statute books quickly, in order to respond to the sentiment and the feeling in this country that too many immigrants of an undesirable character were coming here, and knowing what the newspaper reports were to the effect that by the millions they were ready and waiting and anxious to come, and that facts bear out those reports, we thought that the best way to pass this legislation was to draft it as it was drafted before and ask the Senate to accept it. We had hoped, as I say, that the House would follow that course. They did in practically every instance. They fixed the 3 per cent as the correct percentage to come. It is simply a compromise policy.

Mr. REED. Mr. President——

Mr. HARRISON. I yield.

Mr. REED. I thought perhaps the Senator would enlighten me on the question of whether they arrived at the 3 per cent because of its relation to the amount of alcohol now permitted.

Mr. HARRISON. No; that applies to Missouri alone.

Mr. REED. What does?

Mr. HARRISON. The 3 per cent of alcohol. The Senator knows that the 3 per cent of alcohol has nothing to do with the immigration question.

Mr. REED. I did not know but that it had.

Mr. HARRISON. We take this question as a very serious one, a question that the American people want the Congress of the United States to pass on at the very earliest moment, and the seriousness of it can not be minimized by the question of prohibition being injected into it.

Mr. REED. No; but, Mr. President, the Senator said that the 3 per cent was the rule only in Missouri. He is mistaken.

Mr. HARRISON. You may have a higher percentage of it there.

Mr. REED. We have a grade which would almost fit the appetite of the Senator.

Mr. HARRISON. It might fit mine, but it would not be high enough to fit that of the Senator from Missouri.

Mr. REED. Oh, I think so, if it fitted yours; but I asked the question seriously, and I am asking it seriously now, how they arrived at the 3 per cent? There must have been some reason.

Mr. HARRISON. Now, the Senator asks me a very reasonable question.

Mr. REED. Why, certainly.

Mr. HARRISON. But I do not see much similarity between that question and the one in regard to the 3 per cent of alcohol.

Mr. REED. Oh, I was not serious in that. I hope the Senator will not take it seriously.

Mr. HARRISON. I will not take it seriously, although I take seriously so much that the Senator says. I will get to that in a moment.

We had hoped that the House would pass the bill exactly as they had passed it last time, and as we had passed it last time, and as it was vetoed by the President; but they added to it certain exceptions. They went beyond that bill. They opened up the gates and they added three exceptions to that bill, so that no one can possibly figure how many immigrants would come in under it. For instance, exception in section 9 is not limited by the 3 per cent proposition at all, but would allow, in addition to the 3 per cent—

> aliens entitled to readmission to the United States under the provisions of the joint resolution entitled, "Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces," approved October 19, 1918.

Our information is that there are no such persons over there, but if there are any remaining in European countries or out of the borders of the United States, they can still come in under the provisions of the Senate bill. They could still come in and be included within the 3 per cent limitation.

They also include another section which opens the gates, and this is a very dangerous proposition:

> aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious persecution in the country of their last permanent residence and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecution.

In other words, after these 353,000 immigrants under the 3 per cent basis are allowed to come in here, then, in addition to that, all those who seek our borders under the exception in section 10 may come. It may be 100,000; it may be a million. No one knows who would try to come in under the provisions of that exception; and if the amendment offered by the Senator from California [Mr. JOHNSON] should prevail, which adds to the religious persecution, political persecution, too, then there might come in here millions on millions of these persons without respect to the 3 per cent limitation.

Why, the immigration authorities can not figure, they can not give us any idea, how many people might seek the United States as immigrants under the religious persecution or the political persecution exception. So I submit that if the amendment of the Senator from California should be adopted, it would be worse than not passing any kind of legislation. For my part, if it should be adopted, I certainly would vote against the legislation, and would then move to recommit this measure.

Under the present law, provided they come up to the requirements of the law, provided they come up to the literacy test, if they are religiously or politically persecuted they can come in;

and under this law, with the 3 per cent limitation on it, those who are politically or religiously persecuted can come into the United States as immigrants. The only difference is that the Senator's amendment would allow those to come in perhaps by the million, irrespective of any limitation, and under the provisions of the Senate bill they would have to come in within the limitation of the 3 per cent basis. So I say that if they can meet the requirements of the law and they are religiously or politically persecuted, they can come in up to the number of 353,000 annually.

The Senator asks me the question, "Why was the basis of 3 per cent fixed?" I stated before that for my part I am in favor of absolute prohibition. The Senator is not. Many men base their conclusions upon what they believe to be substantial grounds. I have no fault to find with that. This idea was embodied in a bill that was suggested by the Senator from Vermont [Mr. DILLINGHAM], upon the theory that by fixing upon this basis of 3 per cent, according to the number of aliens of any nationality who may be admitted under the immigration laws into the United States in any fiscal year, we would in that instance, because the census would reveal it, obtain that class of immigrants that would come from western and northern European countries; in other words, that perhaps more would come of the desirable class under this proposition than if no limitation on a percentage basis was fixed, like this.

The Senator is well aware that in the last few years most of the immigrants have come from eastern Europe and southern Europe. In those countries over there the greatest desire upon the part of those people is to come here. They have not come in such numbers from the Scandinavian countries, from the Netherlands, and from western European countries; but under the basis of 3 per cent, as estimated, there can come annually from Belgium, for instance, 1,482; from the United Kingdom, 77,206; from Sweden, 19,956; from Germany, 75,040; from Denmark, 5,449; and so on. I will not read the whole list. Under the same plan there may come from Italy 40,294 and from Turkey in Asia 1,792. Under the old plan the facts reveal that far more than half of all the immigrants that came into this country came from those countries where we believed the most undesirable immigrants came from.

The figures as to the number who have come to the United States from 1908 to 1914 are as follows:

1908	1,782,870
1909	751,786
1910	1,041,570
1911	878,587
1912	838,172
1913	1,197,892

Nineteen hundred and fourteen, the normal year before the war, 1,218,000 came over.

But under the 3 per cent basis in this bill only 352,000 can come in. But if the amendments as adopted by the House, or the amendment offered by the Senator from California [Mr. JOHNSON] should be adopted, then, in addition to the 352,000 allowed under this bill, there might come into the United States millions of these people. The only limitation would be the steamship facilities for bringing them here.

So, Mr. President, I was in hopes that this legislation might be passed in the form in which it passed the Senate and passed the House before, and that it might go to the President, with the hope that it would receive his approval, and in the meanwhile we can work out a permanent proposition. But at this time this bill will greatly hold back the great flood of immigration that is threatening to come to this country.

Mr. REED. Before the Senator takes his seat, lest there should be any misake in the conclusion drawn from his figures as to immigration, allow me to call his attention to the fact that he has given the gross immigration to this country from all countries, and of all classes of people who come here, and has not deducted, I take it, those who returned?

Mr. HARRISON. No; I have not.

Mr. REED. The fact is, at least according to the table I have gotten from the Department of Labor, that in the 10 years from 1910 to 1920 the excess of immigration over emigration was 3,941,544. I thought the Senator would be entirely willing to have that statement go along with his.

Mr. HARRISON. I shall be glad to have the Senator include the table.

Mr. REED. I do not understand why 3 per cent has been fixed instead of 5, or 10, or 1. Was there any reason for that?

Mr. HARRISON. The committee, as I stated before, when the bill was introduced in the last Congress, fixed 5 per cent as the basis, and under that there would have come into this country 590,000.

Mr. REED. There might have come.

Mr. HARRISON. There might have come 590,000. The majority of the Senate thought that that number was too great, so they reduced it to 3 per cent.

Mr. REED. Now the Senator states that only 1,000 can come in from Belgium.

Mr. HARRISON. I stated that that was the estimate.

Mr. REED. About a thousand?

Mr. HARRISON. Yes.

Mr. REED. This is the total that can come in, and then if a half or a quarter of them go home, as they have been doing in previous years, the total number remaining would be very much smaller.

Mr. HARRISON. Mr. President, I think the number of immigrants under the 3 per cent basis from each country who may come into this country is based on the net number of immigrants from that country in a year, not on the number that comes in, without taking into consideration the number that goes out. Is that the view of the Senator from Rhode Island?

Mr. COLT. The number that will come in under this bill is estimated at 355,461. Estimating the number of emigrants who would go out at 124,411, it would leave net for the year, 231,050, it being established that ever since there was a record of the departures, 35 aliens have gone home for every 100 who have come to this country.

Mr. HARRISON. Now, with respect to the question the Senator from Missouri asked me, stating that the figures showed that between the years 1910 and 1920 the net number of immigrants into this country was around 3,000,000, I have not those figures; and I assume his figures are correct. But the Senator overlooked the fact that during the years 1915, 1916, 1917, 1918, and 1919 there was practically no emigration to this country, due to war conditions abroad. For instance, in 1915 only 326,700 came into this country. In the year 1914, the year before, 1,218,480 came over. Then, following down the years of the war, in 1916 there were only 298,826, in 1917 there were 295,403, and in 1918 there were 110,618 who came over. So that if you take the whole 10 years, including those 5 years when there was no immigration due to the war conditions, of course, the figures will appear very small. But in the last two years before the war the facts are that nearly a million and a half annually came over here, and, although I have not before me the figures, which I think the Senator from Rhode Island has, I think during the last nine months of last year some 600,000 came over. I think the facts were that there were some 600,000, in other words, showing that immigration was again starting to this country, and the only reason why more of them have not come is the lack of steerage facilities and steamship transportation to bring them over.

Mr. COLT. The immigration from the 30th of June, 1920, to the end of March, 1921, a period of nine months, was 558,948.

Mr. HARRISON. I thank the Senator.

Mr. COLT. The departures were 176,738, leaving a net for nine months of 382,210.

Mr. HARRISON. So, Mr. President, I hope the amendment offered by the Senator from California will be defeated, because it will practically destroy the limitations placed in the bill and the restriction of immigration at this time, when they are clamoring by the millions to come.

Mr. HEFLIN. Mr. President, on yesterday I urged upon the Senate the importance and necessity of restricting immigration. On account of the speech made by the Senator from Missouri on yesterday and to-day, I feel that I should reply to some of the arguments that he has made. The time has come for action upon the vital question of immigration.

> Once to every man and nation comes the moment to decide,
> In the strife of truth with falsehood, for the good or evil side.

We are face to face with one of the greatest evils that has confronted us in a century. We have reached the point where alien power and influence dares to challenge that of the native stock in our country. We have reached the point where this power is employed politically to coerce Members in both branches of Congress to throw open the doors of immigration to all sorts of people from foreign countries.

We must meet this issue squarely. Senators, is that influence sufficient to dominate us to-day? Is it sufficient to make us shut our eyes to the interests of our own country, and play contemptible politics with those who threaten our political fortunes?

Do we love our own country and its free institutions better than we love temporary political power purchased by the betrayal of the American people?

Mr. President, I recall an interesting incident in Roman history. Regulus, a brave Roman soldier, was captured by the Carthaginians, and they told him if he would go back to Rome

and ask that the Roman Government cease the prosecution of the war they would make him free. He said nothing and they understood his silence to mean that he would comply with their request. They released him and permitted him to go back to Rome with the understanding that he would return and report to them. But Regulus instead of urging Rome to cease the prosecution of the war urged her to continue it. Having discharged his duty to his country he returned and gave himself up to the enemy in Carthage and told them to work their will on him. The social side of Regulus belonged to Rome, and speaking through that he urged that his country continue the war. His physical being belonged to Regulus the individual, and acting through that he returned, as he promised he would do, to Carthage. We need some of the courage of Regulus here to-day. This issue must be carried to the precincts of America. The able Senator from Missouri [Mr. REED] has spoken four hours and a half in all, challenging the position of the American people upon this great question. We accept the challenge. The Senator suggests that it is a dangerous thing politically to say anything now in favor of Germans. How amusing! There are thousands and tens of thousands of German voters in Missouri and it is quite difficult for me to understand just wherein it is dangerous for the Senator from Missouri to say anything favorable to Germans. All praise to the loyal American of German blood. They are honored members of the American household. Some of the boys of that blood followed our flag on the far-flung battle lines of France.

These boys and the other brave boys in our Army rendered signal service in preventing the overthrow of our Government by a foreign foe. What are we going to do to protect and preserve our Government from the dangers that threaten through the invasion of dangerous immigrant aliens? I want an immigration law which will close the doors for a time until we can get our bearings, until we can figure out very carefully a plan for immigration in the future.

Mr. President, these are no ordinary times. We have just passed through a World War which cost in money more than half the wealth of the world. It destroyed more than 10,000,000 of human lives. It created an army of lame and halt soldiers 30,000,000 strong. It has left the Old World in a state of unrest and distraction. People are wanting to move away from their distressing surroundings. Vast numbers of these foreigners are planning to come to America. The immigration agents and steamship companies are lending encouragement to them.

I want to repeat the question that I propounded to Senators on yesterday: Is citizenship in this country to become a matter of barter for the benefit of immigration agents and steamship companies? Have we come to that, Senators? God pity us if we have. While some seem to be deeply concerned about the votes of aliens in their districts and States and seem willing to make America the dumping ground for the undesirables of other countries, I call upon the native stock to wake up to the dangers that threaten us.

The provision which came from the House regarding religious persecution sounds good and at first glance appears innocent and harmless, but at this time it is full of danger. It furnishes a loophole through which hundreds of thousands of undeserving and undesirable people will come. What is necessary to be done under that provision? The foreigner desiring to come here will say, "I want to go to America." Then the agent of the steamship company will say, "Go make an affidavit that you are being religiously persecuted." They would run over each other in the rush to make the necessary affidavits and through this very provision would flood our country with all kinds of foreigners.

I do not want the safety of my country to depend upon the whims and conscience of all kinds of foreigners who may desire to come here. From what I have seen of some who have come in the recent past I do not believe that their consciences would stand in the way of making any kind of an affidavit. The able and distinguished Senator from California [Mr. JOHNSON] has offered an amendment which if adopted defeats outright the purposes of the bill. His amendment, I believe, would be more dangerous than the so-called religious persecution provision which came over from the House. He would permit those to come who suffer political persecution. Put in exemptions for those claiming to be religiously and politically persecuted and you have opened the way for all who desire to come. It will be really worse than before. Those who do not desire to come in under religious persecution will have no compunctions of conscience at all about saying, "I am politically persecuted."

The Senate bill, I repeat, is better than the House bill. It would reduce the number of foreigners allowed to come into our country in any one year from about a million in 1910 to about 300,000. Again I say I would like to close the immigration doors hard and fast for at least one year, but those who feel as does the Senator from Missouri think that it is an awful thing to shut our immigration doors for one year. Too long to keep the foreigner out of participation in American affairs!

My boy is not 21 years old yet, but he has to live here 21 years before he can exercise the rights and privileges of an American citizen, before he can participate in elections as a voter. It would be better for the American boy if we should keep a certain class of foreigners out altogether.

Immigration societies are very active in many localities of the United States. Their desires are expressed here and in the other branch of Congress. You can recognize them in the speeches you hear against restricted immigration.

As the able and distinguished Senator from New York [Mr. CALDER] proceeded, reminding us how brave the aliens in his locality were during the war, I thought of what happened in his city of New York while the war was on. The head of German propagandists in the United States, the editor of the Fatherland, George Sylvester Vierick, openly and boldly advocated the passage of a law by Congress to exempt all boys of German and Austrian blood from service in our Army. A measure was solemnly introduced in the other branch of Congress which had in it the idea advocated by the editor of the Fatherland. These people were to remain at home enjoying the blessings and benefits of this Government.

Mr. POMERENE. Mr. President——

Mr. HEFLIN. I yield to the Senator from Ohio.

Mr. POMERENE. And while that would have been happening, if the law had been passed while our boys were at the front fighting, those same aliens would have had the jobs that our native boys had had.

Mr. HEFLIN. Yes; they would have remained at home not only far removed from the battle field but they would have been making money through high wages and in other ways while our boys were fighting and dying for liberty and civilization.

Again I say, all honor to those alien boys who faithfully followed our flag. I have nothing but the kindest word and feeling for them. God bless every one of them. They are not aliens. They were born on American soil. They grew up in the wholesome atmosphere of American liberty. They learned to love our flag in their early youth time. Their parents were born abroad and became good citizens here, but in the true sense of the term those boys were not aliens. They were natives to the soil. I dare say, Mr. President, that there was not one of the other class born abroad who went voluntarily with our boys to the World War.

In spite of all that has been said here in favor of placing the alien educationally and otherwise above the native stock, I am still on the side of America. The Senator from Missouri talks about how much better educated these aliens are than our boys and girls. I wonder if somebody somewhere has in mind the idea that it would be the part of wisdom to take the Government and turn it over to certain American aliens.

The Senator from Missouri tells us that they are better educated. We are not complaining about their lack of education, Mr. President. God knows, some of them are too well educated along certain lines. Some of them can make a murderous bomb before you can walk to the White House and back again. They are skilled in the art of making implements of destruction.

They planted one of them right here at this end of the Capitol during the World War. Have Senators forgotten that?

They set fire to a desk in the Dome of the Capitol that they thought had valuable papers in it. Have Senators forgotten that?

They tried to blow up the house of the Attorney General of the United States—sought to murder a Cabinet officer right here in the Capital of the Nation. Have Senators forgotten that?

We have been listening to eulogies pronounced upon those who have recently come into our country, and we have heard speeches that contrasted their virtues with those of the native Americans.

Mr. President, the time has come to talk plainly about and to act quickly upon this question that so vitally affects the life of the Nation. We must answer the question, Whom do you serve, the American people or the mammon of the steamship companies and the emigration agencies backed by certain political and religious organizations that profit by this wholesale delivery of foreigners into the United States?

They had a society here in America called the German-American Alliance, and it was said that the Kaiser had boasted that through it he could decide the issue as to who would be President of the United States. Think of that, Senators. No

loyal American has any criticism to make of the loyal American of German blood. In many respects the German people are a great people. I regret that they turned the spirit of their genius and enterprise into making implements of destruction rather than into the things that would promote and produce human happiness.

We bear no ill will against the splendid people who have come here from foreign countries, people who are loyal to our flag. We draw the line between all loyal Americans and all those here from whatever country who are disloyal. They are the people that I am talking about, and against the dangers that come with such I am striving to protect my country in the future.

Choose you this day whom you will serve, the god of good government in the United States or the mammon of immigration agents and steamship companies. Are you on the side of the brave boys who with their guns and battle blades kept out of America an invading army and saved the liberty of the world, or are you going to vote to place a loophole or joker in this bill which will permit an alien army with bombs and dangerous propaganda to come into our country working injury to the institutions that our boys protected and defended with their blood and lives? Why, Mr. President, one of this dangerous class preached sedition and treason while our boys were fighting and dying in France.

He sought to paralyze the arm of the Government when its liberties were imperiled and its life was at stake. He was convicted and sentenced to prison for his crime against the country. Scores more of the same class were arrested and imprisoned at that time. It is our duty to provide immigration laws that will keep such people out of our country. We have discovered thousands of such undesirables in certain sections of our country, occupying space and cumbering the ground.

They are out of place on the civic soil of America. They are tares in the wheat. When the husbandman spoken of in the Bible discovered that there were tares in his wheat, he said, "An enemy hath done this." Shall we permit any more of these dangerous foreign tares to be imported into our country and planted in the wheat fields of whole-hearted American citizenship? If so, it can be truly said of him who does it, "An enemy hath done this."

There are a great many bolsheviks and red anarchists here now in the city of New York, Chicago, Milwaukee, Pittsburgh, Philadelphia, and some other places in the country. They are tares in our wheat. We now know the grave dangers that threaten by the presence of these people. What are we going to do to keep such as they out in the future? Shall it be said of us that we were enemies when we were charged with the responsibility of guarding the gates and keeping undeserving and undesirable people out of our country? Are we going to be the ones accused of being the enemy who "hath done this"? Not by my vote, Mr. President.

The Senator from Missouri tells us that in those places in the United States where the foreign population is the largest there you will find the least opposition to immigration. I can well understand that; I have already said that the votes of these people are used to elect to Congress people who favor throwing the doors open to all classes and conditions of foreigners.

That is the principal interest that many of them have in the election, and they organize and whisper into the ear of the candidate, "Now, if you will vote in favor of keeping the doors to America open, so that we can continue to bring in foreigners in unlimited numbers, we will give you every vote in our organization." And the candidate frequently agrees to vote as they desire him to vote. This insidious influence puts the candidate to sleep upon that subject, and you hear nothing about this all-important matter from him during the campaign. That is why there is less talked-of opposition where this unassimilated foreign vote is located. The danger is in that insidious influence—

> Whose silent courtship wins securer joys,
> Taints by degrees and runs without noise.

Then when the question comes up in Congress and the former candidate is face to face with the issue he commences to expatiate upon the number of immigrants who have been orators, musicians, painters, philosophers, and so on.

I repeat, there is no issue between us regarding that class or the thousands in the common walks of life who have come here and who have shown themselves worthy to be citizens of our great country. I have never said a word against one of that class; I do not say a word against any foreign-born American citizen who loves and supports the flag. I am talking about and against that dangerous and despised element that hates my Government and secretly or openly seeks to overthrow the free institutions of America.

Some Senators do not seem to realize just how serious this question is. Unless those of us who are here now charged with the responsibility of "holding the line" against an influx of undesirable foreigners are faithful, the day will come when this foreign population will outnumber the natives in the United States.

The conditions that obtain to-day in the Old World justify us in being very careful as to who shall come from foreign countries into the United States. We can not afford to throw our doors open to every wild fanatic and diseased criminal who desires to come to America. Mr. President, all of the immigration laws passed heretofore by Congress have either been misinterpreted by those who administered them or it was found after Congress had adjourned that there was an innocent-looking provision through which undesirable foreigners could come. There are always shrewd men to fight restricted immigration when this question comes up in Congress. We have had yesterday and to-day four and a half hours of argument by the Senator from Missouri in opposition to this meritorious measure.

The Senator from Missouri, among other things, asked: "What has foreign immigration done for this country?" Well, Mr. President, it has done a great deal that is good in times past, and in recent years it has done a great deal that is exceedingly harmful.

Because our ancestors were immigrants who loved American institutions, and after coming here helped to make the Nation the glorious thing she is, that is no reason why we should now permit the coming in of those who despise our institutions and desire their destruction. This is our Government; ours to support and sustain; ours to love and cherish; ours to defend against an undesirable and dangerous alien army seeking to bring here a propaganda destructive of American institutions. On which side are we, Senators?

The Senator from Missouri asks, "What has immigration done for us?" In many localities it has sinned against American institutions very grievously. In New York City one night during the World War I had been speaking in the interest of the Liberty loan. I have told of this incident once before, but it illustrates the point, and I will tell it again. We had a fine meeting and sold about a million and a quarter dollars worth of bonds. On the way back to the railroad station I saw one of those fellows, referred to by the Senator from Missouri, who came to America as an immigrant. He was on a soap box haranguing about 150 fellows, who seemed to be in thorough sympathy with him. It was at 12 o'clock at night. We stopped and listened a minute. He was speaking in a foreign language, and I asked, "What is he saying?" The interpreter replied, "He is urging the overthrow of our institutions; he is saying, 'Down with America; defy her courts and refuse to go to war.'" That is the substance of what that alien orator was saying. I inquired, "Do they permit that here?" He said, "Oh, yes; there are a dozen meetings like that here in the city to-night." I thought of that situation as the able Senator from New York [Mr. CALDER] proceeded with his speech. "Immigration, how beautiful art thou in the city of New York." [Laughter in the galleries.]

The VICE PRESIDENT rapped with his gavel.

Mr. HEFLIN. Milwaukee, New York, Chicago, Philadelphia, Pittsburgh—how many disloyal people are dwelling within your confines? I am reminded of a story about one of these miserable beings who wanted to be naturalized. He was coached and told what to say, but when asked, "Are you in favor of overthrowing the Government?" he replied, "No; I am in favor of blowing it up." [Laughter in the galleries.]

The VICE PRESIDENT. The rules require silence in the galleries.

Mr. HEFLIN. We have a very acute situation here, Mr. President. When the Senator from Missouri asked, "What has immigration done for us?" I thought of the old fellow who had rheumatism. He had been suffering with it a great deal and somebody had told him to apply honeybees. So they filled his trouser legs full of bees, and they told him that the poison of their stings would counteract the other poison. They were to have a great meeting in the community in a day or two at which old Parson Jones, who had preached there 25 years before, was to officiate, and they told old Uncle Johnny, "You must come to the meeting." He replied, "I am all crippled up; I can not go; I have rheumatism and am suffering like Job." They said to him, "You must come; Parson Jones was always exceedingly fond of you." Whereupon old Uncle Johnny said, "If you will let me sit back near the door, I will go." He went with his crutches and took a seat near the door. After a while Brother Jones said, "Brethren, what have the fates done for you?" A merchant got up and said, "The fates have been good to me. Business has been good." Then Brother Jones

said to the doctor, "What have the fates done for you?" The doctor replied, "There has been a lot of sickness, and my patients have paid me well. The fates have been good to me." He asked the preacher what the fates had done for him. "Well," the preacher replied, "I have large congregations; people constantly joining the church, and they pay the preacher well, so the fates have been good to me." Then, down the aisle, he saw old Uncle Johnny, but did not recognize him as he sat all humped up and suffering every minute, and he said, "Stand up there, you old crippled fellow, and tell us what the fates have done for you." Old Uncle Johnny stood up and replied, in a whining tone of voice, "The fates have dern nigh ruined me." [Laughter.]

Mr. President, a certain kind of immigration has greatly injured many of our American communities. I have two or three in mind that it has almost ruined. Do not Senators know that all that these hostile foreigners who have come here need to make them a greater menace and danger is power. If they had the power, they would overthrow our institutions. In some localities they outnumber the loyal Americans now. This is a dangerous situation. Senators, I am reminding you of an ugly situation right here in our own country, but it is here and we must deal with it. If you adopt the religious and political persecution amendments offered to this bill, all the other restrictive provisions are rendered ineffective. To pass the bill in that form and say you have met the requirements would be like plastering a paper over a large crack in the wall of a building and then say that the wall had been mended and the building made strong.

This Government has got to do something that it has not done before. Why? Because all that it has ever done in legislation on this subject has failed to keep undesirable people out. I want something done now that will keep them out; I want a law passed that has got teeth in it. While some who stand here plead for what they term the highly educated boy of alien parents, and contrast him to his advantage with the native American boy, I champion the cause of the native boy, who has a right to grow up in this land of liberty free from the poison of bolshevik doctrine, free from the poison of anarchy, to grow up in the atmosphere of the greatest and finest Government in all the world. The man of foreign birth who really loves American institutions will find no fault with us for trying to keep out of our country the undesirable and dangerous foreigners. Senators, the people of the United States are going to watch this matter of immigration more closely than ever. They realize more than ever the necessity for doing so. We must decide once and for all whether America shall be safeguarded and protected against undeserving and undesirable foreigners or whether she is to become the dumping ground for the scum and refuse of the Old World.

Are we under any obligations to permit that kind of people to come here? If not, what are we going to do about it to-day?

It is one thing during a political campaign to tell the people that we are going to protect our shores against an influx of unfit foreigners, and it is quite another thing with some when they have the opportunity to secure legislation in keeping with preelection promises. Some of them support provisions that will permit all kinds of foreigners to continue to come here.

The Senator from Mississippi [Mr. HARRISON] reminded us that before the war with Germany there were coming into this country a million of foreigners annually. Think of it! Ten years, 10,000,000. And I would remind you, Senators, that there was no such inducement to come here in 1910 as now. Peace reigned over there then. Germany in up-to-date industrial development was perhaps without a parallel amongst the nations. France was happy and prosperous. Russia, Italy, and the other countries were all doing fairly well, and yet a million a year came into this country then, and with them came anarchists, bomb throwers, black handers, and kidnapers, who are disturbing our peace in many localities.

Mr. President, you can go to any community to-day where the spirit of anarchy and disloyalty is rampant and you will find that the leaders are not native Americans, but foreign born.

I want this country in the future to exercise the greatest precaution in permitting anyone from foreign countries to come here. Are we not justified in doing that? This is our own great American household; and are we not entitled to say who shall come and be one of us in that household? Why, some people talk as though they thought we did not have that right. They talk as though this right belonged to the steamship companies and the immigration agents and certain societies in the United States, as though it were not a matter for the great body of the American people to consider and control. Is citizenship here so cheap that anybody can buy passage upon a ship and come into the United States with a bunch of immigration agents?

On yesterday I referred to an article in the Saturday Evening Post. I want to read just here the language used by Mr. Kenneth L. Roberts on this immigration question. He said:

> Every foreign Government understands that never in the history of the world was there such a movement of peoples as there is to America to-day. All the Governments understand that we have every right to go into the case of every immigrant with extreme thoroughness, because it is becoming a matter of life and death for our people.

Yes, Mr. President; the life of our civilization, our ideals, and institutions are all at stake. It is criminal in us to permit people to come here who encourage defiance to constituted authority in the United States. Thousands of them do not become citizens at all. They get employment that loyal Americans should have and they send back to their own country about $70,000,000 annually.

Mr. President, in conclusion I want to touch upon the question of education for a moment. We do not complain that these people are not educated. Some of them are the best educated people you can find, but they are educated in the wrong way. They are grounded in a doctrine that is not helpful to America, but exceedingly harmful. Can they read and write? Yes; and they can speak many languages, some of them. Oh, yes; they are educated but full of fanaticism of various kinds, and they advocate things that are dangerous to the free institutions of America. So it is not education alone that must decide the question as to who shall come into our country in the future. Thousands who are not educated at all have made better citizens than those that I am speaking against to-day.

The Senator from Missouri [Mr. REED] talks about our increase in population and our growing wealth. Well, the South increased her population after the war up to this time at a greater percentage per decade than any other section of the country, and we did not have any foreign immigration. I believe that we have increased industrially as much as any other section per decade, and we have not had this balm of Gilead in the form of foreign immigration that the Senator speaks so earnestly and eloquently about to-day.

A great deal has been said about how industrious, how thrifty, and how well educated some American immigrants are.

Mr. President, I believe, above all else, in the manhood and womanhood of my country. I believe that the brain power and resourcefulness of the American citizen is greater than that to be found in any other land beneath the sun. Here the welfare of the citizen is the high aim of the Government, and here the Government seeks to do that which will bring about the greatest good to the greatest number, and in the name of a hundred million loyal Americans I invoke that doctrine to-day.

The Senator from Missouri said, "It is the game people who come here." Well, Mr. President, the fellow who took that deadly bomb to Attorney General Palmer's home for the purpose of murdering him was a game man. It took a game man to handle that dangerous bomb. He took his own life in his hands and died in the attempt to kill a Cabinet officer right here in the Nation's Capital. Oh, yes; he was one of the game ones.

Guiteau, the foreigner, was game when he walked into the railroad station here in the Capital and killed the noble-hearted Garfield. Czolgosz, another one of them, was game when he murdered the beloved McKinley. The other foreigner in New York who burned the American flag before an audience there some time ago was game. But they were all game in such a way as to make them a danger and menace to America.

But the Senator from Missouri says, "It is the game people who come over here," and in another place in his speech he said that those who come over here are better than those they leave behind. Then God pity and have mercy on those left behind. Thousands of those who come here are the very scum of the earth. Many of them are escaped convicts. Many of them have been pardoned by their king with the understanding that they will come to America, and if those who remain at home are worse than these I repeat, God pity them.

The time has come for us to decide just what we are going to do upon this very vital question. The God of us all has told us that a man can not serve two masters. No man can serve two masters. The man coming here is either going to love America or he is going to hate her. If he hates America, he is an enemy to the country. If he is here and an enemy to the country, he ought either to be driven out of it or executed in it. It is our duty to keep the dangerous kind out, and that is what we are seeking to do to-day.

Here is the Republican Party, with a tremendous majority in the Senate, and you Republicans are in control of the House,

with an unwieldy majority. The President is of your political faith. You have it in your power to do the thing this day that will protect us against criminal agitators and red anarchists who are planning to come in large numbers to the United States; you have it in your power to build a wall against bolshevism, which is seeking to aid a world movement by spreading its poison here; you have it in your power to keep out of our country the criminal hordes of Europe. Let us Democrats and Republicans alike respond to the call of duty to-day and vote to protect our own American household and safeguard the free institutions of our country.

Mr. JOHNSON. Mr. President, inasmuch as the pending amendment is my amendment and inasmuch as it has doubtless brought upon the Senate a plethora of debate, I will occupy just a moment, if you please, in trying to bring back to the Senate, because we have gone far afield, just what is endeavored to be presented by the amendment.

The amendment apparently is very, very strange to many of my colleagues. If the baneful results suggested by the Senator from Mississippi [Mr. WILLIAMS], the Senator from Alabama [Mr. HEFLIN], and others who have spoken, might flow from this amendment, then, of course, the amendment ought to be defeated. If this amendment will bring the flood of immigration that has been suggested, if it will drive, through this bill, the wedge that has been here adverted to, I grant you that the amendment ought to be defeated, and had I thought that it would do any of those things I can assure you I never would have offered it at all.

I offered the amendment because we have not by this bill departed from our immigration policy of the past. By this bill we do not seek to build a wall around the United States, nor do we endeavor by this bill to prevent immigration entirely, for an indefinite or for a temporary period. By this bill, admittedly, very many immigrants will be permitted to come in, and the only difference between our immigration policy under this bill and the immigration policy which we have followed in the past is a mere matter of degree. I repeat, if this amendment would have the effect that has been suggested it ought to be defeated.

But follow with me just a moment to see whether that is the fact. I want to say, as I said last night, that had we had an immigration bill such as the Senator from Mississippi and myself voted for in the committee, the original Johnson bill, which came from the House, I would not have attempted at all to present this amendment and preserve what is a very dear and perhaps a sentimental policy to me. But inasmuch as we did not do that thing and inasmuch as we are here with our old immigration policy, I ask that we continue the policy that has been ours in respect to those persecuted religiously and politically in other climes.

Our friends on the other side say that millions will come in under this amendment if we adopt it. I answer, Mr. President, that that is not at all the fact. It is not the fact, as is demonstrated by the statistics presented here by the Senator from Rhode Island [Mr. COLT], and those statistics are very astonishing, indeed, when, if you will recall them, they show the number who remained in the country in the past year or two is very, very small; and so in the years before, his statistics demonstrate, there have not been many who remained at all, and his statistics for the present indicate, too, that there will be no such influx as that which has been suggested. So, first of all, the statistics answer the apprehensions which have been expressed.

Next, there is a requirement in this amendment that those who come here stating that they are seeking a refuge from religious or political persecution must establish the fact, and I am not going to presume that those who are in charge of the administration of the law will do otherwise than administer that law fairly, honestly, and justly. So they will cull those who seek disingenuously to come under this amendment from those who do come actually within its purview.

First, therefore, the statistics answer you when you say that there will be a horde of people coming under this amendment. Next, the amendment itself answers you, in requiring proof. And, lastly, the experience of all of us in the past, the story of the Nation, answers you, and answers you completely, fully, and unequivocally.

This is no new thing which this amendment suggests. It may be sentimental in part, but it is just, too. There has never been a time in the history of the Republic when those who sought refuge upon our shores from religious or political persecution were not welcomed, and I can not find it in my heart to fear the man who, to worship God as he sees fit, leaves all that is dear to him and comes to another shore. I can not find it in my heart to fear the man who will leave his native soil to go to another, into a strange world, in order that he may preserve the political opinions that are his.

Have we forgotten the history of the Nation? Have we forgotten those who first kneeled upon Plymouth Rock and thanked God that finally they had reached a land where they could worship God as they pleased? It is only a stone's throw to where Baltimore and his people came to worship God as they pleased. It is only a few years ago that we saw the exodus of 1848, and saw brought into this country some of the best blood that ever came to it. It is only a brief period ago that we saw the United States stand and refuse a foreign nation to deliver a political refugee. It is only a short time since that we saw a few people come into this country, and meetings held throughout every city in the land, asking that they be protected because they were political refugees.

To-day I would protect them just as we have protected them in the past. To-day and to-morrow, if another William, with another Prussia, should send from his territory those of political opinions differing from his, I would permit them to land on our shores.

To-morrow and the next day if there were again that religious intolerance we have found too often in the history of the world, which sent over here those like the Huguenots, who fled to escape persecution, like those who came with Baltimore, and those who landed in Massachusetts in the days gone by, I would permit them a refuge upon this shore. I would preserve, as you preserve, sir, by this bill, the policy that has ever been the policy of the Republic.

Of course, Mr. President, I would not permit the anarchist and the red and the man who preached the overthrow of our Government by force or violence to land. None of them will be permitted under this amendment or under this bill. But, as a matter of sentiment, as a matter of justice, I would preserve that which was so eloquently expressed a half century ago by the great orator from Massachusetts, I would preserve that beacon light of liberty that shines for all the world, not for the purpose of permitting those to come to our shores who would destroy our Government or who would menace our institutions but to permit those to come who have been denied the right to worship God as they see fit and those who because of honest political beliefs have been driven by tyranny from their homes.

Mr. ASHURST. Mr. President, I offer the following amendment.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The amendment is not in order, the Chair will state to the Senator from Arizona. It is an amendment in the third degree.

Mr. REED. Mr. President, there have been so many hours——

Mr. ASHURST. Mr. President, just a moment.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arizona?

Mr. REED. I yield.

Mr. ASHURST. The Senator from Arizona was not aware that this was an amendment to an amendment, thinking that it was only an amendment to the bill. Therefore I will withdraw the amendment until the proper time.

Mr. LODGE. The whole bill is an amendment, it being a substitute for the bill as passed by the House.

Mr. ASHURST. I am very much in sympathy with the amendment proposed by the Senator from California [Mr. JOHNSON]. I think such an amendment is wise and humane at this time, but I believe we should restrict immigration to those who can speak the English language. I believe that those who claim they are persecuted because of their religious or political views ought to be required to prove that they can read the Constitution of the United States in the English language, and my amendment, which I may not have an opportunity to offer at this time, simply provides that this class of refugees seeking asylum here, as the Senator's amendment provides, shall be admitted when they prove that they are subjected to political or religious persecution, provided they can read the Constitution of the United States in the English language. That is the tenor of my amendment.

Mr. WATSON of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. ASHURST. The Senator from Missouri has not the floor. He has spoken twice on the same legislative day, and I have the floor.

The PRESIDING OFFICER. The Chair must remind the Senator from Arizona that the Chair recognized the Senator from Missouri and he asks the Senator from Missouri if he will yield to the Senator from Georgia.

Mr. ASHURST. Mr. President, it is a little bit trying on the nerves of some of us when Senators seek to fill the cir-

cumambient atmosphere for hours with words, words, words, and when another Senator simply rises to offer an amendment, that effort meets with disapprobation, and he is told that he should sit down when he is seeking to take only a minute of the time of the Senate. Some of us are getting a little tired of it.

The PRESIDING OFFICER. If the Senator from Arizona makes the point of order that the Senator from Missouri has addressed the Senate twice upon the pending bill the Chair will sustain the point of order.

Mr. ASHURST. I now yield to the Senator from Missouri.

The PRESIDING OFFICER. No; does the Senator from Arizona make the point of order?

Mr. ASHURST. I do, if it is the only way I can get the floor.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. REED. I had the floor and yielded it to the Senator as a matter of courtesy, to say whatever he wanted to say, and I am now very much obliged to him for his courtesy to me.

Mr. WATSON of Georgia. Mr. President——

Mr. ASHURST. It is entirely in keeping with my tyrannical friend that he should think he had the floor. Having had it for three or four hours it was but natural he should assume that he ought to have it for the rest of the afternoon.

I now yield to the Senator from Georgia. [Laughter on the floor and in the galleries.]

The PRESIDING OFFICER. The Senate will be in order. The occupants of the galleries will be in order. Occupants of the galleries have no right to make any demonstration of any kind when a Senator is speaking or when any business is being transacted. The Chair admonishes the occupants of the galleries to observe this rule.

The Senator from Arizona yields to the Senator from Georgia.

Mr. WATSON of Georgia. Mr. President, the question I desire to ask the Senator from Arizona is this: If he restricts, as he proposes to do, the amendment offered by the Senator from California, would he not have excluded from the State of Georgia the Salzburgers who came from Austria speaking nothing but the German language, and the Huguenots who came to the Carolinas speaking nothing but French?

Mr. ASHURST. The amendment, if it had been introduced some two or three hundred years ago, would have done that. We are not legislating for 250 years ago but we are legislating for to-day. That is the trouble with many Senators. They are legislating for the past instead of for the present and the future.

I now yield the floor to the Senator from Missouri.

Mr. REED. Mr. President——

The PRESIDING OFFICER. The question is upon the amendment to the amendment offered by the Senator from California.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Will the Senator yield for just a moment? If any Senator wishes to address the Chair he has the right to do so. No Senator has a right to yield the floor to another Senator.

Mr. REED. I am not yielding the floor; I am taking it, and I ask to be permitted to make the statement that I have spoken once and only once. I was addressing myself to this question last night and discontinued my remarks when a recess was taken in order that I might continue them this morning. So I have not been out of order, and the Chair was in error as to the fact.

The PRESIDING OFFICER. If the Senator will permit the Chair, he will state that during the day after the Senator had concluded he spoke again from the center aisle in the hearing of the present occupant of the chair.

Mr. REED. I just asked a question and that was all. Now, Mr. President, I do not wish to occupy the floor, and I would not stand here now and insist upon my right except for the very strange attitude of my friend from Arizona.

Mr. ASHURST rose.

Mr. REED. Just a moment. I had been recognized by the Chair, and the Senator from Arizona rose and asked me to yield to him. I did it without a moment of hesitation and with all the courtesy I was capable of. I did not seek to take him off his feet. I allowed him to go on and make his speech, and why he should get excited with me when I was trying to extend to him every courtesy is utterly incomprehensible to me.

Mr. ASHURST. Mr. President, I simply wish to remind my friend that he is a considerable part of the Senate, but not all of it. All men of great intellect are tyrannical. Lord Melbourne was that way; so was Lord Macaulay. All men whom I have ever known that were great intellects go along in the sublime assurance that no one else knows anything. I have no quarrel with the Senator from Missouri and my manner indicated nothing more than a determination to insist on my rights. I am an humble Member of the Senate, but I have certain rights, and I know them, and I am going to insist upon them. I thought it was not entirely fair for the learned Senator to occupy three or four hours and then when I had obtained the floor have him yield to me after I had obtained the floor.

It is a small point, but the time has come in the Senate when some of us are going to be heard a minute or two after other Senators have occupied the floor for hours. There is no angry spirit to it. There is no man in the United States for whom I have a greater admiration than for the Senator from Missouri. In behalf of those principles of justice and of government in which he believes, he has gone through the country like a fiery meteor, a great leader, and posterity, if it is just, will be bound to give him a great place. But great as he is, superb as are his intelligence and his intellect and his courage, in the Senate, where all men are equal, he is no stronger than the weakest man here.

Mr. REED. Mr. President, I hope we will not degenerate into the play of children. I repeat that I had the floor. The Senator from Arizona asked to be permitted to introduce his amendment——

Mr. ASHURST. I had not done anything.

The PRESIDING OFFICER. The Chair must insist that if the Senator from Arizona desires to interrupt the Senator from Missouri he must address the Chair.

Mr. ASHURST. Very well, I address the Chair. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. REED. No; not at present.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. REED. Mr. President, this is getting a little unseemly. I yielded to the Senator from Arizona, having been recognized. I thought I was doing everything courteous, and still think I was. I was willing to yield the floor entirely; I sat down. I see no occasion for the Senator's remarks. He has made them and adheres to them, and it is all right; it makes no difference to me.

I had only risen to make this one observation. We have had a great deal of talk about admitting red anarchists and opening the floodgates, permitting every kind of people to come here, as though anybody had talked about anything of that kind. It never has been proposed. In the law as it stands to-day there is the following language:

> The following classes of aliens shall be excluded from admission to the United States.

There is a large class given, and I call attention to just a few, such as paupers, professional beggars, persons convicted of felonies. We were told that they were emptying their penitentiaries. Then—

> anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or who advocate or teach the unlawful destruction of property.

So, Mr. President, most of the talk we have had is quite beside the question. No one is going to talk about admitting anarchists and if we were, we ought not to admit 3 per cent of anarchists or any proportion of anarchists that they would bear to the 3 per cent. That is all I have to say. I will be very glad to yield the floor now to my friend from Arizona or anyone else.

The PRESIDING OFFICER. The question is on the amendment of the Senator from California [Mr. JOHNSON] to the amendment in the nature of a substitute reported by the committee.

SEVERAL SENATORS. Let it be read.

The PRESIDING OFFICER. The amendment to the amendment will be read.

The ASSISTANT SECRETARY. On page 9, at the end of line 23, after the words "adjacent islands," insert:

> (8) Aliens who prove to the satisfaction of the proper immigration officer or of the Secretary of Labor that they are actually subjects of religious or political persecution in the country of their last permanent residence, and are seeking admission to the United States solely to avoid the suffering and hardship involved in such persecutions.

Mr. JOHNSON. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. MOSES]. I understand that if he were present he would vote as I am about to vote. I vote "nay."

Mr. COLT (when his name was called). I have a pair with the junior Senator from Florida [Mr. TRAMMELL]. I understand that if present he would vote the same way I do. I vote "nay."

Mr. EDGE (when his name was called). I have a general pair with the senior Senator from Oklahoma [Mr. OWEN] which I transfer to the junior Senator from Kentucky [Mr. ERNST] and vote "nay."

Mr. FLETCHER (when his name was called). I have a general pair with the Senator from Delaware [Mr. BALL], which I transfer to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. UNDERWOOD (when Mr. GERRY's name was called). The Senator from Rhode Island [Mr. GERRY] asked me to announce that he is detained from the Senate this afternoon on account of an important engagement; that he is paired with the Senator from Vermont [Mr. PAGE]; and that if present the Senator from Rhode Island would vote in favor of the pending amendment, and the Senator from Vermont would vote against it.

Mr. DIAL (when the name of Mr. SMITH was called). I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on official business. He is paired with the Senator from South Dakota [Mr. STERLING]. I ask that this announcement stand for the day.

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from New Hampshire [Mr. KEYES], and will vote. I vote "nay."

Mr. FLETCHER (when Mr. TRAMMELL's name was called). I desire to announce that my colleague [Mr. TRAMMELL] is unavoidably absent on official business.

Mr. WILLIAMS (when his name was called). I transfer my pair with the senior Senator from Pennsylvania [Mr. PENROSE] to the Senator from Florida [Mr. TRAMMELL] and vote "nay."

The roll call was concluded.

Mr. SIMMONS (after having voted in the negative). I desire to inquire whether the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The PRESIDING OFFICER. He has not.

Mr. SIMMONS. I am not advised how that Senator would vote if he were present.

Mr. NELSON. I think if my colleague were here he would vote against the pending amendment.

Mr. SIMMONS. I will assume that the junior Senator from Minnesota, if present, would vote as I have voted, and I will, therefore, let my vote stand.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair desires to announce that the Senator from Connecticut [Mr. MCLEAN] is paired with the Senator from Montana [Mr. MYERS].

He also wishes to announce that the junior Senator from New Hampshire [Mr. KEYES], the Senator from Delaware [Mr. BALL], and the senior Senator from New Hampshire [Mr. MOSES] are absent on official business.

He further desires to state that the Senator from Kentucky [Mr. ERNST] is absent by reason of illness in his family, and that the junior Senator from Minnesota [Mr. KELLOGG] is absent on account of illness.

Mr. HARRISON. I desire to announce that the Senator from Rhode Island [Mr. GERRY] is absent on official business.

The result was announced—yeas 15, nays 61, as follows:

YEAS—15.

Ashurst	Johnson	La Follette	Walsh, Mass.
Bursum	Kendrick	Norris	Walsh, Mont.
Calder	Kenyon	Pittman	Watson, Ga.
Cummins	Ladd	Reed	

NAYS—61.

Brandegee	Hale	Nelson	Stanfield
Broussard	Harreld	New	Stanley
Cameron	Harris	Nicholson	Sterling
Capper	Harrison	Oddie	Sutherland
Caraway	Heflin	Overman	Swanson
Colt	Hitchcock	Phipps	Townsend
Curtis	Jones, N. Mex.	Poindexter	Underwood
Dial	Jones, Wash.	Pomerene	Wadsworth
Dillingham	King	Ransdell	Warren
Edge	Lenroot	Robinson	Watson, Ind.
Elkins	Lodge	Sheppard	Williams
Fernald	McCormick	Shields	Willis
Fletcher	McCumber	Shortridge	Wolcott
Frelinghuysen	McKellar	Simmons	
Glass	McKinley	Smoot	
Gooding	McNary	Spencer	

NOT VOTING—20.

Ball	Gerry	Moses	Page
Borah	Kellogg	Myers	Penrose
Culberson	Keyes	Newberry	Smith
Ernst	Knox	Norbeck	Trammell
France	McLean	Owen	Weller

So Mr. JOHNSON's amendment to the amendment of the committee was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment as reported by the committee.

Mr. KENYON. Mr. President, when the amendment of the Senator from Washington [Mr. JONES] was defeated on yesterday I had thought to submit another amendment along the same lines providing that of the aliens coming to this country as permitted under the pending bill 50 per cent, at least, should come in vessels flying the American flag. I have, however, talked with some Senators about the matter, and especially with the chairman of the Committee on Immigration, who is very anxious that the bill shall speedily pass. I realize there is no use in offering the amendment which I intended to propose, and that it would not be adopted but would merely be productive of fervid and prolonged oratory, of which we have, perhaps, had enough for one day. I am going to ask, however, to have the amendment which I had thought of presenting printed in the RECORD as a part of my remarks, for I think the time will come when we shall adopt some such policy to assist the merchant marine of the United States. I shall not, however, formally offer the amendment.

The PRESIDING OFFICER. Without objection, the amendment referred to by the Senator from Iowa will be printed in the RECORD.

Mr. KENYON's proposed amendment was to insert as a new section the following:

SEC. 4. Of those aliens permitted to enter the United States under the terms of this act at least 50 per cent shall be brought in vessels flying the flag of the United States. The Secretary of Labor shall promulgate the necessary rules and regulations for carrying this section into effect.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendment.

The amendment, which had been reported from the Committee on Immigration as a substitute for the bill, was concurred in, as follows:

Strike out all after the enacting clause and insert:

"That as used in this act—

"The term 'United States' means the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone and the Philippine Islands; but if any alien, or any alien seaman, leaves the Canal Zone or any insular possession of the United States and attempts to enter any other place under the jurisdiction of the United States nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens, or to all alien seamen, respectively.

"The word 'alien' includes any person not a native-born or naturalized citizen of the United States, but this definition shall not be held to include Indians of the United States not taxed nor citizens of the islands under the jurisdiction of the United States.

"The term 'immigration act' means the act of February 5, 1917, entitled 'An act to regulate the immigration of aliens to, and the residence of aliens in, the United States'; and the term 'immigration laws' includes such act and all laws, conventions, and treaties of the United States relating to the immigration, exclusion, or expulsion of aliens.

"SEC. 2. (a) That the number of aliens of any nationality who may be admitted under the immigration laws to the United States in any fiscal year shall be limited to 3 per cent of the number of foreign-born persons of such nationality resident in the United States as determined by the United States census of 1910. This permission shall not apply to the following, and they shall not be counted in reckoning any of the percentage limits provided in this act: (1) Government officials, their families, attendants, servants, and employees; (2) aliens in continuous transit through the United States; (3) aliens who have been lawfully admitted to the United States and who shall later go in transit from one part of the United States to another through foreign contiguous territory; (4) aliens visiting the United States as tourists or temporarily for business or pleasure; (5) aliens from countries immigration from which is now regulated in accordance with treaties or agreements; (6) aliens coming from the so-called Asiatic barred zone, as described in section 3 of the immigration act; or (7) aliens who have resided continuously for at least one year in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands.

"(b) For the purposes of this act nationality shall be determined by country of birth, but the term 'country' shall not be held to include colonies or dependencies, which colonies or dependencies shall be considered as separate countries.

"(c) The Secretary of State, the Secretary of Commerce, and the Secretary of Labor, jointly, shall, as soon as feasible after the passage of this act, prepare a statement showing the number of persons of the various nationalities resident in the United States as determined by the United States census of 1910, which statement shall be the population basis for the purposes of this act, but whenever such population basis is not applicable by reason of changes in political boundaries in foreign countries occurring subsequent to 1910 and resulting in the creation of new countries, the Governments of which are recognized by the United States, or otherwise in the transference of territory from

one country to another, such transference being officially recognized by the United States, then the said officials, jointly, shall estimate the number of persons resident in the United States in 1910, who were born within the area now included in such new and other countries, and in the case of such countries such estimate shall be the population basis for the purposes of this act.

"(d) When the maximum number of aliens of any nationality who may be admitted in any fiscal year under this act shall have been admitted all other aliens of such nationality, except as otherwise provided in this act, who may apply for admission during the same fiscal year shall be excluded: *Provided*, That the number of aliens of any nationality who may be admitted in any month shall not exceed 20 per cent of the total number of aliens of such nationality who are admissible in that fiscal year: *Provided further*, That aliens returning from a temporary visit abroad, aliens who are professional actors, artists, lecturers, singers, nurses, ministers of any religious denomination, professors for colleges or seminaries, aliens belonging to any recognized learned profession, or aliens employed as domestic servants may be admitted notwithstanding the maximum number of aliens of the same nationality admissible in the same month or fiscal year, as the case may be, shall have entered the United States; but aliens of the classes included in this proviso who enter the United States before such maximum number shall have entered shall be counted in reckoning the percentage limits provided in this act: *Provided further*, That in the enforcement of this act preference shall be given so far as possible to the wives and minor children of aliens who are now in the United States and have applied for citizenship in the manner provided by law.

"SEC. 3. That the Commissioner General of Immigration, with the approval of the Secretary of Labor, shall, as soon as feasible after the passage of this act and from time to time thereafter, prescribe rules and regulations necessary to carry the provisions of this act into effect. He shall, as soon as feasible after the passage of this act, publish a statement showing the number of aliens of the various nationalities who may be admitted to the United States between the date when this act becomes effective and the end of the current fiscal year, and on June 30 thereafter he shall publish a statement showing the number of aliens of the various nationalities who may be admitted during the ensuing fiscal year. He shall also publish monthly statements during the time this act remains in force showing the number of aliens of each nationality already admitted during the then current fiscal year and the number who may be admitted under the provisions of this act during the remainder of such year, but when 75 per cent of the maximum number of any nationality admissible during the fiscal year shall have been admitted such statements shall be issued weekly thereafter. All statements shall be made available for general publication and shall be mailed to all transportation companies bringing aliens to the United States who shall request the same and shall file with the Department of Labor the address to which such statements shall be sent. The Secretary of Labor shall also submit such statements to the Secretary of State, who shall transmit the information contained therein to the proper diplomatic and consular officials of the United States, which officials shall make the same available to persons intending to emigrate to the United States and to others who may apply.

"SEC. 4. The provisions of this act are in addition to, and not in substitution for, the provisions of the immigration laws.

"SEC. 5. That this act shall take effect and be enforced 15 days after its passage, except sections 1 and 3 and subdivision (c) of section 2, which shall take effect immediately upon the passage of this act, and shall continue in force until June 30, 1922, and the number of aliens of any nationality who may be admitted during the remaining period of the current fiscal year from the date when the act becomes effective to June 30, shall be limited in proportion to the number admissible during the fiscal year 1922."

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. REED. I ask for the yeas and nays on the passage of the bill.

Mr. HEFLIN. Let us have the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. BROUSSARD (when his name was called). I am paired with the senior Senator from New Hampshire [Mr. MOSES]. I am informed that if he were present he would vote as I intend to vote on the passage of the bill. I therefore feel at liberty to vote, and vote "yea."

Mr. COLT (when his name was called). I have a pair with the junior Senator from Florida [Mr. TRAMMELL]. I am informed that if present he would vote as I intend to vote. I am therefore at liberty to vote, and vote "yea."

Mr. EDGE (when his name was called). Making the same announcement as to my pair and its transfer as on the preceding vote, I vote "yea."

Mr. FLETCHER (when his name was called). Making the same announcement as before as to my pair with the Senator from Delaware [Mr. BALL], I am informed that if the Senator from Delaware were present he would vote "yea." As I intend to vote in the affirmative, I feel at liberty to vote, and vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG], who is unavoidably absent from the Chamber. I am advised that if he were present he would vote upon this bill as I intend to vote. I am therefore at liberty to vote, and vote "yea."

Mr. STERLING (when his name was called). I am informed that my pair, the Senator from South Carolina [Mr. SMITH], if present, would vote the same as I intend to vote upon the passage of the bill. Therefore I am at liberty to vote, and vote "yea."

Mr. FLETCHER (when Mr. TRAMMELL's name was called). As heretofore announced, my colleague [Mr. TRAMMELL] is unavoidably absent on official business. He has a pair with the Senator from Rhode Island [Mr. COLT]. If present, my colleague would vote "yea," and as the Senator from Rhode Island has also voted in the affirmative the Senator from Rhode Island is released from the pair.

The roll call was concluded.

Mr. SHEPPARD. I wish to announce that my colleague, the senior Senator from Texas [Mr. CULBERSON], is unavoidably detained from the Senate. If present he would vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Maryland [Mr. WELLER], the senior Senator from New Hampshire [Mr. MOSES], the Senator from Kentucky [Mr. ERNST], the Senator from Pennsylvania [Mr. KNOX], the Senator from Vermont [Mr. PAGE], the junior Senator from New Hampshire [Mr. KEYES], and the Senator from Delaware [Mr. BALL] would vote for the bill if present, and the Senator from Maryland [Mr. FRANCE] would vote against the bill. They are necessarily absent.

I also wish to announce that the Senator from Connecticut [Mr. MCLEAN] is paired with the Senator from Montana [Mr. MYERS]. If present and at liberty to vote, the Senator from Connecticut would vote "yea."

The result was announced—yeas 78; nays 1; as follows:

YEAS—78.

Ashurst	Gooding	McKinley	Smoot
Brandegee	Hale	McNary	Spencer
Broussard	Harreld	Nelson	Stanfield
Bursum	Harris	New	Stanley
Calder	Harrison	Nicholson	Sterling
Cameron	Heflin	Norbeck	Sutherland
Capper	Hitchcock	Norris	Swanson
Caraway	Johnson	Oddie	Townsend
Colt	Jones, N. Mex.	Overman	Underwood
Cummins	Jones, Wash.	Penrose	Wadsworth
Curtis	Kendrick	Phipps	Walsh, Mass.
Dial	Kenyon	Pittman	Walsh, Mont.
Dillingham	King	Poindexter	Warren
Edge	Ladd	Pomerene	Watson, Ga.
Elkins	La Follette	Ransdell	Watson, Ind.
Fernald	Lenroot	Robinson	Williams
Fletcher	Lodge	Sheppard	Willis
Frelinghuysen	McCormick	Shields	Wolcott
Gerry	McCumber	Shortridge	
Glass	McKellar	Simmons	

NAYS—1.

Reed

NOT VOTING—17.

Ball	Kellogg	Myers	Trammell
Borah	Keyes	Newberry	Weller
Culberson	Knox	Owen	
Ernst	McLean	Page	
France	Moses	Smith	

So the bill was passed.

Mr. COLT. Mr. President, I move that the Senate request a conference with the House of Representatives upon the bill and amendment, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. COLT, Mr. DILLINGHAM, and Mr. KING conferees on the part of the Senate.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION AND BILL SIGNED.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled joint resolution and bill, and they were thereupon signed by the Vice President:

S. J. Res. 20. Joint resolution making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available; and

H. R. 3152. A bill granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

EMERGENCY TARIFF.

Mr. PENROSE. Mr. President, I had hoped to take up the so-called emergency tariff bill to-day; and I assume that it is technically before the Senate, although temporarily laid aside. It is obvious that it would be unreasonable to expect to go on with the measure at this late hour, and I am further informed that the Senator from Massachusetts [Mr. LODGE] desires to move an executive session. I shall therefore ask to have consideration of the bill withheld until to-morrow.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 1 hour and 15 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 48 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 4, 1921, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 3 (legislative day of May 2), 1921.

DIRECTOR OF THE CENSUS.

William M. Steuart, of Michigan, to be Director of the Census, Department of Commerce, vice Samuel L. Rogers, resigned.

UNITED STATES ATTORNEY.

John L. Slattery, of Montana, to be United States attorney, district of Montana, vice George F. Shelton, appointed by the court.

REGISTER OF THE LAND OFFICE.

John Kelsey Jones, of Harrison, Ark., to be register of the land office at Harrison, Ark., vice John L. Clendenin, term expired.

RECEIVER OF PUBLIC MONEYS.

Willis W. Moore, of Jasper, Ark., to be receiver of public moneys at Harrison, Ark., vice Walter L. Snapp, term expired.

PROMOTIONS IN THE NAVY.

MARINE CORPS.

Captain from June 4, 1920.

Arthur H. Turner.

First lieutenant from June 4, 1920.

Kenneth O. Cuttle.

Second lieutenants from June 4, 1920.

Marvin V. Yandle.
Warren Sessions.
Leo Healey.

CONFIRMATION.

Executive nominations confirmed by the Senate May 3 (legislative day of April 2), 1921.

TREASURY DEPARTMENT.

Assistant Secretary of the Treasury.

Edward Clifford.

BUREAU OF INTERNAL REVENUE.

Collector of internal revenue for the first district of New Jersey.

Edward L. Sturgess.

Collector of internal revenue for the fifth district of New Jersey.

Frank C. Ferguson.

PUBLIC HEALTH SERVICE.

Surgeons.

Paul Preble.	Carlisle P. Knight.
Randolph M. Grimm.	Warren F. Draper.
Joseph R. Ridlon.	George Parcher.
Charles M. Fauntleroy.	Louis Schwartz.
Hermon E. Hasseltine.	Robert H. Heterick.
James P. Leake.	Charles L. Williams.
Lawrence Kolb.	Grover A. Kempf.
David C. Turnipseed.	Louis R. Thompson.

Passed assistant surgeons.

Clifford R. Eskey.	Walter T. Harrison.
William D. Heaton.	Charles Armstrong.
Robert R. Ivey.	Rolla E. Dyer.
John D. Reichard.	Justin K. Fuller.
James F. Worley.	Robert W. Hart.
Edwin O. Woods.	

Assistant surgeons.

Ralph D. Lille.	Marion R. King.
Thomas S. Love.	Lester C. Scully.
George B. Young.	Floyd C. Turner.
Lynn A. Fullerton.	Fortunat A. Troie.

DEPARTMENT OF JUSTICE.

Assistant Attorney General.

Robert H. Lovett.

United States district judge for the northern district of West Virginia.

William Eli Baker.

DEPARTMENT OF THE INTERIOR.

Register of the land office at Douglas, Wyo.

Birney J. Erwin.

Receiver of public moneys at Douglas, Wyo.

Wilkie Collins.

DEPARTMENT OF COMMERCE.

Assistant Secretary of Commerce.

Claudius H. Huston.

COAST AND GEODETIC SURVEY.

Aids.

Ralph Woglom Woodworth.
Frederick Estill Joekel.

COAST GUARD.

Ensign.

Norman Ryder Stiles.

DEPARTMENT OF LABOR.

Solicitor for the Department of Labor.

Theodore G. Risley.

Director of Women's Bureau.

Mary Anderson.

INTERSTATE COMMERCE COMMISSION.

Members Interstate Commerce Commission.

E. I. Lewis.
J. B. Campbell.

HOUSE OF REPRESENTATIVES.

TUESDAY, *May 3, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, Thou art among us as a shepherd, full of tenderness and solicitude. We would not bring unto Thee our virtues for Thy survey, but our vices for Thy forgiveness. Enable us in the way of right thinking, and help us to cut the habits that bind us to our lower selves. Touch all hearts that hurt, and sweeten all cups that are bitter, and fill our lives with goodness and happiness. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that Mr. LYON may have his leave of absence extended five days, on account of continued sickness in his family.

The SPEAKER. Without objection, the leave will be granted.

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

THE LAW GOVERNING TAXATION.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I desire to ask unanimous consent to proceed for 10 minutes, to make a statement with respect to the law governing taxation, which was referred to and discussed on Wednesday of last week in connection with the bill for the incorporation of the Chinese corporations.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for 10 minutes on the subject indicated.

Mr. GARNER. Mr. Speaker, I did not hear what the gentleman had to say as to the reason for making his remarks at this time.

Mr. GRAHAM of Pennsylvania. Only that they would be lost and disconnected if not made at this time.

A statement was made by myself with respect to the law governing taxation. It was criticized by distinguished gentlemen on the floor. I would like to add a few words, and then put in the RECORD the authorities that I have for my statement, as a matter of guidance in the future, perhaps.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, in the debate on last Wednesday with reference to the creation of certain corporations to do business exclusively in China a statement was made by myself to the effect that a citizen of any State holding stock in such a corporation would be obliged to report that stock, and could be taxed by the State upon it as part of his personal property, and that it did not require any provision to be placed in the bill to give the State that right; that the State already had the right, inherently, as one of its sovereign powers.

The gentleman from Texas [Mr. HARDY] questioned the accuracy of the statement in some slight degree, and the gentleman from Virginia [Mr. MOORE] said that the question was analogous to that of taxing stock in a national bank, and that a State had no right to tax such stock.

I merely wish to add a few remarks and sustain them by authorities which show conclusively, in my judgment, that the position taken by me was absolutely true and correct; in other words, that we ought not to display to the world a fearfulness of making mistakes by insisting upon inserting clauses reserving rights, when those rights were concededly existing and not assailed. This would only disclose ignorance of the law that governed the situation. As well might you insert a clause saying the bill was subject to the Constitution and laws of the land as to insert in the bill then under consideration a clause asserting the right of the State to tax stock in such a corporation in the hands of its citizens. I quote a decision on this subject as follows:

A corporation chartered by the General Government or subsidized by it is not exempt from State taxation, unless it is employed as an agency or instrumentality for the exercise of the constitutional powers of the United States. (37 Cyc., p. 882, par. 5, and the authorities referred to in the footnote 66 support this proposition.)

If it is (an agency or instrumentality for the exercise of constitutional powers of the United States), the States can lay no taxes upon it which would hinder, obstruct, or interfere with its efficient discharge of its duty to the Government or the Government's use of it, but, subject to this restriction, its real and personal property is subject to State taxation like that of any other corporation. (37 Cyc., pp. 82 and 83, and the authorities named in the footnotes 67 and 68.)

Properties of every kind over which the sovereign power of the State extends are objects of taxation outside of the means and instruments of the Federal Government—

That is the only exception—

(Hamilton Mfg. Co. *v.* Mass., 6 Wall., 632, cited with approval in a large number of cases grouped together on p. 5492 of vol. 5 of the Digest U. S. Supreme Court Reports.)

The General Government and the States are sovereign in their respective spheres, and neither can tax the means or instrumentalities employed by the other in the exercise of its constitutional powers. (Buckingham *v.* Day, 11 Wall., 113.)

These quotations are supported by innumerable authorities, and one can find them by reference to Thirty-seventh Cyclopedia, page 882, paragraph 5, and trace them out. Now, these authorities that I have quoted I ask you to remember, gentlemen, apply only to the restrictions upon the power to tax the corporation itself. They have no relation whatsoever to the question of taxing a citizen holding stock in one of these corporations. They are limitations upon the power of the States to tax a Federal corporation only with respect to the property of that corporation, and then only when such United States corporation is used as an agent or instrumentality for executing some Federal governmental purpose.

Mr. WINGO. Mr. Speaker, will the gentleman yield for a question there?

Mr. GRAHAM of Pennsylvania. Please not until I finish this.

It goes so far in this respect that in Regan against Mercantile Trust Co., in One hundred and fifty-fourth United States, it was decided that a railway company organized under the laws of the United States is, as to business done in the State, subject to control by the State in matters of taxation. There is an instance illustrating the power of a State to tax an instrumentality of the Government. The State is only limited in its power to tax that corporation in so far as it must not hinder or obstruct it in performing any governmental function like carrying the mails, and so forth. Only in so far as it hinders, obstructs, or destroys the useful purpose that the Government has in view in creating or permitting the Federal corporation is the State limited. All of those powers relate to the right of taxation directly on the property of corporations.

A valid distinction must be recognized by every lawyer between a tax on corporate property and a tax on stock of a foreign corporation held by an individual citizen or a State. Of course, every lawyer knows that the words "foreign corporation" refer to the corporations of other States, and a corporation created under the laws of the United States is a foreign corporation as to the particular State, and they do not relate alone to foreign countries. The statement made by the gentleman from Virginia [Mr. MOORE] is not applicable, in which he said "that the power to tax carried with it the power to destroy." That maxim can relate only to the property of the corporation, and not to the taxing of stock in the hands of an individual belonging to that corporation, and it is only of value when applied to those corporations, created under a national charter, to be agents and instruments for executing governmental purposes. For instance, the franchise of a corporation created by the United States can not be taxed. Of course, to do that would strike at the very existence of the corporation.

A patent right issued by the Government of the United States can not be taxed by a State.

The money of a corporation invested in a patent right can not be taxed by a State. But mark you how closely the line is drawn in order to preserve the imperial power of the State to impose its taxes, when it is provided, as innumerable decisions decide, that all other capital of the corporation not actually invested in the patent right is liable to taxation by the State.

It is not correct, as stated by the distinguished gentleman from Virginia [Mr. MOORE], that the Supreme Court has held that "without express provision to that effect a State would have no right to tax the stock of a national bank." Referring to the statute creating national banks and providing for their existence, which was passed at a time when State banks were in existence, there is a limitation found in that law that no State can tax except upon an equality and without discrimination. The same kind of tax that it imposes upon "moneyed capital" in corporations of the State is the only kind of tax that it can impose upon the stock of a national corporation. I quote Boyer against Boyer, One hundred and thirteenth United States, page 689:

The right of the State to tax being conceded, it required a congressional enactment to limit the right. It needed nothing to assert or reserve it.

Capital invested in national bank shares was intended by Congress to be placed upon the same footing of substantial equity in respect of taxation by State authority as the State establishes for other moneyed capital.

The decisions of the Supreme Court placing any restriction or limitation upon the taxation of shares in national banks are based upon express limitations contained in the national banking law, inserted there by Congress to meet the very situation contended for that without such limitation the shares of stock held by an individual citizen in a national bank would be subject to taxation by the State.

I quote from Citizens Savings and Loan Association against Topeka, Twentieth Wallace, 655:

This case also decides the taxing power of the State is one of its attributes of sovereignty. It exists independently of the Constitution of the United States and may be exercised to an unlimited extent, except so far as it has been surrendered to the Federal Government.

The power of taxation is the strongest and most prevailing power of the Government, and when lawfully exercised it is unlimited even to the extent of destroying.

I also quote Kirtland against Hotchkiss, One hundredth United States, 491:

So long as a State by its laws prescribing the mode and subject of taxation does not intrench upon the legitimate authority of the Union or violate any right recognized or secured by the Constitution of the United States, the United States Supreme Court, as between the State and the citizen, can afford him no relief against State taxation, however unjust, oppressive, or onerous.

The SPEAKER. The time of the gentleman has expired.

Mr. GRAHAM of Pennsylvania. May I proceed for just two minutes more?

The SPEAKER. The gentleman asks unanimous consent that his time be extended two minutes. Is there objection?

There was no objection.

Mr. GRAHAM of Pennsylvania. In Union Pacific Railroad Co. against Peniston, Eighteenth Wallace, 5—and this principle is announced and sustained in a multitude of authorities cited in the fifth volume of the Digest of Supreme Court Reports at page 5496, section 161—it is held that—

The property of the Union Pacific Railroad, although the corporation was created by Congress and the company is an agent of the General Government, designed to be employed and actually employed in the legitimate service of the Government, both military and postal, is not exempt from State taxation.

In Home Insurance Co. against New York, One hundred and thirty-fourth United States, 594, and other cases, it was held that—

Capital of National and State banks invested in United States securities can not be subjected to State taxation, but shares of bank stock may be taxed in the hands of their individual owners at their actual or par value, without regard to the fact that a part or the whole of the capital of the corporation may be so invested.

I also quote Provident Institution for Savings against Massachusetts, Sixth Wallace, 611, which is sustained by a number of other authorities:

Shares in national banks are subject to State taxation in the hands of the stockholders although the whole amount of the capital stock is invested in the public securities declared by act of Congress to be exempt from taxation.

Here it was held that not only is the stock in the hands of its citizens taxable, but also it is taxable even though the whole capital of the corporation is invested in nontaxable securities.

The State has a right to tax the property of its citizens of every kind. Stock in foreign corporations is property of the citizen, therefore subject to taxation. It needs no declaration or legislation for the exercise of this right. It exists and must be recognized. Limitations in legitimate cases alone have to be affirmatively enacted.

In Thirty-seventh Cyclopedia, page 864, paragraph G, it is said that—

Each State has the right and power to tax its own resident citizens on shares of stock in foreign corporations owned and held by them, the stock having its situs at the place of the owner's domicile, and this right is not affected by the fact that the stockholder may have been taxed upon the same stock in another State. This rule also applies even where the rule in regard to domestic corporations is that the corporation shall be taxed on its capital stock or property and that this shall relieve the stockholders from taxation on their shares and regardless of whether the foreign corporation pays taxes on its capital or property in the foreign State or not.

These quotations establish one thing, that stock in a corporation created by or under the laws of the United States in the hands of a citizen of any State, like any of the rest of his property, is subject to taxation, and it requires no clause in the act itself to preserve that right for the benefit of the State. [Applause.]

The SPEAKER. The time of the gentleman has again expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 86. An act to amend the act approved December 23, 1913, known as the Federal reserve act;

S. 674. An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia;

S. 1018. An act to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918;

S. 1019. An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children;

S. 1020. An act for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States;

S. J. Res. 13. Joint resolution authorizing the sale of foodstuffs in the possession of the War Department to any foreign State or Government;

S. J. Res. 38. Joint resolution admitting Emil S. Fischer to the rights and privileges of a citizen of the United States; and

S. 395. An act providing for an additional judge for the district of Arizona.

The message also announced that the Vice President had appointed Mr. MOSES and Mr. FLETCHER members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

The message also announced that the Senate had passed the following:

In pursuance of section 6 of the Post Office appropriation act for 1921, approved April 24, 1920, the Vice President had appointed Hon. KENNETH MCKELLAR as a member of the Joint Commission on Postal Methods and Facilities to fill the vacancy caused by the expiration of the term of Hon. Charles B. Henderson, a former Senator from the State of Nevada.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 3152. An act granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. J. Res. 30) to authorize the President of the United States to appoint an additional member of the Joint Committee on Reorganization.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 3152. An act granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 20. Making the sum of $150,000 appropriated for the construction of a diversion dam on the Crow Indian Reservation, Mont., immediately available.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 86. An act to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

S. 674. An act to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States and to the District of Columbia; to the Committee on Military Affairs.

S. 395. An act providing for an additional judge for the district of Arizona; to the Committee on the Judiciary.

S. 1019. An act authorizing the Secretary of War to furnish free transportation and subsistence from Europe to the United States for certain destitute discharged soldiers and their wives and children; to the Committee on Military Affairs.

S. J. Res. 13. Joint resolution authorizing the sale of foodstuffs in the possession of the War Department to any foreign State or Government; to the Committee on Military Affairs.

LECTURE ON NAVAL AVIATION.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for two minutes in order to extend an invitation.

The SPEAKER. The gentleman from New York asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HICKS. Mr. Speaker, to-morrow night, at 8 o'clock, in the caucus room of the House Office Building, there is to be a lecture on naval aviation, delivered by Commander Whitting, one of the experts on aviation in the department. There will be moving pictures and also still pictures, showing the development of aviation. It will be an extremely interesting lecture, and the Members of Congress, their families and friends, are cordially invited to attend. [Applause.]

ST. LAWRENCE RIVER.

Mr. MOORES of Indiana. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a concurrent resolution of the General Assembly of the State of Indiana, advocating the making of such improvements in the St. Lawrence River as will make the Great Lakes accessible to ocean-going navigation.

The SPEAKER. The gentleman from Indiana asks unanimous consent to print in the RECORD the resolutions adopted by the State of Indiana relative to deepening the St. Lawrence River. Is there objection?

Mr. MCCLINTIC. Reserving the right to object, other resolutions of a similar nature have been presented and I believe have been objected to. For the present I object.

The SPEAKER. Objection is made.

EMIL S. FISCHER.

Mr. SIEGEL. Mr. Speaker, I ask to take from the Speaker's table Senate joint resolution 38 and that the same be immediately considered, a similar House resolution having been reported.

The SPEAKER. The gentleman calls up from the Speaker's table Senate joint resolution 38, a similar House resolution having been reported from the House Committee on Immigration and Naturalization before the Senate resolution was messaged over. The Clerk will report the resolution.

Senate joint resolution 38, admitting Emil S. Fischer to the rights and privileges of a citizen of the United States, was read, as follows:

Whereas Emil S. Fischer, born in Austria in 1865, emigrated from Brazil and arrived in the United States at the port of New York and established a permanent residence in the city of New York in 1892; and

Whereas said Emil S. Fischer, being then a resident of the city of New York, did on the 4th day of November, 1903, apply to the United States District Court for the Southern District of New York and receive his first citizenship papers; and

Whereas said Emil S. Fischer, while maintaining continuously his said residence in New York City, has sojourned in China, representing American banking and commercial interests, fostering American trade expansion, among other things acting as adviser and foreign secretary to the Chinese Government commission at the San Francisco Exposition and for the Chinese alien property custodian during the late war; and

Whereas the absence of said Emil S. Fischer has prevented his completing his citizenship, although he has rendered invaluable service to the United States Government, and in order that he attain citizenship and continue his work in China: Therefore be it

Resolved, etc., That Emil S. Fischer be, and he is hereby, admitted to all of the rights and privileges of a citizen of the United States.

Mr. WINGO. Reserving a point of order, Mr. Speaker, I wish to make a parliamentary inquiry. Does the Speaker hold that a bill of this character is a privileged bill, simply because there is a House bill identical with it on the calendar? It is a private bill naturalizing a citizen by a special act of Congress.

The SPEAKER. The Chair thinks it is privileged.

Mr. CRISP. Mr. Speaker, I think if the Chair will look at the rule he will see that it relates to bills on the House or Union Calendar.

Mr. STAFFORD. Oh, Mr. Speaker, the rule provides not only for public bills but for private bills.

The SPEAKER. It has been held that the rule providing for the consideration of bills on the Speaker's table applies to private as well as public bills.

Mr. WINGO. So there is no limitation.

The SPEAKER. The Chair thinks not.

Mr. GARNER. I would like to ask the gentleman if the House bill reported by the Committee on Immigration was a unanimous report.

Mr. SIEGEL. It was a unanimous report, both in this and in the last Congress.

Mr. RAKER. This report was made before the minority Members were appointed and before any were ready to act. We are not going to object to this.

Mr. STAFFORD. Mr. Speaker, I make the point of order that the gentleman from New York has not been authorized by the committee to call up this bill at this time.

The SPEAKER. The Chair does not know, but the Chair took it for granted that the gentleman had been authorized.

Mr. SIEGEL. I have been authorized by the committee to take this bill up at any time. We have reported it twice, and it has passed the Senate twice.

Mr. JOHNSON of Washington. If the gentleman will pardon me, I might say for the benefit of the House that this matter was thoroughly investigated in the last Congress, hearings were printed, and the bill has been passed twice by the Senate. The committee could find no reason why Congress should not give citizenship to this man, and I hope that not much time will be lost in debating the matter.

Mr. GARNER. If this resolution passes, I venture the assertion that there are 10,000 just such cases and just as meritorious.

Mr. SIEGEL. The gentleman is in error. There are very few such cases.

Mr. GARNER. You will be getting applications from every congressional district in the United States for special bills to naturalize citizens.

Mr. JOHNSON of Washington. I will say for the information of the House that I have received 3 or 4 such applications, and at one time I thought there might be 18 or 20. If there should be a large number, I would be in favor of bringing in an omnibus bill.

Mr. GARNER. That is what I was coming to. When people find out that they can get citizenship by a special act of Congress, you will have so many that you will have to bring in an omnibus bill.

Mr. SIEGEL. There has been no case of this kind in all the history of Congress where a man has rendered the services that this man has by his labors in China for and in behalf of Americans. He is now going abroad——

Mr. KING. Will the gentleman state who this man is who has accomplished such wonderful things that we should give him a whole day in Congress.

Mr. SIEGEL. We are not going to take a whole day. This man's name is Emil S. Fischer, and way back in 1898 he served the United States Government, and the papers are full of records of what he has done for us. The lady that he is going to marry will not marry him unless he becomes an American citizen. [Cries of "Vote!" "Vote!"]

Mr. WINGO. Well, Mr. Speaker, I do not think the House ought to be voted by a petticoat. Will the gentleman explain to the House how many years this man has resided in the United States?

Mr. SIEGEL. On and off he has been here between eight and nine years.

Mr. WINGO. Mostly off, was it not? As a matter of fact, has he made any pretense of being a resident of the United States?

Mr. SIEGEL. Oh, yes; at all times.

Mr. WINGO. I am not talking about his having legal headquarters in the United States, but where has he actually resided in all these years?

Mr. SIEGEL. As I say, he has been here altogether between eight and nine years, and twice he made application for citizenship, and he has taken out his first papers, but he has never resided here for five consecutive years. At one time he was here for four years.

Mr. WINGO. It is not where he claims his residence, but whether he has actually been in the United States stopping at hotels and then going back to his actual place of abode in China.

Mr. SIEGEL. He has been in the United States sometimes as long as four years, as I said before. He has been here now since May, 1920. His sister is a school-teacher in New York and his brother has been court interpreter for 30 years in the court of general sessions of New York. This man is recommended by everybody from coast to coast and by a United States judge of the circuit court of appeals.

Mr. CHANDLER of New York. And during all of this time of his absence from the United States he has been in the service of the United States business men.

Mr. SIEGEL. Yes.

Mr. WINGO. Is it the policy of the Government—for I want to get at this, because I have declined to take up these matters for my own constituents—is it the policy of the Government that a man who spends most of his time in other countries and who may retain a nominal residence in the United States is entitled by reason of service and not by reason of residence to be naturalized by a special act of Congress?

Mr. SIEGEL. The committee does not look with favor on the few requests which have come to it, but this is an extraordinary, exceptional case in many respects. Here is a man who has a knowledge of the Chinese language. In 1907 he wrote a book showing we would be stronger after the panic, and he encouraged trade between the United States and China, and when the Fifteenth Infantry could not get quarters he obtained quarters for them.

He assisted the consul general over there in numerous cases, and besides that, at the Panama Exposition he did wonderful work for us. There is no question about that part of it. That is admitted by noted professors, scholars, lawyers, doctors, judges from all over the country, from San Francisco all the way east.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. RAKER. So that the House may understand the matter, although I am not going to oppose this particular bill, it should be stated that the majority members met and considered and reported this bill before the minority members of the committee were appointed. That is correct, is it not?

Mr. SIEGEL. Mr. Speaker, let me say that the minority members knew what we were doing, and they asked us to do it. There were three Members on that side of the aisle who urged that the bill be reported as quickly as possible. Mr. Speaker, I ask for a vote.

Mr. RAKER. Mr. Speaker, would not the gentleman yield further to me? [Cries of "Vote!"]

Mr. SIEGEL. Mr. Speaker, I ask for a vote.

Mr. WINGO. Will not the gentleman yield any time for debate at all? I ask him to yield five minutes to me.

Mr. SIEGEL. Mr. Speaker, I ask for a vote. I move the previous question.

The SPEAKER. The gentleman from New York moves the previous question.

Mr. RAKER. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. GARNER. Let him take the vote first.

Mr. RAKER. No; I do not want him to take the vote. If he will not let me present the facts, then he must take a little more time.

Mr. WINGO. Mr. Speaker, this is a serious matter, and if the gentleman will not grant a little time for debate, he will find that he will take a great deal more time by it.

Mr. SIEGEL. Mr. Speaker, I withdraw the demand for the previous question and yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. GARNER. What has become of the point of no quorum?

Mr. RAKER. Mr. Speaker, will the gentleman yield to me for a question?

Mr. SIEGEL. Yes.

Mr. RAKER. I withdraw the point of no quorum. The point I want to call attention to is this: There is no opposition to this bill under the peculiar conditions of the case, but I find there comes to my desk this morning another similar bill. They are flooding our committee and the House with requests of this kind; they want naturalization by special act. It is not right or proper to take up the time of Congress on matters of this kind, and it should be said to the country that a man should become naturalized in the regular way, instead of coming here and saying that he loves this country, but goes to China and

stays there, and then comes back and wants a special act of Congress passed.

Mr. JOHNSON of Washington. Mr. Speaker, the gentleman does not mean to use the phrase "flooding the committee" in a literal sense. This is a second bill.

Mr. RAKER. Let me read this to you.

Mr. JOHNSON of Washington. Oh, I know that bill.

Mr. RAKER. This is House joint resolution 79:

Whereas George A. Huntley was born in Bristol, England, in 1865, but emigrated to this country and received his medical education in this country in the Universities of Vermont, New York, and Harvard, and has established permanent residence in this country; and

Whereas said George A. Huntley joined the American Baptist Foreign Mission Society in 1897, and from then until 1914 was stationed in Hanyang, China, where he was well known to many officers of the American Consular Service; and

Whereas said George A. Huntley's sympathies and interests have been with the United States for many years, so that it has been a matter of keen regret to him and his family that they have been unable to live long enough in the United States to become naturalized; and

Whereas said George A. Huntley and family have for many years done their utmost to uphold American ideals and promote American interests in China, and hope to continue so to do, but would be greatly aided in this if they were granted American citizenship: Therefore be it

Resolved, etc., That George A. Huntley be, and he is hereby, admitted to all the rights and privileges of a citizen of the United States.

They live in China, they do not live in this country, but they want to come here and get a special act passed so that it will give them prestige in China.

Mr. GARNER. Oh, the gentleman is mistaken about that. Surely they want to get a special act here, so that they can organize an American corporation in China and be exempt from taxation.

Mr. RAKER. No; these acts are for the purpose of giving men standing, so that they can say that they do not have to become naturalized individually in the ordinary way, but that they can come to Congress, and that the Congress thinks so much of them when they present their cases as to pass a bill, so that it will appeal to the Chinese people that they have a special prestige with the American people. While this case is all right and proper, yet I hope the committee will not meet and pass upon any more of these matters until they give the minority at least a chance to be present and heard.

Mr. JOHNSON of Washington. And to be in town.

Mr. RAKER. Oh, I was in town.

Mr. WINGO. Mr. Speaker, I know nothing about this gentleman, so that my objection can not be at all personal. You gentlemen may think otherwise, but you are embarking on a proposition that violates in spirit the Constitution of the United States. You are embarking upon a policy that will harass and annoy and embarrass every Member of this House. Why do I make that statement? In my district we have very few foreign born or their relatives, yet if I have at least one case where the man has performed great service to this country, which I could press, whose great service to a great organization of relief I could press in support of a private bill, what is going to happen to those of you who have numerous families of foreign born in your districts? You may do it, if you want to; you may embark upon the policy of granting citizenship by special act, but I am not going to help you do it, and I am not going to sit silent without voicing my protest against such a course of action. [Applause.]

Mr. CHANDLER of New York. Mr. Speaker, will the gentleman yield?

Mr. WINGO. I can not yield now. The gentleman from New York says that this man is going to marry. I am glad of that. I do not believe the young lady has told the gentleman that she will not marry the man unless he gets this act.

Mr. SIEGEL. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Yes.

Mr. SIEGEL. I have seen the letters which were written after this Congress adjourned.

Mr. WINGO. I am sorry the gentleman said that, because it makes me think less of the young lady now than I did before he made the statement. Are you going to adopt a policy of granting naturalization by special act because some woman, however noble, says that she will not marry the man unless the American Congress stops its deliberations, violates the spirit of the Constitution, and starts on a policy of naturalizing people by special act? Go and read your Constitution, the spirit of it, not merely the letter of it. Is not this a special favor that violates a certain specific inhibition of the Constitution—the spirit of it, not the letter of it?

Mr. CHANDLER of New York. Mr. Speaker, will the gentleman yield?

Mr. WINGO. Oh, gentlemen, you may let down the bars if you want to; you may laugh at it and cry, "Vote! Vote! Let us please the good woman." I do not care how meritorious a man's services may be. You better devote your time to men who have rendered great service to the allied troops in Europe, men whose fortunes have been dissipated. I know of one man who is broken in health, with his family starving. His uncle, in my district, has sent him money to support him and to bring him here, but the American commissioner will not permit his visé. He says that he must wait until we have more settled conditions.

Ah, gentlemen, what about that? You have got hundreds of cases like that. Would it not be better to occupy the time of the Committee on Immigration and the Committee on Foreign Affairs with that question rather than granting this special act of special distinction to a man, however noble and meritorious may be his services to the people of this country and the cause of civilization? You destroy your general rule and you open the floodgates. Gentlemen, you had better go slow.

Mr. WYANT. Will the gentleman yield?

Mr. WINGO. I will.

Mr. WYANT. To what extent has been the number of cases of naturalization by special act?

Mr. WINGO. I never heard of it before. Perhaps the older Members may, but I never heard of a case like this, simply because a man is a citizen of another country and rendered good service to this country.

Mr. CHANDLER of New York. Will the gentleman yield?

Mr. WINGO. I yield to the gentleman from New York. I should have yielded before.

Mr. CHANDLER of New York. I myself had passed an emergency act, a special act, through this House extending the time for naturalization of a midshipman at Annapolis in order that he might be graduated an officer in the Navy. The facts are a little different, but the principle is exactly the same. The man was naturalized by special act of this House.

Mr. WINGO. In other words, the gentleman thinks there is no distinction between an outright naturalization by special private act of Congress and extending the time for a man to be naturalized under the general law?

Mr. CHANDLER of New York. The principle is exactly the same. It was a special act creating a special favor.

Mr. WINGO. Of course, the gentleman can hold that contention, but my conclusion is different.

The SPEAKER. The time of the gentleman has expired.

Mr. SIEGEL. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the third reading of the joint resolution.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. SIEGEL) there were—ayes 61, noes 84.

Mr. SIEGEL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order there is no quorum present. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 163, nays 171, answered "present" 6, not voting 89, as follows:

YEAS—163.

Ackerman	Favrot	Kreider	Osborne
Atkeson	Fenn	Kunz	Padgett
Bacharach	Fish	Lazaro	Paige
Beedy	Fitzgerald	Lea, Calif.	Parker, N. Y.
Benham	Foster	Leatherwood	Patterson, Mo.
Bixler	Free	Lehlbach	Peters
Blakeney	Freeman	Little	Purnell
Bowers	Glynn	London	Raker
Brooks, Ill.	Gorman	Longworth	Reece
Burdick	Graham, Ill.	Luce	Rhodes
Burton	Graham, Pa.	Lufkin	Riddick
Cable	Green, Iowa	McArthur	Roach
Campbell, Kans.	Greene, Mass.	McPherson	Robsion
Cannon	Greene, Vt.	MacGregor	Rodenberg
Carew	Griffin	Magee	Rogers
Chalmers	Hadley	Maloney	Rossdale
Chandler, N. Y.	Hardy, Tex.	Mansfield	Ryan
Chindblom	Haugen	Martin	Sabath
Clague	Hays	Mason	Sanders, Ind.
Clarke, N. Y.	Hersey	Mead	Sandlin
Codd	Hickey	Merritt	Schall
Colton	Hicks	Miller	Shaw
Cooper, Ohio	Himes	Mondell	Shreve
Cullen	Ireland	Montague	Siegel
Dale	Johnson, Wash.	Montoya	Sinclair
Dallinger	Kearns	Moore, Ill.	Sinnott
Darrow	Keller	Moore, Va.	Slemp
Dunbar	Kindred	Morgan	Smith
Dupré	Kinkaid	Morin	Snell
Dyer	Kirkpatrick	Mott	Speaks
Elliott	Kleczka	Mudd	Stephens
Ellis	Kline, N. Y.	Nelson, A. P.	Strong, Kans.
Elston	Knutson	O'Connor	Sweet
Faust	Kraus	Olpp	Taylor, Tenn.

Ten Eyck	Treadway	Ward, N. C.	Winslow
Thompson	Vaile	Watson	Wood, Ind.
Tilson	Vestal	Webster	Woodruff
Timberlake.	Voigt	Wheeler	Wyant
Tincher	Volk	White, Kans.	Young
Tinkham	Volstead	White, Me.	Zihlman
Towner	Walsh	Wilson	

NAYS—171.

Almon	Deal	Ketcham	Radcliffe
Andrews	Dickinson	King	Rankin
Appleby	Dominick	Kissel	Ransley
Arentz	Dowell	Kline, Pa.	Rayburn
Aswell	Drane	Knight	Ricketts
Bankhead	Driver	Lanham	Robertson
Barbour	Echols	Lankford	Rose
Barkley	Evans	Larsen, Ga.	Rosenbloom
Beck	Fairfield	Lawrence	Rouse
Bell	Fess	Layton	Rucker
Black	Fisher	Lineberger	Sanders, Tex.
Bland, Va.	Flood	Linthicum	Scott, Mich.
Blanton	Fordney	Logan	Scott, Tenn.
Bowling	Frear	Lowrey	Sears
Box	French	McClintic	Sisson
Brand	Frothingham	McCormick	Smithwick
Brennan	Fulmer	McDuffie	Sproul
Briggs	Funk	McFadden	Stafford
Brinson	Gahn	McLaughlin, Mich.	Steagall
Buchanan	Garner	McLaughlin, Nebr.	Stedman
Bulwinkle	Garrett, Tenn.	McLaughlin, Pa.	Stevenson
Burroughs	Garrett, Tex.	McSwain	Stoll
Burtness	Gensman	Mapes	Summers, Wash.
Butler	Gernerd	Michener	Sumners, Tex.
Byrnes, S. C.	Good	Millspaugh	Swank
Byrns, Tenn.	Goodykoontz	Moore, Ohio	Swing
Cantrill	Hammer	Murphy	Taylor, N. J.
Carter	Harrison	Nelson, J. M.	Temple
Christopherson	Hawley	Nolan	Tillman
Clark, Fla.	Herrick	Norton	Tyson
Classon	Hoch	Ogden	Underhill
Clouse	Huddleston	Oldfield	Upshaw
Collier	Hudspeth	Overstreet	Vinson
Collins	Husted	Park, Ga.	Wason
Connally, Tex.	Hutchinson	Parker, N. J.	Weaver
Connell	James, Mich.	Parks, Ark.	Williams
Connolly, Pa.	Jefferis	Parrish	Williamson
Cooper, Wis.	Johnson, Ky.	Patterson, N. J.	Wingo
Coughlin	Johnson, Miss.	Perkins	Woods, Va.
Crisp	Jones, Pa	Porter	Woodyard
Curry	Jones, Tex.	Pou	Wright
Davis, Minn.	Kelley, Mich.	Pringey	Wurzbach
Davis, Tenn.	Kelly, Pa.	Quin	

ANSWERED "PRESENT"—6.

Boies	Focht	Reavis	Stiness
Edmonds	Luhring		

NOT VOTING—89.

Anderson	Dunn	Kennedy	Rainey, Ala.
Ansorge	Fairchild	Kiess	Ramseyer
Anthony	Fields	Kincheloe	Reber
Begg	Fuller	Kitchin	Reed, N. Y.
Bird	Gallivan	Kopp	Reed, W. Va.
Bland, Ind.	Gilbert	Lampert	Riordan
Bond	Goldsborough	Langley	Sanders, N. Y.
Britten	Gould	Larson, Minn.	Shelton
Brooks, Pa.	Griest	Lee, Ga.	Snyder
Brown, Tenn.	Hardy, Colo.	Lee, N. Y.	Steenerson
Browne, Wis.	Hawes	Lyon	Strong, Pa.
Burke	Hayden	McKenzie	Sullivan
Campbell, Pa.	Hill	Madden	Tague
Chandler, Okla.	Hogan	Mann	Taylor, Colo.
Cockran	Houghton	Michaelson	Thomas
Cole	Hukriede	Mills	Vare
Copley	Hull	Moores, Ind.	Walters
Cramton	Humphreys	Newton, Minn.	Ward, N. Y.
Crowther	Jacoway	Newton, Mo.	Wise
Dempsey	James, Va.	O'Brien	Yates
Denison	Johnson, S. Dak.	Oliver	
Doughton	Kahn	Perlman	
Drewry	Kendall	Petersen	

So a third reading of the resolution was refused.

The Clerk announced the following pairs:

Until further notice:

Mr. GRIEST with Mr. RIORDAN.

Mr. MANN with Mr. KITCHIN.

Mr. DENISON with Mr. OLIVER.

Mr. NEWTON of Missouri with Mr. HAWES.

Mr. LAMPERT with Mr. GILBERT.

Mr. JOHNSON of South Dakota with Mr. HAYDEN.

Mr. LANGLEY with Mr. TAGUE.

Mr. HUKRIEDE with Mr. JAMES of Virginia.

Mr. ANTHONY with Mr. COCKRAN.

Mr. BIRD with Mr. LYON.

Mr. MADDEN with Mr. GALLIVAN.

Mr. REBER with Mr. TAYLOR of Colorado.

Mr. MOORES of Indiana with Mr. DREWRY.

Mr VARE with Mr. KINCHELOE.

Mr. BEGG with Mr. CAMPBELL of Pennsylvania.

Mr. KIESS with Mr. THOMAS.

Mr. BROWNE of Wisconsin with Mr. JACOWAY.

Mr. HARDY of Colorado with Mr. WISE.

Mr. SNYDER with Mr. DOUGHTON.

Mr. FULLER with Mr. SULLIVAN.

Mr. STEENERSON with Mr. FIELDS.

Mr. BLAND of Indiana with Mr. O'BRIEN.

Mr. WALTERS with Mr. HUMPHREYS.

Mr. REED of West Virginia with Mr. LEE of Georgia.

Mr. SHELTON with Mr. RAINEY of Alabama.

Mr. BURKE with Mr. GOLDSBOROUGH.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

THE BUDGET.

Mr. CAMPBELL of Kansas. Mr. Speaker, I submit a privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Kansas submits a privileged report from the Committee on Rules, which the Clerk will report.

The Clerk read as follows:

House resolution 74.

Resolved, That immediately upon the adoption of this resolution it shall be in order to take from the Speaker's table the bill (S. 1084) entitled "An act to provide for a national budget system and an independent audit of Government accounts, and for other purposes," and to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of such bill. After general debate, which shall continue for not to exceed two hours (one-half to be controlled by the gentleman from Iowa [Mr. GOOD] and one-half by the gentleman from Tennessee [Mr. BYRNS]), the text of the bill (H. R. 30, Union Calendar No. 7) entitled "A bill to provide a national budget system and an independent audit of Government accounts, and for other purposes," when offered as a substitute for such Senate bill, shall be read for amendment under the 5-minute rule and considered as an original bill in lieu of the text of such Senate bill. At the conclusion of such consideration the committee shall rise and report such Senate bill to the House with such amendments as may have been adopted, whereupon the previous question shall be considered as ordered on the bill and any amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, does the gentleman from Tennessee [Mr. GARRETT] desire to arrange time for debate on the rule?

Mr. GARRETT of Tennessee. I presume we might do that.

Mr. CAMPBELL of Kansas. How much time does the gentleman from Tennessee desire?

Mr. GARRETT of Tennessee. I have a request for only 10 minutes on the rule. But I know there are some gentlemen who desire to speak on the bill itself. Therefore it may be desirable to have a little time on the rule in order to speak on the bill, if that would be agreeable to the gentleman from Kansas. Or we might agree to add an hour to general debate on the bill. If we could do so we might vote on the rule now.

Mr. CAMPBELL of Kansas. Suppose we take an hour on the rule, to be divided between the gentleman from Kentucky [Mr. CANTRILL] and myself.

Mr. GARRETT of Tennessee. Very well.

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask unanimous consent that the time on the rule be limited to one hour; to be divided between the gentleman from Kentucky [Mr. CANTRILL] and myself, the previous question to be ordered on the rule at the end of that time. However, I shall offer an amendment to the rule correcting what I think is a defect in the language, and that I now wish to call attention to.

The SPEAKER. The gentleman from Kansas asks unanimous consent that the debate on the rule be limited to one hour, half the time to be controlled by himself and half by the gentleman from Kentucky [Mr. CANTRILL]. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, at the proper time I shall offer an amendment to line 14, page 1, to strike out the words "when offered," and in line 15, strike out the language "as a substitute for such Senate bill," so that it will read, beginning at line 14, with "and for other purposes"; that it shall be considered in lieu of the bill S. 1084 and read for amendment, in lieu of the language stricken out in line 15, and the language in line 16, in the latter part of the line, *after the* words "and considered as an original bill in lieu of the text of such Senate bill."

Mr. GARNER. Will the gentleman yield?

Mr. CAMPBELL of Kansas. I will.

Mr. GARNER. Will that enable the House when it comes back from the Committee of the Whole, after consideration of this bill, to secure a separate vote on any amendment that might be adopted in the committee?

Mr. CAMPBELL of Kansas. It will be reported back to the House as one amendment.

Mr. GARNER. I want to call the gentleman's attention to the parliamentary situation as to that matter, and I would like the attention of the gentleman from Iowa [Mr. GOOD] and, I hope, the entire membership of the House, because this identical question has come up a number of times in the last four or five years to the embarrassment of the House, and, I think, in a way that takes away from the House an opportunity to intelligently legislate.

For instance, when we go back to the House after we have been in the Committee of the Whole and perfected this one amendment, we must vote on that one amendment alone. However many amendments the committee may have adopted to the so-called act, there is no opportunity for the gentleman from Iowa to protect himself in the House, or to get a roll call, although his bill may have been slaughtered in the Committee of the Whole. I want to suggest to the gentleman from Kansas [Mr. CAMPBELL], the gentleman from Tennessee [Mr. GARRETT], as well as the gentleman from Kentucky [Mr. CANTRILL], that in considering rules in the future, when you authorize a bill to be substituted for another bill, if it is possible to do so, you ought to so draw the rule that the Committee of the Whole, having adopted an amendment to the original bill that you authorize to be substituted, you ought to give the House an opportunity to have a separate vote on those amendments.

And not only that, I want to call the gentleman's attention to another matter, and I hope the gentleman from Iowa [Mr. GOOD] will observe it, because this has also come up in the House. This method of legislation puts an advantage in the hands of the conferees of the House which they ought not to have. To illustrate, you have but one amendment, and it is a substitute for the Senate bill. Often the membership of the House may want a separate vote on some amendment that has been adopted in the Committee of the Whole on some separate proposition. You have no opportunity to do it, and the conferees go out and fix up the matter to suit themselves and say, "Take this or nothing." I think that is bad procedure and policy for the House, to take the Senate bill and authorize the House bill to be offered as one amendment to it.

I am intensely interested in this legislation. I want to see it passed. I want to see the bill of the gentleman from Iowa [Mr. GOOD] become the law, but I thought I ought to call attention to the parliamentary situation that prevents the House from properly considering the bill.

Mr. CAMPBELL of Kansas. The House in the Committee of the Whole will have opportunity to consider amendments to the bill that will be offered under the five-minute rule. That is the purpose of substituting the House bill in lieu of the Senate bill. Probably a rule could be drawn—I am not saying one will not—in the future that will permit votes in the House on the separate amendments. We are bringing this rule in so as to consider the House bill under the five-minute rule, permitting amendments that would not be in order, because they would be in the third degree if offered as amendments to the House bill, itself being offered as an amendment.

Mr. GARNER. I want to congratulate the gentleman in making that much progress. I want to ask the gentleman, if a rule can be drawn such as he has just mentioned, he does not think that is a better method by which to legislate?

Mr. CAMPBELL of Kansas. I can think of matters that might well be considered in the way the gentleman from Texas suggests.

On this bill this situation arose: The gentleman from Iowa [Mr. GOOD] was the author of the budget bill in the Sixty-sixth Congress. Under his chairmanship and largely under his personal direction and through his personal labor a bill was perfected to put the budget idea into operation in the United States. The bill failed by the veto of the President. In this Congress the Senate with great expedition passed a budget bill. The members of the Special Committee on the Budget thought, and I think many of the Members of the House join them in the idea, that the House bill has been better considered and is entitled to consideration, especially by the House, and it is for the purpose of expediting action on the House bill that we took the title of the Senate bill, and it is for the purpose of expediting the passage of the legislation that we propose to consider the House bill in lieu of the Senate bill under the Senate title.

Mr. Speaker, I reserve the remainder of my time and yield five minutes to the gentleman from New York [Mr. SNELL].

The SPEAKER. The gentleman from New York [Mr. SNELL] is recognized.

Mr. SNELL. Mr. Speaker, I do not intend to take up now very much of the time of the House in discussing a matter that, so far as I am able to find out, has the unanimous support of all the Members of the present Congress. But I just want to say a word in regard to the previous history of this legislation.

Early in the Sixty-sixth Congress, recognizing the importance of this legislation and the demand from every part of the country that we should have budget legislation as early as possible, we appointed a special committee to consider this subject. On the 17th of October, 1919, under a special rule, this legislation was considered on the floor of the House. After 12 hours' general debate and generous time allotted under the 5-minute rule, this legislation passed the House by a vote of 285 to 3, or by practically a unanimous vote of the Members of the House.

Later in the same session, on June 4, 1920, after the President had vetoed the bill, the House went on record again, notwithstanding the veto, by a vote of 173 to 103 in favor of this legislation.

On the first day of the present session arrangements were made for a special budget committee to again consider this legislation, and, as I understand, that committee brought in a unanimous report to the House. The Committee on Rules is only carrying out the will of this House and the will of the business interests and of the thoughtful people of the whole country in doing what we can to speed this budget legislation. Therefore this rule for its immediate consideration at this time.

If there is anything that this House can do to aid in the more systematic consideration of the estimates of the expenditures of the country, or in any way to more carefully guard these expenditures, it certainly is the duty of the House to do it at the present time. The importance of the legislation has been recognized by every thinking man in this country. The people are all demanding something along the line of budget legislation, and, as far as I am able to learn, there is no part of the country, no political party, or any individuals that are in any way opposed to this general legislation.

The two important features of the budget are, first, the fixing of the responsibility for the budget with the Chief Executive of the Government, where the responsibility should be placed, before any recommendations come to this body. And we do this without in any way lessening or interfering with our control over these appropriations. The second important matter in the budget legislation is the authorization of an independent audit. There is probably no one thing that will go further toward guarding the expenditures of the Government or seeing that the moneys are expended as intended by Congress than an independent audit by expert accountants in Government employ—men not dependent on political pull for their jobs, but on their ability as accountants. Or, in other words, this is putting business in Government. Heretofore we have spent hours and hours in looking over these expenditures and appropriating as little money as possible to carry on the work, but after the appropriation was made we did not do anything to see what was done in regard to the expenditure. As I understand the situation, up to the present practically all the audit has been made by the individual department heads themselves, or really by the people who spend the money. But, under the provisions of this budget, we will have an independent audit of all these expenditures, and go at it in a businesslike manner.

These two items are the principal things in the budget proposition, but there is a lot of work to put it in full operation and make it efficient. This rule is offered with the unanimous approval of your committee. The legislation is approved and demanded by all parties, and I expect it will again receive a unanimous vote on the part of the House. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman from Kentucky [Mr. CANTRILL] use some of his time?

The SPEAKER. The gentleman from Kentucky is recognized.

Mr. CANTRILL. Mr. Speaker, I would like to be notified at the expiration of 12 minutes.

Mr. Speaker and gentlemen of the House, there is no opposition to the reporting of this rule on this side of the House in the Committee on Rules, and from what I can learn there is very little opposition to the general principle of the legislation involved in the bill. I find on investigation, looking back through the history of the various political parties, that the Democratic Party is committed in its last two national platforms to the principle of legislation involved in the bill. In other words, we as a party are committed to the budget system.

The older Members of the House, I am sure, will recall that the distinguished gentleman from Kentucky [Mr. SHERLEY], who for a great many years held a seat upon the floor of this House and who was one of the most valuable Members of the House, for years made a strong contention for a budget system. His valuable services on the Committee on Appropriations are known to the membership of the House. The former President of the United States on several occasions called the attention of Congress to the desirability of legislation of this character, and the President of the United States in his address to Congress the other day called the attention of Congress to the same thing. This side of the House, under the declaration of our party platforms in 1916 and 1920, are, as I said, committed to the principle involved in the bill. I am very frank to say, however, that under the platform of the Democratic Party adopted in 1920 this side of the House is more committed to the Senate bill than to the House bill. But I have no desire

to raise that question here at this time. That is for each Member to determine for himself when the bill comes up for general debate and a vote on the bill.

Mr. GOOD. Mr. Speaker, will the gentleman yield there?

Mr. CANTRILL. Yes.

Mr. GOOD. Did I understand the gentleman to say that the minority side of the House was more committed, so far as the platform was concerned, to the Senate bill than to the House bill?

Mr. CANTRILL. So I understand it.

Mr. GOOD. In what way?

Mr. CANTRILL. Because the platform, as I read it and understand it, adopted at our last national convention, states specifically that the budget bureau should be absolutely under the control of the Treasury Department, and as I understand it that is what the Senate bill does, which the House bill does not do. But I will say to the gentleman from Iowa that I am not raising any controversy on that subject.

Mr. GOOD. I had not been paying much attention to the provisions of that platform.

Mr. CANTRILL. Now, Mr. Speaker and gentlemen, it is known that in the last Congress the budget bill that was passed by Congress was vetoed by the President at the last session because he considered that the bill was a plain violation of the Constitution, and so in his message expressed it to Congress; and, having regard for his oath of office, believing that the bill was unconstitutional, of course he had a perfect right, and it was his duty as he saw it, to veto the bill at the last session of Congress, stating in the veto that it was with great regret that he was forced under his oath of office to veto that legislation.

So much for the principle of the legislation. I am not opposed to it. I did not oppose the rule in the Committee on Rules. In fact, we all know that the rule will be adopted practically without opposition, and no doubt the bill will pass practically without opposition.

I want to say, however, in this connection as a member of the Committee on Rules—and I say it without any criticism whatever of my colleagues on that committee, and without any criticism of the distinguished and genial gentleman from Kansas [Mr. CAMPBELL], who is the chairman of that committee—I do wish to call the attention of the House and especially of that side of the House, which upon all occasions before the election and since the election has boasted to the country of the efficiency of the Republican Party and what they intended to do for the benefit of the country, to the fact that I believe I am within the realm of truth when I say that so far as the Committee on Rules is concerned there has not been a quorum of that committee unless the Democrats on that committee went to the committee room to make a quorum in order to help that side of the House do the business which the country is demanding of you. Why, gentlemen, this very rule that is here before the House to-day is brought in without the action of a quorum of the Committee on Rules. I am not making any criticism of my colleagues on that committee. I would not go out in public and make a speech calling attention to the fact that the Republican members of the Committee on Rules hardly ever attend the meetings of that committee and that it takes the few Democrats on the committee to make up a quorum, and lots of times we bring in rules without a quorum of the committee simply because we have such high regard for the distinguished and genial gentleman from Kansas that we want to help him along with the business which he has upon his shoulders. [Applause.] Why, gentlemen, we brought a rule into the House here the other day when there were four members of the Committee on Rules present at the meeting and two out of the four were Democrats. Only two Republican members of the Committee on Rules were present at the committee meeting. Of course, I wish to be distinctly understood as exempting from criticism the distinguished gentleman from Ohio who recently was called home by the death of one of the members of his family. We all deeply sympathize with him in the bereavement which he has suffered, and of course my remarks in no way apply to him. But, gentlemen, here we are to-day with the Republican Party boasting of its efficiency to conduct the affairs of the Government, considering a bill which is in your platform and which is in our platform, and yet you did not have a quorum of the committee to bring in the resolution for its consideration. Of course, here all in the family circle, around the fireside, so to speak, where what we say does not go out on the outside, I am simply calling the attention of our Republican friends to the fact that in the future, if they want to play fair with the American public, when they go out and boast of the things they have accomplished when the session is over, it will stand them in hand to get some of their distinguished members of the Committee on Rules to attend the meetings and not leave the burden on the Democratic members of that committee to make a quorum and to bring the public business into this House in order that legislation which all parties stand for may be enacted into law. [Applause.] Our Committee on Rules has been an extremely busy committee, and as I say, usually without a quorum present.

There was a meeting called for this morning to discuss a great proposition in which the country is interested, but for some reason it was called off at the last moment, and to-morrow we will take up that proposition to investigate agricultural conditions in the country to determine what is the matter with the American farmer and with American agriculture. Of course our Democratic members on the Committee on Rules will be present to-morrow morning, and I sincerely hope that our colleagues on the Republican side will have enough interest in the American farmer and the deplorable conditions which surround him to-day to come to the committee meeting to-morrow morning and help us to have a quorum so that we will not be placed in the situation in which we find ourselves to-day, reporting rules without a quorum of the Committee on Rules present. Of course, as I said, I have such high regard for my colleagues on the committee that I am not going to raise the question that this rule is brought in here without a quorum being present.

The SPEAKER pro tempore (Mr. HICKS). The gentleman has consumed 12 minutes.

Mr. CANTRILL. I will take three minutes more. Of course, under a strict construction of the rules of the House this rule could not be brought in here to-day, because there was not a majority of the Committee on Rules present to report it; but we will waive that, because this side of the House is in favor of the legislation, and when we go into the committee to-morrow to determine what can be done for the condition of the American farmer we hope that side of the House—because we can only consider in the committee what that side of the House permits us to consider—will bring in some kind of a concrete resolution and a practical proposition that will help the great American farmer in the deplorable conditions which surround him to-day.

I was talking the other day with some distinguished Republican Members of this House, and they admitted frankly that the tariff bill which you passed through the House the other day would really not help the farmer, but they said it would have a good psychological effect. Now, to-morrow I hope you will give us something besides a treatise on psychology. The American farmer can not live on psychology. Some great writer years ago said that "in the nature of the soul is the compensation for the inequalities of condition." The American farmer has a soul, but if I mistake not you have got to give him something that will appeal to his pocketbook and to his reason instead of passing legislation here purely for the benefit of his soul. The American farmer does not need the American Congress to look after the affairs of his soul. He can do that himself with what spiritual advice he gets back on the farm, without the action of the American Congress.

The other day you passed the tariff bill through the House, and yet farm products have been dropping and dropping and dropping and dropping, and I hope that the chairman of the committee to-morrow will see his Republican friends and colleagues and for once during the life of the Sixty-seventh Congress have enough of them at the meeting of the committee to make a quorum and give us something for the American farmer besides a treatise on psychology. [Applause and laughter.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, the jocular mood of our distinguished Member from Kentucky [Mr. CANTRILL] might cause us to imitate his mood and lead us to warn him not to overlook the fact that since November his side of the House has been so completely subdued that it does not need a quorum to do business in the Committee on Rules. [Laughter]. The suggestion just made that we have been living upon psychology ought to have some significance, for we never recognized that psychology played any part until the recent President gave it recognition that business conditions are merely psychological. [Laughter.] So that if a term is used by the Democratic side of the House to apply to Republicans, they must not forget that that term was repudiated tremendously after it was used, and it might be some little relief to the Member now to continue to use it, but he must apply it to his own side of the House and not to the Republican side. So much for the jovial attitude of mind of one of the best Members on either side of the aisle. [Applause.]

I think the legislation that this rule makes in order represents about the most united general opinion of the business sense of the country of anything that has been brought before the House in several sessions.

Budget legislation is not new, but legislative interest in it is more or less new. I distinctly remember that in 1915 when the present Speaker of the House of Representatives pressed the idea and urged that it should be adopted that it was pretty severely criticized by many Members on both sides of the aisle who said that it was unnecessary. I also remember the treatment accorded by both Democratic and Republican leaders when I urged its necessity. If there is one thing that the American people are now yearning for, it is relief from unnecessary expenditures of public funds. If there is one demand of the country to be written into legislation, it is to guard against in the future any waste that is unnecessary—and I assume that all waste is unnecessary—and any extravagances that we can avoid. Whether we can reduce the cost of government at present, as I believe we can and are attempting to do, there is no doubt about the wisdom of our taking this constructive step against extravagant expenditures in the future, and for that reason I express the hope—and it has been expressed on both sides of the aisle—that this sort of legislation will be enacted without any serious opposition. I can understand how there might be some differences as to details, but there is certainly no differences in the philosophy that it is wished to be carried into the legislation by this bill.

Mr. Speaker, students of budgetary practices, both in business and governments, have expressed great surprise that our Government, the greatest business concern upon the globe, has never adopted a national budget system. They point out the fact that all great Governments but ours do operate upon such a system. That most of the States of the Union have adopted that plan of expenditure. That no first-class business concern would attempt for a month to do business without a budget procedure. They quite naturally express surprise and condemnation over the attitude of our Government.

The situation admits of explanation, quite easily understood. The almost boundless wealth of the country has never called attention to the necessity for rigid economic administration of the Federal Government. Unlike all other nations, the cost of government here has not been a serious matter until recently. The older nations long ago were compelled to proceed upon the most exacting demands of budgetary procedure. But here in the United States we neglected thus far to inaugurate such system on behalf of economy, since its need was never pressing.

The growth of the cost of government as expressed in the increase of Federal taxation has been astounding, especially since 1916. Our failure to reduce that cost has called attention to our need of the adoption of a system which will prevent waste and extravagance, with inevitable inefficiency in the various departments.

Our present system can not be conducive to economic administration, as it invites increased expenditure through the perfectly natural rivalry of numerous committees and the inevitable expansion of departments, as well as surprising duplication of activities. Our present system is designed to increase expenditure rather than reduce it. The law of departmental operation is expansion. The measure of the value of the chief in his success is growth of his bureau. His pride is to see his department, which started with little, reach the position of a great institution, with its various divisions and bureaus, employing a large force of experts and clerical help. His ambition is worked out in enlargement of each division, addition of new bureaus, increase of his personnel, increase of the salary scale, and the largest additional appropriation, until a department which at first cost but little now costs hundreds of millions. He is not held responsible for his requests, hence he asks largely knowing that his estimates will most likely be reduced. He knows his wants will be sent to one of seven committees in the House of Representatives for allowance. He also knows Members of Congress both on and off the committee can be interviewed by persons attached to his section for such influence as they may exert—the purpose always the appropriation, never a saving.

What is true of a bureau chief in a sense is noted in committee indorsement and influence. Each committee in the House quite naturally is jealous of both its jurisdiction and success in legislation. It will therefore push to the limit its jurisdiction over legislation and its demand for appropriation that enlarges the function falling under its jurisdiction. Appropriations from the several committees become a race between or among rivals to secure funds from the Treasury rather than to safeguard them. In this procedure there is no suggestion of economy since the pressure is for outlay. This plan is wholly oblivious to the general financial condition of the country at large. Each committee seeks its needs with little if any knowledge either of the needs of the six other similar appropriating committees, or the state of the revenues of the country at large. This evil of rival committees has been already cured by the unification of all appropriations in one large committee of 35. The original plan which unfortunately was not respected in the constitution of the committee was to have the whole committee made up of seven subcommittees of five members each to represent the heretofore seven appropriating committees. The subcommittee of five from the Naval Committee could competently represent the needs of the Navy Department, and so in all other departments. In this way the needs of each would be considered in the light of the needs of all. While the new committee was not so constituted and is consequently the source of considerable dissatisfaction and criticism, it is a great improvement upon the old method of committee rivalry in appropriations. It has the virtue of appropriation in the light of available revenue.

The most dangerous practice, which has grown up gradually and which must be discontinued, is the creation of deficiencies without authority. Departments estimate their needs and in satisfaction of such needs they ask for specific amounts. Congress, not convinced of the need, reduces the amount. Too frequently the bureau ignores the action of Congress and proceeds as if the allowance was voted, and when the available funds are exhausted before the end of the year a deficiency claim is presented, with the assurance that it will not be rejected, since Congress would not permit the discontinuance of the operation for the balance of the year. This practice must be forbidden, and the bureau chief who continues it must and will be drastically treated. Congress must exercise the power to discipline persons guilty of such procedure. The budget law will make this practice impossible, which becomes one of the strong arguments for its early adoption.

The present bill is the response of the widest interests demanding reasonable economy in governmental expenditures. It completes the budget plan, and is substantially the same measure passed in the last Congress, but killed by a presidential veto. This legislation is economically sound in that it fixes responsibility for estimates and expenditures in the President. Heretofore this responsibility could not be located.

Under our system the main cost of government is administration, which is under the Executive. Congress, the authorizing and appropriating power, is asked to make available funds for the needs of administration as estimated by the President, the spending power. Up to date neither body is responsible for estimates. Under the law heads of departments report estimates to the Secretary of the Treasury, who reports them to the Congress for its consideration. If the estimates are beyond the available revenues, the Treasury submits a detailed statement to the President that he may advise Congress where to make reductions, or if that can not be done how to secure additional revenue to meet the needs of the Government.

This bill proposes to require the President, whose department makes the expenditure, to be held responsible for the estimates made to Congress. It also makes a marked change by creating an independent audit, the very genius of an effective budget system.

Under the present system the comptroller and the six auditors are appointed by the President, which makes them subject to Executive influence. Because of this practice Congress, responsible for all appropriations, has no control over funds after the appropriations are made. It therefore can not follow them to ascertain how they have been applied. Its only recourse is to refuse the appropriation. The auditors need have no fear of Congress if funds are wasted, but refusal to allow expenditures is a criticism of the spending power, the Executive, to whom the auditors are responsible. The auditors are free from the authorizing body, but subject to the spending body. This bill removes from the spending department the right to audit its own books, and requires the audit to be made by an agency wholly independent of the department whose books are being audited. The comptroller is removable only by impeachment or concurrent resolution of Congress. This makes him entirely independent of the departments which spend the money, and subjects him to remote or ultimate control of the department which authorizes the expenditure. This is the item which led to the Wilson veto, because it makes the comptroller independent of the President. This feature, however, becomes the backbone of an effective budget system, without which the audit can not insure economy.

In order to insure independent action and a high grade of service the tenure of office of the comptroller general and the assistant comptroller is made for good behavior. His term of office does not depend upon the favor of anyone. This officer, to be effective in judicial economy under the tremendous pressure in which he is placed, must be made free from the influences which might secure his removal were he to act in opposition to the wishes of those seeking to use the influence. His tenure is not contingent, hence his conduct is independent and his service effective.

The growth here in Washington of bureaucratic control is ominous. The ease with which these influences seem to capture the new as they do the old heads of departments is disturbing. It appears that the critic of yesterday of this bureau control becomes the obedient apologist of it to-day.

The plausibility with which abnormal expansion in time of war must be continued in times of peace is bewildering. The Government force in Washington, which in 1917 was 37,000, is to-day in 1921 somewhat more than double that number, and we are blandly told that the Government can not be run with less. The energy is not how to reduce, but rather how to make room for more. To-day no one is responsible. Congress which makes the appropriations upon estimates submitted by bureau chiefs is criticized because it does not reduce the force. The Executive disdains responsibility, as he is not held for estimates of the various executive departments. Congress complains of the Executive because he does not hold down the estimates of his executive heads, and the Executive may complain of Congress for not denying the appropriation.

Criticism is centered in Congress because it is purely impersonal. It hits no one. While it continues the people continue to pay the bills.

The budget bill proposes to concentrate this responsibility. It is properly an Executive function as well as an Executive power, and with the power should go the responsibility. Mr. GOOD, the chairman of the Committee on Appropriations, in his report stated the situation admirably.

> He is the only officer who is superior to the heads of departments and independent establishments. He is the only officer of the administrative branch who is interested in the Government as a whole rather than in one particular part. He is the only administrative officer who is elected by the people, and thus can be held politically responsible for his actions. Furthermore, as head of the administration it is to him that Congress and the people should look for a clear and definite statement of what provision in his opinion should be made for the revenue and expenditure needs of the Government. The requirement that the President shall prepare and submit to Congress annually upon its convening in regular session a budget will thus definitely locate upon him responsibility for the formulation and recommendation of a financial and work program for the year to ensue.
>
> If duplication, waste, extravagance, and inefficiency exist in any branch of the service, the President will be responsible for them if he includes items in his budget for which his administration is willing to be charged. It substitutes teamwork in the executive departments for the unorganized work of each of the members of his Cabinet.

The passage of this measure will be the consummation of a most important fiscal reform, the delay of which has been a source of great perturbation to the country, and the success of which reflects credit upon the administration which inaugurates it. It is one of the pledges we made to the country. Its early and favorable consideration will be accepted by all our people as an earnest of the administration to fulfill our pledge to them that we were sincere in our efforts to relieve the country of unnecessary burdens of waste and extravagance, and will take effective steps to guard against them in the future.

Mr. CANTRILL. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. LAZARO].

Mr. LAZARO. Mr. Speaker, I have always been an advocate and supporter of the budget system. I spoke in favor and voted for the budget bill during the Sixty-sixth Congress and I shall vote for it again to-day. If there ever was a time in the history of our country when the people demanded economy in the expenditure of the public's money it is now. With agricultural products selling below the cost of production and paralysis of business everywhere it is very difficult for the people to pay their taxes and start another year. We know that under the present system estimates are furnished Congress by the various departments through the Treasury Department and that they are not inspected as they should be by any authoritative body. In this way there is duplication of appropriations, waste, and an entire absence of proper business methods. A private business could not be carried on in this way without going into bankruptcy. Under the budget system the several financial operations of the Government will be correlated, compared one with the other, and will be brought under examination at one and the same time. Responsibility will be placed on the President for the actual conduct of governmental affairs, and he in turn will look to Congress to keep within the revenues of the Government when making appropriations. It will be comprehensive. It will bring together in one consolidated statement all the facts regarding the financial conditions of the Treasury and the revenues and expenditures of the Government, past and prospective. There is no doubt as to the necessity for economy and retrenchment so that the tax burden will not be so heavy on the people. The only way we can practice real economy in government is to have a businesslike administration in every department of the Government, and that will come only when we adopt a budget system.

Mr. CANTRILL. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, since I came to Congress I have been in favor of retrenching expenditures in our Government, and therefore have been in favor of this budget legislation as a means of retrenchment. The remarks I shall make are in no way partisan. We had yesterday a very amusing incident in the House. The chairman of the Ways and Means Committee brought to the Congress and to the people, through Congress, a communication from the Secretary of the Treasury, with certain advice to the appropriating power of the country. It was proper that such communication should come through the chairman of the Ways and Means Committee, because it is only through the action of that committee that our country is enabled to find the means whereby its debts may be paid. The chairman of the Ways and Means Committee brought us the following information from the Secretary of the Treasury. As shown on page 901 of the RECORD, he, Mr. FORDNEY, in substance, said:

The Secretary pointed out that within the next 24 months our Government will be met with maturing obligations to the extent of $7,579,000,000, and this after taking off the amount which we expect to collect from our debtor nations. The Secretary also pointed out that unless Congress practices rigid economy and curtails expenses under existing law, we will not have revenue sufficient to discharge the short-time obligations of this Government. He advises the Congress that there must be rigid economy, and then the chairman of the Ways and Means Committee brought us this piece of information on his own hook. He started to tell us wherein lie some of the extravagances of the Nation. Let me read, on page 902, the following excerpts from the RECORD:

> Mr. FORDNEY. I will say to the gentleman that before the war there were 33,000 Government clerks employed in this city and on the 4th of March there were 85,000 Government clerks employed here.
>
> Mr. BYRNES of South Carolina. Congress appropriated for them.
>
> Mr. FORDNEY. The administration then in power employed them. Whose duty is it to discharge them when they are no longer needed?

He claims that they are there because the last administration employed them. The gentleman from South Carolina was claiming that the Congress was at fault because it appropriated the money which paid the salaries, and the chairman of the committee indicated that it was the administration's duty to discharge them. Mr. BYRNES of South Carolina said that Congress appropriated the money by which they are paid, and the chairman of the Ways and Means Committee declined to yield to the gentleman further. And then the gentleman from Tennessee [Mr. GARRETT] asked that the gentleman's time be extended five minutes in order to further elucidate the subject. The distinguished chairman said that he did not want the five minutes, that he was not asking for further time, and that he asked for a vote; and that is the way it went.

I am glad that the time has come when the buck can not be passed any longer. When it was a Democratic administration that employed these clerks and I was a partisan Democrat on the floor, I was then criticizing the administration for keeping the clerks for over two years after the armistice was signed. The Democratic administration was criticized by me for not discharging the surplus clerks and sending them home, as they were unnecessary. But you gentlemen now have both the administration and the Congress and you are responsible, and for one reason I am thankful, because you can not longer pass the buck; you are going to have to act if you discharge your obligations to the people of the country.

Whenever the chairman of the Ways and Means Committee gets up and calls attention to the fact that there were 33,000 clerks before the war and you still have 85,000, many of whom ought to be sent home, he tells you that there is work for you to do in this Congress in sending them home. He says the War Department promises that they are going to send 16,000 home by the 1st of July. It could well spare that number from over the United States. But it has been upon such promises that we have been living for a long time.

Mr. BLACK. Will the gentleman yield?

Mr. BLANTON. Not just now. I have a few facts that I want to get before the House, and then if I have time I will yield. Some one asked the distinguished chairman how they were going to change the extravagant expenditures of the public money, and he said that there was one department that ought

to be revamped. I do not know what he meant by the term "revamped," but he might have meant that it ought to be made over. When a man has been vamped something has happened to him and he is not much of a man. Revamping him sometimes does not better him. I do not know whether the same principle will apply to the department of the Government or not, but right in the face of the information sent here by the Secretary of the Treasury through the chairman of the great Ways and Means Committee, that within the next 24 months the Government is going to have matured $7,000,000,000 of obligations, and that the most rigid economy must be exercised by the House—in less than 10 minutes the first act the House did was what?

A resolution to employ an unnecessary outside gentleman from Ohio on the Reorganization Committee was passed, and to pay him a salary of $7,500 a year. He knows little about the departments and when you have Members of this House already drawing that salary acquainted with the departments and Government business, from whose number certainly you could have selected some man familiar with the organizations here in the departments of the Government. The man whom you selected and agreed to pay $7,500 a year to is a splendid, fine fellow, intelligent, able, and in a political way conducted the political fortunes of the Progressive Party in the State of Ohio. Certainly he has to be looked after in some way, but he ought to have been looked after in another way. A salary of $7,500 a year is a little matter, it is a bagatelle, but you have to begin on the bagatelles if we save enough money to pay these $7,000,000,000 of obligations that are maturing in the next 24 months. You made a bad start in practicing rigid economy.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the budget bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the military bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANTRILL. Mr. Speaker, I yield one minute to the gentleman from New York [Mr. KINDRED].

Mr. KINDRED. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the budget bill.

The SPEAKER. Is there objection?

There was no objection.

WATERWAY FROM THE GREAT LAKES TO THE ATLANTIC OCEAN.

Mr. WOOD of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a copy of a concurrent resolution adopted by the Legislature of Indiana approving the action of the governor of that State in advancing the undertaking for a waterway from the Great Lakes to the Atlantic Ocean.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The resolution is as follows:

A concurrent resolution approving the action of the governor in advancing the undertaking for a waterway from the Great Lakes to the Atlantic Ocean.

Whereas it is proposed to make such improvements in the St. Lawrence River as to make the Great Lakes accessible to ocean-going commerce; and as this improvement will, in effect, bring the State of Indiana hundreds of miles nearer the world's markets; and as there are within the State great resources that lie wholly undeveloped, while the production of all things is diminished or retarded by distance from markets; and because our producers and the consuming public have alike suffered enormous losses in the last two years by transportation shortage and failure; and because by reason of these conditions the transportation situation constitutes an emergency need; and as a number of States have joined in the Great Lakes-St. Lawrence Tidewater Association, having as its object the early undertaking and completion of this improvement: Be it

Resolved by the senate (the house of representatives concurring), That the State of Indiana is properly associated in the above-named organization with its neighboring Commonwealths in pressing to advance this undertaking, and that the action of the governor in so declaring is hereby approved and confirmed, and the participation of this State, by the governor and those who represent him in the council of these States, is approved.

SEC. 2. That the representatives of this State in the Congress of the United States be requested to facilitate and expedite in every way possible the prosecution of this undertaking for the economic freedom of a land-locked continent.

NOTE.—The above concurrent resolution was passed in both House and Senate of Indiana's Legislature on March 1 last.

GREAT LAKES-ST. LAWRENCE TIDEWATER ASSOCIATION,
INDIANA COMMISSION, INDIANAPOLIS,
C. H. COMSTOCK, *Secretary*.

THE BUDGET.

Mr. CANTRILL. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, my object in venturing to speak a few minutes at the present time is to clear up some statements which have been made about the number of employees that are to be discharged from the War Department. The gentleman from Michigan [Mr. FORDNEY] spoke a few minutes in the House yesterday, and one would probably infer from reading his remarks that 16,000 War Department employees in the city of Washington are to be discharged. I am sure that was not the meaning which he intended to convey. I asked my colleague from Texas [Mr. BLANTON] a moment ago to yield to me in order that I might make a correction as to the evident misapprehension of some as to the number of employees in the War Department here in Washington, but he did not have the time to do so.

This particular subject came up last December in some criticism which was made then of Secretary of War Baker, the contention being that he had not reduced the number of employees in the department as much as he should have. Desiring then that a correct statement of the facts be made I took occasion to take the matter up at once with the chief clerk of the War Department. That official gave me the following figures, which I think should go into the RECORD at this point.

At the time of the signing of the armistice there were 37,406 civilian employees in the War Department here in Washington. On December 14 last, the day when the chief clerk of the War Department gave me these figures, there were only 10,298 civilian employees in the department in Washington, making a reduction of more than 27,000 employees since the signing of the armistice, or more than 72 per cent. I do not take the position that further reductions in the Washington offices of the War Department are not possible. I do not know. I hope further reductions can be made; but I thought it ought to be made clear that Mr. FORDNEY evidently did not mean to say that 16,000 employees here in the city of Washington were to be dismissed before July 1, because unless the number has been very largely increased since December 14 last that could not be done, as they had only a few more than 10,000 at that time.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. BLACK. Yes; I yield to the gentleman from Nebraska.

Mr. REAVIS. In the investigation of the Select Committee on Expenditures in the War Department quite recently we ascertained that in the care of the surplus property here in the city of Washington there were something like 1,090 civilian employees, while in the city of Omaha, where there was nearly twice as much surplus property as there is in the city of Washington, there were only 10 civilian employees. A further investigation disclosed the fact that the civilian employees, ostensibly employed to take care of the surplus property, were chauffeuring officers and doing similar work. There is opportunity for vast reduction.

Mr. BLACK. I shall be glad to see it proceed, and I only rose to say that Mr. Weeks evidently meant, when he said there would be a reduction of 16,000 civilian employees in the War Department, that it would be throughout the country, and not merely here in Washington.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, the discussion on this rule has taken rather a wide range. I do not desire to follow the example set by other Members in its discussion, but I can not refrain from a word of comment upon the remarks of the gentleman from Kentucky [Mr. CANTRILL], my very good friend. The difficulty in securing a quorum in the Committee on Rules did not begin in either the Sixty-sixth or the Sixty-seventh Congress. That difficulty was quite as manifest in the Sixty-fourth and the Sixty-fifth Congresses as during the last Congress and in this. I think perhaps there is some reason for the difficulty that attaches to securing a quorum of that committee. First of all, the majority of the meetings of the committee are suddenly called. Members of the committee are in the departments or are attending to other duties, perhaps, and in some instances they do not get the notice of the meeting of the committee. In any event what the gentleman from Kentucky [Mr. CANTRILL] said is true. It is difficult, has been difficult to get a quorum of the committee together, and there was disposition on the part of the minority in the Sixty-fourth and in the Sixty-fifth Congresses, as well as in the Sixty-sixth and so far in the Sixty-seventh, to expedite the business of the House by not raising the question of a quorum in the committee, and I am greatly indebted as chairman of that committee for the consideration shown at all times by the minority members. I can not help thinking that perhaps the consideration they have shown may in some degree be due to the fact that in former Congresses,

when it required seven Democratic members to make up a quorum of the committee, those seven Democratic members were not always there, and the question of a quorum was not raised and the public business was not impeded by its being raised.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL of Kansas. Yes.

Mr. GARRETT of Tennessee. I suppose it is not against the rules to go into the secrets of Congresses long past. I do not recall an occasion during which the Democrats were in the majority when there was a failure of a quorum of Democrats on the Committee on Rules.

Does the gentleman recall——

Mr. CAMPBELL of Kansas. The memory of the gentleman from Tennessee is so very good on other questions that I am surprised that it is a little hazy on this question. I recall many occasions——

Mr. GARRETT of Tennessee. Well, at any rate, whatever it may be, the gentleman from Kentucky has certainly done the gentleman from Kansas a great kindness provided the steering committee will take notice and tell them to be there when the gentleman from Kansas needs them.

Mr. CAMPBELL of Kansas. Well, now we may take up the question of the rule. [Laughter.] Mr. Speaker, I ask to have the amendment which I offered reported.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Kansas.

The Clerk read as follows:

Mr. CAMPBELL of Kansas offers the following amendment: Page 1, lines 14, 15, and 16, and line 1, on page 2, after the word "purposes"; line 14, strike out the words "when offered as a substitute for such Senate bill," and after the words "shall be," in line 15, strike out the words "read for amendment" and insert "considered in lieu of Senate bill 1084 and read"; and in line 16 and line 1, page 2, after the word "rule"; in line 16, page 1, strike out "and considered as an original bill in lieu of the text of said Senate bill" and insert the words "for amendment," so that as amended the paragraph will read, beginning after the word "purposes," line 14, "shall be considered in lieu of Senate bill 1084 and read under the five-minute rule for amendment."

Mr. CAMPBELL of Kansas. Mr. Speaker, I ask for a vote on the amendment.

The question was taken, and the amendment was agreed to.

The question was taken, and the resolution as amended was agreed to.

Mr. GOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1084.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1084, with Mr. BURTON in the chair.

Mr. BURTON took the chair amid applause.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill S. 1084, which the Clerk will report.

The Clerk read as follows:

An act (S. 1084) to provide a national budget system and an independent audit of Government accounts, and for other purposes.

Mr. GOOD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Unanimous consent is asked that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The gentleman from Iowa is recognized for one hour.

Mr. GOOD. Mr. Chairman, I doubt if Congress will be called upon to pass legislation of greater consequence to the country than the bill which we are now considering. For a number of years men have been talking about a budget system, others have been writing articles on budgetary legislation, and it is now proposed within the next week or ten days to place upon the statute books a bill that will bring about a practical realization of these hopes and expectations. We have been talking about economy in Government affairs, and at the same time have been practicing extravagance. This has been true irrespective of the political party that has happened to be in power. The trouble has been that we have had no business system with which to conduct the fiscal affairs of the Government. The Government of the United States is the biggest business concern in all the world, employing more men, disbursing more funds than any other Government or other corporation in all the world, and yet it has been conducting its affairs without the application of business principles.

The President a few days ago in this Chamber stated that the Government must get out of business, but that the Government must conduct its affairs along business lines. This bill, if enacted into law, will enable the Government to do that very thing. More important is it now than ever before that we should engage upon legislation of this kind. More important is it now than ever before that we should have a business program for the Government of the United States. Formerly the revenues flowed into the Treasury much more rapidly than did our expenditures flow from the Treasury. For 52 years, from 1865 to 1917, both inclusive, the revenues exceeded the expenditures during 41 of those years, and the total revenue during that period was $2,117,000,000 more than the ordinary expenditures, and that surplus went toward the extinguishment of a Civil War debt. Take the year 1907, which was typical of that period. During that year we collected $856,000,000 for all purposes, and collected it without the imposition of a single dollar of direct taxes upon the people of the United States. And that revenue was sufficient to pay all the expenses of the Government and apply to the Nation's debt $111,000,000. But those days of Government financing are past, never to return. The war and the burden of debt left by it has brought us face to face with a new condition.

While we may not like this new condition, it is here, and we must meet it. To meet it successfully we must apply principles so far as government administration is concerned, and they will be found to be the same principles that successful business men everywhere have found necessary in the conduct of their affairs. That is the purpose of the budget bill. For the next year the cost to run the Government of the United States has been variously estimated. Here in the House we have felt that if the House bills for the Army and Navy should pass substantially as they passed in the last Congress the total expenditures for the next year—not counting anything additional for losses growing out of Government control of railroads, and not counting anything for deficiencies and not counting anything for good roads—the total appropriations will approximate $3,530,000,000, but after making allowance for all of these purposes, at the rate of $100,000,000 for good roads, $200,000,000 for deficiencies, and $175,000,000 to pay losses growing out of Federal control and operation of railroads, the total demands on the Treasury next year ought not to exceed $4,000,000,000; but to hold the expenditures down to this sum for the next year and to reduce it to $3,500,000,000 for the following fiscal year it is going to require a change in the fiscal policy of the United States.

It will be necessary to wipe out duplications in the Government service, to eliminate inefficiency, and to stop unnecessary work. It will be necessary to adopt a system of economy and efficiency in every department, establishment, and bureau in order that the Government of the United States may obtain what it has never obtained before in all its history, and that is a dollar's worth of service, if possible, for every dollar expended.

There is a difference between the bill as reported to the House and the bill that has been messaged to us from the Senate.

The House bill creates two principal agencies, the bureau of the budget and the general accounting office. The House bill is built upon the principle that the President of the United States is the only official elected by all the people, and hence the only official who is pledged to carry out platform obligations of the party in power. To-day he is the only official elected by all the people pledged to bring about economy in the Government service. He appoints, with the advice and consent of the Senate, the 10 Cabinet members; he appoints the members of the independent establishments. We do not appropriate money simply for the purpose of making appropriations; we appropriate money to carry out work planned for the Government. The President alone formulates this plan. He has very recently laid a part of his plan before us and before the country which it is proposed the Government of the United States must carry out, and in order to do so certain appropriations must be made. The appropriations are necessary for the execution of that plan.

The President being the one official that makes the plans, it seemed to the members of the House committee, irrespective of the party to which they belong, that the President when he is making his work plans should take into consideration the cost of the execution of those plans; that it would be idle to give the President the power to lay these great work plans of the Government and then leave to some other official of the Government the duty of specifying what they were going to cost. The first thing the President will want to know when he is laying his plans for certain undertakings and submitting them to Congress is what the execution of them will cost, and the decision upon the plans and upon the expenses involved in the execution of them must go hand in hand. So we thought that under our system of Government, so different from that prevailing in other countries, the one person to make the budget and submit it to Congress was the President of the United States. We called before us many eminent men and sought

their counsel and advice. We were honored by the advice of former President William Howard Taft, and we asked him the question as to whether or not the President could do the work. He said, "Yes; the President can do it. The President must in the end pass upon those things, and he can do the work if you will give him the machinery."

This bill gives him the power and then it places in his hands the machinery. The Senate bill, on the contrary, would leave the making of the work plan with the President, but it places the duty of estimating for the expenses of the execution of that plan, the preparation of the budget, on the Secretary of the Treasury. There are those who very seriously contend that because the chancellor of the exchequer, the official in Great Britain that compares in a way with our Secretary of the Treasury, submits the budget to the British Parliament our Secretary of the Treasury here should prepare and submit the budget. But when you come to analyze the British system and compare it with ours, you are struck with the dissimilarity of the duties of the two officers, and you will fail to find any points of similarity. The fact is, the British treasury is not a public-service department at all, while the Treasury of the United States is the greatest public-service department in the United States, and is nothing else. The British treasury is, more properly speaking, a board of administrative control, and supervises the operation and management of the public-service department. It is so different from our own Treasury Department that it can not be compared with it.

The British treasury does not do these things:

First, it does not collect any public revenue. That is collected by the revenue departments.

Second, it does not audit public expenditures. That is done by the establishment of the comptroller and auditor generals.

Third, it does not administer the public debt. That is done by the national debt commission, a separate agency entirely.

Fourth, it does not receive the public revenue or pay it out through disbursing officers. That is done by the Bank of England and of Ireland, which is the fiscal custodian of all public funds, while our Treasury does all of these things, and which are the things that have been imposed upon it from its creation.

Mr. REAVIS. Will the gentleman yield right there?

Mr. GOOD. Yes.

Mr. REAVIS. In connection with that statement, is it not also true that the budget system in England is being seriously assailed as inefficient?

Mr. GOOD. Yes; that is true. Of course, during the war no government system stood up at any place in the world. But as a system the British system functioned much better than did our system in the United States. The only part of the British system that stood up during the war, that was a really effective organ, was the accounting department. That department was a great success. A like agency here would have resulted in great saving during the war. But still the British system is a great system for the British Government. Their Government is altogether different from ours. The system we have laid down here for our Government would not fit at all into the British system, and the House committee contends that their system will not fit into ours, inasmuch as the systems of the two Governments are so different. The administration of the social insurance system in Great Britain has been placed directly under the treasury in recent years. This is the only spending department or agency in the British treasury.

The principal duties of the British treasury are: First, the preparation of the budget; second, the supervision and control over expenditures of appropriations by spending departments only. The chancellor of the exchequer, as you know, is a member of Parliament and is the head of the treasury. He is assisted by the patronage secretary and three junior lords of the treasury, who are also political officers. He has two assistants, who are his chief aid and are permanent officials—the permanent secretary of the treasury and permanent financial secretary. The former is the administrative head of the treasury and the latter administers the treasury's control over other services of the Government.

Now, let us look at our Treasury Department for a moment and see if the preparation of the budget should be lodged there, and also see whether or not it is already overburdened with great activities, many of which we could not remove without destroying our whole system. During the next year the Secretary of the Treasury, unless it is changed, will have under him the Public Health Service, as he has now and has had since the creation of that service.

For the next year that service will expend, all told, approximately $50,000,000, of which $41,000,000 will be for the war-risk patients and $9,000,000 for beneficiaries other than war-risk patients. He also has under him the War Risk Bureau with 5,000 employees engaged in the administration of the law providing for our discharged soldiers. He has under him the office of the Treasury of the United States, with 1,400 employees, drawing annual salaries in the aggregate of $1,500,000; the office of the Comptroller of the Currency, with 165 employees, drawing annual salaries aggregating more than $223,000; the office of the Director of Mints, with over 1,000 employees, and conducted at an annual expense of more than $2,000,000; the office of the Commissioner of Internal Revenue, with more than 20,000 employees, and conducted at an annual expense of $31,000,000; the Bureau of Engraving and Printing, which prints and engraves all of the United States notes, bonds, certificates of indebtedness, national bank notes, Federal reserve notes, Federal bank currency, and internal revenue, postage, and thrift stamps, and the like, employing over 7,000 persons, and conducted at an annual expense of more than $13,000,000. He collects the customs, and in that service employs about 7,000 persons at an annual expense of more than $10,000,000.

His Coast Guard contains 100 vessels and maintains 272 life-saving stations and employs 5,000 men, and is conducted at an annual expense of over $10,000,000. The Division of Public Moneys, of Loans and Currency, of the Secret Service, of Printing and Stationery; the office of the Comptroller of the Treasury, with all the auditors for all the other departments of the Government; the Register of the Treasury and the Federal Farm Loan Board—these activities, placed upon the Secretary of the Treasury by acts of Congress, have already overburdened that department, and when we come to study, as we must, the efficiency of the various departments of the Government, I dare say we shall find in the Treasury Department of the United States inefficiencies and overlappings that must be corrected there that have been much greater than found in the other departments, and that is because it already has too much to do. Now, if by law you say to the Secretary of the Treasury, one of the Cabinet members, "You prepare the budget for the other nine Cabinet members," the other nine will come back and say to the Secretary of the Treasury, "It is high time that you were bringing about some degree of efficiency in your own department." And 5,000,000 ex-service men who have rather bitterly complained of the lax administration of the war risk act are likely to say "Amen." And in saying this I do not want to be understood as reflecting on the great ability of the Secretary of the Treasury or his predecessor.

John Sherman tried it. He attempted to regulate the estimates as they came in from the other departments, and it was not long until the other members of the Cabinet refused to speak to the Secretary of the Treasury when they met him on the street. Present or future Cabinet members will be more than human if they shall be able to function efficiently under such a plan.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. GOOD. I yield.

Mr. TEMPLE. Would it not be well to add to the bureaus under the Treasury Department the Bureau of War Risk Insurance, with its 5,700 employees, in which efficiency has been lacking?

Mr. GOOD. I thank the gentleman for the suggestion.

Now, some of these agencies that are in the Treasury Department will unquestionably be assigned to some other departments where they can be better and more economically administered. But after you have taken out of the Treasury Department all of the nonfinancial or nonfiscal agencies you still have left in that department all and even more than one man can supervise, and it has seemed to us that it would be unnatural and unwise to say to one of the Cabinet members, "You shall supervise your own estimates and also pass upon the estimates of the other Cabinet members." The committee does not believe that it is practicable; we do not believe that it will work; and there was scarcely a man who came before the Committee on the Budget who did think the plan was workable at all. So we create the bureau of the budget, a bureau that is to be the machine of the President; one that is to go out without fear or favor in all of the departments, the Treasury Department as well as any other department; to the War Department, the Navy Department, the Interior Department, the Post Office Department, and to all of the other Government departments, and with the same measure bring about economy.

The director of the bureau must perform his work without fear or favor. He must do it with a realization at the outset that practically every Senator in the United States Senate will at some time or another be opposed to what he is doing. He must do it with a realization that at some time or another

practically every Member of this House will oppose him. But the fortunate thing is that they will not all oppose him at the same time. They will go separately. Many of these offices must be abolished. Some of the men who are here performing a public service must go home, and they will have to be sent home; and when such an officeholder comes from your district you will go down and see the officer in behalf of the man from your district whom he is discharging, and Senators will go down, and they will make strong pleas showing how this man or that man who is slated to go has been a faithful public servant and why he should be permitted to remain.

When it comes to discharging these men who must be discharged, I say to you it is going to test the backbone in a man who has to do this work; it will try the fiber of the best man that the President can secure. [Applause.] We ought not to throw upon the Secretary of the Treasury this duty, when we know that the Secretary of the Treasury, with all these other duties, could not perform it, and we know, too, that if he attempted to perform it he would simply create disturbance with the other members of the Cabinet whose organizations by such act he was attempting to regulate and control.

So much for the bureau of the budget. Let us now examine the provisions as to the general accounting office which is created by the bill. We have gone quite carefully into the matter of the audit and the examination of accounts. We believe that our present system is entirely wrong. We have now six auditors.

Without any reflection upon the men who were selected as auditors, or upon the wisdom of their selection, because the same principle was invoked when the Republican Party was in power—my recollection is that in the selection and appointment of these auditors only one man was appointed who previously had had charge of a set of books. All the other auditors were selected, when both Democrats and Republicans were in control, from among men who could control in a political way a ward or a precinct or a city or a State. They were good politicians but were not auditors, but places had to be found for them as a reward for services, so they were made auditors overnight.

Now, we propose by this plan to have one accounting department for the final audit of all accounts, and that office shall have charge not of the administrative audits, because in each department there is already an administrative examination and audit, but the auditing force that makes the final audit, and is separate and distinct from the administrative audit force, is transferred to the accounting department. For the administrative head of the general accounting office the bill creates the office of comptroller general and the assistant comptroller general, and we have found it necessary to make his tenure in office secure. It not infrequently happens that we have in times past called the Comptroller of the Treasury before us and witnessed his discomfiture when he was pressed with regard to inefficiency in various departments, because he knows of it. It comes to him through this auditing force, which costs the Government every year about $3,000,000. He, of course, would be very much embarrassed if he were to sit down at the table before the Committee on Appropriations and say to that committee that the administration of which he was a part was inefficient.

It is perfectly natural that they would not do that sort of thing, and why? If the comptroller ventured to do that under our present system, his head would be cut off, very likely, in a very short time. Some reason would be found for his removal.

I think it was under the administration of President Cleveland that the President desired to use a certain appropriation for a given purpose, and was told by his Comptroller of the Treasury, who happened to be a little independent of this system, that he could not do it. But the President insisted and finally said, "I must have that fund, and if I can not change the opinion of my comptroller, I can change my comptroller." With less independence all comptrollers, no matter to which political party they owe allegiance, have been forced to face the same practical situation.

Now, we propose to change that. We believe that the Committee on Appropriations and the committees on expenditures and on revenue that are investigating matters under their jurisdiction should have at all times something more than an ex parte statement with regard to expenditures. We try to cut down expenditures, and nine times out of ten we are cutting appropriations in the dark, and not infrequently we cut too deeply and injure a worthy public service. But we have only the one source to look to for our information aside from a history of past transactions, and that is the statement of the Secretary whose department is being investigated or whose department is asking for appropriations and the bureau chiefs under him. Every bureau chief who is worth anything wants his department to grow, and he knows that the department can grow only by the growth of appropriations. So year after year they come and ask for new activities and additional money to perform those activities, and most frequently Congress and the committees of Congress have no way of getting down to the actual facts, except as we dig them out from an unwilling witness, a witness naturally unwilling because he wants the money, and in his attempt to get the money he will cover up all the defects of his office, all the shortcomings of his organization, simply to get the appropriation for his department. We have no check at all upon this method. This bill provides for that very check.

It provides, it seems to me, for well-regulated checks and balances in the two departments. It creates the office of the comptroller general, and he must audit all accounts. We have created this office and have made it a semijudicial one. We have provided for the appointment and removal of the officer, so he can not be removed if perchance he criticizes the administration of which he may be a part. Under the law it is his duty to come to the committees of Congress that have jurisdiction over appropriations, expenditures, and revenues, and explain to them at all times where there is any inefficiency, where there is a waste or a lack of economy; and when the committee from the bureau of the budget or the President's staff come and explain the budget, sitting right there, they are brought to face the comptroller general of the United States; and if a representative of the bureau of the budget states something that is not true, if he fails to state the whole truth, the comptroller general sits there with the Committee on Appropriations as an arm of Congress and can supply the desired information. In this way the facts will come before Congress in a way that we may eliminate duplications wherever we find them, and where we find there is an excess of employees they can be eliminated, and the service will not be injured by an injudicious cut in the appropriation.

Now, the one thing that prevented the passage of this bill in the last Congress was the matter of the removal of the comptroller general. The House bill before us contains the same provision that it carried at the time it was vetoed by President Wilson. We have provided in this bill that the comptroller general and the assistant comptroller general shall hold their offices during good behavior, and shall be removed only for inefficiency, neglect of duty, malfeasance in office, or conduct involving moral turpitude, and, except by impeachment, he can only be removed by concurrent resolution of Congress.

The President vetoed the bill last year because, in his opinion, that provision was in violation of the constitutional provision giving him the power to appoint and, as he claimed, the incidental power to remove.

Section 2 of Article II of the Constitution of the United States, among other things, provides that the President—

shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

In no place does the Constitution give the President or any other officer of the Government the right to remove a public officer. I think it will be admitted that the officers that we are creating by this bill are inferior officers within the meaning of the Constitution. They will perform great duties, but, nevertheless, under that constitutional provision they are inferior officers. So, too, the members of the President's Cabinet and all other officers created by law and not mentioned in the Constitution are, within the well-accepted decisions, inferior officers, although they perform great services. There is nothing inferior so far as the powers conferred upon them are concerned, for in that respect they are superior to some of the superior officers; but within the meaning of the Constitution they are inferior officers.

It was the contention of the President that, inasmuch as we vested the power of appointment of the comptroller general and the assistant comptroller general in the President of the United States, by that act we also vested in him the incidental power to remove and had no constitutional right to vest that power elsewhere.

Follow, if you will, that line of reasoning to its logical conclusion. It will be observed that the President acting alone does not have the power to appoint an ambassador or a judge. He has the power to nominate, but his power of appointment is limited. He can appoint only by and with the advice and consent of the Senate. And yet the construction that we would be forced to place upon the constitutional provision if we should follow the logic of the President's veto message is that the

provision giving the direct power to appoint only with the advice and consent of the Senate carries with it the incidental power, greater than the direct power—that is, the power to dismiss or remove from the service without anyone's advice or consent.

If the President's contention is right, if we are to follow that line of constitutional constructionists, then we must repeal virtually hundreds of acts that we passed during President Wilson's incumbency of office, when we took from the President some of these very powers and provided for the exercise of those powers ourselves. The following are some of the acts of Congress which provide, in part, that Congress shall in a limited degree have a voice in their execution:

1. R. S. 4826. Nine managers of National Home for Disabled Volunteer Soldiers, to be elected by joint resolution of Congress.
2. R. S. 5581. Six regents of the Smithsonian Institution, to be appointed by joint resolution of Congress.
3. Act of February 14, 1902 (32 Stat., 20). Changes in architectural features of Capitol Building or landscape features of grounds to be made only on plans approved by Congress.
4. Act of December 23, 1913 (38 Stat., 272). Banks not to be "subject to any visitatorial powers other than such as are authorized by law or vested in the courts of justice, or such as shall be or shall have been exercised or directed by Congress," etc.
5. Same, as amended September 26, 1918. Bank examiners not to disclose names of borrowers from member banks of Federal Reserve System, etc., "except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States," etc.
6. Act of July 17, 1916 (39 Stat., 383). Examiners not to disclose names of borrowers from land banks or national farm-loan association "except when ordered to do so by a court of competent jurisdiction or by direction of the Congress of the United States," etc.
7. Act of August 29, 1916 (39 Stat., 546, sec. 3). Public officers in Philippine Islands not to accept presents, etc., from foreign governments "without the consent of the Congress of the United States."
8. Act of February 23, 1917 (39 Stat., 936, sec. 16). State boards may appeal to Congress in case of withholding of allotments by Federal Board for Vocational Education, "and if the Congress shall not direct such sum to be paid it shall be covered into the Treasury."
9. Act of March 2, 1917 (39 Stat., 951, sec. 2). Same, in respect to Porto Rico, as act of August 29, 1916, above.
10. Act of March 3, 1917 (39 Stat., 1055). United States representative on permanent commission of International Geodetic Association given authority to vote "on all matters coming before the association, including the extension of its existence subject to the approval of Congress."
11. Act of May 16, 1918 (40 Stat., 552, sec. 5). Property acquired for housing of war workers to be sold at the close of the war, but "before any sale is consummated the same must be authorized by Congress."

We must go back and rewrite the Articles of War where we conferred upon the War Department the right to institute the court-martial proceeding and provided that no officer, although appointed by the President, could be removed except he was tried and removed in accordance with the verdict of the court-martial. But fortunately we are not left entirely to conjecture in this matter. The courts have been called on in numerous cases to pass upon the subject, not exactly on all fours with this concrete proposition, but the Supreme Court has by dictum in a number of cases indicated what its construction would be in just this kind of a case. In construing the Constitution of the United States that court has always regarded it as unwise to simply preserve the Constitution as a book if such construction would let the Nation die.

An early case that bears on this proposition is that of ex parte Hennen, Thirteenth Peters, page 230, where the court said:

All offices, the tenure of which is not fixed by the Constitution or limited by law, must be held during good behavior, or practice (which is the same thing in contemplation of law) during the life of the incumbent; or must be held at the will and discretion of some department of the Government, and subject to removal at pleasure. * * * In the absence of all constitutional provision or statutory regulation it would seem to be a sound and necessary rule to consider the power of removal as incident to the power of appointment.

And in drafting this bill we have considered that the President would have the incidental power of removing this official when we gave him the appointing power, if we did not by statutory regulation take it away from him, and that is just what we have done.

Again, in United States v. Perkins (116 U. S., 483) the court says:

Whether or not Congress can restrict the power of removal incident to the power of appointment of those officers who are appointed by the President, by and with the advice and consent of the Senate, under the authority of the Constitution, does not arise in this case and need not be considered.

We have no doubt that when Congress by law vests the appointment of inferior officers in the heads of departments it may limit and restrict the power of removal as is deemed best for the public interest. The constitutional authority in Congress to thus vest the appointment implies authority to limit, restrict, and regulate the removal by such laws as Congress may enact in relation to the officers so appointed.

The head of a department has no constitutional prerogative of appointment to offices independently of the legislation of Congress, and by such legislation he must be governed not only in making appointments but in all that is incident thereto.

It would be indeed strange if we could in an act of Congress creating an inferior officer, fixing his salary, his tenure, and prescribing the grounds upon which he could be removed, if we could not then by resolution determine the question as to whether the grounds for removal were sufficient, or whether he should be removed.

In Parsons against United States, One hundred and sixty-seventh United States, 324, the facts were that the President had removed from office a district attorney before the expiration of the latter's four-year term of office and the Senate confirmed the new appointee. Parsons contended that he could not be removed without a public hearing. The court took the view that the President had the power to remove this official, and said:

This could never have been the intention of Congress. On the contrary, we are satisfied that his contention in the repeal of the tenure of office section of the Revised Statutes was again to concede to the President the power of removal if taken away from him by the original tenure of office act, and by reason of the repeal to thereby enable him to remove an officer when, in his discretion, he regards it for the public good, although the term of office may have been limited by the words of the statute creating the office. This purpose is accomplished by the construction we give to section 769, while the other construction turns on a statute meant to enlarge the powers of the President into one circumscribing and limiting it more than it was under the law which was repealed for the very purpose of enlarging it.

There are quite a number of cases bearing in an indirect way on this subject of the power of removal and which clearly indicate the opinion of the court with regard to this matter.

In the case of Blake v. The United States (103 U. S., 227), in which, although there may have been some doubt of the power of the President to remove under a certain act, such power was upheld, the court said:

This indicated the tendency of the court to require explicit language to that effect before holding the power of the President to have been taken away by an act of Congress.

The right of removal would exist if the statute had not contained a word upon the subject. It does not exist by virtue of the grant but it inheres in the right to appoint, unless limited by Constitution or statute.

Every time the court has touched upon this question it has used the same phrase, that the power of the President to appoint carried with it the incidental power to remove, unless that power was limited by Constitution or statute.

Now, if Congress had no power to limit or restrict, why has the Supreme Court repeatedly said that the incidental power to remove continues until it is taken away by statute. The very clear inference in all these decisions—and there are many more to which I will not take the time to refer—is that if the exact question came to that court it would have no hesitancy in saying that, as far as inferior officers are concerned, where Congress created the office, fixed the emoluments, specified the terms, provided the causes of removal—the court would say that if the Congress did all these things it could likewise provide for removal separate from the appointing power. And if we have no power to do that, then I say to you that we will not be able to create this great office that is to serve as an arm of the Congress in its efforts to save, by economy, untold millions of dollars. [Applause.]

If we allow this official to be removed by the President any time he desires, then that official in the future will not criticize the expending department any more than he has criticized it in the past, and the record is silent practically of any criticism from this source in the past. We create here an independent office that will be a real, live thing for Congress and a great improvement over the present plan. I have no hesitancy in saying that if this provision shall become a law, we will receive as much if not more substantial benefit, more economy through the fearless administration of the general accounting office than we may expect to secure through the budget itself.

But the two go together. Neither would be complete without the other. It is a system which we believe is well balanced. The President will send his estimates. They will be better considered than ever before. They will be considered not by each bureau or department by itself but by the bureau of the budget, the President's bureau, which will measure all the demands of the Government by the same yardstick.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. FESS. Has the gentleman discussed yet the method of removing the comptroller?

Mr. GOOD. Yes. The bill provides that he can be removed only by impeachment or by a concurrent resolution of Congress for certain causes, and in no other way.

Mr. FESS. I have been out of the Chamber and my question is suggested by Members stating that this man can not be removed. He can be removed by virtue of the provisions of the law.

Mr. GOOD. Yes. He can be removed by concurrent resolution of Congress for neglect of duty, for malfeasance in office,

for inefficiency, or for conduct involving moral turpitude, or he can be removed by impeachment, as provided for in the Constitution.

Mr. FESS. Impeachment would be somewhat tardy, but a concurrent resolution would be very expeditious and it does not need the signature of the President.

Mr. GOOD. I think a concurrent resolution removing such an official would require the signature of the President. I think there is but little question about that. Concurrent resolutions that do not require the signature of the President are those resolutions which do not have the effect of law. A concurrent resolution inviting some one to attend the House or the Senate, or something of that kind, would not require the signature of the President, but here we are creating a great office and providing for the appointment of a very important official, and we provide that he may be removed only by a concurrent resolution. Such a resolution would have to do with more than the two Houses and would require the President's signature. The Constitution provides as follows:

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and the House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

The gentleman understands the procedure in case of a bill.

Mr. FESS. Would the gentleman, then, explain the difference between a joint resolution and a concurrent resolution?

Mr. GOOD. I have not had time to look up the history of that distinction, but I will say to the gentleman that the concurrent resolutions that do not require the signature of the President are concurrent resolutions that are passed whereby we extend to some visitor, perhaps, in the United States, or some citizen of the United States, an invitation to appear before the House or the Senate to deliver an address, or to do something of that kind. They are not things that have the effect of law, such as the creation of an office or the removal of an officer. Here is a great act that we are performing. This officer is a semijudicial officer of the Government who passes on all expenditures. I can not conceive how we could construe this provision of the Constitution to mean that we could dismiss the comptroller general or the assistant comptroller general without passing a resolution that required the signature of the President.

Mr. FESS. Why do we use the word "concurrent" if the signature of the President is necessary? Why do we not provide that it shall be by resolution of Congress?

Mr. GOOD. The practice has grown up of using the term either "joint" or "concurrent" resolution. A joint resolution always requires the signature of the President. A concurrent resolution may or may not, depending on the thing that it accomplishes, but there is no well-defined distinction in the use of these two resolutions. Some concurrent resolutions have been signed by the President and some have not.

Mr. FESS. At any rate, this man can be removed by an act of Congress.

Mr. GOOD. Yes.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. TEMPLE. Can there be any resolution passed by Congress that will have the effect of law without the President's signature?

Mr. GOOD. No. The gentleman is correct about that.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. MONTAGUE. Do I understand from the gentleman that the plan of appointment and removal in this bill is about the same as it was in the former bill at the last session?

Mr. GOOD. Just the same. That is, it is the same as it passed the House and as it was presented to the President when he vetoed it.

Mr. MONTAGUE. Did the gentleman's committee consider at all at this time the advisability of the removal of this officer being placed in the Supreme Court of the United States?

Mr. GOOD. There was so much objection to that when the matter came up before that it was not presented to the committee at this time.

Mr. MONTAGUE. I congratulate the gentlemen that they did not adhere to that device of removal.

Mr. GOOD. We thought that the plan we had devised before was about perfect and was entirely within our rights to legislate under the Constitution, and that there is where that power should vest if that office was to be the office we intended it should be.

Mr. MONTAGUE. The gentleman will agree with me that the House did not seem to think that the plan of removal by the Supreme Court was wise and proper?

Mr. GOOD. That matter was not submitted to the House. There was some objection, I think by the gentleman from Virginia [Mr. MONTAGUE], and at that time, when I had charge of the bill, I was so anxious that it should become a law immediately that I was willing to withdraw that provision, and as I now recall I think it was not submitted to the House.

Mr. MONTAGUE. I did not know that my objection had so much influence with the gentleman.

Mr. GOOD. It was very persuasive, I assure the gentleman.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. WILLIAMS. Reverting now for a moment to a statement the gentleman made in respect to expenditures for the coming fiscal year, it is possible and very probable that we will pass a soldier's bonus bill this Congress; and, if so, in all probability it will amount to at least a billion dollars. In that event would not our expenditures in the coming fiscal year amount to about $5,000,000,000?

Mr. GOOD. I hope the gentleman will not get me started on the bonus question. I think this Congress could do nothing that would so undo all good results of budgetary legislation and all other economy measures that we have accomplished so completely as to pass bonus legislation.

Mr. WILLIAMS. If we should, and it amounted to a billion dollars, would not our expenditures amount to about $5,000,000,000 in the coming year?

Mr. GOOD. That depends on the kind of bonus bill Congress passes. The last figures I saw with regard to the bonus were to the effect that it would cost about $3,000,000,000 for the Army and $1,500,000,000 for the Navy. And I think the gentleman will agree that the Treasury is in no condition at this time to stand that kind of draft and will not be for years to come.

Under the laws now on the statute books, next year we will pay out for the soldiers of the last war and prior war more than $600,000,000, and when you stop to think of that the man who says we are doing nothing for the soldier speaks either ignorantly or maliciously, because never in all the world did a country take such good care of her soldiers as the United States is taking of the discharged soldiers of the late war. We will continue to do it, and the burden that is on us next year of more than $600,000,000 will continue to grow, and that is one of the reasons why we must have some legislation of this kind in order that we may save wherever we can. Mr. Chairman, I reserve the balance of my time. [Applause.]

Mr. LINEBERGER. Will the gentleman yield for a question?

Mr. GOOD. I will.

Mr. LINEBERGER. Is the object, then, therefore, to pass a budget bill in order to forestall any future bonus legislation?

Mr. GOOD. The budget bill has nothing to do with bonus legislation. It will create a condition so that bonus legislation can be enacted all the quicker, but I do not see how to enact such a law now.

The CHAIRMAN. The gentleman from Iowa reserves the balance of his time, four minutes.

Mr. BYRNS of Tennessee. Mr. Chairman [applause]——

The CHAIRMAN. The gentleman from Tennessee is recognized for one hour.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not believe that a more important piece of legislation has come before Congress in many years than that contained in the pending bill. I have had occasion a number of times heretofore to discuss budget legislation and it is not my purpose to enter into any general or extended discussion of it now. Members of the last Congress are entirely familiar with the provisions of the House bill, which is presented as a substitute for the Senate bill, for it differs in no important respect from the bill which was presented to the House at the last session and which passed, as I recall, by practically a unanimous vote. The Select Budget Committee at the last session held extended hearings and labored earnestly to prepare a bill which would prove workable and meet the demand for suitable budget legislation, and the Budget Committee of this Congress has carefully gone over the bill and believe that if it is enacted into law it will provide a more businesslike method of making appropriations and greater economy and efficiency in governmental expenditures.

We do not claim that the measure is perfect or that later on as it is put into practical operation it will not be found that further and perfecting amendments are necessary. No important measure can ever be said to be perfect when first passed. Perfection only comes through the process of evolution. Actual

experience must be relied on to show whether amendments are required to be added. And in this connection let me say that the final enactment of this legislation at this session will be of lasting credit to the distinguished gentleman from Iowa [Mr. GOOD], the chairman of the Committee on the Budget and also of the Appropriations Committee. Budget legislation has been ably advanced by many close students of Government economy and efficiency for many years, but it remained for the gentleman from Iowa, by his ability and his zeal, to lead the way and change the hope of a better and more scientific method of appropriating and expending the public money into an actual reality. And it is due him to say that to him more than any other one man, either in this or the other end of the Capitol, is due the credit for the presentation of this bill and the promise of early achievement of this long-sought legislation. We all regret that the gentleman is shortly to retire voluntarily from the Congress. His retirement will be a great loss to Congress and to the country. No one of the many great chairmen of the committee who preceded him made a greater record for economy and fidelity than has the gentleman from Iowa [applause], and this legislation, which means so much to our Government and which will be passed under his leadership, will be the crowning achievement of his highly useful legislative career.

We have reached a time, Mr. Chairman, when some relief must be given to an overtaxed and much-burdened people. There is a universal demand for economy and a reduction of taxes, which are proving disastrous not only to business in general but which are entering into the high cost of living in which we all have a part. For as the President said in his recent message, high taxes is one of the chief contributing causes to the high cost of living. It is not a party question, for both parties are pledged to the early enactment of a budget system. It was first recommended to Congress by President Taft, in the closing years of his administration, and was repeatedly urged by President Wilson and also by President Harding in his recent message. Before the late war Government expenditures had steadily increased year by year, due to the creation of new activities and other causes, until in 1916 the cost of Government was something over $1,100,000,000.

The war came on with all of its tremendous sacrifices and expenditures, leaving behind it a public debt of more than $24,000,000,000 with interest charges and sinking fund requirements of more than one million and a quarter of dollars annually. And despite all that has been or may be said, I predict that at the present rate of expenditures the total cost of government for the next fiscal year, three years after the signing of the armistice, will amount to more than $4,500,000,000.

I know in making this statement I am taking issue somewhat with the distinguished gentleman from Iowa, the chairman of the Committee on Appropriations, but as I look over the appropriations that have already been made for the next fiscal year, the reappropriations which are carried in the various bills of appropriations which have been passed for the next fiscal year, and the new commitments which have been made by the Congress, I believe that it can be safely said that at the end of the next fiscal year it will be found that the expenditures of this Government amount to at least $4,500,000,000 unless the Comgress does something it has not done heretofore and cease making new commitments entailing additional burdens upon the Treasury. And let me say that expenditures are not going to be reduced to any considerable extent in the future unless a more efficient and businesslike method is adopted of submitting estimates from the departments—one which will serve to fix a definite and direct responsibility on the Executive for the size and character of the requests for appropriations which are made to Congress. On account of the lax methods prevailing in the executive departments where the bureau chief usually makes up the estimates for the ensuing fiscal year for his own bureau and they are transmitted to Congress with little or no consideration or revision on the part of the Cabinet head of the department or the Executive, large and unnecessary amounts are frequently asked of Congress, which must act upon them with such information as it can secure through the hearings of witnesses who appear to boost and not to diminish the estimates. Every bureau chief, if he is worth his salt, is enthusiastic over his particular work and therefore inclined to exaggerate his importance when compared with other governmental activities, and hence Congress is frequently compelled to act in the dark on estimates which it knows perfectly well are too high. Then, too, the desire of departments to increase their importance and extend their jurisdiction has resulted in gradual encroachment on the work of other departments until duplications have grown up, which if cut out would save many millions of dollars annually. This tendency to duplicate work was increased by the old rule which permitted different committees to submit appropriation bills for different departments. Under the new rule placing all appropriations in one committee, duplications will be more easily discovered and done away with.

The Senate bill which is before us, and for which it is proposed to substitute the House bill, differs, as has been explained, principally in the fact that it places the jurisdiction of the budget bureau under the Secretary of the Treasury rather than under the President of the United States, and, for my part, I believe that if that provision of the Senate bill is enacted, that one of the two principal and best features of a budget law will be lost, because I believe that the President of the United States, who is directly responsible to the people, should be held responsible for the estimates submitted to the Congress. I believe that this budget bureau should be placed under him and this responsibility be placed upon him rather than a member of his Cabinet, who is appointive and who is not directly responsible to the people in any way. In addition to what has been stated, if this jurisdiction is placed in the Secretary of the Treasury and the Secretary of the Treasury is called upon to revise and reduce the estimates submitted by his fellow Cabinet members, you will have one of two results: If a difference arises between the Secretary of the Treasury and a Cabinet member, who is desirous of some large appropriation for some particular purpose, either the Secretary of the Treasury will yield his better judgment to the views of his fellow Cabinet member or you will provoke an antagonism in the Cabinet which will not be for the best interest of the whole Government. It seems to me highly important to place the jurisdiction and responsibility for sending the estimates to the Congress in the last instance with the President of the United States, who is directly responsible to the people and who will labor under no embarrassment in overruling the decisions of his Cabinet members.

The pending bill provides a bureau with a well-paid and competent force to advise the President and furnish him with information concerning the amount of money needed during the ensuing fiscal year. In this way he will be able to secure such information concerning the appropriations which are being asked for by the various departments as will enable him to revise and reduce them before they are actually transmitted to Congress. He has that power now, but he has not the force or machinery necessary to enable him to perform this service, so essential to proper economy. If given this force, the people will hold him strictly responsible for estimates forwarded to Congress, and if they are too large or extravagant, he can not escape criticism and condemnation at their hands. We can expect, therefore, that the estimates will come forward in the first instance greatly reduced from what they would have otherwise been, and Congress will no doubt continue to pursue its present policy and further reduce them. In addition to this, it provides for the transmission of estimates of anticipated revenues along with the estimates for expenditures, and Congress will get away from the old unbusinesslike method of making appropriations without regard to revenues and then passing the necessary tax laws to raise the revenue required to meet the expenditures.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes; I will yield.

Mr. HUDSPETH. As I understand my friend, he seems to be in favor of the President having the removal of this official under this bill?

Mr. BYRNS of Tennessee. No; on the contrary I am very much opposed to the President having the removal of the comptroller general to whom I presume the gentleman refers.

Mr. HUDSPETH. Yes.

Mr. BYRNS of Tennessee. I think that the power of controlling the expenditures should be under the Congress and under the Congress alone, and we can only secure that independent control of the appropriations made by the Congress by having an official who is directly responsible to the Congress and not responsible to the Executive for his tenure in office, and further than that——

Mr. HUDSPETH. I agree with my friend, but I fear that a part of the House—at least I, myself—misunderstood the gentleman's attitude a few moments ago.

Mr. BYRNS of Tennessee. Well, I am glad to set the gentleman right. The wonder of it is that a budget system was not passed 50 years ago. No private business could possibly survive if it followed the loose business methods of our Government, nor could our Government have escaped bankruptcy if it had not had an unlimited fund upon which to draw in the way of taxes upon the people.

This bill also provides for a direct control and audit of expenditures by the Congress rather than by the Executive. Heretofore each department has audited its own expenditures

through an auditor appointed by the executive for that department. We thus have the anomaly of the executive departments auditing their own expenditures. Such a practice is as foolish as it would be for a bank to permit its cashier to audit his own accounts. Let me say to the gentleman from Texas that under this bill the comptroller general, who must be appointed by the President and confirmed by the Senate, will audit the accounts and expenditures and make his report direct to Congress, and also advise Congress as to whether or not money appropriated by it is being expended for the purposes for which it was appropriated. And to relieve him from any possible duress or intimidation on the part of any executive head, he is to be appointed during good behavior and until he reaches the age of 70 years and can only be removed by a direct vote of Congress.

Mr. Chairman, I believe that a budget law will make for better economy and efficiency in public expenditures. It will make the Executive as well as the Congress directly responsible to the people for the size of the appropriations. If administered in the proper spirit, it can not help but bring about a great saving to the people and a reduction in expenditures, which, from the experience of this and the preceding year, it is quite evident will not take place to any great degree without it. And I wish to repeat in closing that in my judgment Congress can enact no more important legislation and render no greater service to the people than by passing a budget law, and I trust that this bill will pass without a dissenting vote. [Applause.]

Mr. Chairman, I will yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD]. How much time have I used, may I ask?

The CHAIRMAN. The gentleman has used 16 minutes.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, it seems to me if there is any one proposition upon which all Members of the House seem to have agreed—and I am sure it does meet with the concurrence of the desires of the taxpayers of the country—it is that if it is possible to do so, we should inaugurate a governmental system regulating the business affairs of our Government that will have a tendency to cut out a great deal of the unnecessary extravagance, duplications, and overlapping in the public services. As the gentleman from Tennessee [Mr. BYRNS] has said in his remarks, I am glad that the bill which is now presented for the consideration of the House does not present any possible partisan consideration. I am glad that the Select Committee on the Budget, after very long and careful examination, has agreed unanimously as to the wisdom of this bill and that it has been submitted for the consideration of the House by a unanimous vote of the Select Committee on the Budget. It may be that some Members on my side of the House may still seek to raise the objection raised by the President of the United States on June 4 last, when he vetoed the bill which had been passed by the House and Senate. It seems to me that at most that was a very doubtful question of constitutional construction. In view of the absolute urgency of some budgetary law to meet this demand for economy and saving in public expenditures it even seems to me that gentlemen who may have voted to sustain the President's veto in June last might see fit to waive that technical constitutional objection.

Personally I did not agree with the position taken by the President. This office of comptroller general which we are seeking to establish is not a constitutional one. It is clearly within the jurisdiction and province of the Congress to establish an office of this character, and it may be that without any constitutional restraint Congress itself could name the official to administer the law. But be that as it may, it is a safe provision to allow this man who is to perform the great duties of comptroller general to be absolutely free and independent of any restraint by Executive interference. If he is to exercise the functions of that office independently, if he is to carry out the will of Congress as proposed in this House bill, and protect the Treasury and interest of the taxpayers, he should be free and untrammeled from any sort of interference from any source.

There is one feature of the House bill, gentlemen, that has been argued by both the gentleman from Iowa [Mr. GOOD] and the gentleman from Tennessee [Mr. BYRNS] that makes it essentially a very different bill from that which was passed by the Senate, and that was the feature as provided in the House bill that the budget system shall be directly under the control and government of the President of the United States, instead of under the control of the Secretary of the Treasury, as provided in the Senate bill. That, I think, presents a fundamental difference between these two bills. The House committee is unanimous upon the proposition that our bill is a much wiser one upon that feature of the case, and I sincerely trust that the conferees upon the part of the House, when this bill shall go to conference, as it will, will insist until the last upon our provision and will not yield to the Senate's insistence that we should put the budget under the control of the Secretary of the Treasury instead of under the control and responsibility of the President of the United States, where, in our judgment, it should be.

I do not know what is going on in the party councils of the majority on this question. It seems to me that it is a rather complicated question from that standpoint. A statement was made by one in authority upon the floor of the Senate when this bill was up for discussion, that the Senate bill on that aspect of the case met with the concurrence of the President of the United States. I trust that is inaccurate information, for, in my judgment, gentlemen, if this budget system is to prove the success we hope to make it, I regard it absolutely essential that the President of the United States shall be primarily responsible for its execution and directly responsible to the people of the United States for the performance of that great duty.

I think that there is a possibility in this bill of accomplishing great reforms in the public expense. I believe that the joint committee that we appointed a few days ago, if it will carry out with courage and with determination the purpose for which it was appointed, will, at least for the immediate present, be able to accomplish more real economies than will the operation of the budget bill. Under the present system of administering the affairs of the Government, harking back to the proposition of this matter being under the control of the Secretary of the Treasury, under the existing law the Secretary of the Treasury has to make up all of the estimates in his Book of Estimates and submit to the Congress of the United States. Under the Senate bill he would still be largely clothed with that power, and unless we strip all of the Cabinet officers of any responsibility in this matter and leave it absolutely to the President of the United States, the human equation, gentlemen, is inevitably going to enter into the preparation of this budget.

I realize, of course, the close relations, the intimate relations, that exist between the President of the United States and the Members of his Cabinet, and it is a very hard matter for a President, however strong and resolute a man he may be, to resist the personal importunities of a Cabinet officer with reference to the enlargement of the activities of his bureau or for increase of the amount of estimates proposed to be expended under some particular Cabinet officer. But if we adopt the House bill and place the sole control and authority for this budget system directly and solely under the Chief Executive, he will then be in a position to say, and even to the members of his Cabinet, "Gentlemen, here the Congress of the United States in its anxiety to adopt a new system of retrenchment and economy has made me entirely responsible for the execution of this scheme and I propose to exercise that upon the report of the bureau of the budget, which has made an independent examination of the fiscal situation of the Government. Under the law they are directed to furnish me with the estimates of revenues and of necessary expenditures. I have the benefit of the advice of the budget bureau as provided by this bill, and I propose to administer it without any assistance or importunities even from members of my own official household."

Gentlemen, I think that the vital question that this Congress has got to determine upon this budget system is a decision between the Senate bill, on the question of putting it under the Treasury Department, and the House bill as we have unanimously reported it, in favor of putting it under the control of the President of the United States. The merits of the bill have been well argued by gentlemen who have preceded me. I have not had very long service as a member of this Budget Committee, but I desire to congratulate the other members of the committee for the very exhaustive examination they have made of this subject. If you will read the hearings, or if you have read the hearings, you will see that they have examined men from all stations of life who might probably throw light upon this great question and who might give intelligent and helpful advice to the Congress of the United States touching it; and I think this committee has prepared an excellent bill, as good a bill as could be prepared under the circumstances, with the conflicting views that obtain upon it. And I trust the House of Representatives will adhere to the House bill and insist upon its passage in substantially the same form as that in which it is now presented to this body. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I ask that the Clerk read in my time a brief press dispatch clipped from the Galveston News.

The Clerk read as follows:

FLAT CARS EARN REVENUE OF $350 PER DAY EACH.

(Special to the News.)

PALESTINE, TEX., *April 27.*

The Michigan-Texas Oil Co. received two cars of drilling machinery to-day to enable them to deepen their well at Jarvis. This is the heaviest rig ever shipped to this section, capable of drilling 5,000 feet.

The rig was shipped from a point 40 miles east of Shreveport, and the freight on the two cars amounted to nearly $1,400. Only a few years ago a similar shipment would have cost less than $300. Two flat cars, two days on the road, producing a revenue of $350 per day for each car has caused a great deal of comment here.

Mr. MANSFIELD. Mr. Chairman and gentlemen of the committee, I will state that when this budget bill was before the Congress it was my judgment at that time that it should be enacted. So believing, I voted for it, and after it had been vetoed by the President I voted to carry the measure over his veto. I know of no fact or circumstance that has since occurred that would cause me to change my mind upon the question, notwithstanding I have great regard for the judgment of the President who then vetoed the measure.

I believe, gentlemen, that three of the greatest needs appealing to the Congress to-day are, first, a reduction of the expenses of the departments of the Government; second, reduction in armament and the cost of the Army and the Navy; third, a very material reduction in railroad rates, the necessity for which will be seen from the press dispatch which has just been read. [Applause.]

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman from Texas yields back the remainder of his time.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. SISSON].

The CHAIRMAN. The gentleman from Mississippi is recognized for five minutes.

Mr. SISSON. Mr. Chairman, I was greatly disappointed in the last session of Congress when this bill received the presidential veto. I did not believe then and I do not believe now that the grounds upon which the President vetoed the bill were tenable at all. Of course, no man can tell just what the Supreme Court is going to do with any matter that has never been before the court before.

Mr. Gladstone did a great many things for which the people of England loved him, but he did not do anything which he himself thought was of more benefit to the English people than when he secured a budget system for the English Government. That was quite a reformation, and was one of the measures which Mr. Gladstone always pointed to with pride.

In my judgment, this piece of legislation, if properly handled and properly administered, will result in more real good, so far as business administration is concerned, than any bill that you could pass.

I quite agree with the gentleman from Tennessee [Mr. BYRNS] when he said that no important piece of legislation is ever perfect, as a rule, when first enacted into law. Experience alone will determine whether it is just exactly what we expect or not. But the general fundamental principle that underlies this bill is sound, and that is that the body that appropriates the money shall have something to do with the expenditure of the money.

Now, under the present system we appropriate vast sums of money, but after the appropriations leave Congress the only safeguards that we have around these appropriations as to the manner of their expenditure are some very complicated laws for the purpose of preventing embezzlement. On the other hand the English Government undertakes by their system—which perhaps is more extensive and a better system than this will be immediately—not only to check up all the expenditures and formulate the budget, which is the basis of the legislation in relation to appropriations, but the English system follows up the expenditure of the money and sees to it that the money is expended for the purpose for which it is appropriated and is expended in the manner that is satisfactory to those who appropriated it.

Now, under this system it becomes the peculiar duty of the President of the United States to make up the estimates for submission to Congress, and after the budget shall have been passed it becomes his peculiar duty also to see that the law is carried out in good faith. But the real strength of the bill lies in the fact that the office of the Comptroller of the Treasury having been abolished, the director general provided for in this bill is not responsible to any Cabinet officer, is not responsible even to the President of the United States in his incumbency in office, but his tenure depends upon removal by an act of Congress. Therefore it would be supremely his duty to see that the law is properly administered, to see that the proper economies are practiced. He would have no dread and no fear of any Cabinet officer, and no fear of the President of the United States, who is the head of the Cabinet, and there would be absolutely no differences, I imagine, between the President and the director general, because, in the first instance, the director general is to be selected by the President of the United States, and if he is selected properly and the President chooses a man of recognized ability, in my judgment, the President of the United States will soon be working in harmony with this individual, because the Congress of the United States will have virtual control of this appointment, and——

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SISSON. I would like half a minute in which to finish this sentence.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield the gentleman two minutes more.

The CHAIRMAN. The gentleman from Mississippi is recognized for two minutes more.

Mr. SISSON. The Congress of the United States will have absolute control of the man's destiny in office. The result will be, in my judgment, that, becoming independent, he will necessarily take great pride, if he is a man of character, in administering the laws in such manner that the people of the country will find cause to praise what he has done. That, as a general rule, is the motive power that prompts all good men to do their duty; a man wants not only the approval of his own conscience for having done right, but he wants the approval of his fellows. Under the present system the only man who has been independent or who has exercised any independence has been the Comptroller of the Treasury, and even he is a man whose destiny in office is dependent on the Treasury Department. But as to the Comptroller of the Treasury, I have not heard of anyone reflecting on his honesty or his integrity, and he has no control over the expenditure of the public money, except to see that the expenditure is for the purpose for which the money is appropriated. But under this new system the director general of the budget has not only a great deal to do with the making of this budget, but he also sends the budget to Congress, and after it is passed it is his duty to see that the executive departments expend the money for the purposes for which Congress has appropriated it and to see that it is economically and wisely expended. It goes to a great extent toward establishing control by him, which has brought about such economies in the conduct of the English Government.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Arizona [Mr. HAYDEN].

The CHAIRMAN. The gentleman from Arizona is recognized for 10 minutes.

Mr. HAYDEN. Mr. Chairman, the supreme virtue of this bill is that it compels the Executive to consider revenues in connection with expenditures. Heretofore when the heads of departments wanted money for what appeared to them to be a good purpose they submitted estimates to Congress, with little or no consideration of the amount of money in the Treasury or with what difficulty the sums to be expended were to be raised from the pockets of the American taxpayers. If the enactment of this legislation results in nothing more than a better organized and better justified series of estimates, this bill is worthy of our support. The mere fact that under its terms those who have no direct interest in expenditures are given authority to criticize and revise the requests for appropriations made by the various departments should result in some economy in the administration of the Government. But no one who stops to think will say that having required the President to state the probable national income and to recommend the items of disbursement we should stop with that and call the reform completed. This bill is a step in the right direction, but it is only the first step.

Let us inquire what will happen to the executive budget when it comes to Congress. Will it be referred for consideration and action to committees of the House and Senate that are authorized under the rules to consider both revenues and expenditures? Such will not be the fact. Until the last session of Congress there were eight appropriating committees in the House whose duty it was to report bills for the support of the various activities of the Government. Chief among these was the Committee on Appropriations, and then the Committees on Agriculture, Military Affairs, Naval Affairs, Foreign Affairs, the Post Office and Post Roads, Rivers and Harbors, and Indian Affairs.

Originally there was but one committee which had full authority to consider both revenues and expenditures. From the beginning of the Government of the United States until 1865 the Committee on Ways and Means of the House of Representa-

tives had complete and original jurisdiction of bills providing for the money to be raised by taxation and of bills allotting the money to be expended by appropriations. During the Civil War, under the plea that the pressure of public business required it, the duties of that committee were divided and a new Committee on Appropriations was created, and thereafter questions of revenue and expenditure have been separately considered in this House by different bodies of the membership.

In 1880 jurisdiction over appropriation bills relating to the Department of Agriculture was taken from the Committee on Appropriations. Jurisdiction over appropriations for the Army, the Navy, Indian affairs, the Diplomatic and Consular Service, the Post Office Department, and rivers and harbors was given to separate committees in 1885. The reasons for this revolution in the procedure of the House I have not the time to discuss, but the Committee on Appropriations was shorn of a large part of its power, just as it will be again if the great majority of the Members, who do not belong to that committee, are given similar provocation.

In the last Congress a rule was adopted which consolidated all the authority to report appropriation bills in one committee. To accomplish this reversal to the procedure of the House which was in effect between 1865 and 1880 the persuasive argument was made that we were to have an executive budget which could best be considered, as a whole, by the Committee on Appropriations. Such reasoning, in my opinion, is unsound because when the budget comes to the House from the President it will be referred to a committee which considers merely expenditures and not revenues. If we are to seek economy by such a method the logical way to proceed is to also abolish the Committee on Appropriations and return completely to the plan devised by those who founded this Government and have but one committee to consider the entire scope of the budget, the Committee on Ways and Means.

When the budget has been considered by the House it will go to another body and there be divided up among various appropriating committees, similar to the method recently in vogue in this House. It is true that in that body they have some mild rules, but senatorial courtesy prevails and consequently the rules are very rarely enforced. Any item of expenditure that it may please the Senate to add, or that may be desired by any aggressive Member of that body, is easily included in the appropriation bills. Economy, which is the sole purpose for having a budget, will quickly be forgotten and the Senators will "bring home the bacon."

All the powers of this Government are divided between the executive, legislative, and judicial branches, and one branch of the Government can not interfere with the powers of another. That is why we are now creating an executive budget.

Let us also have a legislative budget. Let there be a committee on the budget, a joint committee of the House and Senate, and let its findings be binding upon both bodies. It is only by the creation of such a committee that there can be any real reduction in governmental expenditures. This House may sincerely attempt to practice economy and reduce expenditures by consolidating the authority to make appropriations into one committee, but when the appropriation bills go over to another body where legislation involving heavy commitments may be added, where items of appropriation may be indefinitely increased, without any regard for the President's budget except its mere moral effect, the actual results are sure to be most disappointing.

It is unfair to complain without offering a remedy, and therefore I propose the creation of a joint committee on the budget made up of members of the committees in the House and the committees in the Senate that have directly to do with the activities for the several departments of the Government. The budget as it comes from the President should be referred to that committee, and let the joint committee report a concurrent resolution to the House and the Senate, fixing the total amount to be appropriated during the ensuing fiscal year for the Army, for the Navy, for Indian affairs, for the sundry civil expenses of the Government, and so on. There could then be no possible danger in referring appropriate items of the budget to the committees of the House and Senate that know best how to appropriate for these various activities of the Government. The committees should not have authority to report bills in excess of the total amount allotted for a particular purpose.

For instance, if it is determined by the Senate and House that $500,000,000 shall be allotted to the War Department for the next fiscal year, in my judgment the Committees on Military Affairs of the House and Senate are better qualified to allocate that sum of money properly among the various activities of the War Department than a subcommittee composed of five members of the Committee on Appropriations. If such a plan is not adopted, when the Army bill goes over to the Senate it will be referred to the members of the Committee on Military Affairs of that body, with no limit but the sky to restrain them. But where the House and the Senate have in advance agreed upon a fixed sum to be expended during the next fiscal year for the support of the Army, and when it is not allowable for the House Committee on Military Affairs to report out a bill carrying more than that amount, or for an amendment to be adopted on the floor of the House to increase the sums carried in the bill above that amount, then when the bill went to the Senate that body could not add to the total agreed upon by the two Houses in a concurrent resolution. We would by this means reach the practical result that the only way that changes could be made would be to take out of one part of the bill that which had been proposed for one purpose and transfer a like sum to another item in the bill.

The adoption of such a plan would result in a real legislative budget. Until that is done all of the talk about the beneficial effect that is to come from the enactment of budgetary legislation will amount to nothing more than talk. The executive budget can have nothing but a moral effect upon the House and Senate, for it will have no binding force whatever. There will be no agreement that the appropriations shall be limited to the amount estimated by the President. There will be no agreement that when an appropriation bill passes the House the Senate shall be in any way restrained in adding to the sums of money which are to be appropriated.

Now is the opportune time to make the reform complete. The first step has been taken. We are enacting a bill to provide for what we all believe to be an excellent executive budget system. Let us proceed to consider a legislative budget plan that will further materially reduce the expenditures of the Government by compelling those in authority in the House and the Senate to get together and consider revenues and expenditures at the same time. We can then say, "Having so much money as the total income of the Government, we can afford to allot only so much to this activity and only so much to that." Otherwise, each subcommittee of the Committee on Appropriations, or each committee of the Senate, as the case may be, will seek to secure all that they can for the particular branch of the Government in which they are interested. Instead of looking at the problem as a whole through a complete estimate of the revenues and expenditures, we merely sit here as sharpshooters attacking individual items in appropriation bills. Nobody considers the subject in its entirety. No report is made to the American people, which they can consider and discuss prior to the enactment of legislation by Congress.

It is true that the chairman of the Committee on Appropriations at the end of a session will report that so much money has been expended, and the chairman of the Committee on Ways and Means will estimate what the revenue will be from some bill which he has reported to the House. But they do not work together, and no such estimate is made before the money is appropriated. Let us devise some scheme whereby we can consider the business of the Government as a whole, as any business man would do, who first ascertains the total amount of his income and then decides how to expend his money.

I offer these suggestions for the consideration of the House, because I believe that the American people can not long be deluded into the belief that Congress is making any substantial reduction in expenditures by the adoption of an executive budget without placing the slightest control over the House and Senate in appropriating the money of the people of the United States. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYDEN. With the permission of the committee I shall print in the RECORD two resolutions that I have to-day introduced, which, if adopted, will carry into effect the ideas that I have just submitted.

The resolutions are as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be a Joint Committee on the Budget consisting of 21 Members of the Senate and 21 Members of the House of Representatives, to which shall be referred the budget and all other estimates of expenditures and appropriations when transmitted to Congress.

SEC. 2. That the Joint Committee on the Budget shall have power to report concurrent resolutions fixing the total sums which may be appropriated during the then session of Congress for the following purposes: The Military Establishment; the naval service; the service of the Post Office Department; the service of the Department of Agriculture; the Diplomatic and Consular Service; the Indian Service; the expenses of the government of the District of Columbia; the payment of pensions; the construction, repair, and preservation of public works; the legislative, executive, and judicial expenses of the Government; the sundry civil expenses of the Government; to supply deficiencies in appropriations; and for all other purposes.

SEC. 3. That when any such concurrent resolution has been adopted by the Senate and the House of Representatives, the total sum appropriated for any of the above-named purposes for any fiscal year shall not

exceed the amounts as thus fixed unless the Senate and House of Representatives shall otherwise order by a concurrent resolution reported from the Joint Committee on the Budget.

Resolved, That House resolution 324, adopted on June 1, 1920, is hereby repealed and the rules of the House of Representatives shall be as they were prior to the adoption of said resolution.

SEC. 2. That upon the adoption of a concurrent resolution fixing the several maximum sums that may be appropriated for the support of the various activities of the Government during the then session of Congress, the several items of the budget or other estimates of expenditures and appropriations shall be referred to the committees having jurisdiction thereof. No committee shall report appropriations in excess of the maximum sum authorized by such concurrent resolution, and no amendment shall be in order the effect of which would be to cause such maximum sum to be exceeded unless such amendment shall also provide for the reduction of another item or items of appropriation to an extent that such maximum sum will not be exceeded.

Mr. BYRNS of Tennessee. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. BYRNS of Tennessee. I yield 10 minutes to the gentleman from Texas [Mr. CONNALLY].

Mr. CONNALLY of Texas. Mr. Chairman, when this bill was presented in the Sixty-sixth Congress, I, like many other Members of the House, was favorable to the measure and supported it. When the President vetoed the act on the ground that it was unconstitutional in that the power of removal of officers therein created was denied to the President and conferred on Congress, I made such hasty examination of the question as time permitted and voted to sustain the veto. A somewhat closer study of the precedents and authorities has confirmed me in the belief that that part of the bill ought to be amended so as to remove any probable constitutional objections that might in the future hamper its successful operation.

The gentleman from Iowa in discussing the bill took up the constitutional phase of the question and cited a number of court decisions, holding in his hand a brief, prepared like most briefs, to support the particular side of the case in which the gentleman who prepared it was interested.

Let me direct the attention of the committee to the language in section 303 of the bill:

SEC. 303. The comptroller general and the assistant comptroller general shall hold office during good behavior, but may be removed at any time by concurrent resolution of Congress after notice and hearing, when, in their judgment, the comptroller general or assistant comptroller general has been inefficient, or guilty of neglect of duty, or of malfeasance in office, or of any felony or conduct involving moral turpitude, and for no other cause and in no other manner except by impeachment. Any comptroller general or assistant comptroller general removed in the manner herein provided shall be ineligible for reappointment to that office. When a comptroller general or assistant comptroller general attains the age of 70 years, he shall be retired from his office.

It will be noted that not only is removal of any kind denied to the President, but Congress, in addition to removal by impeachment, invests itself with the power of removal by resolution.

Gentlemen of the committee will recall that Article II, section 1, of the Constitution provides:

SECTION 1. The executive power shall be vested in a President of the United States of America. * * *

Article II, section 2, contains the following:

And he shall nominate and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

Mr. Chairman and gentlemen, the question as to where under the Constitution the power of removal from executive offices rests is not a new one. It has heretofore frequently been the subject of debate. It was, perhaps, first raised in Congress on June 16, 1789, when the Constitution was still young. On that date there was pending in the House of Representatives a bill to establish an executive department to be denominated the department of foreign affairs.

Among the provisions of the bill was one as follows: "To be removable from office by the President of the United States." A motion was made to strike out this language upon the theory that, since the secretary, the head of the department being created, was to be appointed by the President, "by and with the advice and consent of the Senate," the power of removal being inherent in the appointing power should rest with the President and the Senate. There were only two theories advanced that obtained any following. One was that the President by reason of the possession of the appointive and executive power thereby had the power to remove officers. The other contention was that since the appointment was in the President, "by and with the advice and consent of the Senate," to remove an officer the President must have the concurrence of the Senate.

Indeed, it was contended by the gentleman from South Carolina, Mr. Smith, that there was no method of removal than by impeachment. After a long and learned debate the House of Representatives upheld the view maintained so ably by Mr. Madison, that the executive power conferred in Article II, section 1, of the Constitution, together with the appointing or nominating power, vested the power in the President to remove an executive officer.

I shall not go into details with relation to the debate, but with the permission of the House shall place a portion of the debate in the RECORD. Many distinguished men, some of whom had sat in the Constitutional Convention, took an active part. Messrs. Sherman, White, Gerry, Page, and Livermore (N. H.) contended with much force and learning that the power of removal under the Constitution rested in the Senate and the President, as did the power of appointment.

Mr. Sherman, among other things, urged the following:

I consider it as an established principle that the power which appoints can also remove, unless there are express exceptions made. Now, the power which appoints the judges can not displace them, because there is a constitutional restriction in their favor; otherwise, the President, by and with the advice and consent of the Senate, being the power which appointed them, would be sufficient to remove them. This is the construction in England, where the King had the power of appointing judges; it was declared to be during pleasure, and they might be removed when the monarch thought proper. It is a general principle in law, as well as reason, that there should be the same authority to remove as to establish. It is so in legislation, where the several branches whose concurrence was necessary to pass a law, must concur in repealing it. Just so I take it to be in cases of appointment; and the President alone may remove when he alone appoints, as in the case of inferior offices to be established by law.

Mr. Elbridge Gerry in an exhaustive argument observed:

The second question which I propose to examine is to whom the power of removal is committed. The gentlemen in favor of this clause have not shown that, if the construction that the power vests in the President and Senate is admitted, it will be an improper construction. I call on gentlemen to point out the impropriety, if they discover any. To me it appears to preserve the unity of the several clauses of the Constitution, while their construction produces a clashing of powers and renders of none effect some powers the Senate by express grants possesses. What becomes of their power of appointing when the President can remove at discretion? Their power of judging is rendered vain by the President's dismission, for the power of judging implies the power of dismissing, which will be totally insignificant in its operation, if the President can immediately dismiss an officer whom they have judged and declared innocent.

The other contention that removal belonged to the President was urged with great ability and much learning by Madison, Sedgwick, Ames, Clymer, Benson, Boudinot, Hartley, and others.

Mr. Ames in urging the necessity that the power of removal should vest in the President expressed himself as follows:

But in order that he may be responsible to his country he must have a choice in selecting his assistants, a control over them, with power to remove them when he finds the qualifications which induced their appointment cease to exist.

He further, in support of the view that the power of removal of executive officers resided in the President, said:

But it will, I say, be admitted that an officer may be removed. The question then is, By whom? Some gentlemen say by the President alone, and others by the President by and with the advice of the Senate. By the advocates of the latter mode it is alleged that the Constitution is in the way of the power of removal being by the President alone. If this is absolutely the case, there is an end to all further inquiry. But before we suffer this to be considered an insuperable impediment we ought to be clear that the Constitution prohibits him the exercise of what, on a first view, appears to be a power incident to the executive branch of the Government. The gentleman from Virginia [Mr. Madison] has made so many observations to evince the constitutionality of the clause that it is unnecessary to go over the ground again.

The reasons supporting such a view were pointed out by Mr. Sedgwick, as follows:

It has been said that there is danger of this power being abused if exercised by one man. Certainly the danger is as great with respect to the Senate, who are assembled from various parts of the continent, with different impressions and opinions. It appears to me that such a body is more likely to misuse this power than the man whom the united voice of America calls to the presidential chair. As the nature of the Government requires the power of removal, I think it is to be exercised in this way by a hand capable of exerting itself with effect, and the power must be conferred on the President by the Constitution as the executive officer of the Government.

However, perhaps the most exhaustive and illuminating exposition of the principles governing the construction of the Constitution was made by Mr. Madison, who had sat in the Constitutional Convention and who perhaps had had a larger share in its making and had given greater attention to the debates and proceedings of the convention than any other one man. With great clearness he discussed the question as to whether the power of removal belonged to the Government, but had been left in an uncertain state by the Constitution as to where it rested, as well as the propriety in such a case of the Congress

undertaking to exercise the power whose lodgment had thus been rendered uncertain.

Among the propositions laid down by Mr. Madison were the following:

The Constitution affirms that the executive power shall be vested in the President. Are there exceptions to this proposition? Yes; there are. The Constitution says that, in appointing to office, the Senate shall be associated with the President, unless in the case of inferior officers, when the law shall otherwise direct. Have we a right to extend this exception? I believe not. If the Constitution has invested all executive power in the President, I venture to assert that the legislature has no right to diminish or modify his executive authority.

The question now resolves itself into this: Is the power of displacing an executive power? I conceive that, if any power whatsoever is in its nature executive, it is the power of appointing, overseeing, and controlling those who execute the laws. If the Constitution had not qualified the power of the President in appointing to office by associating the Senate with him in that business, would it not be clear that he would have the right, by virtue of his executive power, to make such appointment? Should we be authorized, in defiance of that clause in the Constitution, "The executive power shall be vested in a President," to unite the Senate with the President in the appointment to office? I conceive not. If it is admitted we should not be authorized to do this, I think it may be disputed whether we have a right to associate them in removing persons from office, the one power being as much of an executive nature as the other; and the first only is authorized by being excepted out of the general rule established by the Constitution in these words, "The executive power shall be vested in the President."

The judicial power is vested in a Supreme Court; but will gentlemen say the judicial power can be placed elsewhere unless the Constitution has made an exception? The Constitution justifies the Senate in exercising a judiciary power in determining on impeachments. But can the judicial powers be further blended with the powers of that body? They can not. I therefore say it is incontrovertible, if neither the legislative nor judicial powers are subjected to qualifications other than those demanded by the Constitution, that the executive powers are equally unabatable as either of the other; and inasmuch as the power of removal is of an executive nature and not affected by any constitutional exception it is beyond the reach of the legislative body.

To an able argument by Roger Sherman, Mr. Madison replied:

The gentleman from Connecticut [Mr. Sherman] has advanced a doctrine which was not touched upon before. He seems to think—if I understood him right—that the power of displacing from office is subject to legislative discretion, because, it having a right to create, it may limit or modify, as is thought proper. I shall not say but at first view this doctrine may seem to have some plausibility. But when I consider that the Constitution clearly intended to maintain a marked distinction between the legislative, executive, and judicial powers of government, and when I consider that, if the legislature has a power such as contended for, they may subject and transfer at discretion powers from one department of government to another; they may, on that principle, exclude the President altogether from exercising any authority in the removal of officers; they may give it to the Senate alone or the President and Senate combined; they may vest it in the whole Congress, or they may reserve it to be exercised by this House. When I consider the consequences of this doctrine and compare them with the true principles of the Constitution I own that I can not subscribe to it.

In further refuting the view urged by those holding a contrary view he said:

But there is another part of the Constitution which inclines, in my judgment, to favor the construction I put upon it; the President is required to take care that the laws be faithfully executed. If the duty to see the laws faithfully executed be required at the hands of the Executive magistrate, it would seem that it was generally intended he should have that species of power which is necessary to accomplish that end.

Now, if the officer, when once appointed, is not to depend upon the President for his official existence, but upon a distinct body—for where there are two negatives required either can prevent the removal—I confess I do not see how the President can take care that the laws be faithfully executed. * * * If the President should possess alone the power of removal from office, those who are employed in the execution of the law will be in their proper situation and the chain of dependence be preserved; the lowest officer, the middle grade, and the highest will depend, as they ought, on the President, and the President on the community. * * * My conclusion from these reflections is that it will be constitutional to retain the clause; that it expresses the meaning of the Constitution as it must be established by fair construction, and a construction which, upon the whole, not only consists with liberty but is more favorable to it than any one of the interpretations that have been proposed.

Mr. Gerry, though holding to the view that the power of removal was vested in the President and the Senate, contended that the House of Representatives could have no part in the exercise of the power of removal in the following language:

It appears very clear to me that, however this power may be distributed by the Constitution, the House of Representatives have nothing to do with it. Why, then, should we interfere in the business?

Upon a final vote the language proposed to be stricken out was retained by a vote of 20 ayes to 34 nays. (Elliott's Debates, Vol. IV, p. 404.)

From that time until the present it seems to have been admitted, with practical unanimity, that in the case of "officers of the United States" other than "inferior officers" the President possessed the power of removal at will. This contention has been based upon two grounds: First, the express grant of the Constitution vesting the "executive" power in the President, and that the removal of executive officers is an exercise of an executive function; second, the doctrine that the power of removal is an incident to the power of appointment.

On the other hand, there is much authority to sustain the view that in the case of "inferior officers" created by statute Congress may "limit or restrict the power of removal" as it deems best for the public interest.

Where is the boundary line between these two classes of officers?

The Supreme Court has defined the term "officers of the United States" in the case of The United States *v.* Germaine (99 U. S., 509, 510). Mr. Justice Miller, in delivering the opinion of the court, said:

The Constitution for purposes of appointment very clearly divides all of its officers into two classes. The primary class requires a nomination by the President and confirmation by the Senate. But foreseeing that when officers became numerous, and sudden removals necessary, this mode might be inconvenient, it was provided that in regard to officers inferior to those specially mentioned Congress might by law vest their appointment in the President alone, in the courts of law, or in the heads of departments. That all persons who can be said to hold an office under the Government about to be established under the Constitution were intended to be included within one or the other of these modes of appointment there can be but little doubt.

This doctrine was confirmed in United States *v.* Mouat (124 U. S., 307), Mr. Justice Miller again delivering the opinion of the court in the following language:

What is necessary to constitute a person an officer of the United States in any of the various branches of its service has been very fully considered by this court in United States *v.* Germaine. In that case it was distinctly pointed out that under the Constitution of the United States all its officers were appointed by the President, by and with the consent of the Senate, or by a court of law or the head of a department, and the heads of the departments were defined in that opinion to be what are now called the members of the Cabinet. Unless a person in the service of the Government, therefore, holds his place by virtue of an appointment by the President or of one of the courts of justice or heads of departments authorized to make such an appointment he is not, strictly speaking, an officer of the United States.

The comptroller general, created by the act under consideration, is invested with large powers and responsibility. He is to be a great officer of state. Section 301 of the bill provides:

SEC. 301. That there is created an establishment of the Government to be known as the general accounting office, which shall be independent of the executive departments and under the control and direction of the comptroller general of the United States.

He is to receive a salary of $10,000. He is to hold office practically for life. He can not be removed by the President. He is independent of the executive departments. He is to be the head of "an establishment of the Government."

"Inferior" is a relative term and implies the existence of a "superior." Wherein is the comptroller general to be "inferior"? He has no "superior" in his establishment and is independent of all other departments. If inferiority exists, it can be found only in the fact that the office is the creature of an act of Congress and is inferior to its creator, or in the possibility that through fear of removal by resolution of Congress the holder of the office may make it "inferior." Unless it falls within the class denominated "inferior" all admit that the power of removal rests in the Executive. The Supreme Court has never decided the precise question because, as is said by an authority:

The point has never been squarely passed upon by the court, since Congress has never attempted to regulate the appointment to any but distinctively subordinate and inferior positions. Should it attempt to determine by law the appointment of heads of the great departments, or even of the heads of bureaus and divisions and commissions, or even of important local officers, such as revenue officers or postmasters in the larger cities, the constitutionality of the law would undoubtedly be subjected to judicial examination. (Willoughby on the Constitution, Vol. II, pp. 1175–1176.)

As to the removal of "inferior" officers, however, the Supreme Court has repeatedly announced the doctrine that controls.

In Ex parte Hennen (13 Peters, 230) there was before the court a case in which a clerk of a United States district court had been removed by the judge, in order to make way for a friend of the judge. No assertion was made that the officer removed was in anywise derelict in duty. The court said:

All offices the tenure of which is not fixed by the Constitution or limited by law must be held during good behavior, or (which is the same thing in contemplation of law) during the life of the incumbent; or must he be held at the will and discretion of some department of the Government, and subject to removal at pleasure. * * * In the absence of all constitutional provision or statutory regulation it would seem to be a sound and necessary rule to consider the power of removal as incident to the power of appointment (p. 259).

The clerk was clearly an inferior officer. He had been appointed by the court under a statute vesting the power of appointments "in the courts of law." No restriction or limitation had been placed on the appointment or removal. The court correctly held that the power to remove was incidental to the power to appoint.

The gentleman from Iowa [Mr. GOOD] has referred to the case of Shurtleff *v.* United States (189 U. S., 311) in support of his position.

Shurtleff held the office of general appraiser of merchandise, and although the statute specified certain causes for which he might be removed from office he was nevertheless removed

from office by the President without reference to these causes. The court, among other things, said:

We assume, for the purposes of this case only, that Congress could attach such conditions to the removal of an officer appointed under this statute as it might seem proper, and therefore that it could provide that the officer should only be removed for the causes stated and for no other, and after notice and an opportunity for a hearing (p. 314).

It can not now be doubted that in the absence of constitutional or statutory provision the President can by virtue of his general power of appointment remove an officer, even though appointed by and with the advice and consent of the Senate (p. 315).

In referring to the opinion in the case of Blake *v.* United States (103 U. S., 227), in which, although there may have been some doubt, the power of the President to remove, under a certain act, was upheld, the court said:

This indicated the tendency of the court to require explicit language to that effect before holding the power of the President to have been taken away by an act of Congress (p. 315).

And further:

The right of removal would exist if the statute had not contained a word upon the subject. It does not exist by virtue of the grant but it inheres in the right to appoint, unless limited by Constitution or statute. It requires plain language to take it away (p. 316). The right of removal, as we have already remarked, would exist as inherent in the power of appointment unless taken away in plain and unambiguous language (p. 318). * * *

In considering this case it must be borne in mind that Congress had not undertaken to absolutely deprive the President of all power of removal. The act had undertaken to "limit" or "restrict" the power of removal for cause. The power to "limit" or "restrict" does not imply the power to "destroy." Had Congress in the Shurtleff case deprived the President of all power of removal and had the court upheld that action, the decision would furnish no authority for Congress not only to take from the President but to appropriate to itself the power of removal by resolution as is proposed in section 303.

It is proper that the House should be in possession of other decisions of a similar nature, and with its indulgence I shall refer briefly to them.

In United States *v.* Perkins (116 U. S., 483), the court said:

Whether or not Congress can restrict the power of removal incident to the power of appointment of those officers who are appointed by the President, by and with the advice and consent of the Senate, under the authority of the Constitution, does not arise in this case and need not be considered.

We have no doubt that when Congress, by law, vests the appointment of inferior officers in the heads of departments, it may limit and restrict the power of removal as it deems best for the public interest. The constitutional authority in Congress to thus vest the appointment implies authority to limit, restrict, and regulate the removal by such laws as Congress may enact in relation to the officers so appointed.

The head of a department has no constitutional prerogative of appointment to offices independently of the legislation of Congress, and by such legislation he must be governed not only in making appointments but in all that is incident thereto.

In Parsons *v.* United States (167 U. S., 324), the facts were that the President had removed from office a district attorney before the expiration of the latter's four-year term of office and the Senate confirmed the new appointee. Parsons contended that this action was illegal. The court took the view that this would leave impeachment as the only remedy, and further said:

This could never have been the intention of Congress. On the contrary, we are satisfied that its intention in the repeal of the tenure of office section of the Revised Statutes was again to concede to the President the power of removal if taken away from him by the original tenure of office act, and by reason of the repeal to thereby enable him to remove an officer when in his discretion he regards it for the public good, although the term of office may have been limited by the words of the statute creating the office. This purpose is accomplished by the construction we give to section 769, while the other construction turns a statute meant to enlarge the power of the President into one circumscribing and limiting it more than it was under the law which was repealed for the very purpose of enlarging it (p. 343).

In Reagan *v.* United States (182 U. S., 419), the court in classifying United States Commissioners, appointed under act of Congress by the United States court for Indian Territory, as "inferior" officers said:

The commissioners hold office neither for life, nor for any specified time, and are within the rule which treats the power of removal as incident to the power of appointment, unless otherwise provided. The court also said that "where causes of removal are specified by Constitution or statute, as also where the term of office is for a fixed period, notice and hearing are essential. If there were not, the appointing power could remove at pleasure or for such causes as it deemed sufficient" (pp. 425, 426).

From an examination of the authorities mentioned, and they are practically all that are available, the following conclusions may be fairly deduced:

1. Primary officers appointed by the President with the concurrence of the Senate may be removed by the President at will.

2. In all cases the power of removal is incident to the power of appointment, in the absence of constitutional or statutory limitation or restriction. By "statutory" limitation is meant such "statutory" limitation as Congress is authorized by the Constitution to make.

3. That Congress may create inferior officers and vest their appointment in "the President alone, the courts of law, or in the heads of departments." The Constitution does not expressly authorize Congress to vest the appointment elsewhere.

4. In creating inferior officers Congress may, within its constitutional authority, limit or restrict the power of removal as it deems best for the public service.

The language of the bill seems to treat the comptroller general as a primary officer, not only because of his broad powers but because his appointment is vested in the President "by and with the advice and consent of the Senate." The appointment is not lodged "in the President, in the courts of law, or in the heads of the departments." If he is a primary officer it is conceded that he is subject to Executive removal.

However, let it be assumed that he is an inferior officer. In squaring his appointment and removal with the deductions already adverted to, we are met at the outset with the doctrine that the power to remove is an incident of the power of appointment. If that is true then it necessarily follows that the power of removal rests in the Executive. However, it is urged with much force and cogency that Congress may "limit" or "restrict" the exercise of the power. We shall agree. Congress may limit or restrict, but it can not take away. It must not be forgotten in this connection that in no decision of the Supreme Court upon which the right to limit or restrict removal is based did Congress undertake to deprive the appointing power of the right of removal entirely. One was that of a customs official removed by the President, another of a district attorney, both appointed by the President. Another was a clerk of a court appointed and removed by the judge. In one the head of a department appointed and removed a clerk. If the right to remove is an incident of appointment it is necessarily granted along with the right to appoint. An incidental or implied power partakes of the same nature as that of the express grant of which it in reality is a part. Section 303 of the bill does not simply restrict or limit the power of the President to remove. For the present purpose it may be readily admitted that Congress might provide that removal could only be "for cause," and so forth. Such a provision, however, would not annihilate the power.

It will be remembered that under the terms of the bill Congress alone may remove such officer, either by concurrent resolution or impeachment.

It should not be forgotten that one of the soundest political maxims is that the executive, legislative, and judicial departments are of equal dignity and should be scrupulously kept separate and distinct, except in so far as the Constitution expressly authorizes the functions of either to affect those of another.

It will hardly be contended that the comptroller general is not an executive officer. The bill expressly provides that he shall take over the activities of several bureaus now in one of the executive departments. His duties are neither legislative nor judicial. We shall then be presented with the spectacle of an executive officer inferior to the Chief Executive but superior to even the Cabinet. They are subject to removal at the will of their chief. He will not be. On the other hand, though an executive officer, he will hold his office at the will of Congress—perhaps a partisan Congress stirred by passion and politics. In this connection it is pertinent to observe that the Constitution evidently intended that Congress could provide that inferior officers of an executive character should be appointed "by the President alone"; that judicial officers, such as clerks and commissioners, by the "courts of law"; and clerks, and so forth, by the "heads of the departments." Such a plan is consistent with the theory of the independence and separation of the branches of Government.

IMPEACHMENT.

Article II, section 4, of the Constitution provides:

The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

If it be argued that the Congress should have power to remove the comptroller general, the above makes complete answer.

Here we find one of the wise and steadying checks and balances that contribute so much to the symmetry and stability of the Constitution. While the departments are separate and neither may invade the other's province, the Congress, representing the people, through impeachment is permitted not to alter or modify the executive or judicial systems, but to remove therefrom any individual derelict in his duty. It may be contended with much persuasiveness that so far as Congress is

concerned the grant to it of power of removal of officers of the United States by impeachment negatives the existence in Congress of any other power of removal.

If Congress may, as is proposed by the pending measure, remove an officer of the United States by concurrent or joint resolution, why the grant of impeachment? Though, for the convenience of argument, it be conceded that Congress may prohibit the removal of an officer by the President, does it follow that Congress may both create and exercise such a power? The Cabinet departments were created by statute. If Congress because it creates an office may exercise the right of removal, why could not Congress enact a statute authorizing itself to remove any officer of the Cabinet by resolution? It possesses a power of removal, but it is not a statutory, a self-created authority. The Constitution gives it the power of impeachment, that embraces every judge and Cabinet officer and the President himself. No other manner of congressional removal was granted. However, it may be suggested that a very practical method of dispensing with an officer lies in the power of Congress to withhold appropriations for salaries. Persistence in such a course usually is followed by a separation from the service. Within the compass of a few words the fair conclusion may be stated. The power of removal of an executive officer is incidental to the power of appointment, and while in the case of inferior officers Congress may limit or restrict the exercise of such power, it can not destroy it. Though Congress in such case had the authority to forbid removal by the Executive, it has no power to appropriate to itself the power of removal. Its exclusive method of removal is by impeachment.

But it argued that the officer should have practically a life term and be irremovable by the Executive in order that he may be independent. Suppose he becomes so independent that he should be removel. Executive removal is speedy and effective.

The fact that his successor can only be appointed by and with the advice and consent of the Senate ought to guarantee that the President can not fill the vacancy by a mere creature. But if the President fails to exercise the right of removal, the remedy of impeachment remains. If it be said that such remedy is slow and tedious, it may be suggested that it is not more so than removal by resolution upon notice and hearing in each of the Houses.

Life tenure of office is contrary to our national traditions and democratic ideals, and the term of office should be in this case limited to a fixed term of years. For any removal by the President he would be held responsible by the country, and seldom, if ever, would a President capriciously remove an officer of the character of the comptroller general merely because he performed his duty, when he must secure the consent of the Senate to fill the vacancy.

Now, Mr. Chairman and gentlemen, it has been uniformly held by the Federal courts that the power of appointment vested in the President and the executive power vested in him gave him the power of removal, unless limited or restricted. That view was assented to by the gentleman from Iowa [Mr. GOOD] in his argument on the floor. He said that unless there is placed in the bill language limiting the power of the President to remove officers, it would be left open so that the President could exercise that power. He frankly confesses he desires to take away that power. In reply to the gentleman from Iowa I suggest that if the President, in the absence of any express constitutional or statutory declaration on the subject, possesses the power to remove, he must necessarily possess it by virtue of the Constitution. If the President possesses that power under the Constitution, you can not take that power away from him by statute under the guise of a limitation or restriction.

Mr. GOOD. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. GOOD. That section of the Constitution provides that the head of a department Congress shall create by law may make an appointment. Does the gentleman mean to say that under that provision of the Constitution Congress can pass a law creating a department, providing for the appointment of the head of that department, and then provide by subsequent law that the head of that department shall appoint another officer, and Congress has no power to remove the officer so created?

Mr. CONNALLY of Texas. I will answer the gentleman. The gentleman smiles, but I hope he will wait until I answer. I do not hope to convince him, but I want him to listen seriously. Of course, Congress may remove any officer by impeachment. If it is an inferior office, Congress can put into the act creating the office such conditions of removal as Congress under the Constitution is authorized to attach. Congress might say that that head of a department, or the President in this case, if it is an inferior office——

Mr. GOOD. Is it not an inferior office?

Mr. CONNALLY of Texas. Well, for the moment admitting that it is, if it is an inferior office Congress has the power to say that the President can only remove the officer for misfeasance or upon whatever grounds the Congress sees fit to provide. But since the President has the power to remove, Congress can limit, but it has not the power to deprive the President of his right and to take it over to itself. The gentleman admits that he has the power in the absence of a statute. If he has the power under the Constitution, the only power Congress can exercise is to limit it.

I again remind the gentleman, Congress has the power to remove an officer, because the Constitution provides that officers may be removed on impeachment. That grant is exclusive. If Congress has the power to remove by resolution, there would be little occasion to remove an officer by impeachment.

The gentleman from Iowa says that this is an inferior office. You make him independent of what? You make him independent of the President. He can not remove him. If he is inferior, to whom is he inferior? He is independent by the terms of this act to all of the executive departments of the Government. He can not be an inferior officer, but even if he is inferior, the Congress can only remove him by impeachment, because that grant of authority is exclusive, and if there had been intended any other method, the Constitution would have so provided. I hope the gentleman will amend his bill so as to bring it within the terms of the Constitution. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. PARRISH].

Mr. PARRISH. Mr. Chairman and gentlemen of the committee, the purpose and intention of the legislation creating the budget, now under consideration by Congress, is to put efficiency in the management of Government business and economy in all Government expenditures. I can conceive of no more important legislation at this time, and I know of no reform that is more necessary than that which has for its purpose the assurance of more rigid economy in all Government expenditures. Henceforth the great and absorbing issue before the American people will be that of the expenditure of public money. The man who aspires to public leadership hereafter must give an account to his constituents of how he has expended or will expend the people's money.

For many years Congress has appropriated money for the support of the various departments of Government in a more or less haphazard way and without any well-defined plans or cooperative consideration of the total expenditures to be made by the various committees of Congress. Under such a system the several departments have prepared their own Book of Estimates, which has been forwarded to the committee of the House the duty of which it was to appropriate for that particular department or branch of Government. In this way a number of House and Senate committees, without any direct understanding with each other, have been recommending appropriations to Congress for the support of the respective departments for which they were appropriating and no strict or uniform policy has been followed. In many instances the department heads have sought to expand their respective departments and have generally asked for the maximum amount they hoped to receive. Thus public expenditures have been constantly growing larger and larger until now conservative men are sick at heart at the situation in which we find ourselves, and the American people are demanding that expenditures be curtailed and that the tax burdens be speedily and materially reduced.

I am not one of those who believe that all of the money that has been spent by the Government has been wasted; far from it; for such demagoguery as that has a bad effect when it comes from a Member of Congress or from any other public official or responsible person, and has a distinct tendency to discredit those public officials who have sought to serve the people patriotically and unselfishly; but there is no denying the fact that there has been a too constant increase in the money appropriated annually for the support of the Government.

A comparison of our per capita expenses since 1850 is illuminating in this regard. The expenses per capita in 1850 were $1.77; in 1860, $2.01; in 1870, $7.61; in 1880, $5.28; in 1890, $4.75; in 1900, $6.39; in 1910, $7.30; and in 1920, $57.72. It will thus be seen that we spent per capita in 1920 more than thirty-two times as much as we spent per capita in the year 1850, and the tragic part of it all is that we are running in a vicious circle to which there seems to be no end, and which is

ever increasing the amount of our annual expenditures. An examination of the annual appropriations in recent years discloses that a very small per cent, probably not as much as 10 per cent, has been used for the constructive civil expenses of the Government, and the other 90 per cent has been used on the side of the ledger to which is charged past, present, and future war expenditures.

The backs of the American people are now bending beneath the burdens of taxation. Approximately $5,500,000,000 were appropriated for the year ending June 30, 1920; for the year ending June 30, 1921, $4,780,000,000 were appropriated, and the appropriations already made for the fiscal year ending June 30, 1922, calls for expenditures of $4,014,000,000, and to these the Army and Navy bills as they now stand will add eight hundred million more. There seems to be no escape from an appropriation for the next fiscal year of approximately $5,000,000,000.

Considering these annual expenditures in connection with the national debt, amounting at this time to $23,995,564,776.47, the prospect for immediate relief from the burdens of taxation is gloomy in the extreme. No one can face these figures without realizing that something must be done, and that radical reduction in public expenditures has already become a vital and living issue before the American people. There must be rigid economy and taxes must be reduced. The military and naval programs are the cause of the greatest expenditures, and I certainly trust that the President of the United States will speedily call a conference of the leading nations of the earth and that some arrangement will be made which will cause a speedy reduction in the money that is now being spent for the support of the Army and Navy. There could be no accomplishment more conducive to the peace and welfare of our people.

The establishment of the budget legislation will have the effect at least of visualizing before the appropriating bodies the total expenditures to be made at any given time. The director of the budget under this law must submit the total expenditures proposed under one general plan, and along with it will be submitted the possible revenue necessary to meet the budget for any given year. In other words, the appropriating committee will have before it a specific itemization of the amount of money required, and also the ways and means of raising the necessary revenue, and that result will tend strongly to encourage efficiency and economy.

Then, too, the accounting department provided for in this law under the controller general will be required to audit very carefully all expenditures after the money has once been appropriated, and this will insure that the money will be spent for the purposes for which Congress intended; and it will be the duty of the controller general to advise Congress promptly wherein appropriations have not been spent according to the wishes of Congress. Under the present system Congress has been making appropriations and the money turned over to the various departments of the Government, and unless expensive investigations were ordered Congress did not know whether the money had been expended according to its wishes or not; but under the controller general this evil will be met and careful audits will be made. Undoubtedly the budget will result in a great saving of public money and in reducing appropriations.

I have felt so earnestly about this matter that when the budget bill came before the House last year I supported it, and when the President vetoed it and it came back later for passage over his veto I voted to override the President's veto in order that we might make sure that the budget would go into effect as quickly as possible. I saw nothing then in the President's veto that would justify me in voting against the bill, and nothing has come to my mind since that that has changed my views in this regard, and I say this with all due respect to the President, in whose judgment I have always placed great confidence.

We are facing a fact and not a theory. Great problems are waiting at our hands for solution, and each of us are charged with responsibility of facing these problems, and each is responsible to his own people for the manner in which he solves them, and I for one will always vote for what I believe to be the best interests of the people whom I represent. It is only in this way that I can contribute to the successful solution of the difficulties now confronting us.

Mr. Chairman, we must hasten back to the paths of peace, we must discourage extravagant expenditures wherever found, we must go back to that good old-fashioned democracy which gives to every man the right to make his own fortune and remove from him as much of Government interference and of public burdens as is possible; we must restore to the individual the rights guaranteed him under the Constitution and to the States their powers unhampered and unduly restricted by Federal interference. I congratulate the House and the country upon the fact that this measure is being passed and that business efficiency is going to be put into Government administration. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to extend and revise my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAYDEN. Mr. Chairman, I make the same request.

Mr. PARRISH. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to either of the requests just made?

There was no objection.

Mr. GOOD. Mr. Chairman, I yield the remainder of my time to the gentleman from Indiana [Mr. PURNELL].

The CHAIRMAN. The gentleman from Indiana is recognized for four minutes.

Mr. PURNELL. Mr. Chairman, I do not expect in the brief time allotted to me to discuss in detail any of the salient features of this bill. I do, however, want to express my great appreciation for the opportunity I have had to serve as a very humble member of this Select Committee on the Budget. I shall always regard it as a great honor to have had even a small part in the framing of such an important and far-reaching measure. I also want to call to the attention of the Congress and of the country the great service that has been rendered all the people by the distinguished gentleman from Iowa [Mr. GOOD], who has not only ably presided over the committee but whose tireless energy and peculiar skill have made the consideration of this bill possible. [Applause.]

I want to briefly call attention to one feature of the bill that has not been particularly emphasized. It will forever definitely fix responsibility in the expenditure of the public money. In my judgment many things will be accomplished by the enactment of this measure, but if it does nothing more than fix responsibility it will accomplish much for the country.

That to my mind is all important. Up to this time there has been a sort of vague impression over the country that Congress is the profligate branch of the Government. I was agreeably surprised when it was developed in the hearings before our committee that over a period of 20 years, with but two exceptions, and one of those doubtful, Congress has reduced rather than increased the estimates submitted to it by the Executive. There is a genuine doubt in the minds of the people as to just who is responsible for the demands made upon them for money. This bill, if enacted into law, will absolutely fix that responsibility. When the President presents to Congress at the beginning of each regular session, as is provided in the bill, a definite, concise statement of the financial needs for the next fiscal year, the people will know that the amount requested is the result of careful calculation rather than haphazard guesswork by ambitious bureau heads.

The people will also know that the President is ready to stand or fall by those estimates.

When that budget is handed to the Congress the responsibility shifts from the Executive to Congress and again the people will know where responsibility lies. If the Congress increases or decreases the amount asked for the people will pass upon the wisdom or folly of the action taken.

I hope to see the presentation of the budget to Congress an event in our national life. It should and no doubt will arrest the attention of the people in order that they may at all times fix the responsibility for the expenditure of their money. If it accomplishes nothing more than this we will have earned the thanks of a grateful people. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. PURNELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The Chair assumes that these requests all pertain to remarks upon this bill and are not general in their nature. The time of the gentleman from Iowa, controlled by him, has expired.

Mr. GOOD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GOOD. Under the rule that we have adopted under which we are considering this bill, is the bill H. R. 30 a substitute, or will it be necessary to offer the House bill as a substitute for the Senate bill?

The CHAIRMAN. The terms of the rule are perhaps somewhat unusual.

The Chair regards the situation as this: The text of the House bill is before the committee under the essential portions of the rule. What the object of the rule was the Chair can only conjecture, but presumably there were differences in phraseology in the two bills, and as a matter of simplicity the Committee on Rules proposed that the text of the House bill should be considered instead of the text of the Senate bill. As it now appears to the Chair the procedure will be this: The committee will consider the text of the House bill, will amend it as such, and when consideration is finished there will be one complete, perfected amendment which may be reported by the committee to the House.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas will state it.

Mr. BLANTON. The chairman of the Committee on Appropriations when making the motion that the House go into the Committee of the Whole House on the state of the Union moved that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the Senate bill. Does not that confine us to the Senate bill?

The CHAIRMAN. The Chair does not think that point is well taken. The House is formally engaged in the consideration of the Senate bill, but we all recognize the bills in a measure are identical. The rule chose the text of the House bill, No. 30, instead of the text of the Senate bill, which the Chair thinks entirely proper. The Clerk will read.

The Clerk read as follows:

SEC. 2. When used in this act—

The terms "department and establishment" and "department or establishment" mean any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia, but do not include the legislative branch of the Government or the Supreme Court of the United States;

The term "the budget" means the budget required by section 201 to be transmitted to Congress;

The term "bureau" means the bureau of the budget;

The term "director" means the director of the bureau of the budget; and

The term "assistant director" means the assistant director of the bureau of the budget.

Mr. DUNBAR. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, those who administer the budget system will have the responsibility of estimating the expenditures and receipts for the Government for the fiscal years over which it will be necessary for the Congress of the United States to make its appropriations. Congress creating the responsibility of estimating receipts calls to my mind the fact that the Allies owe to the United States more than $11,000,000,000. The total indebtedness of our National Government is but a little over $23,000,000,000, so that if the Allies were to accept and discharge their responsibilities at the present time the amount of indebtedness of the United States would be but a little more than $12,000,000,000. Our finances are not in such a condition as to give us a great amount of apprehension if we knew definitely what to expect of the Allies and what they propose to do in the discharge of their obligation. Even as it is, our Government from the period of June 30, 1919, up to March 31, 1921, reduced the indebtedness of our Government more than $2,000,000,000. One billion six hundred million dollars of that amount was due to our receipts exceeding our disbursements. About $500,000,000 was due to the reduction of available cash in the Treasury. Our expenses are being continually reduced, and I do not know why we consider the financial problems of this country to be of such stupendous magnitude, because I believe that we have its affairs well in hand; but at the same time it seems to me we should take some stand and have some understanding in the matter of the debt owed to us by the Allies. I have consulted with some of our officials regarding this debt, and there seems to be a timidity as to how Congress should proceed. I had in mind the introducing of a bill which would instruct the Secretary of State to negotiate with the Allies and Germany and see if from the amount of money that Germany paid the Allies for indemnity we could receive our proportion of that money on account of liquidation of the Allies' debt to the United States. I understand already in France that some of those people over there are idle in anticipation of being supported by Germany. Now, that is all right; if Germany pays them indemnity, and if they can live on that indemnity, that is their business; but I think it is our business to see to it that the Allies pay the Government of the United States the money that is due us, or at least pay us the interest and have the debt funded in such a manner as will enable us to know how we stand in the matter. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

SEC. 201. The President shall transmit to Congress on the first day of each regular session, the budget, which shall set forth in summary and in detail:

(a) Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the budget without revision;

(b) His estimates of the receipts of the Government during the ensuing fiscal year, under (1) laws existing at the time the budget is transmitted and also (2) under the revenue proposals, if any, contained in the budget;

(c) The expenditures and receipts of the Government during the last completed fiscal year;

(d) Estimates of the expenditures and receipts of the Government during the fiscal year in progress;

(e) The amount of annual, permanent, or other appropriations, including balances of appropriations for prior fiscal years, available for expenditure during the fiscal year in progress, as of November 1 of such year;

(f) Balanced statements of (1) the condition of the Treasury at the end of the last completed fiscal year, (2) the estimated condition of the Treasury at the end of the fiscal year in progress, and (3) the estimated condition of the Treasury at the end of the ensuing fiscal year if the financial proposals contained in the budget are adopted;

(g) All essential facts regarding the bonded and other indebtedness of the Government; and

(h) Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

Mr. PARKER of New Jersey. Mr. Chairman, I desire to present an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 3, line 20——

The CHAIRMAN. The Clerk has not read that part.

Mr. PARKER of New Jersey. It is line 18. I had the Senate bill in my hand.

The Clerk read as follows:

Amendment offered by Mr. PARKER of New Jersey: Page 3, line 18, after the word "Government" at the end of section 201, strike out the period and insert in lieu thereof the following: ", and especially a classified statement of the amounts, condition, and cost of all property of the United States held by any department or establishment at the end of the last fiscal year, as well as the amounts, condition, cost, and sales price of any such property that was sold during said fiscal year."

Mr. GOOD. I make the point of order that the amendment is not germane to the section of the bill.

The CHAIRMAN. The Chair is inclined to the opinion that the point of order must be sustained. This is a bill providing machinery for estimates——

Mr. PARKER of New Jersey. I so understand.

The CHAIRMAN. And in the latter portion providing machinery for auditing of accounts. This amendment imposes another duty on the President not germane to the general subject of the bill.

Mr. PARKER of New Jersey. That is the exact point I would like to submit to the Chairman. It says:

Such other financial statements and data as in his opinion are necessary or desirable in order to make known in all practicable detail the financial condition of the Government.

There has been bought and is owned by the Government I do not know how many million dollars worth of stuff, military and otherwise. They have sold material, according to the statement made to me, amounting to $1,883,000,000. They are proposing to sell more, how much I do not know. They have received from that material, which cost $1,883,000,000, something over $800,000,000. They are large receipts, obtained in a different way than by taxation, but which affect the financial condition of the Government very largely. What is the financial condition of the Government except what it has and what it has received? And with such figures as these before us, it seems to me that a report each year to the Congress showing what is the cost of the material they have on hand, what they have sold, what the amount they have sold cost, and what they received from it is very necessary in determining the policy of the Government and the condition of its Treasury.

I do not know but that I have almost said all that I would say in advocacy of the amendment if discussing whether or not it is in order. It seems to me, sir, that to show the financial condition of any private individual you would always ask for an inventory of what property he has on hand, and if he says he has revenue you would ask him what part of it came from the sale of the particular property that he has on hand.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GOOD] desire to be heard on the point of order?

Mr. GOOD. Mr. Chairman, this bill has nothing to do with a schedule of Government property. It is designed to provide the machinery for the submission of estimates of the amount of money that may be required to run the Government from time

to time, and provides that the President shall set forth in that statement simply the fact in regard to the estimated receipts and the estimated expenditures, in summary and detail, and it then provides how that shall be done. Now, the gentleman's proposition, meritorious as it may be, to have a valuation or an inventory of all the Government property, is no more germane to the bill than would be an amendment to provide here that at the same time the President submits the budget he should submit a census of the number of people living in the United States, the number of horses and cattle on our farms, and all that sort of thing. It seems to me the amendment is not germane to the proposition we have here. In this bill we have been trying to separate and allow to stand out as a distinct thing the submission of the budget showing the amount of money that would be required to run the Government. It deals only with money and money obligations, and does not deal with property and should not.

Mr. PARKER of New Jersey. We learn here that they are to submit the expenditures and receipts of the Government during the fiscal year.

The CHAIRMAN. Expenditures and receipts are more or less in the nature of an inventory of property.

Mr. PARKER of New Jersey. This is to show what they have sold and what they have received from sales. I therefore think what they have sold and what they have received, and what it cost, is necessary to explain the receipts of the Government.

Now, the other part is this: In the last two lines it is provided they are to make known in all practicable detail the financial condition of the Government. The financial condition of the Government seems to me certainly to include what they have on hand. If you are going to get at the financial condition of any business, you want to know what they have on hand. If you want to understand the receipts, you want to show what they are for.

The figures are large. They are larger than what we used to spend for the whole support of the Government. The property as sold amounts to $1,880,000,000, and the amount received from it is more than $850,000,000, and it seems to me that such facts as these ought to be placed before the Congress in detail in order to find out the financial condition of the Government.

The CHAIRMAN. The Chair adheres to the ruling which has been made heretofore. The Clerk will read.

The Clerk read as follows:

SEC. 202. (a) If the estimated receipts for the ensuing fiscal year contained in the budget, on the basis of laws existing at the time the budget is transmitted, plus the estimated amounts in the Treasury at the close of the fiscal year in progress, available for expenditure in the ensuing fiscal year, are less than the estimated expenditures for the ensuing fiscal year contained in the budget, the President, in the budget, shall make recommendations to Congress for new taxes, loans, or other appropriate action to meet the deficiency.

(b) If the aggregate of such estimated receipts and such estimated amounts in the Treasury is greater than such estimated expenditures for the ensuing fiscal year, he shall make such recommendations as in his opinion the public interests require.

Mr. WHITE of Maine. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maine offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WHITE of Maine offers the following amendment: Page 4, line 2, after the word "the" insert the word "estimated."

Mr. WHITE of Maine. Mr. Chairman, this section relates to estimated receipts and estimated expenditures for the ensuing year, and the deficiency referred to is not an existing one but only an estimated deficiency. It seems to me it ought to be so designated.

Mr. GOOD. I think that is inferred from the language, but I have no objection to the amendment. It does not change it.

The CHAIRMAN. Without objection, the amendment will be agreed to.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 203. (a) The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the budget.

(b) Whenever such supplemental or deficiency estimates reach an aggregate which, if they had been contained in the budget, would have required the President to make a recommendation under subdivision (a) of section 202, he shall thereupon make such recommendation.

Mr. CABLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CABLE: Page 4, line 15, after the word "or" strike out "(2) are otherwise in the public interest" and insert in lieu thereof the following: "(2) caused by a sudden emergency involving loss of human life or the destruction of property."

The CHAIRMAN. Is that to take the place of the phraseology in No. 2?

Mr. CABLE. Yes, sir.

It will be noted in this budget bill that the President shall first transmit to Congress on the first day of the regular session a budget, which shall set out an estimate of the expenditures and appropriations necessary, in his judgment, for the support of the Government for the ensuing year. A later section, No. 203, recognizes that certain deficiencies may arise.

Now, the amendment I have just offered is in line with, and, as I believe, follows out, the suggestion of the Secretary of the Treasury, Mr. Mellon, as appears from his very recent letter to the chairman of the Ways and Means Committee. He states:

Reduction of appropriations, moreover, will not of itself be effective to reduce expenditures unless at the same time the Congress avoids or controls measures which result in expenditures without an apparent appropriation.

In other words, the different branches of the executive departments have continued to make expenditures without prior appropriations. This same condition of facts existed in 1870, and at that time Congress passed an act in which it was provided that it shall not be lawful for any department of the Government to expend in any one fiscal year any sum in excess of appropriations made by Congress for that fiscal year or to involve the Government in any contract for the future payment of money in excess of such appropriations.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. CABLE. I am sorry I have not time.

That was in 1870. Between 1870 and 1905, when that act was amended, $800,000,000 had to be appropriated by Congress to make up for deficiencies.

In 1905 Congress sought to put teeth in the law by an amendment, and it provided by section 3679 of the United States Revised Statutes that no department of the executive branch can expend more than the amount appropriated, and it further provided that each department of the executive branch of the Government shall divide its appropriations into 12 equal parts and spend only one-twelfth of their appropriation in each month of any year, so as to prevent undue expenditures in one portion of the year that may require additional appropriations to complete the service of the fiscal year. It went further than that, and enacted in that section a criminal provision, that any person violating any of the provisions of that section should be summarily removed from office and be fined not more than $100 or imprisoned for not less than one month.

Notwithstanding the criminal and other provisions of that section, the executive departments of this Government spent over $300,000,000 above the appropriations between 1906 and 1917.

My purpose in offering this amendment is to call the attention of the branches of the executive department to the provisions of the above section; to call their attention to the law which provides how they shall expend the Government money, and the limitation placed upon their right to expend this money paid in by the people.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CABLE. In other words, it is the duty of Congress to raise the money, and if it does not raise enough or raises too much, Congress gets the blame, when really it may be the fault of the executive departments. There are few rights greater in importance to this Nation than those of determining what public revenues shall be raised and what expenditures shall be authorized. There is not a man, woman, or child in the United States who does not directly or indirectly pay taxes to Uncle Sam. A budget means business methods in government, and the people, while they are willing to help, at the same time have a right and should know that their money is spent judiciously. The purpose of the amendment is to serve notice upon the other branch of this Government that we are going to have the laws obeyed, and that they can not spend any more money than we raise for them. Congress is that branch of the Government that is compelled to take the money out of the pockets of the men, women, and children of this country to pay for these unlawful expenditures, and therefore when we raise the money let it be spent according to appropriations.

This administration was elected upon a platform of economy. The laws I have cited have been on the statute books for many years, and to a considerable extent disregarded. Congress should act by votes not words. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. GOOD. I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. NORTON. I object.

Mr. BLANTON. Mr. Chairman, I had to rise pro forma in opposition to the gentleman's amendment in order to get the floor; but I want to say that I am in hearty accord with every word that he has spoken. I wish that we could have a speech of that kind on the floor of this House every day; because, if the gentleman will examine the numerous deficiency bills which our good friend from Iowa [Mr. GOOD], the distinguished chairman now in charge of this legislation brings in here so frequently, he will find that every single department of this Government has violated the provision of the statute which the gentleman read. Every department during the last four years has exceeded the appropriations that Congress has seen fit to allow it for carrying on the work of its various bureaus. Every one of them exceeds the appropriations, and it will be remembered that the late distinguished minority leader, then the majority leader, our lamented friend, Champ Clark, called attention to the fact that, although Congress placed this criminal law upon the statute books, there had been no proceedings under it, with no action taken against anyone; and he asked the distinguished chairman of the Appropriations Committee [Mr. GOOD] why it was that they had not proceeded against some of these department heads when they brought in big deficiency estimates and asked Congress to provide them. I will say to my good friend that the great trouble is this: The two departments that spend the most of the money, the War Department and the Navy Deparment, have a way of using sums that we appropriate for certain purposes, using them for other purposes for which Congress does not provide them, and for which Congress does not intend that the money shall be spent. Then they let deficiencies occur with respect to the pay of the men in the Army and the Navy, knowing that Congress must provide the funds with which to pay these men.

They know that they have us by the throat. They know that they have got us hog tied. They know that the Congress of the United States is not going to deprive the men in the Army and the Navy of their just salaries that are due them, and therefore they spend their money for other purposes and then ask for deficiencies. What we ought to do is to place a provision in these bills that they shall not draw on these various funds for other purposes; that they have got to live within the limit of each fund according to the provisions passed by Congress. I am glad that the gentleman has gone to work on the proposition. I hope he will get others interested with him; and I am glad to see in this afternoon's paper that President Harding has told the heads of the various departments of this Government that he is going to require them to live within the means provided by the Congress in the appropriation bills. In other words, he indicates in the papers this afternoon that he is going to stop these deficiencies. When he does, I am going to take my hat off to him as the biggest man this country has had in a long time, because he will have done something that Congress has never been able to do with regard to deficiencies. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEVENSON. Mr. Chairman, I desire to offer a substitute for the amendment offered by the gentleman from Ohio [Mr. CABLE].

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Substitute offered by Mr. STEVENSON for the amendment offered by Mr. CABLE: Instead of the language used insert: "Or (2) on account of some national emergency."

Mr. STEVENSON. Mr. Chairman, I agree with a good deal that has been said by the gentleman from Ohio [Mr. CABLE], that the matter of deficiencies is one of the things that needs to be guarded against; but I do not see where the gentleman's amendment will have any tendency to guard against national deficiencies. The gentleman's amendment merely undertakes to tie up the additional sums that the President may suggest, to two things, destruction of property and destruction of life. Those are the only two reasons why he may recommend extraordinary sums. Consequently an emergency might arise, many emergencies might arise, which would necessarily cause a deficit to be contracted, because there would be no provision in the law for the President asking for an additional sum. So I think that while the gentleman's proposition on which he argues is all right, his remedy does not reach the subject.

Mr. CABLE. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. CABLE. Does the gentleman know that the words I have used in my amendment are taken from the law itself as Congress has heretofore enacted it?

Mr. STEVENSON. I have no doubt that that is correct, but that does not meet the difficulty. The gentleman says he wants to stop deficiencies, but he wants to take out of this bill the provision that the President may avoid a deficiency by asking, under certain circumstances, for an additional amount which will prevent a deficiency, and he wants to insert a restrictive clause which would shut the President out from asking for an additional amount in cases in which deficiencies will naturally and almost necessarily arise.

Mr. BANKHEAD. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BANKHEAD. Why does the gentleman contend that the language of the bill as now framed would not cover an emergency?

Mr. STEVENSON. I do not make any such contention, but like the gentleman from Texas I wanted the floor; I have not before taken it, and I offered a substitute in order that I might argue against the gentleman's amendment, because I think the language as it is is eminently proper and will safeguard the interests of the country.

Mr. ANDREWS. Does not the gentleman think that an independent audit will cover the case fully? It is the business of the accounting officer to call a halt when the money is exhausted. An independent office as provided in this bill is the most effective remedy that can be had.

Mr. STEVENSON. I agree with the gentleman that an independent audit is a very good thing. I think the language as it is is all right. I offered a substitute because I was afraid that the eloquence of the gentleman from Texas and the gentleman from Ohio might persuade the House to strike out the language and put in the language which is too restrictive and will bring about trouble.

Now, as to the independent audit, I want to say that I am in favor of the bill; I voted for it when it first passed, and I voted to sustain the President's veto, because the comptroller general, under the provisions made here, in my judgment, whether it is constitutional or is not constitutional—and if it is unconstitutional and you undertake to take the power of removal from the President, you do not do it because he could remove him anyway. I think the audit is too much under the control of the House and Senate. Here is a man who has to pass on all these claims, and he will be called upon to pass on a great many claims by constituents, and if he does his duty he will be one of the most unpopular officials in the United States. Men who have claims that will not be allowed by the controller general and his assistants will be disgruntled, and the controller and his assistant will be unpopular in Congress because he is unpopular with our constituents. It will take only a concurrent resolution to remove him, and by that you are opening the door to destroy the official by means of that concurrent resolution to remove him. Mr. Chairman, I withdraw the amendment I offered, for I am satisfied with the language in the bill.

The CHAIRMAN. The gentleman from South Carolina withdraws his amendment.

Mr. GOOD. Mr. Chairman, I move that all debate on this amendment close in five minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the amendment close in five minutes.

The question was taken, and the motion was agreed to.

Mr. GOOD. Mr. Chairman, I doubt very much if we could by law limit the express power granted by the Constitution which directs the President from time to time to give to Congress information of the state of the Union and recommending such measures as he shall judge necessary and expedient.

Suppose we could do that and suppose we adopted this amendment offered by the gentleman from Ohio. What would be the result? I would like to know what position we would be in to-day or what position we would have been in six months ago in regard to the Navy when coal advanced more than 150 per cent. Congress had made appropriations on estimates submitted 18 months before the appropriation was available and when it did not dream that coal would advance 150 per cent. But if the gentleman's provision had been law we would have been compelled to tie up the Navy of the United States.

I can refer to a great many instances where if we had a provision such as the gentleman's amendment provides where

the Government would cease to function altogether. No one dislikes deficiency estimates more than the Committee on Appropriations, but we must leave the door open so that estimates may be submitted although the expenditure of money as the gentleman has stated must be limited to those things for which Congress expressly makes the appropriation. But this amendment seems to close the door so that in an emergency the functions of the Government might cease. Therefore it seems to me we ought not to adopt the amendment offered by the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 204. (a) Except as otherwise provided in this act, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the budget or transmitted under section 203, and the notes and other data submitted therewith, shall conform to the requirements of existing law.

(b) Estimates for lump-sum appropriations contained in the budget or transmitted under section 203 shall be accompanied by statements showing, in such detail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character now required by law.

Mr. BLANTON. Mr. Chairman, I make the point of order that no quorum is present.

The CHAIRMAN. The gentleman from Texas makes the point of order that no quorum is present. The Chair will count.

Mr. BLANTON. Mr. Chairman, I withdraw the point.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word in order to address an inquiry to the chairman of the committee. The theory of this legislation is to impose on the executive departments a greater degree of caution and economy?

Mr. GOOD. Yes.

Mr. MOORE of Virginia. Has the gentleman ever considered the expediency of some provision that would impose on Congress a greater degree of caution and economy in the way of requiring that estimates shall not be exceeded except by something more than an ordinary vote—say, a vote of two-thirds? I may say to the gentleman, before he replies, that in an almost forgotten American Constitution there was a provision of that sort. I am well aware that a legislative provision of that character would be subject to be repealed or modified generally or in particular instances at the will of Congress, and yet it would be highly persuasive, and thereby Congress, while endeavoring to check extravagance in the executive departments, would be checking its own extravagance, which is now and then rather flagrant.

Mr. GOOD. I agree with the gentleman, and the Committee on the Budget had under serious consideration the suggestion as to placing in the law a provision requiring that an amendment increasing the estimates or increasing the amount carried in the bill as reported by the committee should require a two-thirds vote.

The question is not altogether free from trouble, as the gentleman well knows. I suppose, notwithstanding the constitutional provision which provides that the House shall prescribe the rules for its procedure, we might by law provide for a certain line of procedure with regard to the way a bill should go through the House; but suppose we should put into this, which is to become a permanent law, a provision that any appropriation bill reported from the committee in which it was attempted to increase the estimates would require a two-thirds vote, and suppose the next Congress should say by its rules that all amendments and appropriation bills in order to be adopted should only require a majority vote, then the change in the rules will take precedence over the provisions of the general law.

Mr. MOORE of Virginia. I think my friend is correct; that a provision of the kind suggested would only be persuasive, but nevertheless it would have a very considerable effect. It may be of interest to the committee to know that the constitution to which I referred is a constitution that long since disappeared. It was drafted by statesmen, many of whom had served in Congress, men of great capacity and experience. It was the constitution of the Confederate States, which contained a real budget system.

Mr. GOOD. If it should be reached at all, I think it should be reached by a change in the rules of the House.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 207. There is created a bureau to be known as the bureau of the budget. There shall be in the bureau a director and an assistant director, who shall be appointed by the President and receive salaries of $10,000 and $7,500 a year, respectively. The assistant director shall perform such duties as the director may designate, and during the absence or incapacity of the director or during a vacancy in the office of director he shall act as director. The bureau, under the direction of the President, shall prepare for him the budget, the alternative budget, and any supplemental or deficiency estimates, and to this end shall have authority to assemble, correlate, revise, reduce, or increase the estimates of the several departments or establishments.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 6, line 7, after the word "respectively," insert "the director shall hold office for the term of four years, unless sooner removed by the President, but the term of the first incumbent shall expire on June 30, 1925."

Mr. STAFFORD. Mr. Chairman, I take it that under the bill as presented the right of removal of the director is incidental to the right of appointment, but, even granted that that inherent right is vested in the President, I believe that so far as the director is concerned this tenure of office should be coterminous virtually with that of the President. The director is virtually the mouthpiece of the President. He is his appointee and he should hold office only, I would say, during the term of the President. This director should not continue in office, running along from year to year, true, subject to removal by the President, but he should be compelled, just like any Cabinet officer, to hand in his resignation at the end of the President's term, upon his reelection, or his tenure of office should terminate at that time or shortly thereafter. There will be too much of a tendency, if we do not limit the time, for the director to continue in office for all time to come. That is something to be avoided.

Much is expected of this director. The assistant director may be one who should hold office for life, perhaps, or during good behavior, but the director should reflect the views of the President as far as economy and every other matter that pertains to that office is concerned.

We have had economy in prior administrations. I recall during the administration of President Taft a time when the expenditures were increasing far beyond the revenues. Word was then passed by the President that no recommendations should be made to Congress for deficiencies unless they were absolutely necessary. The reason was that we were threatened with an extra bond issue or some other means to raise revenue to meet current expenditures.

Much has been said in debate in respect to the great duplication of services. I have given a little consideration to the work of the various departments and I have not found much duplication of work. I would like some of these gentlemen who got up on the floor yesterday and said there are hundreds of thousands of dollars wasted in duplication to mention one instance where there has been real duplication of service.

Mr. JOHNSON of Washington. I call the gentleman's attention to the survey of public lands and the forest reserves in the far West.

Mr. STAFFORD. Does the gentleman contend that the same officials do the same character of work in the same agency of the Government?

Mr. JOHNSON of Washington. No; but different officials do similar work; from the Agriculture Department in the forest reserves, and some from the Interior Department in the public lands.

Mr. STAFFORD. Oh, they may engage in similar work, but there is no duplication such as we have heard so much of on the floor of the House. There may be economies of administration, but if there is going to be any real good accomplished by this budget bureau—and I am hopeful that some good will come by having a scientific preparation of the estimates—then I contend that the director should be a person who will virtually be the mouthpiece of the President.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. STEVENSON. Is it not true that this director may be removed at any time by the President? His term is not fixed.

Mr. STAFFORD. The very first statement that I made in addressing myself to the amendment was that the right of removal was inherent in the President, but there is legislative inertia and executive inertia, and when an officer has an indeterminate term he is likely to continue in office, and the President should not be compelled to force his removal. The term should be fixed definitely.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. GOOD. Mr. Chairman, it would be in my opinion a great mistake to place upon the statute books a law that provides for the appointment of these officials for a period of four years. Under the law no member of the President's Cabinet is appointed for four years. These positions we are creating are to

be filled by men who are to study the machinery for the President, and when they cease to function as the President would have them function the President would have the right, whether he be Republican or Democrat, to remove them. The President is responsible for the budget, it is the President's budget, and these men who are appointed, without respect to the advice and consent of the Senate, will be the machine by which the President will bring about a more healthy condition of public affairs so that he can, if you please, eliminate duplications and bring real economy. The gentleman from Wisconsin may not have discovered duplications in the Government service, but I think everybody else who has studied it has found conditions of duplications existing in every department of the Government.

Mr. STAFFORD. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. STAFFORD. Will the gentleman state an instance——

Mr. GOOD. I will state a case. A few years ago we bought a machine costing about $10.000 with which to test leather. We placed it out in the Bureau of Standards and as leather is made from the hides of sheep, horses, and cattle, and as sheep, horses, and cattle grow on the farm the Department of Agriculture said, "We must have a similar machine to test leather," so that we have two machines now testing leather, and they do not use both of them together one-twentieth of the time. Duplications do exist, and the President must have the power to wipe them out; must have the men who are true to him all the time. We ought not to fix a tenure of four years. Leave that to the President. These positions will change with each change of administration. Therefore, I think we should not place in the bill that kind of a restriction.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken. and the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I make the point of order that we have no quorum.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and eleven Members are present. A quorum is in attendance.

The Clerk read as follows:

SEC. 208. (a) The director, with the approval of the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, as Congress may from time to time provide.

(b) No person appointed by the director shall be paid a salary at a rate in excess of $6.000 a year, and not more than four persons so appointed shall be paid a salary at a rate in excess of $5,000 a year.

(c) All employees in the bureau whose compensation is at a rate of $5,000 a year or less shall be appointed in accordance with the civil service laws and regulations.

(d) The provisions of law prohibiting the transfer of employees of executive departments and independent establishments until after service of three years shall not apply during the fiscal years ending June 30, 1921, and June 30, 1922, to the transfer of employees to the bureau.

Mr. ROSSDALE. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin desired prior recognition.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I rise to ask the chairman just what paragraph (a) means—

The director, with the approval of the President, shall appoint and fix the compensation of such attorneys and other employees and make such expenditures for rent in the District of Columbia, printing, binding, telegrams, telephone service, law books, books of reference, periodicals, stationery, furniture, office equipment, other supplies, and necessary expenses of the office, as Congress may from time to time provide.

What do those last words mean, "as Congress may from time to time provide"?

Mr. GOOD. That is the customary expression with regard to a provision that Congress makes for the payment of these various services.

Mr. COOPER of Wisconsin. Does the gentleman think that it is correct to say that the director shall appoint and fix the compensation of such attorneys and other employees as Congress may from time to time provide? That is not apt language, is it? Ought it not to be as the law——

Mr. GOOD. We had the experts selected by the Ways and Means Committee to assist in that, and it is a different bill from that originally introduced, and we were told that this was the better form.

Mr. COOPER of Wisconsin. I shall not be captious about it. But does the gentleman think that is good English to say that the director shall appoint and fix the compensation of such attorney as Congress shall from time to time provide? This "from time to time provide" means attorneys.

Mr. GOOD. By appropriations. But it is language that has been used a great deal of late—"as Congress may from time to time provide."

Mr. COOPER of Wisconsin. Well, it ought to be corrected, I do not care how long it has been used. The point is it is not good English to say that the director, with the approval of the President, shall make such expenditures for attorneys as Congress shall from time to time provide.

The CHAIRMAN. Does the gentleman withdraw the pro forma amendment?

Mr. COOPER of Wisconsin. I withdraw the pro forma amendment.

Mr. SANDERS of Indiana. Mr. Chairman, if the pro forma amendment is withdrawn, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from New York [Mr. ROSSDALE] has offered an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROSSDALE: Page 7, line 4, after the word "of," strike out "$5,000" and insert in lieu thereof "$3,000."

The CHAIRMAN. The gentleman from New York [Mr. ROSSDALE] is recognized.

Mr. ROSSDALE. Mr. Chairman and gentlemen, the effect of this amendment will be to prevent a mandatory inclusion or application of high-priced salaries in the various departments.

Now, in offering this amendment I do not do so as an enemy of the civil service, because I am an old civil-service employee. I spent 10 years of my life in the civil employment of the Government of the United States. I have made practically 20 years of study of the civil-service conditions, and I am quite familiar with all of that branch of the service. I believe, as a writer from our State said a few years ago, that a reasonable amount of fleas are good for a dog. Three thousand dollars a year and under is enough to apply in a mandatory civil service law. When you go over that, you simply add to the large number of cold-blooded automatons, bureaucrats, men who simply get themselves appointed by passing some kind of an examination and then use the influence of their Representatives and Senators and of people back home with influence to promote them. And then when they once get into a position where they have some authority as a bureaucrat they get other bureaucrats to promote them. And so they perpetuate themselves. My experience with this class and type is such that I do not recommend that this House create many more. If the director who shall be appointed by the President is a man of intelligence and has the confidence of the President, surely that man should have in his discretion the right to appoint whom he will, without creating some foolish civil-service examination by which a man shall be chosen. Does any gentleman really believe that any examination can be devised that will give an adequate or fair choice for any of these appointments? I do not think it is fundamentally possible. You simply create a civil-service place and you get some so-called experts in one of the departments to devise an examination, and then you advertise throughout the country that this examination can be had. And some fellows who pass these examinations, although not much good in their particular tasks, manage to get on the list. And then some other friendly bureaucrat sees that such a man is put on the pay roll. I venture to state that I voice the sentiment of the great army of civil-service employees throughout the United States by saying that they do not favor these high-priced, high-salaried bureaucrats.

I do not think this measure is advisable. I do not think that we ought to go beyond any safe and sane line in this thing. I have not anybody in view to recommend for any of these appointments, but if I had I think I could make wiser choice—I think any Representative in the House or in the Senate, or anybody back home, could make a wiser choice—than these bureaucrats make when they appoint and recommend each other to these different high-priced places on the civil-service pay roll.

The CHAIRMAN. The time of the gentleman has expired. The question is on the adoption of the amendment proposed by the gentleman from New York [Mr. ROSSDALE], which the Clerk will report.

Mr. GOOD. Mr. Chairman, I think it would be a very great mistake to reduce the amount to $3,000. Yesterday before the Committee on Appropriations there appeared two men who are receiving salaries of $6,000 a year each, men who have grown up in the Treasury Department. One of them has charge of all of the Treasury funds in the national banks, now aggregating more than $300,000,000. The other has charge of collecting all of the interest on the loans made to railroad companies and has charge of our loans to foreign Governments. These men grew up in the service. I do not know where you could go out and find men so well equipped to perform these duties as these

men are. They are getting $6,000 a year, and I doubt not, if they wanted to leave the Government service, that they would not have to go very far to get much more than that amount.

This whole office ought to be as free from patronage as possible. The heads of the departments, it was intended, should be men who were very close to the President and would do his will. But there should grow up in the service men who know the service, who know the various departments. And if you are going to remove those men of training and experience every time there is a change in the office of the President so far as the political complexion is concerned, I am afraid you will destroy the real merit we are trying to put into this work. These men must be given something to look forward to, and as they grow and develop they ought to be permitted to remain.

That is the only way we will secure efficiency. I hope the gentleman's amendment will not prevail.

Mr. WILLIAMS. Mr. Chairman, I desire to offer an amendment to the amendment.

Mr. ROSSDALE. Does the gentleman know of any civil examination which will give us some idea by which we could fairly choose a man here to fill one of these particular posts? I mean by examination alone? That is what an application for civil-service examination means.

Mr. GOOD. The men I spoke about went in by civil-service examination and grew up in the service.

Mr. ROSSDALE. Oh, they grew up by political preferment.

Mr. GOOD. No; not at all. These men never grew up in the service by political preferment.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Chairman, I move to amend the amendment offered by the gentleman from New York [Mr. ROSSDALE] by striking out "$3,000" and inserting "$2,000."

The CHAIRMAN. The amendment of the gentleman still further reduces the amount. It is now proposed to change the amount from $3,000 to $2,000.

Mr. WILLIAMS. Mr. Chairman, the amendment offered by the gentleman from New York [Mr. ROSSDALE] provides that in this paragraph the figures "$5,000" shall be stricken out and the figures "$3,000" inserted. My amendment would change that to make the limit to which the civil service would apply $2,000 per annum, and I am frank to say I think that is too large. [Laughter.]

Mr. Chairman, I am not a civil-service reformer. If I had my life to live over again, seeing what I have seen and observing the things I have observed, I think I would be a reformer; but I failed to start in on that line early enough to make a success at it, so that I shall have to remain merely a 100 per cent Republican. The civil service, as I have observed it in the State capital in Illinois and here in Washington, is a fraud. [Applause.] I have never seen any man in the classified service here worth $2,000 if he has been on the job very long, and they get worth less year by year, the longer they stay in. [Laughter.] I am not in favor of extending the civil service.

I understand the Postmaster General is now trying to devise some kind of a scheme by which the civil service is further to be extended to the postmasters of the country. I want to express my dissent from that policy. [Applause.] The people of this country by 7,000,000 majority voted last November for a change. [Laughter.] They did not mean merely a change of the Cabinet officers and assistants. It meant a change all the way down the line. [Applause.] I am in favor of it, and the country is in favor of it. [Applause.]

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from South Carolina?

Mr. WILLIAMS. No.

The CHAIRMAN. The gentleman declines to yield.

Mr. WILLIAMS. If the order these bureaucrats down at that Post Office Department have spent two months trying to perfect, and have failed so far to satisfy themselves means anything, it means one of two things, either the betrayal of the Republicans of the country, or it means a fraud on the country. If they are going to appoint Republicans they do not need any civil-service rules to do it. [Laughter and applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. No; I decline to yield. I do not consider the gentleman from Tennessee has any interest in the subject under discussion. [Laughter.]

Mr. GARRETT of Tennessee. A very sympathetic interest. Has the Postmaster General ever stood a civil-service examination? [Laughter.]

Mr. WILLIAMS. No. And while I have the highest respect for the distinguished gentlemen who constitute the Cabinet of the President, yet in my opinion if they had been required to pass a civil-service examination such as these rural letter carriers and fourth-class postmasters are required to pass, outside of Hughes and Hoover none of them would have been able to get on the eligible list. [Laughter and applause.]

William Howard Taft had his Hitchcock, Woodrow Wilson had his Burleson, and may President Harding profit by their example. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker resumed the chair.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER. Before the Chairman reports?

Mr. BURTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 1084) to provide a national budget system and an independent audit of government accounts, and for other purposes, had come to no resolution thereon.

Mr. BLANTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Ohio [Mr. BURTON], Chairman of the Committee of the Whole House on the state of the Union, reports that that committee, having under consideration the bill S. 1084, had come to no resolution thereon.

Mr. BLANTON. Now, Mr. Speaker, I renew the point of no quorum.

The SPEAKER. The gentleman from Texas makes the point that there is no quorum present. It is clear that there is no quorum present.

ADJOURNMENT.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

Mr. FORDNEY. If the gentleman from Texas [Mr. BLANTON] will withhold his point a moment, I move to reconsider——

The SPEAKER. But the gentleman from Texas has made the point of no quorum present.

Mr. FORDNEY. Mr. Speaker, the gentleman withholds his point for a moment.

Mr. WINGO. If the gentleman withdraws it, I will make it. You had just as well adjourn.

Mr. FORDNEY. If the gentleman will withhold it——

Mr. WINGO. I make the point of no quorum present.

Mr. GOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 36 minutes p. m.) the House adjourned until Wednesday, May 4, 1921, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

97. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting deficiency and supplemental estimates of appropriations, in the sum of $33,461.73, required by the Department of the Interior, Office of Indian Affairs (H. Doc. No. 63); to the Committee on Appropriations and ordered to be printed.

98. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia submitting a supplemental estimate of appropriations, in the sum of $1,989,000, required for buildings and grounds, public schools, and free public library, District of Columbia (H. Doc. No. 64); to the Committee on Appropriations and ordered to be printed.

99. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Agriculture submitting a proposed item of legislation relative to the apportionment of receipts from the national forests for the fiscal year 1921 (H. Doc. No. 65); to the Committee on Agriculture and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BOIES, from the Committee on the Judiciary, to which was referred the bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, ap-

proved March 3, 1901," and the acts amendatory thereof and supplementary thereto, reported the same without amendment, accompanied by a report (No. 36), which said bill and report were referred to the House Calendar.

Mr. KNUTSON, from the Committee on Pensions, to which was referred the bill (H. R. 5585) relating to execution of pension papers in foreign countries, reported the same without amendment, accompanied by a report (No. 37), which said bill and report were referred to the House Calendar.

Mr. HAYDEN, from the Committee on the Public Lands, to which was referred the bill (H. R. 2421) granting certain public lands to the city of Phoenix, Ariz., for municipal purposes, reported the same without amendment, accompanied by a report (No. 38), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH, from the Committee on the Public Lands, to which was referred the bill (H. R. 70) to allow credit for husbands' military service in case of homestead entries by widows, and for other purposes, reported the same with amendments, accompanied by a report (No. 40), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 1997) granting a pension to Hulda Flatt; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3280) granting a pension to George A. Willey; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4325) granting an increase of pension to Sarah McQueen; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LEATHERWOOD: A bill (H. R. 5673) to authorize the temporary exchange of certain public lands for experiments in sheep growing, and for other purposes; to the Committee on the Public Lands.

By Mr. TIMBERLAKE: A bill (H. R. 5674) for the purchase of a site for a public building at Longmont, Boulder County, Colo.; to the Committee on Public Buildings and Grounds.

By Mr. WOODRUFF: A bill (H. R. 5675) to amend an act entitled "An act to amend and modify the war risk insurance act," as approved December 24, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. TINCHER: A bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes; to the Committee on Agriculture.

By Mr. APPLEBY: A bill (H. R. 5677) granting pensions to certain members of the former Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: A bill (H. R. 5678) to regulate the sale of deadly weapons in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MILLSPAUGH: A bill (H. R. 5679) authorizing the purchase of land for a site for a post-office building at Canton, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Florida: A bill (H. R. 5680) to extend the franking privilege to literature published by boards of health of States and Territories in the United States; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 5681) conferring police powers on all conductors and motormen on all electric and other street railways in the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 5682) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the acts of Congress approved, respectively, July 1, 1862, March 7, 1864, July 13, 1866, and March 2, 1867; to the Committee on War Claims.

Also, a bill (H. R. 5683) to define who are vagrants in the District of Columbia and to prescribe punishment for vagrancy; to the Committee on the District of Columbia.

By Mr. HAWLEY: A bill (H. R. 5684) to authorize the purchase by the city of Medford, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; to the Committee on the Public Lands.

Also (by request), a bill (H. R. 5685) to authorize the addition of certain lands to the Crater National Forest; to the Committee on the Public Lands.

Also, a bill (H. R. 5686) to add to the Crater National Forest in Oregon certain lands that were revested in the United States pursuant to the decision of the Supreme Court of the United States in the case of the Oregon & California Railroad Co. against the United States, and for other purposes; to the Committee on the Public Lands.

By Mr. STEPHENS: A bill (H. R. 5687) to amend an act entitled "An act to amend and modify the war risk insurance act," approved December 24, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Tennessee: A bill (H. R. 5688) granting an increase of pension to certain soldiers, sailors, and marines of the Civil War and the War with Mexico and to the widows of such soldiers, sailors, and marines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5689) to provide a site and erect a public building thereon at Rockwood, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5690) to provide a site and erect a public building thereon at Lafollette, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5691) to provide a site and erect a public building thereon at Lenoir City, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS: A bill (H. R. 5692) to regulate interstate and foreign commerce in live stock, live-stock products, dairy products, poultry, poultry products, and eggs, and for other purposes; to the Committee on Agriculture.

By Mr. DOWELL: A bill (H. R. 5693) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, and for other purposes; to the Committee on Roads.

By Mr. CURRY: A bill (H. R. 5694) to provide for the administration of national property and interests in the Territory of Alaska, and for other purposes; to the Committee on the Territories.

Also, a bill (H. R. 5695) for the erection of a public building at Martinez, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: A bill (H. R. 5696) to provide for monthly payments of pensions, and for other purposes; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 5697) to amend an act of Congress approved July 17, 1916, known as the Federal farm loan act; to the Committee on Banking and Currency.

By Mr. WEAVER: A bill (H. R. 5698) to establish a fish hatchery and fish-cultural station in the State of North Carolina; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 5699) providing for the final disposition of the affairs of the Eastern Band of Cherokee Indians of North Carolina; to the Committee on Indian Affairs.

By Mr. KAHN: A bill (H. R. 5700) authorizing the Secretary of the Treasury to sell the old subtreasury property at San Francisco, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: Concurrent resolution (H. Con. Res. 15) providing for a joint committee on the budget; to the Committee on Rules.

Also, resolution (H. Res. 79) providing for the repeal of House resolution 324 (adopted June 1, 1920), and for other purposes; to the Committee on Rules.

By Mr. MacGREGOR: Resolution (H. Res. 80) for the appointment of a select committee to determine as to the property of the United States and the method of disposal of surplus; to the Committee on Rules.

By Mr. BRITTEN: Joint resolution (H. J. Res. 101) authorizing the President to appoint a board for the preparation of a harmonious system of contract forms, and for other purposes; to the Committee on the Judiciary.

By Mr. McFADDEN: Joint resolution (H. J. Res. 102) providing an amendment to the Constitution of the United States; to the Committee on Ways and Means.

By Mr. BARBOUR: Memorials of the Legislature of the State of California, indorsing the declaration of principles of the Japanese Exclusion League of California relative to immigration; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of California, memoralizing Congress to provide a tariff on almonds; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California memorializing Congress to provide a tariff on olives; to the Committee on Ways and Means.

By Mr. YOUNG: Memorial of the Legislature of the State of California, praying that such a tariff be placed on imported almonds as will equalize the cost of production and marketing between the home-grown and imported products, etc.; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 5701) granting an increase of pension to Margaret Hickman; to the Committee on Invalid Pensions.

By Mr. CHRISTOPHERSON: A bill (H. R. 5702) granting a pension to William Martin; to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: A bill (H. R. 5703) authorizing the Secretary of War to donate to the following cities and towns one German cannon each: Ocala, Fernandina, Starke, Bronson, Macclenny, Lake City, Live Oak, Madison, Mayo, Jasper, Perry, Monticello, and Gainesville, all in the State of Florida; to the Committee on Military Affairs.

By Mr. DEMPSEY: A bill (H. R. 5704) authorizing the Secretary of War to donate to the city of Buffalo, N. Y., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 5705) authorizing the Secretary of War to donate to each of the cities and towns in Niagara County, N. Y., two German cannons or fieldpieces with their accompaniments; to the Committee on Military Affairs.

By Mr. DENISON: A bill (H. R. 5706) granting a pension to Matilda J. Glass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5707) granting an increase of pension to Nancy J. Duncan; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 5708) for the relief of John M. Kills; to the Committee on Military Affairs.

By Mr. IRELAND: A bill (H. R. 5709) for the relief of Charles S. Fries; to the Committee on Claims.

By Mr. JAMES of Michigan: A bill (H. R. 5710) granting reimbursement to Allan B. Be Dell; to the Committee on War Claims.

By Mr. KLINE of Pennsylvania: A bill (H. R. 5711) granting a pension to Sarah E. Dieffenbacher; to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 5712) granting a pension to Jennette Hamilton; to the Committee on Invalid Pensions.

By Mr. LEATHERWOOD: A bill (H. R. 5713) authorizing the Secretary of War to donate to the city of Provo, State of Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5714) authorizing the Secretary of War to donate to the town of Farmington, State of Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5715) authorizing the Secretary of War to donate to the city of Tooele, State of Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5716) authorizing the Secretary of War to donate to the city of Salt Lake City, State of Utah, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MACGREGOR: A bill (H. R. 5717) for the relief of Mrs. Philip Hurcomb; to the Committee on Claims.

By Mr. McLAUGHLIN of Nebraska: A bill (H. R. 5718) granting a pension to John Shafranek; to the Committee on Pensions.

Also, a bill (H. R. 5719) granting a pension to Mathilda Wendorff; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 5720) granting a pension to Ezra M. Sellers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5721) granting an increase of pension to Melissa A. Lindsey; to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 5722) for the relief of Stephen A. Winchell; to the Committee on Military Affairs.

Also, a bill (H. R. 5723) granting a pension to Mary M. Joy; to the Committee on Invalid Pensions.

By Mr. ROSENBLOOM: A bill (H. R. 5724) to reimburse L. W. Dragoo, formerly postmaster at Smithfield, Wetzel County, W. Va., for money, money orders, and postage stamps stolen; to the Committee on Claims.

By Mr. SANDERS of New York: A bill (H. R. 5725) granting a pension to James M. Byrne; to the Committee on Invalid Pensions.

By Mr. TAYLOR of New Jersey: A bill (H. R. 5726) authorizing the Secretary of War to donate to the town of Bloomfield, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5727) authorizing the Secretary of War to donate to the town of Belleville, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5728) authorizing the Secretary of War to donate to the town of Nutley, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5729) authorizing the Secretary of War to donate to the city of Bayonne, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5730) authorizing the Secretary of War to donate to the town of Kearny, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5731) authorizing the Secretary of War to donate to the borough of East Newark, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAYLOR of Tennessee: A bill (H. R. 5732) for the relief of Arthur Allen; to the Committee on Claims.

Also, a bill (H. R. 5733) granting an increase of pension to Polly A. Blair; to the Committee on Pensions.

Also, a bill (H. R. 5734) granting a pension to George Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5735) granting an increase of pension to Elizabeth Burkett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5736) granting a pension to Isabel McGhee; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 5737) granting a pension to Ella Shurtleff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5738) granting an increase of pension to Walter W. Donahue; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 5739) granting a pension to George Stanley; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 5740) granting a pension to Cora L. Lasley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5741) granting a pension to Charles Sidney George; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 5742) granting an increase of pension to Permelia J. Battelle; to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 5743) authorizing the Secretary of War to donate to the city of Harvey, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5744) authorizing the Secretary of War to donate to the city of Bismarck, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5745) authorizing the Secretary of War to donate to the city of Carrington, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5746) authorizing the Secretary of War to donate to the town of Fessenden, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5747) authorizing the Secretary of War to donate to the city of Kintyre, State of North Dakota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 5748) granting a pension to Samuel S. McKenzie; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

433. By Mr. CHRISTOPHERSON: Petition of the North and South Dakota Wool & Warehouse Association, urging the passage of the Fordney emergency tariff bill, etc.; to the Committee on Ways and Means.

434. By Mr. DALLINGER: Petition of the New England conference of the Evangelical Association, favoring the passage of the Towner educational bill; to the Committee on Education.

435. Also, petition of citizens of Cambridge, Mass., favoring recognition of the Irish republic; to the Committee on Foreign Affairs.

436. By Mr. DEMPSEY: Petition of the American Association; also Rev. Peter J. Berkery, Middleport, N. Y.; also Mrs. Josephine M. Crick, of Niagara Falls, N. Y., praying for recognition of the Irish republic; to the Committee on Foreign Affairs.

437. Also, petition of the General Abrasive Co. (Inc.), Niagara Falls, N. Y., protesting against tarriff on bauxite; to the Committee on Ways and Means.

438. Also, petition of the Chamber of Commerce, Buffalo, N. Y., opposing the tariff tax on lumber; to the Committee on Ways and Means.

439. Also, petition of the National Brotherhood of Blacksmiths, Drop Forgers, and Helpers, protesting against the enaction of a sales tax law; to the Committee on Ways and Means.

440. Also, petition of the Niagara Falls Brewing Co., praying for a decrease in or the abolition of the tax on cereal beverages; to the Committee on Ways and Means.

441. Also, petition of the Chamber of Commerce of Buffalo, N. Y., favoring tax on all crude and refined methyl alcohol, etc.; to the Committee on Ways and Means.

442. Also, petition of Oscar H. Geiger & Co., New York City, against tax of 10 per cent on manufactured fur articles; to the Committee on Ways and Means.

443. Also, petition of Division No. 328, International Brotherhood of Locomotive Engineers, Buffalo, N. Y., protesting against the enactment of sales or turnover tax law, etc.; to the Committee on Ways and Means.

444. Also, petition of Local No. 76, N. B. of O. P., Buffalo, N. Y., urging the enactment of a tariff on imported pottery; to the Committee on Ways and Means.

445. Also, petition of William C. Werner, New York, protesting against a tax on furs, etc.; to the Committee on Ways and Means.

446. By Mr. DYER: Petition of the St. Louis Basket & Box Co., in favor of House bill 4900, known as the hamper and basket bill; to the Committee on Coinage, Weights, and Measures.

447. Also, petition of Paper Carriers' Local, A. P. L., indorsing the program of legislation asked by the American Legion in the interest of disabled soldiers, sailors, and marines of America; to the Committee on Interstate and Foreign Commerce.

448. By Mr. ELSTON: Petition of the executive board of California, Women's Christian Temperance Union, urging world disarmament conference; to the Committee on Foreign Affairs.

449. By Mr. KELLY of Pennsylvania: Petition of Emory Bible Class, Pittsburgh, Pa., protesting against the modification of the Volstead law; to the Committee on the Judiciary.

450. By Mr. KISSEL: Petition of Jesse Stiefel, New York City, N. Y., opposing the Star-Spangled Banner as the national anthem; to the Committee on the Library.

451. By Mr. MacGREGOR: Petition of the I. B. of B. D. F. and H., Buffalo, N. Y., against the passage of the sales tax bill, etc.; to the Committee on Ways and Means.

452. By Mr. SNELL: Petition of Moriah Post, American Legion, No. 223, Port Henry, N. Y., urging the enactment of five bills, as follows: (1) Legislation consolidating the three ex-service bureaus; (2) appropriations for a permanent hospital building program; (3) legislation decentralizing the Bureau of War Risk Insurance; (4) legislation to further extend the benefits of vocational training and providing vocational training with pay for all disabled men with disabilities of 10 per cent or more traceable to the service; (5) legislation providing privilege of retirement with pay for disabled emergency officers of the World War; to the Committee on Military Affairs.

453. By Mr. TINKHAM: Petition of Irving W. Adams Post, No. 36 (Inc.), the American Legion, Boston, Mass., urging legislation consolidating the three ex-service bureaus, etc.; to the Committee on Military Affairs.

454. Also, petition of the Foreign Policy Association of Massachusetts, urging Army be cut to 160,000 men, etc.; to the Committee on Military Affairs.

455. By Mr. YOUNG: Petition of Granville Chapter, No. 47, Order of the Eastern Star, of Granville, N. Dak., praying for the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

456. Also, petition of Linton Lodge, No. 98, Ancient Free and Accepted Masons, of Linton, N. Dak., praying for the passage of the Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

457. Also, petition of Minot Lodge, No. 6, Knights of Pythias, of Minot, N. Dak., praying for the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

458. Also, petition of the Sylvester J. Hill Relief Corps, No. 24, of Granville, N. Dak.; Congregational Church of Granville, Granville, N. Dak.; and Dunseith Lodge, No. 99, Ancient Free and Accepted Masons, of Dunseith, N. Dak., praying for the passage of the so-called Smith-Towner bill, to establish a department of education, etc.; to the Committee on Education.

459. Also, petition of the North and South Dakota Wool & Warehouse Association, praying for the passage of House bill 2435, the Young emergency tariff bill; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *May 4, 1921.*

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

O God, we would see light in Thy light, and amid all the ways along which Thou dost lead us we would be confident of Thy guidance and certain that no path of Thy choosing shall ever be other than right for us. So help us, we beseech of Thee, ever to trust Thee with a confidence that is unshaken. We ask for Christ's sake. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, May 2, 1921, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading cerk called the roll, and the following Senators answered to their names:

Ball	Gooding	McKellar	Simmons
Borah	Hale	McKinley	Smoot
Brandegee	Harreld	McLean	Spencer
Broussard	Harris	McNary	Stanfield
Bursum	Harrison	Moses	Stanley
Calder	Heflin	Myers	Sutherland
Cameron	Hitchcock	Nelson	Trammell
Capper	Johnson	New	Underwood
Caraway	Jones, N. Mex.	Nicholson	Wadsworth
Culberson	Jones, Wash.	Norbeck	Walsh, Mass.
Cummins	Kellogg	Norris	Walsh, Mont.
Curtis	Kendrick	Oddie	Warren
Dial	Kenyon	Overman	Watson, Ga.
Dillingham	Keyes	Penrose	Watson, Ind.
Elkins	King	Phipps	Weller
Fernald	Knox	Poindexter	Williams
Fletcher	Ladd	Pomerene	Willis
France	La Follette	Ransdell	Wolcott
Frelinghuysen	Lenroot	Robinson	
Gerry	Lodge	Sheppard	
Glass	McCumber	Shields	

Mr. CURTIS. I wish to announce that the Senator from Kentucky [Mr. ERNST] is absent on account of illness in his family.

The VICE PRESIDENT. Eighty-one Senators having answered to their names, a quorum is present.

TOBACCO PRODUCT OF NORTH CAROLINA AND KENTUCKY.

Mr. OVERMAN. Mr. President, I find that yesterday in a friendly colloquy between myself and the Senator from Kentucky [Mr. STANLEY] as to the amount of the tobacco raised in North Carolina we were both right. The statistics have not been issued, but I obtained them from the Census Office this morning.

In 1919 the statistics show that while Kentucky raised 511,000,000 pounds of tobacco North Carolina raised 280,000,000 pounds. The Senator was right as to the number of pounds, but the value of North Carolina's crop was $151,000,000 while Kentucky's value was only $117,000,000, showing that in that respect I was right.

I ask that the statement which I obtained from the Census Office may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it will be so printed.

The statement is as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
OFFICE OF THE DIRECTOR.
Washington, May 3, 1921.

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.

DEAR SENATOR OVERMAN: In response to your telephonic request for statistics showing production and value of tobacco in the States of North Carolina and Kentucky, censuses of 1910 and 1920, I submit the following statement:

	Production.	Value.
	Pounds.	
North Carolina:		
1909	138,813,163	$13,847,559
1919	280,163,432	151,288,284
Kentucky:		
1909	398,482,301	39,868,753
1919	511,872,486	117,730,675

The average value of tobacco per pound which was produced in both North Carolina and Kentucky during the year 1909 was approximately 10 cents. At the recent census, according to values supplied by the Bureau of Crop Estimates, the average value per pound in Kentucky was 23 cents and in North Carolina it was 54 cents. Please note that Kentucky ranked first at both censuses in production, but that in value North Carolina ranked first at the later census.

The tobacco grown in North Carolina is of a bright yellow variety and is used principally in the manufacture of smoking tobacco, cigarettes, etc., while Kentucky produces a dark brown tobacco used chiefly in the manufacture of chewing tobacco.

I am very glad to supply you with these official figures.

Very truly, yours, W. M. STEUART,
Acting Director.

Mr. STANLEY subsequently said: Mr. President, I was somewhat surprised at the statement as to the comparative values of tobacco grown in Kentucky and North Carolina made by the junior Senator from North Carolina [Mr. OVERMAN]. Knowing his scholarship and great accuracy, I challenged the statement with some hesitancy. I see that the Senator's estimate as to the comparative values of the tobacco produced in 1919 in Kentucky and in North Carolina is supported by a statement from the Director of the Census. Upon just what data the Bureau of the Census depended in quoting these figures I do not know, but the census figures are manifestly inaccurate.

The census touching the production of tobacco is made under a special act of Congress enabling the Agricultural Department to furnish from time to time accurate statements not only of the production of this product but of the amount on hand. This legislation was necessitated by the activities of the American Tobacco Co. several years ago. It became necessary for the farmer to know the amount of tobacco in the United States in order that he might act accordingly in the pooling of that crop.

I wish to insert in the RECORD a statement from the Yearbook issued by the Department of Agriculture for 1919, showing that the acreage of tobacco in North Carolina for the year 1919, the year quoted by the Census Bureau, was 554,000, the total production 310,240,000 pounds, and the farm value $166,289,000. The production in Kentucky for the same period included an acreage of 550,000 and a production of 456,500,000 pounds, with a farm value of $174,383,000.

I have here the Crop Reporter for the year 1920. This Reporter gives the production in North Carolina for the year 1920 as an acreage of 582,000, with a farm value of approximately $174,333,000. For Kentucky for the same period there was an approximate acreage of 550,000 and a farm value of approximately $190,236,000, as against $174,333,000.

I ask permission to insert in the RECORD Table 140, on page 597 of the statistics of the Department of Agriculture, and the table quoted in the Crop Reporter for December, 1920, on page 139, giving the production of tobacco for the year 1920.

The VICE PRESIDENT. Without objection, it is so ordered.

The tables referred to are as follows:

TABLE 140.—*Tobacco: Acreage, production, and total farm value, by States, 1919.*

State.	Acreage.	Production.	Farm value Dec. 1.
		Pounds.	
Massachusetts	10,000	15,400,000	$7,130,000
Connecticut	25,000	39,000,000	18,057,000
New York	2,700	3,483,000	784,000
Pennsylvania	41,000	54,120,000	9,200,000
Maryland	29,000	19,575,000	5,872,000
Virginia	230,000	131,100,000	62,141,000
West Virginia	15,000	10,500,000	5,250,000
North Carolina	554,000	310,240,000	166,289,000
South Carolina	135,000	81,000,000	18,468,000
Georgia	31,000	16,430,000	3,532,000
Florida	4,200	3,990,000	2,175,000
Ohio	90,000	77,400,000	26,084,000
Indiana	17,900	15,215,000	5,356,000
Illinois	700	525,000	105,000
Wisconsin	48,000	60,960,000	13,533,000
Missouri	3,500	3,500,000	1,260,000
Kentucky	550,000	456,500,000	174,383,000
Tennessee	110,000	88,000,000	22,088,000
Alabama	3,000	1,890,000	567,000
Louisiana	400	174,000	113,000
Arkansas	800	456,000	160,000
United States	1,901,200	1,389,458,000	542,547,000

Crop statistics, 1918–1920—Tobacco.

State.	Acreage.			Yield per acre.		
	1920	1919	1918	1920	1919	1918
	Acres.	*Acres.*	*Acres.*	*Lbs.*	*Lbs.*	*Lbs.*
Massachusetts	10,200	10,000	10,000	1,550	1,540	1,500
Connecticut	24,400	25,000	25,000	1,480	1,560	1,500
New York	2,400	2,700	3,000	1,280	1,290	1,250
Pennsylvania	40,000	41,000	45,600	1,510	1,320	1,420
Maryland	35,000	29,000	32,000	875	675	830
Virginia	243,000	221,000	215,000	730	570	770
West Virginia	13,000	15,000	13,600	800	700	720
North Carolina	582,000	528,000	468,000	660	616	705
South Carolina	103,000	112,000	86,400	650	722	720
Georgia	26,700	31,000	4,500	600	530	800

Crop statistics, 1918–1920—Tobacco—Continued.

State.	Acreage.			Yield per acre.		
	1920	1919	1918	1920	1919	1918
	Acres.	*Acres.*	*Acres.*	*Lbs.*	*Lbs.*	*Lbs.*
Florida	4,200	4,200	4,600	1,100	950	960
Ohio	63,000	76,000	100,000	960	860	980
Indiana	20,000	20,000	16,300	900	800	930
Illinois	700	700	800	750	750	760
Wisconsin	50,000	48,000	49,000	1,248	1,270	1,330
Missouri	6,000	5,000	3,300	1,000	1,000	900
Kentucky	550,000	600,000	490,000	850	830	960
Tennessee	117,000	138,000	77,800	730	810	800
Alabama	2,500	3,000	1,500	600	630	700
Louisiana	500	400	300	500	434	420
Arkansas	800	800	400	600	570	700
United States	1,894,400	1,910,800	1,647,100	796.1	761.3	873.7

State.	Production (000 omitted).			Price Dec. 1.		
	1920	1919	1918	1920	1919	1918
	Pounds.	*Pounds.*	*Pounds.*	*Cts. per lb.*	*Cts. per lb.*	*Cts. per lb.*
Massachusetts	15,810	15,400	15,000	40.6	46.3	40.0
Connecticut	36,112	39,000	37,500	35.0	46.3	44.0
New York	3,072	3,483	3,750	27.0	22.5	18.0
Pennsylvania	60,400	54,120	64,752	20.0	17.0	14.0
Maryland	30,625	19,575	26,560	29.0	30.0	30.0
Virginia	177,390	125,970	165,550	24.0	47.4	27.0
West Virginia	10,400	10,500	9,792	25.0	50.0	36.6
North Carolina	384,120	325,248	329,940	25.3	53.6	35.1
South Carolina	66,950	80,864	62,208	15.0	22.8	31.1
Georgia	16,020	16,430	3,600	37.0	21.5	46.0
Florida	4,620	3,990	4,416	48.0	54.5	46.0
Ohio	60,480	65,360	98,000	13.0	33.7	19.5
Indiana	18,000	16,000	15,159	14.0	35.2	20.7
Illinois	525	525	608	31.0	20.0	17.0
Wisconsin	62,400	60,960	65,170	25.9	22.2	22.0
Missouri	6,000	5,000	2,970	33.0	36.0	25.0
Kentucky	467,500	498,000	470,400	15.0	38.2	26.3
Tennessee	85,410	111,780	62,240	20.0	25.1	21.4
Alabama	1,500	1,890	1,050	35.0	30.0	30.0
Louisiana	250	174	126	40.0	65.0	65.0
Arkansas	480	456	280	31.0	35.0	25.0
United States	1,508,064	1,454,725	1,439,071	21.1	39.0	28.0

State.	Total farm value, basis Dec. 1 price (000 omitted).			Value per acre, basis Dec. 1 price.		
	1920	1919	1918	1920	1919	1918
Massachusetts	$6,419	$7,130	$6,000	$629.30	$713.02	$600.00
Connecticut	12,639	18,057	16,500	518.00	722.28	660.00
New York	829	784	675	345.60	290.25	225.00
Pennsylvania	12,080	9,200	9,065	302.00	224.40	198.00
Maryland	8,881	5,872	7,968	253.75	202.50	249.00
Virginia	42,574	59,710	44,698	175.20	270.18	207.90
West Virginia	2,600	5,250	3,584	200.00	350.00	263.52
North Carolina	97,182	174,333	115,809	166.98	330.18	247.46
South Carolina	10,042	18,437	19,347	97.50	164.62	223.92
Georgia	5,927	3,532	1,656	222.00	113.95	368.00
Florida	2,218	2,175	2,031	528.00	517.75	441.60
Ohio	7,862	22,026	19,110	124.80	289.82	191.10
Indiana	2,520	5,632	3,138	126.00	281.60	192.51
Delaware	163	105	103	232.50	150.00	129.20
Wisconsin	16,162	13,533	14,337	323.23	281.94	292.60
Missouri	1,980	1,800	742	330.00	360.00	225.00
Kentucky	70,125	190,236	123,715	127.50	317.06	252.48
Tennessee	17,082	28,057	13,319	146.00	203.31	171.20
Alabama	825	567	315	330.00	189.00	210.00
Louisiana	100	113	82	200.00	282.10	273.00
Arkansas	149	160	70	186.00	199.50	175.00
United States	318,359	566,709	402,264	168.05	296.58	244.23

Mr. STANLEY. These tables show that for the year 1919 Kentucky exceeded North Carolina in production by 146,000,000 pounds and in value by $8,211,000. Approximately the same difference is manifest from the reports of the Department of Agriculture for the year 1920.

I was sure when the Senator from North Carolina made the statement that he had good authority for it, knowing his accuracy and thorough knowledge of the subject; but, under the circumstances, the estimates and the information obtained by the Department of Agriculture are much more dependable than the estimates of the Census Bureau, in my opinion.

Mr. OVERMAN. Mr. President, I did not intend to detract from Kentucky. I was going on to show the wonderful increase in farming and manufacturing in my State, and I did state that she had increased wonderfully in the production of tobacco.

After the Senator from Kentucky took issue with me, I went out to the telephone and called up the Census Bureau, and they said that the figures had not yet been published, but they had them there, and would send them to me this morning, and I had them published in the RECORD, showing that where the value of the tobacco produced in Kentucky was $117,000,000, in North Carolina it was $150,000,000, and that in 10 years we had increased in the value of tobacco grown from $13,000,000 to $150,000,000, while Kentucky had increased from $39,000,000 to $117,000,000. It was the increase I was showing, to show that we did not need any foreigners to raise tobacco.

The issue came about in that way. The Senator from Missouri [Mr. REED] was contending that the American people were not as good as the foreigners in raising crops, and I showed that we had less foreign population than any other State in the Union, and that we had increased in population more than almost any other State in the Union, according to percentage, leaving out the foreign population, and that we had increased in industry, in finance, and in farming in percentages more than any other State, and that we had less foreign population.

That was the point I was making.

Mr. STANLEY. Mr. President, I appreciate perfectly well the fact that the Senator from North Carolina had no intention of making any invidious comparison between the sister States of North Carolina and Kentucky. Kentucky rejoices in the marvelous advance of North Carolina and in the splendid attainments of her representatives in the Senate; and, outside of Kentucky, there is not a State in the Union to which I would take off my hat with greater pride and pleasure than the imperial State of North Carolina.

RURAL CREDIT SOCIETIES.

Mr. McLEAN. Mr. President, I wish to call the attention of the Senate to S. 1265, to create rural credit societies, and for other purposes, which was introduced on the 27th day of April by the junior Senator from Iowa [Mr. KENYON] and referred to the Committee on Agriculture and Forestry. I think the senior Senator from Pennsylvania [Mr. PENROSE] will be interested in the appropriateness of its reference.

The bill creates two organizations, the rural credit society and the liberty insurance league. On page 3 of the bill, article 2, the nature of the business of the rural credit societies is described in the following language——

Mr. BORAH. Mr. President, have we got through with morning business?

Mr. McLEAN. I shall not occupy more than three minutes.

Mr. BORAH. If the Senator is going to call up the bill for a change of reference it will occupy more than three minutes.

Mr. McLEAN. I wish to assure the Senator that I have no desire to change the reference. On the contrary I wish to call the attention of the Senate to the reference in order that the Senate may appreciate the brilliant judgment exercised by the Senator from Iowa in referring the bill to the Committee on Agriculture and Forestry——

Mr. KENYON. I thank the Senator, but I ask him to read the remarks I made about the bill at the time I introduced it.

Mr. BORAH. Mr. President, has this day been set apart for a day of eulogies?

Mr. KENYON. Just 10 minutes.

Mr. McLEAN. I do not expect to occupy more than two minutes.

Mr. KENYON. I stated at that time that if there would be any hearings on the bill we would have joint hearings with the Committee on Banking and Currency, of which the Senator from Connecticut [Mr. McLEAN] is chairman. I felt that the Committee on Agriculture and Forestry would be much more friendly to the bill than the Senator's committee. That is one reason why I wanted to have it go to the Committee on Agriculture and Forestry. I am perfectly frank in saying that.

Mr. McLEAN. I think if I call the attention of the Senate to two sections, which are very brief, describing the purpose of the act, they will realize that the Senator from Iowa did not send it to the Committee on Agriculture and Forestry because he thought that committee would be blind to its faults or kind to its virtues. On page 3 the nature of the business is described as follows:

> The nature of the society's business shall be, and it is hereby, authorized and empowered to act as the financial and fiscal agent for the Government of the United States——

That goes in as a matter of course——

> in such manner, for such purposes, and on such terms as may be prescribed by the Secretary of Agriculture and approved by the society's board of directors; to do and transact a general banking and credit business through its executive, branch, and commune offices, and through such agents and agencies as its by-laws may prescribe.

At the close of article 2, which describes the business that may be transacted by the organization, there is the following proviso:

> That neither the society nor its branches or communes shall issue or print demand payable bank notes or currency.

I have no doubt when the Committee on Agriculture reports the bill favorably the Senator from Iowa will explain why he thought it necessary to embrace this restriction.

Mr. PENROSE. Mr. President——

The VICE PRESIDENT. Does the Senator from Connecticut yield to the Senator from Pennsylvania?

Mr. McLEAN. Certainly.

Mr. PENROSE. I hope the Senator will proceed cautiously. This may have some relation to financing the suppression of coyotes and muskrats and other pests of the prairies.

Mr. McLEAN. I think the jurisdiction is very much broader than that, if the Senator will be patient. This proviso gives the Secretary of Agriculture the power to restrict the activities of the organization to the issuance of time notes and currency; that is, the bank notes, if they are made legal tender by the Secretary of Agriculture, must be payable at least one day from date. On page 28 of the bill——

Mr. KENYON. If the Senator from Connecticut is going to enter into a discussion of the bill, of course I shall want some time to reply. If we are going to discuss the bill this morning—and it is a long bill—it is hardly fair to pick out here and there some particular language of the bill. It is very popular to make fun of any rural credit bill.

Mr. McLEAN. I am not making fun of it. I merely wish to read the provision prescribing the nature of the rural credit business authorized by the bill for the purpose of indicating the sound judgment of the Senator from Iowa in having the bill referred to the Committee on Agriculture and Forestry. I will conclude in two minutes. The nature of the organization which is called "the league" is indicated by the following provision:

> SECTION 1. Nature of business: The nature of the league's business shall be, and it is hereby authorized and empowered, to act as the financial and fiscal agent for the Government of the United States in such manner, for such purposes, and on such terms as may be prescribed by the Secretary of Commerce and approved by the league's board of directors or trustees, to do and transact the business of insurance of every nature whatsoever, to sell indemnity against any and every contingency, to negotiate reinsurances of risks and companies, receive and execute trusts, make endowments, grant, purchase, and dispose of annuities and property. It shall operate such businesses or any of them through managers and agents in the several States, Territories, and insular possessions of the United States, and it may operate them or any of them in such foreign countries whose Governments grant it permits so to do.

Then follows a restrictive clause, and when I have read this I shall have concluded my remarks:

> *Provided*, That it is hereby authorized to limit its liabilities on such foreign business to such funds or capital of the department doing such foreign business as its by-laws may prescribe.

Mr. BORAH. Regular order, Mr. President.

Mr. KENYON. Mr. President, of course I am not entitled to speak on the bill at this time. I understand the purpose of the Senator from Connecticut is to ridicule the bill. The Senator has picked out here and there portions of the bill which may be subject to ridicule, but the entire plan of the bill is set forth in an article which was placed in the RECORD by me on day before yesterday. Whether this bill or some other bill is considered, no ridicule of rural credit bills is going to stop the consideration of some rural credit measure by this Congress. This may not be the proper bill, but there will be such a bill.

The VICE PRESIDENT. The regular order is the presentation of petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. HARRELD presented a resolution of the Legislature of Oklahoma, which was referred to the Committee on Finance, as follows:

House resolution 4.

Be it resolved by the House of Representatives of the Eighth Legislature of the State of Oklahoma, That——

Whereas the matter imposing a tariff on oil importations in the United States is now before the Congress of the United States: Therefore be it

Resolved, That for the protection of the oil producers of the Mid-Continent oil fields the house of representatives of the eighth legislature do hereby memorialize Congress to cause to be imposed a tariff on oil importation into the United States sufficient and adequate to protect the oil-producing interests of the Mid-Continent oil fields and the United States.

Attest:

GEO. SCHWOBE,
Speaker House of Representatives, Oklahoma Legislature.

Mr. MYERS presented two memorials of citizens of Gallatin County, Mont., remonstrating against the enactment of legisla-

tion to dam up Yellowstone Lake, which were referred to the Committee on Commerce.

He also presented memorials of the American Brewing Co. and the Montana Brewing Co., both of Great Falls, Mont., remonstrating against the enactment of legislation placing a 50 per cent higher tax on cereal beverages, which were referred to the Committee on Finance.

Mr. FRANCE presented a resolution of the Baltimore Automobile Trade Association, of Baltimore, Md., favoring the enactment of legislation which will equalize the price difference in marketing vehicles and automotive merchandise salvaged from the war areas of Europe, which was referred to the Committee on Finance.

Mr. HARRIS presented a resolution of the National Board of Farm Organizations, of Washington, D. C., protesting against the enactment of legislation placing the Federal Trade Commission under the administrative control of any governmental department, which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a letter in the nature of a petition from the East Side Bottling Works, of Cheyenne, Wyo., praying for the enactment of legislation repealing the tax on bottled soft drinks, which was referred to the Committee on Finance.

Mr. BURSUM presented a resolution of Hugh A. Carlisle Post, No. 13, American Legion, of Albuquerque, N. Mex., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas as a part of the great body of American public opinion which compelled and supported the entrance of this Nation into the World War for democracy and freedom against autocracy and oppression, we feel solemnly and in duty bound to accept along with the victory our troops so handsomely won the obligation to render to our soldiers, sailors, and marines injured and disabled in the service every aid, comfort, and restitution which, through hospital care, financial support, and vocational rehabilitation, a grateful Nation can give; and

Whereas now more than two years after the conclusion of the war there remains much to be done in providing adequate hospitalization, compensation, and vocational training for our disabled; and

Whereas the American Legion, representing the great bulk of the disabled, as well as all ex-service men and women, is, after careful analysis and study, suggesting and supporting a program of relief for the disabled which commends itself to us as most conservative and reasonable; and

Whereas with deep consciousness of our debt to the disabled we wish to join our voices with the American Legion in requesting that the legislation proposed be given earnest consideration by the National Congress: Therefore be it

Resolved, That we hereby indorse the program of legislation asked by the American Legion of the Sixty-seventh Congress in the interest of the disabled soldiers, sailors, and marines of America and urge upon our Representative from this district and our Senators from this State the speedy enactment of the five bills involved, including:

1. Legislation consolidating the three ex-service bureaus.
2. Appropriations for a permanent hospital building program.
3. Legislation to further extend the benefits of vocational training and providing vocational training with pay for all disabled men with disabilities of 10 per cent or more traceable to the service.
4. Legislation decentralizing the Bureau of War Risk Insurance.
5. Legislation providing privilege of retirement with pay for disabled emergency officers of the World War.

HUGH A. CARLISLE POST, NO. 13, AMERICAN LEGION,
F. O. WESTERFIELD, *Post Commander.*

Attest:

GEORGE L. BECKWITH, *Post Adjutant.*

Mr. CAPPER presented a memorial of Local Division No. 587, International Brotherhood of Locomotive Engineers, of Salina, Kans., remonstrating against the enactment of legislation repealing the excess-profits tax and substituting therefor a sales or turnover tax, which was referred to the Committee on Finance.

He also presented a resolution of Barney Local, No. 869, Farmers' Educational and Cooperative Union of America, of Erie, Kans., favoring the so-called truth in fabric bill, the packer control bill, a bill to remove objectional features from the various boards of trade, the emergency tariff bill, a permanent tariff bill to protect agriculture, a bill to compel manufacturers to place the manufacturing cost on each article, the bill to repeal the railroad guaranty, and opposing the Nolan bill and any bill that may shift the burden of income taxes to persons of small incomes, which was referred to the Committee on Interstate Commerce.

He also presented a resolution of Miami County Post, No. 156, American Legion, Paola, Kans., favoring the enactment of legislation providing adequate relief for wounded ex-service men, which was referred to the Committee on Finance.

Mr. MOSES presented a memorandum from the Ukrainian National Committee, of Manchester, N. H., in relation to the case of East Galicia, requesting that the Government of the United States recognize East Galicia (along with northern Bukovina) as an independent State—the West Ukrainian Republic; that the Government of the United States recognize the lawful Government of the West Ukrainian Republic, namely, the Government established by the Ukrainian National Assembly under the leadership of Dr. Eugene Petrushevich; and that the Government of the United States, as one of the temporary sovereigns of East Galicia, demand of Poland that she immediately evacuate East Galicia, which was referred to the Committee on Foreign Relations.

Mr. PENROSE. I present a memorial from Americans of Ukrainian ancestry and Ukrainians residing in Minersville, Pa., concerning conditions in East Galicia. I move that the memorial be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. PENROSE. I also present a similar memorial from people of the same nationality residing in Rankin, Pa., on the same subject, and I move that it be referred to the same committee.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 723) for the relief of James Duffy (Rept. No. 28);

A bill (S. 724) for the relief of Henry J. Davis (Rept. No. 29); and

A bill (S. 725) for the relief of Orion Mathews (Rept. No. 30).

Mr. STERLING, from the Committee on Civil Service, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 581. A bill to repeal the act prohibiting increased pay under lump-sum appropriations to employees transferred within one year (Rept. No. 31); and

S. 582. A bill to repeal section 5 of the act approved June 22, 1906, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes" (Rept. No. 32).

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SPENCER:

A bill (S. 1553) authorizing the President to appoint Vance Richard Thralls a captain in the Regular Army; to the Committee on Military Affairs.

By Mr. JOHNSON:

A bill (S. 1554) to exempt from cancellation certain desert-land entries in Riverside County, Calif.; to the Committee on Public Lands and Surveys.

By Mr. HALE:

A bill (S. 1555) granting a pension to Ida M. Stewart (with accompanying papers); to the Committee on Pensions.

By Mr. HARRELD:

A bill (S. 1556) granting a national charter to organize and maintain subordinate chapters of the Phi Delta Omega Fraternities; to the Committee on the Judiciary.

A bill (S. 1557) for the relief of the heirs of James Taylor, deceased; to the Committee on Cla

By Mr. BRANDEGEE:

A bill (S. 1558) to carry out the findings of the Court of Claims in the case of William C. Staples; to the Committee on Claims.

A bill (S. 1559) for the relief of Edward W. Whitaker; to the Committee on Military Affairs.

A bill (S. 1560) to enlarge the area of lands authorized to be taken for the reclamation of the Anacostia River Flats; to the Committee on the Library.

By Mr. LENROOT:

A bill (S. 1561) for the relief of the Wisconsin Band of Pottawatomie Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. POMERENE:

A bill (S. 1562) to prevent the teaching, advocating, inciting, or promoting the overthrow of the Government by force or violence; to the Committee on the Judiciary.

By Mr. ROBINSON:

A bill (S. 1563) repealing the provision of law forbidding clerks, deputy clerks, and assistants to receive compensation through an office or position to which he may be appointed by the court; to the Committee on the Judiciary.

By Mr. BURSUM:

A bill (S. 1565) making eligible for retirement under the same conditions as now provided for officers of the Regular Army all officers of the United States Army during the World

War who have incurred physical disability in line of duty; to the Committee on Military Affairs.

By Mr. McNARY:

A bill (S. 1566) for the relief of E. W. McComas; to the Committee on Public Lands and Surveys.

A bill (S. 1567) for the relief of Herbert M. Friendly and Archibald E. Burns, and each of them; to the Committee on Patents.

A bill (S. 1568) granting an increase of pension to Indian war veterans and their widows; to the Committee on Pensions.

A bill (S. 1569) for the relief of Preston B. C. Lucas; to the Committee on Claims.

By Mr. HARRIS:

A bill (S. 1570) to revive the right of action under the act of March 12, 1863 (12 Stat. L., p. 820); to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

A bill (S. 1571) to remove the charge of desertion from the military record of Isaac Dalzell, deceased; to the Committee on Military Affairs.

A bill (S, 1572) granting a pension to Arthur O'Hara; to the Committee on Pensions.

By Mr. WOLCOTT:

A bill (S. 1573) granting a pension to Lavinia Dillahay; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 1574) authorizing the Secretary of War to exchange, with foreign nations desiring same, samples of arms and equipment in use by the Army of the United States; to the Committee on Military Affairs.

A bill (S. 1575) to vacate and close certain streets and alleys within the area known as the Walter Reed General Hospital, District of Columbia (with accompanying papers); to the Committee on the District of Columbia.

By Mr. CUMMINS:

A bill (S. 1576) granting a pension to James McManus;

A bill (S. 1577) granting an increase of pension to James H. Hargis;

A bill (S. 1578) granting a pension to Alois Menzel;

A bill (S. 1579) granting an increase of pension to Storm T. Roberts;

A bill (S. 1580) granting an increase of pension to David L. Armstrong; and

A bill (S. 1581) granting an increase of pension to Jeremiah Lynch; to the Committee on Pensions.

A bill (S. 1582) for the relief of Joseph D. McGarraugh; and

A bill (S. 1583) for the relief of James Kernan; to the Committee on Military Affairs.

By Mr. BALL:

A bill (S. 1586) to authorize the extension and widening of Fourteenth Street from Montague Street to its southern terminus, south of Dahlia Street; Nicholson Street from Thirteenth Street to Sixteenth Street; Colorado Avenue from Montague Street to Thirteenth Street; Concord Avenue from Sixteenth Street to its western terminus, west of Eighth Street west; Thirteenth Street from Nicholson Street to Piney Branch Road; and Piney Branch Road from Thirteenth Street to Blair Road; and for other purposes;

A bill (S. 1587) to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.; and

A bill (S. 1588) for the prevention of venereal diseases in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. NORRIS:

A bill (S. 1589) to amend section 2 of the act of August 9, 1912 (37 Stat. L., 265), relating to liens in patents and water-right certificates; to the Committee on Irrigation and Reclamation.

By Mr. KENDRICK:

A bill (S. 1590) to add certain lands to the Wyoming National Forest; to the Committee on Public Lands and Surveys.

By Mr. FRANCE:

A bill (S. 1591) to amend an act entitled "An act to revive with amendments an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838, as amended; to the Committee on the Judiciary.

By Mr. PENROSE:

A bill (S. 1592) for the retirement of certain emergency officers of the Army; to the Committee on Military Affairs.

A bill (S. 1593) for the relief of Cornelius Dugan; to the Committee on Naval Affairs.

A bill (S. 1594) granting a pension to William R. Miller;

A bill (S. 1595) granting an increase of pension to William F. Blanchard; and

A bill (S. 1596) granting an increase of pension to Anna O. D. Mickley; to the Committee on Pensions.

A bill (S. 1597) for the relief of Cecilia Barr;

A bill (S. 1598) to carry out the findings of the Court of Claims in the case of Kate Reaney Zeiss, administratrix of William B. Reaney, survivor of Thomas Reaney and Samuel Archbold, against the United States;

A bill (S. 1599) for the relief of the estate of David B. Landis, deceased, and the estate of Jacob F. Sheaffer, deceased;

A bill (S. 1600) for the relief of Annie McColgan;

A bill (S. 1601) for the relief of Sylvester Bonnaffon, jr.;

A bill (S. 1602) for the relief of Rinald Bros.; and

A bill (S. 1603) for the relief of Joseph W. Skill; to the Committee on Claims.

By Mr. McKELLAR:

A bill (S. 1604) to amend section 13 of an act known as the Federal reserve act, approved December 23, 1913; to the Committee on Banking and Currency.

By Mr. ELKINS:

A bill (S. 1605) granting the rank and pay of second lieutenant, United States Army, retired, to certain noncommissioned officers, United States Army, retired; to the Committee on Military Affairs.

A bill (S. 1606) granting an increase of pension to Mandaville Bush; to the Committee on Pensions.

By Mr. BALL (by request):

A joint resolution (S. J. Res. 47) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WADSWORTH:

A joint resolution (S. J. Res. 48) authorizing retirement as warrant officers of certain Army field clerks and field clerks Quartermaster Corps; to the Committee on Military Affairs.

By Mr. McNARY:

A joint resolution (S. J. Res. 49) giving to veterans of the Spanish American War and the Philippine insurrection the same preferred right of homestead entry granted veterans of the war with Germany; to the Committee on Public Lands and Surveys.

SANCTUARIES FOR GAME ANIMALS, BIRDS, AND FISH.

Mr. SHIELDS introduced a bill (S. 1564) to establish a sanctuary or sanctuaries for game animals and for birds and fish in the national forest reservations, and for other purposes, which was read twice by its title.

Mr. SHIELDS. Mr. President, I desire to say a word in explanation of that bill in order to call the especial attention of Senators who are interested, as it relates to several States, and is of particular interest to them.

There are a great many sanctuaries for game, or game preserves, established in the national parks of the United States in the Rocky Mountains and the Middle West which are accessible to the people of the States lying west of the Mississippi River. This bill relates particularly to States east of the Mississippi River and lying adjacent to the great Appalachian range and for the benefit of their inhabitants. The act of Congress passed in 1911, commonly known as the Weeks law, established forest reservations especially for the purpose of protecting the watersheds of the great navigable rivers which have their source in the Appalachian Mountains by protecting the forests and restoring the deforested areas. It provides for the purchase of lands lying in these mountains, in New Hampshire and on south to Alabama. The commission established under that act has purchased something short of 2,000,000 acres in those mountains, and the title is now vested in the United States and under the control of the Agricultural Department. Of these 2,000,000 acres some 400,000 acres are located in New Hampshire, 387,000 in Virginia, 326,000 in North Carolina, 300,000 in Tennessee, 163,000 in Georgia, 130,000 in West Virginia, 130,000 in Pennsylvania, 62,000 in Alabama, 36,000 in Arkansas, 32,000 in Massachusetts, and 19,000 in South Carolina. These are the approximate figures.

There are some 7,000,000 acres in the area in which it has been considered proper to purchase these lands, and eventually some 7,000,000 acres will be purchased. The lands are not as a rule susceptible of cultivation and only suitable for the production of timber. There are no game preserves or sanctuaries east of the Mississippi, as I am informed, perhaps with the exception of some established in the State of New York, and some bird sanctuaries established largely by private interests in the Gulf of Mexico on islands adjacent to Louisiana.

These lands, while primarily purchased for the purpose of protecting the watersheds of navigable rivers, are also intended as recreation grounds for all the States lying east of the Mississippi River and are convenient and accessible to the people of those States. They lie, as stated, from the extreme north to almost the extreme south and are adapted to game and fish of all kinds adapted and suitable to that large territory of varied

climatic conditions. They are to some extent being made accessible by roads constructed through them, but not as much as is contemplated by the commission having charge of them as soon as funds are provided. I believe that it is of great importance and great interest to the people of all the States lying east of the Mississippi that further purchases be made for the original purposes provided in the Weeks law and that game sanctuaries be established upon them for the breeding and protection of game, birds, and fish. It can be readily seen that the bill affects a very large territory and is of great interest to the people of the States I have mentioned and will, I think, be of great benefit to them.

These lands have been ceded to the Federal Government by all the States in which they are situated under general statutes. Some of those statutes provide for the control by the Federal Government of the game in the lands so ceded and some do so only in a qualified manner. It is well established under the common law that the title to the game is in the sovereign Government. In the United States it was early held, as I remember, by Mr. Justice Washington, then of the circuit court and afterwards of the Supreme Court of the United States, that the title to all game and fish was in the States, and held in trust for the benefit of the people of this particular State. This decision has been repeatedly affirmed, especially in the case of MacReady against Virginia, reported sometime in the nineties, in the reports of the Supreme Court, but the States can by proper legislation give this control in cases of this character to the United States.

I feel certain that with the establishment of these game sanctuaries and setting apart these lands for the breeding and propagation of game and fish, other States will do so, and that all the States of the Union, and especially those that are adjacent and will be interested, will make such cessions, and that the Federal Government eventually can control the game and fish. For that reason I believe that the Government, with the consent of the States, and subject to the laws of the States, or at least subject to regulations not in contravention of the laws of those States, may control the game upon these great forest reservations, and I hope that that will be done, and provide for its increase and protection within measurable limits.

I ask that this bill be referred to the Committee on Agriculture and Forestry; and I now call it to the attention of the Senators from the States in which the lands lie, that they may give the bill special attention and that I may have their support and cooperation in passing it.

The VICE PRESIDENT. The bill will be referred to the Committee on Agriculture and Forestry.

ADDITIONAL JUDGES FOR DISTRICT OF COLUMBIA.

Mr. BALL (by request) introduced the following bills, which were severally read twice by their titles and referred to the Committee on the District of Columbia:

A bill (S. 1584) to add one justice to the Supreme Court of the District of Columbia; and

A bill (S. 1585) to add two justices to the Court of Appeals of the District of Columbia.

Mr. OVERMAN. Mr. President, it seems to me the bills just introduced by the Senator from Delaware should have been referred to the Committee on the Judiciary. They provide for the appointment of additional judges, and such bills have always heretofore been referred to the Judiciary Committee. So far as I am personally concerned, I do not care to what committee they may be referred, but it appears to me that the proper reference would be to the Judiciary Committee, referring as they do to an increase in the number of judges to be appointed and their salaries.

Mr. BALL. The bills merely involve matters relating to the appointment of additional judges in the District of Columbia. The bill providing for the establishment of a traffic court was referred to the Committee on the District of Columbia. I have introduced the bills by request. I will say, however, that I have no objection to their being referred to the Committee on the Judiciary.

The VICE PRESIDENT. The previous order will be rescinded, and the bills will be referred to the Committee on the Judiciary.

Mr. WALSH of Montana. Mr. President, I desire to inquire whether the order of reference to the Judiciary Committee applies to both bills introduced by the Senator from Delaware?

The VICE PRESIDENT. Both bills have been referred to the Committee on the Judiciary.

AMENDMENTS TO NAVAL APPROPRIATION BILL.

Mr. POMERENE submitted an amendment providing that the President be authorized, in his discretion, to delay for a period of six months, in whole or in part, the proposed building program in order to enable him to arrange for a conference with the Governments of Great Britain, Japan, and such other powers as to him may seem proper, with the view of reducing substantially the naval building programs of the several Governments so participating in said conference, and if they agree upon such plan of reduction the President be further authorized to suspend, in whole or in part, the said building program in order to enable him to carry out any such agreement thus made, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BORAH submitted an amendment providing that the President be requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval, intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

AMENDMENT TO EMERGENCY TARIFF BILL.

Mr. STANLEY submitted an amendment intended to be proposed by him to House bill 2435, the emergency tariff bill, which was ordered to lie on the table and be printed.

DUTIES OF JUDGES.

Mr. KENYON submitted an amendment intended to be proposed by him to the bill (S. 384) to require judges appointed under authority of the United States to devote their entire time to the duties of a judge, which was ordered to lie on the table and be printed.

CONDITIONS IN THE CLOTHING INDUSTRY.

Mr. BORAH submitted the following resolution (S. Res. 63), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor is hereby authorized and directed through the full committee, or through any subcommittee thereof, to investigate as speedily as possible the conditions in the clothing industry of the United States, including the working conditions therein; the causes of the industrial unrest in these industries in the various clothing centers in the United States and its bearing upon the cost of clothing to the public, and as bearing upon such cost the methods and costs of manufacturing clothing in the various clothing centers of the United States; the cost and selling price of woolen clothing and other materials used in the manufacuring of clothing, and the methods of sale and distribution of such woolen cloth and other materials, and also the cost and selling price of retailers of clothing throughout the United States; the rise in the wholesale and retail cost of clothing during the past seven years and the causes thereof; the profits in the manufacture and sale of clothing, both retail and wholesale, by years during the past seven years; the reason for the present industrial dispute in New York City and the presence, or absence, of any disputes in other large cities; the conditions of labor, with special reference to contracting system and sweatshops prior to the organization of the workers and since; the purpose, objects, methods, and tactics of the Amalgamated Clothing Workers of America and its relations, if any, with political organizations and quasi political groups; the purposes, objects, methods, and tactics of clothing manufacturers' associations, especially in New York City, and their relations, if any, with other organizations, business or political, with organizations engaged in the so-called open-shop campaign; the relations of retailers and retailers' associations, if any, with organizations engaged in the so-called open-shop campaign and with political organizations and quasi political groups; and to make a report to the Senate of such findings.

The said committee is hereby authorized to sit and act at such time and place as it may deem necessary, to require by subpœna or otherwise the attendance of witnesses, the production of books, papers, and documents; to employ counsel; and stenographers at a cost not exceeding $1.25 per printed page. The chairman of the committee, or any member thereof, may administer oaths to witnesses. Subpœnas for witnesses shall be issued under the signature of the chairman of the committee or subcommittee thereof. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer questions pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

The expenses thereof shall be paid from the contingent fund of the Senate on vouchers ordered by the subcommittee, signed by the chairman thereof and approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

ROBERT F. ROSE.

Mr. KENYON submitted the following resolution (S. Res. 64), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and hereby is, authorized and directed to pay out of the appropriation for expenses of inquiries and investigations, fiscal year 1921, contingent fund of the Senate, the sum of $30 to Robert F. Rose for reporting and transcribing a hearing held on January 13, 1921, for the Committee on the Philippines, United States Senate, on Senate bill 4785.

MIDSHIPMEN AT NAVAL ACADEMY.

Mr. POMERENE. Mr. President, I offer the resolution which I send to the desk. It is very brief, and I ask that it may be read for the information of the Senate.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 65) was read, as follows:

Resolved, That the Committee on Naval Affairs of the United States Senate be, and it is hereby, instructed to investigate and report to the Senate—

(1) What, if any, further legislation is advisable regulating the examinations of midshipmen at the United States Naval Academy.

(2) What, if any, relief should be extended to the midshipmen who were required to submit their resignations as midshipmen because of their failure to pass certain required reexaminations held during the month of March, 1921.

Mr. POMERENE. I ask that the resolution be printed and lie on the table. To-morrow, before asking to have it referred to the Committee on Naval Affairs, at the close of morning business and with the indulgence of the Senate, I shall ask permission to submit a few observations upon it.

The VICE PRESIDENT. The resolution will be printed and lie on the table.

REDUCTION OF NAVAL ARMAMENTS.

Mr. BORAH. Mr. President, I wish to file a notice of a motion to suspend paragraph 3 of Rule XVI.

Mr. BRANDEGEE. Let it be read.

The VICE PRESIDENT. The notice filed by the Senator from Idaho will be read.

The Assistant Secretary read as follows:

The Senator from Idaho gives notice that under Rule XL he will move to suspend paragraph 3, of Rule XVI, in order that he may propose to the act (H. R. 4803) making appropriations for the naval service for the fiscal year ending June 30, 1922, and for other purposes, the following amendment:

"That the President is authorized and requested to invite the Governments of Great Britain and Japan to send representatives to a conference, which shall be charged with the duty of promptly entering into an understanding or agreement by which the naval expenditures and building programs of each of said Governments, to wit, the United States, Great Britain, and Japan, shall be substantially reduced annually during the next five years to such an extent and upon such terms as may be agreed upon, which understanding or agreement is to be reported to the respective Governments for approval."

MICHIGAN SENATORIAL ELECTION.

Mr. LODGE. I ask unanimous consent that the opinions of the Supreme Court in the case of Senator NEWBERRY may be printed as a public document for the use of the Senate.

Mr. UNDERWOOD. That is a case in which we are all very much interested; I do not mean so far as the particular case is concerned, but the declaration of the law, and I ask that the opinions be printed in the RECORD as well as a public document.

Mr. LODGE. I have no objection to that.

Mr. HITCHCOCK. I should like to inquire of the Senator if that includes the dissenting opinions also?

Mr. LODGE. Oh, certainly. My request is, as I stated, that the opinions be printed.

The VICE PRESIDENT. Without objection, the opinions will be printed in the RECORD and as a public document.

The opinions (S. Doc. No. 10) are as follows:

"Supreme Court of the United States.

"No. 559.—OCTOBER TERM, 1920.

"TRUMAN H. NEWBERRY et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Michigan. (May 2, 1921.)

"Mr. Justice McReynolds delivered the opinion of the court.

"Plaintiffs in error—TRUMAN H. NEWBERRY, Paul H. King, and 15 others—were found guilty of conspiring (Criminal Code, sec. 37) to violate section 8, act of Congress approved June 25, 1910 (ch. 392, 36 Stat., 822–824), as amended by act of August 19, 1911 (ch. 33, 37 Stat., 25–29)—the Federal corrupt practices act—which provides:

"No candidate for Representative in Congress or for Senator of the United States shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election, any sum, in the aggregate, in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding $5,000 in any campaign for his nomination and election; and no candidate for Senator of the United States shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding $10,000 in any campaign for his nomination and election.

"*Provided further*, That money expended by any such candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service, shall not be regarded as an expenditure within the meaning of this section, and shall not be considered any part of the sum herein fixed as the limit of expenses and need not be shown in the statements herein required to be filed.

"Act No. 109, section 1, Michigan Legislature, 1913, prohibits expenditure by or on behalf of a candidate, to be paid by him, in securing his nomination, of any sum exceeding 25 per cent of one year's compensation, and puts like limitation upon expenditures to obtain election after nomination. Section 1 is copied below (act 109, Michigan Legislature, 1913):

"SECTION 1. No sums of money shall be paid, and no expenses authorized or incurred, by or on behalf of any candidate to be paid by him in order to secure or aid in securing his nomination to any public office or position in this State, in excess of 25 per cent of one year's compensation or salary of the office for which he is candidate: *Provided*, That a sum not exceeding 50 per cent of one year's salary may be expended by the candidates for governor and lieutenant governor; or where the office is that of member of either branch of the legislature of the State, the 25 per cent shall be computed on the salary fixed for the term of two years: *Provided further*, That no candidate shall be restricted to less than $100 in his campaign for such nomination. No sums of money shall be paid and no expense authorized or incurred by or on behalf of any candidate who has received the nomination to any public office or position in this State in excess of 25 per cent of one year's salary or compensation of the office for which he is nominated; or where the office is that of member of either branch of the legislature of the State, the 25 per cent shall be computed on the salary fixed for the term of two years: *Provided*, That no candidate shall be restricted to less than $100. No sum of money shall be paid and no expenses authorized or incurred by or on behalf of any candidate contrary to the provisions of this act.

"Taken with the State enactment, the Federal statute in effect declares a candidate for the United States Senate punishable by fine and imprisonment if (except for certain specified purposes) he give, contribute, expend, use, promise, or cause to be given, contributed, expended, used, or promised in procuring his nomination and election more than $3,750—one-half of one year's salary. Under the construction of the act urged by the Government and adopted by the court below it is not necessary that the inhibited sum be paid, promised, or expended by the candidate himself, or be devoted to any secret or immoral purpose. For example, its open and avowed contribution and use by supporters upon suggestion by him or with his approval and cooperation in order to promote public discussion and debate touching vital questions or to pay necessary expenses of speakers, etc., is enough. And upon such interpretation the conviction below was asked and obtained.

"The indictment charges: That TRUMAN H. NEWBERRY became a candidate for the Republican nomination for United States Senator from Michigan at the primary election held August 27, 1918; that by reason of selection and nomination therein he became a candidate at the general election, November 5, 1918; that he and 134 others (who are named) at divers times from December 1, 1917, to November 5, 1918, unlawfully and feloniously did conspire, combine, confederate, and agree together to commit the offense on his part of willfully violating the act of Congress approved June 25, 1910, as amended, by giving, contributing, expending, and using and by causing to be given, contributed, expended, and used, in procuring his nomination and election at said primary and general elections, a greater sum than the laws of Michigan permitted and above $10,000, to wit, $100,000, and on the part of the other defendants of aiding, counseling, inducing, and procuring NEWBERRY as such candidate to give, contribute, expend, and use, or cause to be given, contributed, expended, and used, said large and excessive sum in order to procure his nomination and election. Plaintiffs in error were convicted under count 1, set out in the margin.[1]

"[1] COUNT 1.

"That TRUMAN H. NEWBERRY, Chase S. Osborne, Henry Ford, and William B. Simpson, before and on August 27, 1918, were candidates for the Republican nomination for the office of Senator in the Congress of the United States from the State of Michigan at the primary election held in said State on that day under the laws of said State, and Henry Ford and James Helm, before and on said August 27, 1918, were candidates for the Democratic nomination for the same office at said primary election; that from said August 27, 1918, to and including November 5, 1918, said TRUMAN H. NEWBERRY and said Henry Ford, by reason of their election and nomination at said primary election, became and were opposing candidates for election to the office of Senator in the Congress of the United States from said State of Michigan at the general election held in said State on said November 5, 1918—said TRUMAN H. NEWBERRY of the Republican Party and said Henry Ford of the Democratic Party—each of said candidates having, on said August 27, 1918, and on November 5, 1918, attained to the age of 30 years and upward and been a citizen of the United States for more than nine years, and each then being an inhabitant and resident of said State; and that said TRUMAN H. NEWBERRY, Paul H. King (and 133 others), hereinafter called the defendants, continuously and at all and divers times throughout the period of time from December 1, 1917, to and including said November 5, 1918, at and within said southern division of said western district of Michigan, unlawfully and feloniously did conspire, combine, confederate, and agree together and with divers other persons to said grand jurors unknown to commit an offense against the United States, to wit, the offense on the part of said TRUMAN H. NEWBERRY of willfully violating the act of Congress approved June 25, 1910, as amended by the acts of August 19, 1911, and August 23, 1912, by giving, contributing, expending, and using and by causing to be given, contributed, expended, and used, in procuring his nomination and election as such Senator

"The court below overruled a duly interposed demurrer which challenged the constitutionality of section 8, and by so doing we think fell into error.

"Manifestly this section applies not only to final elections for choosing Senators but also to primaries and conventions of political parties for selection of candidates. Michigan and many other States undertake to control these primaries by statutes and give recognition to their results. And the ultimate question for solution here is whether under the grant of power to regulate 'the manner of holding elections' Congress may fix the maximum sum which a candidate therein may expend or advise or cause to be contributed and spent by others to procure his nomination.

"Section 4, Article I, of the Constitution provides: 'The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.' Here is the source of congressional power over the elections specified. It has been so declared by this court (Ex parte Seibold, 100 U. S., 371; United States *v.* Gradwell, 243 U. S., 476, 481), and the early discussions clearly show that this was then the accepted opinion. (The Federalist, LVIII, LIX, LX; Elliot's Debates, Vol. II, 50, 73, 311; Vol. III, 86, 183, 344, 375; Vol. IV, 75, 78, 211.)

"We find no support in reason or authority for the argument that because the offices were created by the Constitution, Congress has some indefinite, undefined power over elections for Senators and Representatives not derived from section 4. 'The Government, then, of the United States can claim no powers which are not granted to it by the Constitution, and the powers actually granted, must be such as are expressly given, or given by necessary implication.' (Martin *v.* Hunter's lessee, 1 Wheat., 304, 326.) Clear constitutional provisions also negative any possible inference of such authority because of the supposed anomaly 'if one Government had the unrestricted power to control matters affecting the choice of the officers of another.'

at said primary and general elections a sum in the aggregate in excess of the amount which he might lawfully give, contribute, expend, or use or cause to be given, contributed, expended, or used for such purpose under the laws of said State of Michigan, to wit, the sum of $100,000, and by giving, contributing, expending, and using and causing to be given, contributed, expended, and used in procuring his nomination and election as such Senator, at said primary and general elections, a sum in the aggregate in excess of $10,000, to wit, said sum of $100,000, and on the part of said other defendants of aiding, counseling, inducing, and procuring said TRUMAN H. NEWBERRY so to give, contribute, expend, and use and cause to be given, contributed, expended, and used said large sum of money in excess of the amounts permitted by the laws of the State of Michigan and the said acts of Congress; the same to be money so unlawfully given, contributed, expended, and used by said TRUMAN H. NEWBERRY and by him caused to be given, contributed, expended, and used as such candidate for the following and other purposes, objects, and things, to wit:

"Advertisements in newspapers and other publications;

"Print paper, cuts, plates, and other supplies furnished to newspaper publishers;

"Subscriptions to newspapers;

"Production, distribution, and exhibition of moving pictures;

"Traveling and subsistence expenses of campaign managers, public speakers, secret propagandists, field, district, and county agents and solicitors, and of voters not infirm or disabled;

"Compensation of campaign managers, public speakers, and secret propagandists, and of field, district, and county agents and solicitors;

"Appropriating and converting to the use of the defendants themselves, and each of them, large sums of money under the guise and pretense of payment of their expenses and compensation for their services;

"Rent of offices and public halls;

"Bribery of election officials;

"Unlawful assistance of election officials;

"Bribery of voters;

"Expenses and compensation of Democratic obstructionist candidates at the primary election;

"Expenses and compensation of detectives;

"Dinners, banquet, and other entertainments given to persons believed to be influential in said State of Michigan;

"And no part of which said money was to be money expended by said TRUMAN H. NEWBERRY, as such candidate, to meet or discharge assessments, fees, or charges made or levied upon candidates by the laws of said State, or for his necessary personal expenses, incurred for himself alone, for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), or for distributing letters, circulars, or postage, or for telegraph or telephone service, or for proper legal expenses in maintaining or contesting the results of either of said elections.

"[38 distinct and separate overt acts are specified.]

"And so the grand jurors aforesaid, upon their oaths aforesaid, do say, that said defendants, continuously and at all and divers times throughout the period of time in this count mentioned, at and within said division and district, in manner and form in this count aforesaid, unlawfully and feloniously did conspire to commit an offense against the United States, and certain of them did do acts to effect the object of the conspiracy against the peace and dignity of the United States, and contrary to the form of the statute of the same in such case made and provided.

Mr. Iredell (afterwards of this court) in the North Carolina convention of 1788, pointed out that the States may—must indeed—exert some unrestricted control over the Federal Government. 'The very existence of the General Government depends on that of the State governments. The State legislatures are to choose the Senators. Without a Senate there can be no Congress. The State legislatures are also to direct the manner of choosing the President. Unless, therefore, there are State legislatures to direct that manner, no President can be chosen. The same observation may be made as to the House of Representatives, since they are to be chosen by the electors of the most numerous branch of each State legislature. If there are no State legislatures, there are no persons to choose the House of Representatives. Thus, it is evident, that the very existence of the General Government depends on that of the State legislatures.' (Elliot's Debates, Vol. IV, p. 78. See also the Federalist, XLIV.) The Federal features of our Government are so clear and have been so often declared that no valuable discussion can proceed upon the opposite assumption.

"Undoubtedly elections within the original intendment of section 4 were those wherein Senators should be chosen by legislatures and Representatives by voters possessing 'the qualifications requisite for electors of the most numerous branch of the State legislature.' (Art. I, secs. 2 and 3.) The seventeenth amendment, which directs that Senators be chosen by the people, neither announced nor requires a new meaning of election, and the word now has the same general significance as it did when the Constitution came into existence—final choice of an officer by the duly qualified electors. (Hawke *v.* Smith, 253 U. S., 221.) Primaries were then unknown. Moreover, they are in no sense elections for an office, but merely methods by which party adherents agree upon candidates whom they intend to offer and support for ultimate choice by all qualified electors. General provisions touching elections in constitutions or statutes are not necessarily applicable to primaries—the two things are radically different. And this view has been declared by many States' courts. (People *v.* Cavanaugh, 112 Calif., 674; State *v.* Erickson, 119 Minn., 152; State *v.* Taylor, 220 Mo., 618; State *v.* Woodruff, 68 N. J. L., 89; Commonwealth *v.* Wells, 110 Pa., 463; Ledgwood *v.* Pitts, 122 Tenn., 570.)

"Sundry provisions of the Constitution indicate plainly enough what its framers meant by elections and the 'manner of holding' them. 'The House of Representatives shall be composed of Members chosen every second year by the people of the several States.' 'No person shall be a Representative * * * who shall not when elected be an inhabitant of that State in which he shall be chosen.' 'When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.' 'Immediately after they [the Senators] shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes.' 'No person shall be a Senator * * * who shall not, when elected, be an inhabitant of that State for which he shall be chosen.' 'Each House shall be the judge of the elections, returns, and qualifications of its own Members.' 'No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office,' etc. 'The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice President, chosen for the same term, be elected as follows': 'The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected.' And provisions in the seventeenth amendment are of like effect.

"The plain words of the seventeenth amendment and those portions of the original Constitution directly affected by it should be kept in mind. Article I, section 3: 'The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for six years; and each Senator shall have one vote. Immediately after they shall be assembled in consequence of the first election they shall be divided as equally as may be into three classes.' * * * 'And if vacancies happen by resignation, or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.' Seventeenth amendment: 'The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. When vacancies happen in the representation of any State in the Senate, the executive authority of such State

shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.'

"As finally submitted and adopted the amendment does not undertake to modify Article I, section 4, the source of congressional power to regulate the times, places, and manner of holding elections. That section remains 'intact and applicable both to the election of Representatives and Senators.' (CONGRESSIONAL RECORD, vol. 46, p. 848.) When first reported, January 11, 1911, by Senator BORAH for the Judiciary Committee, the proposed seventeenth amendment contained a clause providing, 'The times, places, and manner of holding elections for Senators shall be as prescribed in each State by the legislature thereof,' the avowed purpose being thereby to modify section 4, Article I, by depriving Congress of power to regulate the manner of holding elections for Senators. (A copy of the original resolution as presented to the Senate is in the margin.)[1] Upon recommendation of a minority of the Judiciary Committee this clause was eliminated and reference to section 4, Article I, omitted from the resolution. After prolonged debate in the Sixty-first and Sixty-second Congresses the amendment in its present form was submitted for ratification. (See S. Rept. 961, 61st Cong., 3d sess.; S. Rept. 35, 62d Cong., 1st sess.; CONGRESSIONAL RECORD, vol. 46, pp. 847, 851, et seq.; vol. 47, passim, and pp. 1924, 1925, 6366.)

"Apparently because deemed unimportant no counsel on either side referred to 'An act providing a temporary method of conducting the nomination and election of United States Senators,' approved June 4, 1914 (ch. 103, 38 Stat., 384). To show its irrelevancy and prevent misapprehension the act is copied in the margin.[2] Section 2, which contains the only reference to nomination of candidates for Senator, expired by express limitation June 4, 1917, more than a year prior to the conduct here challenged. The act has no criminal provisions, makes no reference to the earlier statute upon which this prosecution is founded, and sheds no light on the power of Congress to regulate primaries and conventions. Its terms indicate intention that the machinery for designating party candidates shall remain under State control. But in no view can an attempt to exercise power be treated as conclusive evidence that Congress possesses such power. Otherwise serious discussion of constitutional limitations must cease. Moreover, the criminal statute now relied upon antedates the seventeenth amendment and must be tested by powers possessed at time of its enactment. An after-acquired power can not ex proprio vigore validate a statute void when enacted. (See Sutherland Stat. Constr., 2d ed., Vol. I, sec. 107.)

"A concession that the seventeenth amendment might be applicable in this controversy if assisted by appropriate legislation would be unimportant, since there is none. Section 2, act of June 4, 1914, had expired by express limitation many months before NEWBERRY became a candidate, and counsel very properly disregarded it.

"Because deemed appropriate in order effectively to regulate the manner of holding general elections, this court has upheld Federal statutes providing for supervisors and prohibiting interference with them, declaring criminal failure by election officers to perform duties imposed by the State and denouncing conspiracies to prevent voters from freely casting their ballots or having them counted. Ex parte Seibold (100 U. S., 371); Ex parte Clarke (100 U. S., 399); Ex parte Yarbrough (110 U. S., 651); In re Coy (127 U. S., 731); United States *v.* Mosley (238 U. S., 383.) These enactments had direct and immediate reference to elections by the people, and decisions sustaining them do not control the present controversy. Congress clearly exercised its power to regulate the manner of holding an election when it directed that voting must be by written or printed ballot or voting machines (ch. 154, 30 Stat., 836).

"Section 4 was bitterly attacked in the State conventions of 1787–89, because of its alleged possible use to create preferred classes and finally to destroy the States. In defense the danger incident to absolute control of elections by the States and the express limitations upon the power were dwelt upon. Mr. Hamilton asserted: 'The truth is that there is no method of securing to the rich the preference apprehended, but by prescribing qualifications of property either for those who may elect, or be elected. But this forms no part of the power to be conferred upon the National Government. Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose, or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution, and are unalterable by the legislature.' (The Federalist, LIX, LI.) The history of the times indicates beyond reasonable doubt that if the Constitution makers had claimed for this section the latitude we are now asked to sanction, it would not have been ratified. (See Story on the Constitution, secs. 814, et seq.)

"Our immediate concern is with the clause which grants power by law 'to regulate the manner of holding elections for Senators and Representatives'—not broadly to regulate them. As an incident to the grant there is, of course, power to make all laws which shall be necessary and proper for carrying it into effect. (Art. I, sec. 8.) Although the seventeenth amendment now requires Senators to be chosen by the people, reference to the original plan of selection by the legislatures may aid in interpretations.

"Who should participate in the specified elections was clearly indicated—members of State legislatures and those having 'the qualifications requisite for electors of the most numerous branch of the State legislature.' Who should be eligible for election was also stated. 'No person shall be a Representative who shall not have attained the age of 25 years and been seven years a citizen of the United States and who shall not when elected be an inhabitant of that State in which he shall be chosen.' 'No person shall be a Senator who shall not have attained the age of 30 years and been nine years a citizen of the United States, and who shall not when elected be an inhabitant of that State for which he shall be chosen.' Two Senators were allotted to each State, and the method was prescribed for determining the number of Representatives. Subject to these important limitations, Congress was empowered by law to regulate the times, places, and manner of holding the elections, except as to the places of choosing Senators. 'These words are used without any veiled or obscure significance,' but in their natural and usual sense.

"If it be practically true that under present conditions a designated party candidate is necessary for an election—a preliminary thereto—nevertheless his selection is in no real sense part of the manner of holding the election. This does not depend upon the scheme by which candidates are put forward. Whether the candidate be offered through primary, or con-

---

[1] "S. J. Res. 134, 61st Congress, CONGRESSIONAL RECORD, vol. 46, p. 847.

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That in lieu of the first paragraph of section 3 of Article I of the Constitution of the United States, and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies, and in lieu of all of paragraph 1 of section 4 of said Article I, in so far as same relates to any authority in Congress to make or alter regulations as to the times or manner of holding elections for Senators, the following be proposed as an amendment to the Constitution, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"'"The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures

"'"The times, places, and manner of holding elections for Senators shall be prescribed in each State by the legislature thereof.

"'"When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election, as the legislature may direct.

"'"This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution."'

[2] "Act of June 4, 1914, ch. 103, 38 Stat., 384.

"'An act providing a temporary method of conducting the nomination and election of United States Senators.

"'*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That at the regular election held in any State next preceding the expiration of the term for which any Senator was elected to represent such State in Congress, at which election a Representative to Congress is regularly by law to be chosen, a United States Senator from said State shall be elected by the people thereof for the term commencing on the 4th day of March next thereafter.

"'SEC. 2. That in any State wherein a United States Senator is hereafter to be elected either at a general election or at any special election called by the executive authority thereof to fill a vacancy, until or unless otherwise specially provided by the legislature thereof, the nomination of candidates for such office not heretofore made shall be made, the election to fill the same conducted, and the result thereof determined, as near as may be in accordance with the laws of such State regulating the nomination of candidates for and election of Members at large of the National House of Representatives: *Provided*, That in case no provision is made in any State for the nomination or election of Representatives at large, the procedure shall be in accordance with the laws of such State respecting the ordinary executive and administrative officers thereof who are elected by the vote of the people of the entire State: *And provided further*, That in any case the candidate for Senator receiving the highest number of votes shall be deemed elected.

"'SEC. 3. That section 2 of this act shall expire by limitation at the end of three years from the date of its approval.'

"Approved June 4, 1914."

vention, or petition, or request of a few, or as the result of his own unsupported ambition, does not directly affect the manner of holding the election. Birth must precede, but it is no part of either funeral or apotheosis.

"Many things are prerequisites to elections or may affect their outcome—voters, education, means of transportation, health, public discussion, immigration, private animosities, even the face and figure of the candidate; but authority to regulate the manner of holding them gives no right to control any of these. It is settled, e. g., that the power to regulate interstate and foreign commerce does not reach whatever is essential thereto. Without agriculture, manufacture, mining, etc., commerce could not exist, but this fact does not suffice to subject them to the control of Congress. (Kidd *v.* Pearson, 128 U. S., 1.)

"Elections of Senators by State legislatures presupposed selection of their members by the people; but it would hardly be argued that therefore Congress could regulate such selection. In the Constitutional Convention of 1787 when replying to the suggestion that State legislatures should have uncontrolled power over elections of Members of Congress, Mr. Madison said: 'It seems as improper in principle, though it might be less inconvenient in practice, to give to the State legislatures this great authority over the election of the representatives of the people in the General Legislature as it would be to give to the latter a like power over the election of their representatives in the State legislatures.' (Supplement to Elliot's Debates, Vol. V, p. 402.)

"We can not conclude that authority to control party primaries or conventions for designating candidates was bestowed on Congress by the grant of power to regulate the manner of holding elections. The fair intendment of the words does not extend so far; the framers of the Constitution did not ascribe to them any such meaning. Nor is this control necessary in order to effectuate the power expressly granted. On the other hand, its exercise would interfere with purely domestic affairs of the State and infringe upon liberties reserved to the people.

"It should not be forgotten that, exercising inherent police power, the State may suppress whatever evils may be incident to primary or convention. As 'Each House shall be the judge of the elections, qualifications, and returns of its own Members,' and as Congress may by law regulate the times, places, and manner of holding elections, the National Government is not without power to protect itself against corruption, fraud, or other malign influences.

"The judgment of the court below must be reversed and the cause remanded for further proceedings in conformity with this opinion.

"Reversed.

"Mr. Justice McKenna concurs in this opinion as applied to the statute under consideration, which was enacted prior to the seventeenth amendment, but he reserves the question of the power of Congress under that amendment.

"A true copy.

"Test:

"_____ _____,

"*Clerk Supreme Court United States.*"

—

"*Supreme Court of the United States.*

"No. 559.—OCTOBER TERM, 1920.

"TRUMAN H. NEWBERRY et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Michigan. (May 2, 1921.)

"Mr. Chief Justice White, dissenting from the opinion, but concurring with a modification in the judgment of reversal.

"The conviction and sentence under review were based on an indictment charging a conspiracy to commit violations of the act of Congress known as the corrupt practices act as made applicable to State laws dealing with State nominating primaries for and the ensuing State elections of United States Senators and Representatives in Congress. The case is here by direct appeal because of the contention that primaries of that character are not subject to the regulating power of Congress, and as an incident there is involved the contention that even if the act of Congress was constitutional it had been prejudicially misconstrued. Sustaining the first of these contentions and therefore deciding the act to be unconstitutional, the court reverses and finally disposes of the case. Although I am unable to concur in the conclusion as to the want of power of Congress and in the judgment of reversal as rendered, I am nevertheless of opinion that there should be a judgment of reversal without prejudice to a new trial because of the grave misapprehension and grievous misapplication of the statute upon which the conviction and sentence below were based. I state the reasons which control me as to both these subjects.

"By an amendment to the corrupt practices act of 1910 Congress, in 1911, dealt with State primaries for the nomination of Senators and Representatives in Congress and with the election after nomination of such candidates (act of June 25, 1910, ch. 392, 36 Stat., 822; act of Aug. 19, 1911, ch. 33, sec. 8, 37 Stat. 25, 28). At that time there existed in the State of Michigan a law regulating State nominating primaries which included candidates for State offices as well as for the Senate and House of Representatives of the United States. These primaries were held in the month of August in each year preceding the November general election. By that law the result of the primaries determined the right to have a person's name placed as a candidate on the ballot at the general election, and in the case of United States Senators provision was made for the return of the result of the primary to the State legislature before the time when the duty of that body to elect a Senator would arise.

"The seventeenth amendment to the Constitution providing for the election of United States Senators by popular vote was promulgated in May, 1913. In June, 1914, Congress by legislation carrying out the amendment provided that thereafter Senators should be elected by popular vote, and where State laws to that effect existed made them applicable. But evidently to give time for the States to enact the necessary legislation substituting for election by the legislature the method of election established by the amendment, it was provided that where no law for primaries by popular vote as to Senators existed that subject should be controlled by the State law regulating primaries for the nomination of Representative at large, if provided for, and if not, by the provisions controlling as to primaries for general State officers, the operation of these latter provisions being expressly limited to a term of three years (act of June 4, 1914, ch. 103, 38 Stat., 384). Within the time thus fixed and before the election which was held of this case, the State of Michigan, in order to conform its laws to the amendment, modified them so as to provide for the election of Senators by popular vote, and made the general nominating State primary law applicable to that condition (act No. 156, Mich. acts of 1915), and by virtue of the amendment, the act of Congress, and the State law just stated, the primary with which we are concerned in this case was held in August, 1918.

"The plaintiff in error, NEWBERRY, was a candidate for the nomination of the Republican Party as United States Senator, and having been nominated at such primary became a candidate at the ensuing November election, and was returned as elected. Subsequently the indictment under which the conviction below was had was presented charging him and others in six counts with a conspiracy to commit violations of provisions of the corrupt practices act relating to State nominating primaries as well as to the resulting general election. It is not at this moment necessary to describe the nature of these accusations further, since it is not questioned that the indictment charged a conspiracy to commit crimes within the intendment of the corrupt practices act and hence involved the question of the constitutional power of Congress which the court now adversely decides and the basis for which I now come to consider.

"As the nominating primary was held after the adoption of the seventeenth amendment the power must have been sanctioned by that amendment; but for the purpose of clarity I consider the question of the power, first, from the provisions of the Constitution as they existed before the amendment, and, second, in contemplation of the light thrown upon the subject by the force of the amendment.

"The provisions of sections 2 and 3 of Article I of the Constitution fixing the composition of the House of Representatives and of the Senate and providing for the election of Representatives by vote of the people of the several States and of Senators by the State legislatures, were undoubtedly reservoirs of vital Federal power constituting the generative sources of the provisions of section 4, clause 1, of the same article creating the means for vivifying the bodies previously ordained—Senate and House—that is, providing:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

"As without this grant no State power on the subject was possessed, it follows that the State power to create primaries as to United States Senators depended upon the grant for its existence. It also follows that as the conferring of the power on the States and the reservation of the authority in Congress to regulate being absolutely coterminous, except as to the place of choosing Senators, which is not here relevant, it results that nothing is possible of being done under the former which is not subjected to the limitation imposed by the latter. And this is illustrated by the legislation of Congress and the decisions of this court upholding the same. See 'Act to regulate the times and manner of holding elections for Senators in Congress,' approved July 25, 1866 (14 Stat., 243); act of May 31,

1870 (16 Stat., 144); act of July 14, 1870 (16 Stat., 254); act of June 10, 1872 (17 Stat., 347); (ex parte Seibold, 100 U. S., 371; ex parte Clarke, 100 U. S., 399; ex parte Yarbrough, 110 U. S., 651; United States *v.* Mosely, 238 U. S., 383).

"But it is said that, as the power which is challenged here is the right of a State to provide for and regulate a State primary for nominating United States Senators free from the control of Congress, and not the election of such Senators, therefore as the nominating primary is one thing and the election another and different thing, the power of the State as to the primary is not governed by the right of Congress to regulate the times and manner of electing Senators. But the proposition is a suicidal one, since it at one and the same time retains in the State the only power it could possibly have as delegated by the clause in question and refuses to give effect to the regulating control which the clause confers on Congress as to that very power. And mark, this is emphasized by the consideration that there is no denial here that the States possess the power over the Federal subject resulting from the provision of the Constitution, but a holding that Congress may not exert as to such power to regulate authority which the terms of the identical clause of the Constitution confer upon it.

"But putting these contradictions aside, let me test the contention from other and distinct points of view: (1) In last analysis the contention must rest upon the proposition that there is such absolute want of relation between the power of government to regulate the right of the citizen to seek a nomination for a public office and its authority to regulate the election after nomination, that a paramount government authority having the right to regulate the latter is without any power as to the former. The influence of who is nominated for elective office upon the result of the election to fill that office is so known of all men that the proposition may be left to destroy itself by its own statement.

"(2) Moreover, the proposition, impliedly at least, excludes from view the fact that the powers conferred upon Congress by the Constitution carry with them the right 'to make all laws which shall be necessary and proper for carrying into execution the foregoing powers' (Art. I, sec. 8, cl. 18), and in doing so virtually disregards the previous legislative history and the decisions of this court sanctioning the same, to which we have referred, since that practice and those decisions unmistakably recognize that the power under the clause in question extends to all the prerequisite and appropriate incidents necessary to the discharge of the authority given.

"(3) From a somewhat different point of view the same result is even more imperatively required. Thus, as has been seen, the election was had under the seventeenth amendment to the Constitution, providing for the election of Senators by popular vote instead of by State legislatures. In the resolution providing for the passage of that amendment through Congress, as first reported by Senator BORAH on behalf of the Judiciary Committee, after making the changes necessary to substitute a provision causing Senators to be elected by popular vote instead of by the legislatures of the several States, the provision of section 4 of Article I reserving to Congress the power 'to make or alter,' except as to places, the regulations adopted by the several States as to the 'times, places, and manner' of electing Senators, was omitted, thus leaving all power on the subject in the States, free from any regulating control of Congress. (S. Rept. 961, 61st Cong., 3d sess.)

"There was division, however, concerning the matter, manifested by a proposition to amend the resolution, as reported, so as to retain the omitted provision, thus preserving the power of Congress as originally conferred (CONGRESSIONAL RECORD, vol. 46, pt. 1, p. 847). The legislative situation thus created was aptly stated by Senator BORAH, referring to the report of the committee and to the proposition (submitted by Senator Sutherland, of Utah) to amend that report and the resolution accompanying it. He said:

> "In reference to the amendment which has been suggested by the Senator from Utah [Mr. Sutherland], it was considered at some length before the committee. The proposition is a simple one. As the joint resolution now stands, the times, places, and manner of electing United States Senators is left entirely to the State. The State may determine the rules and regulations, and the times, places, and manner of holding elections for United States Senators.
>
> "If the amendment as offered by the Senator from Utah should prevail, then the matter would be left as it now is, subject to the supervision and control of Congress. (CONGRESSIONAL RECORD, vol. 46, pt. 1, p. 851.)

"After much consideration the amendment offered by Senator Sutherland was carried. (CONGRESSIONAL RECORD, vol. 46, pt. 4, p. 3307.) But the reported resolution, as thus amended, did not pass during that Congress. In the first session of the following Congress, however, the Sixty-second Congress, a resolution identical in terms with the one which had been reported in the Senate at the previous session was introduced in the House and passed the same. (H. Rept. No. 2, 62d Cong., 1st sess.) In the Senate the House resolution was favorably reported from the committee by Senator BORAH (CONGRESSIONAL RECORD, vol. 47, pt. 1, p. 787), accompanied, however, by a minority report by Senator Sutherland (S. Rept. No. 35, 62d Cong., 1st sess.), offering as a substitute a resolution preserving the complete power of Congress, as had been provided for in the Senate in the previous Congress, and an amendment to the same effect offered by Senator Bristow was subsequently adopted (CONGRESSIONAL RECORD, vol. 47, pt. 2, p. 1205), and as thus amended the resolution was ultimately submitted for ratification, and, as we have seen, was ratified and promulgated (38 Stat., 2049).

"When the plain purpose of the amendment is thus seen, and it is borne in mind that at the time it was pending the amendment to the corrupt practices act dealing with State primaries for nominating United States Senators which is now before us was in the process of consideration in Congress, and when it is further remembered that after the passage of the amendment Congress enacted legislation so that the amendment might be applied to State senatorial primaries, there would seem to be an end to all doubt as to the power of Congress.

"It is not disputable that originally instructions to representatives in State legislatures by party conventions or by other unofficial bodies as to the persons to be elected as United States Senators were resorted to as a means of indirectly controlling that subject, and thus, in a sense, restricting the constitutional provision as to the mode of electing Senators. The potentiality of instructions of that character to accomplish that result is amply shown by the development of our constitutional institutions as regards the electoral college, where it has come to pass that the unofficial nomination of party has rendered the discharge of its duties by the electoral college a mere matter of form. That in some measure, at least, a tendency to that result came about under the constitutional direction that Senators should be elected by the people would appear not doubtful. The situation on this subject is illustrated by a statement in a treatise by Haynes on 'Election of Senators,' 1906, page 132, as follows:

> "Notwithstanding our rigid Constitution's decree that the Senators from the several States shall be elected by 'the legislatures thereof,' this act of the legislatures may be deprived of nearly all of its vitality. The election of President offers an illustration of the filching of actual power away from the electors in whom it is vested by law. When James Russell Lowell, a Republican elector for Massachusetts in 1876, was urged to exercise his independence and vote for Tilden, he declined, saying that 'whatever the first intent of the Constitution was, usage had made the presidential electors strictly the instruments of the party which chose them.' The Constitution remains unchanged, yet presidential electors recognize that they have been stripped of all discretion. It appears that under certain conditions the election of Senators by State legislatures has been and can be made an equally perfunctory affair.

"The growth of the tendency to make the indirect result thus stated more effective evidently was the genesis of the statutory primary to nominate Senators. See statement concerning an amendment to the constitution of Nebraska on that subject as early as 1875, in the same treatise (p. 141).

"The large number of States which at this day have by law established senatorial primaries shows the development of the movement which originated so long ago under the circumstances just stated. They serve to indicate the tenacity of the conviction that the relation of the primary to the election is so intimate that the influence of the former is largely determinative of the latter. I have appended in the margin a statement from a publication on the subject,[1] showing how well founded this convic-

[1] "In many Western and Southern States the direct primary method has been applied to the choice of United States Senators as well as to State officers. (On this general topic, see the excellent treatise on The Election of Senators, by George H. Haynes (1906), especially chap. 11.) In the Southern States, victory in such a primary, on the Democratic side, is practically the equivalent of an election, as there is but one effective party in that section of the country. The direct nomination of Senators is generally accomplished under voluntary party regulations, as in Alabama, Arkansas, South Carolina, and Virginia. In other cases, however, this method of choice has been placed under legal protection, as in Florida (1901), Mississippi (1902), Louisiana (1906), and Texas (1907). Some Northern States have also adopted this method of direct nomination. Among Northern States, Wisconsin led the way in 1903, followed by Oregon in 1904, Montana in 1905, Iowa, Washington, Nebraska, North Dakota in 1907, Illinois, Kansas, New Jersey, Ohio, and Oklahoma in 1908. * * * In some of the States, as in Oregon, candidates for the legislature are afforded an opportunity to pledge themselves to vote for the party candidate receiving the highest vote in the regular election. In other cases a pledge is made to vote for the candidate receiving the highest number of votes in the primary. (Oregon, 1904, sec. 13. In Washington the candidate may pledge himself to vote for the party choice for United States Senator (1907, sec. 31). This latter is the general rule.) (Merriam, Primary Elections, 1908, pp. 83–85.)

tion is and how it has come to pass that in some cases at least the result of the primary has been in substance to render the subsequent election merely perfunctory. Under these conditions I find it impossible to say that the admitted power of Congress to control and regulate the election of Senators does not embrace, as appropriate to that power, the authority to regulate the primary held under State authority.

"(4) It is true that the plenary reservation in Congress of the power to control the States in the exercise of the authority to deal with the times, places, and manner of electing Senators and Representatives, as originally expressed in the Constitution, caused much perturbation in the conventions of the several States which were called upon to consider ratification, resulting from the fear that such power to regulate might be extended to and embrace the regulation of the election of the members of the State legislatures who were to exercise the power to elect Senators. It is further true that articles in the Federalist and other papers published at the time served to dispel the fear by directing attention to the fact that the regulating power of Congress only extended to the times, places, and manner of electing Senators and did not include an authority, even by implication, to deal with the election of the State legislatures, which was a power reserved to the States. But this only served to emphasize the distinction between the State and Federal power and affords no ground at this late day for saying that the reserved State power has absorbed and renders impossible of exercise the authority of Congress to regulate the Federal power concerning the election of United States Senators, submitted, to the extent provided, to the authority of the States upon the express condition that such authority should be subordinate to and controlled by congressional regulation.

"Can any other conclusion be upheld except upon the theory that the phantoms of attenuated and unfounded doubts concerning the meaning of the Constitution, which have long perished, may now be revived for the purpose of depriving Congress of the right to exert a power essential to its existence, and this in the face of the fact that the only basis for the doubts which arose in the beginning (the election of Senators by the State legislatures) has been completely removed by the seventeenth amendment?

"I do not stop to refer to the State cases concerning the distinction between State legislative power to deal with elections and its authority to control primaries, as I can not discover the slightest ground upon which they could be apposite, since here an inherent Federal right and the provision of the Constitution in dealing with it are the subjects for consideration.

"Moreover, in passing, I observe that as this case concerns a State primary law imposing obligatory results, and the act of Congress dealing with the same, it is obvious that the effect of individual action is wholly beside the issue.

"The consequence to result from a denial to Congress of the right to regulate is so aptly illustrated by the case in hand that in leaving the question I refer to it. Thus, it is stated and not denied that in the State primary in question, one of the candidates, as permitted by the State law, propounded himself at the primary election as the candidate for the nomination for Senator of both the Republican and the Democratic Parties. If the candidacy had been successful as to both, the subsequent election would have been reduced to the merest form.

"In view, then, of the plain text of the Constitution, of the power exerted under it from the beginning, of the action of Congress in its legislation, and of the amendment to the Constitution, as well as of the legislative action of substantially the larger portion of the States, I can see no reason for now denying the power of Congress to regulate a subject which from its very nature inheres in and is concerned with the election of Senators of the United States, as provided by the Constitution.

"The indictment remains to be considered. It contained six counts. For the moment it suffices to say that the first four all dealt with a common subject—that is, a conspiracy between NEWBERRY and others named to contribute and expend, for the purposes of the State primary and general election, more money than allowed by the corrupt practices act. The fifth count charged a conspiracy on the part of the defendants to commit a great number, to wit, 1,000, offenses against the United States, each to consist of giving money and things of value to a person to vote for NEWBERRY at said election, and a great number, to wit, 1,000, other offenses against the United States, each to consist of giving money and things of value to a person to withhold his vote from Henry Ford at said general election. The sixth count charged a conspiracy to defraud by use of the mails.

"At the trial, before the submission of the case to the jury, the court put the fifth count entirely out of the case by instructing the jury to disregard it, as there was no evidence whatever to sustain it. The bribery charge, therefore, disappeared. The second, third, and fourth counts, dealing, as I have said, with one general subject, were found by the court to be all in substance contained in the first count. They were, therefore, by direction of the court, either eliminated or consolidated with the first count. Thus, as contained in that count, the matters charged in the first four counts were submitted to the jury, as was also the sixth count; but the latter we need not further consider, as upon it there was a verdict of not guilty.

"The case therefore reduces itself solely to the matters covered in the first count. That count charged a conspiracy on the part of the defendants, 135 in number, including NEWBERRY, to commit an offense against the United States—that is, the offense on the part of NEWBERRY of violating the corrupt practices act by giving, contributing, expending, and using and by causing to be given, contributed, expended, and used, in procuring his nomination and election as such Senator at said primary and general elections, a sum in excess of the amount which he might lawfully give, contribute, expend, or use, and cause to be given, contributed, expended, or used for such purpose under the laws of Michigan, and in excess of $10,000, to wit, the sum of $100,000; and on the part of the other defendants of aiding, counseling, inducing, and procuring NEWBERRY as such candidate to give, contribute, expend, and use, or cause to be given, contributed, expended, or used, said large and excessive sum, in order to procure his nomination and election.

"Conspiracy to contribute and expend in excess of the amount permitted by the statute was, then, the sole issue, wholly disassociated from and disconnected with any corrupt or wrongful use of the amount charged to have been illegally contributed and expended. As putting out of view the constitutional question already considered, the errors assigned are based solely upon asserted misconstructions of the statute by the court in its charge to the jury, we bring the statute at once into view. It provides, so far as relevant to the case before us:

"No candidate for * * * Senator of the United States shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election, any sum, in the aggregate, in excess of the amount which he may lawfully give, contribute, expend, or promise under the laws of the State in which he resides: *Provided*, That * * * no candidate for United States Senator shall give, contribute, expend, use, or promise any sum, in the aggregate, exceeding $10,000 in any campaign for his nomination and election * * *.

"Coming to deal with the statute, the court, after pointing out in the most explicit terms that the limitation on the amount which might be lawfully contributed and expended or caused to be contributed and expended in the case at hand was $3,750 (that being the limitation imposed by the laws of Michigan adopted by the statute of the United States just quoted), then proceeded, over objections duly reserved, to instruct as to the significance of the statute, involved in the prohibitions, (a) against giving, contributing, expending, or using, and (b) against causing to be given, contributed, expended, or used, money in excess of that permitted by the statute saying on these subjects as follows:

"(a) It is important, therefore, that you should understand the meaning of the language employed in this corrupt practices act, and that you should understand and comprehend the effect and scope of the act, and the meaning of the language there employed, and the effect and scope and extent of the prohibition against the expenditure and use of money therein contained.

"The words 'give, contribute, expend, or use' as employed in this statute have their usual and ordinary significance, and mean furnish, pay out, disburse, employ, or make use of. The term 'to cause to be expended, or used' as it is employed in this statute means to occasion, to effect, to bring about, to produce the expenditure and use of the money.

"The prohibition contained in this statute against the expenditure and use of money by the candidate is not limited or confined to the expenditure and use of his own money. The prohibition is directed against the use and expenditure of excessive sums of money by the candidate from whatever source or from whomsoever those moneys may be derived.

"(b) The phrase which constitutes the prohibition against the candidate 'causing to be given, contributed, expended, or used excessive sums of money,' is not limited and not confined to expenditures and use of money made directly and personally by himself. This prohibition extends to the expenditure and use of excessive sums of money in which the candidate actively participates, or assists, or advises, or directs, or induces, or procures. The prohibition extends not only to the expenditure and use of excessive sums of money by the candidate directly and personally but to such use and expenditure through his agency or procurement or assistance.

"To constitute a violation of this statute, knowledge of the expenditure and use of excessive sums of money on the part of the candidate is not sufficient; neither is it sufficient to constitute a violation of this statute that the candidate merely acquiesces in such expenditures and use. But it is sufficient to constitute a violation of this statute if the candidate actively participates in doing the things which occasion such expenditures and use of money and so actively participates with knowledge that the money is being expended and used.

"Having thus fixed the meaning of the prohibitions of the statute, the court came to apply them as thus defined to the particular case before it, saying:

"(c) To apply these rules to this case: If you are satisfied from the evidence that the defendant, TRUMAN H. NEWBERRY, at or about the time that he became a candidate for United States Senator, was in-

formed and knew that his campaign for the nomination and election would require the expenditure and use of more money than is permitted by law and with such knowledge became a candidate, and thereafter by advice, by conduct, by his acts, by his direction, by his counsel, or by his procurement he actively participated and took part in the expenditure and use of an excessive sum of money, of an unlawful sum of money, you will be warranted in finding that he did violate this statute known as the corrupt practices act.

"Whether the instructions marked (a) and (b), if unexplained, were, in view of the ambiguity lurking in many of the expressions used therein, prejudicially erroneous, I do not think necessary to consider, since I see no escape from the conclusion that the instruction marked (c), which made application of the view of the statute stated in the previous passages (a) and (b), were in clear conflict with the text of the statute and were necessarily of a seriously prejudicial nature, since in substance they announced the doctrine that, under the statute, although a candidate for the office of Senator might not have contributed a cent to the campaign or caused others to do so, he nevertheless was guilty if he became a candidate or continued as such after acquiring knowledge that more than $3,750 had been contributed and was being expended in the campaign. The error in the instruction plainly resulted from a failure to distinguish between the subject with which the statute dealt—contributions and expenditures made or caused to be made by the candidate—and campaign contributions and expenditures not so made or caused to be made, and, therefore, not within the statute.

"There can be no doubt when the limitations as to expenditure which the statute imposed are considered in the light of its context and its genesis that its prohibitions on that subject were intended not to restrict the right of the citizen to contribute to a campaign but to prohibit the candidate from contributing and expending or causing to be contributed and expended to secure his nomination and election a larger amount than the sum limited as provided in the statute. To treat the candidacy, as did the charge of the court, as being necessarily the cause, without more, of the contribution of the citizen to the campaign was therefore to confound things which were wholly different, to the frustration of the very object and purpose of the statute. To illustrate: Under the instruction given, in every case where to the knowledge of the candidate a sum in excess of the amount limited by the statute was contributed by citizens to the campaign the candidate, if he failed to withdraw, would be subject to criminal prosecution and punishment. So, also, contributions by citizens to the expenses of the campaign, if only knowledge could be brought home to them that the aggregate of such contributions would exceed the limit of the statute, would bring them, as illustrated by this case, within the conspiracy statute, and accordingly subject to prosecution. Under this view the greater the public service and the higher the character of the candidate, giving rise to a correspondingly complete and self-sacrificing support by the electorate to his candidacy, the more inevitably would criminality and infamous punishment result both to the candidate and to the citizen who contributed.

"As it follows from the considerations which I have stated that the judgment below was, in my opinion, clearly wrong and therefore should be reversed, it is not necessary that I should go further and point out how cogently under the case presented the illustrations just previously made apply to it. For the reasons stated, although I dissent from the ruling of the court as to the unconstitutionality of the act of Congress, I nevertheless think its judgment of reversal should be adopted, qualified, however, so as to reserve the right to a new trial."

—

"*Supreme Court of the United States.*

"No. 559.—OCTOBER TERM, 1920.

"TRUMAN H. NEWBERRY et al., plaintiffs in error, *v.* The United States of America. In error to the District Court of the United States for the Western District of Michigan. (May 2, 1921.)

"Mr. Justice Pitney, concurring in part.

"I concur in the judgment reversing the conviction of plaintiffs in error but upon grounds fundamentally different from those adopted by the majority, my view being that there is no constitutional infirmity in the act of Congress that underlies the indictment but that there was an error in the submission of the case to the jury that calls for a new trial.

"The constitutional question is so important that it deserves treatment at length.

"The Federal corrupt practices act (act of June 25, 1910, ch. 392, 36 Stat., 822, amended by act of Aug. 19, 1911, ch. 33, 37 Stat., 25, 28) limits the amount of money that may be given, contributed, expended, used, or promised, or caused to be given, contributed, expended, used, or promised by a candidate for Representative in Congress or for Senator of the United States in procuring his nomination and election to a sum not in excess of the amount he may lawfully give, contribute, expend, or promise under the laws of the State of his residence, with a proviso that in the case of a candidate for Representative the amount shall not exceed $5,000, and in the case of a candidate for Senator shall not exceed $10,000, in any campaign for nomination and election, and a further proviso that any assessment, fee, or charge made or levied upon candidates by the laws of the State, or moneys expended for the candidate's necessary personal expenses for travel and subsistence, stationery and postage, writing or printing (other than in newspapers), and distributing letters, circulars, and posters, and for telegraph and telephone service, shall not be regarded as an expenditure or considered as a part of the sum fixed as the limit of expense. Section 10 of the act (36 Stat., 824), renumbered as section 11 by the amendment (37 Stat., 26), prescribes fine or imprisonment for a willful violation of any of its provisions. The act and amendment were passed before the adoption of the seventeenth amendment providing for the election of Senators by direct vote of the people (declared adopted May 31, 1913; 38 Stat., 2049); but it is clear—indeed, undisputed—that, for present purposes, they are to receive the same construction and effect as if enacted after adoption of the amendment.

"The present case arose out of a campaign for nomination and election of a Senator in the State of Michigan, where a statute (act No. 109, sec. 1, Michigan Public Acts, 1913) limits the amount of money that may be paid and of expenses that may be authorized or incurred by or on behalf of any candidate to be paid by him in order to secure his nomination to any public office in the State to 25 per cent of one year's salary of the office and imposes a similar limit upon expenditures by or on behalf of any candidate who has received the nomination. By section 19 of the same statute 'public office' is made to apply to any national office filled by the voters of the State, as well as to the office of presidential elector and United States Senator. The acts of Congress, in connection with the statute of the State, limit the amount that a candidate for Senator of the United States may give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised, in procuring his nomination and election, to $3,750 in the aggregate, aside from those expenditures that are specifically permitted without limit.

"Plaintiffs in error were indicted and convicted in the United States district court for a conspiracy (sec. 37, Criminal Code) to commit an offense against the United States, to wit, the offense, on the part of TRUMAN H. NEWBERRY, of willfully violating the acts of Congress above referred to by giving, contributing, expending, and using, and by causing to be given, contributed, expended, and used, in procuring his nomination and election as Senator of the United States at the primary and general elections in the year 1918 a sum in excess of the amount thus limited, to wit, the sum of $100,000, and on the part of the other defendants of aiding, counseling, inducing, and procuring (sec. 332, Criminal Code) said TRUMAN H. NEWBERRY so to give, contribute, expend, and use, and cause to be given, contributed, expended, and used said large sums of money in excess of the amounts permitted, etc., no part of which money was to be expended for any of the purposes specifically permitted without limit, numerous overt acts being alleged to have been done by one or more parties defendant to effect the object of the conspiracy.

"The averments of the indictment and the evidence at the trial related especially to expenditures contemplated to be made, and in fact made, to bring about Mr. NEWBERRY's selection at a nominating or primary election held in August, 1918, with only minor expenditures made after that date and in contemplation of the general election which was held in the following November. The case is brought to this court by direct writ of error, upon the fundamental contention that the acts of Congress, in so far as they assume to regulate primary elections and limit the expenditures of money that may be made or caused to be made by a candidate therein, are in excess of the power conferred upon Congress to regulate the 'manner of holding elections for Senators and Representatives' by section 4 of Article I of the Constitution of the United States. (This question was raised but not decided in United States *v.* Gradwell, 243 U. S., 476, 487–488; Blair *v.* United States, 250 U. S., 273, 278–279.)

"For reasons to be stated below, I consider it erroneous to treat the question as dependent upon the words of the cited section alone. I will, however, first deal with that section, viewing it in connection with other provisions immediately associated with it and here quoted:

"ARTICLE I. SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

"SEC. 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. * * *

"(Sec. 3 is superseded by the seventeenth amendment, which provides):

"ART. XVII. The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof. * * * The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures. * * *

"SEC. 4. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. * * *

"SEC. 5. Each House shall be the judge of the elections, returns, and qualifications of its own members. * * *

"It is contended that Congress has no power to regulate the amount of money that may be expended by a candidate to secure his being named in the primary election; that the power 'to regulate the manner of holding elections,' etc., relates solely to the general elections where Senators or Representatives are finally chosen. Why should 'the manner of holding elections' be so narrowly construed? An election is the choosing of a person by vote to fill a public office. In the nature of things it is a complex process, involving some examination of the qualifications of those from whom the choice is to be made and of those by whom it is to be made; some opportunity for the electors to consider and canvass the claims of the eligibles; and some method of narrowing the choice by eliminating candidates until one finally secures a majority, or at least a plurality, of the votes. For the process of elimination, instead of tentative elections participated in by all the electors, nominations by parties or groups of citizens have obtained in the United States from an early period. Latterly the processes of nomination have been regulated by law in many of the States, through the establishment of official primary elections. But in the essential sense, a sense that fairly comports with the object and purpose of a Constitution such as ours, which deals in broad outline with matters of substance and is remarkable for succinct and pithy modes of expression, all of the various processes above indicated fall fairly within the definition of 'the manner of holding elections.' This is not giving to the word 'elections' a significance different from that which it bore when the Constitution was adopted, but is simply recognizing a content that of necessity always inhered in it. The nature of that instrument required, as Chief Justice Marshall pointed out in McCulloch *v.* Maryland (4 Wheat., 316, 407), 'that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects be deduced from the nature of the objects themselves.'

"It is said that section 4 of Article I does not confer a general power to regulate elections, but only to regulate 'the manner of holding' them. But this can mean nothing less than the entire mode of procedure—the essence, not merely the form, of conducting the elections.

"The only specific grant of power over the subject contained in the Constitution is contained in that section, and the power is conferred primarily upon the legislatures of the several States, but subject to revision and modification by Congress. If the preliminary processes of such an election are to be treated as something so separate from the final choice that they are not within the power of Congress under this provision, they are for the same reason not within the power of the States, and, if there is no other grant of power, they must perforce remain wholly unregulated. For if this section of the Constitution is to be strictly construed with respect to the power granted to Congress thereunder, it must be construed with equal strictness with respect to the power conferred upon the States; if the authority to regulate the 'manner of holding elections' does not carry with it ex vi termini authority to regulate the preliminary election held for the purpose of proposing candidates, then the States can no more exercise authority over this than Congress can, much less an authority exclusive of that of Congress. For the election of Senators and Representatives in Congress is a Federal function; whatever the States do in the matter they do under authority derived from the Constitution of the United States. The reservation contained in the tenth amendment can not properly operate upon this subject in favor of the State governments; they could not reserve power over a matter that had no previous existence; hence if the power was not delegated to the United States it must be deemed to have been reserved to the people and would require a constitutional amendment to bring it into play—a deplorable result of strict construction.

"But if I am wrong in this and the power to regulate primary elections could be deemed to have been reserved by the States to the exclusion of Congress, the result would be to leave the General Government destitute of the means to insure its own preservation without governmental aid from the States, which they might either grant or withhold according to their own will. This would render the Government of the United States something less than supreme in the exercise of its own appropriate powers, a doctrine supposed to have been laid at rest forever by the decisions of this court in McCulloch *v.* Maryland (4 Wheat., 316, 405, et seq); Cohens *v.* Virginia (6 Wheat., 264, 381, 387, 414), and many other decisions in the time of Chief Justice Marshall and since.

"But why should the primary election (or nominating convention) and the final election be treated as things so separate and apart as not to be both included in section 4 of Article I? The former has no reason for existence, no function to perform, except as a preparation for the latter, and the latter has been found by experience in many States impossible of orderly and successful accomplishment without the former.

"Why should this provision of the Constitution—so vital to the very structure of the Government—be so narrowly construed? It is said primaries were unknown when the Constitution was adopted. So were the steam railway and the electric telegraph. But the authority of Congress to regulate commerce among the several States was extended over these instrumentalities, because it was recognized that the manner of conducting the commerce was not essential. And this court was prompt to recognize that a transportation of merchandise, incidentally interrupted for a temporary purpose, or proceeding under successive bills of lading or means of transport, some operating wholly intrastate, was none the less interstate commerce if such commerce was the practical and essential result of all that was done. The Daniel Ball (10 Wall., 557, 565); Southern Pacific Terminal Co. *v.* Interstate Commerce Commission (219 U. S., 498, 526, 527); Ohio Railroad Commission *v.* Worthington (225 U. S., 101, 108, 110); United States *v.* Union Stock Yard (226 U. S., 286, 304); Texas & N. O. R. R. Co. *v.* Sabine Tram Co. (227 U. S., 111, 124).

"Why is it more difficult to recognize the integral relation of the several steps in the process of election?

"Congress, by the so-called enforcement act of May 31, 1870 (ch. 114, sec. 20, 16 Stat., 140, 145), and the supplement approved February 28, 1871 (ch. 99, secs. 1, 2, 3, 4, 16 Stat., 433, 434), prescribed a variety of regulations relating to elections of Members of the House of Representatives, including provisions for safeguarding the registration of voters. These were carried into the Revised Statutes as sections 2011, 2016, 2021, 2022, 5522. They were attacked as unconstitutional in Ex parte Siebold (100 U. S., 371), and were sustained as an exertion of the authority of Congress to pass laws for regulating and superintending such elections and for securing their purity—without suggestion that the registration of voters was not, for practical purposes, a part of the election itself and subject to regulation as such. Yet, in point of causation, identification of voters is related to the election as closely as is the naming of candidates.

"It is said that if 'the manner of holding elections' had been understood in a sense to include the nominating procedure, ratification of the Constitution by the State conventions could not have been secured. I do not see how this can be confidently asserted, in view of the fact that, by the very hypothesis, the conventions ratified a specific provision for regulating the only manner of holding elections with which they were familiar—dealt with the entire subject without limitation. Mr. Justice Story, in rehearsing the objections and the reasoning by which they were met, with citations from the debates and from the Federalist, refers to no objection that would be more cogent, supposing the regulation were extended to nominating procedure, than it would be if the regulation were confined to the ultimate election. (Story, Const., secs. 814–827). The sufficient answer to all objections was found in Hamilton's 'plain proposition, that every Government ought to contain in itself the means of its own preservation.' (Federalist, No. 59.)

"What was said, in No. 60 of the Federalist, about the authority of the National Government being restricted to the regulation of the times, the places, and the manner of elections was in answer to a criticism that the national power over the subject 'might be employed in such a manner as to promote the election of some favorite class of men in exclusion of others,' as by discriminating 'between the different departments of industry, or between the different kinds of property, or between the different degrees of property'; or by a leaning 'in favor of the landed interest, or the monied interest, or the mercantile interest, or the manufacturing interest'; and it was to support his contention that there was 'no method of securing to the rich the preference apprehended but by prescribing qualifications of property either for those who may elect, or be elected,' which formed no part of the power to be conferred upon the National Government, that Hamilton proceeded to say that its authority would be 'expressly restricted to the regulation of the times, the places, and the manner of elections.' This authority would be as much

restricted, in the sense there intended, if 'the manner of elections' were construed to include all the processes of election from first to last. The restriction arose from the express qualifications prescribed for Members of House and Senate and for those who were to choose them; subject to which all regulation sarily would have to proceed.
of preliminary, as well as of final, steps in the election neces-

"In support of a narrow construction of the power of Congress to regulate 'the manner of elections' of its membership, it is said there is a check against corruption and kindred evils affecting the nominating procedure in the authority of each House to judge of the elections, returns, and qualifications of its own Members, the suggestion being that if—to take a clear case—it appeared that one chosen to the Senate had secured his election through bribery and corruption at the nominating primary he might be refused admittance. Obviously, this amounts to a concession that the primary and the definitive election, whose legal separateness is insisted upon, are essentially but parts of a single process; else how could the conduct of a candidate with reference to the primary have legitimate bearing upon the question of his election as Senator? But the suggestion involves a fundamental error of reasoning. The power to judge of the elections and qualifications of its Members inhering in each House by virtue of section 5 of Article I is an important power, essential in our system to the proper organization of an elective body of representatives. But it is a power to judge, to determine upon reasonable consideration of pertinent matters of fact according to established principles and rules of law, not to pass an arbitrary edict of exclusion. And I am unable to see how, in right reason, it can be held that one of the Houses of Congress, in the just exercise of its power, may exclude an elected Member for securing by bribery his nomination at the primary if the regulation by law of his conduct at the primary is beyond the constitutional power of Congress itself. Moreover, the power of each House, even if it might rightfully be applied to exclude a Member in the case suggested, is not an adequate check upon bribery. corruption, and other irregularities in the primary elections. It can impose no penal consequences upon the offender; when affirmatively exercised it leaves the constituency for the time without proper representation; it may exclude one improperly elected, but furnishes no rule for the future by which the selection of a fit representative may be assured; and it is exerted at the will of but a single House, not by Congress as a lawmaking body.

"But if I am wrong thus far—if the word 'elections' in Article I, section 4, of the Constitution must be narrowly confined to the single and definitive step described as an election at the time that instrument was adopted—nevertheless it seems to me too clear for discussion that primary elections and nominating conventions are so closely related to the final election, and their proper regulation so essential to effective regulation of the latter, so vital to representative government, that power to regulate them is within the general authority of Congress.

"It is a matter of common knowledge that the great mass of the American electorate is grouped into political parties, to one or the other of which voters adhere with tenacity, due to their divergent views on questions of public policy, their interest, their environment, and various other influences, sentimental and historical. So strong with the great majority of voters are party associations, so potent the party slogan, so effective the party organization, that the likelihood of a candidate succeeding in an election without a party nomination is practically negligible. As a result, every voter comes to the polls on the day of the general election confined in his choice to those few candidates who have received party nominations, and constrained to consider their eligibility, in point of personal fitness, as affected by their party associations and their obligation to pursue more or less definite lines of policy, with which the voter may or may not agree. As a practical matter, the ultimate choice of the mass of voters is predetermined when the nominations have been made. Hence, the authority of Congress to regulate the primary elections and nominating conventions arises, of necessity, not from any indefinite or implied grant of power but from one clearly expressed in the Constitution itself (Art. I, sel. 8, cl. 18)—

"To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

"This is the power preservative of all others and essential for adding vitality to the framework of the Government. Among the primary powers to be carried into effect is the power to legislate through a Congress consisting of a Senate and House of Representatives chosen by the people—in short, the power to maintain a lawmaking body representative in its character. Another is the specific power to regulate the 'manner of holding elections for Senators and Representatives,' conferred by section 4 of the first article; and if this does not in literal terms extend to nominating proceedings intimately related to the election itself, it certainly does not in terms or by implication exclude Federal control of those proceedings. From a grant to the States of power to regulate the principal matter, expressly made subject to revision and alteration by the Congress, it is impossible to imply a grant to the States of regulatory authority over accessory matters exclusive of the Congress. And it is obvious that if clause 18 adds nothing to the content of the other express powers, when these are literally interpreted, it has no efficacy whatever and must be treated as surplusage. It has not heretofore been so regarded. The subject was exhaustively treated by Chief Justice Marshall, speaking for the court in the great case already referred to, McCulloch *v.* Maryland (4 Wheat., 316, 411–424), where he pointed out, pages 419, 420:

"First. The clause is placed among the powers of Congress, not among the limitations on those powers. Second. Its terms purport to enlarge, not to diminish, the powers vested in the Government. It purports to be an additional power, not a restriction on those already granted.

"According to the conclusive reasoning adopted in that case, whatever meaning may be attributed to section 4 of Article I, there is added by clause 18 of section 8 everything necessary or proper for carrying it into execution, which means into practical and complete effect.

"The passage of the act under consideration amounts to a determination by the lawmaking body that the regulation of primary elections and nominating conventions is necessary if the Senate and House of Representatives are to be, in a full and proper sense, representative of the people. Not only is this true of those cases referred to in the report of the Senate Committee (Senate Rept. No. 78, 62d Cong., 1st sess., p. 2), where the parties are so unequally divided that a nomination by the majority party is equivalent to election, but it is true in every case to the extent that the nominating processes virtually eliminate from consideration by the electors all eligible condidates except the few—two or three, perhaps—who succeed in receiving party nominations. Sinister influences exerted upon the primaries inevitably have their effect upon the ultimate election—are employed for no other reason. To safeguard the final elections while leaving the proceedings for proposing candidates unregulated, is to postpone regulation until it is comparatively futile. And Congress might well conclude that, if the nominating procedure were to be left open to fraud, bribery, and corruption, or subject to the more insidious but, in the opinion of Congress, nevertheless harmful influences resulting from an unlimited expenditure of money in paid propaganda and other purchased campaign activities, representative government would be endangered.

"The question of the authority of Congress to determine that laws regulating primary elections are 'necessary and proper for carrying into execution' the other powers specified, admits of but one answer—the same given by Chief Justice Marshall in the memorable case last cited (4 Wheat., 421): 'We think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional.'

"This principle has been consistently adhered to and liberally applied from that day until this. Among a multitude of illustrative cases that might be cited, some recent notable but not exceptional ones may be instanced: Second Employers Liability cases (223 U. S., 1, 49), holding that the power of Congress to regulate commerce among the States brings within its authority the relations between common carriers by rail and their employees engaged in such commerce; Houston & Texas Railway *v.* United States (234 U. S., 342, 350, 355), holding that the same power authorizes Congress to regulate rates of transportation in the internal commerce of a State, to the extent of preventing injurious discrimination against the movement of traffic from State to State; Wilson *v.* New (243 U. S., 332, 353), holding that the power over interstate commerce extends to regulating the wages of the employees of common carriers engaged therein; Selective Draft Law cases (245 U. S., 366, 377, et seq.), sustaining an act imposing involuntary military duty upon the citizen as 'necessary and proper for carrying into execution' the power to declare war, raise and support armies, and make rules for the government and regulation of the land and naval forces; United States *v.* Ferger (250 U. S., 199, 205), upholding the authority of Congress to prohibit and punish the fraudulent making of spurious interstate bills of lading even in

the absence of any actual or contemplated movement of commerce from State to State; Hamilton *v.* Kentucky Distilleries Co. (251 U. S., 146, 155, 163), sustaining war-time prohibition of the sale of distilled spirits for beverage purposes as a measure necessary and proper for carrying into execution the war power; Jacob Ruppert *v.* Caffey (251 U. S., 264, 282, 299–301), sustaining an act prohibiting the manufacture and sale of non-intoxicating beer as 'necessary and proper' to render effective a prohibition against intoxicants; First National Bank *v.* Union Trust Co. (244 U. S., 416, 419), sustaining an act conferring upon national banks powers not inherently Federal but deemed appropriate to enable such banks to compete with State banks having like powers; and Smith *v.* Kansas City Title & Trust Co. (decided Feb. 28, last), sustaining an act establishing Federal land banks and joint-stock land banks having broad powers not national in their character, but deemed by Congress to be reasonably appropriate for performing certain limited fiscal functions in aid of the National Treasury.

"It would be tragic if that provision of the Constitution which has proved the sure defense of every outpost of national power should fail to safeguard the very foundation of the citadel.

"But its function in preserving our representative Government has long been recognized. In Ex parte Yarbrough (110 U. S., 651), where the question was as to the constitutionality of sections 5508 and 5520, Revised Statutes United States—the question having arisen upon an indictment for a conspiracy to intimidate a citizen of African descent in the exercise of his right to vote for a Member of Congress—the court, by Mr. Justice Miller, said (p. 657): 'That a Government whose essential character is republican, whose executive head and legislative body are both elective, whose most numerous and powerful branch of the legislature is elected by the people directly [now true of both branches], has no power by appropriate laws to secure this election from the influence of violence, of corruption, and of fraud, is a proposition so startling as to arrest attention and demand the gravest consideration. If this Government is anything more than a mere aggregation of delegated agents of other States and Governments, each of which is superior to the General Government, it must have the power to protect the elections on which its existence depends from violence and corruption. If it has not this power it is left helpless before the two great natural and historical enemies of all Republics, open violence and insidious corruption. The proposition that it has no such power is supported by the old argument, often heard, often repeated, and in this court never assented to, that when a question of the power of Congress arises the advocate of the power must be able to place his finger on words which expressly grant it. * * * It destroys at one blow, in construing the Constitution of the United States, the doctrine universally applied to all instruments of writing, that what is implied is as much a part of the instrument as what is expressed. This principle, in its application to the Constitution of the United States, more than to almost any other writing, is a necessity, by reason of the inherent inability to put into words all derivative powers—a difficulty which the instrument itself recognizes by conferring on Congress the authority to pass all laws necessary and proper to carry into execution the powers expressly granted and all other powers vested in the Government or any branch of it by the Constitution.' (Art. I, sec. 8, clause 18.)

"I conclude that it is free from doubt that the Congress has power under the Constitution to regulate the conduct of primary elections and nominating conventions held for choosing candidates to be voted for in general elections for Representatives and Senators in Congress, and that the provisions of the act of August 19, 1911 (37 Stat., 26–28), in that behalf are valid.

"Since the majority of the court hold that the act is invalid, it would serve no useful purpose to spend time in discussing those assignments of error that relate to the conduct of the trial. It may be said, however, that, in my opinion, the trial court did not err in refusing to direct a verdict for the defendants for want of evidence of the alleged conspiracy; nor in instructing the jury that the prohibition of the statute against the expenditure and use of money by a candidate beyond the specified limit is not confined to his own money, but extends to the expenditure or use of excessive sums of money by him, from whatever source and from whomsoever derived; nor in instructing them that in order to warrant a verdict of guilty upon an indictment for conspiracy it was not necessary that the Government should show that defendants knew that some statute forbade the acts they were contemplating, but only to show an agreement to do acts constituting a violation of the statute, their knowledge of the law being presumed.

"I find prejudicial error, however, in that part of the charge which assumed to define the extent to which a candidate must participate in expenditures beyond the amount limited in order that he may be held to have violated the prohibition—an instruction vitally important, because it was largely upon overt acts supposed to have been done in carrying out the alleged conspiracy that the Government relied to prove the making of the conspiracy and its character, and because, unless the purposes of defendants involved a violation of the corrupt practices act, they were not guilty of a conspiracy to commit an 'offense against the United States' within the meaning of section 37, Criminal Code.

"The instruction upon this topic, excepted to and assigned for error, was as follows: 'The phrase which constitutes the prohibition against the candidate, "causing to be given, contributed, expended, or used" excessive sums of money, is not limited and not confined to expenditures and use of money made directly and personally by himself. This prohibition extends to the expenditure and use of excessive sums of money in which the candidate actively participates, or assists, or advises, or directs, or induces, or procures. The prohibition extends not only to the expenditure and use of excessive sums of money by the candidate directly and personally, but to such use and expenditure through his agency, or procurement, or assistance. To constitute a violation of this statute knowledge of the expenditure and use of excessive sums of money on the part of the candidate is not sufficient; neither is it sufficient to constitute a violation of this statute that the candidate merely acquiesces in such expenditures and use. But it is sufficient to constitute a violation of this statute if the candidate actively participates in doing the things which occasion such expenditures and use of money and so actively participates with knowledge that the money is being expended and used. To apply these rules to this case: If you are satisfied from the evidence that the defendant, TRUMAN H. NEWBERRY, at or about the time that he became a candidate for United States Senator was informed and knew that his campaign for the nomination and election would require the expenditure and use of more money than is permitted by law and with such knowledge became a candidate, and thereafter by advice, by conduct, by his acts, by his direction, by his counsel, or by his procurement he actively participated and took part in the expenditure and use of an excessive sum of money, of an unlawful sum of money, you will be warranted in finding that he did violate this statute known as the corrupt practices act.'

"However this may be regarded when considered in the abstract the difficulty with it when viewed in connection with the evidence in the case to which the jury was called upon to apply it is that it permitted and perhaps encouraged the jury to find the defendants guilty of a conspiracy to violate the corrupt practices act if they merely contemplated a campaign requiring the expenditure of money beyond the statutory limit, even though Mr. NEWBERRY, the candidate, had not, and it was not contemplated that he should have, any part in causing or procuring such expenditure beyond his mere standing voluntarily as a candidate and participating in the campaign with knowledge that moneys contributed and expended by others without his participation were to be expended.

"The language of the corrupt practices act (37 Stat., 28) is: 'No candidate * * * shall give, contribute, expend, use, or promise, or cause to be given, contributed, expended, used, or promised,' etc. A reading of the entire act makes it plain that Congress did not intend to limit spontaneous contributions of money by others than a candidate, nor expenditures of such money, except as he should participate therein. Of course, it does not mean that he must be alone in expending or causing to be expended the excessive sums of money; if he does it through an agent or agents, or through associates who stand in the position of agents, no doubt he is guilty, qui facit per alium facit per se; but unless he is an offender as a principal there is no offense. Section 332, Criminal Code, declares: 'Whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal.' Clearly this makes anyone who abets a candidate in expending or causing to be expended excessive sums a principal offender, but it can not change the definition of the offense itself as contained in the corrupt practices act so as to make a candidate a principal offender unless he directly commits the offense denounced. Spontaneous expenditures by others being without the scope of the prohibition, neither he nor anybody else can be held criminally responsible for merely abetting such expenditures.

"It follows that one's entry upon a candidacy for nomination and election as a Senator with knowledge that such candidacy will come to naught unless supported by the expenditure of money beyond the specified limit is not within the inhibition of the act unless it is contemplated that the candidate

shall have a part in procuring the excessive expenditures beyond the effect of his mere candidacy in evoking spontaneous contributions and expenditures by his supporters; and that his remaining in the field and participating in the ordinary activities of the campaign with knowledge that such activities furnish in a general sense the 'occasion' for the expenditure is not to be regarded as a 'causing' by the candidate of such expenditure within the meaning of the statute.

"The state of the evidence made it important that, in connection with that portion of the charge above quoted, the jury should be cautioned that unless it was a part of defendants' plan that Mr. NEWBERRY should actually participate in giving, contributing, expending, using, or promising, or causing to be given, contributed, expended, used, or promised, moneys in excess of the limited amount—either himself or through others as his agents—his mere participation in the activities of the campaign, even with knowledge that moneys spontaneously contributed and expended by others, without his agency, procurement, or assistance, were to be or were being expended, would not of itself amount to his causing such excessive expenditure. The effect of the instruction that was given may well have been to convey to the jury the view that Mr. Newberry's conduct in becoming and remaining a candidate with knowledge that spontaneous contributions and expenditures of money by his supporters would exceed the statutory limit and his active participation in the campaign were necessarily equivalent to an active participation by him in causing the expenditure and use of an excessive sum of money, and that a combination among defendants having for its object Mr. Newberry's participation in a campaign where money in excess of the prescribed limit was to be expended even without his participation in the contribution or expenditure of such money, amounted to a conspiracy on their part to commit an offense against the act.

"For error in the instructions in this particular the judgment should be reversed, with directions for a new trial.

"Mr. Justice Brandeis and Mr. Justice Clarke concur in this opinion."

EMERGENCY TARIFF.

The VICE PRESIDENT. The morning business is closed and the calendar under Rule VIII is in order.

Mr. PENROSE. I move that the Senate proceed to the consideration of House bill 2435, the so-called emergency tariff bill, which is the unfinished business before the Senate.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2435) imposing temporary duties upon certain agricultural products to meet present emergencies, and to provide revenue; to regulate commerce with foreign countries; to prevent dumping of foreign merchandise on the markets of the United States; to regulate the value of foreign money; and for other purposes, which had been reported from the Committee on Finance with an amendment.

Mr. PENROSE. I suggest that the bill be read for action in reference to the committee amendment.

The VICE PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the bill be read for the purpose of amendment, the committee amendment to be first considered.

Mr. UNDERWOOD. Just one minute, Mr. President.

Mr. SIMMONS. Mr. President, do I understand that the Senator is suggesting now that we enter immediately upon the consideration of amendments?

Mr. PENROSE. I can not hear what the Senator says in the confusion prevailing.

The VICE PRESIDENT. Neither can the Chair.

Mr. SIMMONS. Mr. President, I was inquiring of the Senator from Pennsylvania whether it was his suggestion that the amendments be read with a view to immediate action upon them as they are reached in the reading.

Mr. PENROSE. I suppose they should be read formally. I do not expect immediate action on the details of the committee amendment, but it certainly ought to be laid before the Senate.

Mr. SIMMONS. If the only purpose of the reading is that the Senate may be advised as to the amendments, I have no objection; but if it is the purpose to take up the amendments as they are reached, discuss them, and vote upon them, I think that would be rather premature.

The VICE PRESIDENT. The Chair is advised that there is but one committee amendment to the bill.

Mr. SMOOT. There is only one amendment.

Mr. McCUMBER. I was about to suggest to the Senator that the committee, as he will remember, struck out Title II and substituted what appears as an amendment. I understand the Senator from Pennsylvania has asked unanimous consent that the formal reading of the bill be dispensed with, and that the committee amendment may be read. Then the whole matter will be open for discussion.

Mr. SIMMONS. If that is the purpose, I have no objection. It is true, as the Senator from North Dakota has stated, that there is only one amendment, but that amendment embraces quite a number of separate and distinct propositions.

Mr. PENROSE. And entirely new propositions.

Mr. SIMMONS. It covers six or seven pages of the bill.

Mr. UNDERWOOD. I have no objection to what the Senator from Pennsylvania asks, except that I should like to have an understanding about it. There is but one amendment, and if that is read now, it may be adopted at any moment. There will no doubt be some amendments offered to the amendment. If it were adopted, it might raise a question as to whether there could be separate votes on those amendments. If it is understood that the committee amendment is not to be pushed to a vote immediately, so that after action upon it there could not be any amendment made to it, I have no objection to the proposal.

Mr. PENROSE. Mr. President, of course I have not the slightest notion of taking any snap judgment in this matter, and I shall be very glad to confer with the Senator from North Carolina [Mr. SIMMONS] as the minority leader on this legislation, or with the Senator from Alabama [Mr. UNDERWOOD], before any final action is arrived at.

I ought to inform the Senate that the tariff features of this measure are absolutely unamended and unchanged; they are the same as they were in the bill which was passed in the last Congress and failed to receive the approval of the then President. The change is in the amendment relating to the antidumping and valuation features. The Finance Committee, having a little more time to give to the subject, and a little more light having been thrown upon it than was available in the House, apparently, has reported to the Senate for their consideration what is largely a new measure. I ask to have it read in order that it may be laid before the Senate.

I take this opportunity, Mr. President, to state that at the proper time in the debate I hope briefly and concisely to address the Senate, explaining the action of the committee. In the meanwhile, I call to the attention of the Senate the rather detailed and elaborate report which has been compiled, explaining all the changes.

Mr. UNDERWOOD. Mr. President, I do not see any objection in the world to dispensing with the formal reading of the bill and proceeding with the reading of the committee amendment, with the understanding that, of course, we would like to have the bill considered for a day or two, to give opportunity for debate, before it is voted upon. With that understanding, I see no objection to the course suggested.

Mr. PENROSE. Of course, Mr. President, as far as I am concerned, that will be the program. If the Senator from Alabama desires to have the whole bill read, very well.

Mr. UNDERWOOD. As I said, I have no objection to dispensing with the formal reading of the bill, with that understanding.

The VICE PRESIDENT. The Secretary will read the bill for amendment, the amendment of the committee to be first considered.

The bill was read to the end of section 5, page 6, line 19.

The ASSISTANT SECRETARY. The committee proposes to strike out all of Title II, antidumping, as printed in the bill, and to insert a new Title II and a new Title III, to read as follows:

TITLE II.—ANTIDUMPING.

DUMPING INVESTIGATION.

SEC. 201. (a) That whenever the Secretary of the Treasury (hereinafter in this act called the "Secretary"), after such investigation as he deems necessary, finds that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation into the United States of a class or kind of foreign merchandise, and that merchandise of such class or kind is being sold or is likely to be sold in the United States or elsewhere at less than its fair value, then he shall make such finding public to the extent he deems necessary, together with a description of the class or kind of merchandise to which it applies in such detail as may be necessary for the guidance of the appraising officers.

(b) The powers and duties conferred or imposed upon the Secretary by this section may be exercised by him through such agency or agencies as he may designate.

SPECIAL DUMPING AGENCY.

SEC. 202. (a) That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no report to the collector before such finding has been so made public, if the purchase price or the exporter's sales price is less than the foreign market value (or, in the absence of such value, than the cost of production) there shall be levied, collected, and paid, in addition to the duties imposed thereon by law, a special dumping duty in an amount equal to such difference.

(b) If it is established to the satisfaction of the appraising officers, under regulations prescribed by the Secretary, that the amount of such difference between the purchase price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers for exportation to the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then, under regulations prescribed by the Secretary, the foreign market value shall for the purposes of this section be decreased accordingly.

(c) If it is established to the satisfaction of the appraising officers, under regulations prescribed by the Secretary, that the amount of such difference between the exporter's sales price and the foreign market value is wholly or partly due to the fact that the wholesale quantities, in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the United States in the ordinary course of trade, are greater than the wholesale quantities in which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country of exportation in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), then, under regulations prescribed by the Secretary, the foreign market value shall for the purposes of this section be decreased accordingly.

PURCHASE PRICE.

SEC. 203. That for the purposes of this title, the purchase price of imported merchandise shall be the price at which such merchandise has been purchased or agreed to be purchased, prior to the time of exportation, by the person by whom or for whose account the merchandise is imported, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any costs, charges, United States import duties, and expenses, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States; and plus the amount, if not included in such price, of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller, in respect to the manufacture, production, or sale of the merchandise, which have been rebated or which have not been collected, by reason of the exportation of the merchandise to the United States.

EXPORTER'S SALES PRICE.

SEC. 204. That for the purpose of this title the exporter's sales price of imported merchandise shall be the price at which such merchandise is sold or agreed to be sold in the United States, before or after the time of importation, by or for the account of the exporter, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less (1) the amount, if any, included in such price, attributable to any costs, charges, United States import duties, and expenses, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, (2) the amount of the commission, if any, for selling in the United States the particular merchandise under consideration, (3) an amount equal to the expenses, if any, generally incurred by or for the account of the exporter in the United States in selling identical or substantially identical merchandise, and (4) the amount of any export tax imposed by the country of exportation on the exportation of the merchandise to the United States; and plus the amount of any import duties imposed by the country of exportation which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States; and plus the amount of any taxes imposed in the country of exportation upon the manufacturer, producer, or seller in respect to the manufacture, production, or sale of the merchandise, which have been rebated, or which have not been collected, by reason of the exportation of the merchandise to the United States.

FOREIGN MARKET VALUE.

SEC. 205. That for the purposes of this title the foreign market value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade for home consumption (or, if not so sold or offered for sale for home consumption, then for exportation to countries other than the United States), including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition packed ready for shipment to the United States, except that in the case of merchandise purchased or agreed to be purchased by the person by whom or for whose account the merchandise is imported, prior to the time of exportation, the foreign market value shall be ascertained as of the date of such purchase or agreement to purchase.

COST OF PRODUCTION.

SEC. 206. That for the purposes of this title the cost of production of imported merchandise shall be the sum of—

(1) The cost of materials of, and of fabrication, manipulation, or other process employed in manufacturing or producing, identical or substantially identical merchandise, at a time preceding the date of shipment of the particular merchandise under consideration which would ordinarily permit the manufacture or production of the particular merchandise under consideration in the usual course of business;

(2) The usual general expenses (not less than 10 per cent of such cost) in the case of identical or substantially identical merchandise;

(3) The cost of all containers and coverings, and all other costs, charges, and expenses incident to placing the particular merchandise under consideration in condition, packed ready for shipment to the United States; and

(4) An addition for profit (not less than 8 per cent of the sum of the amounts found under paragraphs (1) and (2)) equal to the profit which is ordinarily added, in the case of merchandise of the same general character as the particular merchandise under consideration, by manufacturers or producers in the country of manufacture or production who are engaged in the same general trade as the manufacturer or producer of the particular merchandise under consideration.

EXPORTER.

SEC. 207. That for the purposes of this title the exporter of imported merchandise shall be the person by whom or for whose account the merchandise is imported into the United States:

(1) If such person is the agent or principal of the exporter, manufacturer, or producer; or

(2) If such person owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in the business of the exporter, manufacturer, or producer; or

(3) If the exporter, manufacturer, or producer owns or controls, directly or indirectly, through stock ownership or control or otherwise, any interest in any business conducted by such person; or

(4) If any person or persons, jointly or severally, directly or indirectly, through stock ownership or control or otherwise, own or control in the aggregate 20 per cent or more of the voting power or control in the business carried on by the person by whom or for whose account the merchandise is imported into the United States, and also 20 per cent or more of such power or control in the business of the exporter, manufacturer, or producer.

OATHS AND BONDS OF ENTRY.

SEC. 208. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and delivery of which has not been made by the collector before such finding has been so made public, unless the person by whom or for whose account such merchandise is imported makes oath before the collector, under regulations prescribed by the Secretary, that he is not an exporter, or unless such person declares under oath at the time of entry, under regulations prescribed by the Secretary, the exporter's sales price of such merchandise, it shall be unlawful for the collector to deliver the merchandise until such person has made oath before the collector, under regulations prescribed by the Secretary, that the merchandise has not been sold or agreed to be sold by such person, and has given bond to the collector, under regulations prescribed by the Secretary, with sureties approved by the collector, in an amount equal to the estimated value of the merchandise, conditioned: (1) That he will report to the collector the exporter's sales price of the merchandise within 30 days after such merchandise has been sold or agreed to be sold in the United States, (2) that he will pay on demand from the collector the amount of special dumping duty, if any, imposed by this title upon such merchandise, and (3) that he will furnish to the collector such information as may be in his possession and as may be necessary for the ascertainment of such duty, and will keep such records as to the sale of such merchandise as the Secretary may by regulation prescribe.

DUTIES OF APPRAISERS.

SEC. 209. That in the case of all imported merchandise, whether dutiable or free of duty, of a class or kind as to which the Secretary has made public a finding as provided in section 201, and as to which the appraiser or person acting as appraiser has made no report to the collector before such finding has been so made public, it shall be the duty of each appraiser or person acting as appraiser, by all reasonable ways and means to ascertain, estimate, and appraise any invoice or affidavit thereto or statement of cost of production to the contrary notwithstanding) and report to the collector the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and any other facts which the Secretary may deem necessary for the purposes of this title.

APPEALS AND PROTESTS.

SEC. 210. That for the purposes of this title the determination of the appraiser or person acting as appraiser as to the foreign market value or the cost of production, as the case may be, the purchase price, and the exporter's sales price, and the action of the collector in assessing special dumping duty, shall have the same force and effect and be subject to the same right of appeal and protest, under the same conditions and subject to the same limitations; and the general appraisers, the Board of General Appraisers, and the Court of Customs Appeals shall have the same jurisdiction, powers, and duties in connection with such appeals and protests as in the case of appeals and protests relating to customs duties under existing law.

DRAWBACKS.

SEC. 211. That the special dumping duty imposed by this title shall be treated in all respects as regular customs duties within the meaning of all laws relating to the drawback of customs duties.

SHORT TITLE.

SEC. 212. That this title may be cited as the "Antidumping act, 1921."

TITLE III.—ASSESSMENT OF AD VALOREM DUTIES.

SEC. 301. That whenever merchandise which is imported into the United States is subject to an ad valorem rate or duty or to a duty based upon or regulated in any manner by the value thereof, duty shall in no case be assessed on a value less than the export value of such merchandise.

EXPORT VALUE.

SEC. 302. That for the purposes of this title the export value of imported merchandise shall be the price, at the time of exportation of such merchandise to the United States, at which such or similar merchandise is sold or freely offered for sale to all purchasers in the principal markets of the country from which exported, in the usual wholesale quantities and in the ordinary course of trade, for exportation to the United States, including the cost of all containers and coverings and all other costs, charges, and expenses incident to placing the merchandise in condition, packed ready for shipment to the United States, less the amount, if any, included in such price, attributable to any costs, charges, United States import duties, and expenses, incident to bringing the merchandise from the place of shipment in the country of exportation to the place of delivery in the United States, and plus, if not included in such price, the amount of any export tax imposed by the country of exportation on merchandise exported to the United States.

REFERENCES TO "VALUE" IN EXISTING LAW.

SEC. 303. (a) That wherever in Title I of this act, or in the tariff act of 1913, as amended, or in any law of the United States in existence at the time of the enactment of this act relative to the appraisement of imported merchandise (except secs. 2874, 2976, and 3016 of the Revised Statutes, and sec. 801 of the revenue act of 1916), reference

is made to the value of imported merchandise (irrespective of the particular phraseology used and irrespective of whether or not such phraseology is limited or qualified by words referring to country or port of exportation or principal markets) such reference shall, in respect to all merchandise imported on or after the day this act takes effect, be construed to refer, except as provided in subdivision (b), to actual market value as defined by the law in existence at the time of the enactment of this act, or to export value as defined by section 302 of this act, whichever is higher.

(b) If the rate of duty upon imported merchandise is in any manner dependent upon the value of any component material thereof, such value shall be an amount determined under the provisions of the tariff act of 1913, as in force prior to the enactment of this act.

DEFINITIONS.

SEC. 304. That when used in this title the term "Tariff act of 1913" means the act entitled "An act to reduce tariff duties and provide revenue for the Government, and for other purposes," approved October 3, 1913.

TITLE IV.—GENERAL PROVISIONS.

STATEMENTS IN INVOICE.

SEC. 401. That all invoices of imported merchandise, and all statements in the form of an invoice, in addition to the statements required by law in existence at the time of the enactment of this act, shall contain such other statements as the Secretary may by regulation prescribe, and a statement as to the currency in which made out, specifying whether gold, silver, or paper.

STATEMENTS AT TIME OF ENTRY.

SEC. 402. That the owner, importer, consignee, or agent, making entry of imported merchandise, shall set forth upon the invoice, or statement in the form of an invoice, and in the entry, in addition to the statements required by the law in existence at the time of the enactment of this act, such statements, under oath if required, as the Secretary may by regulation prescribe.

CONVERSION OF CURRENCY.

SEC. 403. (a) That section 25 of the act of August 27, 1894, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," is amended to read as follows:

"SEC. 25. That the value of foreign coin as expressed in the money of account of the United States shall be that of the pure metal of such coin of standard value; and the values of the standard coins in circulation of the various nations of the world shall be estimated quarterly by the Director of the Mint and be proclaimed by the Secretary of the Treasury quarterly on the 1st day of January, April, July, and October in each year."

(b) For the purpose of the assessment and collection of duties upon merchandise imported into the United States on or after the day of the enactment of this act, wherever it is necessary to convert foreign currency into currency of the United States, such conversion, except as provided in subdivision (c), shall be made at the values proclaimed by the Secretary under the provisions of section 25 of such act of August 27, 1894, for the quarter in which the merchandise was exported.

(c) If no such value has been proclaimed, or if the value so proclaimed varies by 5 per cent or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate. For the purposes of this subdivision such buying rate shall be the buying rate for cable transfers payable in the foreign currency so to be converted; and shall be determined by the Federal Reserve Bank of New York and certified daily to the Secretary, who shall make it public at such times and to such extent as he deems necessary. In ascertaining such buying rate such Federal reserve bank may in its discretion (1) take into consideration the last ascertainable transactions and quotations, whether direct or through the exchange of other currencies, and (2) if there is no market buying rate for such cable transfers, calculate such rate from actual transactions and quotations in demand or time bills of exchange.

(d) Sections 2903 and 3565 of the Revised Statutes are repealed.

(e) Section 25 of such act of August 27, 1894, as in force prior to the enactment of this act, and section 2903 of the Revised Statutes, shall remain in force for the assessment and collection of duties on merchandise imported into the United States prior to the day of the enactment of this act.

INSPECTION OF EXPORTER'S BOOKS.

SEC. 404. That if any person manufacturing, producing, selling, shipping, or consigning merchandise exported to the United States fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the market value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation into the United States of merchandise manufactured, produced, sold, shipped, or consigned by such person, and (2) may instruct the collectors to withhold delivery of merchandise manufactured, produced, sold, shipped, or consigned by such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

INSPECTION OF IMPORTER'S BOOKS.

SEC. 405. That if any person importing merchandise into the United States or dealing in imported merchandise fails, at the request of the Secretary, or an appraiser, or person acting as appraiser, or a collector, or a general appraiser, or the Board of General Appraisers, as the case may be, to permit a duly accredited officer of the United States to inspect his books, papers, records, accounts, documents, or correspondence, pertaining to the value or classification of such merchandise, then while such failure continues the Secretary, under regulations prescribed by him, (1) shall prohibit the importation of merchandise into the United States by or for the account of such person, and (2) shall instruct the collectors to withhold delivery of merchandise imported by or for the account of such person. If such failure continues for a period of one year from the date of such instructions the collector shall cause the merchandise, unless previously exported, to be sold at public auction as in the case of forfeited merchandise.

DEFINITIONS.

SEC. 406. That when used in Title II or Title III or in this title—

The term "person" includes individuals, partnerships, corporations, and associations; and

The term "United States" includes all Territories and possessions subject to the jurisdiction of the United States, except the Philippine Islands, the Virgin Islands, the islands of Guam and Tutuila, and the Canal Zone.

RULES AND REGULATIONS.

SEC. 407. That the Secretary shall make rules and regulations necessary for the enforcement of this act.

TITLE V.—DYES AND CHEMICALS.

SEC. 501. (a) That on and after the day following the enactment of this act, for the period of six months, no sodium nitrite, no dyes or dyestuffs, including crudes and intermediates, no product or products derived directly or indirectly from coal tar (including crudes, intermediates, finished or partly finished products, and mixtures and compounds of such coal-tar products), and no synthetic organic drugs or synthetic organic chemicals, shall be admitted to entry or delivered from customs custody in the United States or in any of its possessions unless the Secretary determines that such article or a satisfactory substitute therefor is not obtainable in the United States or in any of its possessions in sufficient quantities and on reasonable terms as to quality, price, and delivery, and that such article in the quantity to be admitted is required for consumption by an actual consumer in the United States or in any of its possessions within six months after receipt of the merchandise.

(b) Upon the day following the enactment of this act the War Trade Board Section of the Department of State shall cease to exist; all clerks and employees of such War Trade Board Section shall be transferred to and become clerks and employees of the Treasury Department, and all books, documents, and other records relating to such dye and chemical import control of such War Trade Board Section shall become books, documents, and records of the Treasury Department. All individual licenses issued by such War Trade Board Section prior to the enactment of this act shall remain in effect during the period of their validity, and the importations under such licenses shall be permitted. All unexpended funds and appropriations for the use and maintenance of such War Trade Board Section shall become funds and appropriations available to be expended by the Secretary in the exercise of the power and authority conferred upon him by this section.

SEC. 502. That this title may be cited as the "Dye and chemical control act, 1921."

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LADD in the chair). The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Harreld	McKellar	Shortridge
Ball	Harris	McKinley	Simmons
Borah	Harrison	McLean	Smoot
Brandegee	Heflin	McNary	Spencer
Broussard	Hitchcock	Moses	Stanfield
Bursum	Johnson	Myers	Stanley
Calder	Jones, N. Mex.	Nelson	Sterling
Capper	Jones, Wash.	New	Sutherland
Caraway	Kellogg	Nicholson	Swanson
Curtis	Kendrick	Norbeck	Trammell
Dial	Kenyon	Norris	Underwood
Dillingham	Keyes	Oddie	Wadsworth
Fernald	King	Overman	Walsh, Mass.
Fletcher	Knox	Penrose	Walsh, Mont.
France	Ladd	Phipps	Warren
Frelinghuysen	La Follette	Poindexter	Watson, Ind.
Gerry	Lenroot	Pomerene	Weller
Glass	Lodge	Ransdell	Willis
Gooding	McCormick	Robinson	Wolcott
Hale	McCumber	Sheppard	

Mr. DIAL. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is absent on official business. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. McCUMBER. Mr. President, I think every Member of the Senate realizes the depressed condition of the industries throughout the United States at the present time, a condition which has not improved materially during the last six months. While we recognize that every industry throughout the country in every line was suffering the reaction that would very naturally occur from war conditions, it was well known that one particular line of industry suffered far more heavily than any other, namely, the agricultural industry; that while the farmer's products have gone down from a half to a third of the old prices, everything that the farmer is compelled to purchase is still held at the old price.

This condition induced the House and the Senate during the last session to pass an emergency tariff bill which related solely to agricultural products. It was conceded that we could not take up as an emergency proposition every matter that would be covered by a permanent tariff bill. We therefore limited the emergency tariff bill to farm products only, and to only a portion of those products.

The bill passed the House and the Senate during the last session, was presented to President Wilson, and was by him vetoed. We did not have a sufficient number of supporters of the bill to assure its being made a law against the President's veto, and therefore the matter was dropped, with the expectation of taking it up immediately with the new administration.

Since the convening of the present Congress the matter was taken up in the House and in the Senate. Bills were intro-

duced and referred to the Finance Committee in the Senate and the Committee on Ways and Means in the House. Hearings were had before the Committee on Ways and Means of the House, and as soon as the bill was received from the House short hearings were had before the Senate Finance Committee, and the bill was reported again.

It was the understanding of the Finance Committee, at least at our last meeting prior to the reintroduction of this emergency tariff bill, that the bill should be reintroduced in the House and in the Senate in exactly the same form that it was presented to the President of the United States, with no modification whatever. Congressman YOUNG, of my State, reintroduced the bill in the House and I introduced the same bill in the Senate, and they were referred to the respectitve committees.

Mr. President, I regret that the House in its wisdom saw fit to attach to what was purely an emergency tariff proposition other provisions relating to dumping and to a new method of determining basic values for general tariff levies, due to the fact that there was a very low-rate exchange in foreign countries, and thereby injected new questions into this discussion. I regret that the antidumping bill was attached more particularly because I see no present occasion for it. In all of the hearings that we had before the Committee on Finance there was not in any instance any showing of any dumping of foreign goods into this country, and with the present situation I certainly do not think there is any danger of dumping agricultural products into the United States; and this emergency bill was intended to cover agricultural products only. Of course, great quantities of agricultural products are imported into the United States, but as such products are not exported into this country at prices below the sales price in the producing country, these importations do not come under the term "dumping." The only remedy is a protective tariff rather than an antidumping law. But the House added an antidumping provision and included also another provision under Title II which we may call the "exchange valuation" as a basis of fixing our tariffs.

Mr. HARRISON. Mr. President, will the Senator yield before he gets away from the antidumping clause?

Mr. McCUMBER. Certainly.

Mr. HARRISON. Does the antidumping proposition as carried in this bill, and which the Senator said he opposed, apply just to the articles included in the emergency tariff, or does it include all articles carried in the tariff law?

Mr. McCUMBER. All articles, whether carried in a tariff law or not. It relates to the matter of dumping any article into the United States no matter whether it is included in this bill or otherwise.

Mr. HARRISON. So the antidumping provision, then, is a general proposition which applies to all importations into this country without regard to whether they are on the free list or on the dutiable list?

Mr. McCUMBER. That is true, and that is also true with reference to the exchange valuation. They are both general laws attached to this special bill; but the matter came before the committee with these additions, and the committee considered that it was better to take the matter as it came from the House and to make such changes as were necessary without striking out those two provisions.

Mr. KING. Mr. President, will the Senator permit an inquiry for information?

Mr. McCUMBER. Certainly.

Mr. KING. I think I understood the Senator's answer to the question propounded by the Senator from Mississippi. As I understand the Senator, this bill repeals pro tanto the Underwood-Simmons law, which permits certain articles and commodities to come in free.

Mr. McCUMBER. No; it does not repeal it pro tanto. It does not even affect it unless there is a dumping of that article into the United States. It does not pretend to change the tariff on any product except in cases where dumping is found to exist.

Mr. KING. In its practical operations, if the Senator will still pardon me, would it not be so administered as to prohibit effectually the importation into the United States of any article whatever under the free list as the present statute exists?

Mr. McCUMBER. On the contrary, Mr. President, I do not think it will in any instance, because, as I have stated before, I do not think there are any cases of dumping at the present time, and under the present situation over the world I do not think there is any danger of it, and I will tell the Senator why. The price of almost every manufactured commodity is so much higher in the United States than anywhere else in the world that it is not necessary for the exporter from a foreign country to export it into this country at a less price than the same article is sold for in the markets of the producing country; and, therefore, there is no particular danger, in my opinion, of anything in the line of what we understand by the general term "dumping," which means that the article is sold in the United States or sold for exportation to the United States at a less price than it is sold for home consumption or for exportation to any other foreign country.

Mr. KING. If the Senator will pardon me, I think the Senator is correct; that is my understanding; and yet, in view of the economic and industrial price conditions throughout the world, I could not understand why there was any necessity for enacting an antidumping provision, because, as we all know, articles now sold in Germany in the main are sold for a less price than they are sold for in the United States.

Mr. McCUMBER. I stated that I personally regretted that the antidumping proposition was attached in the House. The bill must pass through both Houses. I can see no possible harm that can come from it, even though it may not be of any particular use at this time, and if the majority of the Members of the House feel that it is proper legislation I have no objection to inserting it here, because of the fact that I think it will do neither harm nor good. I speak most candidly upon that proposition.

Mr. KING. Mr. President, the Senator from North Dakota is always candid, and I hope he will not be offended when I ask if, as a matter of fact, the antidumping proposition is not a fraud upon the public? Is it not a pretense that some benefit is going to be derived from an enactment which will be of no benefit whatever?

Mr. McCUMBER. Oh, no, Mr. President, because it is so worded that there is no danger unless it is sought by a foreign competitor to sell goods for less than cost or less than they can be sold for consumption in the home country for the purpose of destroying an industry in this country and, when the industry is destroyed, of then raising the price to an excessive amount; and that is all the old antidumping law was. That is all we can say of the new one. I have looked at the matter from every angle, and I can not see any possibility of any danger whatever in the provision.

Mr. SIMMONS. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. SIMMONS. I think the Senator from Utah and probably the Senator from Mississippi are somewhat apprehensive that under this antidumping provision articles now upon the free list would be automatically, in effect, transferred to the dutiable list. If I understand the matter correctly, that would be the effect if under the definition of "dumping" in this bill there is technical dumping into the United States of an article now on the free list; but under the technical definition of what is hereafter to be regarded as dumping for the purpose of applying this law, there will be no dumping unless the foreign home market price is greater than the export sale price. If the home price—that is, the price at which goods are ordinarily sold in the regular course of business for home consumption in Germany—is greater than the price at which those goods are exported and sold in this country, then the extent of the difference between the home price and the exporter's price is characterized as dumping, and that difference becomes an additional duty where there is a duty now imposed under the law, and if no duty is imposed under the present law it becomes a positive duty against the article.

Mr. McCUMBER. I intended to cover that. I think I can give the Senator a very brief illustration.

Mr. SIMMONS. So that, if the Senator will pardon me just one minute, if there is dumping it would apply to an article on the free list as well as to an article on the dutiable list.

Mr. McCUMBER. I admit that.

Mr. SIMMONS. But the testimony of practically all of the experts who have appeared before our committee was to the effect that at the present time there is no dumping, within the meaning of this act.

Mr. McCUMBER. That is correct.

Let me say, in answer to the Senator from Utah, suppose an article is on the free list that is sold in the usual wholesale quantities in Great Britain for $5, American money, and the same article, though it is on the free list, is sold for exportation to the United States for $4. Then there would be a duty imposed upon that article of the difference between $5, the foreign selling price, and $4, the export price, or there would be $1 duty imposed upon that article.

But we have found no instances in which anything of that kind has occurred, nor, to my mind, is likely to occur.

Mr. SMOOT. The Senator said the duty would be a dollar. It would be the rate of duty on the dollar's difference, not a duty of a dollar.

Mr. McCUMBER. Yes; the duty would be the difference.

Mr. KING. The senior Senator from Utah is correct if it is upon the free list, but if it is upon the dutiable list, then there would be the duty on the dollar difference plus the duty which now exists under the Simmons-Underwood law.

Mr. McCUMBER. Certainly; if it is upon the dutiable list it will add just so much to the duty. In other words, the article will have to have a value which will be as high as the home selling value, no matter what it is sold for in the United States.

Mr. SMOOT. If I did not misunderstand the question of my colleague, the junior Senator from Utah, he has the wrong idea in his mind. Take the case the Senator cited of a dollar's difference. If the rate of duty on the $4 was 35 per cent, then the rate of duty on the difference between the price here and the dumping price—that is, a dollar—would be 35 per cent.

Mr. McCUMBER. I want to correct both Senators. My statement was correct in the first instance. It is not the duty on the $1, but there is $1 added to the duty under the bill.

Mr. KING. I agree with the Senator.

Mr. SIMMONS. The Senator from North Dakota is absolutely right about that.

Mr. McCUMBER. It is not a duty. I did not understand the Senator's position. So it will cost the exporter abroad just as much to bring an article into the United States as though he had purchased it at the price for which it was sold in the country of production.

Mr. KING. But may I not inquire of the Senator if it is not possible for this antidumping provision to be so administered as that it may perpetuate a monopoly existing in the United States, or permit manufacturers in the United States to augment the present prices which they are charging to the public?

Mr. McCUMBER. I do not think that is possible. Of course, if we have in the United States a monopoly in the production of a particular article by one particular firm and there is an attempt to undersell that particular firm by importing goods into this country at a price less than the cost price in the home country or a price less than what they are sold for export to other foreign countries, of course that would protect the persons manufacturing that article in this country, even though they had a monopoly in the manufacture of those products.

Mr. KING. If the Senator will pardon me, it is the theory of the antidumping provision, as well as all of the provisions of the bill, to restrain the fall of prices, or to maintain existing prices, or to increase them.

Mr. McCUMBER. No; the purpose of the bill is to prevent an attempt by any foreign producer to dump his goods into the United States for less than cost for the purpose of destroying an industry in the United States. In other words, we want to perpetuate our industries of every character in the United States so far as we can.

Mr. KING. But, after all, this legislation, as well as substantially all tariff legislation, is for the purpose of increasing prices upon domestic products, or maintaining a standard of prices, and preventing a fall of prices. In other words, the policy now is to bolster up the market for the products manufactured and sold in the United States.

Mr. McCUMBER. The purpose is to allow the manufacturers in the United States to continue in business, even though it costs them much more to manufacture than it does those in a foreign country and to provide for the employment of American labor and American capital, because anyone who has followed the ups and downs of any business in the United States in which there is competition knows that when an industry in the United States is destroyed by underselling by a foreign competitor all prices immediately go up to an exorbitant degree and far beyond what was originally the American price. I do not think there is any misunderstanding of the purpose of this measure. Of course, it is protective, and protection means higher prices in the United States for the time being than would be given for the particular articles if we had no protection.

Mr. SIMMONS. Mr. President, if the Senator will pardon me, for the sake of clarification of the situation created by the statement made by the Senator from Utah [Mr. SMOOT] inadvertently, I think, it is well for us to understand definitely what the dumping duty is levied upon, and what it is. If I understood the Senator from Utah, he was contending that the dumping duty would be the rate of duty imposed in the present law upon the difference between the home price and the export price.

Mr. McCUMBER. I think that was afterwards corrected.

Mr. SMOOT. I will say to the Senator——

Mr. SIMMONS. Of course, that could not be true, because in that case, if an article was on the free list, of course, there would be no duty to apply to it. This is intended to embrace, and, as a matter of fact, does embrace, articles on the free and the dutiable lists.

Mr. SMOOT. Of course the special dumping duty is an amount equal to the difference between the home-market price and the export price, whatever it may be.

Mr. SIMMONS. It is a flat duty to the full amount of the difference between the home price and the exporter's price, and that difference is not subject to the specific duty imposed under the present tariff, as indicated in the illustration given by the Senator from North Dakota.

Mr. McCUMBER. It is just as I stated in the illustration. If an article is produced in Great Britain and sold in the usual wholesale quantities for $5, and the same article is sold to an American importer for $4, that article will take a duty of $1 in addition to any other duties which may be imposed on it, or if there is no duty imposed upon it, if it is on the free list, it will then take on a duty of $1.

Mr. SIMMONS. The Senator is absolutely correct in that statement.

Mr. SMOOT. I wish to ask the Senator a question at that point, so that he can clear up the whole matter. Not only is the dollar added, but if the duty upon the article imported was 35 per cent, would not the 35 per cent apply to the $5 instead of the $4?

Mr. McCUMBER. The Senator is discussing a provision outside of the antidumping title, but I will answer him.

Under the provision of Title III, I think it is, which relates to the basis of levying duties, we take either the home-selling price or the export price, whichever may be the higher; and, as I stated, if an article produced in Great Britain is sold at wholesale there for $5, and the same article is sold in the United States to an importer for $4, the rate of tariff would be based upon the higher price, which is the home-selling price of $5.

Mr. SMOOT. That is correct.

Mr. McCUMBER. And that would be in addition to the $1, where it is a dutiable article.

Mr. SMOOT. The Senator is correct; and the only reason why I brought the question up was to have all of the differences brought out at this time.

Mr. STANLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. McCUMBER. I yield.

Mr. STANLEY. As I understand, the Senator has just stated that in almost every instance at present competing articles manufactured in this and foreign countries are made more cheaply in foreign countries than in this country; that the cost of production, owing to the difference in exchange and the different wage scales in the United States and Europe, is less in foreign countries than it is in this for almost every article offered in the competitive market. Is that correct?

Mr. McCUMBER. Certainly, that is usually correct; and I think you may say in respect to practically every article.

Mr. STANLEY. If that be true, are we going to enter any foreign market, with our cost of production higher than the cost in foreign countries, without selling our surplus for less than the cost of production?

Mr. McCUMBER. Mr. President, I do not know how we are going into any country and sell for less than the cost of production. I do not think any business will enter that kind of a line of competition. People will buy wherever they can buy cheapest. They will sell where they can sell to the best advantage. We can not sell a competing article in Great Britain, where the article is produced in Great Britain for a lower price than that for which it is produced here. Therefore, there can be no exchange of those particular competing articles. We may sell in other countries some things they may have to buy of ours, and we may buy of them some things we do not produce. The world will be governed in its trade relations by that general principle.

Mr. STANLEY. Mr. President, the practice, so called, of "dumping" has been defended on the ground that the difference between the cost of producing the amount demanded by the home market and that which can be produced by a plant running to the maximum of its capacity justifies the selling this so-called surplus at much less than the average cost of production of the amount necessary for the home market, and can be sold for less than it cost to produce the lesser amount; and, owing to the fact that the production of this surplus, this difference between normal production and maximum production, involves no extra overhead charges, no extra amount for labor, simply means using the maximum of the mills' output and keeping employees constantly engaged. In the steel industry, for instance, keeping your blast furnace always going and utilizing your gases for motive power, and so forth, that has

been continually done by large enterprises, and defended, notwithstanding the fact that the surplus was sold abroad at less than the actual cost of production by a plant not run to the maximum of its capacity.

Now, if we mean to enter any foreign market under present conditions we must either sell, according to the statement of the Senator, below the cost of production or at least below the prices at which the commodity is offered in the home market. There is no foreign market open to us for any great amount of wood or steel or textile fabric to-day, unless under present conditions we sell abroad for less than we sell at home. Does not the Senator admit that?

Mr. McCUMBER. Hardly; but I will allow the Senator to finish his sentence.

Mr. STANLEY. If that be true, then we must engage in the practice which we are condemning in the bill. Is not that a fact?

Mr. McCUMBER. I think not.

Mr. STANLEY. Or at least penalize it.

Mr. McCUMBER. I think not.

Mr. STANLEY. If the Senator will pardon me for just one further observation, if the countries of the Old World follow our example and enact similar legislation the doors of Europe will be closed to American industry.

At this point, if the Senator will indulge me further, on that very proposition I should like to offer an amendment and ask that it be printed and submitted at the proper time. I offer the following amendment to page 26 of the pending antidumping provision.

The PRESIDING OFFICER. Without objection, the proposed amendment will be received and printed.

Mr. SIMMONS rose.

Mr. McCUMBER. Does the Senator wish me to yield to him?

Mr. SIMMONS. If the Senator will.

Mr. McCUMBER. Certainly.

Mr. SIMMONS. I think the Senator would probably admit that in a majority of cases, especially where the articles are used in large quantities by great corporations like the United States Steel Corporation, our export trade before the war in those industries was based almost entirely upon what under this bill would be dumping. The American home price was so much higher than the foreign price that it was utterly impossible for us to meet competition in the foreign markets unless we sold our products abroad at less than the home-market price. Under the definition of dumping in the pending bill any sale made abroad at less than the home-market price would be dumping. I assume that that condition exists now. On account of the high prices which obtain in our home market it would be impossible for us to dispose of many of the products of American industry in foreign countries, unless we were willing to sell them at a price less than the home price or less than the price at which they were sold in this country for consumption in this country, and that if other countries were to apply the same law to our exports that it is sought and proposed in this bill to apply we would find our exportation burdened in the foreign markets by an enormous tariff levy. I think the Senator must admit that.

I am not arguing the question whether or not there would probably be retaliation. In the present condition probably there might be no retaliation because there is practically no dumping going on in this country to-day, so the experts tell us, but that statement is based upon a temporary condition which obtains both abroad and here. In the near future there may be dumping in this country, as there was before the war, under the rigid rule of definition in the bill, and if that condition should arise and other countries should find it necessary to resort to the same practices that we resort to and have been forced to resort to in order to get in the markets, they would find themselves penalized by very heavy tariff duties, and they might under those conditions be incited to legislation of a retaliatory character. However, that is in the future.

Mr. McCUMBER. Yes; that is anticipating something that in all probability never will happen.

Let us consider the proposition that is made by the Senator from Kentucky [Mr. STANLEY]. Take the case of the steel mills prior to the war, when they had accumulated a surplus and wanted to keep their mills running because there would be an enormous loss to shut them down, and they were producing more goods than they could sell in the United States, keeping up the price in the United States and selling to another country for a less price than the home price. But now just recall that they were not exporting steel rails to Great Britain for less than it cost to produce them in the United States. If they did the British antidumping law would probably apply. I do not think that in any case steel rails were sold abroad for a price less than the cost of production, but to keep the mills going a very comparatively small amount of the surplus was sold to South American countries for less than the American market price. Argentine, if it wants to build a railroad, has not great mills for the manufacture of steel rails. If our mills should sell to Argentine steel rails for even less than it cost to produce in the United States, Argentine might make a law calling that dumping, but she would not do so, because she does not produce any rails, and is therefore desirous of obtaining them as cheaply as possible. We shall have no conflict with Great Britain on the subject, or with Germany or with any of those countries, because we will not compete in dumping to sell those countries products which we manufacture in the United States for a less price than we sell them for in the United States, because of the fact that it would be impossible to manufacture and sell them for a less price than they are manufactured and sold for in Great Britain or in Germany.

So these fears are extremely ethereal and improbable. There is only one instance in which under the pending bill there could be antidumping on a product which we do not produce in the United States. For instance, if we have in the United States the material and the resources to produce a certain kind of article such as dyes, for instance, which we did not produce before the war, and a company were formed for the purpose of developing that industry, and some foreign competitor, fearing that we would establish that industry in the United States and having had a monopoly in the United States up to that time, should then proceed to ship their goods into the United States for less than the cost of production, and the Secretary of the Treasury should find upon investigation that the purpose of selling for less than it cost in the home-producing country was to prevent the establishment of that industry in this country, then dumping would obtain under this bill. With these restrictions upon dumping into this country, I do not think that there is anything that we need to fear.

The greater part of Title II consists in definitions of home values and export values, and so forth, and I shall not stop to discuss them.

Title III deals with the assessment of ad valorem duties, and I wish to clarify that title and its purposes. Under our present tariff law our duty is levied upon the market price and not upon the price paid by the American purchaser who imports goods into this country. Under the old conditions that worked very well, but under the conditions which have faced us since the war it is found to work very injuriously to our producers and unjustly to the Government for the reason which I have mentioned, that our prices are so much above the foreign production and selling price that it enables the foreign Government to levy an export price upon the article or the foreign manufacturers to combine and agree to a practical export price far in excess of the home-producing price, and therefore while we are receiving goods from, say, Germany which are sold in the German market for $2 measured in gold and sold to the American exporter for $8, or four times the price, we are receiving no benefit from the lower price in Germany to American people by reason of their lower production, and are not receiving our proper tariff duties upon the price which the American people must pay.

Therefore the committee agreed upon making a tariff based upon either the foreign producing and selling price, or the exporting price of the foreign country, whichever was highest. We did that as a compromise between the present system of levying upon the very low production price in the foreign country and the demand of the American producers that the tariff should be levied upon the products measured in American gold and not in the foreign depreciated currency.

If an article, therefore, is manufactured and sold in Germany for $5, and the same article is shipped to the United States, even though its price to the importer is $10, under the present law the customs officer collects but $1 under a 25 per cent duty, whereas if the duty is based upon the export price—that is, the charge made to the person who imports the article from the foreign country—the United States would receive $2 duty instead of $1.

Mr. HITCHCOCK. Mr. President, do I understand that what the Senator describes is now going on; that exporters are purchasing, say, in Germany, for $8 articles to be brought to the United States which are selling in Germany for $2?

Mr. McCUMBER. The evidence was that articles are produced in Germany and are sold to the exporter for a sum several times as much as the price at which they are sold to the domestic consumer—I do not give the exact figures—and are sold in the United States in the usual wholesale quantities as

high as ten times the price of the same product in the German market. That is being done not merely to a limited extent but to a great extent.

Mr. HITCHCOCK. So that the man representing the exporter, who buys the goods in Germany, is paying four times as much as consumers in Germany are paying for the same article?

Mr. McCUMBER. Yes.

Mr. HITCHCOCK. Such a condition has never before existed in the world, so far as I know.

Mr. McCUMBER. I have stated why that condition has not existed in the past. I have stated that the American prices are so enormously higher than some of the foreign prices that the manufacturers and the foreign Government acting with those manufacturers have agreed upon an export duty in some cases of over 100 per cent.

Mr. HITCHCOCK. I am not talking about that.

Mr. McCUMBER. That duty is added to the price of the article.

Mr. HITCHCOCK. I am asking the Senator this question: Is it possible that two prices prevail in Germany for the same article—one $2 and the other $8—and that no class of people takes advantage of the difference in order to make a great profit? What is there to prevent anybody buying?

Mr. McCUMBER. The expert informs me that the average price paid by the exporter is from two to three times the amount for which the article is sold in the German market for home consumption.

Mr. HITCHCOCK. Can the Senator explain by what method the American importer is prevented from buying at the local price?

Mr. McCUMBER. He can buy at the local price if he sells in the home country, but he is prevented from buying for export at the local price, because of a combination which has been made between the foreign Government itself and the manufacturers; and this is possible because the article can be sold at such profit in the United States that the foreign Government can levy a tax of 100 per cent and more.

No one can buy an article for export unless he pays from two to three times the price for which the article is sold for home consumption in the same quantities to the people of the country of manufacture.

Mr. HITCHCOCK. The Senator has already expressed his fear that a plot was on foot in those countries to dump their surplus goods in the United States at phenomenally low prices.

Mr. McCUMBER. Who has expressed that fear?

Mr. HITCHCOCK. The Senator from North Dakota has.

Mr. McCUMBER. On the contrary, the Senator from North Dakota has declared over and over again that he had no such fear at all. I have so stated to the Senate to-day, and if the Senator from Nebraska had been present when I began the discussion he would not say that I had said there was any fear of dumping.

Mr. HITCHCOCK. The Senator is supporting the pending bill with the antidumping clause in it, which has evidently been put into the bill because the committee fears that there is a menace of dumping goods into this country at phenomenally low prices.

Mr. McCUMBER. The Senator from Nebraska is mistaken.

Mr. HITCHCOCK. Let me finish.

Mr. McCUMBER. If the Senator had been present during the earlier part of the discussion, his mind would have been disabused of any such idea.

Mr. HITCHCOCK. What is the purpose of the antidumping clause?

Mr. McCUMBER. The fear of the House that a condition might arise in the near future in which an antidumping law would be necessary. The Committee on Finance did not join in that fear; but, inasmuch as the antidumping provision can in no instance do any harm, for the purpose of expediting the passage of the bill it was thought best by the committee to allow the provision which the House had put in to remain in the bill.

Mr. HITCHCOCK. So that, while the committee has reported an antidumping clause here, it does not believe it is necessary?

Mr. McCUMBER. It does not believe that under present conditions there is any dumping going on. I have repeated that often enough, I think.

Mr. HITCHCOCK. Yes. On the other hand, the Senator now states that what these countries are actually doing is to inflate the prices of goods which they are selling to us; and yet, in the same breath, he supports clauses here before the Senate providing against dumping, on the theory that they are going to deflate their prices and sell goods to us at phenomenally low figures.

Mr. McCUMBER. I have stated again and again that under present conditions the prices are inflated for export rather than deflated, and therefore, under present conditions, it is not necessary to have an antidumping law, in my opinion, now. There may arise a month from now, or there may arise two months from now, a condition in which some foreign business concern, desiring to enter the American market, may be willing to slaughter its profits for a given length of time for the purpose of destroying the American industry. This bill, so far as the Committee on Finance is concerned, is simply aimed at that possible condition. In the agricultural products I can see that the condition might arise, although during the life of the pending bill I do not believe it will arise.

Mr. HITCHCOCK. Mr. President, we began to hear about the bogey of our being flooded with cheap goods from the war-stricken countries before the World War was over, and a year or two before the war closed gentlemen were alarming the country, getting into a hysterical condition over the great danger that the United States was going to be flooded with cheap goods for the American people to use. The war has been over for nearly three years and the Senator from North Dakota admits here on the floor that there has been nothing whatever to justify that apprehension.

Mr. McCUMBER. I do not admit anything of the kind. I admit that there has been no dumping; I admit that, so far as the evidence shows, goods are not being sold for export to the United States for a less price than they are sold for home consumption; but that does not carry with it any assurance that countries are not selling and exporting to the United States products at such low prices that the American producer can not compete with them. This is the fact to-day; but it is not dumping; it is simply because our markets are on a free basis; the door has been thrown wide open; and we are receiving imports at such low prices that the American producer can not compete.

Mr. HITCHCOCK. Yet the Senator from North Dakota in the same breath states that what these countries are doing is to inflate the prices and compel our exporters to pay three and four times as much for the goods as their home consumers pay.

Mr. McCUMBER. I did not say "these countries," because the term "these countries" means all the world. I have said that certain countries are doing that. The Senator from Nebraska certainly comprehends the difference between a country like Australia sending in wool for half what it costs to produce it in the United States, in which the condition which I have mentioned does not apply, and the case of Germany, in which it does apply. It also applies, as the Senator from Utah [Mr. SMOOT] informs me, in Jugoslavia.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

Mr. McCUMBER. Certainly.

Mr. POMERENE. I was interested in the statement which the Senator made, to the effect that there was no dumping, as he has defined that term.

Mr. McCUMBER. That is, so far as any evidence before the committee is concerned.

Mr. POMERENE. I understand that, but I want to ask the Senator specifically whether he intended that statement to apply to the dye industry?

Mr. McCUMBER. There has been no dumping, so far as I know, in the dye industry up to the present time, because the War Trade Board established a licensing system under which dyestuffs have been kept out. In this bill the provision for licensing is continued, for fear that there will be dumping in connection with dyestuffs.

Mr. POMERENE. I knew that to be the fact, just as the Senator has stated it; but I did not make myself clear. What I intended to ask the Senator was whether, in his judgment, the evidence taken by the committee shows that there is any likelihood of the dumping of dyes into this country if the amendment to the bill were not adopted? In other words, are not the duties which were practically dictated, or rather—I do not like to use that term—designated by the dye industries themselves sufficient to prevent the dumping which some of the dye people seem to fear so much?

Mr. McCUMBER. I think not. I will not call it dumping, but I think that dye products, some of the highest qualities of dyes, at least, can be brought into this country for a price which, to protect the American industry, would require a duty of from 1,000 to 2,000 per cent. If we are to become expert in the production of that character of dyes, so as to manufacture them in the United States, we can hardly accomplish that result, in my opinion, and I think the other members of the committee share that opinion with me, unless we have what is equivalent to a prohibition against their importation.

Mr. POMERENE. Mr. President, am I not right in the statement that at the time of the enactment of the dye bill the schedule of rates therein set forth was the schedule which was suggested by the dye industries themselves in the belief that it would be sufficient to maintain and protect that industry?

Mr. McCUMBER. I can not answer that; I do not know what their opinion was at that time; but it is evident that at the present time, whatever their opinion was when the last tariff bill was enacted, that those duties are insufficient, and I think that is generally admitted.

Mr. SIMMONS. Mr. President——

Mr. McCUMBER. I yield to the Senator from North Carolina.

Mr. SIMMONS. I will not interrupt the Senator now if he prefers to go on with his remarks without interruption, but the Senator has been so very liberal about yielding that I should like to ask him a question.

Mr. McCUMBER. I am perfectly willing to yield. I think such interruptions will be helpful, if we stick to the text, to discuss this matter quite freely as we are going over it for the first time, so that we may all get as clear an understanding as possible. Therefore I shall not object to interruptions, if the interruptions are for the purpose of eliciting explanations of the items of the bill.

Mr. SIMMONS. I wish to ask the question, Mr. President, for the purpose of getting from the Senator, if he has it, some information that I have been trying my best to get, and up to this time without success, which I think very important for the intelligent consideration of the part of the measure which the Senator is now discussing. Before I ask the question, however, in order that it may be intelligible, the Senator will have to permit me to make a brief statement of my understanding.

Mr. McCUMBER. Certainly.

Mr. SIMMONS. Under the present law the values upon which the duties prescribed in our tariff law are to be applied are fixed arbitrarily, without any reference to the price paid in the home market by the exporter, and without any reference to the price charged by the professional exporter when merchandise is sold in this country. The value is arbitrarily fixed at the price at which the merchandise is ordinarily sold in the usual course of business in the country of exportation. That is the present standard for ascertaining the value to which our tariff duties shall be applied. Under the amendment which the Senator is discussing it is proposed to change that and to take the two valuations—the price at which goods are sold in the country of exportation for home consumption, and the price at which goods are sold in that country for exportation to this country—and to apply the duties prescribed in the present law to the one of those valuations which happens to be the higher. That is to say, if the domestic price is higher, then the duty applies to that price, under this bill, as it does under the present law; but if the domestic price is less than the export price—that is, the price at which these foreign goods are sold for export to this country—then the duty shall be applied to the higher price, namely, the export price.

The Senator has said, and the testimony sustains him absolutely, that at this particular time Germany has two prices. One is what is known as the domestic price, and applies where goods are sold for consumption in that country. The other is an export price and applies where goods are sold for exportation to a foreign country, to this country. The testimony shows that at this time, in practically every case, the price for home consumption—that is, the price upon which the present tariff law applies—is very much less than the price fixed for exportation. They maintain those two standards of prices there. Under the present law our duties are imposed upon the lower price—that is, the domestic price. If this bill becomes a law our duties will be imposed upon the higher price—that is, the foreign exporter's sales price.

The Senator says, and the testimony supports him, that at this time the exporter's price is from one to two times higher than the home-consumption price. If that is so, and this bill becomes a law, then the rates prescribed in our present tariff act will have to be applied, not to these lower rates, as they are under the present law, but to these higher rates, which are twice or three times higher. I want to ask the Senator if the effect of that is not to increase the protective tariff rates of the present law 100, 200, or 300 per cent, just as the exporter's price exceeds the domestic price by twice or by three times?

That question was raised in the committee by myself. To my mind it is absolutely clear that that is the effect. I asked some of the experts if they could give the committee an idea as to how much this change in the basis of valuation would lift up the tariff levies that would hereafter be made, upon the basis, of course, of the present law. There is not any proposition in this bill to change the rates of the present law at all, except as they apply to agricultural products—that may be said generally—and a very few manufactured products. So that hereafter the rates of the present law, if this amendment is adopted, will be levied upon these foreign products at the higher valuation that would be brought about by adopting the export price, as compared with the lower valuation growing out of the home-consumption price, which is the basis of applying the tax under the present law.

Of course, if the Senator's premises are correct, and the exporter's price is much the higher—and we will all concede that the testimony supports that—the Senator will concede that it necessarily will increase the amount of customs duties that will have to be paid. I am anxious to find out—I tried to get the information yesterday—whether the majority members of the committee have yet gotten any information from our experts who looked into that matter to indicate to what extent this change would increase the potential rates that will be collected at the customhouse upon goods imported into this country from Germany. We are talking about exports from Germany now, and most of the talk in the committee was about exports from Germany.

Mr. McCUMBER. The question is one of simple mathematics, so far as we can apply those mathematics to the facts in any case. If we have not the facts, of course we can not tell just exactly what the mathematical application would result in.

Mr. SIMMONS. The Senator does not understand me.

Mr. McCUMBER. Yes; I will answer the question, if the Senator will allow me.

Mr. SIMMONS. I am trying to get, in general——

Mr. McCUMBER. I understand the Senator, of course, and I want to follow up his own statement. The Senator has given his basis.

We will suppose, now, that an article is sold in the markets of Germany in wholesale quantities for $100. Under the old system, if it were imported into the United States, no matter what the exporter paid for it, he might have even bought it for less, but we would still base our duty upon the value of $100. Under the amendment if the article is sold for export for $200, and the duty is 10 per cent, the duty would be $20, whereas in the first instance it would be but $10. Therefore, the same goods would cost in the United States $10 more than they would if the levy continued to be made upon the home selling value.

The Senator asked if the committee is informed to just what extent this difference applies; in other words, what is the general difference between the home selling price and the foreign selling price? In order, of course, to make his computation and know just exactly what any article or any given class of articles would cost, he must know that difference. We have not the information definitely. The Senator will remember that at our last meeting, or next to the last meeting, we asked for that information from the Treasury Department as definitely as it could be obtained. I am informed to-day that the Treasury Department will have that information to us in detail, or hopes to have it, to-morrow; but the general testimony showed, as I have stated, that the selling price for export was from two to three times the selling price for home consumption.

Mr. SMOOT. That is only on certain classes of goods.

Mr. McCUMBER. That is on a certain class of goods. Of course on some goods there is no difference. Some goods are sold in Germany for the same price that they are sold for export; and I do not mean to say, I do not want the Senator or the Senate to understand, that this rule as to what operates as an export tax by the German Government applies to every article that is exported. My understanding of the testimony is that it shows that the Government compels the exporters to fix a price on certain articles that will be from two to three times the price for which the same article is sold in Germany, and that the exporters are to collect that, and when collected, of course, it goes into the German treasury. That is one of their means of obtaining income from their exports, and operates practically as an export duty.

I think before we get through with the debate we shall have full information, or at least as full as the Senate could ask, upon that subject.

Mr. SIMMONS. These experts who looked up this matter were officials connected with appraisement, with the Customs Court, and with the Treasury Department, and I think it was supposed that they could by examination of the books ascertain to what extent this higher export valuation was practiced in Germany and in other countries, and that they might be able to give us some approximate idea of how much this proposed change in the method of valuation in this bill would be likely to

increase the tariff levy. I do not understand that this principle applies only in Germany. Does the Senator understand that?

Mr. McCUMBER. No; it applies to Jugoslavia, and undoubtedly to Austria, and many of the southeastern European countries.

Mr. WATSON of Indiana. Wherever there is a depreciated currency.

Mr. SIMMONS. The importations from every country where it does apply would be assessed upon the value at a much higher basis. That is indisputably so.

Mr. McCUMBER. Certainly that must follow.

Mr. WATSON of Indiana. Of course, the Senator can have no objection to the importer paying the tariff based on the price he pays for the goods he imports. If it be the higher price, he must pay on that price.

Mr. SIMMONS. I am not discussing that. I am discussing the extent to which tariff duties would be raised automatically by the adoption of this amendment. I understand that in the amendment there is a provision that to the exporter's price, whatever that may be, there shall be added any export duty which may be imposed, and that the tariff duties shall be levied upon those export duties as well as upon the substantive price.

Mr. McCUMBER. But these export duties are, of course, only the duties which I have already mentioned. There is not an additional export duty other than those I have suggested.

Mr. SIMMONS. I call the Senator's attention to the fact that there may be and it may be right upon us now, because we are advised that in the settlement of the reparations controversy between the Allies and Germany it is proposed to levy a certain export tax upon their foreign trade. If that happens, and the practice is continued, you will have to add to the value that additional duty levied for the benefit of our allies in order to collect your part at least of the reparations from Germany.

Mr. McCUMBER. That assumes, Mr. President, that the export tax will be in addition to the present export tax. It may or may not be. The other is equivalent to an export tax, only the manufacturers who sell for export collect the tax, as agents of the Government, and turn it in, instead of the customs officers making the collections.

Mr. SIMMONS. What I mean is that at present this arrangement I am speaking about, by which goods are sold for so much more here than in Germany, is the result of interference on the part of the Government, and represents in a large measure a levy made upon goods by the German Government. If that Government needs that in its present situation for its domestic purposes, and it is compelled under the terms of settlement to pay an additional sum in the form of an export tax, it will naturally add that, and that will swell the price upon which our duties will be imposed by that much, whatever it may be.

Mr. McCUMBER. Of course, she can do that to a certain extent. There is a limit to which she can add her export tax, and that limit is the price at which the goods can be produced, with a tax and all costs added, and then sold in the United States at a profit, and I anticipate that there would be no danger but prices would be kept down sufficiently low to enable her to retain the American market. After all, I think the Senator must agree with me that in all instances where the importer can afford to import goods and sell them in the United States in competition with the home manufacturer he should be required to pay the tariff duties the same as though the cost in the first instance had included those duties. In other words, I do not believe that the Senator would contend that where the importer can purchase goods in the foreign market, even though at a price above the foreign home sales price, and still reap a good profit in the United States, he should be allowed to pay his import duty on a basis of one-half or one-third what he paid for the goods.

Mr. SMOOT. Mr. President, I think there are other reasons that can be given for the difference in the selling price of goods in Germany, at home, and the selling price of goods for exportation. Of course, I am not going to take the time of the Senate now to discuss that, but I am going to discuss it before the consideration of this bill is concluded.

There is one other thing I want to call attention to right now, in answer to a question asked by the Senator from North Carolina [Mr. SIMMONS]. His question led all present to believe, I think, that there was a higher protective duty on the goods because of the amount of duty which will be collected.

Mr. SIMMONS. No, Mr. President, I said nothing of that sort. I said the same duty would obtain, but it would have to be levied upon a much higher valuation of the foreign merchant.

Mr. SMOOT. Yes, and the Senator said, after that, in his second question, that if the duty levied before was sufficient—I do not know whether he used the word "protective" or not—if the duty levied before was sufficient, then under existing circumstances there would be two or three times the protection.

Mr. SIMMONS. The Senator is misrepresenting me.

Mr. SMOOT. I do not want to misrepresent the Senator for a moment.

Mr. SIMMONS. I did not say that or anything like it. What I did say was that the present tariff duties, and those prescribed in this emergency tariff bill, if this new valuation section of the bill prevails, would be applied to the higher valuation of the foreign products growing out of this custom, which it is admitted obtains in Germany particularly, of charging an export price far in excess of the home consumption price.

Mr. SMOOT. That is true, Mr. President; there is not any doubt about that.

Mr. SIMMONS. That would not result necessarily in the importer having to pay a larger amount than he would under the present rule of valuation, which looks to the price in the domestic market, for domestic consumption.

Mr. SMOOT. That is true, Mr. President; but, at the same time, by way of protection, it is not the same increase by any manner of means as the amount of duty collected, because of the fact that every class of goods manufactured in the United States is costing to-day approximately double what it did in 1913, when the present rates of duty were imposed, and as far as protection is concerned it is not represented by the amount of increase in the amount to be collected at the port of entry.

Mr. McCUMBER. Mr. President, I think we have made that sufficiently clear, and I want to speak for a moment on the other provision of the bill, which is Title IV.

Mr. CUMMINS. Mr. President, before the Senator from North Dakota leaves that subject, and for information only, I ask this question: Is the German export duty, or whatever it may be called, the same no matter to what country the goods are exported?

Mr. McCUMBER. So far as I know, Mr. President; I have not heard that it differs any in any country, but I think it is the same whether the goods are shipped to England or to the United States.

Mr. CUMMINS. Germany, then, is not attempting to vary her export duties to fit the conditions in the various countries to which the goods are exported?

Mr. McCUMBER. I do not understand that to be the case. As I was about to say, Mr. President, when the bill came from the House it contained a provision that in the estimation and liquidation of duties upon any imported merchandise the collector of customs shall not in any case estimate the depreciated currency at more than 66⅔ per cent. This is a very important departure from the general rule of determining values. This provision was met by most strenuous protest from importers throughout the country. Under the normal rate of exchange a gold mark is worth 23.8 cents in gold American money. However, there is no gold in circulation in Germany; all business is conducted, all goods are purchased and sold, with a depreciated paper mark, which varies from day to day, but ordinarily is worth in American money only 1.6 cents, as compared with the normal of 23.8 cents. By declaring that the depreciation should not be estimated at more than 66⅔ per cent, it means simply this, that you give a value to the paper mark of practically 8 cents instead of 1.6 cents.

Applying that, assuming the paper mark is worth 1.6 cents, if you buy a consignment of goods in Germany that cost 100,000 marks, the actual cost in American money of that consignment of goods would be $1,600. If the ad valorem duty were 25 per cent, the Government would collect under the present law $400.

If, however, you arbitrarily assume that a mark is worth 8 cents instead of 1.6 cents, the gold cost of the consignment would be estimated at about $8,000, and the duty of 25 per cent collected would be $2,000, as against the $400. In other words, by adopting the House bill, limiting the depreciation of currency to 66⅔ per cent, you would actually require the payment of five times as much duty upon any consignment of goods in Germany as is now being paid, and I think the committee agreed generally that it would in most instances absolutely prohibit importation from those countries having a very low, depreciated currency, and the Finance Committee was not able to accept that proposition.

But, recognizing the fact that while wages, standards of living, and cost of living generally in Germany and in other countries of depreciated currency have not gone down commensurately with their currency depreciation, they have nevertheless gone far below the prewar standards of living and wages in those countries. With a very much higher standard of living in this country, and with the prices of all commodities in this country greater than before the war, it was believed that the

old basis of protection would be insufficient, and therefore the committee adopted the proposition of making the basis of assessment upon either the home market value or the market price to the exporter, whichever might be the highest, and struck out this House provision.

I think that explains the bill sufficiently. Title IV deals only with the administrative measures to prevent fraud. Title V is the amendment made by the Senate.

Mr. HITCHCOCK. Mr. President——

Mr. McCUMBER. Just one moment. It continues the present licensing system for a period of six months and transfers the powers of the War Trade Board to the Treasury Department, together with the necessary clerks and equipment. Senators will remember that when we passed the Knox resolution the other day, which declared a state of peace between this country and Germany, it practically disposed of the War Trade Board and its powers. Therefore to protect the dye industry of the United States the bill provides for the transfer of those powers to the Treasury Department during the continuance of the measure, which is limited to six months.

I wish to say, in conclusion, and then I shall yield to the Senator from Nebraska, that I am not going to discuss at this time the tariff in Title I, the agricultural title of the bill. It is exactly the same as the former bill when it passed the Senate and the House and was presented to the President and vetoed by him during the last session of Congress. It was fully and amply discussed at that time, and if there is any Senator who was not then in the Senate who desires in his spare hours to look over the RECORD between the 17th of January and the 18th day of February last, he will find a full discussion of that matter. It is also rather fully explained in the report made by the committee. If Senators wish to challenge the propriety of any of the agricultural schedules, I shall then take occasion possibly to reply, if I deem it necessary.

I now yield to the Senator from Nebraska.

Mr. HITCHCOCK. I am sorry the Senator has left his former topic so far. I wish to go back to that part of his speech in which he was discussing the extent of tariff protection and whether it should be based upon the foreign market price of the article or whether it should be based upon the inflated selling price to the American exporter. I wish to ask the Senator, in the first place, if in the antidumping provision the insistence is made that the tariff should be based upon the foreign market value, is it not also just to have it based upon the foreign market value for all other purposes?

Mr. McCUMBER. I do not think that I fully comprehend the Senator's question. If he will give me an illustration I can understand it better.

Mr. HITCHCOCK. I will give the Senator an illustration. The testimony of one witness before the committee showed, for instance, that German chinaware selling before the war at 4 marks, which was practically 96 cents, is now sold to the United States at $2.50.

Mr. McCUMBER. At what was it selling before the war?

Mr. HITCHCOCK. I shall come to that in a moment. Under the insistence of the bill and in accordance with the belief of the Senator, the importer to the United States should be compelled to pay the existing tariff on a $2.50 value instead of, as formerly, upon the value of 4 marks.

Mr. McCUMBER. Was 4 marks the price before the war?

Mr. HITCHCOCK. It was 4 marks, which before the war was 96 cents, and it is now sold to the American exporter for $2.50.

Mr. McCUMBER. It would not be based on that under the law.

Mr. HITCHCOCK. Will the Senator allow me to finish my question?

Mr. McCUMBER. Certainly.

Mr. HITCHCOCK. The Senator holds that the American consumer should be compelled to pay a price in this country which includes a tariff on $2.50 worth of chinaware, whereas formerly he only paid a price which included the tariff on 96 cents' worth of chinaware. Why penalize the American consumer when, as a matter of fact, the foreign market value of that china to the German consumer is just what it was before, not nominally but actually? This witness goes on to say, and I shall read the complete paragraph:

> German chinaware selling before the war at 4 marks is now sold to the United States at $2.50 and in the home market at 60 marks. Duty is assessed on the home value, which converted into United States currency, approximates 96 cents.

In other words, the chinaware still sells at 96 cents in Germany and, as it is now, the duty will still be on the value of 96 cents, but the bill makes the duty payable on a $2.50 valuation. The question I put to the Senator is this: If under the antidumping clause it is proper to take the German home market value on that chinaware, why is it not proper to take the German home market value for the regular import tax, as we do now?

Mr. WATSON of Indiana. The whole question simply resolves itself into what the ad valorem rate should be based on. It must be based upon the price the importer in the United States pays. That is all there is to it.

Mr. HITCHCOCK. No; on the contrary, the antidumping clause particularly excludes that.

Mr. WATSON of Indiana. The Senator is confusing antidumping with the usual flow of commerce.

Mr. HITCHCOCK. No; I am not at all.

Mr. WATSON of Indiana. The sections are not interchangeable. Antidumping depends——

Mr. HITCHCOCK. Not at all. I say you have a bill here which provides that if the German market is lower than the export price for the American market, you shall charge on the export price for the American market, but if the German market is higher than the export market, as it would be under the antidumping provision, you tax the American consumer on the highest market. What is sauce for the goose is sauce for the gander. If it is proper to charge on the German standard of value to the American consumer in the one case it is proper in the other, and one or the other of your theories in the bill is utterly wrong.

Mr. McCUMBER. The Senator is mistaken there.

Mr. HITCHCOCK. I feel, as representing the interests of the American consumer, that it is manifestly unfair to compel him to pay a price in this country based upon a value of $2.50 instead of, as heretofore, the market value in Germany, which is 96 cents.

Mr. McCUMBER. The Senator is mistaken in what constitutes dumping from Germany. It is not based upon the price at which it is sold in Germany; it is based upon a price which is lower than the price at which it is sold for home consumption in Germany. If Germany sells an article in her home market for very much less than it is sold for export, still it is not dumping. If she sells it for less in the home market than she sells it for exporting, it is not dumping. But if she sells it for less for export than it cost or than its usual selling price in the home market, that is dumping.

Mr. HITCHCOCK. The Senator and I understand each other entirely.

Mr. McCUMBER. In the instance which the Senator has put to the Senate there is no dumping, and therefore there is no application of the dumping law.

Mr. HITCHCOCK. It is a very simple matter. The dumping provision is intended to reach a case in which Germany or any other country sells us a dollar's worth of goods, say, for 60 cents. Then in that case, if she sells it to us for 60 cents, you compel the importer and indirectly the American consumer to pay on the full dollar, although it did not cost him a dollar. In this case when it costs him more than the local price you compel him to pay the actual cost in the German market instead of assessing it upon the German market itself. That is what you do.

Mr. McCUMBER. That takes two answers.

Mr. HITCHCOCK. I say it is inconsistent.

Mr. McCUMBER. Not a bit.

Mr. HITCHCOCK. In both cases you are compelling the American consumer to pay the highest tax.

Mr. McCUMBER. They are not at all inconsistent. Each one has its separate answer. If an article costs a dollar in Germany, and Germany sees fit to sell it to the United States for 60 cents for the purpose of destroying an industry in the United States, then we will say yes, we ought to prohibit it, and the people ought to pay the difference between the dollar and the 60 cents, or 40 cents. There is no question about that. We should not allow any country to sacrifice an industry in the United States by selling a product for less than it cost in the home country for the purpose of destruction. That is an answer to that proposition.

The second proposition is whether we should collect a duty of, say, 25 per cent upon an article that is produced in Germany for $1 and sold for export for $2? Yes. If the exporter can afford to buy that article in Germany for $2 above the German price and still sell it here to advantage and in competition with the American product, then, of course, he should pay his duty, just exactly as he should pay it if it cost the $2 originally in Germany.

Mr. HITCHCOCK. I have instanced a case where chinaware is being sold in Germany at the same value that it was sold for before the war—that is, the 60 marks for which it now sells

are of the same value as the 4 marks at which it sold before the war, because the marks have depreciated.

Mr. SMOOT. That is, in this country.

Mr. HITCHCOCK. The German people are paying the same value for the chinaware, and the German market on chinaware is just where it was before the war, because 4 marks then are the same as 60 marks now. In the existing tariff law a certain duty was levied and is now being assessed on chinaware brought into this country based on German value, which is the same as before the war; yet this bill levies a tax practically one and a half times greater on that very chinaware which is being sold to consumers in that country at just the same value at which it was sold before the war. This is a bill to swell the taxes inordinately. It makes a higher tax than has ever been levied before on chinaware in the United States.

Mr. McCUMBER. Of course, if the price of an article in foreign markets is two and a half times as great as it was before the war or two and a half times as great as it sells for in the country of production at the present time, my judgment is that if it can be imported into the United States and sold at a profit at those prices the importer should pay a tariff exactly the same as though it cost two and a half times as much in Germany as it is sold to the German purchaser for.

Mr. HITCHCOCK. That is where the Senator made a mistake. The importer does not pay the tax. The American consumer is being required to pay the tax. It is the American consumer you are hitting, and you are doing it under the guise of an emergency tariff on agricultural products, and you are levying upon the people of the United States a grossly increased revenue by figuring on the export duty instead of the value in the European country.

Mr. McCUMBER. Of course, if you levy one penny on an article brought into the United States, the American people pay that penny. No one is questioning that. If you levy a dollar, or 10 per cent, upon goods which cost $10, the American consumer pays that dollar. But just remember that the cost of the production of chinaware in the United States has gone up just as much as the increased price for export to the United States in Germany is at the present time. If we are going to have protection, we need the same protection. I have always admitted that the American consumer pays all taxes. Whether they are import taxes or direct taxes or whatever they are the consumer pays them. No one is questioning that proposition. But the question is when you pay this $2.50 for something that is sold in Germany for 96 cents, and when the importer buys that and charges it up to the American people, and can afford to sell it to an advantage and at a profit in the United States, whether he should be compelled to pay the tariff on that $2.50 or whether he should be allowed to pocket the additional profit of the difference between the duty on $2.50 and the duty on 96 cents. Of course, if he can get it for much less, his profits will be greater, because he will sell for the market value in the United States, and if the market value in the United States is considerably greater than in the country of production he rather than the American people will get the advantage of the reduction in the tariff rate. He will add to his usual profits in the sale of his imported goods the profit derived from a reduction of his import duties. The committee believed that the Government rather than the importer should have this additional tariff duty.

Mr. SMOOT. Mr. President, this is a case where the situation may be so easily demonstrated that I think I might as well call attention to the existing situation at the present time as any other, if the Senator from North Dakota will permit me to do so.

Mr. McCUMBER. Certainly.

Mr. SMOOT. Senators must know that the mark has not depreciated in Germany to the extent that the mark has depreciated in the other countries of the world, where its value is based upon gold; in other words, the depreciation of the mark where it must be paid in the gold is nearly 16 to 1; but when a German manufacturer hires help to manufacture glassware, the mark for his purposes has depreciated from its value before the war only about 8 or 9 to 1. The German laborer when he pays his rent does not to-day pay sixteen times the amount which he paid when the mark was at par; he pays only about eight or nine times the amount which he formerly paid. The German who purchases German goods does not pay sixteen times the price of those goods before the depreciation of the mark. Sometimes he pays as high as ten times the former price, but sometimes he pays as low as five times the amount which he formerly paid. Therefore, to-day the German manufacturer of chinaware who receives 60 marks for it, gets more labor in Germany than he ever did when he sold it for 4 marks, and will therefore make a larger profit. It is true he makes the American purchaser pay $2.50 for the article, but that is because of the fact that he has got to be paid in gold, for whether an article is exported from this country or from some other country, the seller does not receive anything but gold or its equivalent.

Mr. SIMMONS. I would like to ask the Senator a question at that point.

Mr. SMOOT. The Senator may ask me any question he pleases.

Mr. SIMMONS. Does the Senator mean to say that I can buy 100 marks at the rate of 1½ cents per mark——

Mr. SMOOT. In gold; yes.

Mr. SIMMONS. And when I have bought those 100 marks at that rate, that I can go into the German market with those marks and buy products that are worth three or four times as much in gold as I paid for those marks?

Mr. SMOOT. I have not said that.

Mr. SIMMONS. That is what the Senator is saying means, for it can not mean anything else. The Senator says the purchasing power of the mark in Germany is more than a cent and a half, yet that I can buy the German mark in Germany for a cent and a half, and immediately upon buying it that I can buy goods that are worth four times that much.

Mr. SMOOT. If the Senator from North Carolina had followed me, he would not have made that statement.

Mr. SIMMONS. But I did follow the Senator.

Mr. SMOOT. I say that many kinds of goods may be purchased in Germany for 8 marks where the price in gold would be 16 marks, or twice as much. Mr. President, rents in Germany are not more than ten times higher than they were as against a depreciation in the mark of sixteen times. Depreciated currency is all that is in circulation in Germany. I do not believe that a million dollars in gold have gone out of Germany for several years past. Transactions have been based on the transfer of credits, and those credits come about by the exportation of goods. I do say, however, that I can go to Germany, take $1,000 in gold, buy 60,000 marks for it and I can take those 60,000 marks and in many cases buy double the amount of German-made goods for home consumption than if the same goods were to be exported.

Mr. HITCHCOCK. The testimony which I cited to the Senator shows that as to a particular commodity the price in marks and in gold is the same; that it is 96 cents.

Mr. SMOOT. Yes; that is based upon gold being sixteen times greater in value than the mark. The man who buys the article in Germany for the 60 marks pays for it in gold worth sixteen times the value of the paper money.

Mr. HITCHCOCK. But he buys the article for 96 cents.

Mr. SMOOT. He buys it for 96 cents in gold.

Mr. HITCHCOCK. But the American who goes there with gold buys it for $2.50.

Mr. SMOOT. That is entirely another question. As I have said, we are speaking here of the advantage derived by the Germans. If the German manufacturer had to pay his help in gold, then the statement made by the Senator from Nebraska would be absolutely correct; there would be a discrimination; but the German manufacturer for $2.50 in German depreciated currency can get nearly one-eighth as much labor as he got before the war, but he could not get the same amount of gold with that paper money that he could get before the war. That paper money is circulated inside the country; it buys many things of which the German people control the price. That currency is like some of the scrip upon different stores on which some of the Western States used to do business in years past. The merchants would buy produce of all kinds with such scrip and the merchants would exchange merchandise for it. In trade in the city in which the scrip was issued sometimes the depreciation would be 10 or 20 per cent, but one could not go out into another State and use it or sell it for 50 per cent of its face value. So it is with the depreciated currency of Germany. Inside of Germany they can buy more goods there and more labor for that depreciated currency than can be done outside. The depreciation of the currency within Germany is not nearly so great as its depreciation in foreign countries where they have to redeem it in gold.

Mr. President, that is one of the reasons, if not the main reason, why to-day the home price in Germany is much less than is the price of their goods when exported abroad. Why? Because every dollar's worth of goods exported means payment in gold, while every dollar's worth purchased in Germany is paid for in depreciated currency according to its value in Germany.

This condition will continue so long as this wide difference in purchasing power exists, and we can not get around it. In enacting a law we have got to frame a law that will apply to all countries alike. I do not think that the Senator from Ne-

braska would for a moment say that the same condition exists in England, where there has not been a heavy depreciation; but it exists in Poland; it exists in Austria; it exists in Jugo-Slavia; it exists in all those countries whose currency has so depreciated that so far as the gold value is concerned it is almost nil. Poland stands at the head. The depreciation of her currency is even greater than that of Germany. Austria's currency is almost worthless. All we are trying to do in this bill is to equalize, if it is possible, the difference between an American dollar and the depreciated currency of foreign countries.

As to the House provision, which, as the Senator from North Dakota has said, applies where the depreciation has not been less than 66⅔ per cent, I have my doubts whether that would not be a violation of the favored-nation clause. The provision as to a 66⅔ per cent depreciation would not touch England; it would not affect France; it would just barely affect Italy; but it would mean much to Germany. The Senator from North Dakota has told the Senate just what it would mean. In other words, under the House provision the duties imposed upon goods costing a thousand marks would be $80, whereas under the provision as reported by the Senate committee the duty would be $16 only; that is, the duty would be imposed upon the thousand marks' worth of goods at $16, or one-fifth of the amount as provided in the House bill.

What is there different in this, Mr. President, from the existing law? I may say that there is only one difference. To-day under the rulings of the Treasury Department the value of goods is reckoned in the money of the country of production. There is no change in that respect. But under existing law the duties are imposed upon the home-market value; and, as the Senator from North Dakota has explained, we have added a provision to the effect that there shall be the right to base the reckoning on whichever is the highest, the export or the invoice price in the home market. That is all there is to all of these words in the bill, outside of the regulations provided and the antidumping clause.

Mr. KELLOGG. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield.

Mr. KELLOGG. As I understand, to-day if one buys goods in France for 2,000 francs he goes to the American consul, and the American consul certifies the value of 2,000 francs on that day in dollars, and he pays the duty on those dollars.

Mr. SMOOT. Whatever the francs figure in American gold dollars.

Mr. KELLOGG. Yes; that is what I say.

Mr. SMOOT. That is what he pays the duty on.

Mr. KELLOGG. That is the practice under the present law.

Mr. SMOOT. Yes; but it is based upon the home market value, whereas under the provision of the pending bill, on account of the depreciation in German marks and of the currency of other countries and because of the fact that the value of their currency in the home market is greater than it is in gold dollars, we propose to add a provision under which goods are sold higher in the home market than the invoice price of the goods, or if they are sold to an exporter at a price greater than the home market price, then the duty shall be based upon whichever is the higher. That is necessary because of the condition existing in the foreign countries, brought about through the war and resulting in depreciating the value of their money.

Why, Mr. President, there is so little added by this antidumping provision and the other titles of this bill that I did not think it was going to lead to very much discussion. As the Senator from North Dakota [Mr. McCUMBER] has said, the duties levied upon agricultural products are exactly the same as they were in the former bill as it passed the Senate, and the other provisions are added simply for the purpose of equalizing, if you please, the values of foreign currency with the gold dollar in the United States.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. SIMMONS. Mr. President, I do not know of any Senator on this side who desires to proceed this afternoon. In a little conference that I held with the Senator from Pennsylvania [Mr. PENROSE], the chairman of the committee, before he left the Senate Chamber, he advised me that he would not be ready to speak before to-morrow. I prefer, before addressing myself to the bill, to hear from the chairman of the committee. In fact, that is a courtesy that is generally extended; and while I could go on this afternoon if I were forced to do it, I should prefer not to do it.

Mr. CURTIS. Mr. President, I wonder if the Senator in charge of the bill can not get an agreement with the other side to vote upon this measure on Saturday? It is an emergency bill, and we ought to pass it. It has been here very much longer than it should have been, and I do hope that something may be done to get the measure through.

Mr. POMERENE. Mr. President, when was the bill reported to the Senate?

Mr. CURTIS. Just a few days ago, but a similar bill passed the Senate at the last session of Congress.

Mr. SIMMONS. Mr. President, the bill contains some very important and intricate provisions—some provisions that the discussion which has taken place here this afternoon demonstrates are of deep interest and great concern to the country. The bill can not pass without reasonable discussion. We are not prepared now to make any agreement about fixing a time for voting, but I will say to the Senator from Kansas that there is no disposition on the part of this side of the Chamber to prolong the discussion. If the Senator will be patient and wait until to-morrow, until we have had a little further discussion of the bill, I think we shall be able to reach an agreement to vote at a very early day—not Saturday, but some day early next week, not later than Wednesday.

Mr. WATSON of Indiana. Mr. President, suppose debate should be exhausted, then the Senator would not object to a vote?

Mr. SIMMONS. No; in that event, of course, I should not object to a vote.

Mr. WATSON of Indiana. Does the Senator know of Senators on his side who want to speak?

Mr. SIMMONS. I think there are a good many Senators over here who propose to speak, but they are not going to make long speeches and they are not going to prolong the discussion unnecessarily. After to-morrow, I think, we shall know about where we stand. Then I will state to the Senator in charge of the bill that I shall be willing on the part of this side of the Chamber, to agree to a very early date for a vote.

Mr. WATSON of Indiana. Very well.

Mr. McCUMBER. I suggest to the Senator from North Caroline that we had better have a short executive session, and then I shall propose that we take a recess until 12 o'clock to-morrow.

Mr. UNDERWOOD. I think if the bill were under pressure and Senators were prepared to go ahead with the debate a recess would be very advisable; but the debate has not gotten into its run yet.

Mr. SMOOT. It will to-morrow.

Mr. McCUMBER. It will to-morrow, I will say to the Senator, I am certain. I hope we shall consider that it is a bill of some exigency, at least.

Mr. POMERENE. Mr. President, the Senator from North Dakota a moment ago suggested that we take a recess. I think there will be some morning business to-morrow.

Mr. McCUMBER. I think there will be no objection to Senators who wish to introduce bills doing so. Routine morning business can always be transacted by unanimous consent.

Mr. POMERENE. I gave notice this morning that I would to-morrow make a few observations on a Senate resolution which I submitted, and I do not want to intrude on the tariff discussion. The matter I have presented is a pretty important one, however, and if the Senate decides to take any action it ought to be taken quickly, I think.

Mr. McCUMBER. I do not think there will be any objection to that.

Mr. POMERENE. Very well. With that understanding, I have no objection to a recess.

EXECUTIVE SESSION.

Mr. McCUMBER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened.

RECESS.

Mr. McCUMBER. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Thursday, May 5, 1921, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 4, 1921.

DIPLOMATIC SERVICE.

Envoy extraordinary and minister plenipotentiary to Salvador.

Montgomery Schuyler.

PENSION OFFICE.

Deputy Commissioner of Pensions.

Hamlin M. Vandervort.

RENT COMMISSION, DISTRICT OF COLUMBIA.

Member of Rent Commission.

William F. Gude.

UNITED STATES MARSHAL.

United States marshal, western district of Texas.

David A. Walker.

UNITED STATES ATTORNEYS.

United States attorney, eastern district of Virginia.

D. Lawrence Groner.

United States attorney, western district of Arkansas.

Samuel S. Langley.

PUBLIC LAND SERVICE.

Receiver of public moneys at Miles City, Mont.

John Henry Bohling.

Surveyor general of Idaho.

Virgil W. Samms.

REGULAR ARMY.

ORDNANCE DEPARTMENT.

First Lieutenant.

Merle Halsey Davis.

FIELD ARTILLERY.

Captain.

Derrill de Saussure Trenholm.

POSTMASTERS.

COLORADO.

Melissa H. Hayden, Breckenridge.
Frank L. Barton, Haxtum.

MICHIGAN.

Henry M. Lawry, Caspian.
Orrin T. Hoover, Chelsea.
George A. McNicol, Hillman.

NORTH CAROLINA.

William R. Anderson, Reidsville.

NORTH DAKOTA.

Charles P. Thomson, Minto.
Ernest C. Lebacken, Reynolds.

OHIO.

Thomas R. Gordon, East Youngstown.
Henry D. Weaver, Leetonia.
Guy E. Matthews, Liberty Center.

WYOMING.

Prince A. Gatchell, jr., Buffalo.
A. Verne Wiggins, Lusk.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *May 4, 1921.*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou hast made us and not we ourselves; therefore work within us the pleasure of Thy holy will and help us to be alert, grandly free, always conscious of our high calling and the solemnity of our obligations. Be Thou with our stricken Member in great comfort and recovery, and when the day is done and the door of the workaway world is closed, let Christ come and give us rest within the shades of night, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent that my colleague, Mr. PADGETT, may be excused for the day, on account of illness.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that his colleague, Mr. PADGETT, be excused for the day, on account of illness. Is there objection?

There was no objection.

EMIL S. FISCHER.

Mr. FORDNEY. Mr. Speaker, I move to reconsider the vote taken yesterday on Senate joint resolution 38.

Mr. WINGO. Mr. Speaker, I make the point of order, first, that this is Calendar Wednesday; second, that under Calendar Wednesday rule the motion comes too late; third, that the action of the House in refusing to advance the bill to a third reading is a refusal of consideration. If those should fail, I make the further proposition that the resolution sought to be read a third time by this reconsideration undertakes to grant naturalization to a foreign citizen without requiring him to renounce his allegiance to his own country or take the oath of allegiance to this country.

Mr. MONDELL. Mr. Speaker, there is no question about the right of the gentleman from Michigan to move a reconsideration. The gentleman from Michigan does not intend to press the motion to-day; he is simply presenting it. That can be presented on Calendar Wednesday beyond all question.

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WALSH. If the gentleman can make a motion to reconsider to-day, can the motion be made to lay it on the table to-day and have it voted upon?

Mr. MONDELL. That matter is not before the House. The gentleman from Michigan is offering a motion to reconsider, which he has a right to do under the rules. There does not seem to be any question about that—whether you can go on on Calendar Wednesday is another question.

Mr. WINGO. The reconsideration is a consideration of the bill; it is business on Calendar Wednesday.

Mr. MONDELL. The gentleman is filing a motion to reconsider.

Mr. WINGO. If he can file that the House determines eo instanti what it will do, whether it will proceed at once or let it lie. Generally by unanimous consent the House, by custom, permits the mover of the motion to determine when he will call it up, but he has the right under the rule of reconsideration to ask for its consideration then. As a matter of fact, any Member of the House has a right to object to its going over. If he does that we can move to lay it on the table, and that would be a consideration. The predecessor of the present occupant of the chair had this matter before him and it was thrashed out, and I was under the impression that the present occupant of the chair had decided the question similar to the decision of Speaker Clark.

The SPEAKER. The Chair does not remember it, and the Chair would be glad to have the gentleman refer him to it.

Mr. WINGO. It is business, is it not?

The SPEAKER. The gentleman from Arkansas offered several reasons for his point of order, the first one being that it is too late. The Chair would like to ask the gentleman on what ground?

Mr. WINGO. Here is the proposition. The Calendar Wednesday rule was adopted by this House subsequent to Rule XVIII on reconsideration. Rule XVIII on reconsideration gives the right to make that motion on the same or the succeeding day. Now, by implication, when the calendar rule is adopted, it bars all other business except that provided for by the rule; we amended to that extent the reconsideration rule, and nothing can be considered on Calendar Wednesdays except that specifically authorized. Calendar Wednesday is a special rule; it seeks to amend and restrict the general rules of the House. It is like a statute; whenever Congress passes a general law and subsequently it seeks to pass a special act covering one particular phase of the general act, then nothing can be done under the special act except that specifically authorized, because of the well-known rule of interpretation, inclusio unius est exclusio alterius. When the House adopted the Calendar Wednesday rule, the Congress having included certain things, it excluded all others.

Mr. MONDELL. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. MONDELL. Assuming that the motion can not be filed to-day, could it be filed to-morrow?

Mr. WINGO. I do not think it could; that is what I have been arguing.

Mr. MONDELL. Then by adoption of the Calendar Wednesday rule this privilege fails.

Mr. WINGO. The gentleman had his chance yesterday. I have not the decision of Speaker Clark before me. I am willing to reserve the point of order on the question and let it go over until to-morrow morning, and that will give the Chair and the parliamentary clerk time to look it up.

The SPEAKER. That would be an excellent way to dispose of it.

Mr. FORDNEY. I have not the slightest objection, if that will preserve my rights.

The SPEAKER. No rights of the gentleman will be lost.

Mr. WALSH. Mr. Speaker, I do not think that should be done. I would like to direct the Speaker's attention to the situation. Paragraph 7 of Rule XXIV says that on Wednesday of each week no business shall be in order except that provided by paragraph 4 of the rule. Assuming this question came up

yesterday upon the question of consideration and consideration was refused, could the gentleman on Calendar Wednesday move to reconsider that vote and throw the bill before the House for consideration? This says that no business shall be in order except as provided by paragraph 4 of this rule unless the House by a two-thirds vote shall otherwise determine. I do not believe we should establish a precedent and permit this question to go over until to-morrow, when one legislative day will have intervened, in order that he might then make a motion and the point of order be determined.

Mr. WINGO. Mr. Speaker, my suggestion is that it be considered as of to-day.

Mr. FORDNEY. All there is to this question is this: The rule provides that a motion to reconsider may be made the same or the succeeding day. I tried to make that motion last evening, but a point of no quorum was made and immediately a motion to adjourn intervened, and that prevented the making of this motion yesterday. It is time now to determine whether or not this rule has been abrogated by some other, and whether under such conditions there is only one day when a Member can make a motion to reconsider. I think it is absolutely unfair, but I am perfectly willing that it should go over until to-morrow without prejudice.

The SPEAKER. That has been refused.

Mr. STAFFORD. Mr. Speaker, as I understand the gentleman from Michigan, he does not move to-day to reconsider, but only desires to enter the motion for reconsideration.

Mr. FORDNEY. That is all.

Mr. STAFFORD. The entering of a motion for reconsideration, as it has been done in some rare instances during my service in the House, merely gives the Member who enters the motion, or any other Member, the right at some subsequent time to bring it up, to have it voted upon. The right to reconsider is one of the highest privileges that a Member can have in this House. The contention of the gentleman from Arkansas [Mr. WINGO] that the defeat on a third reading would not permit reconsideration can not be entertained, because the precedents are uniform that when the House votes down a Senate bill on a third reading it is a rejection of a measure, and if it is a rejection of the measure, a Member can move to reconsider right then and there. The gentleman yesterday could have made the formal motion to reconsider the vote and have that motion lie on the table, but it was not done, and any Member voting in the majority, and the gentleman from Michigan, I believe, voted with the majority——

Mr. FORDNEY. I did.

Mr. STAFFORD. Has the right at any time on the day of the vote or the succeeding day to enter the motion. The rule creating Calendar Wednesday requires a two-thirds vote to set it aside, except for the unfinished business on the Speaker's table coming over from the day before, but there are precedents that this motion of reconsideration takes precedence of other motions, except a conference report, so high is the privilege, as provided by the rules.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MONDELL. It takes precedence of any motion except a motion to adjourn.

Mr. WALSH. The gentleman yielded to me, I understood.

Mr. STAFFORD. I did yield to my colleague first, but I am very glad, indeed, to receive the suggestion of the floor leader that the motion takes precedence of every motion except a motion to adjourn, and also, as I believe, conference reports.

Mr. WALSH. If the gentleman enters a motion to reconsider, in whose control is that motion after the motion has been entered?

Mr. STAFFORD. The entering of a motion to reconsider permits any member of the majority who gets recognition of the Chair at any time thereafter to call it up. It may be to-morrow or at any time before the close of the session. It gives the House the right to reconsider its vote, and the House should have that right.

The present Speaker and all Speakers have held that all rules of the House must be considered together. It is a fundamental rule of construction that all rules must be given consideration in connection with the other rules that are in force, and that the rule, as in the case of statutes, should be given effect rather than negatived. Shall it be said that the mere raising of the question of Calendar Wednesday, because of the legislative situation yesterday, when no quorum of the House developed, takes away the right of a Member under the rule to enter his motion to reconsider? If so, then you are not giving any effect whatever to Rule XVIII, which gives the right to a member of the majority to enter a motion to reconsider within two days after the vote has been taken. The gentleman from Michigan is entirely within his rights in entering the motion to reconsider.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WALSH. Does the gentleman contend that entering the motion to reconsider makes it a privileged motion, which can be called up by anyone who voted in the majority at any time?

Mr. STAFFORD. At any time any member of the majority, when he gets the eye of the Speaker, who determines when a Member shall be recognized, shall have the right, if no other privileged motion is ahead of this, to gain recognition for the consideration of that motion. Otherwise you negative the rules of the House, which say that a Member shall have the right within two days to enter his motion to reconsider.

Mr. BLANTON. Mr. Speaker, will the gentleman from Michigan yield?

Mr. FORDNEY. Yes.

The SPEAKER. The gentleman from Wisconsin has the floor.

Mr. STAFFORD. Mr. Speaker, I have yielded the floor.

Mr. BLANTON. Mr. Speaker, I want to suggest, if the gentleman has the right to enter his motion to reconsider, he has the right to have action on it now, and that action might take up all of Calendar Wednesday.

Mr. STAFFORD. To that contention let it be said that it would require a two-thirds vote to bring up the motion. The mere entering of the motion is not moving its consideration at that time.

Mr. WINGO. Mr. Speaker, I want first to notice the suggestion of the gentleman from Wisconsin [Mr. STAFFORD] that the gentleman from Michigan [Mr. FORDNEY] simply offers to "enter" a motion. There is no right in the rules of the House to "enter" such a motion. The question of reconsideration is not governed by practices that have grown up, but it is governed by a specific rule, and that rule is Rule XVIII, which provides that on the same day or the succeeding day a Member may "move" for reconsideration and that thereafter any Member may call it up for consideration. In other words, it is not like entering a bill in the basket. The House has provided how a bill may be read the first time—that is, by dropping it in the basket. That is "entering" the bill, and technically it is the first reading. Then the next step. We have provided for the second reading of the bill by the general rules of the House, which determine whether or not a bill is privileged for the second reading. The question of consideration has been waived by the rule of the House against the first reading by entering the bill and filing it with the Clerk in a certain way. The rules also provide that when a bill is called up for second reading the House still has control of consideration, and the Chair is familiar with the procedure upon an objection to consideration. Not only that, but under the practices of the parliament the House must decide each time whether it will consider the bill by advancing it to the next stage. So the question comes up and the Speaker has to put the question, "The question is on the third reading." The question, in effect, in the light of decisions and the practices of the parliament, is, "Will the House consider the bill on its final reading?"

Now, I contend this involves a question of consideration. The gentleman from Massachusetts [Mr. WALSH] suggested that the motion to reconsider might be made on the question of reconsideration on a second reading. This House has decided time and time again that the question of reconsideration is not permitted on a question of the consideration of a bill. Now, that being true, one of the points of order I made is this, that the House having clearly voted upon the question of consideration—that is, will the House advance this bill to a third reading—it is really a submitting of the question of consideration. The second reading has disclosed whether or not the House is sufficiently interested in it that it wants to advance it to a final consideration. So I contend that this consideration having failed it is like the consideration of a second reading, it is not reconsiderable.

Now, the next question is with reference to Calendar Wednesday. There has never been but two things claimed in order that are alleged to be specifically covered by the Calendar Wednesday rule. One is that when on Tuesday the House closes all consideration, except a final vote by ordering the previous question, then the next morning it comes up as unfinished business on the Speaker's table, and is admitted by implication under the first provision of Calendar Wednesday rule. That contention was overruled. Next is covered by a decision of Mr. Speaker Clark. The gentleman from Illinois [Mr. MANN] appealed, and the House overwhelmingly sustained Mr. Speaker Clark. Mr. MANN contended that you could not even consider a

presidential veto on Wednesday, and Mr. Speaker Clark held that the question of a presidential veto being controlled by the Constitution, that the limitation of Calendar Wednesday rule, which shut out all business not specifically enumerated in paragraph 4 of the rule, was written in the light of the Constitution and could not exclude a constitutional privilege. Now, there are the only two things that can be considered on Calendar Wednesday other than Calendar Wednesday business. One is unfinished business on the Speaker's table. Next is the question provided for in the Constitution—veto messages, and that by the rules is unfinished business. The House for its own protection has seen fit to adopt Calendar Wednesday, and to say that it did not by implication amend, so far as the second day is concerned, the reconsideration rule would be to fly in the face of the rule. The gentleman yesterday had the right to make the motion to reconsider, but he says that he was shut off. He was shut off by action of the House, because at 5.30 the House, knowing what the gentleman wanted to do, the man in charge of the floor, the gentleman from Iowa, made a motion to adjourn. If the House wanted to permit the proceedings provided for under the rule in reference to this resolution, it could have voted down the motion to adjourn and given the gentleman the right to make the motion yesterday, but the House by that action passed its judgment, which is conclusive, as if the motion to reconsider was voted on formally. In other words, the assumption is that the House always acts with knowledge of the facts, and it can deny a man the right under the rule by a majority vote on some things and by a two-thirds vote in other instances. Yesterday it was by a majority vote under the practice of the House. You permit this to-day in the face of the Calendar Wednesday rule, in the face of the ruling of Mr. Speaker Clark, and in the face of one decision I am sure the Speaker, on reflection, will find, although it was not pressed, but the suggestion was made, and I now recall that the question had been decided by Mr. Speaker Clark—I think the Speaker will find it—but even if it were the case of the first impression the Speaker must stand on the fundamentals of the rule, however much he might desire to relieve a gentleman from embarrassment. The clear unequivocal rule is that nothing is in order on Calendar Wednesday except that specifically provided for by section 4 of the rule, and a motion to reconsider was not included in that. [Applause.]

Mr. MONDELL rose.

The SPEAKER. The Chair does not care to hear further argument. The Chair is ready to rule. The rule provides that:

When a motion has been made and carried or lost, it shall be in order for any Member of the majority, on the same or succeeding day, to move for the reconsideration thereof.

On the face of that the gentleman from Michigan [Mr. FORDNEY], who voted yesterday with the majority, is obviously entitled to-day to make a motion to reconsider. The gentleman from Arkansas [Mr. WINGO] makes the point of order that this being Calendar Wednesday the motion is not in order. He first makes the claim that the defeat of a bill on the third reading is the same as a refusal to consider a bill, and therefore the motion to reconsider is not in order. The Chair thinks the gentleman is correct in his claim that when the question of consideration is raised it is not in order to reconsider that decision. But the Chair does not think that the defeat of a bill on the third reading is at all the same as refusing consideration. If it were, then this bill could be taken up again, because refusing to consider a bill does not defeat it. But this bill can not be taken up again. It is dead unless it can be revived by the motion to reconsider, and the Chair does not think that the defeat of a bill on the third reading is at all identical with a refusal to consider a bill.

Then the other point which the gentleman makes, and which the Chair thinks is more serious and doubtful, is that, this being Calendar Wednesday, no business is in order except the business prescribed in the rule for that day. That raises a close question. But the Chair thinks that when two rules conflict, as they do here—one saying that in this case the motion to reconsider could be made yesterday or to-day and the other saying that to-day being Calendar Wednesday only certain business which does not embrace this motion to reconsider can be transacted—the two rules should, if possible, be so interpreted as to give effect to both. And the Chair thinks that in this instance it can be readily done, because the purpose of the rule defining and limiting the business which can be transacted on Calendar Wednesday is to preserve the time of Calendar Wednesday exclusively for that business and not allow other matters to come in and consume any of that time.

Now, it does not necessarily follow that when a gentleman makes a motion to reconsider he has the right to have that motion immediately considered and voted on and debated. The decisions are quite clear. The Chair will read one heading from paragraph 5673, page 334, volume 5, of Hinds' Precedents, as follows:

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House.

And in another case it says, in paragraph 5677, page 338, of the same volume:

When a motion to reconsider relates to a bill belonging to a particular class of business, the consideration of the motion is in order only when that class of business is in order.

So the fact that a motion to reconsider can be made does not carry with it the right to debate it or to vote upon it at that time, but simply makes it pending. And therefore, if the Chair should rule that this motion to reconsider can be made to-day, the Chair would hold it could not be acted upon to-day, because Calendar Wednesday is set aside for other business. It could only be acted upon at some future time when business of that class was in order in the House. The Chair thinks that such interpretation saves both Calendar Wednesday and the right of reconsideration. It allows a motion to reconsider to be made, as the rule provides, on either Tuesday or Wednesday, but it does not allow it to interfere with the business of Calendar Wednesday or take any time on that day, but simply allows a Member to make the motion which is then pending and which can then be brought up at a day when that business is in order.

Therefore the Chair overrules the point of order made by the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Will the Chair recognize a motion to lay the motion to reconsider on the table?

The SPEAKER. The Chair will not. The Chair will recognize the gentleman for that purpose when the proper time comes.

Mr. WINGO. I think the Chair is right about its having to be made subsequently.

Mr. FORDNEY. Mr. Speaker, I enter the motion.

The SPEAKER. The gentleman has already made the motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed with an amendment the bill (H. R. 4075) to limit the immigration of aliens into the United States, in which the concurrence of the House of Representatives was requested, and had requested a conference with the House of Representatives upon the bill and amendment, and had appointed Mr. COLT, Mr. DILLINGHAM, and Mr. KING as conferees on the part of the Senate.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 3152. An act granting the consent of Congress to the Ironton & Russell Bridge Co. to construct a bridge across the Ohio River at or near the city of Ironton, Ohio, and between the county of Lawrence, Ohio, and the county of Greenup, Ky.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 30. Joint resolution to authorize the President of the United States to appoint a representative of the Executive to cooperate with the Joint Committee on Reorganization.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1020. An act for the relief of dependents of Lieuts. Jean Jagou and Fernand Herbert, French military mission to the United States; to the Committee on War Claims.

S. 1018. An act to amend an act entitled "An act to give indemnity for damages caused by American forces abroad," approved April 18, 1918; to the Committee on Military Affairs.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

ASSOCIATIONS OF PRODUCERS OF AGRICULTURAL PRODUCTS.

Mr. VOLSTEAD (when the Committee on the Judiciary was called). Mr. Speaker, I call up the bill H. R. 2373.

The SPEAKER. The gentleman from Minnesota calls up a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 2373) to authorize association of producers of agricultural products.

Be it enacted, etc., That persons engaged in the production of agricultural products as farmers, planters, ranchmen, dairymen, or fruit growers may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of persons so engaged. Such associations may have marketing agencies in common; and such associations and their members may make the necessary contracts and agreements to effect such purposes: *Provided, however*, That such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein, or,

Second. That the association does not pay dividends on stock or membership capital in excess of 8 per centum per annum.

SEC. 2. That if the Secretary of Agriculture shall have reason to believe that any such association monopolizes or restrains trade to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, he shall serve upon such association a complaint stating his charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, specifying a day and place, not less than 30 days after the service thereof, requiring the association to show cause why an order should not be made directing it to cease and desist therefrom. An association so complained of may at the time and place so fixed show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and made a part of the record therein. If upon such hearing the Secretary of Agriculture shall be of the opinion that such association monopolizes or restrains trade to such an extent that the price of any agricultural product is unduly enhanced thereby, he shall issue and cause to be served upon the association an order reciting the facts found by him, directing such association to cease and desist therefrom. On the request of such association or if such association fails or neglects for 30 days to obey such order, the Secretary of Agriculture shall file in the district court in the judicial district in which such association has its principal place of business a certified copy of the order and of all the records in the proceeding, together with a petition asking that the order be enforced, and shall give notice to the Attorney General and to said association of such filing. Such district court shall thereupon have jurisdiction to enter a decree affirming, modifying, or setting aside said order, and may make rules as to pleadings and proceedings to be had in considering such order. The place of trial may, for cause or by consent of parties, be changed as in other causes.

The facts found by the Secretary of Agriculture and recited or set forth in said order shall be prima facie evidence of such facts, but either party may adduce additional evidence. The Department of Justice shall have charge of the enforcement of such order. After the order is so filed in such district court and while pending for review therein the court may issue a temporary writ of injunction forbidding such association from violating such order or any part thereof. The court may, upon conclusion of its hearing, enforce its decree by a permanent injunction or other appropriate remedy. Service of such complaint and of all notices may be made upon such association by service upon any officer or agent thereof engaged in carrying on its business or on any attorney authorized to appear in such proceeding for such association, and such service shall be binding upon such association, the officers, and members thereof.

Also the following committee amendment was read:

Page 1, line 4, after the word "dairymen," insert the word "nut."

Mr. VOLSTEAD. Mr. Speaker, a bill almost identical with it was introduced in the last Congress and passed by more than a two-thirds majority in this House, and went to the Senate, where it was somewhat amended. There was a disagreement between the House and the Senate, and the bill failed for that reason. I made some slight changes in reintroducing the bill, in order to meet some of the objections that were made in the Senate and otherwise to perfect the measure.

It aims to authorize cooperative associations among farmers for the purpose of marketing their products. There are a great many of those associations to-day scattered all over this country. There are a great many of them in Europe. In this country they have been constantly threatened with prosecution. Many States have modified their laws so as to legalize these organizations, and the last national conventions of the two great parties, Republicans and Democrats, passed resolutions indorsing legislation of this kind. There is, as I understand, a general demand for it among the farmers, and their organizations have practically agreed upon this form of a bill.

The objection made to these organizations at present is that they violate the Sherman Antitrust Act, and that is upon the theory that each farmer is a separate business entity. When he combines with his neighbor for the purpose of securing better treatment in the disposal of his crops, he is charged with a conspiracy or combination contrary to the Sherman Antitrust Act. Business men can combine by putting their money into corporations, but it is impractical for farmers to combine their farms into similar corporate form. The object of this bill is to modify the laws under which business organizations are now formed, so that farmers may take advantage of the form of organization that is used by business concerns. It is objected in some quarters that this repeals the Sherman Antitrust Act as to farmers. That is not true any more than it is true that a combination of two or three corporations violates the act. Such combinations may or may not monopolize or restrain trade. Corporations to-day have all sorts of subsidiary companies that operate together, and no one claims they violate this act.

Let me give you an illustration of the situation in the West in places where we are raising wheat.

You take a warehouse company known usually as a line elevator company. It has a warehouse or elevator at almost every station on a railway stretching clear across the State. It often has elevators on several railway lines. The wheat that is bought by these elevators is handled by one corporation. Now, the farmers in my section, in the Dakotas, in Montana, and other States have a large number of little local elevators. They have built them and they own them themselves, but they are not able to act together lawfully. This bill seeks to place them in the same position as the line elevator, so they may be able to compete successfully with them.

Now, those little elevators owned by the farmers are compelled almost in every instance to sell their grain to the line elevators, and are consequently at a great disadvantage. If these organizations should combine with corporations not organized as provided in this bill to thus monopolize or restrain trade, they will become subject to the Sherman Antitrust Act just the same as any other combination of corporations. We are merely seeking to give them a status that will make it possible for them to organize and to cooperate with other organizations similarly organized to the extent that may be necessary to meet industrial conditions.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Just for a question.

Mr. SABATH. In what way does this bill differ from the Clayton Act? The Clayton Act in a sense permits the farmers to organize.

Mr. VOLSTEAD. The Clayton Act does not permit them to have any stock or operate for any profit. This bill makes it possible for them to have a small amount of stock and to operate to some extent for profit, but the profit must not exceed 8 per cent on their capital.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. KING. I am very much interested in the gentleman's bill, and am not opposed to it in any way; but I want to call attention to the fact that when the farmers of Kansas attempted to gather together their wheat in one place and hold it for a higher price, as was done also in the gentleman's country, and in the corn country in which I live, the Federal Reserve Board sent out word to the banks to collect their loans, so that they were required to call up their loans and sell their stock. That is what stopped the combination of the farmers' credits. Does this bill cover that?

Mr. VOLSTEAD. This bill does not cover that feature.

Mr. KING. That would have to be covered in order to make this bill effective, would it not?

Mr. VOLSTEAD. You would have to cover it by entirely different legislation.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BLANTON. The purpose is, I take it, to assist the farmers in getting a fair price for their products?

Mr. VOLSTEAD. That is it.

Mr. BLANTON. And to permit them to hold their products while there is a "bear" market on that would take their property from them?

Mr. VOLSTEAD. Yes; the same as other corporations do.

Mr. BLANTON. Yes. Suppose under this bill we should have a Secretary of Agriculture who has ideas, unfortunately, like those that Mr. Houston had, against the farmer in many instances. Would he not take advantage of this provision in serving notice on them every time they attempted to get a better price for their product?

Mr. VOLSTEAD. He might do that.

Mr. BLANTON. You are putting the power to do that in the hands of the Secretary of Agriculture, who might be antagonistic to the interests of the farmers of the country.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BARKLEY. I am in sympathy with this bill and voted for it a time or two before. But there is one feature in it about which I am uncertain—that is, limiting the profit to 8 per cent. Down in my country we have organizations of farmers, the object being to enable the farmers to hold their tobacco in order that they may get a better price. They put their stock into an organization and the organization sells it and turns the proceeds back to the farmer. Does this enable the farmer to get 8 per cent profit?

Mr. VOLSTEAD. The 8 per cent applies only to the capital stock. On that only 8 per cent is permitted.

Mr. BARKLEY. If an individual farmer puts $100 into the capital stock of the organization, he is limited to 8 per cent on that $100, but he can make all he can get on his crop, can he not?

Mr. VOLSTEAD. Yes. He is allowed to get for his crop all that he can. The 8 per cent limitation is to prevent the association from paying a dividend of more than that percentage upon capital invested.

Mr. PARRISH. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. PARRISH. I am in favor of the bill, but I want to make a suggestion that ought to be included in the bill. It is left with the Secretary of Agriculture to indicate the place where these hearings are to be held. The bill says he can fix the time and place. Does not the gentleman think that it would be better if we fixed it so that the Secretary of Agriculture would have to hold the hearings in the judicial district where the principal office of the association was located? Suppose the Secretary notified an association 2,000 miles away that the hearing would be held here in Washington. That would make it impossible for many of the associations to put up the necessary expenses to send men here and attend this hearing. If the hearing is to be had the place should not be left arbitrarily to the Department of Agriculture, but should be held in the district where the corporation or organization is doing business. What does the gentleman think about that?

Mr. VOLSTEAD. I think it would be a good idea to fix the place, but I do not think there would be much danger in leaving it as it is in the bill.

Mr. LONDON. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. LONDON. Associations may exist under this bill in an unincorporated form?

Mr. VOLSTEAD. Either incorporated or unincorporated.

Mr. LONDON. What method now is there for bringing an unincorporated organization into court? Is service on the officers sufficient?

Mr. VOLSTEAD. Yes. I believe so.

Mr. MOORE of Virginia. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MOORE of Virginia. The gentleman will recall that when a similar bill was under consideration in the last Congress a question that the gentleman and I thought rather important was raised. I wonder whether that question has been had in mind or dealt with in the preparation of this bill?

Mr. VOLSTEAD. I will say, if the gentleman will pardon me, that the amendment met with a great deal of opposition in the Senate.

It was insisted that all these organizations ought to be subject to similar restraint, and besides there was strong objection on the part of farm organizations. They insisted that all of them ought to be put on the same footing.

Mr. MOORE of Virginia. The gentleman will recall that he and I thought that the organizations which are now exempt from the Clayton law ought to remain exempt.

Mr. VOLSTEAD. We put it in the bill in the shape of an amendment at that time; but it was contended that if any association should so unduly monopolize a product or restrain trade as to increase the price beyond what is fair, there ought to be some power to restrain them, and that this bill ought to contain a provision of that kind. So far as I know, none of these associations have objected to the bill in its present form. Since the bill was drawn it has been very generally submitted to farm organizations throughout the country.

Mr. MOORE of Virginia. The gentleman and I will agree, and I want to call the attention of the House to this proposition, that if the bill is enacted as drawn, one effect of it will be to place under the control of the Secretary of Agriculture certain farm organizations that are now conducted without joint-stock arrangements and without profit sharing, whereas at the present time they are permitted to operate without any such control or supervision, and it seems to me that to do that would be really injurious to some extent to the farming interests.

Mr. VOLSTEAD. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used 14 minutes.

Mr. VOLSTEAD. I reserve the remainder of my time.

Mr. WALSH. Mr. Speaker, I am opposed to the measure.

The SPEAKER. The Chair will recognize the gentleman.

Mr. DOMINICK. Mr. Speaker, a parliamentary inquiry. I should like to know if we are going to have any time on this side.

Mr. WALSH. Does the gentleman desire time in opposition?

Mr. DOMINICK. Yes.

Mr. WALSH. I will yield to the gentleman. How much times does he desire?

Mr. DOMINICK. I should like to have 15 minutes myself, and probably a little more.

Mr. WALSH. I will yield to the gentleman 15 minutes later.

Mr. DOMINICK. All right.

Mr. WALSH. Mr. Speaker, as the distinguished chairman of the Committee on the Judiciary [Mr. VOLSTEAD] has stated, this measure was passed by the House in the last Congress. The title as printed is a bill "to authorize associations of producers of agricultural products"; but from the argument which has been made and which will be made in its favor it may well be denominated the third chapter in a story entitled "Take care of the farmer and let the rest of the world go hang"; because this is another chapter in special legislation creating a privileged class, and enlarging the privileges heretofore granted to those engaged in producing agricultural products. The gentleman from Texas [Mr. BLANTON], that keen, alert gentleman whom we hear from so frequently and sometimes with profit, asked whether if we had a Secretary of Agriculture unfortunately who might interpret the provisions of this bill in a manner which would keep the farmer from getting inordinate prices for his products, the bill would then be of any advantage to him.

Mr. BLANTON. Will the gentleman yield there?

Mr. WALSH. I do not desire to yield at this point. I will yield a little later.

Mr. Speaker, I think the time has come, after our emergence from the great world struggle, when we should cease legislating in the manner proposed in this bill. It is proposed to permit producers of agricultural products to organize into corporations or associations, and to limit the profit of such associations or corporations to 8 per cent, for the sole purpose of securing higher prices for their commodities, and the gentleman from Minnesota [Mr. VOLSTEAD] admits that there are many of these associations in the various States operating and functioning to-day.

In fact, last October there appeared in the columns of the press the announcement that the Wheat Growers' Association of the United States, with a membership of 70,000 in Kansas, Oklahoma, Texas, Nebraska, and South Dakota, had issued from its office in Wichita, Kans., a proclamation to all its members urging them to refrain from selling any wheat after 8 p. m. on October 25, 1920, until such time as the price of good wheat was raised to $3 a bushel at the growers' terminal market. Agricultural colleges, farm bureaus, State boards of agriculture, and similar organizations were urged to cooperate.

I wonder what the waiting world would have said if the Association of Steel Producers or the Lumbermen's Association of the United States had issued a notice that they wished their members to refrain from selling steel or lumber or any of the other commodities so necessary to our commercial life until the prices were raised $3 or more above those prevailing at the time.

The result of this bill will be to permit the growers of agricultural products to create a monopoly for their own goods, and it will set them aside from the operation of the general laws that apply to others entering into our commercial life and activities.

Mr. COOPER of Wisconsin. Will the gentleman permit a question?

Mr. WALSH. I prefer not to yield until I have finished my statement. I appreciate the fact that by reason of the unholy alliance which we saw operating here in the last session of the last Congress, which undoubtedly will operate here by reason of having been reinforced, namely, the alliance between certain gentlemen on that side of the aisle from the cotton-producing States and certain gentlemen upon this side of the aisle from the agricultural sections of this country, this measure will be jammed through without delay and possibly without amendment. Upon all other matters which come before this House the gentlemen there and the gentlemen here have very little in common, and I fear, sir, that if such an alliance as that is permitted to operate and continue here our Republic will fall upon evil days, because it will bring about a clash between the consuming class and the producing class. Mind you, I do not admit that the only producers in this country are those who operate in the vast reaches of the agricultural States. There are other gentlemen throughout the United States who toil and labor with their hands, and with their minds as well, and they, too, produce, and they are in the vast majority. Possibly they are not in the majority upon the floor of this House, and possibly they are not in the majority sometimes at the polls upon election day, when this issue is submerged beneath other and more important questions and is for the time lost sight of.

But if that clash is coming it will be a serious one, and I do not believe that we should encourage it by legislating along this line. Now, the Clayton antitrust law provides, in section 6, which was enacted in 1914:

That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws.

They are exempt as well as the members of the labor unions. By reason of the exemption of the labor unions which is on a par granted in that act to producers of agricultural products, by the extension of that exemption granted to labor unions we have seen organized labor hold the Government of the United States by the throat, as instanced by the strike of the shipbuilders at Bridgeport, which took a direct pronunciamento from the Executive of this Nation in the midst of the great war to bring them to their senses. By reason of their power, which was exerted chiefly by noise, they induced this Congress to pass the Adamson law, and other legislation which permitted the railroad employees of this Government to stop all traffic and commerce overnight on the order of one or two individuals holding high-salaried jobs at the head of certain organizations if their demands were not granted.

Now we see the shipping of the sea threatened with paralysis. Because, Mr. Speaker, we embark on a policy and say to certain classes of our people who are outside the provisions of the law, "You are exempt from its operation, and you are encouraged to do things which, if granted to other organizations, would bring indictments by the score and condemnations long continued, both in this forum and elsewhere." I submit, sir, that in our return to normal conditions, in our attempt to get our country back on the firm footing on which it stood prior to the war, we ought not to be in a hurry to rush into such legislation as this and encourage the producer of agricultural products to form combinations to hold over the people of the Nation; to permit them in their granaries and storerooms to store their products and say you shall pay our enhanced price, and pay more than the ordinary demand for it would bring.

During the war we made very many futile attempts to set aside the laws of supply and demand. We passed laws here to prevent profiteering, but we exempted the agricultural producer from the operation of that law. It is true the highest tribunal in the land held that law was unconstitutional, but the exemption was there, and the extension of the exemption is in this proposed law.

The first chapter in the story to which I have alluded was the enactment of the legislation renewing the finance corporation. What wonderful benefits were to be received we were told if we would put that organization in motion once more! For whom? For the farmers of this country. Have you heard that they or their customers have been wonderfully relieved by the operations of that organization? Perhaps in a few cases it has given some little relief. The second chapter was the passage of the emergency tariff bill, which put a tariff on certain agricultural products, which is soon to be acted on in the coordinate branch. Now, we are asked to permit these associations to be formed for the purpose of marketing products, and permit them to fix the prices. I submit, Mr. Speaker, that it is unwise to embark on that policy. I submit that as a result of the exemptions we have already given them and to the labor organizations the peace and well-being of our people have not been enhanced to any great degree, and that while there are wheat growers' associations with some 70,000 members, according to the clipping I have just read, while there are the cotton growers' association and the prune and raisin and corn growers' and various other associations which cooperate to market their products under State laws, they have not encouraged the production of those products. Where it has increased production, however, the cost to the consumer has continued to mount.

For these reasons I deem it wise on my own responsibility to express my objection to this measure. I doubt if there will be a great many who will oppose it, but, notwithstanding that, I do not feel that I can give it my support.

Mr. REAVIS rose.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. I will.

Mr. BLANTON. Will the gentleman yield to the gentleman from Nebraska and then give me five minutes?

Mr. WALSH. Is the gentleman from Texas opposed to the bill?

Mr. BLANTON. Not altogether. I am opposed to one feature of it.

Mr. WALSH. Well, I will yield to the gentleman from Nebraska.

Mr. REAVIS. One of the chief reasons why the gentleman is opposed to this bill is by reason of the fact that the farmers will be enabled to fix the price of their products?

Mr. WALSH. That would result; yes.

Mr. REAVIS. That is one of the gentleman's objections. Will the gentleman be good enough to tell me of any American business man other than the farmer who to-day has not the privilege of fixing the price of his product?

Mr. WALSH. I do not admit the premises of the gentleman's question that the farmer has not the privilege of fixing the price of his product. I said enhancing the price. The farmer to-day fixes his price.

Mr. REAVIS. Do I understand the gentleman to take the position that the farmer to-day is having the privilege of fixing the price of the commodity that he sells?

Mr. WALSH. I notice that some of the farmers have threatened that they will not plant some of their crops because their crops heretofore have not brought the prices which they have asked. I assume that the farmer has been fixing a price that he could not get.

Mr. REAVIS. Does the gentleman know of any business man in America who does not fix the price of the commodity that he sells?

Mr. WALSH. I say that I do not admit that the farmer does not fix the price.

Mr. REAVIS. Then the gentleman takes the position that the farmer fixes the prices of his products?

Mr. WALSH. I assume that the farmer fixes the price of his products; otherwise he would not sell. [Laughter.] Oh, the gentlemen from the agricultural States hear that with merriment, and, as the gentleman from Minnesota [Mr. VOLSTEAD] says, they know what they are talking about. Whether they do or not, they know what they are after, and they know how to talk to get it.

Mr. REAVIS. Mr. Speaker, will the gentleman permit another suggestion?

Mr. WALSH. I shall permit a question.

Mr. REAVIS. Premised upon a statement. Coming from an agricultural district, I state it as a fact that the farmer has always been compelled to take for his product the price that the purchaser offered, or he does not sell it. This bill is for the purpose of permitting an organization that will place him on an equality with every other American business man and in some measure permit him to fix the price of his products.

Mr. HUSTED. Mr. Speaker, will the gentleman from Massachusetts yield to me?

Mr. WALSH. Yes.

Mr. BLANTON. Mr. Speaker, will the gentleman yield me two minutes?

Mr. WALSH. I have yielded to the gentleman from New York. I assumed when I promised to yield to the gentleman from Texas [Mr. BLANTON] that he intended to ask me a question. If my time in opposition to the measure permits, I shall yield him five minutes, if he can not get it from the gentleman in charge of the bill. I now yield to the gentleman from New York.

Mr. HUSTED. Mr. Speaker, does the gentleman think that the mill owners of his district to-day, under present conditions, are better able to fix the price of their products than the farmers of the country?

Mr. WALSH. I was about to say to the gentleman from Nebraska [Mr. REAVIS] that in my city to-day there are some 30 or 40 cotton mills that are not operating. Some of them are operating three days a week, some of them are operating some departments the entire week. They have produced a surplus of their goods which they can not sell, but I have not heard of their combining, of their calling a meeting of the Southern New England Manufacturers' Association to say that they will hold this cotton cloth or this cotton yarn until they can get 60 or 80 cents a pound for it. It is on the market.

Mr. REAVIS. If the gentleman will permit a question there——

Mr. HUSTED. One more question.

Mr. WALSH. Mr. Speaker, how much time have I taken?

The SPEAKER. The gentleman has used 19 minutes.

Mr. WALSH. Mr. Speaker, I yield 15 minutes to the gentleman from South Carolina [Mr. DOMINICK].

Mr. DOMINICK. Mr. Speaker, I am very glad, indeed, to have the support of the gentleman from Massachusetts [Mr. WALSH], or at least have his opposition to this bill. I hope the

bill will be defeated. I am opposed to it, but for entirely different reasons from those expressed by the gentleman from Massachusetts. He seems to think that this is a bill only in the interest of the farmer and of the agricultural classes. I hope that Representatives from the agricultural districts, representing the agricultural classes, will not be misled by his argument, because if they will examine the bill, section 2 particularly, they will see that it is not in the interest of the farmer but is absolutely against his interest. What is the situation to-day? The gentleman from Minnesota [Mr. VOLSTEAD] in his opening address says that both political parties are in favor of cooperative associations, of farmers' associations, such as are proposed in this bill. Both parties have come out in their platforms in favor of such associations, but what does this bill give them? Does this give them what those parties promised in their platforms? Does this bill give the agricultural interests anything that they do not have to-day? The first section of the bill allows them to form these organizations. Have they not that permission now? Those associations are now being formed, and have been formed throughout the country and are now in existence without legislative authority from the Congress of the United States. And here, under the guise of giving the farmer something in the way of a cooperative association, you allow him to do what he has the right to do now, and what he has been doing, but at the same time you give him that right, section 2 is inserted, which gives arbitrary power to the Secretary of Agriculture, at any time he has reason to believe that commodities are being held for advancement of prices, to give 30 days' notice of a hearing, to hold the hearing, and issue his order, and at the time he issues his order he can immediately go to the Department of Justice and get the Attorney General to act; to go into the United States courts and obtain an order of injunction against the farmers' associations and tie up your corn and oats and wheat and cotton in the United States courts. If you want to do something for the farmer, strike out section 2 of this bill.

This is not a farmers' bill. I am not a farmer and I am not on the Agricultural Committee, but I am on the committee that was charged with its consideration. If it were in the interest of the farmer, why should it not be before the Agricultural Committee instead of the Judiciary Committee? It is not in the interest of the farmer. I want to say now that I do not agree with a lot of demagogic speeches that have been made in the interest of the farmer and the agricultural classes; but the older I get the more I believe that enough has not been said in their favor. The gentleman from Massachusetts has referred to the fixing of the price of steel and lumber and other commodities. We can get along without steel sometimes and we can get along without lumber and without cotton goods, but when it comes to having something to eat, when it comes to getting something that the world has got to have in order to live and exist, then we must depend upon the agricultural classes of our country to produce that something. The gentleman from Massachusetts spoke about this bill as being the third chapter in the relief for the farmers, and he ridiculed the attempt that has been made by this Congress to revive the War Finance Corporation, and said that that effort had accomplished nothing. The gentleman from Massachusetts may be well informed, but for his information I would state that a bank has been formed in the South with headquarters at New Orleans and has had its stock subscribed and has received assistance from the revived War Finance Corporation, and is now exporting cotton to Europe.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. DOMINICK. Yes.

Mr. WALSH. Is it not a fact that arrangements for the organization of that corporation were made several weeks before we passed the bill reviving the War Finance Corporation?

Mr. DOMINICK. There is no doubt about that; but by reason of the reviving of this corporation this bank in the South was able to get assistance which was badly needed.

Now, he says that the next chapter in the proposition was the passage of the emergency tariff act. Well, I thoroughly agree with him that in the passage of that they have handed not only the farmers of this country but the Republican Party is fixing to hand to the entire citizenship of this country one of the yellowest lemons that ever was handed out from a legislative body. [Applause on the Democratic side.] Now, I hope that the Representatives from the agricultural districts in this Congress will not be led away and support this bill. There is nothing in the bill whatsoever that is in the interest of the farmer. This bill gives them nothing here that they have not now, and if you want to do something to the detriment of the farmer, you pass this bill in the manner in which it is now written. As far as I am concerned, I have no objection whatever to the first section of the bill. At the proper time, Mr. Speaker, I shall move to amend the bill by striking out section 2. [Applause.]

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. DOMINICK. I will.

Mr. BYRNES of South Carolina. I want to ask my colleague if at this time we have not truck-growers' associations organized all over the country and what effect this bill will have upon such organizations?

Mr. DOMINICK. We have truck-growers' associations throughout the country, some of them in the district of my friend from South Carolina. Under this bill, under section 2—now listen to the language:

But if the Secretary of Agriculture shall have reason to believe that any such association—

If he gets the idea into his head that the truck growers growing lettuce, cucumbers, Irish potatoes in the beautiful coast country of my friend, that they are trying to get too much for their product, he can go into a United States court and get an injunction against them, so that they can not sell their stuff when it is rotting in the fields; you can not do anything with it under this legislation.

Mr. WINGO. Will the gentleman yield?

Mr. DOMINICK. I will.

Mr. WINGO. The gentleman suggested he wanted to offer an amendment to strike out section 2. May I suggest to the gentleman that while he has the time and has the floor he had better offer his amendment and have it pending?

Mr. DOMINICK. I thank the gentleman for the suggestion.

Mr. BLACK. Will the gentleman yield?

Mr. DOMINICK. I will.

Mr. BLACK. I desire to ask this question: I was wondering what necessity there is for passing a law of this kind. For example, we have the California Nut Growers' Association, the California Orange Growers' Association, we have in Texas certain farmers' associations that bargain collectively, and I was wondering what the necessity is?

Mr. DOMINICK. The only necessity, I will say to the gentleman from Texas, to my mind for passing this bill is to put a further restriction and limitation upon the farmers of the United States and take some more of our State rights from us and bring us under the jurisdiction of the various and several United States courts. That is the only object I see.

Mr. KNUTSON. Is it not a fact that the farmers' organizations of this country have asked for the passage of this bill?

Mr. DOMINICK. I do not know; but I doubt if a single one had seen section 2. I can not understand why any man would want voluntarily to put his neck in a halter, and that is what the farmers would be doing here.

Mr. KNUTSON. Does not the gentleman assume the farmers know what they want?

Mr. DOMINICK. It depends upon who they are. There are some who are called farmers, and I have known of some organizations, I have heard of some here in Washington, that assume to speak for the farmers. I do not know who they are speaking for, but they are not speaking truly for the farmer.

Mr. KNUTSON. Does the gentleman say the American Farm Bureau comes under that category?

Mr. DOMINICK. I do not know of that organization.

Mr. KNUTSON. They have about 1,500,000 members.

Mr. DOMINICK. I do not know of them in the South.

Mr. CLOUSE. Will the gentleman yield?

Mr. DOMINICK. I will.

Mr. CLOUSE. I would like to ask the gentleman, referring to section 1 of this act, in reference to this particular language—

That persons engaged in the production of agricultural products—

if it is not possible for a man under that provision of this act who has never been regularly engaged in agricultural products or agricultural pursuits to organize a company and receive the benefits of this act, although he is not a bona fide farmer?

Mr. DOMINICK. It is possible it could be done.

Mr. HUSTED. If the gentleman will permit, the gentleman from Texas [Mr. BLACK] asked why this legislation was needed in view of the fact there are many associations organized and operating now under State statutes permitting associations of this kind. The gentleman cited the California Nut Growers' Association as one example. The reason, as I understand it, why they want this legislation is because they are organized under local statutes and their operations within their States are undoubtedly legal, but the very association to which the gentleman refers has doubt as to the legality of its operation in interstate commerce, and they want legislation of this kind to make their acts legal throughout the country.

Mr. DOMINICK. There has been nobody put in jail yet, as I understand it, for violation of these acts.

Mr. DYER. They have been indicted.

Mr. VOLSTEAD. If the gentleman will permit, I will inform the gentleman they have been indicted. There was an indictment and there has been at least one conviction within a very few months.

Mr. DOMINICK. Mr. Speaker, in my time I want to offer an amendment to the bill to strike out section 2.

The SPEAKER. The gentleman can do so if the gentleman from Massachusetts yields for that purpose; but, of course, if he yields, the gentleman from Massachusetts loses the floor.

Mr. DOMINICK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WALSH. I have no objection to the gentleman offering his amendment now, to be voted on at the close of general debate.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. DOMINICK moves to amend the bill by striking out all of section 2.

Mr. DOMINICK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOMINICK. I want to know now if I will be entitled to recognition at any time during the consideration of the bill on my amendment?

The SPEAKER. The gentleman will be entitled to time if the gentleman from Minnesota [Mr. VOLSTEAD] does not move the previous question and it should be ordered.

Mr. DOMINICK. I would like to know how much time I have remaining.

The SPEAKER. The gentleman's time has expired.

Mr. WINGO. The gentleman from Massachusetts, having control of the time, having yielded for it to be offered——

The SPEAKER. The gentleman from Massachusetts yielded to have it read for information. He had no objection to that, but he did not yield the floor. Is not that correct?

Mr. WALSH. I so stated. It was simply to be read for information.

Mr. DOMINICK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOMINICK. Under the rules it is presumed the bill will be open for amendment?

The SPEAKER. The Chair, of course, does not know what the intention is. Unless the House adopts the previous question and thereby shuts off amendment, of course it will be open to amendment.

Mr. DOMINICK. I am trying to get clear in my own mind what the rules of the House were as to an amendment to a bill that was being considered in the House.

The SPEAKER. The House has that right at any time, if no gentleman moves the previous question and the House adopts it. That, of course, would cut off amendment. The Chair can not prophesy whether there is any intention to do that or not.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman from Arkansas [Mr. TILLMAN].

Mr. TILLMAN. Mr. Speaker, the gentleman from Texas [Mr. BLACK] inquired of the gentleman from South Carolina [Mr. DOMINICK] if it was not true that there are a number of farmers' organizations now operating in the different States, and if this would not have the effect of destroying those organizations. The gentleman from New York [Mr. HUSTED] very properly answered that by saying that these State organizations have no authority to conduct interstate and foreign commerce and that this bill merely gives them the right to do that. They will still maintain these organizations; they will not be destroyed, but our farmers will be encouraged and permitted under this measure to conduct a nation-wide and a world-wide trade, with their rights in the premises duly safeguarded.

The gentleman from Massachusetts [Mr. WALSH] is much disturbed because he is afraid this is class legislation and that the farmer is to be the beneficiary of such legislation. Since when did statesmen from New England become frightened at class legislation? A vast moneyed aristocracy has grown up in that exclusive and cultured section because of class legislation, but be it understood that New England class legislation extends special and profitable tariff protection to her citizenry engaged in manufacturing clothing, shoes, and a thousand other necessary articles and lets the consumer of those products and the farmer "go hang."

Mr. REAVIS. Will the gentleman yield?

Mr. TILLMAN. I will.

Mr. REAVIS. Is it the New England idea of class legislation, when we pass legislation, to protect anybody other than New England?

Mr. TILLMAN. Surely; and I so stated. The gentleman from Massachusetts is worried about class legislation to-day, but recently, I think, he voted for the Cummins-Esch bill to help the railroads to the extent of hundreds of millions, which was special legislation; and the gentleman from New England also voted for various tariff bills, clearly legislation for a favored, special class. Now, the farmer should be fairly treated in this House; he insists that this bill should be passed, and I think his modest desires in this regard should be respected.

I call your attention to a clipping that demontrates the necessity and the wisdom of this legislation.

Mr. HUSTED. Will the gentleman yield?

Mr. TILLMAN. I will be glad to do so.

Mr. HUSTED. Does the gentleman favor the proposition of having some classes subject to the provisions of the Sherman antitrust law and exempting others as a class?

Mr. TILLMAN. It is not at all necessary to answer that question, because this bill does not do that.

Mr. HUSTED. I fail to see how you escape it.

Mr. TILLMAN. It does not. I call your attention at this juncture to something that occurred in my home town within the last 10 days. The local daily paper gives it in these words:

[From the Fayetteville (Ark.) Daily Democrat.]

Ninety-three cents for hides of two calves was all Alfred Henbest, an Arkansas farmer, could get for his hides this week, and while in view of the price he has to pay for his family's shoes and his son's saddle and bridle—

All of which are manufactured in the tariff-blessed confines of Massachusetts, so ably represented by my genial friend, Mr. WALSH, who does not favor class legislation where farmers are involved.

It was a few minutes later when he entered a local hardware store and had to pay the full value of the smaller hide, 40 cents, for a single leather lacing string; then he got mad and took his troubles to the press:

"What is a farmer going to do?" he asked a Democratic representative to-day. "And why is it that while I can get only 40 or 50 cents each for my hides, I have to pay as much as the whole hide is worth for a single string of leather one-half inch wide, when I buy?"

That string was manufactured in New England—New England, that through her Congressmen condemns as class legislation all measures proposed to help the farmer.

Mr. Henbest has 160 acres of the best farm land in this section and with taxes double what they were last year, and crops lost, and prices on farm products down, he is discouraged.

Congress can busy itself all it wants to with the League of Nations and the tariff, but what Mr. Henbest and hundreds of others like him feel the lawmakers ought to do is to find some way the farmer will be guaranteed a living wage on what he produces or a lower price on what he has to buy.

[Applause.]

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. TILLMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. VOLSTEAD. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for three minutes.

Mr. WALSH. And I yield to the gentleman two minutes.

The SPEAKER pro tempore. And the gentleman from Massachusetts yields to the gentleman from Texas two additional minutes. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, in my judgment section 2 is a most dangerous provision in this bill, not to New England, but to the farmers of the country. I am not willing to place the destiny of 10,000,000 farmers in the United States in the hands of any one single individual. I am not willing to let the Secretary of Agriculture, especially after our experience in late years with a certain Democratic one, pass upon the rights, absolutely without any benefit of clergy, of all the farmers of the country. Secretary Houston was at the head of the State University in my State. He was at the head of the Agricultural and Mechanical College there, and he made good in those positions. He was Secretary of Agriculture, a member of the Cabinet, and in one sense made good. But in my judgment he was the worst enemy that the producers of this country ever had [applause], and he was a Democrat.

The gentleman from Massachusetts [Mr. WALSH] is unfortunate when he discusses agriculture. He is at a disadvantage when he rises to this subject. He does not do himself justice when he discusses agriculture and the interests of the farmers of the land, while on practically every other subject, if he will let agriculture alone [laughter], every other way he is easily the biggest man your party has on this other side of the aisle. [Applause.]

Mr. WALSH. Mr. Speaker, I do not think the gentleman ought to abuse me after I yielded him two minutes of my time. [Laughter.]

Mr. BLANTON. When he begins to discuss agriculture he immediately begins to shrivel up [laughter], and every time he discusses agriculture he reminds me of a little story I heard of the time when he made a visit on one of his campaign trips to the Cape Cod cranberry farmers in his district. He went out to see those boys, because they all had votes, and he found them and their wives and little children on their knees in the mud working in the soil of Massachusetts. He had on his long-tail, silk-lined, black frock coat and had his boots polished and wore the proper kind of tie and color of vestments, and so on, and those mud farmers in Massachusetts looked at him and said, "My God, are you our Congressman? Why, we had thought from reading about you that you were a big man." [Laughter.]

My friend ought to let agriculture alone. He is out of his sphere when he is discussing agriculture. I follow him on many issues. I have found on many subjects of legislation for the good of this country that his judgment is good and sound. I vote with him sometimes. But whenever he gets to discussing the interests of the farmer, the interests of the farmer are so antagonistic to the interests of those 40 manufacturing plants that he says are idle in his own town that he thinks first of the manufacturing plants and forgets the farmer.

Section 2 should be stricken out. The one thing that will make me vote for this bill with section 2 left in it is the sole fact that the farmers' organizations have asked that it be passed. They do not want section 2, but want the bill passed even with section 2 in it. I do not believe it is in their interest. I believe that section 2 will absolutely tie them up, hog tie them, so that one man, if he should be like Secretary Houston, would be empowered absolutely to ruin the farmers' interests in the country.

A MEMBER. He is not now Secretary.

Mr. BLANTON. But you may have a change some time. You may have a change in the very man from Iowa that is down there now. He changes his ideas sometimes. Then what are you going to do about it? Are you going to place the destinies of 10,000,000 men, who produce the food and clothing of the land, in the hands of one man? With section 2 left in it I will vote for this bill under protest. I say it is dangerous, and I say you ought to vote section 2 out of this bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. REAVIS].

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for five minutes.

Mr. REAVIS. Mr. Speaker, I take it for granted that all of us are more or less actuated by selfishness in our attitude upon this and all other legislation. I come from a district that is almost exclusively agricultural. I favor this proposition because I believe, in the first instance, it will prove beneficial to those whom I represent. I favor it because I hope that it will increase the price of their products.

The gentleman from Massachusetts [Mr. WALSH] is no more unselfish in his opposition to this than I am in approving it. The very reason which excites my favor is the reason why he opposes it. I favor an increase in the value of farm products because my people sell them. He disapproves of the increase of the price of farm products because his people buy them, and we are both on the same footing, so far as the purpose which prompts our action on this bill is concerned. But it goes beyond that, gentlemen. Agriculture and the interests of the farmer lie at the very foundation of this Nation's prosperity. You will never be prosperous in New England when the farmer is suffering present conditions, and the very fact that the farmer to-day is compelled to sell his products far below the cost of production, the very fact that to-day, because of the industrial conditions, he is practically bankrupt, is the reason why the 40 textile mills the gentleman referred to are idle in his district. If the farmers of this country were getting a proper price for their products, if the farmers of this country were getting a reasonable profit upon the result of their toil, the gentleman's people would be at work. [Applause.] And they will not be at work until that condition obtains.

As I suggested in a question to the gentleman from Massachusetts, for whom I have the very highest regard—and even though it may discredit him in this body, I want to join in the very complimentary statement made regarding him by the gentleman from Texas [Mr. BLANTON]—but I want to suggest to the gentleman from Massachusetts, as I did suggest to him in the question I asked him——

Mr. HUSTED. Mr. Speaker, will the gentleman yield?

Mr. REAVIS. I regret I can not yield. I have not the time.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. REAVIS (continuing). I want to suggest to him that the farmer is the only business man in America to-day who does not fix the price of the product that he sells.

The farmer goes to the grain buyer in the town where he does his business and if he disposes of his product he disposes of it at the price that he is offered; he never fixes the price. This legislation is primarily inspired by the desire to put the farmer in a condition, through cooperation and organization, where in some measure he may overcome the difficulties that inhere in his business, that make cooperation and organization almost impossible, to relieve him in some measure from his natural handicaps and put him on an equal footing with all the other business men of America and permit him in some measure to fix the price of the thing that he raises.

I believe that section 2 of this bill is absolutely unnecessary. I believe that the difficulties of organization among farmers, the difficulties of getting together, of attempting to organize for the purpose of fixing the prices of products, make section 2 rather an idle provision.

Mr. J. M. NELSON. Will the gentleman yield?

The SPEAKER pro tempore. The time of the gentleman from Nebraska has expired.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Nebraska asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WALSH. I yield eight minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, I think the present bill is so clearly and palpably unconstitutional that I can not give it my support. When I say I think it is unconstitutional, I do not mean that it is class legislation. There may be some things said about it with reference to its being class legislation, dealing with the wisdom of the legislation, but I do not think it is class legislation in the sense that the Constitution forbids class legislation.

If section 2 were stricken out, the bill might not be unconstitutional. But section 2 being so palpably unconstitutional, I think a court in construing it would hold the entire act unconstitutional.

Mr. J. M. NELSON. Will the gentleman yield?

Mr. JOHNSON of Mississippi. Will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Indiana yield; and if so, to whom?

Mr. SANDERS of Indiana. I respectfully decline to yield, because I have such a short time. Section 1 of this act authorizes the formation of these organizations. Section 2 provides that whenever the Secretary of Agriculture shall have reason to believe that an association monopolizes or restrains trade to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, a complaint may be made against it. Then there is a further provision that upon such complaint being made to the Secretary of Agriculture a day shall be fixed when the organizations shall show cause why it should not desist therefrom. Then, on the hearing there may be an order directing such association to cease and desist therefrom, and the district court, when a petition is filed with it, may enter a decree affirming, modifying, or setting aside said order. Then, when the order is filed in the court, the court may have the right to issue a temporary writ of injunction without any hearing of any kind. Without any judicial hearing at all the court shall have the right to enjoin the acts of these farmers.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. SANDERS of Indiana. Not just now. Upon the hearing the court may issue a permanent injunction enjoining the farmers from doing what? From monopolizing or restraining trade so that the price of an agricultural product is unduly enhanced.

Now, under the decision on the Lever Act this section is plainly unconstitutional, because you have no standard whatever that is recognized by law and that will hold under our Constitution. Here you have a permanent injunction, the violation of which may send the violator to jail for contempt of

court, and that injunction is limited under the law to the sole point of forbidding the enhancing of the price of farm products. This brings it squarely within the decision on the Lever Act. The Lever Act provided:

That it is hereby made unlawful for any person willfully * * * to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessaries.

The Supreme Court of the United States held that that was not a sufficiently certain standard to come within the constitutional provision. In other words, it submits it to the court or to the jury to determine what the law is, and that is exactly what it would do in this case. What are you going to say? The gentleman from Nebraska [Mr. REAVIS] says the bill is for the purpose of permitting farmers to enhance the price of products, and I think that is obviously its purpose. And yet if they go beyond the line of demarcation they violate the law, and if after having been enjoined they violate it they may be sent to jail because of the violation. And who is going to fix that line of demarcation? Why, it will be left to the court in each case, and that is precisely the same point made in the Lever case. I heard the oral opinion in that case, and it struck me at the time that it was a very just decision. And, my friends, aside from the constitutional question, I think it would be exceedingly unwise as a matter of legislation for us to leave to the Secretary of Agriculture, in the first instance, but finally to any court, the right to determine what is an unreasonable price for farm products. We have many of these organizations now. Do not forget that they will be brought under the terms of this act whenever it is passed. So that I am opposed to the bill with section 2 in it, because it is so clearly unconstitutional, and since it is our duty to weigh these constitutional questions, I can not vote for it.

Second, if it were not technically unconstitutional, I think it would be a matter of unwisdom for this House to embark upon that sort of delegation of power.

Now I will be glad to yield.

Mr. J. M. NELSON. The purpose of this act is to relieve the farmers from the possible menace of the Sherman law in interstate commerce, is it not?

Mr. SANDERS of Indiana. I think so.

Mr. J. M. NELSON. And it leaves it to the arbitrary action of the Secretary of Agriculture.

Mr. SANDERS of Indiana. In the first place.

Mr. J. M. NELSON. Then what do they gain under this law?

Mr. SANDERS of Indiana. I doubt if they would gain very much.

Mr. LAYTON. They would gain this, would they not, that if this act is passed they will not be liable to prosecution?

Mr. SANDERS of Indiana. Yes; that is true.

Mr. J. M. NELSON. If they violate the law they are subject to prosecution?

Mr. SANDERS of Indiana. If they violate the Sherman Antitrust Act and depend upon this for release from prosecution, and this act is held unconstitutional, then they can be prosecuted under the Sherman Antitrust Act.

Mr. LAYTON. I agree with the gentleman about section 2.

Mr. BARBOUR. Will the gentleman yield?

Mr. SANDERS of Indiana. Certainly.

Mr. BARBOUR. If this bill becomes a law they gain recognition of the right to exist, which is questioned at this time.

Mr. SANDERS of Indiana. If the act was constitutional they would gain the right to exist, but if it is unconstitutional they would think that they had the right to exist and go ahead and act under the provisions, and having acted, when it turned out to be unconstitutional, they would be convicted under the terms of the Sherman Antitrust Act.

Mr. JOHNSON of Mississippi. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. JOHNSON of Mississippi. I happened to be in the Supreme Court when the decision in the Lever case was announced, as was the gentleman from Indiana. Does not the gentleman believe that section 2 of the bill will defeat the very purpose for which it is enacted, that at the very first violation of the act some one will complain to the Secretary of Agriculture, and it will be investigated, and thereupon the law will be declared unconstitutional and the farmers will be without any remedy?

Mr. SANDERS of Indiana. Of course, I can not say what action will be taken, but it leaves it arbitrarily to one officer to determine the whole question.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. SANDERS of Indiana. Yes.

Mr. VOLSTEAD. Why is this unconstitutional any more than the authority conferred on the Federal Trade Commission or on the Interstate Commerce Commission?

Mr. SANDERS of Indiana. No similar right is conferred on those bodies.

Mr. BURTNESS. Will the gentleman yield?

Mr. SANDERS of Indiana. I will.

Mr. BURTNESS. Assuming that the bill passes and section 2 is held to be unconstitutional, does the gentleman think that will vitiate section 1?

Mr. SANDERS of Indiana. I have no doubt that the court would, in construing the act, say that this Congress intended to create an organization and surround it by safeguards, and that the safeguards being a vital part of the act and unconstitutional, the whole act would be held unconstitutional.

Mr. WALSH. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. MILLS].

Mr. MILLS. Mr. Speaker, the gentleman from Indiana has covered very thoroughly the precise point I wanted to make with reference to the constitutionality of this statute, although I think he underestimates the doubt as to section 1. I would call his attention and that of the distinguished chairman of the Judiciary Committee to the case of Connolly against The Pipe Line, One hundred and eighty-fourth United States, in which a similar statute exempting the farmers from the provisions of the Illinois antitrust act was held unconstitutional by the Supreme Court on the ground that it discriminated as between classes in the application of a penal statute without a sufficient ground for distinction.

As to the second point with reference to the constitutionality of the second section, not only by the Lever decision referred to by the gentleman from Indiana, but we have another decision applicable to a law written almost in the same language as the bill before the House. It was a Kentucky statute providing that a combination should only be in restraint of trade in the sale of an article provided it sold the article at greater or less than its actual value.

The Supreme Court held that that language did not lay down a sufficient standard so as to give a man reasonable information beforehand to permit a reasonable compliance. In my judgment there can be no question but that section 2 is unconstitutional, and section 1 is open to the gravest doubts.

But this bill has one other and to my judgment an even greater defect. It purports, and in the report of the committee it is distinctly stated that it only purports to permit farmers' associations for the purpose of marketing their products and incidentally to economize in the marketing. If that is the purpose of the bill, I think we can all support it. Every one knows that the present system of distribution is faulty. Why, I saw some figures applicable to the State of New York which showed that the farmers were only receiving 30 per cent of the price paid by the consumer, while the railroads received 8 or 10 per cent, and the balance, 60 per cent, went to the cost of distribution. There is no question but an organization of fruit growers in California has produced better and more economical distribution and not only permitted the farmer to get better prices but also permitted the consumer to get them at a lower price.

But this bill goes much further than that. The report says that in so far as the terms of the act are concerned, aside from the mere act of forming an association, they do not apply. The report says that the bill does not eliminate those provisions of the Sherman antitrust law. I beg to differ with that report.

I should like to point out to you gentlemen that the bill permits the formation of these associations and permits the association and their members to make necessary agreements to effect such purposes. Now, what are the purposes referred to? Preparing for market, handling and marketing their products for interstate and foreign commerce. It permits them to make any agreement that they see fit to make. In other words, it permits one of these associations, if necessary, to combine with another interstate association.

Mr. HUSTED. Will the gentleman yield?

Mr. MILLS. I am afraid I can not for want of time. As I say, it permits one of these associations, if necessary, to combine with another association in violation of the Sherman Antitrust Act. It permits one association, if necessary, to make an agreement with all other existing associations not to sell to a single commission merchant that sells below a certain price. It is possible, if it is the intent of the framers of this bill to simply permit the formation of an association or corporation for the purpose of marketing, to say specifically in this bill that the other provisions relating to what these associations shall do after they are formed shall be subject to the provisions of the Sherman Antitrust Act. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WALSH. Mr. Speaker, how much time have we remaining?

The SPEAKER pro tempore (Mr. STAFFORD). The gentleman from Minnesota has 31 minutes and the gentleman from Massachusetts 4 minutes.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I am sorry that I have not the time to discuss the constitutional questions that have been suggested. They are very interesting, but they would require more time than I can possible give to them. However, let me suggest that the authority quoted by the gentleman from New York [Mr. MILLS] which he thinks would apply to the first section I am quite sure would not be in point for this reason: The committee will, of course, understand that in the original formation of a penal act any exception may be made that the legislators choose to make. They are not required to make it universal in its application. They can make whatever exceptions they desire or think wise. This is only such an exception, and I am sure will be so interpreted by the Supreme Court.

Regarding the constitutional objection to section 2 that is raised by the gentleman from Indiana [Mr. SANDERS], that proposition I think is not by any means clear. The constitutional objection that he suggests there that the parties in effect would not have their day in court, I think is not well taken, for the reason that if the gentleman will examine all of its provisions he will find that almost everything essential or that which has been held essential in the determination by a court of equity of a proposition such as this may be found in the bill. Trial is provided for, appeal from the Secretary is provided for, the court is given power to make any rules it chooses to make, and the court could even submit question of fact to a jury under the provisions of this section.

But I desire to call attention to the fundamentals of this proposition. I do not think gentlemen have the right to consider this class legislation. I call the attention of members of the committee to this fact: The very business of farming is impossible of combinations. You all know that the farming business by great corporations is a thing not only unsatisfactory to the people themselves who do the farming, but they are a positive danger to the State. You can not make a combination of farmers and put them into a corporation.

The farmer is an individual unit. He must manage his own farm. He must have his own home. He stands defenseless against combinations of corporations. He finds when he goes out to do business in the world that he has to do business with a combination that represents 40 or 50 or 100,000 individual incorporators, but the farmer is a unit and he can not incorporate. It is against the policy of the State to have large bodies of land owned by corporations and operated by tenants, subordinates, or hirelings. Everyone knows that is contrary to the interest of the Nation at large. What is sought here? In the interest of the farmer as he deals in business with these gigantic combinations of individuals, should he not have the right as a protection to himself and the privilege that is granted to everyone else with whom he deals, to act in combination and cooperation with those who are engaged in the same business with him? It seems to me that to force this class proposition into this act is not justified when you consider the conditions that exist. This is not an extraordinary privilege, it is only a right that ought to be granted to the farmer, in the interest of the corporations themselves and everyone else who is not engaged in the farming business in the United States. What is the position of the farmer to-day? If you will examine the recent report of the Secretary of Commerce, Mr. Hoover, an enlightening and illuminating report, you will see that below all of the average of every other product produced in the country are the farmers' products. Why is it that his go down to the bottom always in a period of depression? Why is it that he is placed at a disadvantage every time hard times or embarrassing situations occur? It seems to me it must be plain to everyone that it is because he is placed in such a disadvantageous position with regard to all of the rest of the business world. This is not an unreasonable request, it is only what ought to be granted in right and justice to the farmers of the country, who certainly are an important factor in the life and welfare of the Nation. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker and gentlemen of the committee, I shall not attempt in five minutes to discuss the constitutionality of this law. I take it that the Judiciary Committee gave the matter considerable thought, and if there was any doubt, or if I had any doubt in my mind, the opinion of Judge TOWNER would satisfy me.

I have been amused to listen to the debate among the opponents of this bill. My distinguished farmer friend from Massachusetts [Mr. WALSH] is against the bill because of section 1, because it permits an organization and is a discrimination in favor of his friends, the farmers.

Then along comes my friend on the other side [Mr. DOMINICK], and he is against the bill because of section 2, which corrects the defects that my friend from Massachusetts finds in section 1. Taking the two opponents of the bill, considering their two arguments carefully, I think any well-balanced man would conclude that these two arguments should convince anyone that he ought to vote for the whole bill.

I do not think the farmers of this country ask for class legislation, but the way the antitrust laws, so called, are being administered to-day amounts to the proposition that the farmer or the organizations of farmers that are attempting to promote their business by organizing are about the only people who are being bothered by that law. I remember, two or three years ago, when the agitation for this legislation started, the little dairy interests out in the great State of Ohio attempted to organize and collectively sell their products to a distributor, which was a legitimate and fair and right thing to do. It should have been permitted under any law; but they were attacked, and not by the great Department of Agriculture, even under the administration of Mr. BLANTON'S friend, Mr. Houston, but they were attacked by individuals and through the Department of Justice and arrested and placed in jail overnight, a lot of them, for attempting to sell their product under what is known as collective bargaining.

The farmers of this country, as I understand it, through their respective organizations have indorsed this measure. Section 1, because they want the privilege of cooperating and of collective bargaining, and section 2, because they are not asking for class legislation and are not asking for the privilege of cooperating to the extent of seeking to manipulate the market in any unfair way. They are not afraid that the Secretary of Agriculture would enforce or attempt to enforce section 2 to their detriment or in any unfair way in the manner the laws are being enforced against them to-day.

I wonder sometimes when I hear men who find some excuse for opposing every measure that comes on the floor of this House that is calculated to help the farmer; I wonder when I hear them proclaim their love and affection for the farmer if it is real. I have in mind the distinguished gentleman who is a great Congressman—and I believed him to be a great Congressman even before this mutual admiration society grew up between him and the distinguished statesman from Texas [Mr. BLANTON]; I knew that he was a great statesman before that—but I have in mind a case where at the last session, not this session, he was bitterly opposed to a tariff because that tariff he thought discriminated in favor of the actual producer of raw material. He comes from a section of the country that has been nursed by protection long before he was born. I am not for class legislation, but I agree with the gentleman from Nebraska that until agriculture can have a fair deal and until agriculture can prosper there are not great hopes for the opening of his mills. I do disagree with the gentleman, and our disagreement was expressed by him in his remarks this morning when he said that he did not consider agriculture as the only or principal productive industry of this Nation, and that is where the real difference comes in. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. WALSH. Mr. Speaker, I yield four minutes to the gentleman from Maryland [Mr. HILL].

Mr. HILL. Mr. Speaker and gentlemen of the House, this proposed bill to authorize association of producers of agricultural products does two things. It repeals line 5, section 6, of the Clayton Act and it also authorizes a type of price agreement which was found illegal under the Sherman Act in the case of the United States against the Standard Sanitary Enamel Co. and 48 other defendants, generally known as the Bathtub Trust case, which was decided in the circuit court of appeals in 1915. If you look at the first page of this bill you will see that it provides that these associations may be corporations with capital stock. That repeals the provision of the Clayton Act in section 6, which says:

> Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purposes of mutual help and not having capital stock—

And so forth.

So in voting for this bill you vote definitely to repeal the Sherman Act as modified by the act of October 15, 1914, which is known as the Clayton Act. In the second place, you definitely authorize the organization of farmers' corporations for price-fixing agreements. It has been said here that farmers could not organize to physically work together, but they can organize to fix prices, and this bill gives that permission. There is no more reason why you should authorize this in the case of farmers and exempt them from the Sherman and other trust acts than

you should in case of bathtub makers or tin-can makers. It is also in violation of the decision of the courts of the United States in the American Can Co. antitrust prosecution. Therefore I shall vote against this bill.

If this bill, however, is to be passed I think we should have a proper regard for usual and regular law enforcement procedure. The provision on page 3, line 14, is dangerous and improper in that it authorizes the Secretary of Agriculture to take the place of the Attorney General in instituting the prosecution of cases, and therefore should this bill come to a reading I shall offer an amendment conforming this bill to the usual procedure in the drug acts and the cattle inspection acts and to the normal procedure in ordinary criminal prosecutions by which the Attorney General, not the Secretary of Agriculture, shall institute any court proceedings.

Mr. VOLSTEAD. Mr. Speaker, I yield 15 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker and gentlemen of the House, under the Clayton Antitrust Act agricultural organizations may operate in interstate commerce so long as they operate without capital stock and do not earn dividends. These organizations want the right to have capital stock and they want the right to earn a dividend equal to about the average interest rate, and they want to be sure when they go into interstate commerce they will not have every district attorney in the country jumping on them. They are willing to yield to the public—that the Secretary of Agriculture, in the first instance, who is the agent of the whole public, if prices received are unreasonable, may issue an order against them to desist, and then if they do not desist the Secretary of Agriculture may go into the Federal court and procure an injunction. In other words, under that arrangement the Secretary of Agriculture is to stand as a buffer between these farmers' organizations and prosecutions in the Federal courts and is to stand between these organizations and the public and protect the public.

The hearings upon this bill were conducted when I was not a member of the Judiciary Committee, but I understand the bill is satisfactory to the agricultural organizations of the country, and is earnestly desired by them. It is my judgment that these organizations must be permitted to operate as is authorized by this bill, and that there should be an elastic, public control to protect both the public and the organizations themselves against the abuse of the power which it is necessary for them to have in order properly to function.

It is necessary to give to them the opportunity to operate without unnecessary handicap; to free them as far as possible from the danger of unnecessary harassing and fear of prosecution, but at the same time to preserve in the public the power to protect itself. The organizations recognize that the Secretary of Agriculture has been chosen as the public agency rather than some other agent of the Government, because the Secretary of Agriculture is assumed to be familiar with the difficulties and problems which are peculiar to agriculture.

Agriculture has peculiar problems. I believe that the failure to recognize that fact has been more responsible than anything else for the widespread distress among the agricultural interests. Agriculture has peculiar problems, but they are not problems which are exclusively of interest to agriculturists. They affect the most vital public interests.

When steam and electricity were applied to the activities of men, when the modern organizations for manufactory production and business developed, agriculture was not able to keep pace in that general business evolution. It was not able to organize the selling end of its business. In the modern sense it was not able to become a business. Yet it has to compete with business and share with business the responsibility of an interrelated unit in the organizations which make up our business and industrial life. It can not even write into its initial selling price the cost of production, much less that cost plus a profit. It has to trade with industry; it has to bid against industry for the service of every individual engaged in its vocation; but when it traded with industry, industry fixed the price of both commodities, and when it came to bid with industry for the labor of those engaged in its vocation, it bid against a business which can write its labor cost into its initial selling price, which agriculture can not do.

Partly due to inherent difficulties which are well understood, to the heavy draft made by industry upon those engaged in agriculture most capable of leadership, due in part to the general notion that agriculture is a sort of inexhaustible commissary, useful only to feed business, and due to the fact that this general attitude has reflected itself in a general financial and economic policy, fashioned to meet the needs of a people who think, legislatively and economically, in the terms of a city dominated commerce, we have come to an acute crisis with regard to the business of agriculture, and something must be done to relieve that condition.

This bill is intended to help agriculture reach that degree of business organization and development which will give to it greater economic strength, and give to it a vocational independence more nearly approaching that which is held by the businesses which are conducted in the cities; to enable agriculture to offer a bid of sufficient net profit as against the bid being offered by industry and other vocations to hold the required number of the total population in agricultural productivity to make sure of the food and clothing supply; to eliminate much of the economic and food waste in distribution, and to divide that economy and to reflect it in greater agricultural prosperity and in reduced cost to consumers.

The interest of agricultural producers is violated by the high speculative prices which consumers are often compelled to pay, and the interest of consumers is violated by the ruinous prices which producers are now receiving. It is to the interest of the producer that he shall have a stable price and a reasonable, constant profit. It is to the interest of the consumer, also; therefore it is better to have the control of producers extend nearer than now to consumers as against the control of prices by the speculator, who has no concern in the maintenance of stable prices but whose concern is only for his immediate profit.

Farmers must be paid as much net profit as other vocations bid. The movement of population from the country to the city will not end until that profit is paid. It is inevitable that consumers must ultimately pay that profit. The hazards of the business of agriculture must be insured against and paid for by consumers in the price paid for that which they buy. They must ultimately pay—they are paying now in large part for the food and economic waste incident to distribution. This bill is intended to eliminate much of the hazard of agriculture and to reduce the spread between what the farmer receives and what the consumer pays.

There is another viewpoint, an important one. That time has come when the economic structure of agriculture must be strengthened and agriculture must be freed from its present condition of economic servility and dependency and placed side by side with other industries and businesses of this country, which together make up our complex, interrelated, and interdependent economic and industrial structure. We must recognize that agriculture is not only the source from which we draw our food and clothing material, but in many sections of this country it is primarily the basic business. Its stability measures the stability of every dependent business, and its prosperity measures the prosperity of every dependent business. It is to every other business in those sections what the foundation is to the superstructure; it is to every other business in those sections what the root of the plant is to the plant; and at least, in a secondary sense, it is the basic business of the whole country. We often say that, but we do not reflect a conscious realization of the fact.

The instability of agricultural prices, the rapid and absurd fluctuations to which they are subjected, its economic weakness, imperils the stability of every business which rests upon agriculture as its basic business. That is a viewpoint of this matter and of this business which the country must get. Considered generally as one of the interrelated businesses, the economic weakness of agriculture, which business must be trusted to hold a part of the line of our economic defense, is a constant peril to every other unit that is helping to hold that line. We are having a demonstration of that fact now.

When the unusual pressure and strain incident to the present world conditions came against the line of our economic defense, that line gave way first at the point held by agriculture. That is largely why we have not been able to retire gradually and in good order to the old line of business stability which we formerly occupied. The fact that the line broke there demonstrates where the weakest point was and where we ought to strengthen.

When agriculture gave way under the pressure exercised upon our economic front, the line broke where agriculture held, and that which could have been a gradual, orderly retirement has developed into a rout, a rout not only of agriculture but of the business, manufacturing, and financial interests of the whole country, and has thrown us into a state of confusion and danger from which we have not been able to extricate ourselves. There is nothing remarkable about what has happened. It was inevitable that it would happen. There is no strength, no power, to resist in the economic structure of agriculture. Considered together, our businesses are like a great levee. Any weak spot is a menace to the whole back country. It breaks where

the weak spot is, and where it breaks shows where the weak spot was. It was perfectly apparent before this condition came that we would break at that point held by agriculture the first great strain that came. That is why your mills are closed down in New England.

This bill is intended merely as one and only one of a constructive program with reference to agriculture which must find legislative sanction before economic stability is established for agriculture and economic safety is established for a country so dependent upon agriculture as ours is. The fact is, our entire agricultural program should be built around a proper system of sale and distribution of agricultural products, with a properly adjusted credit system.

Agricultural production now has sale as its objective, or, rather, net profit as its objective. How long will it take us to learn that fact? There is where the nerve center is now located. There is the only place under modern conditions where the stimulant for production can be applied with effect. A proper system for the sale and distribution of agricultural commodities, of course, includes a proper system of credits—not a system of credits which is suitable to businesses which have a constant turnover, but a system of credits which is suitable to a business which has only seasonable and annual ready-for-market periods.

I hope we have a Secretary of Agriculture now who has some real sense, and who will cut out many of the things now being done which can be done by the farmers for themselves, and that he will help to bring this Government to the doing through his department of that which is a proper governmental functioning—that thing which is required by the public interest, that thing which can not be done by farmers unaided for a long time, and never unless they form an organization so strong and comprehensive that its power will be a menace both to the public and to themselves. A proper marketing system, a proper financial system, necessary economic strength, and business independence, that is what is required. This bill helps toward that consummation of the former and helps to lay the foundation upon which we can build the latter.

Mr. HUDSPETH. Will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. HUDSPETH. I just want to ask you what was the difference between the House and the Senate on this bill? Was it section 2 at that time?

Mr. SUMNERS of Texas. The Senate conferees insisted upon an amendment far more drastic than section 2, and one which the agricultural organizations, so I understand, regarded as less favorable than the present Clayton Act.

Mr. FESS. Will the gentleman yield for one question?

Mr. SUMNERS of Texas. Yes.

Mr. FESS. There has been some misunderstanding as to the force of this bill. It was stated at the last session during the consideration of the other bill that a cooperative dairy could not run without being subject to prosecution under the Clayton Act.

Mr. SUMNERS of Texas. That is understood to be the fact, if it has capital stock and operates in interstate commerce.

Mr. FESS. Now, on the other hand, if there was a group of cooperative associations joining in a combination, this bill would not permit that, would it?

Mr. SUMNERS of Texas. This bill is intended to permit farmers to organize and have central selling agencies through which they may operate. I want to say to my friends on this side who are fighting this bill that if you destroy this bill, if the representatives of these agricultural organizations know what they are talking about, you are going to put them up against prosecutions from district attorneys all over this country. Under this bill it is proposed that the Secretary of Agriculture, representing all the people in this country, presumed to be familiar with the problems of agriculture, will be able to cooperate with these agricultural associations, helping them to build a greater strength for themselves; at the same time, when they put the prices up too high, instead of jumping on them and putting their members in jail, in the first instance, he will say to them, "The prices are too high; you have got to back up." And if they do not do so, he will then bring suit in the district court, where the farmers will have the same right to defend as they would have in the event of prosecutions brought in the first place. The judgment, if gotten, will be one of injunction, and not for crime. This may not work, but the farmers want to try it, and the committee has not been able to devise anything better which would have a chance to pass the Senate, and it is doubtful if we can get this by.

Mr. SANDERS of Indiana. How would he know how much to tell them to back up?

Mr. SUMNERS of Texas. It would depend on how much sense he has.

Mr. SANDERS of Indiana. Suppose he had all the wisdom of Solomon?

Mr. SUMNERS of Texas. Then he would not have any trouble.

Mr. WILSON. Do I understand the gentleman to say that organizations of farmers are about to be prosecuted now?

Mr. SUMNERS of Texas. Yes. That is why they are here asking for this bill. These men who represent agricultural organizations, your cotton farmers and your truck farmers, who are trying to bring themselves to a position where they can exercise some control on the prices of their commodities, stand now face to face with the possibilities of prosecution. We are trying to form these organizations in the South and bring our people from under the curse of industrial slavery. They need the right to have capital stock. They are not permitted now to have a single organization with a dollar of capital stock or to earn the interest dividend on capital stock if they opefate interstate.

Mr. WILSON. These organizations wish to have capital stock?

Mr. SUMNERS of Texas. They ask Congress to give them the chance to operate with capital stock, and they want the privilege of organizing these corporations, earning enough money to pay an 8 per cent dividend on their capital stock.

Mr. WILSON. Is it the purpose of this bill to enable them to go ahead with their organization?

Mr. SUMNERS of Texas. Yes. There is not a single agricultural organization now, such as are being formed, to sell our cotton that can safely operate in interstate commerce that has a dollar of capital stock. Not only is that true, but it is a question as to what is meant by the language "without profit" in the Clayton Act.

Every farmer in this country that is trying to do that which is necessary to give him some sort of economic protection in this country stands face to face with the possibliity of going to the penitentiary.

They want their rights to be made clear. They want to go unafraid to the discharge of a duty that they owe to themselves, to their families, and to the country, and Congress has no right to leave a statute in such a shape as that an honest man may not know whether he may go to the penitentiary or not. If there is anything wrong about this bill, let us get at it and cure it. But as it is now the gentlemen who object to putting the Secretary of Agriculture in this position between the farmers and prosecution leave their constituents subject to prosecution by every district attorney in the United States.

Mr. REAVIS. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. REAVIS. Does not section 2 put a disability upon the farmer that is not put upon any other man, in that it allows the Secretary of Agriculture to tell him how much profit he may make, while nobody else is told how much he can make?

Mr. SUMNERS of Texas. Yes. But farmers do get important concessions, and it is an attempt to get something through the Senate, and the farmers are willing to do this. The farmers say they do not want an unfair profit. The farmers want a stable price and a fair profit. They do not want to hold up the American people. They say, "We are willing to stand up before the American people and defend any price that we ask the American people to pay." [Applause.] That is their position.

Mr. LANKFORD. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. LANKFORD. Do you favor section 2 in order to get the bill through?

Mr. SUMNERS of Texas. I favor it because it is necessary to get it through, and there must be some sort of public control. The farmers themselves recognize that. We must not deny the people the necessary power to do the necessary things for fear they may abuse it. The thing to do is to give them the power, and then give the public a chance, too; and that is what this bill does. This is not a perfect bill. It is the best we can do. The agricultural situation is desperate, and we ought to do the best we can do and do it now. It is a choice between giving the Secretary of Agriculture, the Department of Commerce, or the Department of Justice original supervision. The farmers prefer the Secretary of Agriculture, and I see no reason why the public should object to his designation. [Applause.]

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts. By my count that leaves me six minutes.

Mr. WALSH. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. HUSTED].

The SPEAKER. The gentleman from New York is recognized for five minutes.

Mr. HUSTED. Mr. Speaker, we all realize that agriculture is in a bad state. We also realize that it is more difficult for the farmer to organize than it is for the merchant and the manufacturer.

The purpose of this bill is to enable the farmers to organize in associations maintaining selling agencies and doing anything else that is necessary to enable them to increase the prices of their products.

I attended the hearings before the Committee on the Judiciary in the last Congress. The farmers' representatives were very frank in admitting that that was what they wanted, and that was what they expected the effect of the legislation would be.

I have a great deal of sympathy with the desire of the farmers to organize and better their condition, but we might as well understand what we are proposing to do. I believe that just about the worst kind of legislation we can enact here is that legislation which excepts special interests from the operation of general statutes, which discriminates in favor of one of several classes of interests. If the general statutes are bad, let us repeal the statutes and enact new ones that are proper.

The desire for this legislation is not so much an argument in its favor as it is an indictment of the provisions of the Sherman and other antitrust acts. I am one of those who believe that those acts should be repealed, and that other proper legislation of control should be enacted to take their place.

During the World War we suspended suits for violation of the antitrust act, and when the war was over we authorized the continuance of the prosecutions. It was a parody on the administration of justice. And why were those suits suspended? Those suits were suspended because during the war we wanted production, and we knew that the enforcement of the antitrust act would stifle production. To the extent that any legislation stifles production it is opposed to the general prosperity of the country.

"Oh, the antitrust acts operate very unequally," it has been said. "They operate against the farmer." And they do, because the farmer is not in as good a position to organize in large corporations as the manufacturer or the merchant. The farms are scattered all over the country. Those interests can not be assembled in organizations as manufacturing interests can. But even among the manufacturers there is discrimination, because men with large capital can form a great big corporation and accomplish anything they want under it, whereas under the provisions of the antitrust act a few small interests can not combine and obtain the same advantages.

But even though these things are true, that does not justify legislation which exempts certain interests from the operation of general laws. Let us change the general laws and perfect them. And especially at this time is it unwise to make this exemption to enable the farming interests to enhance the price of agricultural products, to increase the cost of living, when there are at least a million men out of employment, to whom that increase would be a vital thing. If we are going to do it let us do it at a better time than this. Do not select as the time for passing legislation of this kind a time when the mills in the East are either idle or running upon part time, when men are out of employment, and when it should be our constant care to keep the cost of living down just as low as we can possibly do it.

The SPEAKER. The time of the gentleman from New York has expired. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. I yield to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker, this bill exempts farmers' cooperative marketing associations from the provisions of the Sherman antitrust law and the Clayton Antitrust Act.

It provides, in substance, that persons engaged in the production of agricultural products, as farmers, planters, ranchmen, dairymen, and nut and fruit growers, may act together in associations, corporate or otherwise, with or without capital stock, in collective processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of persons so engaged; that they may maintain marketing agencies in common and such associations as may be necessary to make contracts and agreements for their mutual benefit.

They are, however, subject to the following conditions and requirements:

First. That no member of the association is allowed more than one vote because of the amount of stock or membership capital he may own therein.

Second. That the association can not pay dividends on stock or membership capital in excess of 8 per cent per annum.

There is also a provision that if the Secretary of Agriculture shall find that any such association monopolizes or restrains trade to such an extent that the price of any agricultural product is unduly enhanced by reason thereof, that he shall serve notice upon such association directing them to cease and desist therefrom. If the association neglects after 30 days the Secretary may appeal to the Department of Justice, who may issue a writ of injunction forbidding such association from violating the order of the Secretary of Agriculture.

To understand fully the provisions of this bill it is well to remember the present antitrust laws.

The chief provisions of the Sherman antitrust law are as follows:

(1) Every contract, combination, in form of trust or otherwise, or conspiracy, in the restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor.

(2) Every person who shall monopolize or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor.

The principal provisions of the Clayton Antitrust Act are as follows:

Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations instituted for the purpose of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade under the antitrust laws.

It will be noted that existing law does not allow farmers' organizations to have or issue capital stock or conduct their organizations for profit.

It is very apparent that farm organizations formed under existing law are useless, powerless, and impotent to carry out the purposes of their organizations, unless they can issue stock and conduct their business for a profit. This bill permits these organizations to issue capital stock, but each member can have only one vote, and the profits of the organization are limited to 8 per cent per annum, which per cent is deemed sufficient to pay the expenses of the organization.

The value of such farm organizations to the producers of agricultural products is beyond estimate. By such organizations the farmers of this country can work and think together. It creates a civic force in large farming communities which protects the farmers, both for the present and for the future. They can thereby operate together in buying seed, fertilizer, farm machinery, and everything needed for the conduct of the farm.

They can work and act together in marketing their products, both in the local and in all markets of the world. The small farmer is assisted in his efforts to hold or market his crops. It does away with the middleman, the speculator, and the importer; in brief, it enables the producers to act together for their mutual interests in the planting, care, and marketing of agricultural products.

Prof. Gabriel, of Yale, in a very able article in the May number of the North American Review, suggests some of the benefits that will arise to the farmers of this Nation from such organizations as is contemplated in this bill. He says:

The men of the soil have taken their cue from modern commercial and industrial enterprise. Cooperation and, at times, combination have modified certain forms of competition. There are many agrarian leaders who look forward to a day not far distant when farmers' cooperative organizations of nation-wide scope will bring about fundamental modifications in our distributive system for food products and when the middleman will be reduced to a factor of minor importance and the middleman's profit divided between the producer and the consumer.

So important have these cooperatives become that the Nation has taken cognizance of them. Their defense against the operation of the Sherman antitrust law is one of the most important political problems of the farmer. The penalty for failure in this is serious. The farmer manages his enterprise on a small margin of profit in spite of the fact that it is an occupation subject to the hazards of the weather as well as those of the law of supply and demand. The smallness of this profit plus the character of rural living conditions has caused a considerable movement from the farms to the cities. This has operated against American agriculture more than the mere numbers would imply, because, in general, it has been the more able men who have left the farmer group to live in the cities and to try their fortune in enterprises offering greater margins of profit. The farmers' cooperative movement has for its object the making of farming more profitable. If the National Government breaks up the farmers' cooperatives, it destroys the most important single economic factor tending to hold the abler younger men on the farms. Such action would menace the food supply of the Nation, which now must be increased by better and more intelligent farming instead of by an increase in the farming area.

Our farmers to-day face most serious problems, questions which affect the vital prosperity of this country. The crops of 1920 were raised and produced at a loss to the farmers estimated at $5,000,000,000. This has been brought about by certain conditions which Congress can so change by legislation that they

will not occur in the future. Our farmers to-day stand naked in the presence of their enemies.

The first enemy of the farmer is the importer. Agricultural products of other nations have in the last two years been dumped into this country free of duty, and the result has been that these importations have been sufficient to supply the American market even if our farmers had produced nothing. In other words, by reason of cheap foreign labor and the difference in the value of our currency in contrast with other lands, the foreigner through the importer has been able to market his agricultural products in America at a profit, while our farmers have not been able to sell their products except at a loss. Potatoes are rotting in my State. Wheat can not be sold in the great West. Corn is being used for fuel. American sheep and wool have no market. Cotton planters can not compete with Asia. All the products of our farmers, planters, dairymen, and ranchmen are being sold at a loss, while all the benefits of the American market go to the foreign nations. This must all be changed by a permanent and a high tariff that will give the necessary protection to the American farmer.

The second enemy of our farmers is high freight rates, which must be lowered to save the home market for the farmers of the United States.

The producers of agricultural products have their troubles in obtaining farm help. The boys have left the farm. The farmers' sons who went to the late war have returned to the cities, attracted by the "Great White Way," and have lost their interest in the farm. One-half of the inhabitants of this country are living in the cities, where the problem of housing has become acute, and the further problem of how to obtain employment has become a menace in our land.

Labor from the cities must go back to the farm before we can have prosperity, and it will never go back unless the farmer is so protected in his rights and so allowed to organize and cooperate that the farm may become productive and profitable, as well as attractive to those engaged in agricultural pursuits.

The farmer is not and never has been a profiteer. He knows no 8-hour day. He is not asking for daylight saving. He has always been at the mercy of the middleman, the speculator, the importer, and the free trader. This must all be changed before the country can have its old-time prosperity, and the way to change it is to allow the farmer more freedom, more relief from burdensome laws, with the right to organize, to market his own products without the aid of the middleman, to have his representative in the markets of the world, to deal directly with the consumer, to have such rates of transportation that he may quickly and cheaply reach the consumer with his products, receiving thereby a profit without increasing the cost to the consumer. This can only be brought about by the Congress of the United States doing full justice to the farmer by protecting him against the importer and creating a home market.

The only objection against this bill comes from those who live in the large cities and who represent the importer and stand for free trade and who believe that legislation which allows the farmer a better price for his products or a profit from the farm will thereby increase the cost to the consumer. This is the veriest nonsense. To deprive the farmer of profit and force him to grow only what is needed for his own use would throw open the markets of America to the foreign importer and the consumer will then be at his mercy. He will fix the price and at such a figure as would destroy and ruin the farms of this Nation.

The further objection that this exemption of the farmer is unconstitutional, that it is class legislation, is hardly worthy of passing attention. All the courts have held that in the making of criminal statutes Congress has the power to make exemptions of persons or organizations engaged in certain industries or occupations.

In the case of the farmer it is impossible for him through these farm organizations and under this bill to create a trust or monopoly such as is contemplated by antitrust laws. He could not, if he would, so defy the law.

Too long have the farmers of America been neglected by national legislation. He has hitherto submitted to all kinds of restrictions and regulations.

His interests have been neglected in nearly every bit of legislation. The consumer has been the only one in the thoughts of the legislators. What the consumer will say, what he desires, how he will vote, have been sufficient to obtain for him legislation at the expense of the farmer. From this hour all this must be changed. The producer must stand on an equal footing with the consumer, and both must have the equal protection of our laws.

Last year the two great political parties of our Nation met in national conventions, and having in view the vote of the farmer, each wishing to obtain it, made certain pledges which it is well for us now to recall, and I now call your attention to these campaign pledges.

The Republican Party, which has the majority in this Congress, in their convention said in their platform:

> The Republican Party believes that this condition can be improved by practical and adequate farm representation in the appointment of Government officials and commissions, the right to form cooperative associations for marketing their products, and protection against discrimination.

One week later the Democratic Party met in national convention and said:

> We favor such legislation as will confirm to the primary producers of the Nation the right of collective bargaining and the right of cooperative handling and marketing of the products of the workshop and the farm and such legislation as will facilitate the exportation of our farm products.

Standing by one or the other of these party platforms, Members who compose this House of Representatives have been elected, and the question to-day is, Shall Congress keep faith with the farmers? We can only do so by voting for the passage of this bill. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I want to occupy the few minutes remaining in saying something in reference to section 2.

Mr. STEVENSON. Will the gentleman yield for a question before he starts?

Mr. VOLSTEAD. No; I can not yield, for I have only five minutes.

Section 2 has the entire approval of the farm organizations. It has been submitted to the attorneys for these organizations, and they have expressed not only an entire willingness that it go into the bill, but they have expressed their desire that it remain in the bill. I want this House to understand that whoever votes to strike out section 2 will vote against what the farmers want; and it is perfectly evident to any lawyer that it is an advantage to the farmers to have section 2 in the bill, not only for the reason expressed by the gentleman from Texas [Mr. SUMNERS] a minute ago, but because in the event that there is a complaint against them they will not be subject to criminal prosecution if their organization is permitted by this bill, but an investigation will be had before the Secretary of Agriculture, who is given power to deal with the matter. Corporations are very seldom indicted but proceeded against in a civil action substantially the same as we authorize against these associations. I have consulted with representatives of the various farm organizations, and the question has been carefully discussed by them and their lawyers, and there is no question but that a man who votes against section 2 votes against what the farmers of this country want. I believe section 2 ought to stay in this bill, not only because they want it, but because without that section the bill would be unfair to the public, and we ought not to pass anything that would be unfair to the public. With that provision in the bill, it seems to me it will give to these organizations a status of equality with other business concerns, and that is all the farmers ask. They will take care of themselves if you will give them that.

Mr. Speaker, I move the previous question on the bill.

Mr. SUMNERS of Texas. Will the gentleman withhold that motion just a moment?

Mr. VOLSTEAD. Yes.

Mr. SUMNERS of Texas. I want to ask the gentleman from Minnesota if he thinks that without section 2 this bill has any chance to pass the Senate?

Mr. VOLSTEAD. I do not think so, and I do not think it ought to.

Mr. DOMINICK. Will the gentleman withhold his motion for a moment to allow me to offer my amendment?

Mr. VOLSTEAD. I will not. I move the previous question on the bill.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. Have the two hours been used?

The SPEAKER. They have.

Mr. WINGO. The gentleman does not intend to permit any amendments?

Mr. VOLSTEAD. No; I do not intend to.

Mr. WINGO. Or even consideration of them?

Mr. VOLSTEAD. I desire a vote on the bill in its present form.

Mr. HILL. I should like to offer a verbal amendment if it is in order.

The SPEAKER. It will be in order if the previous question is voted down; but if the House orders the previous question, then no amendment is in order. The question is on ordering the previous question.

The question being taken (on a division demanded by Mr. BLANTON and others) there were—ayes 95, noes 64.

Accordingly the previous question was ordered.

The SPEAKER. The question is on the committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 1, line 4, after the word "dairymen," insert the word "nut."

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. DOMINICK. Mr. Speaker, I have a motion to recommit.

The SPEAKER. The gentleman will be recognized for that purpose after the bill is ordered to be engrossed and read a third time. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DOMINICK. Mr. Speaker, I have a motion to recommit.

The SPEAKER. The gentleman from South Carolina offers a motion to recommit, which will be reported by the Clerk.

The Clerk read as follows:

Mr. DOMINICK moves to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment: On page 2, line 11, strike out all of section 2.

Mr. VOLSTEAD. I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from South Carolina [Mr. DOMINICK] to recommit the bill.

The question being taken, the Speaker announced that the noes appeared to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of no quorum present, for the purpose of securing a roll call.

The SPEAKER. The gentleman from Tennessee makes the point of no quorum present. The Chair thinks there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members. As many as are in favor of the motion to recommit will, as their names are called, vote "yea," those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 97, nays 231, not voting 101, as follows:

YEAS—97.

Almon	Davis, Tenn.	Kindred	Rainey, Ala.
Aswell	Deal	King	Rankin
Bacharach	Dominick	Kunz	Rayburn
Bankhead	Drane	Lanham	Rogers
Bell	Driver	Lankford	Rouse
Black	Dupré	Larsen, Ga.	Sanders, Ind.
Bland, Va.	Fisher	Lee, Ga.	Sandlin
Blanton	Fulmer	London	Sears
Bowling	Garner	Lowrey	Smithwick
Box	Garrett, Tenn.	Mansfield	Steagall
Brand	Garrett, Tex.	Martin	Stedman
Briggs	Glynn	Mead	Stevenson
Brinson	Goldsborough	Merritt	Swank
Buchanan	Hammer	Montague	Ten Eyck
Bulwinkle	Hardy, Tex.	Moore, Va.	Tinkham
Byrnes, S. C.	Harrison	Moores, Ind.	Upshaw
Byrns, Tenn.	Hawes	Nelson, J. M.	Vinson
Cannon	Hudspeth	O'Brien	Walters
Carew	Humphreys	O'Connor	Weaver
Carter	Ireland	Overstreet	Wilson
Collier	Johnson, Ky.	Parker, N. J.	Wingo
Collins	Johnson, Miss.	Parks, Ark.	Wright
Connally, Tex.	Jones, Tex.	Parrish	
Crisp	Keller	Pou	
Cullen	Kincheloe	Quin	

NAYS—231.

Ackerman	Chalmers	Elliott	Graham, Pa.
Andrews	Chindblom	Ellis	Green, Iowa
Arentz	Christopherson	Elston	Greene, Mass.
Atkeson	Clague	Evans	Griest
Barbour	Classon	Fairfield	Griffin
Barkley	Clouse	Faust	Hardy, Colo.
Beck	Colton	Favrot	Haugen
Beedy	Connell	Fenn	Hays
Benham	Connolly, Pa.	Fess	Herrick
Bixler	Cooper, Ohio	Fish	Hersey
Boies	Cooper, Wis.	Fitzgerald	Hickey
Bowers	Coughlin	Focht	Hill
Brennan	Crowther	Foster	Himes
Brooks, Ill.	Curry	Free	Hoch
Brooks, Pa.	Dallinger	Freeman	Huddleston
Brown, Tenn.	Darrow	French	Hull
Burdick	Davis, Minn.	Frothingham	Husted
Burroughs	Dickinson	Funk	Hutchinson
Burtness	Dowell	Gensman	James, Mich.
Burton	Drewry	Gernerd	Jefferis
Butler	Dyer	Goodykoontz	Johnson, S. Dak.
Cable	Echols	Gorman	Johnson, Wash.
Campbell, Kans.	Edmonds	Graham, Ill.	Jones, Pa.
Kearns	McPherson	Radcliffe	Sumners, Tex.
Kelley, Mich.	MacGregor	Raker	Sweet
Kelly, Pa.	Magee	Ransley	Swing
Kendall	Maloney	Reavis	Taylor, N. J.
Ketcham	Mapes	Reece	Temple
Kinkaid	Mason	Rhodes	Thompson
Kirkpatrick	Michaelson	Ricketts	Tillman
Kleczka	Michener	Riddick	Tilson
Kline, N. Y.	Miller	Riordan	Timberlake
Kline, Pa.	Mills	Roach	Tincher
Knight	Millspaugh	Robertson	Towner
Knutson	Montoya	Robsion	Treadway
Kopp	Moore, Ill.	Rodenberg	Tyson
Kraus	Moore, Ohio	Rose	Underhill
Lawrence	Morgan	Rosenbloom	Vaile
Layton	Mott	Rossdale	Vestal
Lazaro	Mudd	Ryan	Voigt
Lea, Calif.	Murphy	Sabath	Volk
Leatherwood	Nelson, A. P.	Sanders, N. Y.	Volstead
Lehlbach	Nolan	Sanders, Tex.	Walsh
Lineberger	Norton	Schall	Ward, N. C.
Linthicum	Ogden	Scott, Mich.	Wason
Little	Oldfield	Scott, Tenn.	Webster
Logan	Olpp	Shelton	Wheeler
Luce	Osborne	Shreve	White, Kans.
Lufkin	Paige	Siegel	White, Me.
Luhring	Parker, N. Y.	Sinnott	Williams
McArthur	Patterson, Mo.	Smith	Williamson
McClintic	Perkins	Speaks	Woodruff
McCormick	Perlman	Sproul	Woodyard
McFadden	Peters	Stafford	Wurzbach
McKenzie	Petersen	Steenerson	Wyant
McLaughlin, Mich.	Porter	Stephens	Yates
McLaughlin, Nebr.	Pringey	Strong, Kans.	Zihlman
McLaughlin, Pa.	Purnell	Summers, Wash.	

NOT VOTING—101.

Anderson	Doughton	Kiess	Rucker
Ansorge	Dunbar	Kissel	Shaw
Anthony	Dunn	Kitchin	Sinclair
Appleby	Fairchild	Kreider	Sisson
Begg	Fields	Lampert	Slemp
Bird	Flood	Langley	Snell
Blakeney	Fordney	Larson, Minn.	Snyder
Bland, Ind.	Frear	Lee, N. Y.	Stiness
Bond	Fuller	Longworth	Stoll
Britten	Gahn	Lyon	Strong, Pa.
Browne, Wis.	Gallivan	McDuffie	Sullivan
Burke	Gilbert	McSwain	Tague
Campbell, Pa.	Good	Madden	Taylor, Colo.
Cantrill	Gould	Mann	Taylor, Tenn.
Chandler, N. Y.	Greene, Vt.	Mondell	Thomas
Chandler, Okla.	Hadley	Morin	Vare
Clark, Fla.	Hawley	Newton, Minn.	Ward, N. Y.
Clarke, N. Y.	Hayden	Newton, Mo.	Watson
Cockran	Hicks	Oliver	Winslow
Codd	Hogan	Padgett	Wise
Cole	Houghton	Park, Ga.	Wood, Ind.
Copley	Hukriede	Patterson, N. J.	Woods, Va.
Cramton	Jacoway	Ramseyer	Young
Dale	James, Va.	Reber	
Dempsey	Kahn	Reed, N. Y.	
Denison	Kennedy	Reed, W. Va.	

So the motion to recommit was rejected.

The following pairs were announced:

Until further notice:

Mr. WINSLOW with Mr. CANTRILL.

Mr. MANN with Mr. KITCHIN.

Mr. LAMPERT with Mr. SISSON.

Mr. CLARKE of New York with Mr. LYON.

Mr. REBER with Mr. SULLIVAN.

Mr. HUKRIEDE with Mr. RUCKER.

Mr. BROWNE of Wisconsin with Mr. PADGETT.

Mr. KENDALL with Mr. JACOWAY.

Mr. BURKE with Mr. COCKRAN.

Mr. LANGLEY with Mr. CLARK of Florida.

Mr. MORIN with Mr. MCSWAIN.

Mr. BLAKENEY with Mr. GILBERT.

Mr. BEGG with Mr. WOODS of Virginia.

Mr. DUNN with Mr. TAGUE.

Mr. ANTHONY with Mr. FLOOD.

Mr. BLAND of Indiana with Mr. DOUGHTON.

Mr. CRAMTON with Mr. PARK of Georgia.

Mr. DENISON with Mr. TAYLOR of Colorado.

Mr. FORDNEY with Mr. HAYDEN.

Mr. FREAR with Mr. WISE.

Mr. GOOD with Mr. FIELDS.

Mr. KIESS with Mr. OLIVER.

Mr. KISSEL with Mr. MCDUFFIE.

Mr. LONGWORTH with Mr. GALLIVAN.

Mr. MONDELL with Mr. STOLL.

Mr. NEWTON of Missouri with Mr. JAMES of Virginia.

Mr. VARE with Mr. CAMPBELL of Pennsylvania.

Mr. CHANDLER of Oklahoma with Mr. THOMAS.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

Mr. GARRETT of Tennessee. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 295, nays 49, answered "present" 1, not voting 84, as follows:

YEAS—295.

Ackerman	Elston	Lazaro	Ricketts
Almon	Evans	Lea, Calif.	Riddick
Andrews	Fairfield	Leatherwood	Roach
Anthony	Faust	Lee, Ga.	Robertson
Arentz	Favrot	Lineberger	Robsion
Aswell	Fenn	Linthicum	Rose
Atkeson	Fess	Little	Rosenbloom
Bankhead	Fish	Logan	Rossdale
Barbour	Fisher	London	Rouse
Barkley	Fitzgerald	Longworth	Ryan
Beck	Focht	Lowrey	Sanders, Tex.
Beedy	Foster	Luce	Sandlin
Bell	Frear	Luhring	Schall
Benham	Freeman	McArthur	Scott, Mich.
Bixler	French	McClintic	Scott, Tenn.
Black	Fulmer	McCormick	Sears
Bland, Ind.	Funk	McFadden	Shaw
Bland, Va.	Garrett, Tex.	McKenzie	Shelton
Blanton	Gensman	McLaughlin, Mich.	Shreve
Boies	Gernerd	McLaughlin, Nebr.	Sinclair
Bowers	Goldsborough	McLaughlin, Pa.	Sinnott
Bowling	Goodykoontz	McPherson	Slemp
Box	Graham, Ill.	MacGregor	Smith
Brand	Green, Iowa	Magee	Smithwick
Brennan	Greene, Mass.	Maloney	Snell
Briggs	Greene, Vt.	Mansfield	Speaks
Brinson	Griest	Mapes	Sproul
Brooks, Ill.	Hadley	Martin	Steagall
Brooks, Pa.	Hammer	Mason	Stedman
Brown, Tenn.	Hardy, Colo.	Mead	Steenerson
Buchanan	Harrison	Michener	Stephens
Bulwinkle	Haugen	Miller	Stevenson
Burdick	Hawes	Millspaugh	Strong, Kans.
Burroughs	Hawley	Mondell	Summers, Wash.
Burtness	Hays	Montague	Sumners, Tex.
Burton	Herrick	Montoya	Swank
Butler	Hersey	Moore, Ill.	Sweet
Byrns, Tenn.	Hickey	Moore, Ohio	Swing
Cable	Himes	Moore, Va.	Taylor, Colo.
Campbell, Kans.	Hoch	Morgan	Temple
Campbell, Pa.	Houghton	Mott	Ten Eyck
Cannon	Huddleston	Mudd	Thompson
Cantrill	Hudspeth	Murphy	Tillman
Carter	Hull	Nelson, A. P.	Timberlake
Chalmers	Hutchinson	Nelson, J. M.	Tincher
Chindblom	Ireland	Nolan	Towner
Christopherson	James, Mich.	O'Brien	Treadway
Clague	Jefferis	Oldfield	Tyson
Classon	Johnson, Ky.	Olpp	Upshaw
Clouse	Johnson, S. Dak.	Osborne	Vestal
Collins	Johnson, Wash.	Overstreet	Vinson
Colton	Jones, Tex.	Paige	Voigt
Connell	Kearns	Park, Ga.	Volstead
Connolly, Pa.	Kelley, Mich.	Parker, N. Y.	Ward, N. C.
Cooper, Ohio	Kelly, Pa.	Parks, Ark.	Wason
Cooper, Wis.	Kendall	Parrish	Watson
Coughlin	Ketcham	Patterson, Mo.	Weaver
Crisp	Kincheloe	Perkins	Webster
Crowther	King	Peters	Wheeler
Curry	Kinkaid	Petersen	White, Kans.
Dallinger	Kirkpatrick	Porter	White, Me.
Darrow	Kleczka	Pou	Williams
Davis, Minn.	Kline, N. Y.	Pringey	Williamson
Davis, Tenn.	Kline, Pa.	Purnell	Wilson
Deal	Knight	Quin	Wingo
Dickinson	Knutson	Radcliffe	Woodruff
Dowell	Kopp	Rainey, Ala.	Woodyard
Drane	Kraus	Raker	Wright
Drewry	Lanham	Ramseyer	Wurzbach
Driver	Lankford	Rankin	Wyant
Dunbar	Larsen, Ga.	Ransley	Yates
Dupré	Larson, Minn.	Reavis	Young
Dyer	Lawrence	Reece	Zihlman
Elliott	Layton	Rhodes	

NAYS—49.

Bacharach	Gorman	Lufkin	Stafford
Bond	Graham, Pa.	Merritt	Taylor, N. J.
Byrnes, S. C.	Hardy, Tex.	Michaelson	Tinkham
Carew	Hill	Mills	Underhill
Collier	Humphreys	Moores, Ind.	Valle
Connally, Tex.	Husted	Norton	Volk
Cullen	Johnson, Miss.	Parker, N. J.	Walsh
Dominick	Jones, Pa.	Perlman	Walters
Edmonds	Keller	Riordan	Winslow
Frothingham	Kindred	Rogers	Wood, Ind.
Garner	Kissel	Sabath	
Garrett, Tenn.	Kunz	Sanders, Ind.	
Glynn	Lehlbach	Siegel	

ANSWERED "PRESENT"—1.

Echols

NOT VOTING—84.

Anderson	Copley	Gilbert	Langley
Ansorge	Cramton	Good	Lee, N. Y.
Appleby	Dale	Gould	Lyon
Begg	Dempsey	Griffin	McDuffie
Bird	Denison	Hayden	McSwain
Blakeney	Doughton	Hicks	Madden
Britten	Dunn	Hogan	Mann
Browne, Wis.	Ellis	Hukriede	Morin
Burke	Fairchild	Jacoway	Newton, Minn.
Chandler, N. Y.	Fields	James, Va.	Newton, Mo.
Chandler, Okla.	Flood	Kahn	O'Connor
Clark, Fla.	Fordney	Kennedy	Ogden
Clarke, N. Y.	Free	Kiess	Oliver
Cockran	Fuller	Kitchin	Padgett
Codd	Gahn	Kreider	Patterson, N. J.
Cole	Gallivan	Lampert	Rayburn
Reber	Sanders, N. Y.	Strong, Pa.	Tilson
Reed, N. Y.	Sisson	Sullivan	Vare
Reed, W. Va.	Snyder	Tague	Ward, N. Y.
Rodenberg	Stiness	Taylor, Tenn.	Wise
Rucker	Stoll	Thomas	Woods, Va.

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. RAYBURN (for) with Mr. SULLIVAN (against).

Mr. FREE (for) with Mr. COCKRAN (against).

Until further notice:

Mr. CHANDLER of Oklahoma with Mr. THOMAS.

Mr. APPLEBY with Mr. DOUGHTON.

Mr. HICKS with Mr. MCDUFFIE.

Mr. KAHN with Mr. FLOOD.

Mr. MADDEN with Mr. GALLIVAN.

Mr. PATTERSON of New Jersey with Mr. GRIFFIN.

Mr. REBER with Mr. O'CONNOR.

Mr. REED of West Virginia with Mr. STOLL.

Mr. TILSON with Mr. WISE.

Mr. KREIDER with Mr. JACOWAY.

The result of the vote was announced as above recorded.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

BOUNDARY LINE BETWEEN PENNSYLVANIA AND DELAWARE.

The SPEAKER. Has the Committee on the Judiciary any further business?

Mr. VOLSTEAD. Yes. Mr. Speaker, I call up House joint resolution 82.

The SPEAKER. The gentleman from Minnesota, on behalf of the Committee on the Judiciary, calls up House joint resolution 82, which the Clerk will report.

The Clerk read as follows:

House joint resolution (H. J. Res. 82) ratifying the reestablishment of the boundary line between the States of Pennsylvania and Delaware.

Resolved, etc., That the Congress hereby consents to the reestablishment of the boundary line between the States of Pennsylvania and Delaware, as heretofore agreed upon by said States, and as reestablished and confirmed, fixed, and determined according to the terms of an act of the General Assembly of the Commonwealth of Pennsylvania entitled "An act providing for the acceptance, approval, and confirmation of the report of the commission appointed in pursuance of the act approved the 4th day of May, anno Domini 1889, authorizing the examination, survey, and reestablishment of the circle of New Castle as the boundary line between Pennsylvania and Delaware," approved June 22, 1897, and an act of the General Assembly of the State of Delaware entitled "An act providing for the acceptance, approval, and confirmation of the report of the commission appointed in pursuance of the act of the General Assembly of the State of Delaware, approved the 25th day of April, anno Domini 1889, authorizing the examination, survey, and reestablishment of the circle of New Castle as the boundary line between Pennsylvania and Delaware," approved March 28, 1921.

Mr. VOLSTEAD. I yield 10 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Speaker and gentlemen of the House, this is a joint resolution giving consent to the establishment of a boundary line between Pennsylvania and Delaware. These two States have met and agreed to establish a certain line between their States. This has been established as far as they are concerned by the Legislatures of the several States of Pennsylvania and Delaware by proper legislation. The Constitution of the United States provides that no State is permitted to enter into any agreements or compacts with another State without securing the consent of Congress to such agreement or compact. The first case, or the precedent for this case, is found in Virginia against Tennessee, where a like line was established between these States, and the Legislatures of Virginia and Tennessee assented to the establishment of that line by their commissioners. Congress gave its consent in a joint resolution like the one before us to the establishment of that line. It came before the courts in Virginia *v.* Tennessee (148 U. S. Reports, p. 503) in which the court held—I will read from the headnotes of the case:

An agreement or compact as to boundaries may be made between two States, and the requisite consent of Congress may be given to it subsequently, or may be implied from subsequent action of Congress itself toward the two States; and when such agreement or compact is thus made, and is thus assented to, it is valid.

The committee reporting this bill followed the precedent set down in Virginia against Tennessee, followed the form in the joint resolution of Congress made at that time which has been approved by the highest court of the land. We can see no objection why this resolution should not receive your unanimous support.

Mr. MCCLINTIC. Will the gentleman yield?

Mr. HERSEY. I will.

Mr. MCCLINTIC. Does the gentleman think that this resolution authorizes the Government to appropriate money to take care of the salaries of those who will be engaged as members of the commission?

Mr. HERSEY. No, sir.

Mr. BUTLER. They are paid by the two States.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

AMENDING THE CODE OF THE DISTRICT OF COLUMBIA.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill H. R. 4586.

The SPEAKER. The gentleman from Minnesota calls up the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 4586) to amend the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," and the acts amendatory thereof and supplementary thereto.

Be it enacted, etc., That the act to establish a code of law for the District of Columbia, approved March 3, 1901, and the acts amendatory thereof and supplementary thereto, constituting the code of law for the District of Columbia, be, and the same are hereby, amended as follows:

Strike out section 833a and insert in lieu thereof:

"SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than $100, or by imprisonment for not more than 90 days."

Mr. VOLSTEAD. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. BOIES].

Mr. BOIES. Mr. Speaker and gentlemen of the House, it will require but a moment to explain the provisions of this bill.

The bill H. R. 4586 is offered for the purpose of amending section 833a of the act to establish a code of law for the District of Columbia, approved March 3, 1901, and acts amendatory and supplementary thereto.

Said section 833a reads as follows:

SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of more than $100, or by imprisonment for not more than 90 days.

Evidently, through clerical error, the word "not" was omitted from the next to the last line after the word "of."

On account of this omission the court has ruled that the section, so far as it relates to the imposition of a fine, is so uncertain as to render the same void and of no effect.

This bill supplies the word "not" in the proper place and will render the section effectual. This bill accomplished this by striking out section 833a and reenacting the identical language of the old section with the word "not" properly inserted.

Mr. SANDERS of Indiana. Will the gentleman from Minnesota yield me two minutes before he moves the previous question?

Mr. VOLSTEAD. I will yield two minutes to the gentleman from Indiana.

Mr. SANDERS of Indiana. Mr. Speaker, I just ask for this time to make an inquiry about the form of this amendment. In line 8 on the first page, the bill says, "Strike out section 833a and insert in lieu thereof" and then it sets out what is to be inserted. Ordinarily I think that the language used is, "That section 833a be amended to read as follows." But aside from that point I want to call the chairman's attention to the fact that the language used in your former amendments to this code in all these cases was this, "By striking out section so and so and inserting in lieu thereof the following," which I think is much better language in the bill. The form the gentleman has used in this bill is the form used in a motion, and not the form used in the law itself. In other words, if it is to be amended in a certain way it is to be amended by striking out section 833a and inserting in lieu thereof the following. But all of the different sections put in the act of April 19, 1920, are preceded by that statement, "By striking out section 20 and inserting in lieu thereof the following." I would suggest the chairman of the committee ought to make a change in this bill.

Mr. VOLSTEAD. I do not think it is very material. I think it accomplishes exactly the same thing.

I will yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I am heartily in favor of this bill, but I want to discuss an incidental feature that would grow out of the violation of this law or any other law here in the District. I learn that there is a system carried on in the District that is even worse than the abuses of the pawnbroker's shop, concerning which we have read a good deal lately in the papers. Say, for instance, where anyone is charged with crime and is called upon to give bond as an alternative to going to jail. There are professional bondsmen here in the District that take advantage of these poor devils every single day that passes here in the District of Columbia. The law requires that one to be a bondsman must own real estate in the District, and these men who have qualified themselves to go on bonds take advantage of it. I have learned that they make a charge of 5 per cent cash. A poor young fellow who is from my district here was charged with some offense about a week ago and placed under a $3,000 bond. It could result in a most trivial kind of a case, but in order to make a bond and keep from going to jail that night, though he claims to be absolutely innocent, he had to pay one of these professional bondsmen $150 just to make his bond, as he was not permitted to find me to assist him.

These professional bondsmen ought to be looked into. Now, the Judiciary Committee looks after the change of laws here in the District, I understand. Surely that abuse should not be permitted to longer exist here. I do not believe anybody in this House believes more strongly than I do in the strict enforcement of every law. I want to see laws strictly enforced, not with excessive punishments, because excessive punishments do not stop the breaking of laws, but it is the certainty of prosecution and of punishment that stops crime. And it is one of the guaranties and safeguards to every citizen that excessive bail shall not be required of a man, but that every reasonable facility shall be granted for giving bail to one charged with crime.

Mr. BARBOUR. Is not that the same condition that exists in practically every large city of the United States?

Mr. BLANTON. It is an abuse that ought to be stopped.

Mr. BARBOUR. Has the gentleman anything to recommend in the way of stopping it?

Mr. BLANTON. I have not had time to give much thought to the question. I am trying to start the machinery in motion now. There are men here who have had experience in such matters, as has the gentleman. He mentions a fact indicating that he has some knowledge of this abuse existing in the big cities. It ought to be stopped. Surely we can find some way to require proper bonds and yet not permit these professional bondsmen to take advantage and make a living off of the necessities of poor devils charged with crime, some of whom may be innocent. It is not every man charged with crime who is guilty. Some are innocent. I have seen men tried in courts who were absolutely innocent of the charges brought against them, and surely in behalf of such men, at least, we ought to make proper provisions.

Mr. VOLSTEAD. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. VOLSTEAD, a motion to reconsider the vote by which the bill was passed was laid on the table.

AMENDMENT TO SECTION 858, REVISED STATUTES.

Mr. VOLSTEAD. Mr. Speaker, I call up the bill H. R. 2376.

The SPEAKER. The gentleman from Minnesota calls up a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 2376) to further amend section 858 of the Revised Statutes of the United States.

Be it enacted, etc., That section 858 of the Revised Statutes of the United States as heretofore amended by the act entitled "An act to amend section 858 of the Revised Statutes of the United States," approved June 29, 1906, be, and the same is hereby, further amended so as to read as follows:

"SEC. 858. The competency of a witness to testify in any civil or criminal action, suit, or proceeding in the courts of the United States shall be determined by the laws of the State or Territory in which the court is held."

Mr. VOLSTEAD. Mr. Speaker, a similar bill to this was passed at the last session of Congress. It reenacts the section of the statute defining competency of witnesses in civil cases. This amendment simply adds the words "or criminal," so as to apply the same rule in criminal cases as is now applied in civil cases. Under existing law, in the Federal courts a wife can not be a witness for or against her husband, and a person convicted of a felony can not be a witness in that court. Nearly every State has modified that old common-law rule that prohibited witnesses that were presumed to have an interest from testifying, and leaves the matter of interest to be considered by the jury in determining the creditability of witnesses. It seems to me the time has come for this change. If a man is tried in my State, I think he ought to be tried under the same general rules as to the competency of witnesses, whether it is in the Federal court or in the State court. And I think that that is a proper rule to apply in every State. That old law was a cruel one. It trusted no one. It did not believe anybody

would tell the truth if he had an interest. It seems to me this country ought to try to keep up with modern evolution; it ought not to still adhere to that old policy of absolute distrust of a man because he may have some interest in an issue. And it seems to me that it is high time that we changed this statute so that the Federal courts may administer law a little like civilized countries are doing.

Mr. MILLER. Is it not in the law in most of the States that a wife can testify for the husband or the husband for the wife?

Mr. VOLSTEAD. Yes; no doubt everywhere.

Mr. MILLER. How will this work in cases where we have extraterritorial jurisdiction?

Mr. VOLSTEAD. The common law would apply.

Mr. MILLER. This does not apply in countries where we have extraterritorial jurisdiction?

Mr. VOLSTEAD. No.

Mr. MILLER. What test is given to a witness in court where we have extraterritorial jurisdiction?

Mr. VOLSTEAD. The common law is supposed to prevail in China, where we have extraterritorial jurisdiction.

Mr. MILLER. In those cases the wife can not be a witness in behalf of the husband or the husband in behalf of the wife?

Mr. VOLSTEAD. I do not think that is possible, as I am not aware of any Federal statute that would authorize anything of the kind.

Mr. CLOUSE. I would like to ask a question for information. Under this resolution would the wife be made competent as a witness to testify in behalf or against her husband in any State which has not given the right to her to testify in the State courts?

Mr. VOLSTEAD. No, sir; it would not. It only applies the State law to the Federal courts, so that if a wife is made competent in a State court in criminal cases she will be able to testify in the Federal court in that State.

Mr. BLANTON. How would this affect such a right in the District of Columbia?

Mr. VOLSTEAD. I think the District of Columbia is taken care of. I do not know.

Mr. BLANTON. Can the wife testify in behalf of her husband in the Federal courts here?

Mr. VOLSTEAD. I do not know.

Mr. BLANTON. I was going to suggest to the gentleman that no other law can apply here in the District, and while the gentleman is giving wives and husbands this right in various States, why not do it in the District of Columbia?

Mr. VOLSTEAD. I am not sure but they have that right. We have quite an extensive code in this District, which has been enacted from time to time.

Mr. BLANTON. The gentleman would not object to such a provision?

Mr. VOLSTEAD. I would object to it unless I knew that there was some necessity for it.

Mr. BLANTON. The same necessity for it exists in the District that exists in the gentleman's State or in my own State.

Mr. VOLSTEAD. I do not know what the law here is.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. MILLER. Why would it not be wise to make the laws in this District as they are in the States, that the wife should be competent to be a witness with the consent of her husband?

Mr. VOLSTEAD. I think this bill will meet the necessity generally.

Mr. HILL rose.

Mr. VOLSTEAD. I yield to the gentleman from Maryland.

Mr. HILL. Mr. Speaker and gentlemen of the House, this is a bill to change the competency of witnesses in criminal cases which are tried in the criminal courts of the United States.

Since the foundation of this Government there has been a definite system as to the competency of witnesses and as to testimony in the United States courts which is entirely different in criminal matters from the system applying in civil matters. In civil cases the laws of evidence of the States apply, but always in criminal cases the common law of England, as modified by the acts of this Congress, only are allowed to apply.

Now, this bill proposes that the United States shall give up its sovereign right of prescribing the laws of evidence in its own criminal prosecutions, and makes that law the plaything of every State legislature in the country. In other words, by this bill the Congress of the United States gives up its right to change or modify the criminal law procedure in its own courts. I say to you, gentlemen, that if you will look at the report of the committee you will find in that report the remarks of the court given in 207 Federal Reporter, which shows that system. In other words, it is the purpose of the criminal laws of the United States that the same laws shall apply throughout the United States.

Mr. WILLIAMSON. Mr. Speaker, will the gentleman yield?

Mr. HILL. In a minute. If you adopt this amendment, this will happen: Take, for instance, the violation of the Mann White Slave Act. You will try a man under a different system of testimony if he is tried in the District of Columbia or if he is tried in the Federal district of Maryland. I do not think the Congress wants that done, and I am sure the Department of Justice does not want that done. Let me quote to you the decision in the report of the committee, to which I will ask your attention. It is at the bottom of the page. I read:

> The section above quoted was merely intended to confer on the courts of the United States the jurisdiction necessary to enable them to administer the laws of the States.

That is in civil matters. A and B make a contract in Maryland, and evidence in relation to that in the United States court is by State law, but the laws of the United States are one law for every criminal in this country and not a different law for every State. I read further:

> But it could not be supposed, without very plain words to show it, that Congress intended to give to the States the power of prescribing the rules of evidence in trials for offenses against the United States.

Now, your bill overrules the decision in this case, and here is what the court says as to its reason, and this is my reason, which I am about to read to you, that it changes the criminal law of evidence which has been in vogue since the foundation of United States courts:

> This construction would in effect place the criminal jurisprudence of one sovereign State under the control of another. It is evident that such could not be the design of Congress.

Now, gentlemen, if the Congress of the United States wants to change the law in criminal cases, put it in your act here and change the code of the United States; but do not put it in the power of the State of Maryland, or the State of New York, or the State of Texas, or the State of California to hamper the administration of the procedure under the criminal act.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. HILL. Yes.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield to the gentleman five minutes more.

The SPEAKER. The gentleman from Maryland is recognized for five minutes more.

Mr. RAKER. This would make it uniform in the trial of all criminal cases where the court is sitting in a State. The law applicable to that State would apply in the trial of the case in the Federal court under this amendment.

Mr. HILL. I think I understand the gentleman's question. For instance, in the Federal judicial district of Maryland the same rule of competency of testimony would apply in both civil and criminal cases.

Mr. RAKER. Just as in Maryland now in a trial in a State court.

Mr. HILL. In some States a child can not testify in court under the age of 8 or 9, whatever it may be. In the United States courts any child can testify, but its credibility is a matter for the jury.

Mr. RAKER. Mr. Speaker, will the gentleman yield for another question?

Mr. HILL. Certainly.

Mr. RAKER. We have the same effect in the statute which is repealed in regard to the acts of administrators and executors. In certain States there are certain rules. We have a statute, which we are repealing now, to make it general. Is it not better to make it general, so as to let the trial in the district court proceed under the procedure of that State where the case is tried, and do we not get better results?

Mr. HILL. I think not, and for this reason: I might say I am only moved to speak of this because for five years I was United States district attorney for Maryland, and these matters as to competency of witnesses continually came up.

Mr. RAKER. Right there, being familiar with the laws of Maryland in regard to the trial of civil cases and suits in equity and criminal cases, the gentleman can go into the district court and know exactly where he stands and try the cases as they ought to be tried, without applying the Federal laws with respect to evidence.

Mr. HILL. Under the present procedure the Attorney General in Washington knows that there is a certain definite law of evidence applying in all the Federal districts, the 86 Federal districts in the United States.

Mr. RAKER. That is a presumption.

Mr. HILL. No; he knows it.

Mr. RAKER. I say it is a presumption.

Mr. HILL. No. He knows it. It could not be otherwise. The United States has at present its Penal Code, which Penal Code prevails in every portion of the United States. It is absolutely uniform. It has its own criminal system of evidence, which is uniform. This bill proposes to leave the criminal code alone in the United States, but makes its enforcement subject to the rules of the legislature of every State in the country.

Mr. RAKER. While the Attorney General may direct the original prosecution of the case, the crux of the matter, where the people are interested, is back in the State where the United States district attorney tries the case; and if that man is a competent lawyer, familiar with the rules of evidence, you are going to try the case as it ought to be tried instead of relying upon what the Federal statute might be. But here you make it uniform and you give the man a chance in the court.

Mr. HILL. Does the gentleman want me to comment upon that?

Mr. RAKER. Yes.

Mr. HILL. This is the practical effect of that: It comes up in the review of criminal cases in the Supreme Court of the United States. For instance, if a man is convicted in the Federal court in Texas under the pure food and drug act, if this bill passes he may be convicted under different rules of evidence from those which would govern if he were tried in the Federal district of New York. Now, there are 86 Federal districts——

Mr. VOLSTEAD. If the gentleman will yield, is that any justification for refusing to grant, what almost every civilized country grants to-day, the right to have a witness testify regardless of the fact that he may have some interest in the case?

Mr. HILL. Answering the gentleman's question, the Constitution provides that the laws of the United States shall be uniform throughout the United States.

Mr. VOLSTEAD. It does not do anything of that kind. We do not propose to have them uniform throughout the United States. If the gentleman will pardon me, this very section recognizes a dissimilarity in the various States as to civil evidence. The competency of evidence in civil cases is governed to-day by the law of the State in which the trial takes place.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. VOLSTEAD. I will yield to the gentleman five minutes more.

Mr. HILL. In answer to the gentleman from Minnesota [Mr. VOLSTEAD] I should like to say that the criminal laws of the United States are enforced in a totally different way from the civil laws. For instance, in a criminal case we must have a jury. Juries are not required in all civil cases. In a United States district court at the present time, even if the matter involves the smuggling of five pairs of shoes, worth $2 apiece, we must take the time of the court to try the case with a jury unless the defendant pleads guilty. Now, it is not so in civil cases. It looks on the face of it as though this bill ought to be passed, but it changes the decision in this case, which your committee quotes. In other words, I am indebted to the report of the committee for the authority which I cite against this bill.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL. Yes.

Mr. BLANTON. In the State of Texas the Federal courts and the State courts have concurrent jurisdiction to enforce the prohibition law, which the gentleman the other day said was so dear to the hearts of all the people. Under the State law it is a felony, and under the Federal law it is a felony in certain instances. A man prosecuted there in the State court for violation of the prohibition law is permitted to have his wife testify as a competent witness in his behalf. If, unfortunately for the man, the Federal authorities get hold of him first and jurisdiction is obtained by the Federal court, he is denied the right to have his wife testify as a competent witness in his behalf. In the interest of uniform practice and in the interest of justice, does not the gentleman think the same rules for determining the competency of witnesses should apply there in the Federal court as in the State courts?

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. HILL. I should like to answer the question of the gentleman from Texas. That question is one which brings out very clearly the effect of this bill. Personally I should be glad to vote for an amendment to the Federal laws of evidence and procedure which would allow a wife to testify for her husband. I would be glad to vote for any specific piece of legislation of that sort which seemed to be proper. However, it seems to me it is more important from the general point of view of the enforcement of the law that there should be a uniform rule of determining the competency of evidence in all the Federal courts. And I may say to the gentleman that in opposing this bill I am not interested in any special piece of legislation. I am not considering especially its effect on the enforcement of the national prohibition act, although I rather imagine that the proponents of the national prohibition act have suggested the passage of this bill. [Laughter.]

Mr. VOLSTEAD. This suggestion came to me long before I ever knew of any national prohibition act.

Mr. HILL. I am not opposing this bill as it relates to any special thing. I am only opposing it because it takes away from the United States its one uniform and coherent law of evidence and substitutes for it whatever the legislature of a State may choose to adopt. Take for instance this case: Happily for those of us who live in Maryland that State has no national prohibition enforcement act. Therefore those of us who come within the toils of the national prohibition act will be entirely under the jurisdiction of the Federal court and under the jurisdiction of the Federal rules of evidence. But that is no reason why I should be in favor of putting the United States court in Maryland under the jurisdiction of the Maryland Legislature. The Maryland Legislature might go dry sometime and enact drastic laws, whereas now the Maryland Legislature is wet.

Mr. BARBOUR. If the gentleman will allow me, with that situation existing in Maryland it would be easier to convict if the State law was followed than it would be if the Federal law as it now exists was followed, would it not?

Mr. HILL. No.

The SPEAKER. The time of the gentleman has again expired.

Mr. SANDERS of Indiana. Will the gentleman from Minnesota yield to me?

Mr. VOLSTEAD. I yield five minutes to the gentleman from Indiana.

Mr. SANDERS of Indiana. Mr. Speaker, I think this bill ought to be defeated. It proposes to give to the State legislatures throughout the United States the absolute authority to determine the competency of the evidence in criminal cases tried under Federal law.

Mr. MAPES. The competency of witnesses.

Mr. SANDERS of Indiana. The competency of witnesses, which may amount to dealing with the competency of the testimony.

Mr. CLOUSE. Will the gentleman yield?

Mr. SANDERS of Indiana. I yield to the gentleman from Tennessee.

Mr. CLOUSE. Is it not one of the rules of Federal practice, promulgated by the Supreme Court of the United States, that the district courts shall follow the rules of evidence in the various States?

Mr. SANDERS of Indiana. In civil cases; yes.

Mr. CLOUSE. Now, if that is true in civil cases, how does this enlarge it, further than just to qualify the witnesses, but relating not to the introduction or to the competency of the testimony?

Mr. SANDERS of Indiana. It makes it cover criminal cases.

Mr. CLOUSE. I understand, but it only makes the witnesses competent and does not relate to the competency of their testimony.

Mr. SANDERS of Indiana. I can not yield further.

Mr. CLOUSE. I will ask for an extension of the gentleman's time.

Mr. SANDERS of Indiana. Is it possible that the Federal Government is going to give over to the State governments the power of determining the competency of witnesses in criminal cases? If you do that, gentlemen, you will find the State legislatures in this country where Federal laws are obnoxious to them—you will find legislatures passing laws relating to the competency of witnesses that will defeat the criminal laws of the United States. It certainly gives them the power to do it; there can be no question about that; you give the power to any State legislature to defeat any criminal law passed by Congress.

Take the prohibition law. Suppose the State of Maryland wanted to defeat the Federal prohibition law or the enforcement of it. By making drastic laws with reference to the competency of witnesses in liquor cases they can absolutely prevent a conviction in any case. That is merely illustrative, and they could do the same thing as to any other Federal law. On the surface of it it looks as if it would be just as well to have the State laws govern in criminal cases as in civil, but once you analyze it it is certainly clear that the sovereignty of the Federal Government ought not to yield to the State legislatures the power to enable them if they so desire to defeat any criminal law. [Applause.]

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Speaker, I know something about the practice of law, and I want to ascertain what the meaning of this is. I do not construe this to be such a measure as the last two gentlemen have seemed to construe it. As I understand it, this merely deals with the competency of witnesses. It makes no change as to the competency of evidence. For instance, in South Carolina a witness convicted of petty larceny is incompetent to testify in a State court. In the United States courts he must be convicted of a felony in order to render him incompetent. Therefore, the man who has been convicted of petty larceny is incompetent to testify in a State court but is competent to testify in a criminal case in the United States court. Now, the proposition here is to fix it so that the question of competency shall be determined by the law of the State.

Another case that arose is, can the wife testify against her husband? In my State she can not, but in some she can. In the United States courts she can not in a criminal case, nor can a husband testify against his wife, because under the common law they never could testify against each other.

As I understand it, this law simply provides that the wife or the husband can testify for or against each other in a criminal case in a United States court where that is done in the State court, and that is all. As to the question of the relevancy or competency of the testimony, I understand the committee does not propose to change the law a particle.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. SANDERS of Indiana. Suppose the State of Maryland should pass a law providing that whenever a witness had appeared in a State court and testified respecting a subject matter relating to prohibition that witness should not be competent to testify in another court?

Mr. STEVENSON. I would not suppose that any State would do as foolish a thing as that; but if it did, I question seriously whether that would be held to be a constitutional enactment, because that would deprive a man, without being convicted, of his right guaranteed to him under the Constitution.

Mr. VOLSTEAD. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. VOLSTEAD. That would not cut him out at all, because if he was competent to testify in the State court he would be competent to testify in the Federal court.

Mr. STEVENSON. Now, as to the competency of the testimony itself let me make an illustration. In South Carolina it was the law, and I guess it is now, that if a man was found with as much as a quart of liquor in his possession he was presumed to be a dealer in contraband liquor. I do not think that until the Volstead Act was passed there was any such rule of evidence in the Federal court. But this act would not make that testimony competent, even if you passed it, because that is dealing with the rule of evidence and not dealing with the competency of witnesses. That is what I understand by this act, that they are not changing the law relating to evidence. If I thought that this undertook to change the competency of evidence or the rule of evidence in cases in the Federal court, I would be decidedly opposed to it. But this is only to make it uniform in each State and goes to the competency of the witnesses and not to the competency of the testimony.

Mr. BOWLING. Will the gentleman yield?

Mr. STEVENSON. Yes.

Mr. BOWLING. If this becomes a law, under its operation can a wife be compelled to give testimony against her husband or a husband be compelled to give testimony against his wife?

Mr. STEVENSON. Well, that would depend entirely on the State enactment. If the State makes it compellable, he would be compelled to testify.

The SPEAKER. The time of the gentleman has expired.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from South Dakota [Mr. WILLIAMSON].

Mr. WILLIAMSON. Mr. Speaker and gentlemen of the House, I have had considerable experience at the bar and upon the bench. It does not seem to me that there is any question but that in many cases great injustice is done to individual defendants in the district courts of the United States. The reason for this is that as a general rule these men are defended by men of the bar who are not trained in Federal procedure nor in our Federal courts, and who are unfamiliar with their practice and rules of evidence. Every man has a right to have his day in court. He has the right to be tried under rules and regulations that obtain in the jurisdiction in which he lives. He has a right to be able to secure attorneys who can defend him under rules with which they are familiar. Any man who has observed the procedure in the Federal courts knows that in many cases men have gone to the penitentiary because the counsel in charge of the case was not particularly familiar with Federal procedure or the rules of evidence where these differ from those used in the State courts.

The Federal courts have been very slow to go forward in the matter of procedure and in the matter of evidence. You to-day have the same old rules that you had 200 years ago. The State courts, everywhere throughout the Nation, almost without exception, have practically uniform laws when it comes to the question of evidence and what is admissible. A man is tried in the district in which he resides. That district is coextensive with or at least does not go beyond the State lines of the State in which he lives. The tendency of our State courts has been toward liberalizing the rules to admit as evidence that which formerly was excluded. There can be no question but that a man's wife ought to be permitted to testify in his behalf and that the husband should be permitted to testify in behalf of his wife. I think every State in the Union with one or two exceptions has that kind of law on its statute books to-day. They have abrogated the common-law rules, but the common-law rule still obtains in our Federal courts.

There can be no possible question as to the propriety or the wisdom of this bill. I have no sympathy with the view that it would embarrass the Federal courts to try cases under State procedure, nor that it would embarrass the Supreme Court of the United States to have cases appealed which have been tried under rules of evidence obtaining in the State. To-day the Federal courts follow the rulings of the State courts of last resort on State statutes. The circuit judges in the several States in the Union are presumed to know the rules and regulations of the cities, their ordinances, and things of that kind. Everyone knows that they are not familiar with them in fact, and everyone knows that those regulations and ordinances are brought into the court and presented at the time of the hearing. The Supreme Court of the United States will not have any trouble about matters as simple as the matters which will be covered by this bill, nor will it be a source of embarrassment to the district Federal judges upon the trial or in the appellate courts. It should not be a source of embarrassment to the United States district attorneys, because they are presumed to be familiar with the laws and rules of evidence in the State from which they are chosen and in which they serve. [Applause.]

Mr. VOLSTEAD. Mr. Speaker, I yield two minutes to the gentleman from Tennessee [Mr. CLOUSE].

Mr. CLOUSE. Mr. Speaker, I think there is some little confusion as to the provisions of this bill. Some gentlemen here are under the impression that it changes the law of evidence, when it is plain to be seen that the only provision of this bill is to qualify a witness that is otherwise incompetent. The intimation has been made on the floor in debate that perhaps this bill is purposed to more effectively enforce some of the prohibition statutes. I am going to try, in the two minutes allotted me, to dissipate that idea from your minds. I happen to be a lawyer and I happen to have had experience along these lines. Speaking especially now with reference to prohibition statutes, I have seen cases frequently brought into the district courts of the different States where the only living witness who knew any material fact in defense of the prisoner was his wife, but she was disqualified to speak and tell the truth. It is not always true that a man who is accused of violating the internal revenue laws is guilty. Cases of this character frequently, and I must say most generally, depend on circumstantial testimony, this little circumstance and another little circumstance linked together, until ultimately you have surrounded the prisoner with a mountain of circumstantial evidence sufficient to convict him before a jury, when if only the wife were permitted to testify the truth might be made known to the court and jury, his innocence established beyond doubt, and justice accordingly administered.

I am going to vote for this bill, not upon the ground that it gives to the Government or to the defendant an undue advantage but because the principle involved is well grounded upon the bedrock of eternal justice and right.

Mr. VOLSTEAD. Mr. Speaker, I yield five minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. TOWNER. Mr. Speaker, I presume the same argument is being made here to-day with regard to this proposition of conforming the rules and procedure of our Federal courts to the procedure of the States that has been made whenever any advance in that direction has been accomplished. It was a long time before we succeeded in making the procedure in the United States courts conform to the procedure in the State courts.

It was still further advanced when we secured the provision of law as it now stands, "That the competency of a witness to testify in any civil action, suit, or proceeding in the courts of the United States shall be determined by the laws of the State or Territory in which the court is held." The argument against this bill was summed up in the decision of the Supreme Court that was cited by the gentleman from Maryland [Mr. HILL] in his address before us to-day, a very able, by the way, and admirable address. The court said, "For this construction would in effect place the criminal jurisprudence of one sovereignty under the control of another."

It will be noticed by members of the committee that this is not the decision of the court, it is merely an opinion. It is entirely obiter dictum as far as the proposition before the court was concerned, and so it has been. I think gentlemen who have had experience in United States courts for years are competent to testify that there has not been a single step of progress made with regard to the procedure in the United States courts that has not been against the objections of gentlemen who still desire to insist upon the operation of the old common-law rule.

Mr. HUSTED. Will the gentleman yield?

Mr. TOWNER. I can not yield, I am sorry to say, if the gentleman will pardon me—so this is only along the same line. Great evils exist in applying the common law at the present time. We have passed beyond that stage in almost if not quite every State in the Union in which we do not allow a wife to testify for her husband. Not a State, as I remember it, but gives that privilege now to the wife. But when we step into the United States court then the wife can not testify, although she may be the only living witness who may be able to explain the circumstances which otherwise might send her husband to the penitentiary. The wife can not testify against the husband, and in many States that is the rule. There could not be a better or more uniform or defensible rule than to say that it shall be as the State in which the offense is committed shall have determined in conformity and uniformity with the procedure of that State as it has been determined by the people of that State. Is it unusual, is it unfair to do this? It seems to me that if gentlemen will examine that proposition they can only arrive at the conclusion that a rule ought not longer to exist that continues the application of the old exclusionary rules of common law which are now utterly indefensible. Why, gentlemen, just consider a case of this kind. Two men are indicted for the commission of a joint crime. One man is apprehended and tried and convicted. The other man escapes. After a few years he is apprehended and brought to trial. The exclusionary common-law rule would not allow the convicted man, although he might be perfectly willing, to testify against the man jointly connected with him in the commission of the crime. Is such a rule as that reasonable? Yet that is the exclusionary rule of the common law now in full force and effect in every Federal court of the United States. No, gentlemen, I think if you will consider for a moment this proposition, if we have found it justifiable to conform as far as we may with the procedure with regard to the practice, with regard to the application of the law, to the laws of the State in civil cases, we have like reason and like ground for doing so in criminal cases.

The SPEAKER. The time of the gentleman has expired.

Mr. CONNALLY of Texas. Will the gentleman yield? I ask that the gentleman have one additional minute.

Mr. VOLSTEAD. I will yield the gentleman one minute.

Mr. CONNALLY of Texas. I understand there is a Federal statute now which permits men in a criminal case to testify in every instance. Now, in some of the States, I understand, the defendant can not testify. Would this act tend to repeal, in so far as those States are affected, the general Federal statute permitting the defendant to testify?

Mr. TOWNER. I think the gentleman must be mistaken in reference to not allowing the defendant to testify.

Mr. CONNALLY of Texas. But some of the States, so the gentleman from Maine, a member of the committee, informs me—and I know that formerly there were some States in which the defendant could not testify.

Mr. TOWNER. Oh, yes; that was a long-time rule of the common law, that no defendant could testify in any of them.

Mr. CONNALLY of Texas. The point I wanted to make is simply that the defendant ought to be permitted to testify in every case, and if this statute repeals the general statute, which does authorize the defendant to testify in Federal courts in those States where he is not allowed to testify, it ought to be amended so as not to have that effect.

Mr. TOWNER. You can not very well reach those individual instances, I will say to the gentleman, in a case of this kind. It occurs to me that this change that we are seeking here, in conformity with other provisions of a like character, is entirely defensible.

Mr. SANDERS of Indiana. We certainly repealed this act in 1878 with respect to the defendant testifying. By this act we are proposing to pass to-day we would repeal that one, which gives him the right to testify at his own request. The law reads:

> That in the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offenses, and misdemeanors in the United States courts, Territorial courts, and courts-martial, and courts of inquiry, in any State or Territory, including the District of Columbia, the person so charged shall, at his own request, but not otherwise, be a competent witness.
>
> And his failure to make such request shall not create any presumption against him. (Mar. 16, 1878.)

I presume it is this statute to which the gentleman from Texas [Mr. CONNALLY] refers. It leaves it to the States to determine.

Mr. TOWNER. The States have determined it. Of course, that would apply only in such cases as would not allow the defendant to testify, if there are such States. I can hardly believe that the people of any State of the Union would allow such a condition to exist.

Mr. VOLSTEAD. Mr. Speaker, I yield one minute to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the bill H. R. 2373, the agricultural bill, which we had under consideration.

The SPEAKER. The gentleman from Texas asks unanimous consent to revise and extend his remarks on the bill referred to. Is there objection? [After a pause.] The Chair hears none.

Mr. VOLSTEAD. Mr. Speaker, I yield three minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker, I want to call the attention of the House to the fact that the only amendment to this section that we find in the code is by adding the two words "or criminal," and which is found in line 9, page 1 of the bill. The trial will be held in the Federal court according to the law of evidence of the State in which the case is tried and in accord with the law of the State to which the case might have been committed, if such a thing is possible, by change of venue. As to the competency of witnesses, the same now applies in civil cases—for instance, ministers of the gospel, doctors, priests following their profession, and clerks in an office—and all of those rules apply in the same way in regard to administrators. And all the rules relating to the competency of the witnesses would apply in the trial of a case in the Federal court as now apply in the State court. It seems to me as though counsel—and they are practically all local—that try these cases in the Federal courts are much better prepared to give the court the benefit of their judgment because of their familiarity of the rules of evidence and the practice as to the competency of the witnesses in the trial of criminal cases as well as of civil cases. The counsel knows the competency of witnesses in the trial of a civil case. He goes out of the civil court to-day, and to-morrow he is trying a criminal case in the Federal court, and to-day he has to apply a different rule as to the competency of witnesses. This simply makes it harmonious, so that the counsel representing the public can be better prepared to advise the court and get results than is the case at the present time.

Mr. VAILE. Will the gentleman yield?

Mr. RAKER. I will.

Mr. VAILE. I would like to ask the chairman if the Department of Justice has rendered any report to the Committee on the Judiciary in this bill?

Mr. VOLSTEAD. I do not know whether they have or not. It has been here for some time. It has been recommended by several judges of the Federal courts, saying that these changes ought to be made. They have called my attention to injustices that have been committed because people could not testify who ought to testify under the State law.

Mr. VAILE. I wish to say that the gentleman from California and myself have been criticized because we brought in a bill when the committee's action did not have the approval of the Department of the Interior. I wondered if the same principle applied to this bill.

Mr. VOLSTEAD. We did not do that.

Mr. VAILE. Suppose the State of Maryland, for instance, should pass a statute providing that any person who had purchased liquor from the defendant in an indictment under the Volstead law should not be a competent witness?

Mr. VOLSTEAD. It would not be any good, unless you apply that same law to your own liquor laws in Maryland, or any other State.

Mr. VAILE. They have none there now, as I understand it. Would not the State of Maryland by passing such a statute as that virtually nullify the prohibition law?

Mr. BLANTON. Will the gentleman permit an amendment to be offered?

Mr. VOLSTEAD. I yield two minutes to the gentleman from New York [Mr. HUSTED].

Mr. HUSTED. Mr. Speaker, if I understand this bill correctly, where exactly the same Federal offense was committed in two different States, a man might be convicted through the testimony of witnesses in one State who could not be convicted in the other State because of some rule affecting his competency. I do not believe that that is right, and I do not believe there is any just parallel between civil cases and criminal cases. I think in the case of criminal action not only the rules of evidence should be the same in the different States, but the rule as to the competency of witnesses should be the same.

I think that the provision of the law which has been retained is a wise one, and for that particular reason I shall vote against the bill. [Applause.]

Mr. BRAND. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. BRAND. In my State a defendant, for instance, is not sworn.

Mr. VOLSTEAD. That has nothing to do with it.

Mr. BRAND. He is allowed to make a statement, but not under oath. Will this legislation affect that?

Mr. VOLSTEAD. If he is a competent witness in the State court he would be competent in the Federal court.

Mr. BRAND. He is not required to testify, but can make a statement.

Mr. VOLSTEAD. Whatever the State law is would apply. It does not affect or change the State law.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MOORES of Indiana. Mr. Speaker, a division.

Mr. HILL. Mr. Speaker, I make the point of no quorum.

Mr. MOORES of Indiana. I demand a division on that vote.

The SPEAKER. The gentleman from Indiana demands a division. The question is on the engrossment and third reading of the bill.

The House divided; and there were—ayes 68, noes 18.

So the bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BLANTON. Mr. Speaker, I move to recommit.

The SPEAKER. The gentleman from Texas submits a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves to recommit the bill to the Committee on the Judiciary, with instructions to report the same back to the House forthwith with the following amendment: Page 1, line 11, after the word "held," strike out the period, insert a colon, and insert the following: "*Provided*, That in the District of Columbia either spouse, otherwise competent, shall be a competent witness to testify in behalf of the other."

Mr. WINGO. Mr. Speaker, I make a point of order against that.

The SPEAKER. The gentleman from Arkansas makes a point of order against the motion to recommit. The gentleman will state it.

Mr. WINGO. This is a general bill providing that the rule in Federal courts as to the competency of witnesses shall be made to conform to the rules of State courts. The gentleman's amendment includes the courts of the District of Columbia. It is not germane.

Mr. BLANTON. Mr. Speaker, will the Chair hear me a moment?

The SPEAKER. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Speaker, this is a bill which the chairman of the Committee on the Judiciary stated, in beginning the argument in its favor, was so designed primarily that in the States where the statutes permitted a husband to testify in behalf of the wife, or the wife to testify in behalf of the husband, that then in the Federal courts such a procedure should be had. I take it that practically every State in the United States, if not all of them, now permits either spouse to testify in behalf of the other; not to testify against the other, but to testify in behalf of the other. This bill, then, would permit in every State in the United States either spouse to testify in behalf of the other. It is of a general nature, and an attempt is made by a motion to recommit to provide that it shall be uniform, which is one of its primary purposes. The primary purpose of this bill is to make the law uniform, and therefore an amendment which seeks to carry out that purpose, so that the law shall be uniform in the District of Columbia as well as in all of the States, is germane to the purposes of the bill, I submit to the Speaker.

The SPEAKER. The Chair sustains the point of order made by the gentleman from Arkansas. The question is on the passage of the bill.

Mr. MOORES of Indiana. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. BLANTON. That would not get a vote on the bill. We have not divided on it yet.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p. m.) the House adjourned until to-morrow, Thursday, May 5, 1921, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TINCHER, from the Committee on Agriculture, to which was referred the bill (H. R. 5676) taxing contracts for the sale of grain for future delivery, and options for such contracts, and providing for the regulation of boards of trade, and for other purposes, reported the same without amendment, accompanied by a report (No. 44), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 1945) for the relief of E. W. McComas, reported the same without amendment, accompanied by a report (No. 41), which said bill and report were referred to the Private Calendar.

Mr. DRIVER, from the Committee on the Public Lands, to which was referred the bill (H. R. 3250) to authorize the Secretary of Commerce to convey to Augustus S. Peabody certain land in Galveston County, Tex., reported the same without amendment, accompanied by a report (No. 42), which said bill and report were referred to the Private Calendar.

Mr. McCORMICK, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 5511) for the relief of John Cestnik, jr., reported the same without amendment, accompanied by a report (No. 43), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. APPLEBY: A bill (H. R. 5749) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. EDMONDS: A bill (H. R. 5750) to prohibit the prosecution of claims against the United States by former Government employees; to the Committee on the Judiciary.

By Mr. HUDSPETH: A bill (H. R. 5751) for the erection of a public post-office building at Pecos, Reeves County, Tex., and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON of Mississippi: A bill (H. R. 5752) for the enlargement, extension, and improvement of the post-office building at Hattiesburg, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 5753) to enlarge and extend the post-office building at St. Cloud, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5754) to provide for an additional judge of the District Court of the United States for the District of Minnesota; to the Committee on the Judiciary.

Also, a bill (H. R. 5755) to amend section 110, chapter 134, first session Sixty-fourth Congress, United States Statutes at Large, volume 39, part 1, pages 209, 210, 211, act approved June 3, 1916; to the Committee on Military Affairs.

By Mr. TOWNER: A bill (H. R. 5756) to amend an act entitled "An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands, and to provide a more autonomous govern-

ment for these islands," approved August 29, 1916; to the Committee on Insular Affairs.

By Mr. WILLIAMSON: A bill (H. R. 5757) authorizing all retired enlisted men who were on active-duty status during the war with Germany and who were not commissioned to be returned to the retired list and to receive the full pay and allowances of the grade they held during the war; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 5758) to amend section 13 and other sections of naturalization laws so as to prevent actual loss to county and State offices in the administration of the Federal naturalization laws; to the Committee on Immigration and Naturalization.

By Mr. MEAD: A bill (H. R. 5759) to amend section 4438 of the Revised Statutes of the United States in order to maintain discipline aboard ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. SANDERS of Texas: A bill (H. R. 5760) to amend section 1 of the interstate commerce act, as amended by the transportation act of 1920, and expressly recognizing the jurisdiction and power of the several States to regulate intrastate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSSDALE: A bill (H. R. 5761) granting change of title to laborers employed in the post offices; to the Committee on Reform in the Civil Service.

By Mr. McCORMICK: A bill (H. R. 5762) providing for a municipal park for the city of Butte, Mont.; to the Committee on the Public Lands.

By Mr. GOODYKOONTZ: A bill (H. R. 5763) to provide for the purchase of a site for a public building at Welch, in the State of West Virginia; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 5764) to amend an act entitled "An act providing additional hospital facilities for patients of the Bureau of War Risk Insurance and of the Federal Board for Vocational Training, Division of Rehabilitation, and for other purposes," approved March 4, 1921; to the Committee on Public Buildings and Grounds.

By Mr. FOCHT (by request): A bill (H. R. 5765) to amend the charter of the Potomac Insurance Co. of the District of Columbia; to the Committee on the District of Columbia.

By Mr. VINSON: A bill (H. R. 5766) to provide adjusted compensation for veterans of the World War, and for other purposes; to the Committee on Ways and Means.

By Mr. ZIHLMAN: A bill (H. R. 5767) to regulate the transportation of refuse, etc., in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WEAVER: Joint resolution (H. J. Res. 103) authorizing the printing of 200,000 copies of the Special Report on the Diseases of Cattle; to the Committee on Printing.

Also, joint resolution (H. J. Res. 104) authorizing the printing of 200,000 copies of the Special Report on the Diseases of the Horse; to the Committee on Printing.

By Mr. STRONG of Kansas: Concurrent resolution (H. Con. Res. 16) creating a joint commission of agricultural inquiry; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEEDY: A bill (H. R. 5768) to amend and correct the military record of Alvah B. Doble; to the Committee on Military Affairs.

Also, a bill (H. R. 5769) to amend and correct the military record of Thomas Decker; to the Committee on Military Affairs.

By Mr. BLAKENEY: A bill (H. R. 5770) for the relief of George F. Jones; to the Committee on Claims.

Also, a bill (H. R. 5771) for the relief of George G. Robinson; to the Committee on Claims.

Also, a bill (H. R. 5772) authorizing the Secretary of War to donate to the town of Hamilton, of Baltimore City, State of Maryland, one German cannon and two trench mortars or, in lieu of two trench mortars, two machine guns; to the Committee on Military Affairs.

By Mr. CLOUSE: A bill (H. R. 5773) granting a pension to Mary A. Duncan; to the Committee on Invalid Pensions.

By Mr. DUNBAR: A bill (H. R. 5774) granting a pension to Johannah Cuff; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 5775) for the relief of the Liberty loan subscribers of the North Penn Bank, of Philadelphia, Pa.; Santa Rosa National Bank, Santa Rosa, Calif.; and Mineral City Bank, Mineral City, Ohio; to the Committee on Claims.

By Mr. FOCHT: A bill (H. R. 5776) for the relief of George D. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 5777) authorizing the Secretary of War to donate to the town of Robertsdale, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 5778) granting a pension to George Hetchler; to the Committee on Invalid Pensions.

By Mr. FREEMAN: A bill (H. R. 5779) granting a pension to Ellen B. Lathrop; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5780) granting a pension to Hattie C. Spencer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5781) granting a pension to Helena Whitney; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5782) granting a pension to Alida Payne; to the Committee on Invalid Pensions.

By Mr. GENSMAN: A bill (H. R. 5783) for the relief of W. F. Doorley; to the Committee on Claims.

By Mr. HOUGHTON: A bill (H. R. 5784) granting a pension to Frederick C. Harlacher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5785) granting a pension to Thaddeus M. Clarkson; to the Committee on Pensions.

Also, a bill (H. R. 5786) authorizing the Secretary of War to donate to the village of Canisteo, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KEARNS: A bill (H. R. 5787) granting a pension to Laura E. Daniels; to the Committee on Pensions.

Also, a bill (H. R. 5788) granting a pension to Sarah Gaddis; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 5789) granting an increase of pension to Annie T. Barclay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5790) to pay Mike Setula $2,600 for injuries received at the hands of a Government employee; to the Committee on Claims.

Also, a bill (H. R. 5791) for the relief of Robert Russell; to the Committee on Claims.

Also, a bill (H. R. 5792) for the relief of A. C. Goddard; to the Committee on Claims.

Also, a bill (H. R. 5793) granting a pension to Charles Dueber; to the Committee on Pensions.

Also, a bill (H. R. 5794) granting a pension to Richard M. Van Dervort; to the Committee on Pensions.

Also, a bill (H. R. 5795) granting compensation to Charles Fortier; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMPERT: A bill (H. R. 5796) granting an increase of pension to Julius A. Nemitz; to the Committee on Pensions.

By Mr. LINEBERGER: A bill (H. R. 5797) granting a pension to Mina Binder; to the Committee on Pensions.

Also, a bill (H. R. 5798) granting a pension to Sarah A. Dow; to the Committee on Invalid Pensions.

By Mr. LINTHICUM: A bill (H. R. 5799) authorizing the Secretary of War to donate to the town of Irvington, Baltimore, Md., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LYON: A bill (H. R. 5800) for the relief of Josie N. Styron; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 5801) authorizing the Secretary of War to donate to the city of Orchard Park, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5802) granting a pension to Bridget Keating; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5803) granting an increase of pension to Alonzo Sidman; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 5804) granting a pension to John Washington Beardmore; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 5805) authorizing the Secretary of War to donate to the borough of Bogota, State of New Jersey, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 5806) for the relief of Thomas Levi; to the Committee on War Claims.

By Mr. RAMSEYER: A bill (H. R. 5807) granting an increase of pension to Levi F. Howell; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 5808) for the relief of W. M. Carson; to the Committee on Claims.

By Mr. SHREVE: A bill (H. R. 5809) authorizing the Secretary of War to donate to the town of North East, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5810) authorizing the Secretary of War to donate to the town of Union City, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5811) authorizing the Secretary of War to donate to the city of Meadville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5812) authorizing the Secretary of War to donate to the city of Titusville, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5813) authorizing the Secretary of War to donate to the city of Erie, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5814) authorizing the Secretary of War to donate to the State normal school at Edinboro, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5815) authorizing the Secretary of War to donate to the Elwood Home for Boys, at North Springfield, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 5816) authorizing the Secretary of War to donate to the town of Saegertown, State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TAGUE: A bill (H. R. 5817) for the relief of Mrs. John Hanlon; to the Committee on War Claims.

By Mr. TEN EYCK: A bill (H. R. 5818) authorizing the Secretary of War to donate to the city of Cohoes, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 5819) granting an increase of pension to Jessie Banta; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 5820) to place Albert Hamilton on the retired list of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. VOLK: A bill (H. R. 5821) granting a pension to Charity L. Wentzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 5822) granting a pension to Esther A. Potter; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

460. By Mr. BLAKENEY: Petition of Grand Lodge of Maryland, Independent Order of Odd Fellows, William A. Jones, grand secretary, urging the passage of the Smith-Towner educational bill; to the Committee on Education.

461. Also, petition of Wilson-Martin Co., packers and provisioners, Baltimore, Md., protesting against the reporting of any packers' legislation out of committees without hearings; to the Committee on Agriculture.

462. Also, petition of the Jacob C. Shafer Co., pork and beef packers, Baltimore, Md., opposing the passage of House bills 14 and 232; to the Committee on Agriculture.

463. By Mr. CHALMERS: Petition of the MacBeth-Evans Glass Co., Toledo, Ohio, protesting against the Haugen bill (H. R. 4981); to the Committee on Agriculture.

464. By Mr. DALLINGER: Resolution of the convention of the diocese of Massachusetts relative to the disarmament question; to the Committee on Foreign Affairs.

465. Also, petition of the Watertown (Mass.) Knights of Columbus, urging relief for the disabled soldiers; to the Committee on Interstate and Foreign Commerce.

466. By Mr. FUNK: Petition of George A. Trapp, member of the Louis E. Davis Post, No. 56, American Legion, Bloomington, Ill., favoring all pending legislation whose aim is for the betterment of disabled soldiers, etc.; to the Committee on Ways and Means.

467. By Mr. GILLETT: Resolutions passed by the Chicago Aquarium Society (Inc.), opposing House bill 12466 and Senate bill 4529; to the Committee on the Public Lands.

468. Also, resolution memorializing the Congress to pass a protective tariff bill on wool, mutton, and lamb, adopted by the Legislature of the State of Minnesota; to the Committee on Ways and Means.

469. Also, petition of Charles L. Wright and others, of the State of Massachusetts, urging a repeal of the 10 per cent tax on yachts; to the Committee on Ways and Means.

470. Also, resolution of Woman's Medical Society of Springfield, Mass., for the relief of the disabled soldiers, sailors, and marines; to the Committee on Ways and Means.

471. Also, petition of Shattuck Men's Club, Methodist Episcopal Church, of Easthampton, Mass., urging relief of the disabled soldiers, sailors, and marines; to the Committee on Ways and Means.

472. By Mr. KISSEL: Petition of Doll and Stuffed Toy Manufacturers' Association, New York City; to the Committee on Ways and Means.

473. Also, petition of John Smith, of Brooklyn, N. Y., urging the recognition of the Irish republic; to the Committee on Foreign Affairs.

474. By Mr. LINTHICUM: Petition of Charles C. Kriel, Jacob C. Shafer Co., and C. Hohman & Sons, all of Baltimore, Md., opposing House bills 232 and 14 and Senate bill 659; to the Committee on Agriculture.

475. Also, petitions of Dr. Howard E. Ashbury, Baltimore, Md., opposing tax on X-ray plates, films, etc.; Joseph J. Scully, Baltimore, Md., opposing sales tax; and George Schafer Cigar Co., Baltimore, Md., protesting against increase of tax on domestic tobacco; to the Committee on Ways and Means.

476. Also, petition of James R. Cadden and Charles C. Masson, both of Baltimore, Md., favoring House bill 172; to the Committee on Military Affairs.

477. By Mr. LUFKIN: Petition of school committee, of Beverly, Mass., favoring the passage of legislation for the benefit of disabled soldiers, sailors, and marines; to the Committee on Interstate and Foreign Commerce.

478. By Mr. RAKER: Petition of the Los Angeles Chamber of Commerce, indorsing the China trade bill; to the Committee on Interstate and Foreign Commerce. Letter from the California Rex Spray Co., protesting against any increase in duty on Canadian lime; to the Committee on Ways and Means. Letter from the California Metal and Mineral Producers' Association, favoring the adoption of the antidumping and foreign exchange features of the emergency tariff bill; to the Committee on Ways and Means. Letter from W. E. Hammond and C. L. Roland, of Sacramento, Calif., indorsing House bill 2332; to the Committee on the Post Office and Post Roads.

479. Also, petition of the San Joaquin Automobile Trade Association, indorsing antidumping legislation; to the Committee on Ways and Means. Telegram from California Metal and Mineral Producers' Association, opposing any import duty on cyanide compounds used in mining; to the Committee on Ways and Means. Letter from F. L. Morgan Co., of San Francisco, Calif., urging protective tariff on greeting cards; to the Committee on Ways and Means. Resolution of San Francisco Chamber of Commerce, regarding tariff legislation; to the Committee on Ways and Means.

480. By Mr. ROSSDALE: Petition of the Bronx Board of Trade, New York City, that the board desires to be once more recorded in favor of the establishment of a national budget system; to the Select Committee on Budget.

481. By Mr. SCHALL: Resolution of Minneapolis Brewing Co., urging repeal of tax on cereal beverages; to the Committee on Ways and Means.

482. By Mr. SINCLAIR: Petition of the Rotary Club, Minot, N. Dak., urging the passage of five measures for the relief of disabled service men; to the Committee on Ways and Means.

483. Also, petition of citizens of Fargo, N. Dak., in mass meeting assembled, calling upon the Government of the United States to recognize the Irish republic; to the Committee on Foreign Affairs.

484. By Mr. VAILE: Petition of 3,617 members of the Sigma Alpha Epsilon Fraternity, asking the Government to secure the release of Xenophon Kalamatiano, an American citizen held prisoner by the soviet rulers of Russia; to the Committee on Foreign Affairs.

485. By Mr. WATSON: Memorial presented by the Bucks County Quarterly Meeting of Friends, held at Wrightstown, Pa., February 2, 1921, in favor of an international conference on disarmament; to the Committee on Foreign Affairs.